SENATE JOURNAL

EIGHTH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH

1909

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1909

OFFICERS

OF THE

UTAH STATE SENATE

1909.

President—Henry Gardner.

Secretary—H. L. Cummings, Salt Lake County.

Minute Clerk—Willard Done, Salt Lake County.

Docket Clerk—Benjamin Bachman, Utah County.

Engrossing Clerk—John E. Hill, Salt Lake County.

Associate Engrossing Clerk—Wm. E. Jenkins, Salt Lake County.

Chaplain—Rev. J. E. Carver, Weber County.

Committee Clerks—Mrs. E. G. Van Law, Salt Lake County.
W. J. F. McAllister, Kane County.
John Saxey, Utah County.
Elias Erickson, Emery County.

Mailing Clerk—Mrs. Dennis C. Eichner, Salt Lake County.

Sergeant-at-Arms—Daniel James, Sanpete County.

Assistant Sergeant-at-Arms — H. E. Steele, Weber County.

Stenographer—Sadie Foss, Davis County.

Messengers—W. R. Thompson, Millard County.
H. C. Boden, Box Elder County.

Doorkeepers—L. J. Larson, Salt Lake County.

Watchmen—Alexander Spence, Cache County.
Joseph Van Wagner, Wasatch County.

MEMBERS

OF THE

UTAH STATE SENATE

1909.

First District—William C. Horsley, Brigham City.

Second District—Herschel Bullen, Jr., Logan.

Third District—Christopher Burton, Jr., Kaysville.

Fourth District—E. T. Hulaniski, Ogden.
Rudolph Kuchler, Ogden.

Fifth District—James B. Wilson, Midway.

Sixth District—Benner X. Smith, Salt Lake City.
William N. Williams, Salt Lake City.
S. J. Stookey, Sugar.
Charles E. Marks, Salt Lake City.
Carl A. Badger, Salt Lake City.

Seventh District—John Y. Smith, Lehi.
Henry Gardner, Spanish Fork.

Eighth District—J. A. Hyde, Nephi.

Ninth District—John H. Seely, Mt. Pleasant.

Tenth District—R. W. Sevy, Panguitch.

Eleventh District—Albert E. Miller, St. George.

Twelfth District—Alonzo Brinkerhoff, Emery.

STANDING COMMITTEES.

AGRICULTURE AND IRRIGATION.

John Y. Smith, Chairman; Hyde, Brinkerhoff, Wilson, Miller, Burton, Horsley.

APPORTIONMENT.

Bullen, Chairman; Williams, Seely, Brinkerhoff, Wilson.

APPROPRIATIONS AND CLAIMS.

Williams, Chairman; Miller, Bullen, John Y. Smith, Wilson, Burton, Kuchler.

BANKS AND BANKING.

John Y. Smith, Chairman; Bullen, Burton, Kuchler.

CAPITOL AND CAPITOL GROUNDS.

Stookey, Chairman; Hulaniski, Hyde, Badger, Marks.

CONTINGENT EXPENSES.

Marks, Chairman; Brinkerhoff, Burton.

COUNTY AND MUNICIPAL CORPORATIONS.

Hulaniski, Chairman; Benner X. Smith, Miller, Seely, Badger, Kuchler, Burton.

EDUCATION.

Bullen, Chairman; Williams, Brinkerhoff, Wilson, Horsley, Kuchler, Marks.

ELECTIONS.

Miller, Chairman; Brinkerhoff, Hyde, Sevy, Stookey.

ENGROSSED AND ENROLLED BILLS.

Marks, Chairman; Stookey, Badger.

FEDERAL RELATIONS.

Hulaniski, Chairman; John Y. Smith, Stookey, Kuchler, Horsley.

FISH AND GAME.

Sevy, Chairman; Burton, Stookey, Horsley, Kuchler, Hyde, Marks.

FORESTS AND FORESTRY.

Seely, Chairman; Sevy, Stookey.

HIGHWAYS AND BRIDGES.

Brinkerhoff, Chairman; Seely, Sevy.

JUDICIARY.

Benner X. Smith, Chairman; Hulaniski, Miller, Badger, Wilson, Hyde, Marks.

LABOR.

Badger, Chairman; Bullen, Williams, John Y. Smith, Miller.

LIVE STOCK.

Seely, Chairman; Wilson, Sevy.

MANUFACTURES AND COMMERCE.

Kuchler, Chairman; John Y. Smith, Bullen, Hyde, Badger.

MILITARY AFFAIRS.

Benner X. Smith, Chairman; Hulaniski, Williams, Sevy, Stookey.

MINES AND MINERALS.

Miller, Chairman; Bullen, Hyde, Wilson, Burton.

PRIVATE CORPORATIONS AND INSURANCE.

Burton, Chairman; Hulaniski, Benner X. Smith, Williams, Horsley.

PUBLIC HEALTH.

Hyde, Chairman; Badger, Seely, Stookey, Benner X. Smith.

PUBLIC INSTITUTIONS.

Brinkerhoff, Chairman; Miller, Williams, Bullen, Hulaniski, John Y. Smith, Stookey.

PUBLIC LANDS.

Wilson, Chairman; Seely, Hulaniski, Sevy, Badger.

PUBLIC PRINTING.

Stookey, Chairman; John Y. Smith, Seely.

RAILROADS.

Badger, Chairman; Hulaniski, Seely, Williams, Benner X. Smith, Hyde, Wilson.

RULES.

Horsley, Chairman; Marks, Miller.

SALARIES.

Kuchler, Chairman; Bullen, Horsley, Marks, Sevy.

STATE AFFAIRS.

Williams, Chairman; Seely, John Y. Smith, Hulaniski, Stookey.

WAYS AND MEANS.

Wilson, Chairman; Miller, Williams, Sevy, Horsley.

RULES OF THE SENATE.

EIGHTH LEGISLATURE OF THE STATE OF UTAH.

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

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

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

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

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

6. The Senate shall not adjourn without the consent of the House of Representatives for more than three days, nor to any other place than that in which the two houses shall be sitting.

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

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

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

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

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

12. The presiding officer shall preserve decorum and order, and may speak to points of order, in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the Senate by any two members; on which appeal no member shall speak more than once, unless by leave of the Senate.

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

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

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

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

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

DECORUM AND DEBATE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OFFICERS' DUTIES.

37. It shall be the duty of the Secretary to keep a journal, in yhich 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.
Capitol and Capitol Grounds, five members.
County and Municipal Corporations, seven members.
Education, seven members.
Elections, five members.
Engrossed and Enrolled Bills, three members.
Federal Relations, five members.
Fish and Game, seven members.
Forests and Forestry, five members.
Highways and Bridges, three members.
Judiciary, seven members.
Labor, five members.
Live Stock, three members.
Manufactures and Commerce, five members.
Military Affairs, five members.
Mines and Minerals, five members.

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

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

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

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

PRACTICE.

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

43-A. Four typewritten copies of every bill, resolution or memorial shall be furnished the Secretary by the members introducing the same. (Adopted Jan. 22nd, 1909.)

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 Robert's 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-mem-

bers 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, members of the Constitutional Convention, and the Mayor and members of the City Council of Salt Lake City, and general field and staff officers of the National Guard of Utah, and officers of the United States Army, and reporters of the press, shall be admitted to the floor of the Senate unless by leave of the President, or on special invitation of a member.

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

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

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

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

The item of unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference in the general order of business, and when the Senate shall have passed from one order to another no action shall be had upon the orders passed except

by leave of the Senate, and to give this leave two-thirds of the Senators present must concur.

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

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

EXECUTIVE COMMUNICATIONS AND NOMINATIONS.

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

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

HOUR OF MEETING.

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

Journal of the Senate

EIGHTH SESSION

FIRST DAY.

Senate Chamber,

Joint City and County Building,
Salt Lake City, Utah, Jan. 11, 1909.

Pursuant to Constitutional requirement, the hold-over Senators and Senators-elect of the Eighth Regular Session of the Legislature of the State of Utah convened at 12 o'clock noon.

The Senate was called to order by Hon. Stephen H. Love, President of the Senate of the Seventh Session of the Legislature, who furnished the following as a certified list of the Senate elect.

Senators.

First District—William C. Horsley, Brigham City.

Second District—Herschel Bullen, Jr., Logan.

Third District—Christopher Burton, Jr., Kaysville.

Fourth District—E. T. Hulaniski, Ogden; Rudolph Kuehler, Ogden.

Fifth District—James B. Wilson, Midway.

Sixth District—Benner X. Smith, Salt Lake City; William N. Williams, Salt Lake City; S. J. Stookey, Su-

gar; Charles E. Marks, Salt Lake City; Carl A. Badger, Salt Lake City.

Seventh District—John Y. Smith, Lehi; Henry Gardner, Spanish Fork.

Eighth District—J. A. Hyde, Nephi.

Ninth District—John H. Seely, Mt. Pleasant.

Tenth District—R. W. Sevy, Panguitch.

Eleventh District—Albert E. Miller, St. George.

Twelfth District—Alonzo Brinkerhoff, Emery.

All members responded to roll-call.

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

Mr. Bullen nominated Henry Gardner for President of the Senate, which was seconded by Mr. Williams.

On motion of Mr. Stookey, Mr. Gardner was elected President by acclamation.

Mr. Love appointed Mr. Bullen and Mr. Williams to escort President Gardner to the chair.

Mr. Love introduced Mr. Gardner, who responded, thanking the members for the honor conferred and the confidence thus reposed in him.

RESOLUTION.

Senate Resolution No. 1—By Mr. Kuchler.

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

Secretary—H. L. Cummings, Salt Lake County.

Minute Clerk—Wm. E. Jenkins, Salt Lake County.

Docket Clerk—Benjamin Bachman, Utah County.

Engrossing Clerk—John E. Hill, Salt Lake County.

Chaplain—Rev. J. E. Carver, Weber County.

Committee Clerks—Mrs. E. G. Van Law, Salt Lake County; W. J. F. McAllister, Kane County; John Saxey, Utah County; Elias Erickson, Emery County.

Mailing Clerk—Mrs. Dennis C. Eichnor, Salt Lake County.

Sergeant-at-Arms—Daniel James, Sanpete County.

Assistant Sergeant-at-Arms—H. E. Steele, Weber County.

Stenographer—Sadie Foss, Davis County.

Messengers—W. R. Thompson, Millard County; H. C. Boden, Box Elder County.

Doorkeepers—L. J. Larson, Salt Lake County; W. A. Lee, Garfield County.

Watchmen — Alexander Spence, Cache County; Joseph Van Wagner, Wasatch County.

Resolution adopted.

The oath of office was administered to all of the officers except W. J. F. McAllister and H. C. Boden, by Chief Justice Straup.

Invocation by the Chaplain, Rev. J. E. Carver.

Mr. Benner X. Smith moved that the Senate notify the House by committee that the Senate is in session, organized and prepared for business. Carried.

The President appointed Senators Benner X. Smith, Williams and Badger as such committee.

Mr. Williams moved that a committee of three be appointed on rules, and that pending the report of the committee the rules of the last Senate be adopted. Carried.

The President appointed as such committee: Senators Williams, Wilson and John Y. Smith.

Moved by Mr. Wilson that the hold-over Senators have the privilege of the choice of seats. Carried.

Moved by Mr. Hulaniski that the President appoint a committee of three to act with a like committee from the

House to wait upon the Governor and inform him that the Senate is organized. Carried.

The President appointed as such committee: Senators Hulaniski, Seely and Miller.

Moved by Mr. Benner X. Smith that when the Senate adjourns it shall be until 1:30 p. m. tomorrow. Carried.

COMMUNICATIONS.

The following communications were received and filed:

House of Representatives,
Salt Lake City, Jan. 11, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has effected a permanent organization, with the following officers:

Speaker—E. W. Robinson, of Cache County.

Clerk—Alex. Buchanan Jr., of Salt Lake County.

Minute Clerk—C. R. Jones, of Summit County.

Enrolling Clerk—James A. Kelly, of Millard County.

Docket Clerk—E. T. Woolley, of Weber County.

Sergeant-at-Arms—Andrew Morris, of Beaver County.

Assistant Sergeant-at-Arms—F. M. Gavin, of Garfield County.

Watchman—Joseph Steele, of Piute County.

Messengers—George Searle, of Uintah County; C. E. Wells, of Box Elder County.

Chaplain—S. W. Jenkinson, of Salt Lake County.

Doorkeepers—Alfred Alder, of Sanpete County; W. L. Sheffield, of Wayne County.

Committee Clerks—Miss Florence Hull, of Salt Lake

County; Miss Mabel Carpenter, of Utah County; Rexal Bachman, of Weber County.

Janitor—John Burns, of Salt Lake County.

Mailing Clerk—W. H. Croft, of Davis County.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

House of Representatives,
Salt Lake City, Jan. 11, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed Messrs. Randall, Fuller and Cannon to meet with a like committee from the Senate and notify the Governor of its organization.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

House of Representatives,
Salt Lake City, Jan. 11, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives is now in session and ready for business.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

The committee heretofore appointed to wait on the Governor reported to the Senate that the Governor will meet with the Legislature in joint session at 2 p. m. tomorrow (Tuesday).

On motion of Mr. Benner X. Smith, the Senate adjourned.

SECOND DAY.

Senate Chamber,
Salt Lake City, Utah, January 12th, 1909.

The Senate met pursuant to adjournment.

President Gardner presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

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

INTRODUCTION OF BILLS.

Senate Bill No. 1—By Mr. Williams.

A Bill for an Act to provide for the regular and contingent expenses of the Eighth Session of the Legislature of the State of Utah.

On motion of Mr. Williams, the bill was read the first and second times, and under a suspension of rules was read the third time and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting were: Messrs. Brinkerhoff and John Y. Smith.

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

On motion of Mr. Stookey, the Senate adjourned for the purpose of meeting with the House in joint session, to receive the Governor's message, and to reconvene in regular session at 2 p. m. tomorrow.

JOINT SESSION.

House of Representatives,
Salt Lake City, Utah, Jan. 12th, 1909.

The Eighth Legislature of the State of Utah met in joint session at 2 p. m., President Gardner of the Senate presiding.

The Secretary of the Senate called the roll of the Senate; quorum present.

The Chief Clerk of the House called the roll of the House; quorum present.

Prayer by the Chaplain of the Senate, Rev. J. E. Carver.

Representative Thompson moved that a committee of three be appointed to wait upon His Excellency, the Governor, and advise him that the joint assembly is now ready to listen to his message. Upon this motion carrying, the chair appointed Representatives Thompson and Morris and Senator Seely to act as such committee.

At 2:10 the arrival of the Governor was announced, and he was introduced to the joint assembly by President Gardner, and read his message, as follows:

EXECUTIVE OFFICE,
STATE OF UTAH.

Salt Lake City, Jan. 12th, 1909.

To the Legislature of the State of Utah:

Complying with the requirements of the Constitution, that the Governor shall communicate by message to the Legislature, at its regular session, the condition of the State, I take pleasure in submitting to the Eighth Legislative Assembly of the State of Utah a statement of the general condition of the several State departments and institutions, with suggestions as to the needs of various

branches of government, as shown by reports of the officers thereof, together with recommendations for needed legislation.

It is needless for me to impress upon you the importance of the occasion which has assembled you as representatives of the citizens of Utah. Each recurring legislative gathering brings with it increased responsibilities. As our nation expands in this wonderful day of growth, so Utah, through the wise and prudent acts of her legislators, must keep abreast of the progressive commonwealths of the Union; and it is to you, gentlemen of the Legislature, that the people of this State have delegated the responsible task of making wise provision for Utah's institutions, and of enacting such measures as shall make toward a sure and permanent occupancy of the high position she already holds among the sisterhood of States.

With a broad, yet prudent exercise of the legislative functions, the possibilities for our future are almost limitless. Our State has been richly blessed by a kind Providence. Our soils have yielded in abundance to the husbandman; our mines have responded in bounteous plenty to the delvers for precious metals; our desert places have surrendered to the civilizing force of irrigation, and our people have prospered. Our State is young. Her wonderful natural resources are as yet but touched by the morning light of a day of matchless opportunity. The labors of this day shall be the development of these resources. With that unfolding process we must anticipate the ever broadening requirements in the administration of her affairs. Our labor is not alone the wise disposition of the problems of today; it is the faithful discharge of a trust for the generation of tomorrow. Let us not lose sight of the fact that we are building the superstructure of a State, which, with the coming years, shall occupy the front rank of the Union in intelligence, resource, and wise government.

At this time I cannot refrain from a word of congratulation that during the past twelve months of national and world-wide financial stringency Utah has faced the industrial depression with stability and strength. Her sound condition through this period and at the present time will stand as indisputable evidence of the solvency

of her resources. With you, I am proud of Utah's agricultural, mining, stock-raising, and horticultural resources; as I am of her industrial, financial, and commercial prowess. I am proud also of her continued educational advancement.

That you may know in detail the condition of the State, I commend to your most careful consideration the excellent and comprehensive reports which have been submitted by the various officers whose duty it is to gather and furnish this data.

ELECTION OF SENATOR.

A vacancy occurring in Utah's representation in the United States Senate, March 4th next, it will be one of your first, and to my mind, most momentous duties to proceed to fill this vacancy by the election of a United States Senator in the manner prescribed by the laws of the United States.

A high regard for the importance of this selection should characterize your deliberations. In choosing one of your fellow-citizens for this responsible position, the two principal requirements of officers of public trust—ability and fidelity—should be kept well in mind.

FINANCIAL.

Under the previous administration the fiscal interests of the State have been well conserved. The assessed values have increased over twenty-seven millions of dollars during the past four years.

The estimated revenues from all sources for the ensuing two years is $2,235,000; while the estimated requirements, as furnished by the various heads of departments, and the several managing boards—together with those fixed by standing laws—will approximate two and a quarter millions of dollars, to cover the cost of maintaining the State government for the next biennial period. The various items of revenue and expenditure are shown in detail in the very comprehensive report of the State Auditor.

In the foregoing estimates of funds I do not include

some special appropriations, mention of which will be made as I proceed.

The report of the Comptroller of the Currency on national banks in Utah, and the reports of the State and private banks as submitted by the Secretary of State, show individual deposits in excess of forty-two millions of dollars. An analysis of the assessment tables filed with the report of the State Auditor shows that taxes on "Money and solvent credits" for the year 1908 have been assessed on an amount slightly in excess of four and one-half millions of dollars. It is true that from the total bank deposits mentioned a deduction should be made for State, county, and city funds held by the banks; but $5,000,000 would more than cover deposits of this nature. In other words, the amount of deposits in this State upon which taxes have not been levied is in excess of thirty-two millions of dollars, which sum, taxed at eight mills on the dollar, would add $256,000 to the State revenue, or almost as much as is required to cover the estimated expenses of the Agricultural College.

In addition to this, I find from the report of the State Board of Sheep Commissioners that for the year 1908 there were 812,000 more sheep inspected than were accounted for by the assessors of the various counties of the State, which means an additional loss to the revenue of over $18,000 per annum. A similar condition prevails along other lines.

REVENUE LAWS.

One of the most important matters, therefore, for your consideration is the question of the amendment or revision of the revenue laws relating to the taxation of property. It is for you to determine whether it will be best to try to correct existing defects by amendment, or by the enactment of a new law adequate to our present needs and condition.

ASSESSMENT OF PROPERTY.

The claim is made by some that the election of a county assessor, especially in the case of the larger coun-

ties, who must, by himself or deputy, assess all the taxable property of the county, does not insure a close and complete assessment, and that what is needed is a system which will bring the performance of this important public duty closer to the people. It is said that in some of the older States of the East there exists what is known as the precinct or township system.

Under this system the people of each precinct elect a board of three appraisers, to serve for two years or longer. These boards, upon a date fixed by law, secure from the office of the county commissioners the assessment rolls of their respective precincts or townships and proceed to make the changes in the roll which are necessary because of the erection of new buildings, and improvements in old ones; by the increase or accumulation of different forms of property, money, live-stock, etc., and by increases in value; and after the completion of the appraisement return the rolls to the office of the county commissioners, who sit as a board of equalization. These boards are allowed, on an average, ten days in which to complete their work, and the average pay is $3.00 per day. It is claimed for this system that it yields maximum results at minimum cost (the cost being much less than under the present system), and further, that it insures an absolutely close and complete assessment, because the citizens of a precinct have a fair knowledge of the property owned within the limits of the precinct, at least a better and more accurate knowledge than strangers would have. The statement was recently published that a large number of live-stock failed of assessment in this State last year. This probably would not have occurred under the precinct system. I submit this proposition for your consideration.

TAXATION BY CITIES.

Section 253 of the Compiled Laws of Utah, 1907, provides that:

> "During the month of July of each year the City Council, at a regular meeting thereof, shall, by ordinance or resolution, levy on the real and personal property within the city made taxable by law:

"1. Not to exceed 5 mills on the dollar to defray contingent expenses.

"2. Not to exceed 10 mills on the dollar to purchase water sources, streams, and the land upon which said streams are appropriated, and canals; to construct water works and to supply water for irrigation and other purposes.

"3. Not to exceed 5 mills on the dollar to open, improve, and repair the streets and sidewalks.

"4. Not to exceed 5 mills on the dollar to construct and repair sewers and drains.

"5. Not to exceed 10 mills on the dollar to construct and maintain gas works, electric light works, telephone line, street railways, and bath houses."

There is no doubt as to the intention of this law to limit specifically the taxing power of City Councils, and to define the purposes for which the tax should be used. It will be noticed that at the close of paragraph 2 occur the words "and other purposes." Recently, preceding the holding of a bond election in Salt Lake City, the claim was made, presumably on the authority of city officials, that the ambiguous words "and other purposes" permitted a levy of 10 mills to be used for purposes evidently not contemplated or intended by the makers of the law. Laws which authorize the creation of a bonded indebtedness usually contain a provision for the making of a sinking fund to meet the indebtedness when it becomes due. It is claimed by some that this gives to the City Council authority to levy a tax to create the fund in addition to the other taxes that may be levied by Section 253. While the correctness of this claim is open to serious doubt, it will be seen that if it prove correct it leaves the door open for the levying of a tax limited only by the judgment or discretion of the persons who make the levy.

I deem it my duty to bring this to your attention, because in these days of constantly increasing taxation it is of the utmost importance that the limitations of the law giving to City Councils power to levy taxes be made clear and explicit and beyond misconstruction, because it invariably happens that the doubt, if any exists, is resolved

against the taxpayer. There should be no ambiguity in the wording of a tax statute, and City Councils should not have power under any circumstances to increase the levy because of general provisions contained in statutes which are construed to grant an authority never intended to be bestowed by the law-makers.

MUNICIPAL INDEBTEDNESS.

Under Section 308 of the Compiled Laws of Utah, 1907, it is provided that:

> "Any city or town is authorized to incur indebtedness not exceeding four per cent of the value of the taxable property of such city or town, for supplying such city or town with water, artificial light, or sewers, and that the creation of such indebtedness must be submitted to a vote of such qualified voters as shall have paid a property tax in the year preceding such election."

Under this provision there have voted at bond elections persons whose only qualification was the fact that they paid an assessment levied on a desk, chair, books, or other kinds of movable property—property which could be disposed of at a moment's notice and would not be, therefore, subject to the lien of the indebtedness created by the issue of the bonds. At a bond election recently held in Salt Lake City, persons who were the owners of stock in organizations or corporations which paid a property tax claimed that this gave them the right to vote, and they did vote. It seems to me that the framers of the law never intended to throw wide open the door, in this way, for the creation of bonded indebtedness. I believe it was their intention to provide that the property tax to be paid as a qualification for voting was a tax on real estate, and I recommend that the Constitution be amended accordingly.

IMPROVEMENT TAXES.

In regard to the law relating to improvements and the improvement of streets and sidewalks, sewers and drains, etc., within municipalities, it must be clear to

every one that some changes in the revenue law are imperatively demanded. At this time great and wealthy corporations have, under valuable franchises, the use of the streets of the cities and towns, and do not pay one cent for special improvements. This heavy burden is placed upon the land owner, and is constantly increasing with the passing of the years. Again, there are other forms of wealth, corporate and otherwise, which prosper by the growth of the cities and which do not pay their share of the cost of maintaining public improvements.

I recommend that authority be granted to city councils to levy a light improvement tax, to be spread over every form of property, and to be used for the maintenance and repair of public improvements, for cleaning the paved streets, and, as far as possible, for the construction of public improvements of a general character, such as conduits, water mains, gravity and drain sewers, bridges, paving at intersections, crosswalks, aqueducts, etc. If there had been such a tax levied in the years that are past, there would not be the heavy bonded indebtedness which now exists, and the rate of taxation would not now be so heavy.

If this recommendation be accepted, it will be necessary to place a limit upon the power of city councils to levy five mills to defray contingent expenses. There is no good reason why the ordinary contingent expenses of a city or town should not be met by the current revenues. I believe a large fund of such a character affords opportunities for unlimited waste and extravagance. I also believe the people's money should be spent and accounted for in the same way that a careful business man expends and accounts for his money.

ATTORNEY GENERAL.

I would call your attention to the very comprehensive report of the Attorney General, and the various recommendations that officer makes; important among which is the suggestion that there be a provision whereby the public may know when corporate bodies which have obtained privileges are exceeding their corporate limits or are defrauding the public; and the further recommen-

dation that such steps be taken as will insure the correction or removal of any evils which may have crept into our laws regarding corporations.

SECRETARY OF STATE.

The Secretary of State is one of the Executive Officers whose duties are increasing with each succeeding year, and any provision possible to relieve this office of some of of its many burdens should be made.

I invite your attention to what appears to be an unnecessary duplication of records in the offices of the Secretary of State, and of the State Board of Land Commissioners, made necessary under our present laws. The approved land lists, when received by the Governor from the Commissioner of the General Land Office, are transmitted to the Secretary of the State Land Board, in whose department they are placed on record, and then forwarded to the Secretary of State, who is also required to record them, and in whose department they are permanently filed. The certificates of sale are issued by the President and Secretary of the State Land Board, and after final payment is made, are filed with the Secretary of State. The patent is then prepared by the Secretary of State, and after the Governor has affixed his signature thereto and it has been attested by the Secretary of State, the patent is transmitted to the State Land Board, where it is signed by the secretary of that board and recorded in his office, and then returned to the Secretary of State, who is required to again record it in his office and forward it by registered mail to the purchaser.

I recommend that if practicable the laws be so amended that all matters relating to State lands and State land patents be placed in charge of the State Land Office, doing away with unnecessary duplication of these records.

The Legislature of 1901 passed an act fixing the salaries to be paid the Executive officers of the State. At the session of 1907 the act of 1901 was amended to provide for an increase in the salary of the Superintendent of Public Instruction, said amendment becoming effective January 4, 1909, but in amending it, by what must be as-

sumed to have been an accidental omission, no salary was provided for the Secretary of State. The law should be amended reinstating the salary of the Secretary of State, as originally provided in the act of 1901.

STATE TREASURER.

The report submitted by the State Treasurer, covering the years of 1907 and 1908, shows a careful handling of the State moneys. I would call your attention to the difference between the balance in the treasury November 30, 1906, which was $554,172.69, and the balance November 30, 1908, which was $258,833.07. This difference of $295,339.62 is more than offset by investment. The investments in 1907 were $695,449.80, and in 1908 $904,298.40. This money is invested by the Land Board and is drawing interest.

Section 1008 of the Compiled Laws of Utah requires that fees of all State officers shall be paid into the treasury at the end of each quarter. I would recommend that this law be amended to read "at the end of each month."

STATE AUDITOR.

The report of the State Auditor contains a full account of the handling and disposition of the State funds, and I respectfully direct your attention to the same.

DEFICITS.

I recommend appropriations for the payment of the following deficits, created during the years 1907 and 1908:

Payment of outstanding bounty certificates issued under authority of Chapter 137, Laws of 1901, and Chapter 48, Laws of 1903	$12,000.00	
For one-half cost of revising maps and plats	3,000.00	$15,000.00
To members of State Boards, contingent expenses		200.00

Deficits 1907 and 1908, authorized by the State Board of Examiners:		
To the Agricultural College, for maintenance of the Central Utah Experiment Station and the Southern Utah Experiment Farm	12,000.00	
Agricultural College, preliminary expenses power plant	300.00	12,300.00
State Coal Mine Inspector, contingent expenses		700.00
State Fish and Game Commissioner, contingent expenses	500.00	
State Engineer—		
Completing Weber River survey	2,000.00	
Office supplies	800.00	
Office rent	560.25	
Office service	1,500.00	
Court stenographers and referees	1,000.00	5,860.25
State Auditor's contingent expenses		350.00
Attorney General's contingent expenses		300.00
University of Utah, for erection of lunch room adjoining gymnasium building		6,500.00
State Industrial School, purchase of lands	600.00	
Central heating plant	8,500.00	9,100.00
State Board of Equalization, contingent expenses		452.35
State Land Board, contingent expenses		5,000.00
Total		$56,262.60

STATE BOARD OF LAND COMMISSIONERS.

Pursuant to the provisions of the statute, the State Board of Land Commissioners has made the following loans from the Reservoir Land Grant Fund:

To the Deseret Irrigation and Melville Irrigation Companies, corporations, operating in Millard County, $70,000; to the Irrigated Lands Company, a corporation, operating in Carbon County, $100,000; to the Otter Creek Reservoir Company, a corporation, operating in Sevier County, $7,500; to the Sevier Valley Canal Company, a corporation, operating in Sevier County, $15,000; to the Koosharem Irrigation Company, a corporation, operating in Sevier County, $1,000.

The Hatchtown Reservoir, which has been building for the past year, is nearing completion, will cost approximately $100,000, and will be in operation for the year 1909, bringing under cultivation five thousand acres of fertile land, which the State Board has selected in Garfield County, and which will be offered for sale in the near future. Every precaution has been taken to make the reservoir and canal construction substantial and secure.

The Piute project, which the Board had under consideration at the time of making its last report, is now in course of construction. The lands covered by the reservoir site have been purchased, the outlet tunnel of the reservoir constructed, twenty miles of new canal made and twenty miles of the Sevier Valley Canal is now being enlarged, and complete plans and specifications are now being considered for the building of the reservoir dam. The State Engineer has spent considerable time and has used the utmost care in gaining the necessary information to enable the Board to determine the best and safest method of building the dam. Up to date there has been expended on this project approximately $74,000. The project will bring under cultivation some 20,000 acres of fertile land in Sevier and Sanpete counties. The vacant lands under the canals of this system have been selected by the Board, and will be offered at public sale as soon as practicable.

Applications have been made to borrow money for reservoir projects to the aggregate amount of one-half million of dollars beyond what the Board has had money

to supply. The Board is firmly of opinion that the entire reservoir Land Grant Fund should be made available for the construction of reservoirs within the State, and recommends that the Legislature make provisions accordingly. In this recommendation I concur, and respectfully recommend that the Legislature, by enactment, make available not only that portion of the Reservoir Land Grant Fund heretofore appropriated, but in addition thereto appropriate all moneys which hereafter shall come into said fund.

The Board has applied for and segregated two large tracts of land under the Carey Act, for which contracts have been entered into by the State of Utah through its State Board of Land Commissioners and the Interior Department. Each of the companies in whose behalf these segregations were made, is now prosecuting its work of reclamation thereunder, and in addition an application is now on file for the segregation, under this act, of approximately 125,000 acres of land in Millard County.

This latter application has encountered some opposition, and the right and authority of the State Land Board to make contracts as provided in Section 9 of our State law accepting the Carey Act, is now being contested, in the courts, although the Interior Department has conceded the Land Board the right to make the application named.

From the numerous inquiries being made in the Land Office the State Board is of opinion that applications to select land under the Carey Act will be made in the near future for sufficient acreage to exhaust our Carey Act lands. I recommend that the law be amended so as to eliminate all doubt as to the State's right to operate thereunder, as such operation will be of inestimable value to the State.

EDUCATION.

Among the important matters which will come before you, none is more deserving of your thoughtful consideration than the educational interests of the State. In the national educational development, the schools of Utah have kept well to the front, and it is a consideration of first moment that you make such provision for them as will insure their proper recognition. Anything which

affects the welfare of our schools, affects practically all the relations of life.

From the report of the State Superintendent of Public Instruction we gather the information that in round numbers there were upwards of two and one-half millions of dollars expended in the maintenance of our common schools during the past two years; equal to nearly $24 per capita of the school population. Forty-eight school buildings were erected during the past two years, costing over $709,000; and in this connection I desire to call your attention to the fact that during the past eight years the State of Uah has expended over one and a quarter millions of dollars in the erection and equipment of schoolhouses. The Superintendent reports that the State has a corps of earnest, intelligent, progressive, and fairly well prepared teachers engaged in school work. Utah holds high place among the States of the Union in literacy. These facts are indicative of the excellence of our school system.

I regret exceedingly that the proposed constitutional amendment providing for State aid for high schools failed of passage in the recent election; however, the outlook for the future is bright and promising; for with the splendid increase in the number of high schools during the past two years, the necessity becomes more apparent that the fostering care of the State should be extended. While the elementary schools are of first importance, and should have the first claim for support, yet, according to the Bulletin of Education, "in practically all the States in which notable progress has been made, some form of special State aid for high schools has been established."

I therefore recommend that the Legislature make provision for submission at the next general election of an amendment to the Constitution providing for the extension of State aid to high schools.

STATE UNIVERSITY.

It is with a feeling of pride that I direct your attention to the work of the magnificent institution of learning on the hill to the east of where you are now assembled—our State University. It is a matter of congratulation

that there has been placed in your hands the duty of making provision for so splendid an educational institution, and I can only bespeak for the State University and its needs your most loyal and conscientious consideration.

From a humble and almost obscure beginning, the University has advanced with the growing State, until today it has a standard which meets the demands of the highest educational authority of the United States, namely, the trustees of the Carnegie Foundation for the Advancement of Teaching.

The Board of Regents of the State University report marked progress during the past two years. Among the important changes effected are: The elimination of the second year of high school work, the establishment of the two years' law course, the provision for graduate work and the advancement of the entrance requirements.

To accommodate the increased attendance at the University, and to properly provide for the requirements of the various departments, additional buildings are a necessity, and the Regents strongly recommend immediate provision for the erection of a main building at an estimated cost of $250,000. I favor the granting of this request of the Board of Regents, and recommend the appropriation of $50,000, and the enactment of a measure whereby $200,000 may be obtained; and would suggest the passage of a measure similar to the one by which means were obtained to remove the University from its old to its present site. In granting this appropriation the Legislature will be carrying out the idea of a gradual establishment of a permanent and commodious home for our State University, and complying with the wish of the entire State that in equipment the University shall be adequate to the growing demands of those seeking higher education.

I recommend the passage of an act providing for the establishment of an engineering experiment station in connection with the State School of Mines.

Since the removal of the University to its present location the work of improving and beautifying the grounds has been carried on, though with limited means, and a request has been made for a $15,000 appropriation to carry on this work.

Mr. Andrew Carnegie has established what is known as the Carnegie Foundation for the Advancement of Teaching. For the consummation of this purpose Mr. Carnegie gave fifteen millions of dollars; professors who have taught for 25 years in an acceptable institution receive a certain retiring allowance, or pension, and any person 65 years of age who has taught not less than fifteen years also becomes a beneficiary. In order that a State University, or a tax-supported institution, may be admitted to a retiring allowance system of this organization, it is necessary that proper application be made through the Governor and Legislature. I therefore recommend strongly that the Legislature approve an application which the Regents will make for the admittance of the University of Utah to the retiring allowance of the Carnegie Foundation for the Advancement of Teaching.

The Branch Normal, situated at Cedar City, is doing splendid work, and it is expected that during the coming year the institution will offer a four years' normal preparatory course leading to the State Normal School Course of the college grade.

You will be called upon to make provision for the following items in the maintenance and extension of the State University for the years 1909 and 1910:

General maintenance	$300,000.00	
Less estimated income from various sources	72,000.00	$228,000.00
School of Arts and Sciences....		18,402.00
Medical School		8,116.15
School of Mines		38,424.25
Normal School and Normal Training School:		
General supplies, etc..:.....	4,952.00	
General Library purposes	5,600.00	10,552.00
Care and improvement of grounds		15,000.00
For the Main or Central building		50,000.00
Total		$368,494.40

AGRICULTURAL COLLEGE.

During the past two years, under competent direction, our Agricultural College at Logan has made magnificent progress. A fixed and definite policy has been established, and there has been a State-wide awakening to the benefits of agricultural and industrial education.

There has been a surprisingly large increase of students in attendance during the year just closed. While the removal of engineering work from the institution took away a certain class of students, the schools of Agriculture, Domestic Science, Commerce, and Domestic Art, each have a larger enrollment than ever before. The report of the President shows an increase in attendance of college students of thirty-five per cent over any previous biennium, and during the past two years the number of students taking Agriculture has more than doubled. This fact is significant. It means that our Agricultural College is progressing in those educational branches for the advancement of which the school was founded, and that it is not only conforming more closely than heretofore to the intention of the State law in its courses and work, but to the government requirements also. There is an increasing demand for persons properly equipped for agricultural and industrial pursuits, and the College is aiming to specialize along these lines.

The College also has had efficient supervision, and harmony prevails among the trustees, the faculty and the student body.

The advancement of the entrance fee for admission of non-residents has resulted in a distinct loss in the attendance of outside students. I respectfully recommend that the entrance fee for non-resident students be reduced, as the State can well afford to encourage this class of students to identify themselves with the College.

The appropriations made by the last Legislature were such as to necessitate strict economy in the management of the school, so that the equipment has not been materially increased. Buildings, heating plant, and waterworks all have suffered in some degree for the lack of necessary repairs.

From personal observation and information in my possession there is every indication that the Central Utah Experimental Farm, situated at Lehi, is not giving the results anticipated. I would respectfully request the Legislature to appoint a committee of investigation, to ascertain whether it is wisdom to continue that farm in its present location. I shall be glad to furnish any information which I have in connection with this matter.

I would respectfully recommend the creation of a permanent publication fund for the preparation and publication of bulletins and popular manuals for distribution among the farmers, fruit-growers, and stock-raisers of the State. The Experiment Station can furnish this information, but there is no fund available for its publication and distribution.

Over eight years ago our State Experiment Station undertook a series of experiments to determine the best methods of reclaiming so-called "water-logged" lands. In this work the Federal Government has assisted; the results have proved so satisfactory and the investigations have reached such a point that to discontinue them at this time would mean a loss of the chief benefits of the work of the past eight years. The United States Department of Agriculture has indicated a willingness to appropriate any amount up to $10,000 for the purpose of continuing this work, provided the State makes a like appropriation.

There is need for a more perfect control of infectious diseases among the domestic animals of the State. The State Board of Health has assumed supervision of this branch to the extent of its resources, but the absence of proper officials to look after outbreaks of disease among farm animals has led to frequent calls upon the College professor of veterinary science to render assistance. His college work makes it impossible for him to respond to these calls. Inasmuch as the College proper and the Experiment Station both are in need of added assistance in veterinary science, I recommend that this assistance be authorized, and that the professor of veterinary science at the College be made ex-officio State Veterinarian. In this connection it may be stated that the Federal Bureau of Animal Industry has agreed to fur-

nish the material for tuberculin tests free of charge, and also to furnish one or two inspectors and defray their expenses, upon condition that the State has a law regulating such tests.

The work of the Farmers' Institutes having grown far beyond the expectations of those connected with the movement, the time has come when the State must make provision for a more extensive Farmers' Institute campaign.

The estimated requirements and income of the Agricultural College for the ensuing biennial period are:

For maintenance and new buildings.....	$269,300.00
Estimated income	110,000.00
Total amount required.....	159,300.00
In addition, the Experiment station asks for a publication fund of	5,000.00

UTAH SCHOOL FOR THE DEAF AND BLIND.

The trustees of the Utah School for the Deaf and Blind report the two years just past as the most successful in the history of the institution. The school has grown in numbers and general efficiency. The educational standard of the institution is high, and the work compares favorably with that of the foremost schools of its kind in the United States.

During the past year the Convention of American Instructors of the Deaf was held at Ogden, and students of the State School were used to splendid advantage during the convention. Your attention is invited to the report of the trustees, in which is contained a brief account of this convention, together with expressions from delegates regarding this State School.

At the present time the total enrollment of the school is 106 students.

For the coming two years the Board asks for the following appropriations:

General maintenance	$70,000.00
Repairs and improvements	5,000.00
Circulating library for the blind.....	250.00

Library for the deaf	250.00
Two fire escapes	2,750.00
Remodeling main building	11,500.00
Completion of third floor of annex	3,500.00
Barn	5,000.00
Greenhouse	1,250.00
Total	$99,500.00

STATE SCHOOL FOR THE ADULT BLIND.

I have been asked to direct your attention to a movement which is afoot for the establishment at Salt Lake City of a State School for the Adult Blind. It is the desire of those interested to secure from the Legislature an appropriation of sufficient amount to establish an industrial school wherein the adult blind may learn certain crafts, such as the making of brooms, mattresses, brushes, baskets, and other trades, and become self-supporting. They seek State aid during the period of their training in these trades. This is a worthy purpose, and I commend it to your careful consideration.

STATE INDUSTRIAL SCHOOL OF UTAH.

Provision was made by the last Legislature for the construction of a home for the girls, in connection with the State Industrial School. I am pleased to report that this home is about completed, and soon will be ready for occupancy. An additional appropriation will be required to complete the work. The waterworks system authorized by the Legislature has been installed, and the school now has a splendid independent water supply. The Board of Examiners authorized two deficits, one for new boiler and plant, and the other for the purchase of two small lots.

The average daily attendance during the last eight months of 1908 was 125, and the average daily cost per day per capita was eighty-four cents.

Following is an estimate of the requirements of the State Industrial School of Utah for the years 1909 and 1910:

General maintenance, two years, exclusive of amounts received as interest and rental on lands allotted to the institution by the Enabling Act	$75,000.00
Manual Training	15,000.00
General betterments, improvements, and repairs	6,000.00
Salary and expenses of a State parole officer.	3,000.00
Additional library	1,000.00
Extension and development of the waterworks system.	1,500.00
Purchase of additional farming land	10,000.00
Completion and furnishing of Girls' Cottage.	5,000.00
Fire escapes	2,000.00
Central Light and Power Plant	3,500.00
Erection and furnishing of a cottage for boys over 16 years of age	20,000.00
Erection of a central dining room and kitchen	5,000.00
Erection and furnishing of a Superintendent's Cottage	7,500.00
Total	$154,500.00

STATE MENTAL HOSPITAL.

It is gratifying to report an administration of the affairs of the State Mental Hospital during the past two years which has been characterized by strict economy. The hospital has been maintained at a daily average cost per capita of less than forty cents, and at the close of the fiscal year the institution turned back to the general fund an unexpended balance of the appropriation made for its maintenance, improvements, and repairs, exceeding $15,000.

The general health of the patients and employes has been exceptionally good, there having been no epidemics or serious accidents during the year. November 30, 1908, 350 patients were under treatment.

The death rate shows a slight increase due to the large number of senile patients admitted. In this connection your special attention is directed to the growing demands upon the Hospital for the care of the feeble-

minded, and non-insane epileptic patients. There is a manifest disposition throughout the State to burden the Hospital with this class, and with the present facilities a patent injustice is done not only to those patients, but to that class of patients who come for treatment of affliction of a more serious nature.

The State is unable at the present time to make provision for an independent institution for the care of senile patients, and I therefore make recommendation that an appropriation of $20,000 be made for the proper equipment of a large building connected with the Hospital, which has not been used since its construction, but which during the past two years has been carefully overhauled, and will afford excellent quarters for the feeble-minded.

It will be absolutely necessary for the present Legislature to make provision for a better water supply. In the past the Hospital has secured water under contract from Provo City. This supply has long been unsatisfactory and inadequate to the needs. The contract expires in February, 1911, and notice has been served that its renewal will entail an increased annual rental fee. The State Board of Insanity has made filings on springs situated about three miles from the Hospital, and surveys already have been made of route and location of storage plants, etc. These springs will yield about 150,000 gallons of pure water daily, and the installation of an independent water plant will insure a uniform high water pressure—a thing the institution has not had in the past. An estimated expenditure of $20,000 will be necessary to provide this supply and plant, and I earnestly recommend the appropriation.

Provision also should be made for at least two additional spiral fire escapes such as those now in use.

I also recommend an appropriation of $1,500 for the erection of a cold storage plant.

I append a statement of the requirements of the State Mental Hospital for the ensuing biennial period:

Maintenance	$116,800.00
Repairs and renewals	5,000.00
Furnaces for two boilers and one front	1,000.00
One engine and generator	3,000.00

One cold storage	1,500.00
One propagating house	600.00
Painting brickwork, north and south wings, woodwork and roofs, Cottages 1, 2, and 4.	1,185.00
Insurance	3,000.00
Water system	20,000.00
Total	$152,085.00

UTAH STATE PRISON.

Our State penal institution was operated during the years 1907 and 1908 at a daily per capita expense of forty-eight cents. During the biennial period two hundred and ninety-three prisoners were received, and two hundred and thirty-two prisoners were released through expiration of sentence, parole, pardon, and death. The present population is two hundred and eighty-one. The new cell house has been completed and one tier of cells installed. An appropriation is asked for completing these cells. A new residence of seven rooms has been built for the superintendent of the farm and his family, at an approximate cost of two thousand dollars; about two-thirds of this amount being the proceeds of the work of prisoners and one-third from the visitor's fund.

The prison physician reports that during the years 1907 and 1908 the sanitary condition of the prison has been excellent, and the health of the inmates good.

The situation with regard to the water supply for the State prison is practically the same as two years ago. The action in which the State's rights to the use of waters from Parley's Creek are contested is still pending. At the present time the State is paying Salt Lake City for the use of water, but is making the payments under protest. Until the suit now pending is settled, the Prison Board will be compelled to meet these payments and provision must be made by appropriation for this expense. The appropriation also should include a specified sum for attorneys' fees, as the Attorney General could not handle this litigation alone. At the suggestion of the retiring Attorney General, special counsel was

employed by the Governor, and provision for its compensation is therefore a matter of necessity.

Over thirty thousand dollars of unexpended appropriations for this institution will revert to the State treasury.

NATIONAL GUARD OF UTAH.

The report of the Adjutant-General, covering the last two years, details at some length the duties of and ceremonies participated in by the National Guard, its standing, state of efficiency, and its wants and necessities.

Under the existing law of Congress, commonly known as the "Dick Bill," the national guard of a State, participating in the financial benefits conferred by this law, is a part of the regular military force of the United States, and may be called on by the President of the United States for active duty in case of necessity. I regard the maintenance of an active, efficient national guard of a proper strength, as one of the paramount duties which the State owes to the Federal Government. Candor, however, compels the statement that there is not that general interest in this important branch of the service of the State that is to be desired. It has not been practicable to maintain the organizations at the strength prescribed by the President, although the Guard as a whole has conformed to the requirements of Congressional legislation.

To conform properly to Congressional legislation, and secure the financial benefits thereof, it is necessary that our present militia law be amended at your present session.

The Adjutant General recommends the erection in Salt Lake City of a State arsenal and armory, and submits plans therefor. He shows that the present cost of armory rent in Salt Lake City amounts to five per cent interest on $86,400; that the present lease expires in July, 1910, and that the cost of rental then will be in all probability, greatly increased. He suggests that $85,000 can be obtained from the State Land Board for the erection of an armory, if suitable legislative authority is given; which sum, together with the amount now in the military fund, he believes will be sufficient to erect com-

pany quarters, drill hall, storage and arsenal accommodations amply sufficient for twenty-five years to come, the present design being so worked out as to permit the future addition of a proper administration building. The money paid to the Land Board as interest would be no greater sum than is now paid as rent, and the sum so paid would inure directly to the benefit of other State institutions.

The Adjutant General also shows that under the present standpoint of excellence and efficiency required of the State militia by the War Department, it is almost essential that the commanding officers of organizations and first sergeants should receive some compensation. The work required of them is considerable and must be done with accuracy and promptness. The State should be in a position to require service of these officers, and not rely wholly upon their generosity and patriotism as prompting them to render the service. Many other States compensate these officers. The Adjutant General also earnestly urges a liberal financial appropriation sufficient to meet the demands and necessities for the support of the Guard.

I concur in the foregoing recommendations and bespeak your earnest and careful consideration thereof.

The estimated financial needs of the Guard for the ensuing two years are as follows:

Salaries of Adjutant General and Assistant Adjutant General	$4,200.00
Rent of armories	20,000.00
Encampments and general maintenance	31,000.00
Total	$55,000.00

STATE BOARD OF SHEEP COMMISSIONERS.

I am of opinion that the law should be so amended as to place the State Board of Sheep Commissioners on a self-supporting basis, and to that end respectfully recommend the re-enactment of the law requiring an inspection tax.

It is very gratifying to report that through the efforts of our Sheep Commission, Utah sheep shipped to eastern markets are found by Federal inspectors to be free from disease, and that the Federal quarantine will be raised in the near future and the government inspectors transferred to other localities. The removal of these inspectors, who have co-operated with the State officers in the work of sheep inspection, will necessarily entail additional work in connection with the Sheep Commission.

Insufficiency of funds prevented a general inspection or dipping of Utah sheep during the fall of 1908, though with the information at hand it is evident that the sheep are in satisfactory condition. More noticeable than heretofore is the co-operation and assistance rendered the commission by the sheep men. Flockmasters, with few exceptions, report immediately any infected sheep, and there is a growing tendency to observe the law.

STATE BOARD OF HORTICULTURE.

A large percentage of increase in acreage within the State utilized for fruit growing is shown by the report of the State Board of Horticulture. The percentage of increase in fruit shipments during the year 1908 over that of 1906 is in excess of sixty per cent.

Great advancement has been made in bringing Utah fruits to a higher commercial value, but in view of the scientific methods for the eradication of fruit pests there is still much room for improvement. I am also in favor of a law prohibiting the sale of diseased fruit.

JUVENILE COURT COMMISSION.

The law under which the Juvenile Court Commission and Juvenile Courts were established became operative March 24th, 1907, and the work of organization of courts throughout the State was immediately taken up. It is gratifying to report that the operation of the law has been satisfactory, and the good that it has been doing has been made apparent in many instances.

While the commission recommends a number of

changes in the law, it suggests that these changes should not be too extensive. Chief among the recommendations of the Commission is an extension of the jurisdiction of Juvenile Courts, and a more accurately defined power.

At a meeting called by the Commission the past month, of those interested in juvenile work, a committee was appointed to receive suggestions for presentation to the Legislature regarding amendments to the various enactments connected with the work. This committee doubtless will make report early in the session.

BUREAU OF STATISTICS.

Owing to the change in the law by the last Legislature, the operations of the Bureau of Statistics have been materially cramped. It will be remembered that the Legislature abolished the position of State Statistician, the State Auditor was designated ex-officio State Statistician, provision was made for the appointment of a deputy, and an appropriation of two thousand four hundred dollars was made for the payment of the salary of said deputy for two years. No appropriation was made for contingent expenses. Such has been the status of the bureau for the past two years.

With the meager appropriation upon which to draw, the bureau has expended every effort to promote the work of gathering statistics and information along statistical lines, and the information thus secured is a valuable part of our State records.

In my opinion the law under which the bureau now operates should be changed or amended by such legislation as will place the bureau on such footing that a compilation of the statistical report of the State may be had. In few States has so little attention been given to the collection of reliable statistical data as in Utah.

The repeal of Chapter 131, Laws of 1907, is recommended, together with legislation creating a Commissioner of Statistics, providing salary and contingent ex-

UTAH STATE FAIR ASSOCIATION.

The annual exhibitions of the Utah State Fair Association during the years 1907 and 1908 were very successful. Every department of industry was represented with high-class exhibits, and the patronage of the public was most satisfactory. The association is lacking in facilities to properly take care of the increasing demands made upon it by exhibitors, and requests an appropriation for the erection of an educational exhibit building, where the progress of all the schools of the State may be properly displayed. At present these exhibits are largely scattered and it is the aim of the directors to centralize this class of work.

The present facilities for properly exhibiting the live-stock interests of the State are entirely inadequate, and I respectfully recommend the appropriation of the sum asked for by the Fair Association for the erection of additional stalls and the repair of those now in use.

The directors report that an unexpended balance remains from the appropriation made by the last Legislature for general expenses and premiums, completion of main building, maintenance of grounds, stalls, and pens.

A total appropriation of $57,000 is asked for the coming two years.

HISTORICAL SOCIETY.—ART INSTITUTE.—ARCHAEOLOGICAL SOCIETY.

In the year 1897 the "State Historical Society of Utah" was organized, having for its general object the encouragement of historical research and inquiry, the preservation of valuable documents, the establishment of a library and museum, and the dissemination of information. Later, in the same year, it was duly incorporated and has maintained its organization ever since. Aided by a small appropriation from the State, it secured most of the valuable relics of the Jubilee celebration of 1897, and has the nucleus of a library, largely composed of newspapers and public documents of value. For lack of proper place in which to exhibit its collection these have been stored for preservation.

In 1899 the Utah Art Institute, for the advancement of the fine arts, the development of art education, and the introduction of art in manufacturing, was incorporated. A most valuable collection of pictures has been secured, as also of books for its library. An annual appropriation of one thousand dollars has been made heretofore, the greater part of this being expended in exhibitions throughout the State of the works of art and in giving lectures covering subjects of great interest to the entire people. As in the case of the Historical Society, no proper place has been provided for the preservation of its collections.

In 1906 the Utah Society of the Archaeological Institute of America was established, as an affiliated branch of the national organization. Through the generous interest of private parties, explorations have been made in the San Juan region in Southeastern Utah during the past two years, under the supervision of the American School and of a professor of our own State University. Though limited in extent, the work has shown that Utah possesses a field of the greatest archaeological importance. The society has secured a most valuable collection of relics and its efforts already have attracted the attention of students from all parts of the country. By reason of neglect on the part of the State, many valuable relics have been secured for remote institutions, while our own have been deprived of that which they were justly entitled to retain. As in the case of the other two societies, this one is without a suitable place for the proper exhibition of its collections.

In view of the importance of the work undertaken by these societies, I deem it advisable to suggest that suitable provision be made for the continuation of the same and the accommodation of their several collections, already large and soon rapidly to increase. The plan of housing them in the University of the State and under its guardianship has strong precedent in other States, and I would recommend that in making provision for additional buildings for the University, the Legislature provide for suitable rooms to be devoted to the joint and several uses of these associations. By such an arrangement, the usefulness of each, as well to the public

as to the University, and its enlarging student body, will be greatly increased.

STATE ENGINEER.

Of the total applications for water filed with the State Engineer the past five and one-half years, fully eighty per cent were made during the past two years. This showing indicates a growing demand upon the water supply of the State.

The changes in the law governing fees connected with the State Engineer's office have resulted in an increased revenue to the State from this department.

The report of the State Engineer gives detailed information as to Carey Act projects, private irrigation enterprises, ground water investigations, etc.

I recommend such amendments to the present irrigation laws as shall be requested by the State Engineer for the promotion of the development of the irrigable lands of the State.

STATE BANK EXAMINER.

During the past two years thirteen new banks have been organized under the laws of this State, and we now have fifty-eight State, three branch, and three private banks in operation, under the supervision of the Secretary of State and the State Bank Examiner.

During that period one small bank was temporarily placed in the hands of a receiver, upon the application of the Secretary of State, it having become financially embarrassed as a result of mismanagement. However, it was reorganized shortly afterward, and is now in operation and in good financial condition. No loss was sustained by the depositors.

It will be seen by the report of the Secretary of State that the banks are all in a flourishing condition, and the comparative schedules show a steady increase in commercial and savings deposits, and general volume of business transacted.

STATE COAL MINE INSPECTOR.

From the report of the State Coal Mine Inspector it appears that the industrial depression was felt in the coal and coke production of Utah during the past year, resulting in a decrease of total tonnage output. Since September 15th, however, the mines have worked full time. The production of coal in 1908 was 1,884,849 tons; of coke, 125,149 tons. Two thousand six hundred and eighty men found employment in connection with the coal and hydro-carbon mines and coke plants during the year 1908.

I concur in the recommendation of the State Coal Mine Inspector that the law should be so amended as to include the inspection of all coal mines, regardless of the number of men employed, and commend to your attention the further recommendations and suggestions of this official.

STATE FISH AND GAME COMMISSIONER.

The amendments to the State fish and game law have greatly increased the work of the Fish and Game Commissioner. His report indicates a growing respect for the provisions of the law, and a general compliance with that provision relating to licenses. During the year 1907 and up to December 30th, 1908, the department issued 45,449 licenses. After deducting the statutory allowance made to Justices of the Peace for the issuance of licenses, the revenue therefrom reached the handsome sum of $42,968.14.

The State fish hatchery, established in 1899, has operated continuously, but the present facilities for raising fish are deemed insufficient to meet properly and economrcally the demands being made. During the biennial period 4,502,000 trout were raised in the State hatchery and planted in State waters. The report of the Game Commissioner details their distribution by counties and streams.

Under the operations of the fish and game law, this department during the past two years has not only been self-supporting, but was able to turn into the treasury a sum in excess of twelve thousand dollars.

We are all interested in the preservation of our fish and game, and any measures which look to an improvement in this direction have my unqualified endorsement. Your particular attention is invited to the following recommendations, contained in the biennial report of the Fish and Game Commissioner:

That the Murray hatchery be increased to at least three times its present capacity, and that two additional hatcheries be established.

A law defining rights of way along public streams.

That each game warden be made a fire warden.

The establishment of a law requiring the screening of all ditches or streams diverted from the public waters, at the expense of the owners of such ditches or streams.

STATE DAIRY AND FOOD COMMISSIONER.

The work of the Dairy and Food Commissioner is of a most important nature, his duty being to enforce all laws regarding the production, manufacture, and sale of dairy products, or the adulteration of any article of food or drink, etc.

The office of Dairy and Food Commissioner was created by the Legislature in 1897, and since that time our State has forged gradually to the front in the matter of dairy and food regulations. The department is disseminating information through public notices and bulletins sent to retailers and jobbers. resulting in giving the public purer and better products.

I most earnestly recommend at your hands such legislation in connection with the food and dairy law as will place our statutes in harmony with the government regulations in this particular, as also with the laws of the several States. Such provision will greatly facilitate the work of the department and be of material aid in the enforcement of the law.

The work of this department is extensive and its operations of so beneficial a nature as to entitle it to an appropriation of an amount sufficient to permit of the employment of additional help and increased funds for traveling expenses.

STATE CHEMIST.

Over 1,500 analyses, covering nearly every variety of food and drink, were made during the past two years by the State Chemist. In addition to this the statute requires of the chemist that he shall also perform the analytical work for the State Board of Health. About two hundred and seventy-five analyses were made and filed with the Secretary of the Board of Health.

With his report to the Dairy and Food Commissioner, the State Chemist has filed a summary of the articles examined, with the statement that the percentage of actual adulteration, i. e., the substitution of one article for another, or deficiency of the vital constituents, will be less than four per cent.

STATE BOARD OF MEDICAL EXAMINERS.

Under an act of the Legislature, approved March 14th, 1907, provision was made for a State Board of Medical Examiners. The work of this board has given general satisfaction, and the result has proved beneficial to the profession and to the public in insuring a high standard in the work of doctors, and a greater uniformity in the medical practice and conformity with the requirements of the State Boards of the several States.

During the past two years seventy-six persons have applied for certificates to practice medicine and surgery. Fifty females took the examination in obstetrics during the past two years.

STATE BOARD OF DENTAL EXAMINERS.

The State Board of Dental Examiners, during the past two years, has sought to establish an interchange of licenses with other western State boards that are members of the national association. The board reports trouble in criminal prosecutions, due to ineffectiveness of the dental law.

It is recommended that there be an annual license fee charged all dentists; that the refund of twenty dollars to those failing to pass examinations be eliminated, for the reason that it permits so-called "floaters" in the pro-

fession to practice for a short period and move on without paying the necessary fee.

STATE BOARD OF PHARMACY.

During the past two years one hundred and eight applicants for registration as registered pharmacists and assistants have been examined by the State Board of Pharmacy. In reviewing its work, this board reports a marked improvement in the conditions of pharmacy throughout the State.

BOARD OF OPTOMETRY.

The State Board of Optometry was created by the Legislature in 1907, for the purpose of regulating the practice of optometry in the State. The law is being complied with, and the board reports its operations as productive of much good.

A recommendation is made that the appointment of its members be for a period of four years instead of for two years as at present.

STATE BOARD OF EXAMINERS OF BARBERS.

Under the operation of the law passed by the Fifth Session of the Legislature, the State Board of Examiners of Barbers reports marked improvement in the sanitary conditions in barber shops, and a corresponding decrease in the number of diseases reported.

RECORDS OF STATE AND MUNICIPAL DEPARTMENTS, AND OF THE COURTS, AND A SYSTEM OF LAND TRANSFERS.

The vast accumulation of the records pertaining to the several departments of our State, county, and municipal governments, and also to the various courts, and to land titles by frequent transfers, warrants serious consideration. In many States these matters have caused the adoption of systems, the results being sufficient to justify careful and painstaking investigation on our

part. Recognizing that it is impossible for a committee of the Legislature, burdened with other duties, to undertake the work of looking into these systems, I recommend the passage of a joint resolution providing for the appointment of a special commission of qualified persons, not exceeding seven in number, who shall act without compensation, and be charged with the duty of examining into the various systems now in use in all the departments of the State, county, and municipal governments, and particularly to such as pertain to the courts and to land transfers, and report to the next session of the Legislature, with recommendations.

STATE COMMISSION FOR THE CONSERVATION OF RESOURCES.

At the conference of Governors on the Conservation of the Natural Resources of the United States, held at the White House, Washington, D. C., in May, 1908, a National Conservation Commission was provided for, and the Governors of all the States were asked to appoint commissions to co-operate with the Federal Commission in this very important work.

There is need of a more careful conservation of the natural resources of our country. The creation of a State commission for that purpose is now a necessity; which commission should co-operate with the Federal government and inquire into the condition of our natural resources; prevent as far as possible the waste and destruction of the natural wealth of the State, and promote the greatest good to the greatest number in the use thereof; increase our forest bodies for the future good of the people; conserve and develop the water supply, and generally do everything possible in the way of conserving the natural resources of the State and nation. It is not the intention to have this commission interfere with or limit the wise and proper development and application of these resources, but to devise ways to use them so as to distribute the enjoyment of our natural wealth.

I therefore recommend the creation of a State Commission on the Conservation of the Natural Resources,

to consist of three members, who shall serve without compensation.

INSURANCE COMMISSIONER.

The work entailed in handling the insurance matters of the State has grown in volume and importance. The Secretary of State, under whose direction this work has been carried on in the past, is unable to give to insurance matters that attention which its importance demands, owing to the many other duties imposed upon him. In view of this fact, and in keeping with the policy of other States in this particular, I respectfully recommend the establishment of an independent insurance department, and the creation of the office of State Commissioner of Insurance, together with a thorough and wise revision of the insurance code of the State.

EXHIBIT AT SIXTEENTH IRRIGATION CONGRESS AT ALBUQUERQUE.

In order to make a proper exhibit of the horticultural resources of the State at the sixteenth session of the Irrigation Congress at Albuquerque, New Mexico, in September, 1908, it was necessary for the State Board of Horticulture to borrow the sum of $3,500 at that time.

I therefore recommend that an appropriation be made in the sum of $3,500 to pay the indebtedness thus contracted by the State Board of Horticulture.

FORTY-THIRD NATIONAL ENCAMPMENT OF THE GRAND ARMY OF THE REPUBLIC.

It will be Utah's distinguished honor during the coming August to entertain the Forty-third National Encampment of the Grand Army of the Republic. There is no word that I can offer that will add to your feelings of patriotism and State pride in making provision for welcoming, housing, and entertaining this army of veterans; and I am sure that the request for State aid in making this encampment a magnificent success will meet a

spontaneous and generous response from the Legislature.

I recommend a liberal appropriation for the coming National G. A. R. Encampment.

ABRAHAM LINCOLN'S BIRTHDAY.

One if the commanding figures in our national history is Abraham Lincoln, sixteenth President of the United States. A man of the people, self-educated, of natural ability and high character, he advanced to the front rank, and his name now occupies an enduring place in the everlasting Temple of Fame. The citizens of our nation, preserved in the completeness of its integrity by the wisdom and prudence of his leadership during a civil war unparalleled in history, should hold his name and fame in unfailing remembrance, and reverence and honor his memory. I therefore recommend, as a fitting and proper act, that you set aside by statute the 12th day of February, Lincoln's birthday, to be observed annually as a public holiday.

USING THE NAME OF PUBLIC INSTITUTIONS OR OFFICERS FOR ADVERTISING PURPOSES.

I am of opinion that the State should not permit the use of the name of any of its public institutions, or the official title of any of its officers, for the purpose of advertising or promoting the sale of any article of merchandise, or stock in any corporation, and recommend that appropriate legislation be enacted to prevent such practice.

GOOD ROADS.

There has been considerable discussion of the improvement of our public roads. This subject will be one of the most important brought before you for consideration. It is a problem requiring much thought and attention, and care should be taken that no mistakes are made in the final disposition of the matter. A uniform system of construction with a means of raising special road

funds in the various counties should be provided. What is done should be along the line of stability and thoroughness, having in view a permanency, which, unfortunately, has been overlooked in many instances heretofore. Provision should be made requiring competency in those to whom is given the work of improvement. There is no occasion for me to dwell upon the advantages of such improvements to the people of the State, and I heartily recommend your prompt and most earnest consideration of this important subject.

STATE CAPITOL BUILDING.

An imperative necessity exists for the erection of a State Capitol Building. A task of such magnitude will occupy several years' time, and the raising of funds therefor is a question of great importance. Plans for the accomplishment of this work in a satisfactory manner will be submitted.

PUBLIC SERVICE COMMISSION.

The framers of our State Constitution wisely imposed upon the Legislature the duty of protecting the individual citizen from injury and oppression through combinations of persons or associations for the purpose of controlling prices, whether of manufacture, of commerce, or of production, or of the cost of exchange for transportation, or through extortionate rates, or discrimination by individuals or corporations who enjoy the privileges of a quasi-public character. The condition thus foreseen and provided for by the Constitution makers has arisen in this State, as is now a matter of common knowledge and official record.

Prompt and effective measures should be taken for correcting abuses of the kind referred to, which now exist and which may arise in the future to interfere with the welfare of the people. The affairs of such quasi-corporations and associations should have publicity. Intelligent investigation of combinations and public service corporations will greatly aid the people of Utah and tend to establish just and fair dealing.

Whatever action is taken should be in the spirit of conservatism and fairness to both individuals and corporate interests, such as has characterized the past history of the State, and which will make for the public good.

For the attainment of this end, I recommend the creation of a Public Service Commission, to be composed of citizens of ability to deal with matters of such weighty importance, the commission to be clothed with ample powers to make regulations necessary to conserve the public welfare in this regard. Such a commission should be entirely accessible to all of the people upon all of the subjects within its jurisdiction, and the law be sufficiently broad to include every public utility operating within the State. The prompt adjustment upon an equitable and inexpensive basis of the many difficulties and complaints arising in this class of business should be provided for in creating a commission of this character, which thus would be beneficial to every interest involved. In fairness to all the people of this State, the creation of a Public Service Commission should not be longer delayed.

ALASKA-YUKON-PACIFIC EXPOSITION.

June 1st to October 16th of the present year, the Alaska-Yukon-Pacific Exposition will be held at Seattle, Washington. To devise and execute plans to properly represent the State at this exposition, the last Legislature created a commission, composed of the Governor and four members. This commission has filed its report, in which it says: "As a matter of inter-State comity and aside from the business value accruing to us, Utah should request from the present Legislature an additional appropriation, by amendment to the present bill, or otherwise, allowing sufficient means for the proper and adequate representation of Utah at the exposition."

I recommend the appropriation of $25,000 in order that Utah may be represented properly at that exposition.

PUBLIC LIBRARIES AND GYMNASIUMS.

The last Legislature made it possible for cities of the third class and for incorporated towns to levy a small tax for the purpose of establishing free libraries and gymnasiums. At the last election several cities voted the necessary tax. This work is now in the hands of a competent commission, which, with the support of the taxpayers, will see to it that these auxiliary institutions of learning and culture are founded throughout our State. The commission should be provided with sufficient funds to enable it to have a representative visit the various municipalities in the State and encourage and urge the establishment of public libraries and gymnasiums.

CONCLUSION.

In conclusion I may suggest that perhaps the particular subjects in which you will have the greatest interest are not only the ways and means of obtaining the revenue to carry out successfully the functions of government, but also the disbursements of the public funds, because therein our financial interests are directly affected; however, I would not confine your labors within those limits. Your work comprehends the social, educational, and moral welfare of the people specifically, and the public weal generally.

I especially impress upon you that there should be such expedition in your legislative work at this session, consistent with thoroughness, as will record it as the most successful and business-like session in the annals of our State.

The people of Utah will be highly gratified in recognizing that honesty and integrity characterize your labors; that being largely of one political party, to which party the citizens have entrusted the administration of affairs in this State, you are faithful to the obligations which it incurred; and that success is due to the fidelity with which you discharge the high trust thus reposed in you as representatives of one of the choicest commonwealths in our beloved American Union.

God speed you in your work, and I trust that at the end of the sixty days of strenuous effort now before you

the people of the State will utter as with one acclaim: "Well done!"

My ambition and solemn pledge are to give the people of Utah the most conscientious administration of which I am capable, and I trust that you will feel that whatever has been outlined in this message to you is, or whatever I shall do in the discharge of my duties as the chief executive, will be, in the line of what I consider my duty to the whole people of this State.



Governor.

At 4 p. m. the Governor concluded the reading of his message.

Senator Williams moved that a vote of thanks be given the Governor, his message spread on the minutes of the joint session, and that one thousand copies of the message and accompanying documents in pamphlet form be printed for the use of the members and for distribution. Carried.

Upon motion of Representative Randall, the joint session dissolved at 4 p. m.

THIRD DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 13, 1909.

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

Roll-call; quorum present. Prayer by the Chaplain, Rev. J. E. Carver. Minutes of the second day's session read, corrected and approved.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 13, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, under suspension of the rules, Senate Bill No. 1, "A Bill for an Act to provide for the regular and contingent expenses of the Eighth Session of the Legislature of the State of Utah," and the same is hereby returned for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication laid on the table, pending the appointment of the Committee on Engrossed and Enrolled Bills.

REPORT OF SELECT COMMITTEE.

Committee Room,
Salt Lake City, Utah, Jan. 13, 1909.

Mr. President: 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 given the matter due consideration and recommend that the rules of the Seventh Session be adopted, with the following amendments:

Amend Rule 58 by inserting after the word Legislature, "and members of the Constitutional Convention."

Amend Rule 39 by adding "One committee on Capitol and Capitol Grounds," to consist of five members.

And that 100 copies thereof be printed for the use of the members.

Respectfully,
W. N. WILLIAMS,
Chairman.

Report adopted.

INTRODUCTION OF BILLS.

Senate Bill No. 2—By Mr. Badger.

A Bill for an Act to amend Section 1145 of the Compiled Laws of Utah, 1907, relating to legal holidays and providing that the 12th day of February shall be a legal holiday.

Was read the first time and laid on the table, to be referred to the proper committee when appointed.

Senate Bill No. 3—By Mr. Badger.

A Bill for an Act authorizing foreign corporations complying with the laws of Utah to exercise the power of eminent domain the same as domestic corporations.

Was read the first time and ordered laid on the table, to be referred to the proper committee when appointed.

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

STANDING COMMITTEES:

Agriculture and Irrigation.

John Y. Smith, Chairman; Brinkerhoff, Miller, Wilson, Burton, Horsley, Hyde.

Apportionment.

Bullen, Chairman; Williams, Seely, Brinkerhoff, Wilson.

Appropriations and Claims.

Williams, Chairman; Miller, Bullen, John Y. Smith, Wilson, Burton, Kuchler.

Banks and Banking.

John Y. Smith, Chairman; Bullen, Burton, Kuchler.

Contingent Expenses.

Marks, Chairman; Brinkerhoff, Burton.

County and Municipal Corporations.

Hulaniski, Chairman; Benner X. Smith, Miller, Seely, Badger, Kuchler, Burton.

Education.

Bullen, Chairman; Williams, Brinkerhoff, Wilson, Horsley, Kuchler, Marks.

Elections.

Miller, Chairman; Brinkerhoff, Hyde, Sevy, Stookey.

Engrossed and Enrolled Bills.

Marks, Chairman; Stookey, Badger.

Federal Relations.

Hulaniski, Chairman; John Y. Smith, Stookey, Kuchler, Horsley.

Fish and Game.

Sevy, Chairman; Burton, Stookey, Horsley, Kuchler, Hyde, Marks.

Forests and Forestry.

Seely, Chairman; Sevy, Stookey.

Highways and Bridges.

Brinkerhoff, Chairman; Seely, Sevy.

Judiciary.

Benner X. Smith, Chairman; Hulaniski, Miller, Badger, Wilson, Hyde, Marks.

Labor.

Badger, Chairman; Bullen, Williams, John Y. Smith, Miller.

Live Stock.

Seely, Chairman; Wilson, Sevy.

Manufactures and Commerce.

Kuchler, Chairman; John Y. Smith, Bullen, Hyde, Badger.

Military Affairs.

Benner X. Smith, Chairman; Hulaniski, Williams, Sevy, Stookey.

Mines and Minerals.

Miller, Chairman; Bullen, Hyde, Wilson, Burton.

Private Corporations and Insurance.

Burton, Chairman; Hulaniski, Benner X. Smith, Williams, Horsley.

Public Health.

Hyde, Chairman; Badger, Seely, Stookey, Benner X. Smith.

Public Institutions.

Brinkerhoff, Chairman; Miller, Williams, Bullen, Hulaniski, John Y. Smith, Stookey.

Public Lands.

Wilson, Chairman; Seely, Hulaniski, Sevy, Badger.

Public Printing.

Stookey, Chairman; John Y. Smith, Seely.

Railroads.

Badger, Chairman: Hulaniski, Seely, Williams, Benner X. Smith, Hyde, Wilson.

Rules.

Horsley, Chairman; Marks, Miller.

Salaries.

Kuchler, Chairman; Bullen, Horsley, Marks, Sevy.

State Affairs.

Williams, Chairman; Seely, John Y. Smith, Hulaniski, Stookey.

Ways and Means.

Wilson, Chairman; Miller, Williams, Sevy, Horsley.

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

FOURTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 14th, 1909.

The Senate met pursuant to adjournment, President Gardner presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

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

PRESENTATION OF PETITIONS.

Senate Petition No. 1.—By Mr. Miller.

From the citizens of Laverkin, Washington County, Utah, signed by Henry W. Gubler, et al., asking for the passing of a law prohibiting the manufacture and sale of intoxicating liquors within the State of Utah, except for medicinal, mechanical, and sacramental purposes. Read and referred to the Commttee on Manufactures and Commerce.

Senate Petition No. 2.—By Mr. Seely.

A communication from Tennie C. Nickels, of Spring

City, in reference to prohibition laws, was read and referred to Mr. Seely.

PRESENTATION OF RESOLUTION.

S. C. Resolution No. 1.—By Mr. Wilson.

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 time as the Legislature shall be in session, and the Executive is hereby empowered to appoint any suitable person to such position.

On motion of Mr. Wilson the rules were suspended and the resolution was read the first, second, and third times, and placed upon its final passage.

The roll being called, there were: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hulaniski, Benner X. Smith, Stookey.

INTRODUCTION OF BILLS.

Senate Bill No. 4.—By Mr. Kuchler.

A Bill for an Act to appropriate the sum of $5,000.00 to Margaret Clark, on account of the death of her husband, Seymour L. Clark, while engaged in his duties as a peace officer of the State of Utah, and a deputy sheriff of Weber County. S. B. No. 4 was read the first time and referred to Committee on Appropriations and Claims.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 14th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, under suspension of the rules, H. J. M. No. 1, by Mr. Morris: "Memorial to the Congress of the United States, asking that that portion of Arizona Territory lying north of the Colorado river be annexed to the State of Utah," and the same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

The communication was filed and H. J. M. No. 1 was read the first time and referred to the Committee on Federal Relations.

BILLS REFERRED.

Senate Bill No. 2.—By Mr. Badger. Referred to Committee on Judiciary.

APPOINTMENT OF OFFICERS.

Mr. Badger moved that Wm. E. Jenkins be transferred from minute clerk to associate engrossing clerk, and that Willard Done be appointed minute clerk of the Senate. Carried.

COMMUNICATION.

Salt Lake City, Utah, Jan. 14th, 1909.

To the President and Senate of the State of Utah:

Gentlemen: In behalf of the Regents and Faculty of the University, I extend to your honorable body an

invitation to visit and inspect the various schools and departments of the University of Utah at your earliest convenience.

You are also earnestly invited to visit the institution separately as individual members.

Yours very respectfully,
J. T. KINGSBURY,
President.

On motion of Mr. Miller, the invitation was accepted.

APPOINTMENT OF COMMITTEE.

In accordance with the report of select committee, adopted yesterday, the following were appointed members of the Committee on Capitol and Capitol Grounds: Stookey, Chairman; Hulaniski, Hyde, Badger, Marks.

MISCELLANEOUS BUSINESS.

The oath of office was administered to the following officers of the Senate: Elias Ericksen, Committee Clerk; H. C. Boden, Messenger; Philip W. Robison, Doorkeeper.

The President referred the Message of the Governor to the Committee on State Affairs, to be by them segregated and referred to the appropriate committees.

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

FIFTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 15th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 15th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, under suspension of the rules, S. C. R. No. 1, authorizing the Governor to appoint a messenger, for service during the session of the Legislature. The same is herewith returned for your further action.

Respectfully,
ALEX. BUCHANAN, JR.,
Chief Clerk.

Communication filed.

COMMUNICATIONS.

Office of the Secretary of State,
Salt Lake City, Utah, Jan. 14th, 1909.

To the Senate:

In compliance with the law and by direction of the State Board of Loan Commissioners, I have the honor to submit to your honorable body a report of the operations of that board for the biennium ending December 31st, 1908.

Very respectfully,
C. S. TINGEY,
Secretary State Board of Loan Commissioners.

Office of the Secretary of State,
Salt Lake City, Utah, Jan. 14th, 1909.

To the Senate:

In obedience to law and by direction of the State Board of Examiners, I have the honor to submit to your honorable body the report of that board for the biennium ending December 31st, 1908; also report showing expenditures made in improving and caring for the Capitol

grounds during the two years ending November 30th, 1908.

Very respectfully,
C. S. TINGEY,
Secretary State Board of Examiners.

Communications were filed and the reports were referred to the Committee on Appropriations and Claims.

REPORT OF STANDING COMMITTEES.

Committee Room,
January 15th, 1909.

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

CHARLES E. MARKS,
Chairman.

Senate Bill No. 1 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.

INTRODUCTION OF BILLS.

Senate Bill No. 5—By Mr. Badger.

A Bill for an Act defining the crime of indecent assault, and providing punishment therefor.

S. B. No. 5 was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 6—By Mr. Badger.

A Bill for an Act to prevent the unauthorized use of the name, portrait, or picture of any person for the purpose of trade.

S. B. No. 6 was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 7—By Mr. Badger.

A Bill for an Act to Amend Section 4734, Compiled Laws of Utah, 1907, providing that an information or indictment must charge but one offense, with certain enumerated exceptions.

S. B. No. 7 was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 8—By Mr. Hulaniski.

A Bill for an Act appropriating three thousand five hundred dollars for the State Board of Horticulture for the payment of moneys advanced by Fred J. Kiesel, Thomas R. Cutler, and Joseph Geoghegan, for the purpose of defraying the expenses of an exhibit of Utah resources at the Irrigation Congress in 1908.

S. B. No. 8 was read the first time and referred to the Committee on Appropriations and Claims.

MISCELLANEOUS BUSINESS.

Mr. Miller presented the following communication:

Mr. President and Members of the State Senate:

Gentlemen: During the Seventh Session of the Legislature, Senate Bill No. 136, by me, appropriating out of the State Treasury the sum of $5,500.00, to build a bridge over the Rio Virgin river, on the main road from St. George to the Territory of Arizona, and Kanab, Kane County, also the sum of $1,500.00, to build a bridge over the Rio Virgin river, between La Verkin and Hurricane, in Washington County.

This bill passed the Senate, but failed to be considered in the House; but the items therein were placed in the general appropriation bill during its consideraton by the Senate, and passed both houses, and received the approval of the Governor.

As there has been no detailed report of the use of this State money appropriated made to your honorable body, knowing your interest in the proper expenditure of State money, and being the author of the measure in-

troduced and the items passed, I take pleasure in reporting that the amount of $16,105.80 has been spent for the erection of these bridges; $7,000.00 of the amount was received from the State, and $9,105.80 from Washington County and the people of that vicinity; and for your information will say that Washington County has two as fine steel bridges as there are in the State. The one at St. George is a single span of 220 feet, with a 16-foot driveway. The one at La Verkin, Hurricane, is a single span of 75 feet, with a 14-foot driveway. For your further information, I herewith submit a detailed report of receipts and disbursements, showing the total cost of the bridges, as prepared for me by the County Clerk of Washington County. Respectfully submitted,

ALBERT E. MILLER,
State Senator, Eleventh District.

REPORT OF BRIDGES CONSTRUCTED IN WASHINGTON COUNTY, UTAH, 1908.

Bridge Over Rio Virgin, Near La Verkin, Utah.

Sources of revenue:

Appropriation by State Legislature	$ 1,500.00	
Subscriptions by citizens, cash	522.80	
Subscriptions by citizens, labor	700.00	
Appropriation by County Commissioners	1,325.20	
		$ 4,048.00

Disbursements:

Paid Freygang & Trocon, as per contract	$ 3,299.50	
Paid Freygang & Trocon, demurrage on cars	24.00	
Paid to sundry persons for freight from Lund and labor on approaches to bridge	700.00	
Paid traveling expenses of officers inspecting and receiving bridge, advertising, etc.	24.50	
		$ 4,048.00

Bridge Over Rio Virgin, Near St. George.

Sources of revenue:

Appropriation by State Legislature	$ 5,500.00	
Subscriptions by citizens, cash	1,365.38	
Subscriptions by citizens, labor	1,521.53	
Appropriation by County Commissioners	3,670.89	
		$12,057.80

Disbursements:

Paid Freygang & Trocon, as per contract	$ 9,049.00	
Paid demurrage and freight on bridge materials	1,813.75	
Paid on construction of approaches to bridge and road to connect with county road	1,061.30	
Paid for traveling expenses, advertising, engineering, etc	133.75	
		$12,057.80

Note.—A portion of the amount originally subscribed has not yet been paid. Whatever amount is so paid will be expended in improving the road near the bridge; or, if paid in cash, in refunding to the county a part of that which has been advanced by the county in order to complete the bridges. Respectfully submitted,

JOHN T. WOODBURY,

County Clerk.

The communication was filed.

The oath of office was administered by President Gardner to Willard Done, Minute Clerk.

On motion of Mr. Marks, the Senate adjourned until Monday at 2 p. m.

EIGHTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 18th, 1909.

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

Roll call; quorum present.

Prayer by the Chaplain.

Minutes of fifth day's session were read and approved with amendment.

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 15th, 1909.

To the Senate:

In compliance with a resolution of the Senate, dated the 14th instant (the House of Representatives concurring), I have this day appointed Mr. Michael W. Earl, of Salt Lake City, Utah, to the position of messenger to the Governor, to serve during the present session of the Legislature.

Respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, Jan. 16th, 1909.

To the Senate:

Pursuant to the requirements of Section 2404, Compiled Laws of Utah, 1907, I have the honor to furnish a list of all appointments made by my predecessor in office, under the provisions of the Constitution and law, during the recess of the Legislature, as appears from the "Record of Appointments by the Governor" in this office:

Governor's Staff.

March 25, 1907—E. A. Wedgewood, of Salt Lake City, Utah, to the position of Adjutant General.

March 25, 1907—H. M. Lund, of Salt Lake City, Utah, to the position of Assistant Adjutant General, an office created by an Act of the Legislature, approved March 14, 1907.

April 24, 1907—J. A. Greenewald, of Salt Lake City, Utah, to the position of Inspector General, to fill vacancy.

State Board of Land Commissioners.

March 25, 1907—William J. Lynch, of Salt Lake City, Utah, to fill vacancy.

March 25, 1907—William D. Candland, of Mt. Pleasant, Utah, to fill vacancy.

Trustee Industrial School.

March 25, 1907—Harry S. Joseph, of Salt Lake City, Utah, to fill vacancy.

Jamestown Exposition Commission.

March 29, 1907—W. S. McCornick, of Salt Lake City, Utah; Wesley K. Walton, of Salt Lake City, Utah; Arthur L. Thomas, of Salt Lake City, Utah; Fisher S. Harris, of Salt Lake City, Utah.

September 24, 1907—H. P. Henderson, of Salt Lake City, Utah, vice Fisher S. Harris, resigned.

(This commission appointed under provisions of Chapter 125, Laws of Utah, 1907.)

State Board of Sheep Commissioners.

April 3, 1907—John E. Austin, of Salt Lake City, Utah; L. R. Anderson, of Manti, Utah; J. S. Ostler, of Nephi, Utah.

(Appointed under the provisions of Chapter 158, Laws of Utah, 1907.)

Trustees Agricultural College.

April 8, 1907—J. W. N. Whitecotton, of Provo, Utah,

to fill vacancy; A. S. Condon, of Ogden, Utah, to fill vacancy.

State Board of Examiners in Optometry.

April 30, 1907—F. J. Alexander, of Salt Lake City, Utah; H. O. Jensen, of Salt Lake City, Utah.

July 13, 1907—Dr. L. W. Snow, of Salt Lake City, Utah.

(Appointed under the provisions of Chapter 85, Laws of Utah, 1907.)

State Coal Mine Inspector.

May 1, 1907—John E. Pettit, of Coalville, Utah, vice Gomer Thomas, resigned.

State Board of Accountancy.

May 13, 1907—Douglas A. Swan, of Salt Lake City, Utah; Ralph E. Hoag, of Ogden, Utah; W. J. Bateman, of Salt Lake City, Utah.

August 3, 1907—J. W. Edmunds, of Salt Lake City, Utah, vice Douglas A. Swan, deceased.

(Appointed under provisions of Chapter 86, Laws of Utah, 1907.)

State Board of Labor, Conciliation, and Arbitration.

May 20, 1907—William Drysdale, of Ogden, Utah, vice Thomas C. Pancake, removed from State.

State Board of Veterinary Examiners.

May 31, 1907—Dr. John Ernst, of Salt Lake City, Utah; Dr. N. C. Spaulding, Jr., of Provo, Utah; Dr. F. Parker, of Ogden, Utah.

(Appointed under the provisions of Chapter 122, Laws of Utah, 1907.)

State Board of Equalization.

June 10, 1907—R. W. Salisbury, of Salt Lake City, Utah, vice O. J. Salisbury, resigned.

Governing Board, Utah Art Institute.

October 24, 1907—Myra L. Sawyer, of Salt Lake City, Utah, vice John Hafen, resigned.

Directors, Utah State Fair Association.

November 7, 1907, F. J. Hendershot, of Ogden, Utah, vice F. J. Kiesel, resigned.

State Board of Pharmacy.

January 27, 1908—Alexander Hedquist, of Provo, Utah, vice W. W. Cook, whose term expired December 31, 1907.

October 21. 1908—J. L. Franken, of Salt Lake City, Utah, to fill vacancy.

State Board of Health.

February 3, 1908—D. O. Miner, of Nephi, Utah, vice F. B. Steele, whose term expired December 31, 1907.

State Board of Dental Examiners.

March 10, 1908—A. C. Wherry, of Salt Lake City, Utah, to fill vacancy.

S. H. Clawson, of Salt Lake City, Utah, to fill vacancy.

State Board of Examiners of Barbers.

March 10, 1908—Perley A. Hill, of Salt Lake City, Utah, to fill vacancy.

July 20, 1908—David J. Watts, of Salt Lake City, Utah, vice Perley A. Hill, resigned.

State Board of Medical Examiners.

April 11, 1908—Dr. Fred W. Taylor, of Provo, Utah, vice Dr. E. S. Wright, resigned.

Alaska-Yukon-Pacific Exposition Commission.

August 8, 1908—D. C. Jackling, of Salt Lake City, Utah; James Christiansen, of Salt Lake City, Utah; R. E. Allen, of Provo, Utah; C. P. Overfield, of Salt Lake City, Utah.

(Appointed under the provisions of Chapter 124, Laws of Utah, 1907.)

State Conservation Commission.

October 3, 1908—Orange J. Salisbury, of Salt Lake City, Utah; Anthony W. Ivins, of Salt Lake City, Utah; Joseph F. Merrill, of Salt Lake City, Utah.

(Appointed on recommendation of National Conservation Commission.)

Very respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 18th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 1, by Mr. Williams, "A Bill to provide for the regular and contingent expenses of the eighth session of the Legislature of the State of Utah," and the same is herewith returned for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN, JR.,
Chief Clerk.

Communication filed, and S. B. No. 1 was transmitted to the Governor.

PRESENTATION OF PETITIONS.

Senate Petition No. 3—By Mr. John Y. Smith.

Petition signed by citizens of Utah County, relative to the sale of intoxicating liquors. Referred to Committee on Manufactures and Commerce.

Senate Petition No. 4—By Mr. Brinkerhoff.

Petition signed by citizens of San Juan County, relative to the sale of intoxicating liquors. Referred to Committee on Manufactures and Commerce.

Senate Petition No. 5—By Mr. Burton.

Petition signed by citizens of Davis County, relative to the sale of intoxicating liquors. Referred to Committee on Manufactures and Commerce.

Senate Petition No. 6—By Mr. Kuchler.

Petition signed by P. A. Mortensen, of Davis County, relative to the sale of intoxicating liquors. Referred to Committee on Manufactures and Commerce.

REPORT OF STANDING COMMITTEE.

Senate Chamber,
Salt Lake City, Utah, Jan. 18th, 1909.

We, your Committee on Federal Relations, to whom was referred House Joint Memorial No. 1, relating to the annexation of the "Arizona Strip," beg leave to report that the committee has considered the same and recommend that it be adopted and pass.

E. T. HULANISKI, Chairman.

Report adopted, and H. J. M. No. 1 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 9.—By Mr. Kuchler.

A Bill for an Act providing for the expenses of District Judges, the compensation and expenses of referees.

and the compensation and expenses of stenographers engaged or employed in the adjudication of the rights of water claimants upon a river system or water source, under and by virtue of Chapter 1, of Title 40, Compiled Laws of Utah, 1907.

S. B. No. 9 was read the first time, and referred to the Committee on Appropriations and Claims.

Senate Bill No. 10—By Mr. Marks.

A Bill for an Act to amend Section 2049x, Compiled Laws of Utah, 1907, relating to the salaries of certain state officers.

S. B. No. 10 was read the first time, and referred to the Committee on Salaries.

MISCELLANEOUS BUSINESS.

Mr. Bullen moved that the Senate visit the University of Utah on Thursday, January 21st, at 9:30 a. m. Carried.

The oath of office was administered by President Gardner to C. G. Y. Higgins, Committee Clerk, appointed in place of W. J. F. McAllister.

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

NINTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 19th, 1909.

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

Roll-call; quorum present. Prayer by the Chaplain. Minutes of eighth day's session read, corrected, and approved.

PRESENTATION OF PETITIONS.

Senate Petition No. 7—By Mr. Bullen.

A petition signed by H. T. Peterson and 42 other citizens of Trenton, Cache County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 8.—By Mr. Kuchler.

A petition signed by the president and secretary of the Women's Christian Temperance Union, Ogden, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

PRESENTATION OF RESOLUTION.

Senate Concurrent Resolution No. 2.—By Mr. Williams.

Be it resolved, by the Senate and House of Representatives, that for the expedition of the business of the Legislature of the State of Utah, all bills and other documents ordered engrossed by either house of the Eighth Session of the Legislature shall be delivered to the engrossing clerk of the house ordering the engrossment, who shall, without delay, have them properly typewritten with record ink on heavy bond paper, in the order received by him.

All bills and other documents that have been so typewritten shall be considered engrossed.

Be it further resolved, that the Secretary of State is hereby ordered and directed to furnish the necessary supplies and materials for the proper engrossing of all bills and other documents ordered engrossed.

S. C. R. No. 2 was presented and under the rules was laid on the table for one day.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 19th, 1909.

To the Senate:

I have the honor to inform you that I have this day approved and filed with the Secretary of State, Senate Bill No. 1, entitled "An Act to provide for the regular and contingent expenses of the Eighth Session of the Legislature of the State of Utah."

Very respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

INTRODUCTION OF BILLS.

Senate Bill No. 11.—By Mr. Bullen.

A Bill for an Act to amend Section 2090x, Revised Statutes of Utah, 1907, providing that instruction in the Agricultural College shall be free, and providing an entrance fee.

S. B. No. 11 was read the first time and referred to the Committee on Education.

Senate Bill No. 12.—By Mr. John Y. Smith.

A Bill for an Act to amend Sections 27, 39, 42, 44, 45, 46, 53, and 67 of Chapter 108, of the Laws of Utah, 1905, as amended by Chapter 156 of the Laws of Utah, 1907, relating to the duties and powers of the State Engineer with reference to approval or rejection of applications for water rights, defining the time which may be allowed by the State Engineer for the beginning and completion of construction work and irrigation works and the beneficial use of water therefrom, empowering the State Engineer to grant extensions of time therefor, defining when and in what manner the place of diversion and the use of water may be changed, and providing what fees shall be charged and collected by the State Engineer.

S. B. No. 12 was read the first time and referred to the Committee on Agriculture and Irrigation.

THIRD READING OF MEMORIAL.

House Joint Memorial No. 1.—By Mr. D. H. Morris.

"Memorial to the Congress of the United States, asking that that portion of Arizona Territory lying north of the Colorado river be annexed to the State of Utah," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 18; nays, none; absent and not voting, none.

Those voting in the affirmative were: Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

H. J. M. No. 1 was sent to the House.

BALLOT FOR UNITED STATES SENATOR.

President Gardner announced that the Senate would now proceed to ballot for United States Senator.

Mr. Badger placed in nomination the name of the Honorable Reed Smoot.

The roll being called, the vote stood:

For Hon. Reed Smoot, 18.

Those voting for Hon. Reed Smoot were: Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Thereupon the following certificate was read by the Secretary, and signed by the President and Secretary, in open session, in the presence of the Senate:

Salt Lake City, Utah, Jan. 19th, 1909.

Be it known, and this is to certify, that at a session of the Legislative Assembly of the State of Utah, begun on the 11th day of January, A. D. 1909, to-wit: on the ninth day of said session, and in conformity with the provisions of the Statutes of the United States governing such cases, the Senate proceeded openly by viva voce vote of each member present to name one person for Senator in the Congress of the United States from said State of Utah, and thereupon eighteen members of said Senate being present of the whole number of persons constituting said Senate, said whole number being eighteen, Reed Smoot, of Utah County, in the State aforesaid, and qualified, according to the Constitution of the United States, for a Senator in the Congress thereof, received a majority of the whole number of votes cast in such Senate, to-wit: eighteen; the whole number cast being eighteen, and the number cast for said Reed Smoot so voted for was eighteen. Thereupon the name of said Reed Smoot so voted for was entered on the Journal of the Senate by the Secretary thereof as such person receiving a majority of the whole number of votes cast therein, and we do declare that the said Reed Smoot was thus duly elected by said Senate, the Senator of Congress in the United States from said State of Utah.

In testimony whereof, we have hereunto set our hands as President of the Senate and presiding officer thereof, and Secretary of the Senate, at Salt Lake City, the seat of government of said State, this 19th day of January, A. D. 1909, and done in the presence of the Senate in open session.

HENRY GARDNER,
President of the Senate.

H. L. CUMMINGS,
Secretary of the Senate.

On motion of Mr. Miller, the Senate adjourned until tomorrow at 11:30 a. m.

TENTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 20th, 1909.

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

Roll-call; quorum present. Prayer by the Chaplain. Minutes of the ninth day's session were read and approved.

PRESENTATION OF PETITIONS.

Senate Petition No. 9.—By Mr. Brinkerhoff.

A petition signed by James P. Olsen and 239 other citizens of Emery County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 10.—By Mr. Miller.

A petition from Frederic Blake, of St. George, Utah, asking for damages in the sum of $300,000 for alleged false imprisonment and cruel treatment at the State Mental Hospital, at Provo, Utah.

Referred to the Committee on Appropriations and Claims.

FIRST READING OF RESOLUTION.

Senate Concurrent Resolution No. 2, by Mr. Williams, relating to the manner of engrossing bills, was read the first time and referred to the Committee on Engrossed and Enrolled Bills.

A recess was taken until the time for joint assembly with the House, in compliance with the law relating to the election of United States Senators.

JOINT SESSION.

House of Representatives,
Salt Lake City, Utah, Jan. 20th, 1909.

The joint assembly of the two houses of the Eighth Session of the Legislative Assembly of the State of Utah met in the Hall of the House of Representatives in Salt Lake City, the capital of the State of Utah, at 12 o'clock noon, President Gardner of the Senate presiding.

Roll-call; quorum of both houses present.

Prayer by the 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. Reed Smoot 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 Secretary of the Senate read the following certificate of election, which was then signed by the President and Secretary of the Senate, and the Speaker and Chief Clerk of the House, in open session, in the presence of the joint assembly, and transmitted to the Secretary of State.

Be it known, and this is to certify, that at twelve o'clock meridian of the 20th day of January, A. D. 1909, it being the day following that on which proceedings took place by which Reed Smoot, of Provo City, Utah, was named by each house for Senator in the Congress of the United States from the State of Utah, as provided by the laws of Congress, the members of the Senate and the House of Representatives met at Salt Lake City, the capital of said State, a quorum of each house being present, and thereupon the Journal of each of said houses was produced and was read, and it appearing from an inspection of said Journals that the said Reed Smoot had on the 19th day of January, 1909, 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 4th, A. D. 1909.

In witness whereof, the President of the Senate, the presiding officer of the said joint assembly, and the Secretary of the Senate, the Clerk thereof, and the Speaker of the House, and the Chief Clerk of the House, have hereunto set their hands this 20th day of January, A. D. 1909, at Salt Lake City, the capital, in the presence of said joint assembly.

HENRY GARDNER,
President of the Senate.

E. W. ROBINSON,
Speaker of the House.

H. L. CUMMINGS,
Secretary of the Senate.

ALEX. BUCHANAN JR.,
Chief Clerk of the House.

On motion of Mr. Benner X. Smith, the joint assembly dissolved.

The Senate reassembled at 12:20 p. m.

INTRODUCTION OF BILLS.

Senate Bill No. 13.—By Mr. Miller.

A Bill for an Act to amend Section 1113x22, Compiled Laws of Utah, 1907, designating what officer shall attend a convention of health officers of the State.

S. B. No. 13 was read the first time, and referred to the Committee on Public Health.

MISCELLANEOUS BUSINESS.

A communication was received from the Utah Association of Seattle memorializing the Senate to provide for participation by the State of Utah in the Alaska-Yukon-Pacific Exposition at Seattle in 1909, and inviting the people of Utah to visit the exposition. The communication was read and referred to the Committee on Appropriations and Claims.

Mr. Hulaniski was excused from attendance on Friday.

On motion of Mr. Bullen the Senate adjourned until Friday at 2 p. m.

TWELFTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 22nd, 1909.

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

Roll-call; quorum present. Prayer by the Chaplain. Minutes of the tenth day's session were read and approved.

PRESENTATION OF PETITIONS.

Senate Petition No. 10.—By Mr. Brinkerhoff.

A petition from J. F. Wakefield and 713 other citizens of Emery County, relative to the sale of intoxicating liquors. Referred to the Committee on Manufactures and Commrece.

Senate Petition No. 11.—By Mr. Burton.

A petition from John W. A. Lawson and 146 other citizens of Davis County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 12.—By Mr. Kuchler.

A petition from citizens of Ogden asking for the enactment of Senate Bill No. 4, to appropriate $5,000 to the widow of Seymour L. Clark.

Referred to Committee on Appropriations and Claims.

Senate Petition No. 13.—By Mr. Horsley.

A petition from James W. Palmer and 52 other citizens of Box Elder County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 14.—By Mr. Seely.

A petition from Christian Peterson and 3107 other citizens of Sanpete County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

REPORT OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Jan. 22nd, 1909.

Mr. President: Your Committee on State Affairs, to whom was referred the matter of segregating the message of Governor William Spry, beg leave to report that we have had the same under consideration, and recommend that the matters therein mentioned be referred to the following Standing Committees:

1. That there be referred to the Agriculture and Irrigation Committee the following: "State Board of Land Commissioners," "State Board of Horticulture," "State Engineer."

2. That there be referred to the Appropriations and Claims Committee the following: "Financial," "State Treasurer," "State Auditor," "Deficits," "Exhibit at Sixteenth Irrigation Congress at Albuquerque," "Alaska-Yukon-Pacific Exposition."

3. That there be referred to the Committee on Banks and Banking the following: "State Bank Examiner."

4. That there be referred to the Committee on Capi-

tol and Capitol Grounds the following: "State Capitol Building."

5. That there be referred to the Committee on Counties and Municipal Corporations the following: "Taxation by Cities," "Municipal Indebtedness," "Improvement Taxes," "Records of State and Municipal Departments, and the Courts and a System of Land Transfers."

6. That there be referred to the Committee on Education the following: "Education," "State University," "Agricultural College," "Historical Society—Art Institute—Archaeological Society," "Public Libraries and Gymnasiums."

7. That there be referred to the Committee on Fish and Game the following: "State Fish and Game Commission."

8. That there be referred to the Committee on Forests and Forestry the following: "State Commission for the Conservation of Resources."

9. That there be referred to the Committee on Highways and Bridges the following: "Good Roads."

10. That there be referred to the Committee on Judiciary the following: "Attorney General," "Secretary of State," "Juvenile Court Commission," "Bureau of Statistics," "Abraham Lincoln's Birthday."

11. That there be referred to the Committee on Live Stock the following: "State Board of Sheep Commissioners."

12. That there be referred to the Committee on Manufactures and Commerce the following: "Using the Name of Public Institutions or Officers for Advertising Purposes," "Public Service Commission."

13. That there be referred to the Committee on Military Affairs the following: "National Guard of Utah,"

"Forty-third National Encampment of the Grand Army of the Republic."

14. That there be referred to the Committee on Mines and Minerals the following: "State Coal Mine Inspector."

15. That there be referred to the Committee on Private Corporations and Insurance the following: "Insurance Commission."

16. That there be referred to the Committee on Public Health the following: "State Dairy and Food Commissioner," "State Chemist," "State Board of Medical Examiners," "State Board of Dental Examiners," "State Board of Pharmacy," "Board of Optometry," "State Board of Examiners of Barbers."

17. That there be referred to the Committee on Public Institutions the following: "State University," "Agricultural College," "Utah School for the Deaf and Blind," "State School for the Adult Blind," "State Industrial School of Utah," "State Mental Hospital," "Utah State Prison," "Utah State Fair Association."

18. That there be referred to the Committee on Salaries the following: "State Treasurer."

19. That there be referred to the Committee on State Affairs the following: "Forty-third National Encampment of the Grand Army of the Republic."

20. That there be referred to the Committee on Ways and Means the following: "Financial," "Revenue Laws," "Assessment of Property."

W. N. WILLIAMS,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, Jan. 22nd, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 2, by Mr. Badger, en-

titled "An Act to amend Section 1145 of the Compiled Laws of Utah, 1907, relating to legal holidays, and providing that the 12th day of February shall be a legal holiday," beg leave to report that they have had the same under consideration and recommend the bill be passed.

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 2 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Jan. 22nd, 1909.

Mr. President: Your Committee on Rules beg leave to recommend the following as an additional rule: "Four typewritten copies of every bill, memorial, or resolution shall be furnished the Secretary by the members introducing the same.

W. C. HORSLEY,
Chairman.

The report of the Committee was adopted, the rule to become effective on Monday.

INTRODUCTION OF BILLS.

Senate Bill No. 14.—By Mr. Kuchler (by request).

A Bill for an Act to provide for the establishment and maintenance of free traveling libraries in the State of Utah.

S. B. No. 14 was read the first time and referred to the Committee on Education.

Senate Bill No. 15.—By Mr. Benner X. Smith.

A Bill for an Act regulating the sale, assignment of, or order for wages, pay, salary, or compensation to be earned in the future, and providing for the acceptance, acknowledgment, and recording thereof, and the consent of the wife of the person making the sale, assignment of, or order if he be a married man.

S. B. No. 15 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 16.—By Mr. Benner X. Smith.

A Bill for an Act authorizing the court, in its discretion, to compel a party to a suit to submit to a physical examination by physicians and surgeons.

S. B. No. 16 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 17.—By Mr. Benner X. Smith.

A Bill for an Act to provide for the furnishing of the Governor's office, and making appropriation therefor.

S. B. No. 17 was read the first time, and referred to the Committee on Appropriations and Claims.

Senate Bill No. 18.—By Mr. Benner X. Smith.

A Bill for an Act to amend Section 1, of Chapter 131, of the Laws of the State of Utah of 1903, entitled, "An act making it the duty of County Auditors to prepare and file statements showing the amount paid for salaries of County Assessors and County Treasurers and their deputies and assistants, and providing for the apportionment of said sum to the various taxing funds."

S. B. No. 18 was read the first time, and referred to the Committee on Counties and Municipal Corporations.

Senate Bill No. 19.—By Mr. John Y. Smith.

A Bill for an Act to amend Section 309, Compiled Laws of Utah, 1907, providing the manner of submitting to the qualified electors of a city or town the question of incurring a bonded indebtedness, and when and to what amount bonds may be issued.

S. B. No. 19 was read the first time, and referred to the Committee on Counties and Municipal Corporations.

Senate Joint Memorial No. 1.—By Mr. Wilson.

A memorial asking an appropriation of 3,000,000 acres of arid land for building a State Capitol and the improvement of public roads of the State of Utah.

S. J. M. No. 1 was read the first time, and referred to the Committee on Federal Relations.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 22nd, 1909.

To the Senate:

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

To be officers on the military staff of the commander-in-chief of the militia:

E. A. Wedgewood, of Salt Lake City, Utah, to be Adjutant General, with the rank of Brigadier General.

H. M. H. Lund, of Salt Lake City, Utah, Assistant Adjutant General, with the rank of Colonel.

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

H. E. Booth, of Salt Lake City, Utah, Judge Advocate General, with the rank of Colonel.

D. C. Jackling, of Salt Lake City, Utah, General Inspector of Target Practice, with the rank of Colonel.

Samuel Newhouse, of Salt Lake City, Utah, Inspector General, with the rank of Colonel.

C. E. Loose, of Provo, Utah, Commissary General, with the rank of Colonel.

E. S. Wright, of Salt Lake City, Utah, Surgeon General, with the rank of Colonel.

J. J. Daynes, Jr., and Rodney T. Badger, of Salt Lake City, Utah, Aides-de-Camp, each with the rank of Lieutenant Colonel.

Respectfully,

WILLIAM SPRY,
Governor.

Communication filed.

COMMUNICATION FROM SENATOR SMOOT.

Office Western Union Telegraph Company,
Washington, D. C., Jan. 21st, 1909.

Hon. Henry Gardner, President Joint Assembly, Utah State Legislature, Salt Lake City.

I am in receipt of your message advising me of my re-election by the Utah State Legislature as United States Senator from the State of Utah. I am most grateful for the unbounded confidence imposed in me, and I appreciate beyond expression the great honor my native State thus bestows upon me. I assure you that my only aim and endeavor shall be to continue to serve my State and Nation faithfully and to the best of my ability. I thank the Legislature sincerely for the unanimous Republican support.

REED SMOOT.

THIRD READING OF BILLS.

On motion of Mr. Badger, the rules were suspended and Senate Bill No. 2, "An Act to amend Section 1145 of the Compiled Laws of Utah, 1907, designating legal holidays," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President. Those absent and not voting were: Messrs. Hulaniski and John Y. Smith.

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

COMMUNICATION.

President's Office, University of Utah,
Salt Lake City, Utah, Jan. 22nd, 1909.

To the President and Senate of the State of Utah:

Gentlemen: In behalf of the Regents of the University of Utah, an invitation is extended to your honorable

body, or to any number of your members, to visit and inspect the Branch Normal at Cedar City at your earliest convenience. Yours very respectfully,

J. T. KINGSBURY,
President.

The communication was referred to the Committee on Education.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 22nd, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. J. M. No. 1, by Mr. Morris, "Memorial to the Congress of the United States asking that that portion of Arizona Territory lying north of the Colorado river be annexed to the State of Utah," and the same is transmitted herewith for your signature.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed. H. J. M. No. 1 was returned to the House with the request that it be engrossed in triplicate, as required by the rules.

EXECUTIVE SESSION.

On motion of Mr. Benner X. Smith, the Senate went into executive session.

REGULAR SESSION RESUMED.

Upon regular session being resumed, the President announced that the Senate had advised and consented to the following appointments made by the Governor to be members of his military staff:

E. A. Wedgwood, of Salt Lake City, Utah, Adjutant General, with the rank of Brigadier General.

H. M. H. Lund, of Salt Lake City, Utah, Assistant Adjutant General, with the rank of Colonel.

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

H. E. Booth, of Salt Lake City, Utah, Judge Advocate General, with the rank of Colonel.

D. C. Jackling, of Salt Lake City, Utah, General Inspector of Target Practice, with the rank of Colonel.

Samuel Newhouse, of Salt Lake City, Utah, Inspector General, with the rank of Colonel.

C. E. Loose, of Provo, Utah, Commissary General, with the rank of Colonel.

E. S. Wright, of Salt Lake City, Utah, Surgeon General, with the rank of Colonel.

J. J. Daynes, Jr. and Rodney T. Badger, of Salt Lake City, Utah, Aides-de-Camp, each with the rank of Lieutenant Colonel.

On motion of Mr. John Y. Smith, the Senate adjourned until Monday at 2 p. m.

FIFTEENTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 25th, 1909.

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

Roll-call; quorum present. Prayer by the Chaplain. Minutes of the twelfth day's session were read, corrected, and approved.

PRESENTATION OF PETITIONS.

Senate Petition No. 15.—By Mr. Kuchler.

A petition signed by Albert Bell and 354 other citi-

zens of Weber County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

COMMUNICATION.

Agricultural College of Utah,
Logan, Utah, Jan. 23rd, 1909.

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

Gentlemen: The special Farmers' Institute train, carrying lecturers and exhibits from the Agricultural College of Utah, will be in Salt Lake City at the Oregon Short Line depot next Tuesday, January 26th, from 2 o'clock until 10 o'clock p. m. The cars will be open for inspection during this whole period and lectures will be given at 2, 4:30 and 7:30 o'clock.

The officers of the Agricultural College of Utah respectfully invited any or all of the members of your honorable body to inspect the cars and listen to the lectures to be delivered. The train represents part of the work done under State authority in behalf of the farmers and home-makers of the State.

Very respectfully yours,
JOHN A. WIDTSOE,
President.

Communication filed.

Mr. Benner X. Smith was permitted to withdraw Senate Bill No. 18.

INTRODUCTION OF BILLS.

Senate Bill No. 20.—By Mr. Benner X. Smith.

A Bill for an Act declaring the production and reduction of ores to be for the public use and benefit, and providing for the exercise of the right of eminent domain therefor.

S. B. No. 20 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 21.—By Mr. Benner X. Smith.

A Bill for an Act to punish life convicts for committing assaults upon others by means of force or otherwise.

S. B. No. 21 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 22.—By Mr. Badger.

A Bill for an Act to amend Section 825 of the Compiled Laws of Utah, 1907, relating to nominations.

S. B. No. 22 was read the first time, and referred to the Committee on Elections.

Senate Bill No. 23.—By Mr. Badger.

A Bill for an Act to amend Section 822 of the Compiled Laws of Utah, 1907, relating to nominations.

S. B. No. 23 was read the first time, and referred to the Committee on Elections.

Senate Bill No. 24.—By Mr. Badger.

A Bill for an Act to amend Section 833 of the Compiled Laws of Utah, 1907, relating to nominations.

S. B. No. 24 was read the first time, and referred to the Committee on Elections.

Senate Bill No. 25.—By Mr. Badger.

A Bill for an Act providing for the licensing and regulation of employment offices requiring employment agents to give bond, prohibiting the sending of female help to any place of bad repute, requiring bona fide orders for help, regulating the charges of employment offices, requiring the keeping of registers, requiring the furnishing of copies of terms of employment, prohibiting dividing of fees with certain persons, punishing violations of this act, regulating actions for violations, prohibiting the conducting of an employment office in any place where intoxicating liquors are sold, excepting religious and

charitable organizations, and requiring the posting of copies of certain sections of this act in employment offices.

S. B. No. 25 was read the first time, and referred to the Committee on Labor.

Senate Bill No. 26.—By Mr. Bullen.

A Bill for an Act amending Section 2427x, Compiled Laws of Utah, 1907, creating a bureau of statistics.

S. B. No. 26 was read the first time, and referred to the Committee on State Affairs.

Senate Bill No. 27.—By Mr. Bullen.

A Bill for an Act repealing Section 2427x3, Compiled Laws of Utah, 1907.

S. B. No. 27 was read the first time, and referred to the Committee on State Affairs.

Senate Bill No. 28.—By Mr. Stookey.

A Bill for an Act to amend Sections 403, 404, 405, 407, 408, 409, 410, 411, 413, 414, 415, 416, 417, 419, 420, 421, 422, 422x1, and 422x2, Compiled Laws of Utah, 1907, regulating the insurance business, and to amend Section 965, Compiled Laws of Utah, 1907, relating to fees to be collected by the Secretary of State, and to enact four new sections, to be known as Sections 422x3, 422x4, 422x5, and 422x6, regulating the transaction of insurance business in this State by foreign and domestic insurance companies and associations, and to amend Section 2441 of the Compiled Laws of Utah, 1907, relating to the appointment and duties of the Bank Examiner.

S. B. No. 28 was read the first time, and referred to the Committee on Private Corporations and Insurance.

Senate Bill No. 29.—By Mr. Stookey.

A Bill for an Act to establish an insurance department in and for the State of Utah, and to regulate the insurance companies doing business therein.

S. B. No. 29 was read the first time, and referred to the Committee on Private Corporations and Insurance.

MISCELLANEOUS BUSINESS.

By request of Mr. Benner X. Smith, Senate Bill No. 16 was withdrawn from the Committee on Public Health and referred to the Committee on Judiciary.

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

SIXTEENTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 26th, 1909.

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

Roll-call; quorum present. Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 25th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day had engrossed two additional copies of H. J. M. No. 1, by Mr. Morris, "Memorial to the Congress of the United States, asking that that portion of Arizona Territory lying north of the Colorado river be annexed to the State of Utah." The same is returned herewith for the signature of the President.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

House Joint Memorial No. 1 was read and was signed in triplicate by the President in open session in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, Jan. 25th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. J. R. No. 1, by Mr. Ashton, "A resolution providing that the business of the State Legislature be suspended on the 12th day of February, the one hundredth anniversary of Abraham Lincoln." The same is transmitted herewith for your action.

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication was filed, and H. J. R. No. 1 was laid on the table for one day.

House of Representatives,
Salt Lake City, Utah, Jan. 25th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 3, by Mr. Clegg, "An Act amending Sections 2938 and 2946, Compiled Laws of Utah, 1907, relating to the manner of commencing actions." The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed. H. B. No. 3 was read the first time, and referred to the Committee on Judiciary.

PRESENTATION OF PETITIONS.

Senate Petition No. 16.—By Mr. Kuchler.

A petition from Rachel M. Middleton and 200 other citizens of Weber County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 25th, 1909.

To the Senate:

It is with profound sorrow that we receive the news of the death of ex-Governor Caleb W. West, at Oakland, California, on the evening of January 24th, 1909.

Caleb W. West was the last Territorial Governor of Utah, having served under two commissions from President Cleveland. His first term of office covered the period from 1886 to 1889, and his last term, 1893 to 1895.

Recognizing the sterling qualities in Governor West and appreciating the wise and broad-minded exercise of the governing power vested in him, I deem it proper, and respectfully recommend, that the Legislature of the State of Utah, now assembled, take appropriate action in testimony of the respect and esteem of the people of the State of Utah for Governor Caleb W. West.

Respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Jan. 26th, 1909.

Mr. President: Your Committee on Counties and Municipal Corporations, to whom was referred S. B. No. 19, by Mr. John Y. Smith, entitled "An Act to amend Section 309, Compiled Laws of Utah, 1907, providing the manner of submitting to the qualified electors of a city or town the question of incurring a bonded indebtedness, and when and to what amount bonds may be issued," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 19 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Jan. 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 6, by Mr. Badger, entitled "An Act to prevent the unauthorized use of the name, portrait, or picture of any person for the purposes of trade," beg leave to report that they have had the same under consideration, and recommend the following amendment thereto:

Strike out all of line 19.

And, as amended, recommend that the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 6 was read the second time.

PRESENTATION OF RESOLUTION.

Senate Concurrent Resolution No. 3.—By Mr. Hyde.

Be it resolved, by the Senate and House of Representatives, that it is with deep regret that the Legislature of Utah learns of the death of Caleb W. West, a former Governor of Utah. Be it further resolved, that the President appoint a committee of three, to join with a like committee from the House, in reporting appropriate resolutions of recognition of his worth and respect to his memory.

On motion of Mr. Hyde, the rules were suspended and Senate Concurrent Resolution No. 3 was read the first, second, and third times, and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, John Y. Smith, Stookey, Williams,

Wilson, Mr. President. Those absent and not voting were: Messrs. Brinkerhoff, Miller, Benner X. Smith.

The President appointed Senators Hyde, Badger, and Hulaniski as the Committee on Resolutions, to act with a like committee from the House. S. C. R. No. 3 was transmitted to the House.

INTRODUCTION OF BILLS.

Senate Bill No. 30.—By Mr. Benner X. Smith.

(Substitute for S. B. No. 18.)

A Bill for an Act to amend Section 616x of Compiled Laws of Utah, 1907, entitled, "An Act making it the duty of County Auditors to prepare and file statements showing the amount paid for salaries of County Assessors and County Treasurers and their deputies and assistants, and providing for the apportionment of said sum to the various taxing funds."

S. B. No. 30 (substitute for S. B. No. 18) was read the first time, and referred to the Committee on Counties and Municipal Corporations.

Senate Bill No. 31.—By Mr. Stookey.

A Bill for an Act amending Section 666x of the Compiled Laws of Utah, 1907, relating to stenographers.

S. B. No. 31 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 32.—By Mr. Sevy.

A Bill for an Act to amend Section 2549 of the Compiled Laws of Utah, 1907, relating to notice to taxpayers by County Treasurers.

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

Senate Bill No. 33.—By Mr. Stookey.

A Bill for an Act to prohibit the taking of any narcotics, weapons, or explosives into the State Prison, or

any jail or reformatory within the State of Utah, or on the grounds of such institutions.

S. B. No. 33 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 34.—By Mr. Stookey.

A Bill for an Act to punish certain convicts for committing assaults upon others by means of force or otherwise.

S. B. No. 34 was read the first time, and referred to the Committee on Judiciary.

MISCELLANEOUS BUSINESS.

On motion of Mr. Hulaniski, the investigation of the work of the Central Utah Experiment Farm, recommended by the Governor in his message, was referred to the Committee on Public Institutions.

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

SEVENTEENTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 27th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

PRESENTATION OF PETITIONS.

Senate Petition No. 16.

A communication signed by William McLachlan and Charles H. Hyde, representing the Pioneer Stake of the Church of Jesus Christ of Latter-day Saints, asking for favorable action on H. B. No. 37, and for the enactment of laws for the closing of all places of amusement on Sundays.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 17.—By Mr. John Y. Smith.

A petition signed by George H. Brimhall and 8551 other citizens of Utah County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 18.—By Mr. Bullen.

A petition signed by H. F. Liljenquist and 67 other citizens of Hyrum, Cache County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 19.—By Mr. Bullen.

A petition signed by James J. Facer and 18 other citizens of Hyrum, Cache County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

REPORT OF COMMITTEE.

Senate Committee Room,
Salt Lake City, Utah, Jan. 26th, 1909.

Your Committee on Federal Relations, to whom was referred S. J. M. No. 1, by Mr. Wilson, entitled, "A Memorial asking an appropriation of 3,000,000 acres of arid land for building a State capitol, and the improvement of public roads of the State of Utah. A Memorial from the

Governor and Legislature of Utah, to the President, the Senate, and the House of Representatives of the United States," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. Insert after the title: "To the President of the United States, and to the Senate and House of Representatives of the United States of America in Congress assembled."

2. Strike out all of line one on page one, and insert: "The Legislature of the State of Utah respectfully ask that there be donated."

3. In line two strike out the words "of the United States donate."

4. Strike out on line eleven the words "part of"; and strike out all of lines twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and on line nineteen the words "now employ".

5. Strike out all of page two.

6. On page three strike out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12.

7. On page four strike out all of lines 1, 2, 3, 4, and 5; and on line 14 strike out the words "It is the confident", and strike out all of lines 15, 16, 17, 18, 19.

And, as amended, we recommend the Memorial be passed.

E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. J. M. No. 1 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 35.—By Mr. Brinkerhoff.

A Bill for an Act to amend Chapter 1, Title 9, of the Compiled Laws of Utah, 1907, relating to the paying of

bounties for the destruction of wild animals, and providing for a tax on cattle, horses, and sheep.

S. B. No. 35 was read the first time, and referred to the Committee on Live Stock.

Senate Bill No. 36.—By Mr. Wilson.

A Bill for an Act to amend Section 1540x1 of the Compiled Laws of Utah, 1907, providing that mining shafts be provided with safety cages.

S. B. No. 36 was read the first time, and referred to the Committee on Mines and Mining.

Senate Bill No. 37.—By Mr. Badger.

A Bill for an Act prohibiting the use of the name, picture, or portrait of any public institution, or the official title of any public officer, for purposes of advertisement or trade, and providing penalties therefor.

S. B. No. 37 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 38.—By Mr. Badger.

A Bill for an Act to amend Section 4247 of the Compiled Laws of Utah, 1907, relating to indecent exposure, exhibitions, writings, etc.

S. B. No. 38 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 39.—By Mr. Badger.

A Bill for an Act authorizing the District Attorney in Judicial Districts having a population of seventy-five thousand or more inhabitants, to appoint an assistant, and providing the qualifications, salary, and duties of said assistant.

S. B. No. 39 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 40.—By Mr. Badger (by request).

A Bill for an Act appropriating the sum of $37.95 to Rocky Mountain Bell Telephone Company for telephone

services rendered the office of County Superintendent of Schools of Salt Lake County.

S. B. No. 40 was read the first time, and referred to the Committee on Appropriations and Claims.

Senate Bill No. 41.—By Mr. Stookey.

A Bill for an Act creating a State Department of Public Health, a State Bacteriological and Pathological Laboratory, and providing for a State Bacteriologist and Pathologist, a State Board of Health, and providing for the manner of the appointment of the members of the board and its officers, the term of office, prescribing the duties and defining the powers of the board, its members and officials. Providing for the actual and necessary expenses of the board, the compensation and actual and necessary expenses of its officials and employees; providing for the location and maintenance of the bacteriological and pathological laboratory; providing for scientific research work as to the cause, cure, and prevention of disease: for the tabulation and dissemination of knowledge pertaining to the public health and education of the public along the lines of cause, cure, and prevention of disease, and effectual quarantine work and methods, and making an appropriation for the payment of the actual and necessary expenses thereof, and repealing Title 29, Compiled Laws of Utah, 1907.

S. B. No. 41 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 42.—By Mr. Stookey.

A Bill for an Act providing for a State Veterinarian, the manner of his appointment, prescribing his duties, and providing for the control and suppression of dangerous, contagious, and infectious diseases of domestic animals.

S. B. No. 42 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 43.—By Mr. Stookey.

A Bill for an Act relating to the State Chemist, pro-

viding for his appointment and prescribing his duties; providing for the location and maintenance of a State chemical laboratory, and repealing Chapter 8, Title 76, Compiled Laws of Utah, 1907.

S. B. No. 43 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 44.—By Mr. John Y. Smith.

A Bill for an Act authorizing the University of Utah to erect a central building at a cost not exceeding two hundred and fifty thousand dollars, and appropriating the necessary money for that purpose; and authorizing partial conversion of the University of Utah permanent land fund into cash, loan thereof, and method of repaying the same.

S. B. No. 44 was read the first time, and referred to the Committee on Public Institutions.

Senate Bill No. 45.—By Mr. Williams.

A Bill for an Act appropriating the sum of twenty-five hundred dollars to William Forsberg for injuries sustained while employed by the State of Utah.

S. B. No. 45 was read the first time, and referred to the Committee on Appropriations and Claims.

House Joint Resolution No. 1 was taken from the table and read the first time, and referred to the Committee on Federal Relations.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 26th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representatives Thompson, Ashton, and Holman to act with Senate committee to

draft suitable resolutions touching the life and labors of our late Governor, Caleb W. West.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, Jan. 26th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 31, by Mr. Holman, "An Act to amend Section 1221, Compiled Laws of Utah, 1907, relating to inquests and defining the duties of Justices of the Peace thereto."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 31 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Jan. 26th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 14, by Mr. Russell, entitled, "An Act to amend Section 974 of the Compiled Laws of Utah, 1907, in relation to fees of Sheriff."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 14 was read the first time, and referred to the Committee on Judiciary.

THIRD READING OF BILLS.

Senate Bill No. 6, by Mr. Badger, "A Bill for an Act to prevent the unauthorized use of the name, portrait, or picture of any person for the purposes of trade," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks and Benner X. Smith.

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

Senate Bill No. 19, by Mr. John Y. Smith, "An Act to amend Section 309, Compiled Laws of Utah, 1907, providing the manner of submitting to the qualified electors of a city or town the question of incurring a bonded indebtedness, and when and to what amount bonds may be issued," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks and Benner X. Smith.

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

COMMUNICATIONS.

Agricultural College of Utah,
Logan, Utah, Jan. 25th, 1909.

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

Gentlemen: The Trustees and Faculty of the Agri-

cultural College of Utah cordially invite your honorable body, with your friends, to visit the Agricultural College at such time in the near future as you may designate. A similar invitation has been forwarded today to the members of the House of Representatives.

Very respectfully yours,
JOHN A. WIDTSOE,
President.

Communication referred to Committee on Education.

Salt Lake City, Utah, Jan. 27th, 1909.

To the Members of the Utah State Senate.

Honorable Gentlemen: The Arctic Show is now being held at the Salt Palace in your city. The show comprises thirty-five Eskimos, with their entire belongings, consisting of skin houses, sleds, dog teams, etc., showing their life in their own country. We also have moving pictures of walrus, seal, reindeer, etc. We should deem it an honor to have the members of your honorable body attend our performance gratis.

Yours truly,
A. M. BARBER,
Manager.

Communication filed.

MISCELLANEOUS BUSINESS.

Messrs. Miller, Brinkerhoff, Wilson, Horsley, and Seely were excused until Monday, to visit the Branch Normal at Cedar City.

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

EIGHTEENTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 28th, 1909.

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

Roll- call: quorum present.

Prayer by the Chaplain.

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

PRESENTATION OF PETITIONS.

Senate Petition No. 20.—By Mr. Marks.

A petition from the Capitol Building Committee of the Salt Lake Real Estate Association, asking the Legislature to pass such laws as will secure the early erection of a Capitol building.

Referred to the Committee on Capitol and Capitol Grounds.

REPORT OF COMMITTEE.

Senate Committee Room,
Salt Lake City, Utah, Jan. 27th, 1909.

Mr. President: Your Committee on Salaries, to whom was referred S. B. No. 10, by Mr. Marks, entitled, "An Act to amend Section 2049x, Compiled Laws of Utah, 1907, relating to the salaries of certain State officers," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

RUDOLPH KUCHLER,
Chairman.

The report of the committee was adopted, and S. B. No. 10 was read the second time.

PRESENTATION OF RESOLUTION.

Senate Joint Resolution No. 1.—By Mr. Kuchler.

A resolution proposing an amendment to Section 7 of Article 13, of the Constitution of the State of Utah, relating to the rate of taxation.

S. J. R. No. 1 was laid on the table for one day.

INTRODUCTION OF BILLS.

Senate Bill No. 46.—By Mr. Badger (by request).

A Bill for an Act to amend Section 1166, Compiled Laws of Utah, 1907, relating to homestead.

S. B. No. 46 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 47.—By Mr. Badger (by request).

A Bill for an Act to amend Sections 1149 and 1151, and to repeal Section 1152, Compiled Laws of Utah, 1907, relating to homestead.

S. B. No. 47 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 48.—By Mr. Badger (by request).

A Bill for an Act to amend Section 1147, Compiled Laws of Utah, 1907, relating to homestead.

S. B. No. 48 was read the first time, and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 27th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended by the Senate, S. B. No. 2, by Mr. Badger, "An Act to amend Section 1145 of the Compiled Laws of Utah, 1907, designating legal holidays."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

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

House of Representatives,
Salt Lake City, Utah, Jan. 27th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, under suspension of the rules, S. C. R. No. 3, by Mr. Hyde, providing for the appointment of a committee to draft resolutions of respect to the memory of former Governor Caleb W. West.

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, Jan. 27th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. J. R. No. 3, by Mr. Hugh A. McMillin, authorizing the Governor of the State to procure a suitable oil portrait of former Governor John C. Cutler.

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. R. No. 3 was read the first time, and referred to the Committee on Appropriations and Claims.

House of Representatives,
Salt Lake City, Utah, Jan. 27th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 36, by Mr. Murdock, entitled, "An Act to amend Sections 991 and 994, Compiled Laws of Utah, 1907, relating to fees and mileage of jurors and witnesses in District Court.

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 36 was read the first time, and referred to the Committee on Judiciary.

MEMORIAL REFERRED.

On motion of Mr. Hyde, Senate Joint Memorial No. 1 was referred to the Committee on Federal Relations for further consideration.

THIRD READING OF RESOLUTION.

On motion of Mr. Williams, the rules were suspended, and House Joint Resolution No. 3, by Mr. H. A. McMillin, authorizing the Governor of the State to procure a suitable oil portrait of former Governor John C. Cutler, was read the second and the third time and placed on its final passage, and passed by the following vote: Ayes, 10; nays, 2; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hyde, Marks, Sevy, John Y. Smith, Stookey, Williams, Mr. President. Those voting in the negative were: Messrs. Hulaniski and Kuchler. Those absent and not voting were: Messrs. Brinkerhoff, Horsley, Miller, Seely, Benner X. Smith, Wilson.

H. J. R. No. 3 was transmitted to the House.

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

NINETEENTH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 29th, 1909.

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

In the absence of the President, the Secretary called the Senate to order.

Roll-call; no quorum present.

On motion of Mr. Marks, Mr. Benner X. Smith was called to the chair.

No quorum being present, on motion of Mr. Kuchler the Senate adjourned until tomorrow at 2 p. m.

TWENTIETH DAY.

Senate Chamber,
Salt Lake City, Utah, Jan. 30th, 1909.

The Senate met at 2 p. m., pursuant to adjournment, President pro tem. Benner X. Smith presiding.

The roll was called, the following Senators being present: Messrs. Badger, Marks, Benner X. Smith, and Stookey.

There being no quorum present, the Senate took a recess, awaiting a quorum.

A quorum having arrived, the Senate was called to order by President Gardner.

Roll-call; quorum present.

Minutes of the eighteenth and nineteenth days were read and approved.

On motion of Mr. Marks, the Senate adjourned until Monday, February 1st, at 2 p. m.

TWENTY-SECOND DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 1st, 1909.

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

Roll-call quorum present.

Prayer by the Chaplain.

Messrs. Sevy and Brinkerhoff were excused until Wednesday.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 1st, 1909.

Mr. President: Your Committee on Education, to whom was referred S. B. No. 11, by Mr. Bullen, entitled, "An Act to amend Section 2090x, Revised Statutes of Utah, 1907, providing that instruction in the Agricultural College shall be free, and providing an entrance fee," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 11 was read the second time.

Committee Room,
Salt Lake City, Utah, Feb. 1st, 1909.

To the President of the Senate and the Speaker of the House:

Your joint Committee, to whom was referred Senate Concurrent Resolution No. 3, by Mr. Hyde, to draft suitable resolutions on the death of Caleb W. West, former Governor of Utah, respectfully report the attached resolutions:

Whereas, Divine Providence has removed from this life Caleb W. West, and

Whereas, Caleb W. West was Governor of the Territory of Utah from 1886 to 1889, and from 1893 to 1895, and

Whereas, by his faithful and patriotic performance of public duty he endeared himself to the citizens of Utah; therefore,

Be it resolved, by the Senate and House of Representatives of the Eighth Session of the Legislature of the State of Utah,

That we have learned of the death of Caleb W. West with profound sorrow; that we recognize the commanding virtues of his character, the great worth of his public services, and that we express to his mourning relatives and many friends our deep sympathy with them in their bereavement.

That these resolutions be spread upon the journals of the Senate and House of Representatives, and that an engrossed copy be transmitted to the relatives of the departed.

J. A. HYDE,
CARL A. BADGER,
E. T. HULANISKI,
ORVIL L. THOMPSON,
E. C. ASHTON,
T. L. HOLMAN.

On motion of Mr. Hyde, the resolutions were adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 28th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, H. B. No. 39, by Mr. T. L. Holman, "An Act creating Section 1348x, relating to libel."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 39 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Jan. 28th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 19, by Mr. John Y. Smith, "An Act to amend Section 309, Compiled Laws of Utah, 1907, providing the manner of submitting to the qualified electors of a city or town the question of incurring a bonded indebtedness, and when and to what amount bonds may be issued."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 19 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Jan. 28th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, H. B. No. 53, by Mr. Hugh A. McMillin, "An Act to amend Section 2441, Compiled Laws of Utah, 1907, relating to the appointment and defining the duties of Bank Examiner."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 53 was read the first time, and referred to the Committee on Banks and Banking.

INTRODUCTION OF BILLS.

Senate Bill No. 49.—By Mr. Hulaniski.

A Bill for an Act to amend Section 5014 of the Compiled Laws of Utah, 1907, relative to competency of husband or wife to testify in certain cases.

S. B. No. 49 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 50.—By Mr. Hulaniski.

A Bill for an Act to amend Section 3414, Compiled Laws of Utah, 1907, relating to privileged communications and the rights of witnesses.

S. B. No. 50 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 51.—By Mr. Marks.

A Bill for an Act for the protection of fish, game, and birds; for appointing of a Fish and Game Commissioner, Chief Deputy, Chief Wardens, Hatchery Superintendents, and special deputies, and prescribing their duties; to provide for fish and game licenses, and a fish and game fund; to provide for the building of fish hatcheries; and to provide penalties for the violation of this act, and to repeal title 25, Revised Statutes of Utah, 1907, and all acts or parts of acts in conflict herewith.

S. B. No. 51 was read the first time, and referred to the Committee on Fish and Game.

Senate Bill No. 52.—By Mr. Wilson.

A Bill for an Act creating a reservoir land grant fund, providing for the selection of a site, construction of reservoirs, and specifying and empowering the State Board of Land Commissioners to make loans from said funds and returns thereof; and for plans and specifications of said work and manner of construction, and how payments shall be made, and making an appropriation therefor.

S. B. No. 52 was read the first time, and referred to the Committee on Agriculture and Irrigation.

Senate Bill No. 53.—By Mr. Kuchler.

A Bill for an Act to amend Section 859 of the Compiled Laws of Utah, 1907, relating to the duties of judges of election.

S. B. No. 53 was read the first time, and referred to the Committee on Elections.

Senate Bill No. 54.—By Mr. Hulaniski.

A Bill for an Act to further regulate the sale of spirituous, vinous, and malt liquors, and providing that one-half of the money collected for liquor license shall be expended for making, repairing, and improving roads, and for the appointment of a commission to disburse the funds.

S. B. No. 54 was read the first time, and referred to the Committee on Manufactures and Commerce.

Senate Bill No. 55.—By Mr. Burton.

A Bill for an Act amending Section 2357x, Compiled Laws of Utah, 1907, relating to the disposition of money derived from the investment of land grant funds.

S. B. No. 55 was read the first time, and referred to the Committee on Public Instructions.

RESOLUTION REFERRED.

S. J. R. No. 1, by Mr. Kuchler, proposing an amendment to Section 7, of Article 13, of the Constitution of the State of Utah, relating to the rate of taxation, was taken from the table and referred to the Committee on Ways and Means.

THIRD READING OF BILL.

Senate Bill No. 10, by Mr. Marks, "An Act to amend Section 2049x, Compiled Laws of Utah, 1907, relating to the salaries of certain state officers," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Sevy, John Y. Smith.

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

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

TWENTY-THIRD DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 2nd, 1909.

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

Roll-call; quorum present.

Minutes of the twentieth and twenty-second days were read and approved.

PRESENTATION OF PETITION.

Senate Petition No. 22.—By Mr. Horsley.

A petition signed by Oleen N. Stohl and 71 other citizens of Box Elder County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 1st, 1909.

Mr. President: Your Committee on Federal Relations, to whom was recommitted S. J. M. No. 1, by Mr. Wilson, entitled, "A memorial asking an appropriation of 3,000,000 acres of arid land for building a State Capitol and the improvement of public roads of the State of Utah. A memorial from the Governor and Legislature of Utah to the President, the Senate, and House of Repre-

sentatives of the United States," beg leave to report that they have had the same under consideration, and recommend the same be passed.

E. T. HULANISKI,
Chairman.

The report was adopted.

Senate Committee Room,
Salt Lake City, Utah, Feb. 2nd, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 2, by Mr. Badger, entitled, "An Act to amend Section 1145 of the Compiled Laws of Utah, 1907, designating legal holidays," beg leave to report that it has had the same carefully engrossed and enrolled, and presents the bill herewith for your signature.

CHARLES E. MARKS,
Chairman.

S. B. No. 2 was read by title and signed by the President in open session in the presence of the Senate.

S. B. No. 2 was transmitted to the House for the signature of the Speaker.

Senate Committee Room,
Salt Lake City, Utah, Feb. 1st, 1909.

Mr. President: Your Committee on Education, to whom was referred the invitation of Dr. Widtsoe to visit the State Agricultural College at Logan, have met with a like committee of the House, and beg leave to report as follows:

1. We recommend that the invitation be accepted, the date to be Saturday, February 6th, 1909.

2. That we leave on a special train from the Oregon Short Line depot at 7 o'clock a. m.

3. That the party consist of the State officials, members of the Legislature and employees, and representa-

tives of the press; that each be allowed to invite one guest, and that there be no transfer of invitations.

H. BULLEN JR.,
Chairman.

The recommendations of the Committee were adopted.

Senate Committee Room,
Salt Lake City, Utah, Feb. 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 7, by Mr. Badger, entitled, "An Act to amend Section 4734, Compiled Laws of Utah, 1907, providing that an information or indictment must charge but one offense, with certain enumerated exceptions," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. On page 1, line 2, after the word "be" place a comma.

2. On page 1, line 3, strike out "Section 2" and insert "4734".

3. On page 1 strike out all of line 25.

With these amendments we recommend that the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the committee was adopted, and S. B. No. 7 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 38, by Mr. Badger, entitled, "An Act to amend Section 4247 of the Compiled Laws of Utah, 1907, relating to indecent exposure, exhibitions, writings, etc.," beg leave to report that they have had the

same under consideration, and recommend the following amendments thereto:

1. Amend the title so as to read, "An Act to amend Section 4247, Compiled Laws of Utah, 1907, relating to indecency, and providing a penalty for the violation of this act."

2. On page 1, line 13, after the word "write" add "s".

3. On page 2 strike out all of line 4.

As amended, we recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the committee was adopted, and S. B. No. 38 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 39, by Mr. Badger, entitled, "An Act authorizing the District Attorney in judicial districts having a population of seventy-five thousand or more inhabitants, to appoint an assistant, and providing the qualifications, salary, and duties of said assistant," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the committee was adopted, and S. B. No. 39 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 5, by Mr. Badger, entitled, "An Act defining the crime of indecent assault, and providing punishment therefor," beg leave to report that

they have had the same under consideration, and recommend the following amendments thereto:

1. On page 1, line 1, strike out "over the age of eighteen".

2. On page 1, line 2, strike out the word "years".

3. On page 1, line 3, strike the word "eighteen" out and insert the word "fourteen"; and after the word "indecent" strike out the word "and".

4. On page 1, line 4, strike out the word "improper".

5. On page 1 strike out all of line 10.

With these amendments we recommend that the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the committee was adopted, and S. B. No. 5 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 56.—By President Gardner (by request).

A Bill for an Act to amend Title 39 of the Compiled Laws of Utah, 1907.

S. B. No. 56 was read the first time and on motion of Mr. Benner X. Smith was referred to the Committees on Judiciary and Manufactures and Commerce.

Senate Bill No. 57.—By Mr. Burton.

A Bill for an Act to amend Section 1867, Compiled Laws of Utah, 1907, relating to apportionment and use of school funds.

S. B. No. 57 was read the first time, and referred to the Committee on Education.

Senate Bill No. 58.—By Mr. Bullen.

A Bill for an Act to amend Sections 2305 and 2307 of the Compiled Laws of Utah, 1907, relating to the name of the State Normal School, its relation to the University, courses of study, Normal scholarships, certificates, and diplomas.

S. B. No. 58 was read the first time, and referred to the Committee on Education.

Senate Bill No. 59.—By Mr. Bullen.

A Bill for an Act to amend Section 1801 of the Compiled Laws of Utah, 1907, relating to creating school districts, dividing and consolidating school districts, and adjusting property rights and burdens of the several districts affected thereby.

S. B. No. 59 was read the first time, and referred to the Committee on Education.

Senate Bill No. 60.—By Mr. Kuchler.

A Bill for an Act amending Section 13, of Chapter 64, Laws of Utah, approved March 14th, 1907.

S. B. No. 60 was read the first time, and referred to the Committee on Live Stock.

Senate Bill No. 61.—By Mr. Benner X. Smith.

A Bill for an Act providing for an Insurance Department, enacting an insurance code, and regulating insurance companies and their business, and fixing certain fees to be charged and collected by the Commissioner of Insurance, and repealing Sections 403, 404, 405, 406, 407. 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 422x, 422x1, and 422x2, of the Compiled Laws of Utah, 1907, relating to and regulating insurance companies and their business.

S. B. No. 61 was read the first time, and referred to the Committee on Private Corporations and Insurance.

Senate Bill No. 62.—By Mr. Benner X. Smith.

A Bill for an Act to amend Section 105 of the Compiled Laws of Utah, 1907, fixing the qualifications of can-

didates for admission to the bar of the Supreme Court of this State.

S. B. No. 62 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 63.—By Mr. Badger.

A Bill for an Act amending Section 1208, Compiled Laws of Utah, 1907, relating to divorce proceedings and the grounds of divorce.

S. B. No. 63 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 64.—By Mr. Badger.

A Bill for an Act relating to the malicious erection of fences or other structures in the nature of a fence over five feet in height with the intent to spite, injure, or annoy an adjoining owner, lessee, or occupant of land, and providing a remedy therefor and an injunction to prevent the erection or maintenance thereof.

S. B. No. 64 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 65.—By Mr. Badger.

A Bill for an Act amending Sections 2372 and 2380 of the Compiled Laws of Utah, 1907, providing for the acceptance by the State of Utah of certain desert lands, and providing for contracts for the reclamation of the same, and validating and confirming proceedings heretofore taken under Chapter 2, Title 75, Compiled Laws of Utah, 1907.

S. B. No. 65 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 66.—By Mr. Badger.

A Bill for an Act amending Section 1211, Compiled Laws of Utah, 1907, relating to proceedings for divorce.

S. B. No. 66 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 67.—By Mr. Benner X. Smith (by request).

A Bill for an Act to amend Section 2703x, Compiled Laws of Utah, 1907, extending the time for complying with the provisions of Title 82, Compiled Laws of Utah, 1907, in relation to town sites.

S. B. No. 67 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 68.—By Mr. John Y. Smith.

A Bill for an Act establishing a State Library-Gymnasium Commission, defining its powers, prescribing its duties, and providing for its maintenance.

S. B. No. 68 was read the first time, and referred to the Committee on Education.

BILL MADE SPECIAL ORDER.

Senate Bill No. 11 was made the special order for Monday, February 8th, on request of Mr. Miller.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, H. B. No. 44, by Mr. Russell, "An Act to amend Section 4472, Compiled Laws of Utah, 1907, defining vagrancy and providing a penalty therefor."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

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

THIRD READING OF MEMORIAL.

On motion of Mr. Wilson the rules were suspended, and S. J. M. No. 1, "A memorial asking an appropriation of 3,000,000 acres of arid land for building a State Capitol and the improvement of public roads of the State of Utah. A memorial from the Governor and Legislature of Utah to the President and House of Representatives of the United States," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hyde, Marks, Miller, Seely, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hulaniski, Kuchler, Sevy.

COMMUNICATION.

Salt Lake City, Utah, Feb. 2nd, 1909.

Honorable President and Members, Utah State Senate,
Salt Lake City, Utah.

Gentlemen: You are hereby respectfully invited to attend the annual reunion of the Indian War Veterans, to be held on Tuesday evening, February 2nd, 1909 (tonight), at the Armory Hall, on Pierpont Street, this city.

A program of old-time dancing, interspersed by special musical numbers, will be the event of the evening.

We hope to see as many present from your body as can conveniently attend.

Very truly,

O. P. ARNOLD,
Commander Salt Lake Post.

Communication filed.

On motion of Mr. John Y. Smith, the Senate adjourned until tomorrow at 2 p. m.

TWENTY-FOURTH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 3rd, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

PRESENTATION OF PETITIONS.

Senate Petition No. 23.—By Mr. Miller.

A petition signed by Mayor F. L. Daggart and 463 other citizens of St. George, Washington County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 24.—By Mr. Bullen.

A petition signed by the President, the Secretary, and four other members of the Logan and Richmond Irrigation Company, asking for an appropriation of $10,000 to the said company.

Referred to the Committee on Appropriations and Claims.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 19, by Mr. John Y. Smith, entitled, "An Act to amend Section 309, Compiled Laws of Utah, 1907, providing the manner of submitting to the qualified electors of a city or town the question of incurring a bonded indebtedness, and when

and to what amount bonds may be issued," beg leave to report that they have had the same carefully engrossed and enrolled and present the bill herewith for your signature.

CHARLES E. MARKS,
Chairman.

S. B. No. 19 was read by title and signed by the President in open session in the presence of the Senate.

S. B. No. 19 was transmitted to the House for the signature of the Speaker.

PRESENTATION OF RESOLUTION.

Senate Joint Resolution No. 2.—By Mr. Miller.

A joint resolution proposing an amendment to Section 7 of Article XIII, of the Constitution of the State of Utah, relating to the rate of taxation.

S. J. R. No. 2 was laid on the table for one day.

INTRODUCTION OF BILLS.

Senate Bill No. 69.—By Mr. Wilson.

A Bill for an Act regulating the service of bulls, and repealing Chapter 5 of the Compiled Laws of Utah, 1907.

S. B. No. 69 was read the first time, and referred to the Committee on Live Stock.

Senate Bill No. 70.—By Mr. Bullen.

A Bill for an Act to punish derogatory statements affecting banks, banking institutions, or trust companies.

S. B. No. 70 was read the first time, and referred to the Committee on Banks and Banking.

Senate Bill No. 71.—By Mr. Badger.

A Bill for an Act providing for an interlocutory and a final decree in divorce actions and prohibiting the marriage of divorced persons within the period allowed for an

appeal, and providing for changes in decrees, and amending Sections 1184 and 1212, Compiled Laws of Utah, 1907.

S. B. No. 71 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 72.—By Mr. Wilson.

A Bill for an Act amending Section 446 of the Compiled Laws of Utah, 1907, and creating one new section to be known as Section 446a, providing that certain corporations shall be liable for the killing of live stock and specifying when and where affidavit of ownership and value shall be filed, and providing for recovery of attorney's fees in case of suit.

S. B. No. 72 was read the first time, and referred to the Committee on Railroads.

Senate Bill No. 73.—By Mr. Hulaniski.

A Bill for an Act making an appropriation for the reception and entertainment of the Grand Army of the Republic at its Forty-third National Encampment, and providing for a commission to expend the money appropriated for the said purpose.

S. B. No. 73 was read the first time, and referred to the Committee on State Affairs.

THIRD READING OF BILLS.

Senate Bill No. 5, by Mr. Badger, entitled, "An Act defining the crime of indecent assault, and providing punishment therefor," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff and Benner X. Smith.

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

Senate Bill No. 7, by Mr. Badger, entitled, "An Act to amend Section 4734, Compiled Laws of Utah, 1907, providing that an information or indictment must charge but one offense, with certain enumerated exceptions," was read the third time and placed on its final passage and passed, as amended, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Miller, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff and Benner X. Smith.

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

Senate Bill No. 38, by Mr. Badger, entitled, "An Act to amend Section 4247, Compiled Laws of Utah, 1907, relating to indecency and providing a penalty for a violation of this act," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Stookey, Williams, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Benner X. Smith, John Y. Smith, Wilson.

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

Mr. Kuchler was permitted to withdraw S. J. R. No. 1.

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

TWENTY-FIFTH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 4th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

Senator Benner X. Smith was excused until Monday, February 8th.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: Your Committee on Elections, to whom was referred S. B. No. 22, by Mr. Badger, entitled, "An Act to amend Section 825 of the Compiled Laws of Utah, 1907, relating to nominations," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. In line one of the title, strike out the "s" in Sections and the words "of the".

2. Before line one on page one, insert the following: "Section 1. That Section 825, Compiled Laws of Utah, 1907, be, and the same is hereby amended to read as follows:"

With these amendments we recommend the bill be passed.

MILLER,
Chairman.

The report of the committee was adopted, and S. B. No. 22 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: Your Committee on Elections, to whom was referred S. B. No. 23, by Mr. Badger, entitled, "An Act to amend Section 822 of the Compiled Laws of Utah, 1907, relating to nominations," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. In line one of the title strike out the words "of the".

2. On page one, line one, strike out the words "of the".

3. On page one, line two, add a comma after the word "be".

With these amendments we recommend the bill be passed.

MILLER,
Chairman.

The report of the committee was adopted, and S. B. No. 23 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: Your Committee on Elections, to whom was referred S. B. No. 24, by Mr. Badger, entitled, "An Act to amend Section 833 of the Compiled Laws of Utah, 1907, relating to nominations," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. In line one of the title, strike out the words "of the".

2. Before line one, add "Section 1. That Section 833, Compiled Laws of Utah, 1907, is hereby amended to read as follows:"

And, as amended, we recommend the bill be passed.

MILLER,
Chairman.

The report of the committee was adopted, and S. B. No. 24 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: Your Committee on Elections, to whom was referred S. B. No. 53, by Mr. Kuchler, entitled, "An Act to amend Section 859 of the Compiled Laws of Utah, 1907, relating to the duties of Judges of Election," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. In line one of the title, strike out the words "of the".

2. On page one, line one, strike out the words "of the".

3. On page one, line four, strike out the words "Judges of Election to sign and certify poll books".

4. On page one, line five, strike out the words "and make returns".

5. On page one, lines fourteen and twenty, strike out the brackets.

6. On page one, strike out all of line twenty-two.

And, as amended, we recommend the bill be passed.

MILLER,
Chairman.

The report of the committee was adopted, and S. B. No. 53 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 74.—By Mr. Bullen.

A Bill for an Act to amend Sections 2321, 2322, and 2324, Compiled Laws of Utah, 1907, providing for a State Board of Land Commissioners.

S. B. No. 74 was read the first time, and referred to the Committee on Public Lands.

Senate Bill No. 75.—By Mr. Benner X. Smith.

A Bill for an Act to amend Section 686x17, Compiled Laws of Utah, 1907, relating to and providing for appeals from City Courts to District Courts, and from District Courts to the Supreme Court in certain cases.

S. B. No. 75 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 76.—By Mr. Benner X. Smith.

A Bill for an Act for the protection of persons furnishing labor and material for the construction or repair of public buildings and public works.

S. B. No. 76 was read the first time, and referred to the Committee on Labor.

RESOLUTION REFERRED.

Senate Joint Resolution No. 2 was taken from the table and referred to the Committee on Ways and Means.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 2, "An Act to amend Section 1145 of the Compiled Laws of Utah, 1907, designating legal holdings."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk

Communication filed.

S. B. No. 2 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 19, by Mr. John Y. Smith, "An Act to amend Section 309 of the Compiled Laws of Utah, 1907, providing for the manner of submitting to the qualified electors of a city or town the question of incurring a bonded indebtedness, and when and to what amount bonds may be issued."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 19 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, under suspension of the rules, H. B. No. 43, by Mr. William McMillan, "An Act amending Section 4233, Compiled Laws of Utah, 1907, prohibiting noisy and other amusements on Sunday, and providing a penalty for the violation thereof."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 43 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 3rd, 1909.

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

passed H. B. No. 2, by Mr. Baker, "An Act authorizing foreign corporations complying with the laws of Utah to exercise the power of eminent domain the same as domestic corporations."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 2 was read the first time, and referred to the Committee on Private Corporations and Insurance.

House of Representatives,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, H. B. No. 32, by Mr. Russell, "An Act to amend Section 1708, Compiled Laws of Utah, 1907, relating to pawnbrokers and second-hand dealers."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 32 was read the first time, and referred to the Committee on Private Corporations and Insurance.

House of Representatives,
Salt Lake City, Utah, Feb. 3rd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, H. B. No. 45, by Mr. Russell, "An Act prohibiting the carrying of concealed weapons."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 45 was read the first time, and referred to the Committee on Military Affairs.

House of Representatives,
Salt Lake City, Utah, Feb. 1st, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State, H. J. M. No. 1, by Mr. Morris, "Asking that that portion of Arizona Territory lying north of the Colorado River be annexed to the State of Utah."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

THIRD READING OF BILLS.

Senate Bill No. 39, by Mr. Badger, entitled, "An Act authorizing the District Attorney in judicial districts having a population of ninety thousand or more inhabitants, to appoint an assistant, and providing the qualifications, salary, and duties of said assistant," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Benner X. Smith.

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

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

TWENTY-SIXTH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 5th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

Minutes of the twenty-fifth day's session were read and approved.

Mr. Marks was excused for the day.

PRESENTATION OF PETITIONS.

Senate Petition No. 25.—By Mr. Hyde.

A petition signed by W. H. Pettigrew and 1709 other citizens of Juab county, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 26.—By Mr. Brinkerhoff.

A petition signed by J. F. Crawford and 53 other citizens of Carbon County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: Your Committee on Federal Relations, to whom was referred H. J. R. No. 1, by Mr. E. Conway Ashton, in relation to the Senate and House meeting in joint assembly and participating in fitting ceremonies for the occasion, beg leave to report that they

have had the same under consideration, and for the reason that so many of the members of the Senate will be absent to attend local ceremonies on that date as not to make a creditable showing, ask that the resolution be not passed.

E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and H. J. R. No. 1 was returned to the House.

Senate Committee Room,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 14, by Mr. Claude Y. Russell, entitled, "An Act to amend Section 974, Compiled Laws of Utah, 1907, in relation to fees of sheriff," beg leave to report that they have had the same under consideration, and, as amended by the House, we recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and H. B. No. 14 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 44, by Mr. Claude Y. Russell, entitled, "An Act to amend Section 4472, Compiled Laws of Utah, 1907, defining vagrancy, and providing a penalty therefor," beg leave to report that they have had the same under consideration, and, as amended by the House, we recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and H. B. No. 44 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 34, by Mr. Stookey, entitled, "An Act to punish certain convicts for committing assaults upon others by means of force or otherwise," beg leave to report that they have had the same under consideration and recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 34 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: Your Committee on Appropriations and Claims, to whom was referred S. B. No. 17, by Mr. Benner X. Smith, entitled, "An Act to provide for the furnishing of the Governor's office, and making appropriation therefor," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. Amend the title so as to read, "An Act to provide for the furnishing of the Governor and Secretary of State offices, and making appropriation therefor".

2. In line 3, strike out the "s" in the word "Governor's", and add an "s" after the word "office", and after the word "Governor" insert the words "and Secretary of State".

With these amendments, we recommend the bill be passed.

W. N. WILLIAMS,
Chairman.

The report of the Committee was adopted, and S. B. No. 17 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: Your Committee on Appropriations and Claims, to whom was referred S. B. No. 4, by Mr. Kuchler, entitled, "An Act to appropriate the sum of $5,000 to Margaret Clark, on account of the death of her husband, Seymour L. Clark, while engaged in his duties as a peace officer of the State of Utah, and a deputy sheriff of Weber County," beg leave to report that they have had the same under consideration, and offer the following amendment thereto:

1. Strike out "$5,000" and insert "$3,000" in lieu thereof.

With this amendment, we recommend the bill be passed.

W. N. WILLIAMS,
Chairman.

The report of the Committee was adopted, and S. B. No. 4 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 49, by Mr. Hulaniski, entitled, "An Act to amend Section 5014 of the Compiled Laws of Utah, 1907, relative to competency of husband or wife to testify in certain cases," beg leave to report that they have had the same under consideration, and submit the following amendment thereto:

1. Strike out the words "of the" in the title.

And, as amended, we recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 49 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 21, by Mr. Benner X. Smith, entitled, "An Act to punish life convicts for committing assaults upon others by means of force or otherwise," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 21 was read the second time.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, under suspension of the rules, S. J. M. No. 1, by Mr. Wilson, entitled, "A memorial asking an appropriation of 3,000,000 acres of arid land for building a State Capitol and the improvement of public roads of the State of Utah. A memorial from the Governor and Legislature of the State of Utah, to the President, the Senate, and House of Representatives of the United States."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Wilson, the Senate concurred in the House amendments.

S. J. M. No. 1 was read, as amended, and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Miller, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Seely, Benner X. Smith.

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

House of Representatives,
Salt Lake City, Utah, Feb. 4th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, under suspension of the rules, H. B. No. 28, by Mr. Morris, entitled, "An Act amending Section 1870, Compiled Laws of Utah, 1907, relating to State aid for public schools where the revenues are insufficient."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 28 was read the first time, and referred to the Committee on Education.

INTRODUCTION OF BILLS.

Senate Bill No. 77.—By Mr. Miller.

A Bill for an Act making appropriations for construction and improving roads in Washington County.

S. B. No. 77 was read the first time, and referred to the Committee on Highways and Bridges.

Senate Bill No. 78.—By Mr. Wilson.

A Bill for an Act requiring railway corporations to give notice through their dispatchers, agents, and operators of delayed trains, providing penalties for viola-

tions thereof, and repealing Section 448, Compiled Laws of Utah, 1907.

S. B. No. 78 was read the first time, and referred to the Committee on Railroads.

Senate Bill No. 79.—By Mr. Williams.

A Bill for an Act creating a State Armory Board, and constituting it a body corporate, under the name of "State Armory Board;" defining its powers and duties; making certain appropriations for its use; authorizing it to erect a State arsenal and armory in Salt Lake City, Salt Lake County, and to exercise the right of eminent domain; and authorizing the State Board of Land Commissioners to loan said Armory Board funds for said purpose; and repealing Sections 1494x, 1494x1, and 1494x2, Compiled Laws of Utah, 1907.

S. B. No. 79 was read the first time, and referred to the Committee on Military Affairs.

Senate Bill No. 80.—By Mr. Williams.

A Bill for an Act creating a State Dairy and Food Bureau. defining its duties and powers, and making an appropriation for the purpose of carrying out the provisions of this act.

S. B. No. 80 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 81.—By Mr. Badger.

A Bill for an Act providing for a geological survey of the State of Utah, and making appropriation therefor.

S. B. No. 81 was read the first time ,and referred to the Committee on Appropriations and Claims.

Senate Bill No. 82.—By Mr. Badger.

A Bill for an Act to establish the Public Service Commission, and prescribing its powers and duties, and to provide for the regulation and control of railroads and other public service corporations, and making an appropriation therefor, and repealing Sections 454, 455, and 456 of the Compiled Laws of Utah, 1907.

S. B. No. 82 was read the first time, and referred to the Committee on Railroads.

Senate Bill No. 83.—By Mr. Bullen.

A Bill for an Act amending Section 1823, Compiled Laws of Utah, 1907, providing for school sites and buildings; that plans and specifications for school buildings be submitted to a commission herein provided.

S. B. No. 83 was read the first time, and referred to the Committee on Education.

Senate Bill No. 84.—By Mr. Hyde.

A Bill for an Act to amend Section 2703x, Compiled Laws of Utah, 1907, relating to the time for applying for lots under the town-site act.

S. B. No. 84 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 85.—By Mr. Hyde.

A Bill for an Act to amend Section 213, Compiled Laws of Utah, 1907, relating to city officers, and providing for the appointment of a marshal in cities of less than 12,000 inhabitants.

S. B. No. 85 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 86.—By Mr. Hyde

A Bill for an Act directing the State Board of Land Commissioners to conduct experiments in sinking wells to procure subterranean waters for culinary and domestic purposes, and making an appropriation therefor.

S. B. No. 86 was read the first time, and referred to the Committee on Agriculture and Irrigation.

Senate Bill No. 87.—By Mr. Williams.

A Bill for an Act providing for the enrollment and organization of the militia of the State; providing for the staff of the commander-in-chief, and the organization, equipment, discipline, duties, pay, and government of the National Guard of Utah, and providing penalties for un-

lawful interference with the members thereof while on duty; and providing for military courts and the jurisdiction thereof, and for the care and custody of Government and State military property; and providing penalties for the unlawful use and disposition of the same; and repealing Sections 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1494x3, 1494x4, 1494x5, of Title 48, Compiled Laws of Utah, 1907.

S. B. No. 87 was read the first time, and referred to the Committee on Military Affairs.

Senate Bill No. 88.—By Mr. Seely.

A Bill for an Act creating a commission to provide for the display of Utah's resources at the Alaska-Yukon-Pacific Exposition at Seattle, Washington, in the year 1909; to define its duties and powers, to make an appropriation therefor, and repealing Sections 1, 2, 3, 4, 5, 6, 7, and 8 of Chapter 124, Compiled Laws of Utah, 1907.

S. B. No. 88 was read the first time, and referred to the Committee on Appropriations and Claims.

COMMUNICATION FROM THE HOUSE.

House of Representatives.
Salt Lake City, Utah, Feb. 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives requests the return of H. B. No. 28 for further amendment.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 28 was returned to the House, as requested.

THIRD READING OF BILLS.

Senate Bill No. 22, by Mr. Badger, entitled, "An Act to amend Section 825, Compiled Laws of Utah, 1907, relating to nominations," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Miller, Benner X. Smith.

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

Senate Bill No. 23, by Mr. Badger, entitled, "An Act to amend Section 822, Compiled Laws of Utah, 1907, relating to nominations," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Seely, Benner X. Smith, John Y. Smith.

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

Senate Bill No. 24, by Mr. Badger, entitled, "An Act to amend Section 833, Compiled Laws of Utah, 1907, relating to nominations," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Marks, Benner X. Smith.

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

Senate Bill No. 53, by Mr. Kuchler, entitled, "An Act to amend Section 859, Compiled Laws of Utah, 1907, relating to the duties of Judges of Election," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks and Benner X. Smith.

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

On motion of Mr. Kuchler, the Senate adjourned until Monday at 2 p. m.

TWENTY-NINTH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 8th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

Minutes of the twenty-sixth day's session were read and approved.

Messrs. Marks and Miller were excused for the day.

PRESENTATION OF PETITIONS.

Senate Petition No. 27.—By Mr. Kuchler.

A petition signed by P. M. Folkman and 4,600 other citizens of Weber County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 6th, 1909.

To the Senate:

I have approved and this day filed with the Secretary of State, Senate Bill No. 2, by Mr. Badger, entitled, "An Act to amend Section 1145 of the Compiled Laws of Utah, 1907, designating legal holidays."

Very respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as further amended in title and body, H. B. No. 28, by Mr. Morris, "An Act amending Section 1870x, Compiled Laws of Utah, 1907, relating to State aid for public schools where the revenues are insufficient."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 28 was read the first time as amended, and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, H. B. No. 27, by Mr. Thompson, "An Act providing for the establishment of an engineering experiment station in connection with the State School of Mines, providing for its organization and control, defining its duties and powers, and making an appropriation therefor."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 27 was read the first time, and referred to the Committee on Education.

COMMUNICATION FROM THE SECRETARY OF STATE.

Office of Secretary of State,
Salt Lake City, Utah, Feb. 6th, 1909.

To the Senate:

In obedience to the request of the Secretary of State of the State of Oregon, I have the honor to transmit to your honorable body copies of Senate Joint Memorial No. 4, Senate Joint Resolution No. 4, and House Joint Memorial No. 3, adopted by the Twenty-fifth Legislative Assembly of the State of Oregon.

Very respectfully,
C. S. TINGEY,
Secretary of State.

The communication and the memorials and resolution were referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

Senate Bill No. 89.—By Mr. Marks.

A Bill for an Act providing for police and fire depart-

ments in cities of this State of 12,000 and more inhabitants; providing a Board of Police and Fire Commissioners for cities of the first class; defining their powers and duties; providing for the control and maintenance of said board in cities of the first class, and providing the powers and duties of said departments in said cities, and for the maintenance and control of said departments; and repealing Chapter 12, Title 13, Compiled Laws of Utah, 1907, and all other acts and parts of acts in conflict herewith.

S. B. No. 89 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 90.—By Mr. Benner X. Smith (by request).

A Bill for an Act amending Section 2919, Compiled Laws of Utah, 1907, relating to parties and to actions or proceedings by or against joint tenants, or tenants in common, or actions or proceedings by one tenant in common, or joint tenant against his co-tenant.

S. B. No. 90 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 91.—By Mr. Badger.

A Bill for an Act creating annual license tax payable by all domestic and foreign corporations in this State, with certain exceptions; providing for penalties and forfeitures and the enforcement thereof, and for the revocation of the charters of domestic corporations failing to comply with the provisions of this act.

S. B. No. 91 was read the first time, and referred to the Committee on Private Corporations and Insurance.

Senate Bill No. 92.—By Mr. Stookey.

A Bill for an Act providing for archaeological and historical exploration and investigation in connection with the University of Utah, and making an appropriation therefor.

S. B. No. 92 was read the first time, and referred to the Committee on Public Institutions.

SPECIAL ORDER.

The President announced as the special order for the day the third reading of Senate Bill No. 11.

On motion of Mr. Williams, S. B. No. 11 was recommitted to the Committee on Education.

THIRD READING OF SENATE BILLS.

Senate Bill No. 34, by Mr. Stookey, entitled, "An Act to punish certain convicts for committing assaults upon others by means of force or otherwise," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, John Y. Smith, Stookey, Williams, Mr. President.

Those absent and not voting were: Messrs. Marks, Miller, Benner X. Smith, Wilson.

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

Senate Bill No. 17, by Mr. Benner X. Smith, entitled, "An Act to provide for the furnishing of the Governor and Secretary of State offices, and making appropriation therefor," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Miller, Benner X. Smith.

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

Senate Bill No. 4, by Mr. Kuchler, entitled, "An Act to appropriate the sum of $3,000 to Margaret Clark, on

account of the death of her husband, Seymour L. Clark, while engaged in his duties as a peace officer of the State of Utah, and a deputy sheriff of Weber County," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Miller, Benner X. Smith.

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

Senate Bill No. 49, by Mr. Hulaniski, entitled, "An Act to amend Section 5014, Compiled Laws of Utah, 1907, relative to competency of husband or wife to testify in certain cases," was read the third time and placed on its final passage, and passed, as amended in title, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Marks, Miller, Benner X. Smith.

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

Senate Bill No. 21, by Mr. Benner X. Smith, entitled, "An Act to punish life convicts for committing assaults upon others by means of force or otherwise," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Marks, Miller, Benner X. Smith.

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

HOUSE BILL REFERRED.

On motion of Mr. Hulaniski, H. B. No. 14 was referred back to the Committee on Judiciary for further consideration.

THIRD READING OF HOUSE BILL.

House Bill No. 44, by Mr. Claude Y. Russell, entitled, "An Act to amend Section 4472, Compiled Laws of Utah, 1907, defining vagrancy, and providing a penalty therefor," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Miller, Benner X. Smith.

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

THIRTIETH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 9th, 1909.

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

Roll-call; quorum present.

Mr. Benner X. Smith was excused for the week.

Prayer by the Chaplain.

Minutes of the twenty-ninth day's session were read and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 10, by Mr. Marks, "An Act to amend Section 2049x, Compiled Laws of Utah, 1907, relating to the salaries of certain State officers."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 10 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, H. B. No. 74, by Mr. William McMillan, "An Act amending Section 2703x, Compiled Laws of Utah, 1907, extending the time for complying with the provisions of Title 82, Compiled Laws of Utah, 1907, relating to town sites."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 74 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 56, by Mr. Henrie, by request, "An Act establishing a standard system of construction of public roads in the State of Utah and the various counties thereof."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 56 was read the first time, and referred to the Committee on Highways and Bridges.

House of Representatives,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 55, by Mr. Henrie, by request, "An Act creating a State Road Commission, defining its duties, creating a system of State roads, a State road building fund, and providing for its expenditure, and repealing Chapter 4, Title 30, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 55 was read the first time, and referred to the Committee on Highways and Bridges.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 9th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State, Senate Bill No. 19, by Mr. John Y. Smith, entitled, "An Act to amend Section 309, Compiled Laws of Utah, 1907, providing the manner of submitting to the qualified electors of a city or town the question of incurring a bonded indebtedness, and when and to what amount bonds may be issued."

Very respectfully,

WILLIAM SPRY,
Governor.

Communication filed.

PRESENTATION OF PETITIONS.

Senate Petition No. 28.—By Mr. Bullen.

A petition signed by the President, Vice-President, and Secretary in behalf of the student body, Brigham Young College, Logan, Utah, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 29.—By Mr. Williams (by request).

A petition signed by W. S. McCornick of Salt Lake City, Utah, asking for the appropriation of $508.53, as refund of interest on certain moneys paid by petitioner as principal for the purchase of public lands, and afterwards refunded.

Referred to the Committee on Appropriations and Claims.

Senate Petition No. 30.—By Mr. Kuchler.

A petition signed by the President and Secretary of

the W. C. T. U. of Ogden, Utah, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 31.—By President Gardner.

A petition signed by the President and Secretary of the Salt Lake City Commercial Club, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 32.—By President Gardner.

A petition signed by the President and Secretary of the Salt Lake City Commercial Club, transmitting copy of a resolution adopted by the Board of Governors of the Club, asking for favorable action on the bills providing for a Public Service Commission.

Referred to the Committee on Railroads.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. J. M. No. 1, by Mr. Wilson, entitled, "A Memorial asking for an appropriation of 3,000,000 acres of arid land for building a State Capitol and the improvement of public roads of the State of Utah. A Memorial from the Governor and Legislature of the State of Utah, to the President, the Senate, and House of Representatives of the United States," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

C. E. MARKS,
Chairman.

S. J. M. No. 1 was read by title and seven copies thereof were signed by the President in open session, in

the presence of the Senate, and transmitted to the House for the signature of the Speaker.

Senate Committee Room,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 3, by Mr. Clegg, entitled, "An Act amending Sections 2938 and 2946, Compiled Laws of Utah, 1907, relating to the manner of commencing actions," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and H. B. No. 3 was returned to the House.

Senate Committee Room,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 36, by Mr. Murdock, entitled, "An Act to amend Sections 991 and 994, Compiled Laws of Utah, 1907, relating to fees and mileage of jurors and witnesses in District Court," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and H. B. No. 36 was returned to the House.

Senate Committee Room,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 31, by Mr. T. L. Holman, entitled, "An Act to amend Section 1221, Compiled Laws of Utah, 1907, relating to inquests and defining the duties of Justices of the Peace thereto," beg leave to report that

they have had the same under consideration, and recommend that the bill be not passed.

E. T. HULANISKI,
Chairman pro tem.

On motion of Mr. Badger, H. B. No. 31 was recommitted to the Committee on Judiciary.

Senate Committee Room,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 31, by Mr. Sevy, entitled, "An Act to amend Section 666x, Compiled Laws of Utah, 1907, relating to Supreme Court stenographer," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 31 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 50, by Mr. Hulaniski, entitled, "An Act to amend Section 3414, Compiled Laws of Utah, 1907, relating to privileged communications and the rights of witnesses," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 50 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: Your Committee on Education, to whom was referred S. B. No. 68, by Mr. John Y. Smith, entitled, "An Act establishing a State Library-Gymna-

sium Commission, defining its powers, prescribing its duties, and providing its maintenance," beg leave to report that they have had the same under consideration, and offer the following amendment thereto:

1. Strike out all of Section 6.

With this amendment, we recommend that the bill be passed.

H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 68 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 8th, 1909.

Mr. President: Your Committee on Education, to whom was referred S. B. No. 57, by Mr. Burton, entitled, "An Act to amend Section 1867, Compiled Laws of Utah, 1907, relating to apportionment and use of school funds," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 57 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 93.—By Mr. Williams.

A Bill for an Act amending Section 1944, Compiled Laws of Utah, 1907, relating to the canvass of the ballots at a bond election, making returns thereof, filing statements relating thereto in the County Clerk's office, issuing bonds, and providing a tax for interest thereon and redemption thereof, and limiting the amount of bonds that may be issued.

S. B. No. 93 was read the first time, and referred to the Committee on Elections.

Senate Bill No. 94.—By Mr. Badger (by request).

A Bill for an Act to amend Section 206, Compiled Laws of Utah, 1907, relating to the powers of City Councils.

S. B. No. 94 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 95.—By Mr. Kuchler.

A Bill for an Act amending Chapter 86 of the Laws of Utah, 1903, being also Section 2050x1, of the Compiled Laws of Utah, 1907, relating to and fixing the salaries of Judges of the District Court, and allowing to such Judges their actual and necessary traveling and other expenses to and from the place of their residence when holding Court in other counties.

S. B. No. 95 was read the first time, and referred to the Committee on Salaries.

Senate Bill No. 96.—By Mr. Badger.

A Bill for an Act to protect the public morals by prohibiting the giving of general publicity to treatments and devices for the cure or prevention of sexual or menstrual diseases, and to prescribe penalties for the violation of this act, and to repeal all acts and parts of acts in conflict herewith.

S. B. No. 96 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 97.—By Mr. Hulaniski.

A Bill for an Act concerning land titles; registration of titles; Recorders made ex-officio; 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; mortgages, leases, and other charges; attorneys in fact; transmission; trusts, conditions, and limitations; dealings of assignees, receivers, masters, etc.; tax sales; lis pendens, judgments, 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.

S. B. No. 97 was read the first time, and referred to the Committee on County and Municipal Corporations.

THIRD READING OF BILLS.

On motion of Mr. Bullen, the rules were suspended, and S. B. No. 57, by Mr. Burton, entitled, "An Act to amend Section 1867, Compiled Laws of Utah, 1907, relating to apportionment and use of school funds," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks and Benner X. Smith.

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

On motion of Mr. Bullen, the rules were suspended, and S. B. No. 68, by Mr. John Y. Smith, entitled, "An Act establishing a State Library Gymnasium Commission, defining its powers, prescribing its duties, and providing for its maintenance," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 10; nays, 7; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Bullen, Horsley, Kuchler, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Brinkerhoff, Burton, Hulaniski, Hyde, Marks, Miller, Seely.

Absent and not voting: Mr. Benner X. Smith.

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

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

THIRTY-FIRST DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 10th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, seven copies of S. J. M. No. 1, by Mr. Wilson, "A Memorial asking for an appropriation of 3,000,000 acres of arid land for building a State Capitol, and the improvement of the public roads of the State of Utah.

"A Memorial from the Governor and Legislature of the State of Utah, to the President, the Senate, and House of Representatives of the United States."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The seven copies of S. J. M. No. 1 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, Feb. 9th, 1909.

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

passed, as amended in title and body, H. B. No. 57, by Mr. Henrie, by request, "An Act defining powers of County Commissioners as to roads; appointing county road commissioner, defining his duties; providing an annual road poll tax; specifying who shall be liable and manner of collecting and expending the same; repealing Chapter 2, Title 30, and Title 64, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 57 was read the first time, and referred to the Committee on Highways and Bridges.

House of Representatives,
Salt Lake City, Utah, Feb. 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 58, by Mr. Henrie, by request, "An Act defining the powers of County Commissioners relative to special road district tax for the construction of gravel, macadam, and paved roads."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 58 was read the first time, and referred to the Committee on Highways and Bridges.

House of Representatives,
Salt Lake City, Utah, Feb. 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 59, by Mr. Henrie, by request, "An Act providing an annual vehicle road tax, and the manner of collecting and expending the same."

The same is transmitted herewith for your action.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

H. B. No. 59 was read the first time, and referred to the Committee on Highways and Bridges.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 9th, 1909.

Mr. President: Your Committee on Labor, to whom was referred S. B. No. 25, by Mr. Badger, entitled, "An Act providing for the licensing and regulation of employment offices, requiring employment agents to give bond, prohibiting the sending of female help to any place of bad repute; requiring bona fide orders for help; regulating the charges of employment offices; requiring the keeping of registers; requiring the furnishing of copies of terms of employment; prohibiting dividing fees with certain persons; punishing violations of this act; regulating actions for violations; prohibiting the conducting of an employment office in any place where intoxicating liquors are sold; excepting religious and charitable associations; and requiring the posting of certain sections of this act in employment offices," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. On page 1, line 1, strike out the words "From and after the passage of this Act".

2. On page 1, line 2, begin the word "it" with a capital "I".

3. On page 4, line 18, insert the figures "16" in place of "15".

4. On page 5, line 7, strike out the word "ten" and insert the word "eight".

5. On page 5, line 13, strike out the word "ten" and insert the word "eight".

6. On page 6, line 22, after the word "time" insert a "comma" and the words "if definite" and a "comma".

7. On page 6, line 23, after the word "vice" insert the words "and if indefinite, it should be so stated" and a "comma".

8. On page 6, line 35, insert the figures "16" in place of "15."

9. On page 7, line 9, insert the figures "16" in place of "15."

With these amendments, we recommend the bill be passed.

CARL A. BADGER,
Chairman.

The report of the Committee was adopted, and S. B. No. 25 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 9th, 1909.

Mr. President: Your Committee on Appropriations and Claims, to whom was referred S. B. No. 9, by Mr. Kuehler, entitled, "An Act providing for the expenses of District Judges, the compensation and expenses of referees, and the compensation of stenographers engaged or employed in the adjudication of the rights of water claimants upon a river system or water source, under and by virtue of Chapter 1, of Title 40, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend that as the matters therein contained are partially covered by S. B. No. 95, by Mr. Kuehler, the same be referred to the Committee on Salaries, to be considered with said S. B. No. 95.

W. N. WILLIAMS,
Chairman.

The report of the Committee was adopted, and S. B. No. 9 was referred to the Committee on Salaries.

Senate Committee Room,
Salt Lake City, Utah, Feb. 9th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 10, by Mr. Marks, entitled, "An Act to amend Section 2049x, Compiled Laws of Utah, 1907, relating to the salaries of certain State officers," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

CHARLES E. MARKS,
Chairman.

S. B. No. 10 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.

Senate Committee Room,
Salt Lake City, Utah, Feb. 9th, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 28, by Mr. Morris, entitled, "An Act amending Section 1870x, Compiled Laws of Utah, 1907, relating to State aid for public schools where the revenues are insufficient," beg leave to report that they have had the same under consideration, and offer the following amendment thereto:

1. On page 1, line 2, after the figures "1907", insert the following: "be, and the same".

With this amendment, we recommend the bill be passed.

H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 28 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 10th, 1909.

Mr. President: Your Committee on Ways and Means, to whom was referred S. J. R. No. 2, by Mr. Miller, entitled, "A Joint Resolution proposing an amendment to Section 7 of Article XIII, of the Constitution of the State of Utah, relating to the rate of taxation," beg leave to report that they have had the same under consideration, and recommend that the same be passed.

JAS. B. WILSON,
Chairman.

The report of the Committee was adopted, and S. J. R. No. 2 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 98.—By Mr. Hyde.

A Bill for an Act to amend Section 477, Compiled Laws of Utah, 1907, defining the boundaries of Sanpete County.

S. B. No. 98 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 99.—By Mr. Hyde.

A Bill for an Act to amend Section 469, of the Compiled Laws of Utah, 1907, defining the boundaries of Juab County.

S. B. No. 99 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 100.—By Mr. Benner X. Smith.

A Bill for an Act to amend Sections 182, 183, 184, 185, 186, 195, 197, 199, 201, 205, 213, 214, 215, 216, 218, 222, 225, 265, 817, 818, 821, 821x, 821x1, 822, 825, 830, 831, 834, 887, 892, and 913, Compiled Laws of Utah, 1907, relating to the municipal government of incorporated cities, the officers thereof, the powers, duties, and privileges of officers; providing for the number of and the manner of electing councilmen in cities of the second and third class;

providing the qualifications of certain elective officers of cities; providing the manner of electing mayors, commissioners, and auditors of cities of the first class, and mayors and councilmen of cities of the second and third class; providing the rights, powers, duties, and privileges of mayors, commissioners, and other officers of cities; providing for the manner of filling vacancies in city offices; providing for meetings of the boards of commissioners and the city councils of cities, and providing for rules and regulations for the conduct of their proceedings and the administration of the affairs of cities; providing for the election of certain officers in the cities and towns of this State and fixing the terms thereof, and abolishing the offices of mayor and city councilmen in cities of the first class, as now provided by law, and providing that no election shall be held hereafter in cities of the first class for the offices of city councilmen, city recorder, city treasurer, and city attorney; providing for the filing and publication of a sworn statement of election and campaign expenses of elective officers of cities of the first class and a forfeiture and penalty for failure so to do; providing for the creation of offices for the good government of cities, to regulate and prescribe their powers, duties, and compensations, and the manner of their appointment, term of office, and removal; providing for the oath of office and bonds of city officers; prohibiting city officers from being interested in any contract work, business, or sale, the consideration of which is paid from the treasury or by assessment, or in the purchase of any property belonging to the city, and providing a penalty therefor, and prohibiting officers and employees, except policemen and firemen, from accepting franks, free tickets, or free service from any person, firm, or corporation operating within the city under a public franchise, and providing a penalty therefor, and providing for the compensation of officers of cities and the time of payment; providing for the equalization of special taxes in cities; providing for a day of registration on the fourth Tuesday prior to municipal elections in cities of the first class; providing for furnishing a copy of official register the day before any primary election in cities of the first class; providing for registration of voters at primary

elections in cities of the first class; providing that in cities of the first class primary elections for the nomination of officers, to be elected in such cities, shall be conducted as provided in Section 5 of this act; providing for the qualifications of persons entitled to vote at primary elections for municipal offices in cities of the first class; providing for the manner of nominating candidates for municipal offices in cities of the first class; providing for the manner of nomination of candidates for municipal offices in cities of the first class; providing for publication of the list of nominations of officers in cities of the first class; providing for the arranging of names of candidates for offices in cities of the first class; providing for the filling of vacancies in nominations of candidates for offices in cities of the first class; providing for the date of municipal elections and the terms of certain municipal officers; providing that Chapter 10, Compiled Laws of Utah, 1907, relating to the election of officers shall apply to primary elections in cities of the first class; providing for the holding of elections in cities of the first class to determine whether or not the holder of any elective office may be removed by the electors qualified to vote for his successor; providing for the proposing by petition of electors of cities of the first class that ordinances be passed by the boards of commissioners of such cities; providing the time when ordinances passed by boards of commissioners of cities of the first class shall go into effect, and providing that qualified voters of such cities may prevent ordinances passed by boards of commissioners of cities of the first class, from going into effect; providing for primary elections for nominations of municipal officers in cities of the first class; providing for a civil service commission in cities of the first class, and repealing Sections 283, 284, 285, and 286, Compiled Laws of Utah, 1907, relating to the board of public works in cities of the first class, and vesting the powers of said boards in the boards of commissioners of cities of the first class.

S. B. No. 100 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 101.—By Mr. Marks.

A Bill for an Act to regulate the practice of optometry in the State of Utah, defining the practice of optometry, and providing for the appointment of the Board of Examiners; and further providing for the issuing and revocation of licenses and the fixing of a penalty for the violation of the provisions of this act, and repealing Sections 1686x, 1686x1, 1686x2, 1686x3, 1686x4, 1686x5, 1686x6, 1686x7, 1686x8, 1686x9, 1686x10, 1686x11, and 1686x12, Title 56, Compiled Laws of Utah, 1907.

S. B. No. 101 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 102.—By Mr. Seely.

A Bill for an Act authorizing the State Board of Examiners to dispose of certain experiment stations and farms, and repealing Sections 2093x, 2093x1, 2093x2, 2093x3, 2093x4, 2093x5, 2093x6, 2093x7, 2093x17, and 2093x19, Compiled Laws of Utah, 1907.

S. B. No. 102 was read the first time, and referred to the Committee on State Affairs.

Senate Bill No. 103.—By Mr. Badger.

A Bill for an Act authorizing County Commissioners of certain counties and City Councils of certain cities to appropriate monies for the purpose of aiding in the entertainment of members of the Grand Army of the Republic at its annual encampment for the year 1909.

S. B. No. 103 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 104.—By Mr. Bullen.

A Bill for an Act amending Sections 1854, 1855, and 1861, Compiled Laws of Utah, 1907, creating a State Text Book Commission and providing for the manner of selecting text books.

S. B. No. 104 was read the first time, and referred to the Committee on Education.

THIRD READING OF BILLS.

Senate Bill No. 31, by Mr. Sevy, entitled, "An Act to amend Section 666x, Compiled Laws of Utah, 1907, relating to Supreme Court stenographer," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Benner X. Smith.

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

Senate Bill No. 50, by Mr. Hulaniski, entitled, "An Act to amend Section 3414, Compiled Laws of Utah, 1907, relating to privileged communications and the rights of witnesses," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Benner X. Smith.

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

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

THIRTY-SECOND DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 11th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

Minutes of the thirty-first day's session were read and approved.

PRESENTATION OF PETITIONS.

Senate Petition No. 33.—By Mr. Williams (by request).

A petition signed by B. A. M. Froiseth, of Salt Lake City, asking an appropriation of $1,500 to assist in publishing a map of Utah.

Referred to the Committee on Appropriations and Claims.

Senate Petition No. 34.—By Mr. Wilson.

A petition signed by D. W. Smith and 64 other citizens of Wasatch County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 10th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 10, by Mr. Marks, "An Act to

amend Section 2049x, Compiled Laws of Utah, 1907, relating to the salaries of certain State officers."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 10 was transmitted to the Governor.

INTRODUCTION OF BILLS.

Senate Bill No. 105.—By Mr. Badger (by request).

A Bill for an Act amending Section 282x7, and repealing Section 282x8, of Chapter 16, Compiled Laws of Utah, 1907, relating to special tax funds in cities.

S. B. No. 105 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 106.—By Mr. Badger (by request).

A Bill for an Act amending Section 1117 of the Compiled Laws of Utah, 1907, relating to the width of public and private ways.

S. B. No. 106 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 107.—By Mr. Badger (by request).

A Bill for an Act amending Sections 256, 257, 258, 259, 260, 261, and 277, and repealing Section 272, of Chapter 14, of the Compiled Laws of Utah, 1907, relating to special taxes.

S. B. No. 107 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 108.—By Mr. Badger.

A Bill for an Act to amend Section 1018, of the Compiled Laws of Utah, 1907, relating to officer performing duties without fees, and providing that poor person shall not be required to furnish cost bond.

S. B. No. 108 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 109.—By Mr. Hulaniski.

A Bill for an Act providing punishment for the removal, stealing, or in any manner interfering with journal bearings, brasses, or other parts of locomotives, tenders, or railroad cars, and for buying or receiving such stolen property, knowing that the same had been stolen.

S. B. No. 109 was read the first time, and referred to the Committee on Railroads.

Mr. Kuchler moved that when the Senate adjourn, it do so, the House concurring, until Monday, February 15th, at 2 p. m. The motion was adopted.

THIRD READING OF BILLS.

Senate Bill No. 25, by Mr. Badger, entitled, "An Act providing for the licensing and regulation of employment offices, requiring employment agents to give bond, prohibiting the sending of female help to any place of bad repute; requiring bona fide orders for help; regulating the charges of employment offices; requiring the keeping of registers; requiring the furnishing of copies of terms of employment; prohibiting dividing fees with certain persons; punishing violations of this act; regulating actions for violations; prohibiting the conducting of an employment office in any place where intoxicating liquors are sold; excepting religious and charitable associations; and requiring the posting of certain sections of this act in employment offices," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Benner X. Smith and John Y. Smith.

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

House Bill No. 28, by Mr. Morris, entitled, "An Act amending Section 1870x, Compiled Laws of Utah, 1907, relating to State aid for public schools where the revenues are insufficient," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Benner X. Smith, John Y. Smith.

SPECIAL ORDER.

On motion of Mr. Williams, S. J. R. No. 2 was made the special order for Wednesday, February 17th, at 2:30 p. m.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day concurred in the Senate motion to adjourn its session to Monday, February 15th, at 2 p. m.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Hyde, the Senate adjourned until Monday at 2 p. m.

THIRTY-SIXTH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 15th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

Minutes of the thirty-second day's session were read and approved.

PRESENTATION OF PETITION.

Senate Petition No. 35.—By President Gardner.

A petition, signed by Irving S. Pratt and ten other citizens of Utah County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 11th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 13, by Mr. Miller, entitled "An Act to amend Section 1113x22, of the Compiled Laws of Utah, 1907, designating what officer shall attend a convention of health officers of the State," beg leave to report that they have had the same under consideration, and offer the following amendments thereto:

1. Strike out the words "of the" in the first line of the title.

2. Line 1, strike out the words "of the".

3. Line 2, place a "comma" after the word "be".

4. Line 3, strike out the "comma" after the word "City" and add the word "and".

5. Line 4, strike out the words "and District".

6. Line 6, strike out the "comma" after the word "City" and add the word "and", and strike out the words "or District".

With these amendments, we recommend the bill be passed.

J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 13 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 11th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 67, by Mr. Benner X. Smith, entitled, "An Act to amend Section 2703x, Compiled Laws of Utah, 1907, extending the time for complying with the provisions of Title 82, Compiled Laws of Utah, 1907, in relation to townsites," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed, for the reason that the matters therein contained are covered by S. B. No. 84.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, Feb. 11th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 84, by Mr. Hyde, entitled, "An Act to amend Section 2703x, Compiled Laws of Utah, 1907, relating to the time for applying for lots under the townsite act," beg leave to report that they have had the

same under consideration, and recommend that the same be not passed, because covered by House Bill No. 74.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, Feb. 11th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 65, by Mr. Badger, entitled, "An Act amending Sections 2372 and 2380, of the Compiled Laws of Utah, 1907, providing for the acceptance by the State of Utah of certain desert lands, and providing for contracts for the reclamation of the same, and validating and confirming proceedings heretofore taken under Chapter 2, Title 75, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. Strike out the word "of" in line one of the title.

2. Strike out the word "the" in line two of the title.

3. On page 1, line 1, strike out the words "of the".

4. On page 1, line 2, after "1907", insert the words "be, and the same".

5. On page 1, line 10, strike out the words "of the".

6. On page 1, line 11, after "1907", insert the words "be, and the same".

7. On page 2, line 12, after "2380" place a "comma" and strike out the words "of the".

8. Add to the bill: "Sec. 4. This act shall take effect upon approval."

With these amendments, we recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 65 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 11th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 74, by Mr. William McMillan, as amended by the House, entitled, "An Act amending Section 2703x, Compiled Laws of Utah, 1907, extending the time for complying with the provisions of Title 82, Compiled Laws of Utah, 1907, relating to town sites," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and H. B. No. 74 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 11th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 3, by Mr. Badger, entitled, "An Act authorizing foreign corporations complying with the laws of Utah to exercise the power of eminent domain the same as domestic corporations," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 3 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 11th, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 85,

by Mr. Hyde, entitled, "An Act to amend Section 213, Compiled Laws of Utah, 1907, relating to city officers, and providing for the appointment of a marshal in cities of less than 12,000 inhabitants," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 85 was read the second time.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 11th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State the following:

Senate Joint Memorial No. 1, by Mr. Wilson, "A Memorial asking for an appropriation of 3,000,000 acres of arid land for building a State Capitol and the improvement of the public roads of the State of Utah.

"A Memorial from the Governor and Legislature of the State of Utah to the President, the Senate, and the House of Representatives of the United States."

Senate Bill No. 10, by Mr. Marks, entitled, "An Act to amend Section 2049x, Compiled Laws of Utah, 1907, relating to the salaries of certain State officers."

Very respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

INTRODUCTION OF BILLS.

Senate Bill No. 110.—By Mr. Williams.

A Bill for an Act amending Section 286, Compiled

Laws of Utah, 1907, relating to the duties of the Board of Public Works and City Engineer in cities of the first class.

S. B. No. 110 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 111.—By Mr. Williams.

A Bill for an Act providing that contracts for public improvements shall not be let in excess of ten per cent above the City Engineer's estimate, and providing for their construction.

S. B. No. 111 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 112.—By Mr. Williams.

A Bill for an Act providing for the inspection and superintendence of public improvements in cities of the first class.

S. B. No. 112 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 113.—By Mr. Badger (by request).

A Bill for an Act relating to bonds and other obligations with individual surety or sureties.

S. B. No. 113 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 114.—By Mr. Miller.

A Bill for an act to provide revenue for the support of the government of the State, and for the several counties of the State, high schools and district and county schools, for the fiscal year nineteen hundred and nine and nineteen hundred and ten.

S. B. No. 114 was read the first time, and referred to the Committee on Ways and Means.

Senate Bill No. 115.—By Mr. Miller.

A Bill for an Act levying a State tax for high school purposes, and providing the manner of apportioning the same.

S. B. No. 115 was read the first time, and referred to the Committee on Education.

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

THIRTY-SEVENTH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 16th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

Minutes of the thirty-sixth day's session were read and approved.

PRESENTATION OF PETITIONS.

Senate Petition No. 36.--By Mr. Kuchler.

A petition signed by Noble S. Elderkin and thirty-four other citizens of Weber County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 37.—By Mr. Badger.

A petition, signed by Fred Midgley and 449 other citizens of Salt Lake County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 15th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. J. R. No. 3, by Mr. Hugh A. McMillin, "Resolution authorizing His Excellency, the Governor, to procure a suitable oil portrait of former Governor John C. Cutler."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
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, Utah, Feb. 15th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 44, by Mr. Russell, "An Act to amend Section 4472, Compiled Laws of Utah, 1907, defining vagrancy, and providing a penalty therefor."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 44 was read by title and signed by the President in open session, in the presence of the Senate.

House of Representatives,

Salt Lake City, Utah, Feb. 15th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, H. B. No. 37, by Mr. Cannon, "An Act to prohibit the manufacture, sale, barter, giving away, or otherwise furnishing of alcoholic liquors within the State; providing for the enforcement of the provisions of this act, together with penalties for the violation of the same; and repealing Sections 1242 to 1260x1, relating to intoxicating liquors; also Subdivision 41, of Section 206, Subdivision 6, of Section 302, Compiled Laws of Utah, 1907, and all other acts in conflict herewith."

The same is transmitted herewith for your action.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

H. B. No. 37 was read the first time, and referred to the Committee on Manufactures and Commerce.

House of Representatives,

Salt Lake City, Utah, Feb. 15th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 48, by Mr. Pope, "An Act in relation to irrigation districts."

The same is transmitted herewith for your action.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

H. B. No. 48 was read the first time, and referred to the Committee on Agriculture and Irrigation.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 10th, 1909.

Mr. President: Your Committee on Live Stock, to whom was referred S. B. No. 69, by Mr. Wilson, entitled, "An Act regulating the service of bulls, and repealing Chapter 5 of the Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and offer the following amendments thereto:

1. Amend the title so as to read, "An Act regulating the service of bulls, and amending Section 57, Chapter 5, Compiled Laws of Utah, 1907."

2. Amend line 2, so as to read "twenty-five" instead of "twenty".

3. Amend line 4, so as to read "twenty-five" instead of "twenty".

4. Line 5, strike out the words "pure bred" and insert "registered".

5. Amend line 9, so as to read "twenty-five" instead of "twenty".

With these amendments, we recommend that the bill be passed.

JOHN H. SEELY,
Chairman.

The report of the Committee was adopted, and S. B. No. 69 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 10th, 1909.

Mr. President: Your Committee on Live Stock, to whom was referred S. B. No. 60, by Mr. Kuchler, entitled, "An Act amending Section 13, Chapter 64, Laws of Utah,

approved March 14th, 1907," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

JOHN H. SEELY,
Chairman.

The report of the Committee was adopted, and S. B. No. 60 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 16th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 33, by Mr. Stookey, entitled, "An Act to prohibit the taking of any narcotics, etc., into the State prison, etc.," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed, but recommend that a substitute for the same, S. B. No. 120, entitled, "An Act to prohibit the taking of any narcotics, weapons, or explosives into the State prison, or any jail or reformatory within the State of Utah, or on the grounds of such institutions," which is hereby presented by the Judiciary Committee, be passed.

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted. S. B. No. 120 was read the first time, and on motion of Mr. Benner X. Smith, was referred to the Committee on Judiciary.

Senate Committee Room,
Salt Lake City, Utah, Feb. 16th, 1909.

Mr. President: Your Committee on Education, to whom was referred S. B. No. 83, by Mr. Bullen, entitled, "An Act amending Section 1823, Compiled Laws of Utah, 1907, providing for school sites and buildings; that plans and specifications for school buildings be submitted to a commission herein provided," beg leave to report that they have had the same under consideration, and offer the following amendment thereto:

1. On page 1, line 8, begin the word "Section" with a small "s".

With this amendment, we recommend the bill be passed.

H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 83 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 15th, 1909.

Mr. President: Your Committees on Appropriations and Claims, and State Affairs, to whom was referred Senate Bill No. 73, by Mr. Hulaniski, "An Act making an appropriation for the reception and entertainment of the Grand Army of the Republic at its forty-third National Encampment, and providing for a commission to expend the money appropriated for the said purpose," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

In the title, after the word "appropriation" and before the word "for", insert the words "of thirty thousand dollars".

On line 1, page 2, strike out the word "thirty-five" and insert the word "thirty"; and strike out the numerals "35,000" and insert "30,000".

On line 1, page 2, after the numeral "$30,000", insert the words "or as much thereof as may be necessary."

And with these amendments we recommend that the bill be passed.

W. N. WILLIAMS,
Chairman.

The report of the Committees was adopted, and S. B. No. 73 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 15th, 1909.

Mr. President: Your Committee on Appropriations and Claims, to whom was referred S. B. No. 45, by Mr. Williams, entitled, "An Act appropriating the sum of twenty-five hundred dollars to William Forsberg, for injuries sustained while employed by the State of Utah," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

In the title strike out the words "twenty-five hundred" and insert the words "two thousand".

In line 1, page 1, strike out the words "twenty-five hundred" and insert "two thousand".

And, as amended, recommend that the bill be passed.

W. N. WILLIAMS,
Chairman.

The report of the Committee was adopted, and S. B. No. 45 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 116.—By Mr. Horsley.

A Bill for an Act to amend Section 686x10, Compiled Laws of Utah, 1907, relating to the jurisdiction of City Courts in civil actions.

S. B. No. 116 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 117.—By Mr. Benner X. Smith.

A Bill for an Act amending Sections 1712, 1714, 1715, 1716, 1717, 1718, 1720, 1726, 1727, and 4282, Compiled Laws of Utah, 1907, relating to the State Board of Pharmacy, the appointment, terms, qualification, compensation, and duties of its members; the registration of pharmacists and assistant pharmacists, and their certificates; and prohibiting the sale of poison to certain persons, and

regulating the sale of poisons and providing penalties therefor.

S. B. No. 117 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 118.—By Mr. Benner X. Smith (by request).

A Bill for an Act to amend Section 4430, of the Compiled Laws of Utah, 1907, relating to trespass.

S. B. No. 118 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 119.—By Mr. Benner X. Smith (by request).

A Bill for an Act to amend Section 2467, of the Compiled Laws of Utah, 1907, relating to certain agreements declared to be void unless in writing.

S. B. No. 119 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 121.—By Mr. Williams.

A Bill for an Act requiring warehousemen and others engaged in keeping or storing personal property, to keep records and give information concerning goods received by them, and providing a penalty for violation thereof.

S. B. No. 121 was read the first time, and referred to the Committee on Judiciary.

THIRD READING OF SENATE BILLS.

Senate Bill No. 13, by Mr. Miller, entitled, "An Act to amend Section 1113x22, Compiled Laws of Utah, 1907, designating what officer shall attend a convention of health officers of the State," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde,

Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Stookey.

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

Senate Bill No. 65, by Mr. Badger, entitled, "An Act amending Sections 2372 and 2380, Compiled Laws of Utah, 1907, providing for the acceptance by the State of Utah of certain desert lands, and providing for contracts for the reclamation of the same, and validating and confirming proceedings heretofore taken under Chapter 2, Title 75, Compiled Laws of Utah, 1907," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Horsley and Stookey.

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

On motion of Mr. Badger, S. B. No. 3 went over, to come up in its regular order.

BILLS REFERRED.

On motion of Mr. Benner X. Smith, S. B. No. 85 was referred back to the Committee on County and Municipal Corporations.

On motion of Mr. Marks, H. B. No. 74 was referred back to the Committee on Judiciary.

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

THIRTY-EIGHTH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 17th, 1909.

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

Roll-call; quorum present.

Mr. Brinkerhoff was excused for the day.

Prayer by the Chaplain.

Minutes of the thirty-seventh day's session were read and approved.

PRESENTATION OF PETITIONS.

Senate Petition No. 38.—By Mr. Kuchler.

A petition signed by A. R. Heywood and 79 other citizens of Weber County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 39.—By Mr. Benner X. Smith (by request).

A petition signed by Charles Epperson and 98 other citizens of Salt Lake County, relative to the Sunday closing of moving picture shows.

Referred to the Committee on Judiciary.

Senate Petition No. 40.—By Mr. Benner X. Smith (by request).

A petition signed by Jack Browning and 79 other citizens of Salt Lake County, relative to the Sunday closing of moving picture shows.

Referred to the Committee on Judiciary.

Senate Petition No. 41.—By Mr. Benner X. Smith (by request).

A petition signed by Mrs. E. S. Davis and 111 other citizens of Salt Lake County, relative to the Sunday closing of moving picture shows.

Referred to the Committee on Judiciary.

Senate Petition No. 42.—By Mr. Benner X. Smith (by request).

A petition signed by Miss Mary Carroll and 84 other citizens of Salt Lake County, relative to the Sunday closing of moving picture shows.

Referred to the Committee on Judiciary.

Senate Petition No. 43.—By Mr. Benner X. Smith (by request).

A petition signed by Mrs. Brooks and 67 other citizens of Salt Lake County, relative to the Sunday closing of moving picture shows.

Referred to the Committee on Judiciary.

Senate Petition No. 44.—By Mr. Benner X. Smith (by request).

A petition signed by J. S. Free and 75 other citizens of Salt Lake County, relative to the Sunday closing of moving picture shows.

Referred to the Committee on Judiciary.

Senate Petition No. 45.—By Mr. Benner X. Smith (by request).

A petition signed by Mrs. Holland and 300 other citizens of Salt Lake County, relative to the Sunday closing of moving picture shows.

Referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake Cty, Utah, Feb. 17th, 1909.

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

passed, as amended in title and body, H. B. No. 47, by Commitee on Judiciary, "An Act amending Sections 2513, 2516, 2517, 2550, 2553, 2559, 2560, 2561, 2562, 2563, 2564, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2584, 2585, 2589, 2591, 2596, and 2607, Compiled Laws of Utah, 1907, relating to the assessment of property."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 47 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 92, by Mr. Wootton, "An Act amending Section 1795, Compiled Laws of Utah, 1907, relating to the requirements for the certificate of teachers."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 92 was read the first time, and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 34, by Mr. Stookey, "An Act to punish certain convicts for committing assaults upon others by means of force or otherwise."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 34 was referred to the Committee on Engrossed and Enrolled Bills..

House of Representatives,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 28, by Mr. Morris, "An Act amending Section 1870x, Compiled Laws of Utah, 1907, relating to State aid for public schools where the revenues are insufficient."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 28 was read by title and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, Feb. 16th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 85, substitute for H. B. No. 41, by the Committee on Mining and Smelting, "An Act amending Section 3588, Compiled Laws of Utah, 1907, in relation to the exercise of the right of eminent domain, by adding thereto a new subdivision, to be known as subdivision 13."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 85 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 16th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 51, by Mr. Thompson, "An Act providing for the holding of Farmers' and Domestic Science Institutes and Schools in the Counties of the State, and repealing Sections 2095, 2096, 2097, and 2098, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 51 was read the first time, and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 93, by Mr. Wootton, "An Act amending Section 1815, Compiled Laws of Utah, 1907, relating to school funds and providing for school libraries."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 93 was read the first time, and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 53, by Mr. Kuehler, "An Act to amend Section 859, Compiled Laws of Utah, 1907, relating to the duties of Judges of Election."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 53 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 84, by Mr. McCracken, "An Act to amend Section 5014, Compiled Laws of Utah, 1907, relative to competency of husband and wife to testify in certain cases."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 84 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 80, by Mr. Wootton, "An Act to amend Sections 2305 and 2307, Compiled Laws of Utah, 1907, relating to the name of the State Normal

School, its relation to the University, courses of study, normal scholarships, certificates, and diplomas."

The same is transmitted herewith for your action.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

H. B. No. 80 was read the first time, and referred to the Committee on Education.

INTRODUCTION OF RESOLUTION.

Senate Joint Resolution No. 3.—By Mr. Badger.

A resolution proposing an amendment to the Constitution of the State of Utah by enacting a new section prohibiting the manufacture, sale, and gift of intoxicating liquors.

S. J. R. No. 3 was laid on the table for one day.

INTRODUCTION OF BILLS.

Senate Bill No. 122.—By Mr. Brinkerhoff.

A Bill for an Act making appropriations for building bridges over the Green River, in Emery and Uintah Counties, and the San Juan River, in San Juan County.

S. B. No. 122 was read the first time, and referred to the Committee on Highways and Bridges.

Senate Bill No. 123.—By Mr. Williams.

A Bill for an Act providing a penalty for removing, destroying, concealing, selling, mortgaging, pledging, or otherwise disposing of personal property of another.

S. B. No. 123 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 124.—By Mr. Stookey.

A Bill for an Act to provide a permanent fund for the general maintenance of the University of Utah, including the Branch Normal School, and the Agricultural College of Utah.

S. B. No. 124 was read the first time, and referred to the Committee on Education.

Senate Bill No. 125.—By Mr. Burton.

A Bill for an Act to provide for the destruction of noxious weeds growing along artificial water ways used for the purpose of storing or conveying of irrigation water, and providing a penalty for the violation thereof.

S. B. No. 125 was read the first time, and referred to the Committee on Agriculture and Irrigation.

Senate Bill No. 127.—By Mr. Benner X. Smith.

A Bill for an Act creating the office of Under Sheriff.

S. B. No. 127 was read the first time, and referred to the Committee on Salaries.

Senate Bill No. 128.—By Mr. Benner X. Smith.

A Bill for an Act to regulate the itinerant vending of medicine, nostrums, and appliances for the treatment of disease, injury, or deformity, and to provide for the licensing of vendors of the same.

S. B. No. 128 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 129.—By Mr. Badger (by request).

A Bill for an Act amending Section 973, Compiled Laws of Utah, 1907, relating to fees of County Recorders.

S. B. No. 129 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 130.—By Mr. Badger (by request).

A Bill for an Act amending Sections 1498 and 1503, Compiled Laws of Utah, 1907, relating to filing of copy of

notice of mining location; fee; and of filing duplicate notice of mining location; fee.

S. B. No. 130 was read the first time, and referred to the Committee on Judiciary.

S. B. No. 131.—By Mr. Badger (by request).

A Bill for an Act amending Section 4040, Compiled Laws of Utah, 1907, relating to decrees affecting real property to be recorded.

S. B. No. 131 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 132.—By Mr. Badger (by request).

A Bill for an Act amending Section 1895, Compiled Laws of Utah, 1907, relating to who may take acknowledgments.

S. B. No. 132 was read the first time, and referred to the Committee on Judiciary.

REPORT OF COMMITTEE.

Senate Committee Room,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 12, by Mr. John Y. Smith, entitled, "An Act to amend Sections 27, 39, 42, 44, 45, 46, 53, and 67, of Chapter 108, of the Laws of Utah, 1905, etc.," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed, but that S. B. No. 126, by Committee on Agriculture and Irrigation, entitled, "An Act to amend Sections 1288x8, 1288x10, 1288x13, 1288x14, 1288x15, 1288x16, 1288x17, and 1288x24, and 970x, Compiled Laws of Utah, 1907, relating to the duties and powers of the State Engineer with reference to approval or rejection of applications for water rights; defining the time which may be allowed by the State Engineer for the beginning and completion of construction work upon water and irri-

gation works, and the beneficial use of water therefrom; empowering the State Engineer to grant extensions of time therefor; defining when and in what manner the place of diversion and the use of water may be changed, and providing what fees shall be charged and collected by the State Engineer," be substituted therefor, and that the substitute bill be passed.

JOHN Y. SMITH,
Chairman.

The report of the Committee was adopted. S. B. No. 126 was read the first and the second time.

SPECIAL ORDER.

At 2:30 p. m., the President announced as the special order, S. J. R. No. 2, by Mr. Miller.

On motion of Mr. Marks, S. J. R. No. 2 was made the special order for tomorrow at 2:30 p. m.

On motion of Mr. Kuchler, S. B. No. 60 was laid on the table, to come up tomorrow in its regular order.

THIRD READING OF SENATE BILLS.

Senate Bill No. 83, by Mr. Bullen, entitled, "An Act amending Section 1823, Compiled Laws of Utah, 1907, providing for school sites and buildings; that plans and specifications for school buildings be submitted to a commission herein provided," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs Brinkerhoff and Stookey.

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

Senate Bill No. 73, by Mr. Hulaniski, "An Act making an appropriation of thirty-five thousand dollars for the reception and entertainment of the Grand Army of the Republic at its forty-third National Encampment, and providing for a commission to expend the money appropriated for the said purpose," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Brinkerhoff.

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

Mr. Benner X. Smith was called to the chair.

On motion of Mr. Marks, S. B. No. 69 was laid on the table, to come up in its regular order tomorrow.

Senate Bill No. 45, by Mr. Williams, entitled, "An Act appropriating the sum of two thousand dollars to William Forsberg, for injuries sustained while employed by the State of Utah," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson.

Those absent and not voting were: Mr. Brinkerhoff and Mr. President.

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

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

THIRTY-NINTH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 18th, 1909.

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

Roll-call; quorum present.

Prayer by Rev. W. M. Paden.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: I am directed to inform your honorable body that His Excellency, the Governor, has this day approved and filed with the Secretary of State, H. B. No. 44, by Mr. Russell, "An Act to amend Section 4472, Compiled Laws of Utah, 1907, defining vagrancy, and providing a penalty therefor."

Also, H. J. R. No. 3, by Mr. McMillin.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 105, by Mr. Wootton, "An Act amending Section 1891x20, Compiled Laws of Utah, 1907, relating to the powers of the Board of Education."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 105 was read the first time, and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 17th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 83, by Mr. McCracken, "An Act to amend Section 3414, Compiled Laws of Utah, 1907, relating to privileged communications and the rights of witnesses."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 83 was read the first time, and referred to the Committee on Judiciary.

PRESENTATION OF PETITIONS.

Senate Petition No. 47.—By Mr. Kuchler.

A petition signed by J. S. Gordon and sixteen other citizens of Weber County, relative to the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce.

Senate Petition No. 48.—By Mr. Hulaniski.

A petition signed by the President and Secretary of the Civic Improvement League and 260 others, relative to the Municipal Government Bill.

Referred to the Committee on County and Municipal Corporations.

Senate Petition No. 49.—By Mr. Hulaniski.

A petition signed by 319 citizens, relative to the Municipal Government Bill.

Referred to the Committee on County and Municipal Corporations.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 51, by Mr. Thompson, entitled, "An Act providing for the holding of Farmers' and Domestic Science Institutes and Schools in the counties of the State, and repealing Sections 2095, 2096, 2097, and 2098, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and offer the following amendment thereto:

1. On page 2, line 5, after the word "moneys" strike out the word "of" and insert the word "in".

With this amendment we recommend that the bill be passed.

H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 51 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: Your Committee on Private Corporations and Insurance, to whom was referred H. B. No. 32, by Mr. Claude Y. Russell, as amended, entitled, "An Act to amend Section 1708, Compiled Laws of Utah, 1907, 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 passed.

CHRIS. BURTON JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 32 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 34, by Mr. Stookey, entitled, "An Act to punish certain convicts for committing assaults upon others by means of force or otherwise," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

CHARLES E. MARKS,
Chairman.

S. B. No. 34 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.

Senate Committee Room,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 53, by Mr. Kuchler, entitled, "An Act to amend Section 859, Compiled Laws of Utah, 1907, relating to the duties of Judges of Election," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

CHARLES E. MARKS,
Chairman.

S. B. No. 53 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.

INTRODUCTION OF BILLS.

Senate Bill No. 133.—By Mr. Horsley.

A Bill for an Act to amend Section 281, Compiled Laws of Utah, 1907, relating to the manner of collecting special taxes.

S. B. No. 133 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 134.—By Mr. Wilson.

A Bill for an Act appropriating the sum of $5,100.00 to Wasatch County for services and fees of county officers in policing the Uintah Reservation.

S. B. No. 134 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 135.—By Mr. Williams.

A Bill for an Act regulating the sale for human food of slaughtered poultry, game birds, animals, and fish, and providing a penalty for the violation of the provisions of this act.

S. B. No. 135 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 136.—By Mr. Williams.

A Bill for an Act compelling all persons selling poultry, game, fish, butter, and eggs, which have been in cold storage more than three months, to be labeled "Cold Storage."

S. B. No. 136 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 137.—By Mr. Badger (by request).

A Bill for an Act establishing a Board of Park Commissioners in cities of the first class; authorizing such cities to create such board; to define its powers and duties; to make appropriations therefor.

S. B. No. 137 was read the first time, and referred to the Committee on County and Municipal Corporations.

BILL REFERRED.

On motion of Mr. John Y. Smith, S. B. No. 126 was recommitted to the Committee on Agriculture and Irrigation.

RESOLUTION REFERRED.

S. J. R. No. 3 was taken from the table and read the first time and referred to the Committee on Manufactures and Commerce.

SPECIAL ORDER.

On motion of Mr. Miller, S. J. R. No. 2 was made the special order for tomorrow at 2:30 p. m.

THIRD READING OF SENATE BILL.

Senate Bill No. 60, by Mr. Kuchler, entitled, "An Act amending Section 2542x6, Compiled Laws of Utah, 1907, relating to transient stock," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Miller and Sevy.

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

On motion of Mr. Marks, S. B. No. 69 was laid on the table, to come up in its regular order tomorrow.

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

FORTIETH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 19th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 53, by Mr. Kuchler, entitled, "An Act to amend Section 859, Compiled Laws of Utah, 1907, relating to the duties of judges of election;" also S. B. No. 34, by Mr. Stookey, entitled, "An Act to punish certain convicts for committing assaults on others by means of force or otherwise."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 53 and S. B. No. 34 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 17, by Mr. Benner X. Smith,

entitled, "An Act to provide for the furnishing of the offices of the Governor and Secretary of State, and making an appropriation therefor.

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Benner X. Smith, the Senate concurred in the amendments by the House.

Senate Bill No. 17 was placed on its final passage, and passed, as amended by the House, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Brinkerhoff, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Ballen, Hyde, Stookey.

S. B. No. 17 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected, by report of Committee, S. B. No. 6, by Mr. Badger, "An Act to prevent the unauthorized use of the name, portrait, or picture of any person for the purpose of trade," and has under consideration H. B. No. 176, a substitute for bill referred to.

S. B. No. 6 is therefore returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 107, by Mr. Wootton, "An Act amending Section 1891x13, Compiled Laws of Utah, 1907, relating to the election of the members of the Board of Education."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 107 was read the first time, and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 79, by Mr. Smith, entitled, "An Act amending Section 299, Compiled Laws of Utah, 1907, relating to incorporated towns."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 79 was read the first time, and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 123, by Mr. Baker, entitled, "An Act amending Section 2050, Compiled Laws of Utah, 1907, and fixing the salary of the Clerk of the Supreme Court, the reporter of the decisions of the Supreme Court,

the Adjutant General, the Assistant Adjutant General, and the State Bank Examiner."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 123 was read the first time, and referred to the Committee on Salaries.

House of Representatives,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 69, by Mr. H. A. McMillin, entitled, "An Act forbidding the sale of pools on horse races, and providing a penalty therefor."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 69 was read the first time, and referred to the Committee on Live Stock.

House of Representatives,
Salt Lake City, Utah, Feb. 18th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 106, by Mr. Dyreng, "An Act providing for payment of deposits made in two names."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 106 was read the first time, and referred to the Committee on Banks and Banking.

COMMUNICATION FROM THE SECRETARY OF STATE.

Office of Secretary of State,
Salt Lake City, Utah, Feb. 19th, 1909.

To the Senate:

At the request of the Secretary of State of the State of South Dakota, I hand you herewith a copy of House Joint Resolution No. 7, adopted by the Eleventh Legislative Assembly of that State.

Very respectfully,
C. S. TINGEY,
Secretary of State.

The communication was referred to the Committee on Judiciary.

INTRODUCTION OF BILLS.

Senate Bill No. 139.—By Mr. Badger (by request).

A Bill for an Act to amend Section 375, Compiled Laws of Utah, 1907, relating to banking corporations and banks.

S. B. No. 139 was read the first time, and referred to the Committee on Banks and Banking.

Senate Bill No. 140.—By Mr. Brinkerhoff.

A Bill for an Act repealing Sections 2063x5, 2063x6, 2063x7, 2063x8, 2063x9, 2063x10, 2063x11, 2063x12, 2063x13, 2063x14, 2063x15, 2063x16, 2063x17, Compiled Laws of Utah, 1907, terminating the term of office of the present State Board of Sheep Commissioners.

S. B. No. 140 was read the first time, and referred to the Committee on Live Stock.

Senate Bill No. 141.—By Mr. John Y. Smith.

A Bill for an Act declaring the use of the waters of this State for beneficial purposes to be a public use; and providing for the exchange of waters.

S. B. No. 141 was read the first time, and referred to the Committee on Agriculture and Irrigation.

Senate Bill No. 142.—By Mr. Marks.

A Bill for an Act to prevent the use of defective devices for testing the quality and value of milk, cream, butter, or cheese; and providing a penalty for a violation of this act.

S. B. No. 142 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 143.—By Mr. Benner X. Smith.

A Bill for an Act to amend Section 3181, Compiled Laws of Utah, 1907, relating to the dismissal of actions and judgments of non-suit.

S. B. No. 143 was read the first time, and referred to the Committee on Judiciary.

SPECIAL ORDER.

At 2:30 p. m., the President announced as the special order, S. J. R. No. 2, by Mr. Miller.

On Motion of Mr. Hyde, S. J. R. No. 2 was made the special order for Wednesday, February 24th, at 2:30 p. m.

Mr. Kuchler moved that when the Senate adjourn, it do so to meet tomorrow at 10 a. m. Carried.

BILL REFERRED.

On motion of Mr. Marks, S. B. No. 69 was recommitted to the Committee on Live Stock.

THIRD READING OF HOUSE BILLS.

House Bill No. 51, by Mr. Thompson, entitled, "An Act providing for the holding of Farmers' and Domestic Science Institutes and Schools in the counties of the State, and repealing Sections 2095, 2096, 2097, and 2098, Compiled Laws of Utah, 1907," was read the third time and

placed on its final passage, and passed, as amended, by the following vote: Ayes, 15; nays, 2; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson.

Those voting in the negative were: Mr. Hulaniski and Mr. President.

Absent and not voting: Mr. John Y. Smith.

Mr. Benner X. Smith gave notice that he would move tomorrow to reconsider the vote by which H. B. No. 51 was passed.

House Bill No. 32, by Mr. Claude Y. Russell, entitled, "An Act to amend Section 1708, Compiled Laws of Utah, 1907, relating to pawnbrokers and second-hand dealers," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Mr. President.

Those absent and not voting were: Messrs. Kuchler and Wilson.

On motion of Mr. Marks, the Senate adjourned until tomorrow at 10 a. m.

FORTY-FIRST DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 20th, 1909.

The Senate met at 10 a. m., pursuant to adjournment, President Gardner presiding.

Roll-call; quorum present.

Prayer by Rev. P. A. Simpkin.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Utah, Feb. 19th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State the following bills:

Senate Bill No. 53, by Mr. Kuchler, entitled: "An Act to amend Section 859, Compiled Laws of Utah, 1907, relating to the duties of Judges of Election."

Senate Bill No. 34, by Mr. Stookey, entitled: "An Act to punish certain convicts for committing assaults upon others by means of force or otherwise."

Very respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 19th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 71, by Mr. Fuller, "An Act to create the State Board of Dental Examiners, regulate and define the practice of dentistry, provide penalties for the violation thereof; and to repeal Sections 747, 748, 749, 750, 751, 752, 753, 754, 756, 757, 758 759, 759x, 759x1, 759x2, and 759x3, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 71 was read the first time and referred to the Committee on Public Health.

House of Representatives,
Salt Lake City, Utah, Feb. 19th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. J. R. No. 2, by Mr. Cannon, "Resolution approving application made by the Regents of the University of Utah to be included with the educational institutions that are to share in the retiring allowance system of the Carnegie foundation for the advancement of teaching."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. R. No. 2 was read the first time, and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 19th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 122, by Mr. Fuller, "An Act amending Section 1369, Compiled Laws of Utah, 1907, relating to the levying of tax for the establishment and maintenance of a free public library and gymnasium in cities of the third class and towns."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 122 was read the first time and referred to the Committee on Education.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, Feb. 20th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 17, by Mr. Benner X. Smith, entitled, "An Act to provide for the furnishing of the offices of the Governor and Secretary of State and making appropriation therefor," beg leave to report that they have had the same carefully enrolled and engrossed and present the same herewith for your signature.

CHARLES E. MARKS,
Chairman.

S. B. No. 17 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.

Senate Committee Room,
Salt Lake City, Utah, Feb. 20th, 1909.

Mr. President: Your Committee on Manufactures and Commerce, to whom was referred Senate Bill No. 54, by Mr. Hulaniski, entitled, "An Act to further regulate the sale of spirituous, vinous, and malt liquors, and providing that one-half of the money collected for liquor license shall be expended for making, repairing, and improving roads, and for the appointment of a commission to disburse the funds," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

RUDOLPH KUCHLER.
Chairman,
JOHN Y. SMITH,
H. BULLEN JR.,
J. A. HYDE,
CARL A. BADGER.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 20th, 1909.

Mr. President: Your Committee on Manufactures and Commerce, to whom was referred H. B. No. 37, by Mr. Cannon, entitled, "An Act to prohibit the manufacture, sale, barter, giving away, or otherwise furnishing of alcoholic liquors within the State; providing for the enforcement of the provisions of this Act, together with penalties for the violation of the same; and repealing Sections 1242 to 1260x1, inclusive, relating to intoxicating liquors; also Subdivision 41, of Section 206, Subdivision 6, of Section 302, Compiled Laws of Utah, 1907, and all other Acts in conflict herewith," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

RUDOLPH KUCHLER,
Chairman,
JOHN Y. SMITH,
H. BULLEN JR.,
J. A. HYDE,
CARL A. BADGER.

Mr. Wilson moved that H. B. No. 37 be referred to a special committee of nine, to be appointed by the President. The roll being called, the motion was lost by the following vote: Ayes, 6; nays, 12.

Those voting in the affirmative were: Messrs. Brinkerhoff, Burton, Horsley, Miller, Williams, Wilson.

Those voting in the negative were: Messrs. Badger, Bullen, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Mr. President.

On motion of Mr. Benner X. Smith a recess was taken until 2 p. m.

The session was resumed at 2 p. m.

Mr. Kuchler moved that the report of the Committee on H. B. No. 37 be adopted. The roll being called, the

motion prevailed by the following vote: Ayes, 13; nays, 5.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Mr. President.

Those voting in the negative were: Messrs. Brinkerhoff, Horsley, Miller, Williams, Wilson.

Mr. Burton gave notice that he reserved the right to move, on Tuesday, a reconsideration of the vote by which the Committee report on H. B. No. 37 was adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 20th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 21, by Mr. Benner X. Smith, "An Act to punish life convicts for committing assaults upon others by means of force or otherwise."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 21 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Feb. 20th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State, H. B. No. 28, by Mr. Morris, "An Act amending Section 1870x, Compiled Laws

of Utah, 1907, relating to State aid for public schools where the revenues are insufficient.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, Feb. 20th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed in open session, in the presence of the House, S. B. No. 17, by Mr. Benner X. Smith, "An Act to provide for the furnishing of the offices of the Governor and Secretary of State and making appropriation therefor."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 17 was transmitted to the Governor.

PRESENTATION OF PETITION.

Senate Petition No. 50.

A petition signed by the Legislative Committee of the Salt Lake Federation of Labor, relating to the Municipal Government Bill.

Referred to the Committee on County and Municipal Corporations.

INTRODUCTION OF BILLS.

Senate Bill No. 144.—By Mr. Wilson.

A Bill for an Act providing the manner of annexing that part of the Territory of one or more Counties

to an adjoining County, and of creating new Counties out of existing Counties, and repealing Sections 487x5, 487x6, 487x7, 487x8, 487x9, 487x10, and 487x11, Compiled Laws of Utah, 1907.

S. B. No. 144 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 145.—By Mr. Hulaniski (by request).

A Bill for an Act validating articles of incorporation which have been filed in a wrong County.

S. B. No. 145 was read the first time, and referred to the Committee on Private Corporations and Insurance.

Senate Bill No. 146.—By Mr. Marks.

A Bill for an Act to amend Sections 3091 and 3112, Compiled Laws of Utah, 1907, relating to garnishments.

S. B. No. 146 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 147.—By Mr. Burton.

A Bill for an Act to amend Section 475, Compiled Laws of Utah, 1907, relating to the boundary lines of Salt Lake County.

S. B. No. 147 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 149.—By Mr. Marks.

A Bill for an Act to amend Section 2893, Compiled Laws of Utah, 1907, relating to the Statute of Limitations.

S. B. No. 149 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 150.—By Mr. Marks.

A Bill for an Act relating to insufficient labeling of food and food products, and providing punishment therefor.

S. B. No. 150 was read the first time, and referred to the Committee on Public Health.

COMMUNICATION FROM THE SECRETARY OF STATE.

Office of Secretary of State,
Salt Lake City, Utah, February 20th, 1909.

To the Senate:

I am directed by the State Board of Examiners to transmit to your honorable body the enclosed claims against the National Guard of Utah, incurred during the year 1906, amounting to $679.90, and to advise you that the appropriation for maintenance of the Guard for the years 1905 and 1906 was not sufficient to meet these claims, and that they were not presented to the Board until after the close of the Legislative Session of 1907.

The claims have been approved by the Board for the amounts indicated, with recommendation that appropriation be made therefor:

Claim No. 6614	$ 56.70
Claim No. 6588	12.48
Claim No. 6582	21.00
Claim No. 6579	140.82
Claim No. 6331	115.25
Claim No. 5274	194.90
Claim No. 6695	90.00
Claim No. 6696	14.25
Claim No. 6973	7.50
Claim No. 8068	25.00
Claim No. 8069	2.00

Very truly yours,
C. S. TINGEY,
Secretary of State.

Referred to the Committee on Appropriations and Claims.

REPORT OF COMMITTEE.

Senate Committee Room,
Salt Lake City, Utah, Feb. 20th, 1909.

Mr. President: A majority of your Committee on Manufactures and Commerce, beg leave to report S. B. No. 148, by Committee on Manufactures and Commerce, entitled, "An Act relating to the manufacture, sale, bartering, giving away, or otherwise furnishing of intoxicating liquor; providing for the licensing and regulation of the same; providing for elections in any County or any Precinct or Voting District therein or any subdivision of a County to determine whether the sale of intoxicating liquors shall be prohibited therein; applying to such elections the provisions of Chapter 10, Title 21, Compiled Laws of Utah, 1907, and also the provisions of the General Election Laws of the State; providing for the issuance by the Board of County Commissioners of orders prohibiting the manufacture and sale of intoxicating liquors within certain limits and declaring the duties of such boards in reference thereto; providing penalties and punishment for the violation of any of the provisions of this Act; declaring certain rules of evidence and pleading applicable to prosecutions under this Act; providing means for the enforcement of the provisions of this Act; and repealing Sections 1242, 1243, 1244, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1256, 1257, and 1258, Compiled Laws of Utah, 1907." They have had the same under consideration and recommend the bill be passed.

J. A. HYDE,
CARL A. BADGER,
H. BULLEN JR.,
JOHN Y. SMITH.

Senate Committee Room,
Salt Lake City, Utah, Feb. 20th, 1909.

Mr. President: I regret my inability to concur with the recommendation made by the majority of your Com-

mittee on Manufactures and Commerce that the bill now being introduced by said Committee in reference to the liquor traffic in the State of Utah, be passed in its present form.

I have considered the bill carefully and find it to be a meritorious measure, still it contains certain features inconsistent with my views which prevent me from joining with the majority of your committee. I am in favor of stringent regulations, but a more modified form of local option, and, therefore, cannot concur with the measures recommended by the majority of your Committee.

RUDOLPH KUCHLER,
Chairman.

S. B. No. 148 was read the first time, and on motion of Mr. Benner X. Smith, was referred to the Committee on Manufactures and Commerce.

Mr. Benner X. Smith withdrew his notice of motion to reconsider the vote on H. B. No. 51.

Mr. Benner X. Smith moved that when the Senate adjourns it do so until Tuesday, Feb. 23rd, at 2 p. m. Carried.

On motion of Mr. Stookey, the Senate adjourned until Tuesday at 2 p. m.

FORTY-FOURTH DAY.

Senate Chamber,
Salt Lake City, Utah, Feb. 23rd, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, February 23rd, 1909.

To the Senate:

I have approved, and this day filed with the Secretary of State, Senate Bill No. 17, by Mr. Benner X. Smith, entitled, "An Act to provide for the furnishing of the offices of the Governor and Secretary of State, and making appropriation therefor."

Very respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Highways and Bridges, to whom was referred S. B. No. 122, by Mr. Brinkerhoff, entitled, "An Act making appropriations for building bridges over the Green River, in Emery and Uintah Counties, and the San Juan River, in San Juan County," beg leave to report that they have had the same under consideration, and recommend the following amendment thereto:

1. On page 1, line 12, after the figures "($3,000.00)" add the words "or so much thereof as may be necessary".

With this amendment, we recommend that the bill be passed.

ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and S. B. No. 122 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 21, by Mr. Benner X. Smith, entitled, "An Act to punish life convicts for committing assaults upon others by means of force or otherwise," beg leave to report that they have had the same engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 21 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.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 122, by Mr. Fuller, entitled, "An Act amending Section 1369, Compiled Laws of Utah, 1907, relating to the levying of tax for the establishment and maintenance of a free public library and gymnasium in cities of the third class and towns," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 122 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Education, to whom was referred H. J. R. No. 2, by Mr. Cannon, relating to the application made by the Regents of the University of Utah to the Trustees of the Carnegie Foundation for the Advancement of Teaching, etc., beg leave to re-

port that they have had the same under consideration, and recommend that the resolution be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. J. R. No. 2 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 151.—By Mr. Hulaniski.

A Bill for an Act relating to warehouse receipts, being an act to enact a law uniform with the laws of certain other States on that subject, and repealing Section 1403, Compiled Laws of Utah, 1907, and all acts or parts of acts inconsistent herewith.

S. B. No. 151 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 152.—By Mr. Burton.

A Bill for an Act enacting a new section of the Compiled Laws of Utah, 1907, to be known as Section 1665x83, relating to and fixing the time within which a bank shall be liable to a depositor for the payment of a forged or raised check.

S. B. No. 152 was read the first time, and referred to the Committee on Banks and Banking.

Senate Bill No. 153.—By Mr. Benner X. Smith.

A Bill for an Act relating to the sale of goods, being an act to enact a law uniform with the laws of certain other States on that subject, and repealing Sections 2469, 2470, and 2473, Compiled Laws of Utah, 1907, and all acts or parts of acts inconsistent herewith.

S. B. No. 153 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 154.—By Mr. Bullen.

A Bill for an Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to High Schools.

S. B. No. 154 was read the first time, and referred to the Committee on Education.

Senate Bill No. 155.—By Mr. Marks (by request).

A Bill for an Act to amend Section 1241x, Compiled Laws of Utah, 1907, relating to the maximum rate of interest on money.

S. B. No. 155 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 156.—By Mr. Hyde.

A Bill for an Act to prohibit the bringing into this State of certain cattle, except they are free from tuberculosis, and requiring all dairy cattle within the State to be subjected to the tuberculin test.

S. B. No. 156 was read the first time, and referred to the Committee on Public Health.

Senate Bill No. 157.—By Mr. Hyde.

A Bill for an Act requiring every person to procure a license before engaging in the dairy business; defining and regulating such business; fees and license therefor, and by whom issued; and providing a penalty for a violation of any provision of this act.

S. B. No. 157 was read the first time, and referred to the Committee on Public Health.

Mr. Burton moved a reconsideration of the vote by which the committee report rejecting H. B. No. 37 was adopted. The motion was lost.

Mr. Williams moved that when the Senate adjourns, it do so to meet tomorrow at 2:30 p. m. Carried.

On motion of Mr. Badger, the Senate adjourned.

FORTY-FIFTH DAY.

Senate Chamber,
Salt Lake City, Utah, February 24th, 1909.

The Senate met at 2:30 p. m., pursuant to adjournment, President Gardner presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-fourth day's session were read and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 32, by Mr. Russell, "An Act to amend Section 1708, Compiled Laws of Utah, 1907, relating to pawnbrokers and second-hand dealers."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
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, Utah, February 23rd, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 21, by Mr. Benner X. Smith, "An Act to punish life convicts for committing assaults upon others by means of force or otherwise."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 21 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected, by report of committee, S. B. No. 50, by Mr. Hulaniski, "An Act to amend Section 3414, Compiled Laws of Utah, 1907, relating to privileged communications, and the rights of witnesses," said action being taken for the reason that a bill covering the same subject has already passed the House.

The bill is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected, by Committee report, S. B. No. 49, by Mr. Hulaniski, "An Act to amend Section 5014, Compiled Laws of Utah, 1907, relating to competency of husband or wife to testify in certain cases," the action being taken for the reason that H. B. No. 84, pertaining to the same subject, has already passed the House.

The bill is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 25, by Mr. Badger, entitled, "An Act providing for the licensing and regulation of employment offices; requiring employment agents to give bond; prohibiting the sending of female help to any place of bad repute; requiring bona fide orders for help; regulating the charges of employment offices; requiring the keeping of registers; requiring the furnishing of copies of terms of employment; prohibiting dividing fees with certain persons; punishing violations of this act; regulating actions for violations; prohibiting the conducting of an employment office in any place where intoxicating liquors are sold; excepting religious and charitable associations; and requiring the posting of certain sections of this act in employment offices."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Badger, the Senate concurred in the amendments by the House.

S. B. No. 25, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Stookey, Williams, Mr. President.

Those absent and not voting were: Messrs. Benner X. Smith, John Y. Smith, Wilson.

S. B. No. 25 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 18, by Mr. Archibald, "An Act relating to the protection of employees and for preventing superintendents, foremen, assistants, bosses, or any other person from receiving or soliciting money."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 18 was read the first time, and referred to the Committee on Labor.

House of Representatives,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 98, by Committee on State Mental Hospital, "An Act amending Section 2154, Compiled Laws of Utah, 1907, relating to the State Mental Hospital, permitting the State to care for the feeble-minded and non-insane epileptics, and providing for admission thereof."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 98 was read the first time, and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, Utah, February 23rd, 1909.

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

passed, as amended, H. J. M. No. 3, by Mr. Morris, "Resolution memorializing Congress to grant to the State of Utah for the benefit of Indian War Veterans of Utah one million acres of land."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. M. No. 3 was read the first time, and referred to the Committee on Federal Relations.

House of Representatives,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 22, by Mr. Badger, entitled, "An Act to amend Section 825, Compiled Laws of Utah, 1907, relating to nominations.

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Badger, the Senate concurred in the amendments by the House.

S. B. No. 22, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 18; nays, none.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

S. B. No. 22 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 24, by Mr. Badger, entitled, "An Act to amend Section 833, Compiled Laws of Utah, 1907, relating to nominations."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Badger, the Senate concurred in the amendments by the House.

S. B. No. 24, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 18; nays, none.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

S. B. No. 24 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 23, by Mr. Badger, entitled, "An Act to amend Section 822, Compiled Laws of Utah, 1907, relating to nominations."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk

Communication filed.

S. B. No. 23 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 142, by Mr. E. C. Ashton, "An Act authorizing County Commissioners of certain counties and City Councils of certain cities, to appropriate moneys for the purpose of aiding in the entertainment of members of the Grand Army of the Republic at its annual encampment for the year 1909."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 142 was read the first time, and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 60, by Mr. Henrie (by request), "An Act relating to the use of convicts and prisoners on the county highways, and regulating compensation for services rendered."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 60 was read the first time, and referred to the Committee on Highways and Bridges.

COMMUNICATION FROM THE SECRETARY OF STATE.

Office of the Secretary of State,
Salt Lake City, Utah, February 24th, 1909.

To the Senate:

I have the honor to inform your honorable body that, under instructions contained in Senate Joint Memorial No. 1, I forwarded copy of said Memorial to the President of the United States, to the President of the Senate, to the Speaker of the House of Representatives, and also to Senators Smoot and Sutherland, and to Congressman Howell, and I herewith hand you acknowledgments from all of those officials.

Very truly yours,
C. S. TINGEY,
Secretary of State.

The White House,
Washington, D. C., February 17th, 1909.

My Dear Sir: Your letter of the 13th instant, and enclosed copy of Senate Joint Memorial No. 1, have been received and will be called to the attention of the President.

Very truly yours,
WM. LOEB JR.,
Secretary to the President.

Hon. C. S. Tingey,
Secretary of State,
Salt Lake City, Utah.

The Vice-President's Chamber,
Washington, D. C., February 18th, 1909.

Sir: I am directed by the Vice-President to acknowledge the receipt of your communication of the 13th instant, transmitting copy of Senate Joint Memorial No. 1

of the Utah State Legislature, and to say that the same has been brought to the attention of the Senate.

Very respectfully,

RUSSELL KING,
Asst. Secretary.

Hon. Charles S. Tingey,
Secretary of State,
Salt Lake City, Utah.

Speaker's Room, House of Representatives,
Washington, D. C., February 18th, 1909.

Dear Sir: I am directed by the Speaker to acknowledge the receipt of your communication of the 13th instant, transmitting a copy of Senate Joint Memorial No. 1, of the Legislature of Utah. The memorial has been laid before the House of Representatives and referred to the appropriate committee.

Very sincerely yours,

L. W. BUSHEY,
Secretary to the Speaker.

The Secretary of State of Utah,
Salt Lake City, Utah.

United States Senate,
Washington, D. C., February 17th, 1909.

Hon. C. S. Tingey,
Secretary of State,
Salt Lake City, Utah.

Dear Friend: I wish to acknowledge the receipt of your letter of February 13th, 1909, enclosing a copy of Senate Joint Memorial No. 1, asking an appropriation of three million acres of arid land for building a State capitol and for the improvement of public roads in the State of Utah.

Tomorrow morning I shall present this memorial to the Senate, and ask that it be printed in the Record.

Of course, you realize that it will be impossible for the memorial to receive consideration at this session of

Congress. I will be frank in stating that the sentiment of the Public Lands Committee of the Senate is decidedly adverse to granting public lands to States for any purpose. I think there are at least a dozen bills, providing for the appropriation of public lands to various States, now before Congress, and it has been agreed that such bills shall not receive favorable action. I shall do all I can at the next session of Congress to secure the grant of land covered by this memorial.

With very best wishes, I remain,

Yours very truly,

REED SMOOT.

United States Senate,

Washington, D. C., February 19th, 1909.

Hon. Chas. S. Tingey,
Secretary of State,
Salt Lake City, Utah.

My Dear Sir: I am in receipt of your letter, enclosing copy of Senate Joint Memorial No. 1, asking an appropriation of three million acres of arid land for building a State capitol and the improvement of public roads in the State. I presented the petition to the Senate yesterday, and it was referred to the Committee on Public Lands. I am bound to say to you, however, that I have no hope whatever of our obtaining legislation as asked for by the memorial. A large number of applications for similar donations of land for various purposes from other States are now pending before the committee, and the general opinion seems to be that none of them should be granted. However, we will do whatever is possible to carry out the desires of the Legislature, with which the delegation is in entire sympathy.

Yours very truly,

GEO. SUTHERLAND.

House of Representatives, U. S.,
Washington, D. C., February 19th, 1909.

Hon. C. S. Tingey,
Secretary of State,
Salt Lake City, Utah.

Dear Sir: I have the honor to acknowledge the receipt of Senate Joint Memorial No. 1, asking an appropriation of 3,000,000 acres of arid land for the "Building of a State capitol and the improvement of public roads of the State of Utah."

It will afford me pleasure to present the same to the House of Representatives with a view to securing said grant.

Yours very truly,
JOSEPH HOWELL.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 110, by Mr. Williams, entitled, "An Act amending Section 286, Compiled Laws of Utah, 1907, relating to the duties of the Board of Public Works and City Engineer in cities of the first class," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 105, by Mr. Badger, entitled, "An Act amending Section 282x7, and repealing Section 282x8, of Chapter 16, Com-

piled Laws of Utah, 1907, relating to special tax funds in cities," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 105 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 112, by Mr. Williams, entitled, "An Act providing for the inspection and superintendence of public improvements in cities of the first class," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 103, by Mr. Badger, entitled, "An Act authorizing County Commissioners of certain counties, and city Councils of certain cities, to appropriate moneys for the purpose of aiding in the entertainment of members of the Grand Army of the Republic at its annual encampment for the year 1909," beg leave to report that they have had the same under consideration, and recommend that the same be passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 103 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 94, by Mr. Badger, entitled, "An Act to amend Section 206, Compiled Laws of Utah, 1907, relating to the powers of City Councils," beg leave to report that they have had the same under consideration, and recommend that the same be passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 94 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 97, by Mr. Hulaniski, 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 titles 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-judgments-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," beg leave to report that they have had the same under consideration, and recommend that the same be passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 97 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 111, by Mr. Williams, entitled, "An Act providing that contracts for public improvements shall not be let in excess of ten per cent. above the City Engineer's estimate, and providing for their construction," beg leave to report that they have had the same under consideration. and recommend that the bill be not passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 107, by Mr. Badger, entitled, "An Act amending Sections 256, 257, 258, 259, 260, 261, and 277, and repealing Section 272, of Chapter 14, Compiled Laws of Utah, 1907, relating to special taxes," beg leave to report that they have had the same under consideration, and recommend that the same be passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 107 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Joint Committee on Judiciary, and Manufactures and Commerce, to whom was referred S. B. No. 56, by Mr. Gardner, entitled, "An Act to

amend Title 39, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend that the same be not passed.

BENNER X. SMITH,
Chairman Committee on Judiciary.
RUDOLPH KUCHLER,
Chairman Committee on Manuf. and Com.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: The majority of your Committee on Private Corporations and Insurance, to whom was referred H. B. No. 2, by Mr. Baker, entitled, "An Act authorizing foreign corporations complying with the laws of Utah to exercise the power of eminent domain, the same as domestic corporations," beg leave to report that they have had the same under consideration, and recommend that the same be passed.

Respectfully,
BENNER X. SMITH,
E. T. HULANISKI,
W. N. WILLIAMS,
W. C. HORSLEY,

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: The minority of your Committee on Private Corporations and Insurance, to whom was referred H. B. No. 2, by Mr. Baker, entitled, "An Act authorizing foreign corporations complying with the laws of Utah to exercise the power of eminent domain, the same as domestic corporations," beg leave to report that they have had the same under consideration, and recommend that the same be not passed.

Respectfully,
CHRIS. BURTON JR.,
Chairman.

The majority report of the Committee was adopted, and H. B. No. 2 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 27, by Mr. Thompson, entitled, "An Act providing for the establishment of an engineering experiment station in connection with the State School of Mines; providing for its organization and control; defining its duties and powers; and making an appropriation therefor," beg leave to report that they have had the same under consideration, and offer the following amendment thereto:

1. Line 9, page 2, strike out the word "Two" and the numeral "2" and insert the word "one" and the numeral "1".

With this amendment, we recommend that the bill be passed.

Respectfully,

H. BULLEN JR.,

Chairman.

The report of the Committee was adopted, and H. B. No. 27 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Mines and Minerals, to whom was referred S. B. No. 36, by Mr. Wilson, entitled, "An Act to amend Section 1540x1, of the Compiled Laws of Utah, 1907, providing that mining shafts be provided with safety cages," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. In line 1 of the title, strike out the words "of the".

2. On page 1, line 1, strike out the words "of the"

3. On page 1, line 2, after "1907" add the words "be, and the same".

4. On page 1, line 16, strike out the word "sheet".

5. On page 1, line 17, after the word "steel" add the words "gates made of material", and strike out "eighth" and add "quarter".

6. On page 1, line 18, strike out the words "doors to be made of the same material", and add the word "and".

7. On page 1, line 19, after the word "slide" add "or fold".

8. On page 1, line 20, strike out the word "door" and add "gates".

9. On page 1, line 23, strike out the word "doors" and add "gates".

With these amendments, we recommend the bill be passed.

Respectfully,

MILLER,

Chairman.

The report of the Committee was adopted, and S. B. No. 36 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Banks and Banking, to whom was referred S. B. No. 70, by Mr. Bullen, entitled, "An Act to punish derogatory statements affecting banks, banking institutions, or trust companies," beg leave to report that they have had the same under consideration, and recommend that the same be passed.

Respectfully,

JOHN Y. SMITH,

Chairman.

The report of the Committee was adopted, and S. B. No. 70 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 135, by Mr. Williams, entitled, "An Act regulating the sale for human food of slaughtering poultry game birds, and animals, and fish, and providing a penalty for the violations of the provisions of this act," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. In line 2 of the title, strike out "ing" in the word "slaughtering" and add "ed"; place a "comma" after the word "poultry"; and strike out the word "and".

2. In line 1, strike out the word "persons" and add "association".

3. In line 2, after the word "sale" add "receive".

4. In line 3, after the word "sell" add "or ship".

With these amendments, we recommend the bill be passed.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 135 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Military Affairs, to whom was referred H. B. No. 45, by Mr. Claude Y. Russell, entitled, "An Act prohibiting the carrying of concealed weapons," beg leave to report that they have had the same under consideration, and recommend the following amendment:

1. In line 1, after the word "person" insert "except a peace officer".

With this amendment, we recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 45 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Military Affairs, to whom was referred S. B. No. 87, by Mr. Williams, entitled, "An Act providing for the enrollment and organization of the militia of the State; providing for the staff of the Commander-in-Chief, and the organization, equipment, discipline, duties, pay, and government of the National Guard of Utah, and providing penalties for unlawful interference with the members thereof while on duty; and providing for military courts and the jurisdiction thereof; and for the care and custody of Government and State military property; and providing penalties for the unlawful use and disposition of the same; and repealing Sections 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1494x3, 1494x4, 1494x5, of Title 48, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend the following amendments:

Page 9, line 28, after "hundred" insert "enlisted".

Page 12, line 4, strike out "from" and insert "for".

Page 20, line 18, add "s" to "order", so as to read "orders".

Page 22, line 34, strike out "by" and insert "to".

Page 23, line 26, insert "have" at beginning of line.

Page 28, line 10, after "duty" insert "shall be guilty of a misdemeanor and".

And, as amended, recommend its passage.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 87 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 23rd, 1909.

Mr. President: Your Committee on Military Affairs, to whom was referred S. B. No. 79, by Mr. Williams, entitled, "An Act creating a State Armory Board and constituting it a body corporate, under the name of "State Armory Board;" defining its powers and duties; making certain appropriations for its use; authorizing it to erect a State arsenal and armory in Salt Lake City, Salt Lake County; and to exercise the right of eminent domain; and authorizing the State Board of Land Commissioners to loan said Armory Board funds for said purpose; and repealing Sections 1494x, 1494x1, and 1494x2, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

Page 2, line 34, strike out "for" and substitute "from".

Page 3, line 7, strike out "they are" and substitute "it is".

Page 3, line 29, insert "and" after "first".

And, as amended, recommend that the bill be passed.

Respectfully,

BENNER X. SMITH,

Chairman.

The report of the Committee was adopted, and S. B. No. 79 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 158.—By Mr. Seely.

A Bill for an Act to provide for a Utah State Conservation Commission, and prescribing the powers and duties of such commission; and appropriating the sum of $3,000.00 per annum to be expended by said commission for certain purposes.

S. B. No. 158 was read the first time, and referred to the Committee on Public Lands.

Senate Bill No. 159.—By Mr. Benner X. Smith (by request).

A Bill for an Act to create the office of Utah Commissioner of Boats and Pilots; to provide for licensing of pilots; defining the duties of said Commissioner of Boats and Pilots; and to provide penalties for the violation of this act.

S. B. No. 159 was read the first time, and referred to the Committee on Manufactures and Commerce.

BILL MADE SPECIAL ORDER.

On motion of Mr. Williams, S. B. No. 122 was made the special order for Friday, February 26th, at 2:30 p. m.

SPECIAL ORDER.

Senate Joint Resolution No. 2, by Mr. Miller, entitled, "A Joint Resolution proposing an amendment to Section 7, of Article XIII, of the Constitution of the State of Utah, relating to the rate of taxation," was read the third

time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 15; nays, 1; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Voting in the negative: Mr. Hyde.

Absent and not voting: Messrs. Badger and Benner X. Smith.

THIRD READING OF BILLS.

House Bill No. 122, by Mr. Fuller, entitled, "An Act amending Section 1369, Compiled Laws of Utah, 1907, relating to the levying of tax for the establishment and maintenance of a free public library and gymnasium in cities of the third class and towns," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 15; nays, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Brinkerhoff, Miller, Seely.

House Joint Resolution No. 2, by Mr. Cannon, relating to the application made by the Regents of the University of Utah to the Trustees of the Carnegie Foundation for the Advancement of Teaching, etc., was read the third time and placed on its final passage, and passed by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde,

Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. Presilent.

Absent and not voting: Mr. Benner X. Smith.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, February 24th, 1909.

To the Senate:

I have to request that your honorable body advise me as to a convenient time for a joint session of the Senate and House of Representatives, to be held for the purpose of receiving a special message from the Governor.

Very respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

PRESENTATION OF RESOLUTION.

Senate Concurrent Resolution No. 4.—By Mr. Marks.

Whereas, His Excellency, the Governor, has transmitted to the Senate a communication requesting that both branches of the Legislature meet in joint session to receive a special message;

Therefore, be it resolved by the Senate, the House of Representatives concurring, that the Senate and House of Representatives meet in joint session in the House of Representatives, on Thursday, February 25th, at 1:30 p. m., to receive such special message as His Excellency, the Governor, desires to communicate.

On motion of Mr. Marks, the rules were suspended, and S. C. R. No. 2 was read the first, second, and third times, and placed on its final passage, and passed by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde,

Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Benner X. Smith.

COMMUNICATION.

Logan, Utah, February 20th, 1909.

The President of the Senate,
Salt Lake City, Utah.

Sir: The sixteenth annual military ball of the cadets of the Utah Agricultural College will be given Monday evening, March 1st.

The cadets have requested me to extend to you, and through you to the Senate, an invitation to be present. We hope that many may find it convenient to attend.

Respectfully,
H. R. PERRY,
Commandant.

The invitation was referred to the Committee on Railroads.

Mr. Benner X. Smith moved that when the Senate adjourns it do so until tomorrow at 1:30 p. m. Carried.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, under suspension of the rules, S. C. R. No. 2, by Mr. Marks, "Requesting a joint session of the Legislature on Thursday, February 25th, at 1:30 o'clock p. m."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Marks, the Senate adjourned to meet in joint session with the House tomorrow at 1:30 p. m.

FORTY-SIXTH DAY.

JOINT ASSEMBLY.

House of Representatives,
Salt Lake City, Utah, February 25th, 1909.

The Senate met in joint assembly with the House of Representatives, at 1:30 p. m., President Gardner of the Senate presiding.

Roll-call; quorum of both houses present.

Prayer by the Chaplain of the House.

Mr. Bullen moved that a committee of three be appointed to wait on the Governor and inform him that the joint assembly is ready to hear any message he may wish to present. Carried.

Senator Bullen and Representatives King and Nelson were appointed.

At 1:40 the Governor arrived and immediately proceeded to read his message to the joint assembly, as follows:

State of Utah, Executive Office,
Salt Lake City, February 25th, 1909.

To the Senate and House of Representatives:

I have asked for a joint session of the Senate and House of Representatives at this time for the purpose of bringing to your attention, by special message, a matter of very great importance to the present needs of the State, and a consideration of even greater importance to the future welfare of the State.

There is no act that will more signally characterize the Eighth Legislative Assembly than the passage of such measures as will insure the commencement of actual work on a State capitol building. Overlooking this beautiful valley is a point of ground that commands one of the most imposing positions to be found in any locality in this broad land. The State of Utah owns this site. It is known as the capitol grounds. Enclosed in a substantial iron fence is a twenty-acre plot, which has been graded and improved and beautified with trees, and shrubbery, and lawn, and flowers. Each recurring Arbor Day has witnessed the ceremony of the planting of trees by State officers on the capitol grounds. The trees are growing, and the years are slipping by, and the question presents itself: "Is it opportune for the State to make provision for an early occupancy of this magnificent site with a capitol building of dignity and comfort for the housing of our Legislative, our Executive, and our Judicial branches of government?"

It is an indisputable fact that there exists a crying need for ample quarters for the officers of State government; business expedition demands a centralization of these co-ordinate branches, and business foresight dictates a most emphatic need of such provision.

Aside from this, our State has reached a position of dignity among her sisters, and in the maintenance of that dignity it is eminently proper that she have a State capitol. Our immediate sister States, not more richly favored than Utah, have made a start in this direction, and many of these are now possessed of capitol buildings which are comfortable, commodious, and dignified monuments to the States for which they stand.

In my first message to the Legislature I suggested that this matter would be looked into thoroughly, and plans for the consummation of the purpose submitted at a later day. I am pleased to report at this time that the matter has been reviewed, with thoroughness, by representative citizens of the State, and that every phase of the question has been given careful and earnest consideration. The result of this inquiry and investigation has convinced me, beyond the possibility of doubt, that the time has arrived when the Legislature should make a

move in this direction. And I appear before you to call your attention to a plan which has been devised for giving to the State of Utah a State capitol building.

In arriving at this plan, the thought uppermost in the minds of all has been to accomplish the end without burdening the people of the State, and to throw about the work and its accomplishment all the safeguards that wise and conservative business judgment would dictate. In other words, we want as paramount considerations in carrying out the plan, quality, durability, adequacy, and economy of construction.

Four bills will be introduced, looking to the accomplishment of this purpose, and it is to these measures that I desire to call your particular attention.

First: An act creating a permanent State Capitol Commission, a commission to be composed of seven members, including the Governor, the Secretary of State, and the Attorney General. This commission is to be clothed with full power and authority to cause suitable design, together with plans and specifications therefor, to be prepared for the erection of a State capitol building for Salt Lake City. The commission is required to exercise care to provide by such design for the distant future requirements of the State, and to also provide that parts of the complete design may be from time to time constructed as the necessities of the State may require, due regard being observed for the architectural appearance of the building at all times. Upon the completion and approval of the design, plans, and specifications for the capitol building, the commission is authorized to proceed with the erection of such portion of the complete design of the building as shall be practicable and sufficient to accommodate the present and comparatively near future needs of the State. and for that purpose are authorized to make expenditures therefor. The Act further makes available the public lands funds for the purpose of carrying on the work. The commission is required to report biennially to the Legislature.

Second: An act providing for the issue and disposal of State bonds to the amount of $200,000, and the converting of that money into the fund for the capitol building, and granting authority to the State Board of Loan Com-

missioners to make this loan and turn it over to the Capitol Commission Fund.

Third: An act providing for the refunding of the bonds of the Territory of Utah, of the issue of July 2, 1892, and the disposal of the funds received by law for the redemption thereof.

Fourth: An act providing for a special election for the purpose of submitting to the people the question of increasing the rate of taxation one mill on each dollar valuation of all taxable property within the State over and above the rate of taxation otherwise fixed or limited for all other purposes, for a period of twenty years, from and including 1909, for the purpose of constructing and furnishing the State capitol building. This in accordance with constitutional provisions. This act calls for an election to be held in June of this year. The bill further provides that the expenses of this election are to be met from this fund.

From this you will observe that a practical plan is to be submitted for your consideration, the carrying out of which will add but small burden to the people of our State.

I most earnestly ask your careful and favorable consideration of this matter, and respectfully recommend the passage of these measures, that the State of Utah may make an immediate start toward the supplying of this imperative need.

Respectfully,

WILLIAM SPRY,

Governor.

On motion of Representative Eardley, a vote of thanks was tendered to the Governor for his special message, which was ordered spread on the journal of each house, and a thousand copies ordered printed for distribution.

At 2 p. m., on motion of Senator Williams, the joint assembly dissolved.

SENATE SESSION.

Senate Chamber,
Salt Lake City, Utah, February 25th, 1909.

The Senate met at 2:10 p. m., President Gardner presiding.

Roll-call; quorum present.

Prayer by Mr. W. R. Thompson.

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

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: Your Committee on Railroads, to whom was referred the invitation of the cadets of the Agricultural College, inviting the Senators to be present at a military ball to be given on the evening of Monday, March 1st, 1909, by the cadets at the Agricultural College, beg leave to report that they have carefully considered the same, and owing to the stress of work incident to the drawing to the close of the labors of the Senate, regret that they find it impossible to accept the invitation.

Respectfully,
CARL A. BADGER,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Salaries, to whom was referred S. B. No. 95, by Mr. Kuchler, entitled, "An Act amending Chapter 86, of the Laws of Utah, 1903, being also Section 2050x1, of the Compiled Laws of Utah, 1907, relating to and fixing the salaries of Judges of the District Court, and allowing to such Judges their actual

and necessary traveling and other expenses to and from the place of their residence when holding court in other counties,'' beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. In the title, strike out ''Chapter 86, of the Laws of Utah, 1903, being also'' and ''of the''.

2. In line 1, strike out ''Chapter 86 of the'' and insert ''Section 2050x1, Compiled''.

3. In line 2, strike out the numeral ''3'' and insert ''7''.

With these amendments, we recommend the bill be passed.

Respectfully,

RUDOLPH KUCHLER,

Chairman.

The report of the Committee was adopted, and S. B. No. 95 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Salaries, to whom was referred H. B. No. 123, by Mr. Baker, entitled ''An Act amending Section 2050, Compiled Laws of Utah, 1907, and fixing the salary of the Clerk of the Supreme Court, the reporter of the decisions of the Supreme Court, the Adjutant General, the Assistant Adjutant General, and the State Bank Examiner,'' beg leave to report that they have had the same under consideration, and recommend the bill be passed.

Respectfully,

RUDOLPH KUCHLER,

Chairman.

The report of the Committee was adopted, and H. B. No. 123 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 85, substitute for H. B. No. 41, by Committee on Mining and Smelting, entitled, "An Act amending Section 3588, Compiled Laws of Utah, 1907, in relation to the exercise of the right of eminent domain, by adding thereto a new subdivision, to be known as Subdivision 13," beg leave to report that they have had the same under consideration, and recommend that the same be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 85 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 24, by Mr. Badger, entitled, "An Act to amend Section 833, Compiled Laws of Utah, 1907, relating to nominations," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 24 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.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 22, by Mr. Badger, entitled, "An Act to amend Section 825, Com-

piled Laws of Utah, 1907, relating to nominations,'' beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 22 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.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 23, by Mr. Badger, entitled, ''An Act to amend Section 822, Compiled Laws of Utah, 1907, relating to nominations,'' beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 23 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.

Senate Committee Room;
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Public Institutions, to whom was referred S. B. No. 92, by Mr. Stookey, entitled, ''An Act providing for archaeological and historical exploration and investigation in connection with the University of Utah, and making an appropriation therefor,'' beg leave to report that they have had the same under consideration, and recommend the bill be passed.

Respectfully,
ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and S. B. No. 92 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Live Stock, to whom was referred S. B. No. 140, by Mr. Brinkerhoff, entitled, "An Act repealing Sections 2063x5, 2063x6, 2063x7, 2063x8, 2063x9, 2063x10, 2063x11, 2063x12, 2063x13, 2063x14, 2063x15, 2063x16, 2063x17, Compiled Laws of Utah, 1907, terminating the term of office of the present State Board of Sheep Commissioners," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
JOHN H. SEELY,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 142, by Mr. E. C. Ashton, entitled, "An Act authorizing County Commissioners of certain counties, and City Councils of certain cities, to appropriate moneys for the purpose of aiding in the entertainment of members of the Grand Army of the Republic at its annual encampment for the year 1909," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and H. B. No. 142 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Railroads, to

whom was referred S. B. No. 109, by Mr. Hulaniski, entitled, "An Act providing punishment for the removal, stealing, or in any manner interfering with journal bearings, brasses, or railroad cars, and for buying or receiving such stolen property, knowing that the same had been stolen," beg leave to report that they have carefully considered the same, and recommend that the bill be passed with the following amendments:

Strike out on page one, in lines 8, 9, 10, and 11, the comma preceding and also the following words: "and upon conviction thereof shall be subject to punishment by imprisonment in the penitentiary not less than one nor more than five years, in the discretion of the court".

Strike out on page 2, lines 1, 2, and 3, the comma preceding, and also the following words: "and upon conviction thereof shall be subject to the punishment provided in said Section 1".

Insert a period after the word "felony" in line 1, page 2.

Strike out Section 3 on page 2.

Respectfully,
CARL A. BADGER,
Chairman.

The report of the Committee was adopted, and S. B. No. 109 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 75, by Mr. Benner X. Smith, entitled, "An Act to amend Section 686x17, Compiled Laws of Utah, 1907, relating to and providing for appeals from City Courts to District Courts, and from District Courts to the Supreme Court in certain cases," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 75 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: Your Committee on Education, to whom was referred S. B. No. 115, by Mr. Miller, entitled, "An Act levying a State tax for High School purposes, and providing the manner of apportioning the same," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 115 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 160.—By Mr. Marks.

A Bill for an Act creating a State Board, to be known as the Capitol Commission; fixing the manner of appointment and the compensation of the members thereof; prescribing their powers and duties; and authorizing the erection of a State capitol.

S. B. No. 160 was read the first time, and referred to the Committee on Capitol and Capitol Grounds.

Senate Bill No. 161.—By Mr. Marks.

A Bill for an Act providing for the issue and disposal of State bonds, and the appropriation of the proceeds of the sale thereof for the purpose of the erection of a State capitol.

S. B. No. 161 was read the first time, and referred to the Committee on Capitol and Capitol Grounds.

Senate Bill No. 162.—By Mr. Marks.

A Bill for an Act providing for the refunding of the bonds of the Territory of Utah, of the issue of July second, eighteen hundred and ninety-two, and the disposal of the funds provided by law for the redemption thereof.

S. B. No. 162 was read the first time, and referred to the Committee on Capitol and Capitol Grounds.

Senate Bill No. 163.—By Mr. Marks.

A Bill for an Act providing for an election, submitting to the qualified electors of the State a proposition to levy a one-mill tax in excess of the rate of taxation otherwise fixed or limited for all other purposes for twenty years, to raise funds to construct and furnish a State capitol for the State of Utah.

S. B. No. 163 was read the first time, and referred to the Committee on Capitol and Capitol Grounds.

Senate Bill No. 164.—By Mr. Burton (by request).

A Bill for an Act providing that all streams or bodies of water in this State be declared navigable and public highways for the purpose of hunting and fishing.

S. B. No. 164 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 165.—By Mr. Badger (by request).

A Bill for an Act prohibiting trespassers upon the tracks and rights-of-way of railroads, and providing penalties for the violation thereof.

S. B. No. 165 was read the first time, and referred to the Committee on Railroads.

Senate Bill No. 166.—By Mr. Williams.

A Bill for an Act to amend Sections 2098x1, 2098x2, 2098x16, and 2098x17, Compiled Laws of Utah, 1907, in relation to the Utah Art Institute and annual prizes to be paid for paintings, and making an appropriation therefor.

S. B. No. 166 was read the first time, and referred to the Committee on Appropriations and Claims.

Senate Bill No. 167.—By Mr. Sevy (by request).

A Bill for an Act repealing Sections 4487x22 and 4487x23, of the Compiled Laws of Utah, 1907.

S. B. No. 167 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 168.—By Mr. Sevy (by request).

A Bill for an Act amending Section 3669, Compiled Laws of Utah, 1907, relating to change of venue in Justice's Courts.

S. B. No. 168 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 169.—By Mr. Sevy (by request).

A Bill for an Act amending Section 3685, Compiled Laws of Utah, 1907, relating to pleadings in Justice's Courts.

S. B. No. 169 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 170.—By Mr. Sevy (by request).

A Bill for an Act amending Section 3272, Chapter 42, of the Compiled Laws of Utah, 1907, relating to proceedings supplementary to execution.

S. B. No. 170 was read the first time, and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE.

Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 154, by Mr. Russell, "An

Act to amend Section 2723, Compiled Laws of Utah, 1907, relating to the use of trade-marks."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 154 was read the first time, and referred to the Committee on Labor.

House of Representatives,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. J. R. No. 6, by Mr. Davis, "A Joint Resolution proposing an amendment to Section 4, of Article 14, of the Constitution of the State of Utah, in relation to the limit of indebtedness of counties, cities, towns, and school districts."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. R. No. 6 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 73, by Mr. Hulaniski, "An Act making an appropriation of thirty-five thousand dollars ($35,000) for the reception and entertainment of the Grand Army of the Republic at its forty-third national encampment, and providing for a commission to expend the money appropriated for the said purpose."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 73 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, February 24th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 51, by Mr. Thompson, "An Act providing for the holding of farmers' and domestic science institutes and schools in the counties of the State, and repealing Sections 2095, 2096, 2097, and 2098, Compiled Laws of Utah, 1907."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 51 was read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State, H. B. No. 32, by Mr. Russell, "An Act to amend Section 1708, Compiled Laws of Utah, 1907, relating to pawnbrokers and second-hand dealers."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. J. R. No. 2, by Mr. Cannon, "Resolution relating to the application made by the Regents of the University of Utah to the Trustees of the Carnegie Foundation for the Advancement of Teaching."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. R. No. 2 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, February 24th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State, Senate Bill No. 21, by Mr. Benner X. Smith, entitled, "An Act to punish life convicts for committing assaults upon others by means of force or otherwise."

Respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

THIRD READING OF BILLS.

Senate Bill No. 105, by Mr. Badger, entitled, "An Act amending Section 282x7, and repealing Section 282x8, Compiled Laws of Utah, 1907, relating to special tax funds in cities," was read the third time, and placed on

its final passage, and passed, as amended in title and body, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Benner X. Smith, Stookey.

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

Senate Bill No. 107, by Mr. Badger, entitled, "An Act amending Sections 256, 257, 258, 259, 260, 261, and 277, and repealing Section 272, Compiled Laws of Utah, 1907, relating to special taxes," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 16; nays, 1; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Wilson, Mr. President.

Voting in the negative: Mr. Williams.

Absent and not voting: Mr. Miller.

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

Senate Bill No. 79, by Mr. Williams, entitled, "An Act creating a State Armory Board and constituting it a body corporate, under the name of 'State Armory Board;' defining its powers and duties; making certain appropriations for its use; authorizing it to erect a State arsenal and armory in Salt Lake City, Salt Lake County, and to exercise the right of eminent domain; and authorizing the State Board of Land Commissioners to loan said Armory Board funds for said purpose; and repealing Sections 1494x, 1494x1, and 1494x2, Compiled Laws of Utah, 1907," was read the third time, and placed on its

final passage, and passed, as amended, by the following vote: Ayes, 18; nays, none.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

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

On motion of Mr. Badger, S. B. No. 103 was placed at the foot of the calendar.

BILL REFERRED.

On motion of Mr. Badger, S. B. No. 94 was recommitted to the Committee on County and Municipal Corporations.

BILL MADE SPECIAL ORDER.

On motion of Mr. Hulaniski, S. B. No. 97 was made the special order for tomorrow at 3 p. m.

MISCELLANEOUS BUSINESS.

President E. T. Jeffery, of the Western Pacific Railway, extended an invitation to the Senate to travel over its line to Wendover and return.

The invitation was accepted, the time fixed being Wednesday, March 3rd, 1909, at 8:30 a. m.

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

FORTY-SEVENTH DAY.

Senate Chamber,
Salt Lake City, Utah, February 26th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-sixth day's session were read and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 22, by Mr. Badger, entitled, "An Act to amend Section 825, Compiled Laws of Utah, 1907, relating to nominations."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 22 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 23, by Mr. Badger, entitled, "An Act to amend Section 822, Compiled Laws of Utah, 1907, relating to nominations."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 23 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 24, by Mr. Badger, entitled, "An Act to amend Section 833, Compiled Laws of Utah, 1907, relating to nominations."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 24 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, February 25th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 99, by Mr. Bower, entitled, "An Act creating a State Horticultural Commission; providing for the publication and distribution of its reports; for the appointment and bonding of a State Horticultural Inspector; the examination, bonding, and appointment of County Inspectors, defining their duties; the duties of common carriers, orchardists, and nurserymen; licensing and bonding nurserymen; defining a misdemeanor and providing a penalty therefor; providing for the expenses of the existing State Board of Horticulture during the remainder of their term of office; making an appropriation for carrying out the provisions of this act, and repealing Title 34, Compiled Laws of Utah, 1907, relating to horticulture."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 99 was read the first time, and referred to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 122, by Mr. Fuller, "An Act amending Section 1369, Compiled Laws of Utah, 1907, relating to the levying of tax for the establishment and maintenance of a free public library and gymnasium in cities of the third class and towns."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 122 was read by title and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 39, by Mr. Badger, entitled, "An Act authorizing the District Attorney in judicial districts having a population of ninety thousand or more inhabitants to appoint an assistant, and providing the qualifications, salary, and duties of said assistant."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 39 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title, H. B. No. 176, by Committee on Manufactures and Commerce, entitled, "An Act prohibiting the unauthorized use of the name or picture of any public institution in this State, or of any public officer, or private person, for the purpose of advertising."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 176 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representatives Bower, Hansen, and England as a committee to act with a like committee from the Senate, to investigate the matter of the Lehi experiment farm, referred to in the Governor's message.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Kuchler, the President appointed a committee, consisting of Messrs. Brinkerhoff, Stookey, and Williams, with Mr. John Y. Smith associated, to act with the House committee.

PRESENTATION OF PETITIONS.

Senate Petition No. 51.—By Mr. Hyde.

A Petition from 20 citizens, asking for an appropriation to assist in road construction in Juab County.

Referred to the Committee on Highways and Bridges.

Senate Petition No. 52.—By Mr. Hyde.

A Petition from 20 citizens, asking for an appropriation to assist in road construction in Juab County.

Referred to the Committee on Highways and Bridges.

Senate Petition No. 53.—By Mr. Hyde.

A petition from 45 citizens, asking for an appropriation to assist in road construction in Juab County.

Referred to the Committee on Highways and Bridges.

Senate Petition No. 54.—By Mr. Burton.

A Petition from 18 members of the Morgan County Fish and Game Protective Association, relative to the fish and game laws.

Referred to the Committee on Fish and Game.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 66, by Mr. Badger, entitled, "An Act amending Section 1211, Compiled Laws of Utah, 1907, relating to proceedings for divorce," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 66 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 15, by Mr. Benner X. Smith,

entitled, "An Act regulating the sale, assignment of, or order for wages, pay, salary, or compensation to be earned in the future, and providing for the acceptance, acknowledgment, and recording thereof, and the consent of the wife of the person making the sale, assignment of, or order, if he be a married man," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. On page 1, line 3, after the word "of" insert the word "money".

2. On page 1, line 18, add the words "provided, however, that any or all of the above requirements may be waived by the employer, either verbally or in writing".

3. Strike out all of Section 2.

With these amendments, we recommend that the bill be passed.

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 15 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 46, by Mr. Badger (by request), entitled, "An Act to amend Section 1166, Compiled Laws of Utah, 1907, relating to homestead," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 48, by Mr. Badger (by re-

quest), entitled, "An Act to amend Section 1147, Compiled Laws of Utah, 1907, relating to homestead," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 47, by Mr. Badger (by request), entitled, "An Act to amend Sections 1149 and 1151, and to repeal Section 1152, Compiled Laws of Utah, 1907, relating to homestead," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was recommitted H. B. No. 14, by Mr. Claude Y. Russell, entitled, "An Act to amend Section 974, Compiled Laws of Utah, 1907, in relation to fees of sheriff," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

SPECIAL ORDER.

Senate Bill No. 122, by Mr. Brinkerhoff, entitled, "An Act making appropriations for building bridges over the Green River, in Emery and Uintah Counties, and the

San Juan River, in San Juan County," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 16; nays, 1; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson.

Voting in the negative: Mr. President.

Absent and not voting: Mr. Hulaniski.

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

BILLS MADE SPECIAL ORDER.

On motion of Mr. Kuchler, S. B. No. 97 was made the special order for Tuesday, March 2nd, at 2:30 p. m.

On motion of Mr. Williams, S. B. No. 135 was made the special order for Monday, March 1st, at 2:30 p. m.

On motion of Mr. Stookey, S. B. No. 36 was made the special order for Thursday, March 4th, at 2:30 p. m.

MOTION TO RECONSIDER.

Mr. Badger moved a reconsideration of the vote by which the invitation of the Western Pacific Railway was accepted for Wednesday.

The roll being called, the motion was lost by the following vote: Ayes, 6; nays, 11; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hyde, Miller, Benner X. Smith.

Those voting in the negative were: Messrs. Brinkerhoff, Bullen, Kuchler, Marks, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Hulaniski.

UNFINISHED BUSINESS.

Senate Bill No. 87, by Mr. Williams, entitled, "An Act providing for the enrollment and organization of the militia of the State; providing for the staff of the Commander-in-Chief, and the organization, equipment, discipline, duties, pay, and government of the National Guard of Utah, and providing penalties for unlawful interference with the members thereof while on duty; and providing for military courts and the jurisdiction thereof; and for the care and custody of Government and State military property; and providing penalties for the unlawful use and disposition of the same; and repealing Sections 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1494x3, 1494x4, 1494x5, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Horsley, Hulaniski, John Y. Smith, Stookey.

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

Senate Bill No. 70, by Mr. Bullen, entitled, "An Act to punish derogatory statements affecting banks, banking institutions, or trust companies," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 13; nays, 2; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Hyde, Kuchler, Miller, Seely, Sevy,

Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Burton and Horsley.

Those absent and not voting were: Messrs. Hulaniski Marks, Stookey.

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

House Bill No. 2, by Mr. Baker, entitled, "An Act authorizing foreign corporations complying with the laws of Utah to exercise the power of eminent domain, the same as domestic corporations," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, 2; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Brinkerhoff, Horsley, Hyde, Kuchler, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Bullen and Burton.

Those absent and not voting were: Messrs. Badger, Hulaniski, Marks, Stookey.

On motion of Mr. John Y. Smith, the Senate adjourned until tomorrow at 2 p. m.

FORTY-EIGHTH DAY.

Senate Chamber,
Salt Lake City, Utah, February 27th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-seventh day's session were read and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 2, by Mr. Baker, "An Act authorizing foreign corporations complying with the laws of Utah to exercise the power of eminent domain the same as domestic corporations."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 2 was read by title and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, H. B. No. 130, by Mr. Thornley, entitled, "An Act to amend Section 1167x6, Compiled Laws of Utah, 1907, relating to grade stallions."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 130 was read the first time, and referred to the Committee on Live Stock.

House of Representatives,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State, House Joint Resolution No. 2, by Mr. Cannon, relating to the application made by the Regents of the University of Utah to the Trustees of the Carnegie Foundation for the Advancement of Teaching.

Also, House Bill No. 51, by Mr. Thompson, entitled, "An Act providing for the holding of Farmers' and Domestic Science Institutes and Schools in the counties of the State, and repealing Sections 2095, 2096, 2097, and 2098, Compiled Laws of Utah, 1907."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

COMMUNICATION.

Office of the Secretary of State,
Salt Lake City, Utah, February 27th, 1909.

To the Senate:

In reference to the claim of the Logan and Richmond Irrigation District, being Senate Petition No. 24, and referred by your honorable body to this board, the board makes the following report and suggestions:

In the opinion of the members of the board it is impossible to arrive at any satisfactory conclusion as to the merits of the claim upon the data now before the board; and further, that a satisfactory conclusion cannot be reached upon an *ex parte* presentation of the facts connected with such claim.

We are of the opinion that the claim, or any portion thereof, should not be allowed without a thorough investigation made in behalf of the State, of all facts connected therewith, and the conditions and surroundings out of which the damages are alleged to arise.

We therefore respectfully suggest that a joint legis-

lative committee be appointed to make such investigation.

It is further suggested that, in the event this claim or any portion thereof be allowed, there should be attached an express condition that such allowance is to and does cover all past, present, and future claims for damages connected with or growing out of the alleged cause.

Respectfully submitted,
STATE BOARD OF EXAMINERS,
By (Signed) C. S. TINGEY,
Secretary.

Communication filed.

On motion of Mr. Kuchler, a committee consisting of Messrs. Kuchler, Sevy, and Hyde was appointed by the President to act with a like committee from the House.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: Your Committee on Education, to whom was referred S. B. No. 104, by Mr. Bullen, entitled, "An Act amending Sections 1854, 1855, and 1861, Compiled Laws of Utah, 1907, creating a State Text Book Commission, and providing for the manner of selecting text books," beg leave to report that they have carefully considered same, and recommend that same be passed, with the following amendments:

On page 1, line 8, strike out the word "three" and insert "five".

On page 1, line 9, after the word "Governor" insert "three of whom shall be County Superintendents".

On page 1, line 10, strike out "by and with the consent of the Senate".

On page 1, line 10, strike out "elected" and insert "appointed".

On page 1, line 11, strike out "for a period of five years, or until his"; strike out all of line 12; and on line

13 strike out "sioner shall serve", and in lieu thereof insert "during the period of adoption and".

On page 1, line 19, after the word "State" insert "except".

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 104 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: Your Committee on Education, to whom was referred S. B. No. 154, by Mr. Bullen, entitled. "An Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to High Schools," beg leave to report that they have carefully considered same, and recommend passage of same with the following amendment:

On page 1, line 2, strike out "1897" and insert "1907".

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 154 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Agriculture and Irrigation, to whom was recommitted S. B. No. 138, substitute for S. B. No. 126, and S. B. No. 12, entitled, "An Act to amend Sections 1288x6, 1288x7, 1288x8, 1288x10, 1288x13, 1288x14, 1288x15, 1288x16, 1288x17, 1288x24, and 970x, Compiled Laws of Utah, 1907, relating to the duties and powers of the State Engineer, with reference to approval or rejection of applications for water rights; defining the time which may be allowed by the State Engi-

neer for the beginning and completion of construction work upon water and irrigation works, and the beneficial use of water therefrom; empowering the State Engineer to grant extensions of time therefor; defining when and in what manner the place of diversion and the use of water may be changed; providing for the recording of instruments affecting applications for water rights, and what fees shall be charged and collected by the State Engineer," beg leave to report that they have carefully considered the same, and recommend that the bill be passed with the following amendments:

On page 2, line 13, strike out the word "porposed" and insert "proposed".

On page 3, line 32, strike out "purpose" and insert "place".

On page 4, line 2, strike out "place" and insert "point"; also, strike out "purpose" and insert "place".

On page 4, on line 8, strike out "the" before the word "Title" and insert "this".

On page 4, line 19, insert after the word "diversion", "or place of use".

On page 4, line 21, strike out after the word "hereof", "and shall not be al-".

On page 4, strike out all of lines 22, 23, and 24.

On page 5, line 7, after the word "upon" add "the".

On page 5, line 7, after the word "condition" add "set forth in such approval".

On page 5, strike out all of lines 8 and 9.

On page 5, on line 25, after the word "provided" insert, "that before a forfeiture shall be declared by the State Engineer as provided herein, he shall give the applicant or his assigns sixty days' notice by registered

mail to his last recorded address, to appear on a date to be designated, and show cause, if any he has, why his said application shall not be declared forfeited in whole or in part, and on such date the said applicant or his assigns shall be permitted to produce any lawful evidence tending to show compliance on his part with the law. At such hearing the State Engineer shall be authorized to hear and consider any and all competent evidence tending to show whether or not the said applicant or his assigns has or have complied with the law; and provided further''.

On page 6, on line 12, after the word ''Service'' add, ''or municipal corporations''.

On page 7, line 15, strike out the word ''work'' and insert ''works''.

On page 9, line 33, strike out ''or who is the holder of an approved''.

On page 9, line 34, strike out ''application for the appropriation of water''.

On page 10, line 5, after the word ''Engineer'' add, ''Such applications shall be accompanied by such maps and data as the State Engineer may by rule provide''.

On page 10, line 14, strike out the word ''pooint'' and insert ''point''.

On page 10, line 18, strike out ''The applicant for''.

On page 10, strike out all of lines 19, 20, 21.

On page 10, line 22, strike out ''any dam''.

On page 10, line 32, strike out ''shall'' and insert ''may''.

On page 10, line 32, after the word ''upon'' insert ''such conflicting rights being acquired''.

On page 10, line 32, strike out ''mak-''.

On page 10, line 33, strike out "ing just compensation".

On page 10, line 35, after the word "of" insert "the".

On page 11, line 1, after the word "of" insert "the".

On page 11, line 2, after "Engineer" insert "Any person holding an approved application for the appropriation of water may change the point of diversion or place of use under proceedings taken substantially as above set forth".

Respectfully,
JOHN Y. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 138 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was recommitted H. B. No. 31, by Mr. T. L. Holman, entitled, "An Act to amend Section 1221, Compiled Laws of Utah, 1907, relating to inquests and defining the duties of Justices of the Peace thereto," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 31 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 71, by Mr. Badger, entitled, "An Act providing for an interlocutory and a final decree in divorce actions, and prohibiting the marriage of divorced persons within the period allowed for an appeal,

and providing for changes in decrees; and amending Sections 1184 and 1212, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend that the bill be passed with the following amendments thereto:

1. Page 2, line 6, amend so as to read: "That Sections 1184 and 1212, Compiled Laws of".

2. Page 2, strike out all of Section 5, lines 27, 28, 29.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 71 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 63, by Mr. Badger, entitled, "An Act amending Section 1208, Compiled Laws of Utah, 1907, relating to divorce proceedings and the grounds of divorce," beg leave to report that they have had the same under consideration, and offer the following amendments thereto:

1. Page 1, line 21, after the word "defendant" add a "period" and strike out "for more than".

2. Page 1, strike out all of line 22.

And, as amended, we recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 63 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 86, by Mr. Hyde, entitled, "An Act directing the State Board of Land Commissioners to conduct experiments in sinking wells to procure subterranean waters for culinary and domestic purposes, and making an appropriation therefor," beg leave to report that they have had the same under consideration, and offer the following amendments thereto:

1. Add to the title, after the word "therefor", "and repealing Sections 2369x and 2369x1, Compiled Laws of Utah, 1907."

2. Line 17, strike out "$20,000.00" and insert "five thousand dollars".

3. Insert as Section 5: "That Sections 2369x and 2369x1, Compiled Laws of Utah, 1907, be, and the same are hereby repealed."

4. On line 20, strike out the numeral "5" and insert in lieu thereof "6".

And, as amended, recommend the bill be passed.

Respectfully,
JOHN Y. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 86 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 26th, 1909.

Mr. President: Your Committee on Education, to whom was referred S. B. No. 124, by Mr. Stookey, entitled, "An Act to provide a permanent fund for the general maintenance of the University of Utah, including the Branch Normal School, and the Agricultural College of

Utah," beg leave to report that they have had the same under consideration, and recommend that same be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 124 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: A majority of your Committee on Public Lands, to whom was referred S. B. No. 74, by Mr. Bullen, entitled, "An Act to amend Sections 2321, 2322, and 2324, Compiled Laws of Utah, 1907, providing for a State Board of Land Commissioners," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
JAS. B. WILSON,
Chairman.
CARL A. BADGER,
R. W. SEVY,
JOHN H. SEELY.

The report of the Committee was adopted, and S. B. No. 74 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 94, by Mr. Badger, entitled, "An Act to amend Section 206, Compiled Laws of Utah, 1907, relating to the powers of City Councils," beg leave to report that they have carefully considered the same, and recommend that same be passed, with the following amendments thereto:

Page 2, line 26, after the word "be" preceding "collected" insert "levied".

Page 5, line 27, strike out "telegraph, telephone, or electric wires" and insert "such poles, and the placing

under ground of any or all telegraph, telephone, or electric wires".

Page 9, line 16, strike out "provided" and insert "required".

Page 10, strike out all of Subdivision 46.

Page 10, make Subdivision 47 to read 46.

Page 10, make Subdivision 48 to read 47.

Page 10, make Subdivision 49 to read 48.

Page 10, make Subdivision 50 to read 49.

Page 10, make Subdivision 51 to read 50.

Page 10, line 33, after "riots" insert "routs".

Page 11, make Subdivision 52 to read 51.

Page 11, make Subdivision 53 to read 52.

Page 11, make Subdivision 54 to read 53.

Page 11, make Subdivision 55 to read 54.

Page 11, make Subdivision 56 to read 55.

Page 11, make Subdivision 57 to read 56.

Page 12, make Subdivision 58 to read 57.

Page 12, make Subdivision 59 to read 58.

Page 12, make Subdivision 60 to read 59.

Page 12, make Subdivision 61 to read 60.

Page 12, make Subdivision 62 to read 61.

Page 13, make Subdivision 63 to read 62.

Page 13, make Subdivision 64 to read 63.

Page 13, make Subdivision 65 to read 64.

Page 13, make Subdivision 66 to read 65.

Page 13, make Subdivision 67 to read 66.

Page 13, make Subdivision 68 to read 67.

Page 13, make Subdivision 69 to read 68.

Page 14, make Subdivision 70 to read 69.

Page 14, make Subdivision 71 to read 70.

Page 14, make Subdivision 72 to read 71.

Page 14, make Subdivision 73 to read 72.

Page 14, make Subdivision 74 to read 73.

Page 14, make Subdivision 75 to read 74.

Page 14, make Subdivision 76 to read 75.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 94 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 25, by Mr. Badger, entitled, "An Act providing for the licensing and regulation of employment offices; requiring employment agents to give bond; prohibiting the sending of female help to any place of bad repute; requiring bona fide orders for help; regulating the charges of employment offices; requiring the keeping of registers; requiring the furnishing of copies of terms of employment; prohibiting dividing fees with certain persons; punishing violations of this act; regulating actions for violations; prohibiting the conducting of an employment office in any place where intoxicating liquors are sold; excepting religious and charitable associations; and requiring the posting of certain sections of this act in employment offices," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 25 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.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 73, by Mr. Hulaniski, entitled, "An Act making an appropriation of thirty-five thousand dollars for the reception and entertainment of the Grand Army of the Republic at its Forty-third National Encampment, and providing for a commission to expend the money appropriated for the said purpose," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 73 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.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 32, by Mr. Sevy, entitled, "An Act to amend Section 616x, of the Compiled Laws of Utah, 1907, relating to notice to taxpayers by county," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. Amend the title so as to read: "An Act to amend Section 2549, Compiled Laws of Utah, 1907, relating to notice to taxpayers by County Treasurers."

2. In line 1, strike out the words "of the".

3. Beginning of line 4, insert "2549".

4. In line 10, strike out the words "date or dates"

and insert "also notice", and add after "sales", "of preceding year".

5. In line 14, strike out the word "which" and insert "The", and after "notice" insert "of assessed valuation"; also place a period after the word "complaints".

6. In line 15, after the word "of" insert "said".

7. After line 19, add "The notice of tax sales may be incorporated in the assessed valuation notice or the final tax notice or may be given in a separate statement and it may be mailed at any time before the 15th day of September in each year."

With these amendments, we recommend the bill be passed.

Respectfully,

E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 32 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: Your Committee on Ways and Means, to whom was referred S. B. No. 114, by Mr. Miller, entitled, "An Act to provide revenue for the support of the government of the State, and for the several counties of the State, High Schools, and Districts and County Schools, for the fiscal years nineteen hundred and nine and nineteen hundred and ten," beg leave to report that they have had the same under consideration, and recommend the following amendment thereto:

1. In line 4 of the title, make "Districts" read "District".

With this amendment, we recommend the bill be passed.

Respectfully,

JAS. B. WILSON,
Chairman.

The report of the Committee was adopted, and S. B. No. 114 was read the second time.

PRESENTATION OF PETITION.

Senate Petition No. 55.—By Mr. Benner X. Smith.

A petition, signed by Jacob Moritz, president of the Salt Lake Brewing Company, and others, relative to S. B. No. 148.

Referred to the Committee on Manufactures and Commerce.

PRESENTATION OF RESOLUTIONS.

Senate Joint Resolution No. 4.—By Mr. Benner X. Smith.

Resolution proposing an amendment to Section 1, Article XXII, of the Constitution of Utah, relating to homestead exemption; authorizing the Legislature to subject a homestead to execution sale to satisfy judgments obtained on mechanics and material men's liens; lawful mortgage liens and purchase money and tax liens.

S. J. R. No. 4 was laid on the table for one day.

Senate Joint Resolution No. 5.—By Mr. Horsley.

Resolution proposing an amendment to Section 1, Article X, of the Constitution of the State of Utah, relating to education.

On motion of Mr. Horsley, the rules were suspended, and S. J. R. No. 5 was read the first time, and referred to the Committee on Education.

Senate Joint Resolution No. 6.—By Mr. Hyde.

A Joint Resolution requesting the Senators and Representative in Congress from Utah to endeavor to secure an amendment to the interstate commerce act to prohibit the shipment of alcoholic liquors in certain cases.

S. J. R. No. 6 was laid on the table for one day.

INTRODUCTION OF BILLS.

Senate Bill No. 171.—By Mr. Sevy.

A Bill for an Act to amend Section 999, Compiled Laws of Utah, 1907, entitled, "Jurors in Justices' Courts, per diem and mileage."

S. B. No. 171 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 172.—By Mr. Brinkerhoff (by request).

A Bill for an Act creating the office of State Bee Inspector; providing for his appointment and salary; and County Bee Inspectors; and for inspection, disinfection, and spraying of bees; and repealing Sections 139, 140, 141, 142, 143, 143x, 143x1, 143x2, Compiled Laws of Utah, 1907.

S. B. No. 172 was read the first time, and referred to the Committee on Agriculture and Irrigation.

Senate Bill No. 173.—By Mr. Seely.

A Bill for an Act making appropriations for constructing and improving roads in Sanpete County.

S. B. No. 173 was read the first time, and referred to the Committee on Appropriations and Claims.

Senate Bill No. 174.—By Mr. Wilson.

A Bill for an Act to amend Section 2357, Compiled Laws of Utah, 1907, relating to the investment of State funds and their securities.

S. B. No. 174 was read the first time, and referred to the Committee on Public Lands.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, February 26th, 1909.

To the Senate:

I have this day approved, and filed with the Secretary of State, the following bills:

Senate Bill No. 22, by Mr. Badger, entitled, "An Act to amend Section 825, Compiled Laws of Utah, 1907, relating to nominations."

Senate Bill No. 23, by Mr. Badger, entitled, "An Act to amend Section 822, Compiled Laws of Utah, 1907, relating to nominations."

Senate Bill No. 24, by Mr. Badger, entitled, "An Act to amend Section 833, Compiled Laws of Utah, 1907," relating to nominations."

Respectfully,

WILLIAM SPRY,
Governor.

Communication filed.

UNFINISHED BUSINESS.

House Bill No. 45, by Mr. Claude Y. Russell, entitled, "An Act prohibiting the carrying of concealed weapons," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hyde, Kuchler, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Hulaniski, Marks, Miller.

Senate Bill No. 92, by Mr. Stookey, entitled, "An Act providing for archaeological and historical exploration and investigation in connection with the University of Utah, and makng an appropriation therefor," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, 2; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Kuchler, Marks, Miller, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Hyde and Seely.

Those absent and not voting were: Messrs. Badger, Hulaniski, Benner X. Smith.

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

House Bill No. 27, by Mr. Thompson, entitled, "An Act providing for the establishment of an engineering experiment station in connection with the State School of Mines; providing for its organization and control; defining its duties and powers; and making an appropriation therefor," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 5; nays, 9; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Hyde, Kuchler, Marks, Stookey, Wilson.

Those voting in the negative were: Messrs. Bullen, Burton, Horsley, Miller, Seely, Sevy, John Y. Smith, Williams, Mr. President.

Those absent and not voting were: Messrs. Badger, Brinkerhoff, Hulaniski, Benner X. Smith.

Senate Bill No. 109, by Mr. Hulaniski, entitled, "An Act providing punishment for the removal, stealing, or in any manner interfering with journal bearings, brasses, or other parts of locomotives, tenders, or railroad cars, and for buying or receiving such stolen property, knowing that the same has been stolen," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Brinkerhoff, Benner X. Smith.

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

Senate Bill No. 115, by Mr. Miller, entitled, "An Act levying a State tax for High School purposes, and providing the manner of apportioning the same," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger and Benner X. Smith.

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

Senate Bill No. 95, by Mr. Kuchler, entitled, "An Act amending Section 2050x1, Compiled Laws of Utah, 1907, relating to and fixing the salaries of Judges of the District Court, and allowing to such Judges their actual and necessary traveling and other expenses to and from the place of their residence when holding court in other districts," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, John Y. Smith.

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

Senate Bill No. 75, by Mr. Benner X. Smith, entitled, "An Act to amend Section 686x17, Compiled Laws of Utah, 1907, relating to and providing for appeals from City Courts to District Courts, and from District Courts to the Supreme Court in certain cases" was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, Seely, John Y. Smith, Stookey, Williams.

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

House Bill No. 142, by Mr. E. C. Ashton, entitled, "An Act authorizing County Commissioners of certain counties, and City Councils of certain cities, to appropriate moneys for the purpose of aiding in the entertainment of members of the Grand Army of the Republic at its annual encampment for the year 1909," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Hyde, Stookey, Williams.

House Bill No. 123, by Mr. Baker, entitled, "An Act amending Section 2050, Compiled Laws of Utah, 1907, and fixing the salary of the Clerk of the Supreme Court, the reporter of the decisions of the Supreme Court, the Adjutant General, the Assistant Adjutant General, and the State Bank Examiner," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, Miller, Stookey.

THIRD READING OF SENATE BILLS.

Senate Bill No. 15, by Mr. Benner X. Smith, entitled, "An Act regulating the sale, assignment of, or order for wages, pay, salary, or compensation to be earned in the future, and providing for the acceptance, acknowledgment, and recording thereof, and the consent of the wife of the person making the sale, assignment of, or order, if he be a married man," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff and Hyde.

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

Senate Bill No. 66, by Mr. Badger, entitled, "An Act amending Section 1211, Compiled Laws of Utah, 1907, relating to proceedings for divorce," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, Stookey.

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

MISCELLANEOUS BUSINESS.

On motion of Mr. Badger, the enacting clause of S. B. No. 103 was stricken out.

On motion of Mr. Badger, S. B. No. 3 was taken from

the table and the enacting clause of the bill was stricken out.

On motion of Mr. Kuchler, the Senate adjourned until Monday at 2 p. m.

FIFTIETH DAY.

Senate Chamber,
Salt Lake City, Utah, March 1st, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 25, by Mr. Badger, entitled, "An Act providing for the licensing and regulation of employment offices; requiring employment agents to give bond; prohibiting the sending of female help to any place of bad repute; requiring bona fide orders for help; regulating the charges of employment offices; requiring the keeping of registers; requiring the furnishing of copies of terms of employment; prohibiting dividing fees with certain persons; punishing violations of this act; regulating actions for violations; prohibiting the conducting of an employment office in any place where intoxicating liquors are sold; excepting religious and charitable associations;

and requiring the posting of certain sections of this act in employment offices."

The same is herewith returned for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 25 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed in open session, in the presence of the House, S. B. No. 73, by Mr. Hulaniski, entitled, "An Act making an appropriation of Thirty-five Thousand Dollars for the reception and entertainment of the Grand Army of the Republic at its forty-third national encampment, and providing for a commission to expend the money appropriated for the said purpose."

The same is herewith returned for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 73 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representatives Funk, Wootton, and Thornley to act with Senate committee in investigating the claim of the Logan and Richmond Irrigation District of Cache County.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 156, by Mr. Hyde, entitled, "An Act to prohibit the bringing into this State of certain cattle, except they are free from tuberculosis, and requiring all dairy cattle within the State to be subjected to the tuberculin test," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. On line 6, after "tuberculosis," add: "provided, that the provisions of this act shall not apply to what is known as range cattle."

2. In line 11, after "person," add: "under the direction of the State Veterinarian or the Inspector of U. S. Bureau of Animal Industry".

3. On line 14, after "Health", add: "but no fees shall be charged therefor".

4. Strike out all of Sec. 4.

With these amendments, we recommend the bill be passed.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 156 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, February 27th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 43, by Mr. Stookey, entitled, "An Act relating to the State Chemist; providing for his appointment and prescribing his duties; providing for the location and maintenance of a State Chemical

Laboratory; and repealing Title 76, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 41, by Mr. Stookey, entitled, "An Act creating a State Board of Public Health, etc.," beg leave to report that they have had the same under consideration, and offer a substitute therefor, S. B. No. 177, by the Committee on Public Health, enttiled, "An Act creating the position of State Bacteriologist and Pathologist, and defining his duties, and providing for a State Public Health Laboratory and its location," and recommend that the substitute bill be passed.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 177 was read the first and the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Livestock, to whom was referred S. B. No. 69, by Mr. Wilson, entitled, "An Act regulating the service of bulls, and repealing Chapter 5, of the Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend a substitute therefor, S. B. No. 176, by Committee on Livestock, entitled, "An Act to amend Section 57, Compiled Laws of Utah, 1907, relating to cattle and upon the public range, and providing

the penalty for the violation of this act," and recommend that the substitute bill be passed.

Respectfully,
JOHN H. SEELY,
Chairman.

The report of the Committee was adopted, and S. B. No. 176 was read the first and the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 52, by Mr. Wilson, entitled, "An Act creating a reservoir land grant fund; providing for the selection of a site; construction of reservoirs; and specifying and empowering the State Board of Land Commissioners to make loans from said funds and returns thereof; and for plans and specifications of said work and manner of construction, and how payments shall be made; and making an appropriation therefor," beg leave to report that they have carefully considered same, and recommend that same be passed.

Respectfully,
JOHN Y. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 52 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 141, by Mr. John Y. Smith, entitled, "An Act declaring the use of the waters of this State for beneficial purposes, to be a public use; and providing for the exchange of waters," beg leave to report that they have carefully considered same, and recommend that it be passed with the following amendments thereto:

Add to the title: "and for the enforcement of the same".

Strike out lines 1, 2, 3, and 4, and insert in lieu thereof: "The use of the waters of the natural water courses of this State being necessary for its growth and development, by reason of its arid condition, and the use of such water for a beneficial purpose is hereby declared to be a public use."

Strike out lines 5, 6, 7, and 8, and insert in lieu thereof: "Said right may be enforced by proceedings in the nature of condemnation and under the provisions of law relating to eminent domain."

Respectfully,
JOHN Y. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 141 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 129, by Mr. Badger, entitled, "An Act amending Section 973, Compiled Laws of Utah, 1907, relating to fees of County Recorders," beg leave to report that they have had the same under consideration, and recommend that same be passed.

Respectfully,
E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 129 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 130, by Mr. Badger, entitled, "An Act amending Sections 1498 and 1503, Compiled Laws of Utah, 1907, relating to filing of copy of notice of mining location; fee; and of filing duplicate notice of mining location; fee," beg leave to report that they have had

the same under consideration, and recommend that same be passed.

Respectfully,
E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 130 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 131, by Mr. Badger, entitled, "An Act amending Section 4040, Compiled Laws of Utah, 1907, relating to decrees affecting real property to be recorded," beg leave to report that they have had same under consideration, and recommend that same be passed.

Respectfully,
E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 131 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 137, by Mr. Badger, entitled, "An Act establishing a Board of Park Commissioners in cities of the first class; authorizing such cities to create such board; to define its powers and duties; to make appropriations therefor," beg leave to report that they have had same under consideration, and recommend that same be passed, with the following amendments thereto:

On page 3, line 3, after the word "district", strike out semi-colon and insert a period, and strike out balance of line.

On page 3, strike out lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 137 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 144, by Mr. Wilson, entitled, "An Act providing the manner of annexing that part of the territory of one or more counties to an adjoining county, and of creating new counties out of existing counties; and repealing Sections 487x5, 487x6, 487x7, 487x8, 487x9, 487x10, and 487x11, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 144 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 106, by Mr. Badger, entitled, "An Act amending Section 1117, of the Compiled Laws of Utah, 1907, relating to the width of public and private ways," beg leave to report that they have had same under consideration, and recommend that same be passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 106 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 132, by Mr. Badger, entitled. "An Act amending Section 1895, Compiled Laws of Utah, 1907, relating to who may take acknowledgments," beg leave to report that they have had the same under consideration, and recommend the following amendment thereto:

1. On line 20, insert "and" instead of "that".

With this amendment, we recommend the bill be passed.

Respectfully,
E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 132 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 108, by Mr. Badger, entitled. "An Act to amend Section 1018, of the Compiled Laws of Utah, 1907, relating to officer performing duties without fees, and providing that poor person shall not be required to furnish cost bond," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 108 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 113, by Mr. Badger (by request), entitled, "An Act relating to bonds and other

obligations, with individual surety or sureties," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 113 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 39, by Mr. Badger, entitled, "An Act authorizing the District Attorney in judicial districts having a population of ninety thousand or more inhabitants, to appoint an assistant; and providing the qualifications, salary, and duties of said assistant," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 39 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.

INTRODUCTION OF BILLS.

Senate Bill No. 178.—By Mr. Badger.

A Bill for an Act prohibiting the giving of any free ticket, free pass, or free transportation for passengers or property between points within the State of Utah, except to certain enumerated persons.

S. B. No. 178 was read the first time and referred to the Committee on Railroads.

Senate Bill No. 179.—By Mr. Badger (by request).

A Bill for an Act providing for a uniform price for the publication of proceedings, reports, legal notices, and

advertising required by law to be published, and fixing a legal rate therefor.

S. B. No. 179 was read the first time, and referred to the Committee on Judiciary.

RESOLUTIONS REFERRED.

Senate Joint Resolution No. 4 was taken from the table, read the first time and referred to the Committee on Judiciary.

Senate Joint Resolution No. 6 was taken from the table, read the first time, and referred to the Committee on Manufactures and Commerce.

On motion of Mr. Bullen, the Senate requested the House to return H. B. No. 27 for further consideration.

THIRD READING OF HOUSE BILL.

House Bill No. 85, substitute for H. B. No. 41, by Committee on Mining and Smelting, entitled, "An Act amending Section 3588, Compiled Laws of Utah, 1907, in relation to the exercise of the right of eminent domain, by adding thereto a new subdivision, to be known as Subdivision 13," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 18; nays, none.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

SPECIAL ORDER.

Senate Bill No. 135, by Mr. Williams, entitled, "An Act regulating the sale for human food of slaughtered poultry, game birds, animals, and fish, and providing a penalty for the violations of the provisions of this act," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 12; nays, 5; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Stookey, Williams, Wilson.

Those voting in the negative were: Messrs. Burton, Horsley, Benner X. Smith, John Y. Smith, Mr. President.

Absent and not voting: Mr. Bullen.

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

THIRD READING OF SENATE BILL.

Senate Bill No. 86, by Mr. Hyde, entitled, "An Act directing the State Board of Land Commissioners to conduct experiments in sinking wells to procure subterranean waters for culinary and domestic purposes, and making an appropriation therefor, and repealing Sections 2369x and 2369x1, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson.

Voting in the negative: Mr. President.

Those absent and not voting were: Messrs. Bullen, Seely, Stookey.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 1st, 1909.

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

ordered returned to the Senate, as requested, H. B. No. 27, by Mr. Thompson.

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Badger, the rules were suspended, and H. B. No. 27 was referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 123, by Mr. Baker, entitled, "An Act amending Section 2050, Compiled Laws of Utah, 1907, and fixing the salary of the Clerk of the Supreme Court, the reporter of the decisions of the Supreme Court, the Adjutant General, the Assistant Adjutant General, and the State Bank Examiner;" also H. B. No. 45, by Mr. Russell, entitled, "An Act prohibiting the carrying of concealed weapons;" also H. B. No. 142, by Mr. Ashton, entitled, "An Act authorizing County Commissioners and City Councils of certain cities, to appropriate moneys for the purpose of aiding in the entertainment of members of the Grand Army of the Republic at its annual encampment for the year 1909."

The same are transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House Bills Nos. 123, 45, and 142 were read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State, House Bill No. 122, by Mr. Fuller, entitled, "An Act amending Section 1369, Compiled Laws of Utah, 1907, relating to the levying of tax for the establishment and maintenance of a free public library and gymnasium in cities of the third class and towns."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Badger, S. B. No. 94 was made the special order for Thursday, March 4th, at 3 p. m.

On motion of Mr. Benner X. Smith, the Senate adjourned until tomorrow at 2 p. m.

FIFTY-FIRST DAY.

Senate Chamber,
Salt Lake City, Utah, March 2nd, 1909.

The Senate met at 2 p. m., pursuant to adjournment, President Gardner 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, Utah, March 1st, 1909.

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

rejected, by report of Committee, S. B. No. 95, by Mr. Kuchler, entitled, "An Act amending Section 2050x1, Compiled Laws of Utah, 1907, relating to and fixing the salaries of Judges of the District Court, and allowing to such Judges their actual and necessary traveling and other expenses to and from the place of their residence when holding court in other districts."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 57, by Mr. Burton, entitled, "An Act to amend Section 1867, Compiled Laws of Utah, 1907, relating to apportionment and use of school funds."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 57 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 38, by Mr. Badger, entitled, "An Act to amend Section 4247, Compiled Laws of Utah, 1907, relating to indecency, and providing a penalty for a violation of this act."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 38 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 5, by Mr. Badger, entitled, "An Act defining the crime of indecent assault, and providing punishment therefor."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 5 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 7, by Mr. Badger, entitled, "An Act to amend Section 4734, Compiled Laws of Utah, 1907, providing that an information or indictment must charge but one offense; with certain enumerated exceptions."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 7 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 65, by Mr. Badger, entitled, "An Act amending Sections 2372 and 2380, Compiled Laws of Utah, 1907, providing for the acceptance by the State of Utah of certain desert lands, and providing for contracts for the reclamation of the same, and validating and confirming proceedings heretofore taken under Chapter 2, Title 75, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 65 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 149, by Mr. H. A. McMillin, entitled, "An Act amending Section 4208, Compiled Laws of Utah, 1907, relating to bigamy."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 149 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 159, by Mr. McCracken, entitled, "An Act to amend Section 323, Compiled Laws of Utah, 1907, relating to the winding up of the affairs of corporations whose franchises have expired."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 159 was read the first time, and referred to the Committee on Private Corporations and Insurance.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 87, by Mr. Thompson, "An Act requiring Justices of the Supreme Court, Judges of the District Courts, and Judges of the Municipal Courts of the State of Utah to certify upon salary vouchers and pay rolls that all special proceedings, applications, petitions, demurrers, motions, and all civil, equitable, and criminal cases under submission for decision or determination for a period of ninety days or more, have been determined and decided on or before the date of making such certificate, and providing that no salary shall be paid until certificate shall have been made."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 87 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 91, by Mr. Dyreng, entitled, "An Act to amend Section 999, Compiled Laws of Utah, 1907, entitled, 'Jurors in Justices' Courts. Per diem and mileage.' "

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 91 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 95, by Mr. Wootton, entitled, "An Act amending Section 1819, Compiled Laws of Utah, 1907, relating to the employment and the dismissal of teachers."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 95 was read the first time, and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 195, by Mr. Funk, "An Act to amend Section 1801, Compiled Laws of Utah, 1907, relating to creating school districts, dividing and

consolidating school districts, and adjusting property rights and burdens of the several districts affected thereby."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 195 was read the first time, and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, S. B. No. 4, by Mr. Kuchler, entitled, "An Act to appropriate the sum of $2,500.00 to Margaret Clark, on account of the death of her husband, Seymour L. Clark, while engaged in his duties as a peace officer of the State of Utah, and a deputy sheriff of Weber County."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Kuchler, the Senate concurred in the amendments by the House.

S. B. No. 4, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Brinkerhoff.

S. B. No. 4 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 211, by Judiciary Committee, "An Act to amend Section 1666, Compiled Laws of Utah, 1907, relating to the appointment of Notaries Public."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 211 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 210, by Judiciary Committee, "An Act amending Section 4310, Compiled Laws of Utah, 1907, in relation to disturbing the peace."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 210 was read the first time, and referred to the Committee on Judiciary.

COMMUNICATION.

Salt Lake City, Utah, March 2nd, 1909.

To the Senate:

I am directed by the State Board of Examiners to transmit to your honorable body the enclosed petition of Private Ernest D. Brown, of Company "D," First Infantry, National Guard of Utah, who was injured at Camp

Emmet Crawford, Wyoming, in August, 1908, while in discharge of his duty, and to advise you that the Board has considered this claim and recommends that an appropriation of $150.00 be made, as suggested by the Adjutant General.

Yours very truly,
C. S. TINGEY,
Secretary State Board of Examiners.

Communication filed.

Senate Claim No. 1 was referred to the Committee on Appropriations and Claims.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Capitol and Capitol Grounds, to whom was referred S. B. No. 163, by Mr. Marks, entitled, "An Act providing for an election submitting to the qualified electors of the State a proposition to levy a one-mill tax in excess of the rate of taxation otherwise fixed or limited for all other purposes for twenty years, to raise funds to construct and furnish a State Capitol for the State of Utah," beg leave to report that they have had the same under consideration, and recommend that the same be passed, with the following amendments thereto:

1. On the 6th line of the title, strike out "twenty" and insert "fifteen".

2. On page 1, line 8, strike out "twenty" and insert "fifteen".

3. On page 1, line 11, begin the words "Capitol Grounds" with small letters.

4. On page 1, line 19, strike out the word "succeeding" and insert "preceding".

5. On page 2, line 3, after the word "State" insert a comma.

6. On page 2, line 4, after the word "purpose" insert a comma.

7. On page 2, line 4, strike out "twenty" and insert "fifteen".

8. On page 2, line 22, after the word "under" insert the word "the".

9. On page 2, line 22, begin the last word of the line with a capital.

10. On page 2, line 27, strike out "a" and insert "two or more".

11. On page 2, line 27, add an "s" to newspaper.

12. On page 2, line 28, after the word "State" insert: "in counties of the first class, one or more in counties of the second class, and in one of each other county where a newspaper is published".

13. On page 2, line 28, strike out the period after "days" and insert a semi-colon, and insert thereafter: "provided, that nothing in this section shall be so construed to compel the publication of said notice in any county where reasonable terms cannot be secured therefor".

14. On page 2, line 30, begin the words "Board", "County", "Commissioners" with small letters.

15. On page 2, line 34, begin the words "Board", "County", "Commissioners" with small letters.

16. On page 3, line 3, begin the words "Board—County Commissioners" with small letters.

17. On page 3, line 4, begin the words "County Clerk" with small letters.

18. On page 3, line 14, begin the words "Board—County Commissioners" with small letters.

19. On page 3, line 25, begin the word "Board" with a small letter.

20. On page 3, line 26, begin the words "County Commissioners" with small letters.

21. On page 3, line 28, after "misdemeanor" add a period and strike out all the balance of the line.

22. On page 3, line 29, strike out "more than $100 for each offense".

23. On page 3, line 31, begin the words "Board—County Commissioners" with small letters.

24. On page 3, line 32, begin the word "Act" with a small letter.

25. On page 3, line 34, begin the word "Act" with a small letter.

26. On page 4, line 3, begin the words "Board—County Commissioners" with small letters.

27. On page 4, line 5, begin the words "County Clerk" with small letters.

Respectfully,
STOOKEY,
Chairman.

The report of the Committee was adopted, and S. B. No. 163 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Capitol and Capitol Grounds, to whom was referred S. B. No. 161, by Mr. Marks, entitled, "An Act providing for the issue and disposal of State bonds, and the appropriation of the proceeds of the sale thereof for the purpose of the erection of a State capitol," beg leave to report that they have had the same under consideration, and, with the following amendments, recommend that the bill be passed:

1. On page 1, lines 6, 7, and 21, begin the word "Board" with a small letter.

2. On page 1, line 19, begin the word "act" with a small letter.

3. On page 2, line 2, begin the word "State" with a small letter.

4. On page 2, lines 9 and 32, begin the word "Act" with a small letter.

5. On page 3, lines 1 and 7, begin the word "Act" with a small letter.

6. On page 3, line 5, begin the word "the" preceding "Capitol" with a capital letter.

Respectfully,
STOOKEY,
Chairman.

The report of the Committee was adopted, and S. B. No. 161 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Capitol and Capitol Grounds, to whom was referred S. B. No. 160, by Mr. Marks, entitled, "An Act creating a State Board, to be known as the Capitol Commission; fixing the manner of appointment and compensation of the members thereof; prescribing their powers and duties, and authorizing the erection of a State capitol," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

On line 2 of the title, after "as" insert a "comma".

On page 1, line 1, begin the words "Board" and "Commissioners" with small letters.

On page 1, line 2, after "as" insert a "comma", and strike out the quotation marks.

On page 1, line 11, after "commission" add a "semicolon", and also: "provided, further, that not more than two of said appointive members shall belong to any one political party".

On page 1, line 12, strike out "Board" and insert "commission".

On page 1, line 13, after the word "grounds" insert a "comma".

On page 1, line 15, after the word "Vice-President" insert a "comma".

On page 1, line 16, strike out "Board" and insert "Commission".

On page 2, line 2, after "be" insert "a".

Page 2, line 3, after "rendered" strike out the "comma" and insert a "semi-colon".

On page 2, line 16, begin the words "State Capitol" and "Capitol Grounds" with small letters.

On page 2, line 19, reverse the reading of "to also" to "also to".

On page 2, line 22, correct the spelling of the word "architectural".

On page 3, line 4, begin the word "the" preceding the word "Capitol" with a capital letter.

On page 3, line 7, begin the words "State Capitol" with small letters.

On page 3, line 15, begin the word "the" with a capital letter.

On page 3, line 19, begin the word "Capitol" with a small letter.

On page 3, line 24, strike out the "comma" after the word "State" and insert a "semi-colon".

On page 3, line 29, begin "the" with a capital letter.

On page 4, line 3, begin the word preceding "Capitol" with a capital.

On page 4, line 5, begin "Act" with a small letter.

On page 4, line 9, begin the words "Acts" with small letters.

On page 4, line 10, begin "Acts" with a small letter.

On page 4, line 11, begin "Act" with a small letter.

With these amendments, we recommend the bill be passed.

Respectfully,
STOOKEY,
Chairman.

The report of the Committee was adopted, and S. B. No. 160 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Capitol and Capitol Grounds, to whom was referred S. B. No. 162, by Mr. Marks, entitled, "An Act providing for the refunding of the bonds of the Territory of Utah, of the issue of July second, eighteen hundred and ninety-two, and the disposal of the funds provided by law for the redemption thereof," beg leave to report that they have had the same under consideration, and recommend that the same be passed, with the following amendments thereto:

1. On line 5, after the word "thereof" insert a "comma".

2. On line 7, after the word "entitled" insert a "comma".

3. On line 20, begin the word preceding "Capitol" with a capital letter.

4. On line 21, begin "Act" with a small letter.

Respectfully,
STOOKEY,
Chairman.

The report of the Committee was adopted, and S. B. No. 162 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 1st, 1909.

Mr. President: Your Committee on Fish and Game, to whom was referred S. B. No. 51, by Mr. Marks, entitled, "An Act for the protection of fish, game, and birds; for appointing a Fish and Game Commissioner,

chief deputy, chief wardens, hatchery superintendents, and special deputies; and prescribing their duties; to provide for fish and game licenses, and a fish and game fund; to provide for the building of fish hatcheries; and to provide penalties for the violation of this act; and to repeal Title 25, Revised Statutes of Utah, 1907, and all acts or parts of acts in conflict herewith," beg leave to report that they have carefully considered same, and recommend that same be passed, with the following amendments thereto:

On line 1 of the title, after "act" insert "providing".

On line 2 of the title, after "for" insert "the".

On line 5 of the title, strike out "and", and after the word "their" insert "powers and".

On line 6 of the title, strike out "to"; the letter "e" on the word "provide" and add "ing".

On line 7 of title, strike out "to".

On line 8 of the title, strike out the letter "e" on the word "provide" and add "ing".

On line 9 of the title, strike out "to provide" and insert "providing".

On line 10 of the title, strike out "to"; add "ing" to "repeal", after which insert "Chapters 1 and 2".

On line 11 of the title, strike out "Revised Statutes" and insert in lieu thereof "Compiled Laws".

On page 1, line 4, strike out the "s" on the word "citizens".

On page 1, line 6, strike out "two" and insert "four".

On page 1, line 11, place a comma after the word "Legislature".

On page 2, line 5, add an "s" to the word "purpose".

On page 2, line 14, insert a comma after "locality"; add "s" to the words "name" and "stream".

On page 2, line 18, after the word "appoint" insert: "by and with the approval of the Governor".

On page 2, line 19, strike out "five" and insert "six".

On page 2, line 24, strike out "twenty-five" and insert "eighteen".

On page 2, line 26, strike out "fifteen hundred" and insert "two thousand".

On page 2, line 30, strike out "five" and insert "six".

On page 2, line 31, strike out "ten hundred" and insert "one thousand".

On page 2, line 33, eliminate the period and insert a semi-colon.

On page 2, line 34, "The" should begin with a small letter and should follow in after the semi-colon on line 33.

On page 2, line 35, begin a new paragraph with: "For the proper, etc."

On page 3, line 7, after the word "revoke" place a comma and insert: "at any time".

On page 3, line 8, after the word "and" insert: "by and with the approval of the Governor".

On page 3, line 8, place a period after "successor" and strike out "at pleasure".

On page 3, line 9, after "authorize" insert "certain".

On page 3, line 15, strike out "five" and insert "six".

On page 3, line 19, strike out "his" and insert "their".

On page 3, line 20, strike out "his" and insert "their".

On page 4, line 1, add the letter "m" to "who", making it read "whom".

On page 4, line 2, add the letter "f" to "i", making it read "if".

On page 4, line 4, place a comma after "cured".

On page 4, line 7, place a comma after the word "found".

On page 4, line 8, place a semi-colon after "same".

On page 4, line 32, after the word "be" insert "deemed".

On page 4, line 33, strike out the numerals "$25.00".

On page 5, line 6, strike out "unlawful and".

On page 5, line 7, after the word "persons" insert "corporation or".

On page 5, line 20, strike out the numerals "$100.00".

On page 5, line 25, strike out "irrigation purposes".

On page 5, line 25, after the word "power" insert "plant".

On page 5, line 28, strike out "irrigation canal, ditch" and insert "power plant".

On page 5, line 28, after the word "water" insert "works".

On page 5, line 30, before the word "under" insert "when required".

On page 5, line 33, strike out the numerals "$10.00" and insert "ten dollars".

On page 5, line 34, strike out "canal, ditch" and insert "mill-race, power plant".

On page 5, line 34, after the word "water" insert "works".

On page 5, make Section 11 to read as follows: "It is hereby made the duty of the Chief Warden of each district to see that all irrigation canals, when deemed necessary by the State Commissioner, are properly protected by some device (which will not be the means of obstructing the flow of water into such canals), so that no fish may enter said ditches between June 1st and September

15th of each year; said device to be provided and maintained out of the fish and game fund".

On page 6, change Section 11 to Section 12.

On page 6, line 1, strike out "unlawful and".

On page 6, line 4, after the word "angling" insert a comma.

On page 6, line 6, strike out "un-".

On page 6, line 7, strike out "lawful and".

On page 6, line 10, strike out "and" preceding the word "provided", and the word "further" following "provided".

On page 6, line 19, strike out the numerals "$25.00" and insert "twenty-five dollars".

On page 6, line 21, change the section to read "13" instead of "12"; and strike out "unlawful and".

On page 6, line 30, strike out "that they were unlawfully held" and insert "of guilt".

On page 6, line 32, strike out the comma after the word "pounds", and also the following: "or have in their possession more than thirty".

On page 6, line 33, strike out "pounds".

On page 6, line 34, strike out "for domestic use or any other purpose; provided", and insert in lieu thereof: "and possession of more than fifteen pounds thereof, when the party in possession fails to make satisfactory explanation, shall be deemed prima facie evidence of guilt".

On page 6, line 35, strike out "that"; begin "it" with a capital letter, and strike out "unlawful and".

On page 7, line 3, after the word "Co.," insert "plant".

On page 7, line 9, strike out the numerals "$25.00".

On page 7, line 11, change the section to read "14" instead of "13".

On page 7, line 20, strike out "within the meaning of this act".

On page 7, line 22, strike out the numerals "$10.00" and insert "ten dollars".

On page 7, line 32, strike out "will" and insert "are to".

On page 7, line 33, after the word "the" insert "office of the".

On page 7, line 33, strike out the apostrophe and "s" on the word "commissioner", and the word "office".

On page 8, line 1, change the section to read "15" instead of "14".

On page 8, line 1, strike out: "is further provided that it will", and insert "shall".

On page 8, line 9, after the word "year" insert: "except as provided in Section 3 of this act".

On page 8, line 13, change the section to read "16" instead of "15".

On page 8, line 13, strike out "unlawful and".

On page 8, line 22, change the section to read "17" instead of "16".

On page 8, line 22, strike out "unlawful and".

On page 8, line 35, after the word "reservoir" insert "Sanpitch River".

On page 8, line 35, after the word "Lake" insert "Burrville Reservoir and Sevier River from the Black Knolls Creamery north to the County line between Sanpete and Sevier County;

The Otter Creek Reservoir to include the Otter Creek as far north as the old Reservoir in the narrows, about six miles below Greenwich, the mouth of the canal that empties into the said Otter Creek Reservoir from the east fork of the Sevier River, and the east fork of the Sevier River from its junction with the wa-

ters of Otter Creek, one-fourth of a mile below the said Otter Creek Reservoir, and in Price River from Spring Glen to Green River, Carbon County".

On page 9, line 3, begin the word "Lake" with a small letter.

On page 9, line 4, after "1st" insert: "and then only in the presence of a Game Warden, who shall be paid not to exceed three dollars per day by the party drawing the seine".

On page 9, line 4, strike out "and".

On page 9, line 5, strike out "further".

On page 9, line 7, strike out "any game war-", and insert "the State Commissioner".

On page 9, line 8, strike out "den or Justice of the Peace".

On page 9, line 8, strike out the numerals "$1.00" and insert "one dollar; provided further, that before any person shall use a seine in any of the waters of this state, except Utah lake, they shall give a bond to the State in the penal sum of five hundred dollars, conditioned that no fish protected by the laws of this state from seining will be taken, and that diligence will be used by them to prevent the death of any of said fish, which bond to be approved by and filed with the State Commissioner. The State Commissioner shall furnish blanks for said bonds, and said commissioner shall furnish to the county clerk of each county of the state blanks to be given to persons designing to give bond as herein provided. When the bond is prepared, it shall be delivered to the State Commissioner, or to a Chief Warden, or a county clerk, who shall forward it at once to the State Commissioner. Upon approval by the State Commissioner he shall file the same in his office and issue to the person giving such bond, upon the payment of the license fee provided by law, a seiner's license".

On page 9, line 8, strike out "and shall".

On page 9, strike out all of lines 9 and 10.

On page 9, line 11, strike out "the seine".

On page 9, line 13, strike out the numeral "$50.00" and insert "fifty dollars".

On page 9, line 15, after "carp" insert "and suckers".

On page 9, line 15, after the word "only" insert a comma.

On page 9, line 16, after the word "catfish" insert a comma.

On page 9, line 17, after the word "time" insert a comma.

On page 9, line 19, strike out "fifty" and insert "two hundred".

On page 9, line 19, strike out "six" and insert "ten".

On page 9, line 21, strike out "each" and insert "the", and after the word "year" insert the following: "following; provided, that said net shall not be used within a distance of four hundred yards of the mouth of any stream flowing into said lake".

On page 9, line 22, change the section to read "18" instead of "17".

On page 9, line 23, begin the word "Lake" with a small letter.

On page 9, line 24, after the word "said" insert "Utah".

On page 9, strike out all of lines 25, 26, and 27.

On page 9, line 28, change the section to read "19" instead of "18".

On page 9, line 28, strike out "unlawful and".

On page 9, line 31, change the period after "herring" to a semi-colon, and insert the following: "or to fish by fire or lamp light at night".

On page 9, line 32, change the section to read "20" instead of "19".

On page 10, line 8, correct the spelling of the word "confiscated".

On page 10, line 9, after "proceeds" insert "therefrom".

On page 10, line 10, change the section to read "21" instead of "20".

On page 10, line 10, strike out "unlawful and".

On page 10, line 12, strike out "in any way".

On page 10, line 13, strike out "or".

On page 10, line 14, strike out: "birds that may be brought or introduced into", and insert "in".

On page 10, strike out "by" on line 14.

On page 10, strike out all of lines 15 and 16.

On page 10, on line 17, strike out "birds".

On page 10, on line 21, strike out the numerals "$100.00" and insert "one hundred dollars".

On page 10, line 22, strike out "or" and insert "and".

On page 10, line 23, strike out "or by both".

On page 10, line 24, strike out: "such fine and imprisonment".

On page 10, line 25, after the word "section" insert a comma and the following: "and possession thereof, when the party in possession fails to make satisfactory explanation, shall be deemed prima facie evidence of guilt".

On page 10, line 26, strike out "provided, that", and begin "it" with a capital letter.

On page 10, line 30, after "any" insert "person violating any".

On page 10, line 32, change the section to read "22" instead of "21".

On page 10, line 32, strike out "unlawful" and insert " a misdemeanor".

On page 10, line 34, strike out "20" and insert "21"; and strike out "unlawful and".

On page 10, line 35, change the section to read "23" instead of "22"; and strike out "unlawful and".

On page 11, line 2, strike out "in any way".

On page 11, line 5, after "Washington" insert "Garfield".

On page 11, line 8, change the period after "October" to a semi-colon, and insert the following: "provided further, that it".

On page 11, line 8, strike out "It".

On page 11, line 10, after "Wasatch" insert "Weber".

On page 11, line 11, after "Iron" insert "Beaver"; after "Millard" insert "Morgan".

On page 11, line 18, strike out the numerals "$25.00" and insert "twenty-five dollars".

On page 11, line 19, change the section to read "24" instead of "23".

On page 11, line 19, strike out "unlawful" and insert "a misdemeanor".

On page 11, line 23, after the word "squak" insert "magpie".

On page 11, line 24, add an "s" to the word "nest".

On page 11, change the section to read "25" instead of "24".

On page 11, line 26, strike out "unlawful" and insert "a misdemeanor".

On page 11, line 30, add an "s" to the word "nest".

On page 11, line 35, after the word "than" insert "five, all together, of geese, brants, or swans, or".

On page 12, line 2, strike out "here prescribed" and insert "herein named, when the party in possession fail to make satisfactory explanation".

On page 12, line 3, after the word "be" insert "deemed".

On page 12, line 4, strike out the numerals "$50.00" and insert "fifty dollars".

On page 12, line 7, strike out: "and, provided further,".

On page 12, strike out all of lines 8 and 9, and insert after the word "15th" on line 7, a period, and follow with: "It shall be a misdemeanor for any person to use any sneak boat, floating blind, or sink box in hunting or pursuing any of the game mentioned in this section; provided, that sink boxes may be used in Weber County on the shore; but no sink box shall be placed in the water or on any island".

Page 12, line 10, change section to read "26".

On page 12, line 19, change the period after "warden" to a semi-colon, and insert: "provided further, that nothing in this section shall apply to fish shipped from private ponds".

On page 12, line 20, on the last word of the line add an "f", so as to read "of".

On page 12, line 24, change the comma after "possession" to a period, and begin "it" with a capital letter.

On page 12, line 28, after the word "except" insert "mullet, suckers, and".

On page 12, line 30, after "fine" insert "of".

On page 12, line 30, strike out numerals "$100.00" and insert "one hundred dollars".

On page 12, line 32, change the section to read "27" instead of "26".

On page 13, line 3, change the comma after the word

"reserved" to a period, and begin "when" with a capital letter.

On page 13, line 13, strike out the numerals "$25.00" and insert "twenty-five dollars".

On page 13, strike out all of lines 14, 15, 16, 17, 18, 19, 20, 21, and 22.

On page 13, line 23, strike out "unlawful" and insert "a misdemeanor".

On page 13, line 26, after the word "or" insert "a game warden".

On page 13, line 26, strike out "dep-".

On page 13, line 27, strike out "uty".

On page 13, line 30, after the word "dollar" insert "and twenty-five cents".

On page 14, line 12, after the word "him" insert "to issue licenses".

On page 14, line 12, strike out "ten" and insert "five."

On page 14, line 18, strike out "number and".

On page 14, line 20, strike out "Any" and begin "aliens" with a capital letter.

On page 14, line 20, strike out "of this State".

On page 14, line 21, place a comma after "license" and "only".

On page 14, line 22, strike out numerals "$50.00" and insert "one hundred dollars".

On page 15, line 2, strike out numerals "190-" and insert "19-".

On page 15, line 13, after "month" insert "except fees of the person issuing the license".

On page 15, line 15, strike out "sold" and insert "issued".

On page 15, line 16, strike out "sell" and insert "issue".

On page 15, line 17, after "fees" insert: "except persons receiving salary from the state".

On page 15, line 27, strike out numerals "$10.00" and insert "ten dollars".

On page 15, line 29, strike out "their" and insert "his".

On page 15, line 30, strike out "be" and insert "have".

On page 15, line 30, reverse the reading of "issued another" to "another issued".

On page 16, line 10, strike out "from whom he received the".

On page 16, line 11, strike out "licenses".

On page 16, line 11, strike out "sold" and insert "issued".

On page 16, line 12, after the word "dollar" insert "and twenty-five cents, the number of seiners licenses at one dollar,".

On page 16, line 12, strike out "ten" and insert "five".

On page 16, line 13, strike out "sold" and insert "issued".

On page 16, line 13, strike out "fifty" and insert "one hundred".

On page 16, line 23, after the word "provided" insert "excepting his fees,".

On page 16, line 27, after the word "licenses" insert "except as to persons issuing licenses".

On page 16, line 31, after the word "be" insert a comma.

On page 16, line 33, strike out "all".

On page 17, line 18, change the period after the word "grounds" to a semi-colon, and insert: "to erect and maintain other hatcheries as soon as sufficient money, not otherwise provided for, is created in the fish and game fund; and he is authorized and directed to expend one thousand dollars, or so much thereof as may be necessary, on the Burrastin ponds and grounds in Juab County to put them in good condition".

On page 17, lines 22 and 23, strike out the word "chapter" and insert "act".

On page 17, line 34, after the word "thereto" change the period to a semi-colon, and insert: "provided, that nothing in this section shall apply to fish shipped from private ponds".

On page 18, on line 1, preceding "Title" insert: "That Chapters 1 and 2,".

On page 18, line 1, strike out "Revised Statutes" and insert "Compiled Laws".

On page 18, line 1, after the word "Utah" insert "1907".

Respectfully,
R. W. SEVY,
Chairman.

The report of the Committee was adopted, and S. B. No. 51 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: Your Committee on Public Health, to whom was referred H. B. No. 71, by Mr. Fuller, as amended, entitled, "An Act to create the State Board of Dental Examiners, regulate and define the practice of dentistry; provide penalties for the violation thereof; and to repeal Sections 747, 748, 749, 750, 751, 752, 753, 756, 758, 759, 759x, 759x1, 759x2, and 759x3, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and, with the following amendment, recommend that the bill be passed.

1. On page 8, line 5, after the word "clerk" add the following: "The right of appeal from the action of the Board in revoking the license of any dentist is hereby granted. Such appeal shall be to the District Court of the County in which such dentist is practicing, and must be taken within thirty days after notice of the action of the Board in revoking such license. The appeal is perfected upon filing notice of appeal, together with an undertaking in the sum of $100.00, with two sureties, conditioned that if the action of the Board in revoking the license be affirmed by the District Court, the dentist will pay the costs of the appeal and the action in the District Court. Such undertaking shall be approved by the President of the Board. In lieu of the undertaking, the dentist may deposit $100.00 with the Treasurer of the Board."

Respectfully,

J. A. HYDE,
Chairman.

The report of the Committee was adopted, and H. B. No. 71 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: Your Committee on Public Institutions, to whom was referred H. B. No. 98, by Committee on State Mental Hospital, entitled, "An Act amending Section 2154, Compiled Laws of Utah, 1907, relating to the State Mental Hospital; permitting the State to care for the feeble-minded and non-insane epileptics; and providing for admission thereof," beg leave to report that they have had the same under consideration, and, as amended, recommend that the bill be passed.

Respectfully,

ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and H. B No. 98 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 180.—By Mr. Kuchler.

A Bill for an Act repealing Sections 1686x, 1686x1, 1686x2, 1686x3, 1686x4, 1686x5, 1686x6, 1686x7, 1686x8, 1686x9, 1686x10, 1686x11, and 1686x12, Compiled Laws of Utah, 1907, relating to the State Board of Optometry.

S. B. No. 180 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 181.—By Mr. Marks (by request).

A Bill for an Act to amend Section 3098, Compiled Laws of Utah, 1907, relating to judgment against the garnishee on failure to answer.

S. B. No. 181 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 182.—By Mr. Marks (by request).

A Bill for an Act to amend Section 3245, Compiled Laws of Utah, 1907, relating to exemptions.

S. B. No. 182 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 183.—By Mr. Badger (by request).

A Bill for an Act relating to the duty of keepers or proprietors of hotels and lodging houses as to providing the means of escape from fires, and providing a penalty for the violation of this act.

S. B. No. 183 was read the first time, and referred to the Committee on Judiciary.

Senate Bill No. 184.—By Mr. R. W. Sevy.

A Bill for an Act appropriating $12,000.00, or so much thereof as may be necessary, for the payment of outstanding bounty certificates.

S. B. No. 184 was read the first time, and referred to the Committee on Appropriations and Claims.

SPECIAL ORDER.

Senate Bill No. 97, by Mr. Hulaniski, 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 titles 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-judgments-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," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 9; nays, 8; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hulaniski, Kuchler, Miller, John Y. Smith, Wilson, Mr. President.

Those voting in the negative were: Messrs. Horsley, Hyde, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams.

Absent and not voting: Mr. Brinkerhoff.

UNFINISHED BUSINESS.

Senate Bill No. 124, by Mr. Stookey, entitled, "An Act to provide a permanent fund for the general maintenance of the University of Utah, including the Branch Normal School, and the Agricultural College of Utah," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 3; nays, 14; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Bullen, Marks, John Y. Smith.

Those voting in the negative were: Messrs. Badger, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely,

Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Brinkerhoff.

Mr. Stookey gave notice that on Thursday he would move a reconsideration of the vote by which S. B. No. 124 was rejected.

Senate Bill No. 63, by Mr. Badger, entitled, "An Act amending Section 1208, Compiled Laws of Utah, 1907, relating to divorce proceedings and the grounds of divorce," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 5; nays, 10; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Hyde, Kuchler, Marks, Sevy, Williams.

Those voting in the negative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Seely, Benner X. Smith, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, John Y. Smith.

Mr. Marks was called to the chair.

Senate Bill No. 71, by Mr. Badger, entitled, "An Act providing for an interlocutory and a final decree in divorce actions, and prohibiting the marriage of divorced persons within the period allowed for an appeal; and providing for changes in decrees; and amending Sections 1184 and 1212, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hyde, Marks, Miller, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson.

Voting in the negative: Mr. Hulaniski.

Those absent and not voting were: Messrs. Brinkerhoff, Kuchler, John Y. Smith, Mr. President.

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

Mr. Badger moved that when the Senate adjourn, it do so until Thursday, March 4th, at 10 a. m. Carried.

On motion of Mr. Hulaniski, the Senate adjourned.

FIFTY-THIRD DAY.

MORNING SESSION.

Senate Chamber,
Salt Lake City, Utah, March 4th, 1909.

The Senate met at 10 a. m., pursuant to adjournment. President Gardner presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-first day's session were read and approved.

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 2nd, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State, Senate Bill No. 73, by Mr. Hulaniski, entitled, "An Act making an appropriation of thirty-five thousand dollars for the reception and entertainment of the Grand Army of the Republic at its forty-third national encampment, and providing for a commission to expend the money appropriated for the said purpose."

Respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 2nd, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State, Senate Bill No. 25, by Mr. Badger, entitled, "An Act providing for the licensing and regulation of employment offices; requiring employment agents to give bond; prohibiting the sending of female help to any place of bad repute; requiring bona fide orders for help; regulating the charges of employment offices; requiring the keeping of registers; requiring the furnishing of copies of terms of employment; prohibiting dividing of fees with certain persons; punishing violations of this act; regulating actions for violations; prohibiting the conducting of an employment office in any place where intoxicating liquors are sold; excepting religious and charitable associations; and requiring the posting of certain sections of this act in employment offices."

Respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 39, by Mr. Badger, entitled, "An Act authorizing the District Attorney in judicial districts having a population of ninety thousand or more inhabitants to appoint an assistant, and providing the qualifications, salary, and duties of said assistant."

The same is herewith returned to you for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 39 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 3rd, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 125, by Mr. Morris, "An Act creating a Board of Commissioners of Indian War Records; prescribing its duties and compensation, and appropriating the sum of $5,000.00 for the compensation and expenses of the members thereof, and the publishing of the said records."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 125 was read the first time, and referred to the Committee on State Affairs.

House of Representatives,
Salt Lake City, Utah, March 3rd, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 85, substitute for H. B. No. 41, by Committee on Mining and Smelting, "An Act amending Section 3588, Compiled Laws of Utah, 1907, in relation to the exercise of the right of eminent domain, by adding thereto a new Subdivision, to be known as Subdivision 13."

The same is transmitted herewith for the signature of the President.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 85 was read by title, and signed by the President, in open session, in the presence of the Senate,

House of Representatives,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State the following bills: H. B. No. 2, by Mr. Baker, "An Act authorizing foreign corporations complying with the laws of Utah to exercise the power of eminent domain the same as domestic corporations." H. B. No. 45, by Mr. Russell, "An Act prohibiting the carrying of concealed weapons." H. B. No. 142, by Mr. Ashton, "An Act authorizing County Commissioners of certain counties, and City Councils of certain cities, to appropriate moneys for the purpose of aiding in the entertainment of members of the Grand Army of the Republic at its annual encampment for the year 1909."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 5, by Mr. Badger, entitled, "An Act defining the crime of indecent assault and defining punishment therefor," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 5 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.

Senate Committee Room,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: Your Committee on Public Lands, to whom was referred S. B. No. 174, by Mr. Wilson, entitled, "An Act to amend Section 2357, Compiled Laws of Utah, 1907, relating to the investment of State funds and their securities," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
JAS. B. WILSON,
Chairman.

The report of the Committee was adopted, and S. B. No. 174 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 3rd, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 74, by Mr. William McMillan, as amended by the House, entitled, "An Act amending Section 2703x, Compiled Laws of Utah, 1907, extending the time for complying with the provisions of Title 82, Compiled Laws of Utah, 1907, relating to town sites," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

Respectfully,
E. T HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and H. B. No. 74 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 85, by Mr. Hyde, entitled, "An Act to amend Section 213, Compiled Laws of Utah, 1907, relating to city officers, and providing for the appointment of a marshal in cities of less than 12,000 inhabitants," beg leave to report that

they have had the same under consideration, and recommend the bill be passed.

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 85 was read the second time.

UNFINISHED BUSINESS.

Senate Bill No. 114, by Mr. Miller, entitled, "An Act to provide revenue for the support of the government of the State, and for the several counties of the State, High Schools, and District and County Schools, for the fiscal years nineteen hundred and nine and nineteen hundred and ten," was read the third time, and placed on its final passage, and passed, as amended in title, by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Brinkerhoff, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Bullen, Hyde, Benner X. Smith, John Y. Smith.

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

Senate Bill No. 32, by Mr. Sevy, entitled, "An Act to amend Section 2549, Compiled Laws of Utah, 1907, relating to notice to taxpayers by County Treasurers," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Brinkerhoff, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Bullen, Hyde, John Y. Smith.

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

House Bill No. 31, by Mr. T. L. Holman, entitled, "An Act to amend Section 1221, Compiled Laws of Utah, 1907, relating to inquests, and defining the duties of Justices of the Peace thereto," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, 2; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Brinkerhoff, Burton, Horsley, Hyde, Marks, Miller, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were. Messrs. Hulaniski and Kuchler.

Those absent and not voting were: Messrs. Badger, Bullen, Benner X. Smith, John Y. Smith.

Senate Bill No. 154, by Mr. Bullen, entitled, "An Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to High Schools," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Marks, Miller, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Kuchler, Benner X. Smith, John Y. Smith.

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

Senate Bill No. 176, by Committee on Livestock, entitled, "An Act to amend Section 57, Compiled Laws of Utah, 1907, relating to cattle upon the public range, and providing the penalty for the violation of this act," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuch-

ler, Marks, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Miller, Benner X. Smith, John Y. Smith.

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

Senate Bill No. 156, by Mr. Hyde, entitled, "An Act to prohibit the bringing into this State of certain cattle, except they are free from tuberculosis, and requiring all dairy cattle within the State to be subjected to the tuberculin test," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Marks, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Kuchler, Miller, Benner X. Smith, John Y. Smith.

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

Senate Bill No. 137, by Mr. Badger, entitled, "An Act establishing a Board of Park Commissioners in cities of the first class; authorizing such cities to create such board; to define its powers and duties; to make appropriations therefor," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Miller, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Kuchler, Marks, Benner X. Smith, John Y. Smith.

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

On motion of Mr. Kuchler, a recess was taken until 2 p. m.

AFTERNOON SESSION.

The Senate reconvened at 2 p. m.

UNFINISHED BUSINESS.

Senate Bill No. 138, substitute for S. B. No. 126, and S. B. No. 12, entitled, "An Act to amend Sections 1288x6, 1288x7, 1288x8, 1288x10, 1288x13, 1288x14, 1288x15, 1288x16, 1288x17, and 1288x24, and 970x, Compiled Laws of Utah, 1907, relating to the duties and powers of the State Engineer, with reference to approval or rejection of applications for water rights; defining the time which may be allowed by the State Engineer for the beginning and completion of construction work upon water and irrigation works, and the beneficial use of water therefrom; empowering the State Engineer to grant extensions of time therefor; defining when and in what manner the place of diversion and the use of water may be changed; providing for the recording of instruments affecting applications for water rights, and what fees shall be charged and collected by the State Engineer," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Kuchler, Benner N. Smith.

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

Senate Bill No. 104, by Mr. Bullen, entitled, "An Act amending Sections 1854, 1855, and 1861, Compiled Laws of Utah, 1907, creating a State Text Book Commission, and providing for the manner of selecting text books," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff and Miller.

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

SPECIAL ORDER.

Senate Bill No. 36, by Mr. Wilson, entitled, "An Act to amend Section 1540x1, Compiled Laws of Utah, 1907, providing that mining shafts be provided with safety cages," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 8; nays, 9; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Marks, Miller, Seely, Williams, Wilson.

Those voting in the negative were: Messrs. Bullen, Hulaniski, Hyde, Kuchler, Sevy, Benner X. Smith, John Y. Smith, Stookey, Mr. President.

Absent and not voting: Mr. Brinkerhoff.

Senate Bill No. 94, by Mr. Badger, entitled, "An Act to amend Section 206, Compiled Laws of Utah, 1907, relating to the powers of City Councils," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, John Y. Smith.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 5, by Mr. Badger, entitled, "An Act defining the crime of indecent assault, and providing punishment therefor."

The same is herewith returned to you for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 5 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 45, by Mr. Williams, "An Act appropriating the sum of two thousand dollars to William Forsberg for injuries sustained while employed by the State of Utah."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 45 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 4th, 1909.

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

passed S. B. No. 31, by Mr. Sevy, "An Act to amend Section 666x, Compiled Laws of Utah, 1907, relating to Supreme Court Stenographer."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 31 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 83, by Mr. Bullen, "An Act amending Section 1823, Compiled Laws of Utah, 1907, providing for school sites and buildings; that plans and specifications for school buildings be submitted to a commission herein provided."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Bullen, the Senate concurred in the amendments by the House.

Senate Bill No. 83, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Marks, Miller, Seely, Sevy, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff. Kuchler, Benner X. Smith, John Y. Smith, Stookey, Williams.

S. B. No. 83 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 109, by Mr. Archibald, entitled, "An Act to amend Sections 1892 and 1894, Compiled Laws of Utah, 1907, relating to schools in cities of the first and second class."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk

Communication filed.

H. B. No. 109 was read the first time, and referred to the Committee on Education.

INTRODUCTION OF BILLS.

Senate Bill No. 185.—By Mr. Kuchler.

A Bill for an Act in relation to ores and treatment thereof, and trading and commerce therein; and to persons, associations, and corporations engaged in the treatment thereof, and trading and commerce therein.

S. B. No. 185 was read the first time, and referred to the Committee on Mines and Minerals.

Senate Bill No. 186.—By Mr. Williams.

A Bill for an Act authorizing the State Board of Examiners to set apart a portion of the capitol grounds for the use of the National Guard of Utah, and authorizing the State Armory Board to construct an armory and arsenal thereon.

S. B. No. 186 was read the first time, and referred to the Committee on Capitol and Capitol Grounds.

Senate Bill No. 187.—By Mr. Benner X. Smith (by request).

A Bill for an Act validating certain acts of the County Commissioners in counties of the first class.

S. B. No. 187 was read the first time, and referred to the Committee on County and Municipal Corporations.

Senate Bill No. 188.—By Mr. Horsley.

A Bill for an Act appropriating the sum of one thousand dollars for the purpose of helping to build a wagon road over Johnson Pass in Tooele County, and prescribing conditions whereby the same may become available.

S. B. No. 188 was read the first time, and referred to the Committee on Highways and Bridges.

INTRODUCTION OF RESOLUTION.

Senate Joint Resolution No. 7.—By Mr. Benner X. Smith.

Resolution authorizing the appointment of a commission to investigate the present system of records in all the departments of State, county, and municipal governments, particularly those pertaining to the courts and land transfers, and to report.

S. J. R. No. 7 was laid on the table for one day.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 211, by Committee on Judiciary, entitled, "An Act to amend Section 1666, Compiled Laws of Utah, 1907, relating to the appointment of notaries public," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

1. Page 1, line 10, strike out all the line after the word "public".

2. Page 1, line 11, strike out all the line.

And, as amended, we recommend that the bill be passed.

The report of the Committee was adopted, and H. B. No. 211 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 43, by Mr. Wm. McMillan, entitled, "An Act amending Section 4233, Compiled Laws of Utah, 1907, prohibiting noisy and other amusements on Sunday, and providing a penalty for the violation thereof," beg leave to report that they have had the same under consideration, and report that the Committee is divided as to reporting the same, and present same herewith for the consideration of the Senate.

Respectfully,
BENNER X. SMITH,
Chairman.

H. B. No. 43 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. J. R. No. 6, by Mr. Davis, entitled, "A Joint Resolution proposing an amendment to Section 4, of Article 14, of the Constitution of the State of Utah, in relation to the limit of indebtedness of counties, cities, towns, and school districts," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. J. R. No. 6 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 83, by Mr. McCracken, entitled, "An Act to amend Section 3414, Compiled Laws of Utah, 1907, relating to privileged communications, and the rights of witnesses," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 83 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 2nd, 1909.

Mr. President: Your Committee on Appropriations and Claims, to whom was referred S. B. No. 8, by Mr. Hulaniski, entitled, "An Act appropriating three thousand five hundred dollars for the State Board of Horticulture for the payment of moneys advanced by Fred. J. Kiesel, Thomas R. Cutler, and Joseph Geoghegan, for the purpose of defraying the expenses of an exhibit of Utah resources at the Irrigation Congress in 1908," beg leave to report that they have carefully considered same, and recommend that the bill be passed, with the following amendments:

1. After the word "dollars" in the title, insert. "and interest thereon at the rate of 7 per cent per annum from October first, 1908, to March 15th, 1909".

2. On line 2, page 1, after the numerals "$3,500", insert: "and interest thereon at the rate of 7 per cent per annum from October 1st, 1908, to March 15th, 1909".

Respectfully,
W. N. WILLIAMS,
Chairman.

The report of the Committee was adopted, and S. B. No. 8 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 99, by Mr. Bower, entitled, "An Act creating a State Horticultural Commission; providing for the publication and distribution of its reports; for the appointment and bonding of a State Horticultural Inspector; the examination, bonding, and appointment of county inspectors; defining their duties; the duties of common carriers, orchardists, and nurserymen; defining a misdemeanor, and providing a penalty therefor; providing for the expenses of the existing State Board of Horticulture during the remainder of their term of office; making an appropriation for carrying out the provisions of this act; and repealing Title 34, Compiled Laws of Utah, 1907, relating to horticulture," beg leave to report that they have had same under consideration, and recommend that the bill be passed, with the following amendments:

1. Strike out the word "Director" and insert "President" in Sec. 1, line 2.

2. Sec. 2, line 8, after the word "Inspector" insert: "said Inspector shall have practical knowledge of horticulture and be expert in the line of pruning, spraying, and thinning".

3. Page 8, line 35, after the word "exhibits" add the following: "provided, however, this shall not interfere with the exhibits arranged by private parties,".

4. Page 9, between lines 14 and 15, add the following, to be Section 26: "It shall be the duty of every corporation, firm, or person offering for sale or selling and delivering any imported nursery stock, fruit trees, plants, vines, shrubs, scions, cuttings, etc., within the State, to state to the person or persons to whom such offer for sale is made, that the said stock is imported, or where the stock is sold, to state in the invoice of sale that the stock is imported."

5. Sec. 2, line 9, after the words "Inspectors and"

insert: "and others in spraying, pruning, thinning, and other work as may be needed".

Respectfully,
JOHN Y. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 99 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 169, by Mr. Sevy (by request), entitled, "An Act amending Section 3685, Compiled Laws of Utah, 1907, relating to pleadings in Justice's Courts," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 84, by Mr. McCracken, as amended, entitled, "An Act to amend Section 5014, Compiled Laws of Utah, 1907, relative to competency of husband or wife to testify in certain cases," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 84 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 87, by Mr. Thompson, entitled, "An Act requiring Justices of the Supreme Court, Judges of the District Courts, and Judges of the Municipal Courts of the State of Utah, to certify upon salary vouchers and pay rolls that all special proceedings, applications, petitions, demurrers, motions, and all civil, equitable, and criminal cases under submission for decision or determination for a period of ninety days or more have been determined and decided on or before the date of making such certificate; and providing that no salary shall be paid until such certificate shall have been made," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 170, by Mr. Sevy, entitled, "An Act amending Section 3272, Chapter 42, Compiled Laws of Utah, 1907, relating to proceedings supplementary to execution," beg leave to report that they have carefully considered same, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 167, by Mr. Sevy (by request), entitled, "An Act repealing Sections 4487x22 and

4487x23, Compiled Laws of Utah, 1907, beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 20, by Mr. Benner X. Smith, entitled, "An Act declaring the production and reduction of ores to be for the public use and benefit, and providing for the exercise of the right of eminent domain therefor," beg leave to report that they have had the same under consideration, and recommend that the same be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 149, by Mr. H. A. McMillin, entitled, "An Act amending Section 4208, Compiled Laws of Utah, 1907, relating to bigamy," beg leave to report that they have carefully considered same, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 39, by Mr. T. L. Holman,

entitled, "An Act creating Section 1348x, relating to libel," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 146, by Mr. Marks, entitled, "An Act to amend Sections 3091 and 3112, Compiled Laws of Utah, 1907, relating to garnishments," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 146 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 119, by Mr. Benner X. Smith, entitled, "An Act to amend Section 2467, Compiled Laws of Utah, 1907, relating to certain agreements declared to be void unless in writing," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 119 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 116, by Mr. Horsley, entitled, "An Act to amend Section 686x10, Compiled Laws of Utah, 1907, relating to the jurisdiction of City Courts in civil actions," beg leave to report that they have had same under consideration, and recommend that the bill be passed, with the following amendment:

On page 1, line 6, after "and" insert "upon".

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 116 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 47, by Judiciary Committee, entitled, "An Act amending Sections 2513, 2516, 2517, 2550, 2553, 2559, 2560, 2561, 2562, 2563, 2564, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2584, 2585, 2588, 2589, 2591, 2596, and 2607, Compiled Laws of Utah, 1907, relating to the assessment of property," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 47 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 62, by Mr. Benner X. Smith, entitled, "An Act to amend Section 105, of the Compiled Laws of Utah, 1907, fixing the qualifications of candidates

for admission to the bar of the Supreme Court of this State," beg leave to report that they have had same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 62 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 176, by Committee on Manufactures and Commerce, entitled, "An Act prohibiting the unauthorized use of the name or picture of any public institution in this State, or of any public officer, or private person, for the purpose of advertising," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

Line 1, strike out "advertising pur-".

Line 2, strike out "poses, or purposes of trade," and insert: "the purpose of advertising any article of merchandise".

Line 3, after "or" add: "any person who uses for advertising purposes or purposes of trade,".

Line 8, after "trade" add: "or upon any postal card,".

Line 17, after "trade" add: "or upon any postal card".

And, as amended, we recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 176 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 96, by Mr. Badger, entitled, "An Act to protect public morals by prohibiting the giving of general publicity to treatments and devices for the cure or prevention of sexual or menstrual diseases, and to prescribe penalties for the violation of this act," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 96 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 210, by Judiciary Committee, substitute for H. B. No. 205, entitled, "An Act amending Section 4310, Compiled Laws of Utah, 1907, in relation to disturbing the peace," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 210 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred H. B. No. 91, by Mr. Dyreng, entitled, "An Act to amend Section 999, Compiled Laws of Utah, 1907, entitled, 'Jurors in Justices' Courts. Per diem and mileage,' " beg leave to report that they have

carefully considered the same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted. and H. B. No. 91 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909

Mr. President: Your Committee on Education, to whom was referred S. B. No. 58, by Mr. Bullen, entitled, "An Act to amend Sections 2305 and 2307, of the Compiled Laws of Utah, 1907, relating to the name of the State Normal School; its relation to the University; courses of study; Normal scholarships, certificates, and diplomas," beg leave to report they have had the same under consideration, and recommend the bill be not passed, for the reason that the matter therein contained is covered by H. B. No. 80.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 93, by Mr. Wootton, entitled, "An Act amending Section 1815, Compiled Laws of Utah, 1907, relating to school funds, and providing for school libraries," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 93 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 92, by Mr. Wootton, entitled, "An Act amending Section 1795, Compiled Laws of Utah, 1907, relating to the requirements for the certificate of teachers," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 92 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Live Stock, to whom was referred H. B. No. 130, by Mr. Thornley, entitled, "An Act to amend Section 1167x6, Compiled Laws of Utah, 1907, relating to grade stallions," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
JOHN H. SEELY,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Education, to whom was recommitted H. B. No. 27, by Mr. Thompson, entitled, "An Act providing for the establishment of an engineering experiment station in connection with the State School of Mines; providing for its organization and control; defining its duties and powers; and making an appropriation therefor," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

After the word "Mines," in the title, strike out the "comma" and insert a "period"; and strike out all the balance of the title.

Page 1, line 5, after the word "Utah," strike out the "comma" and insert a "period", and strike out the balance of the section.

Page 2, strike out all of Section 5.

And, as amended, we recommend that the bill be passed.

Respectfully,

H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 27 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 98. by Mr. Hyde, entitled, "An Act to amend Section 477. Compiled Laws of Utah, 1907, defining the boundaries of Sanpete County," beg leave to report that they have had the same under consideration, and report that the Committee is divided as to reporting the same, and present the same herewith for the consideration of the Senate.

Respectfully,

E. T. HULANISKI,
Chairman.

S. B. No. 98 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 80, by Mr. Wootton, entitled, "An Act to amend Sections 2305 and 2307, Compiled Laws of Utah, 1907, relating to the name of the State Normal School; its relation to the University; courses of study; Normal scholarships, certificates, and

diplomas," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 80 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 99, by Mr. Hyde, entitled, "An Act to amend Section 469, of the Compiled Laws of Utah, 1907, defining the boundaries of Juab County," beg leave to report that they have had the same under consideration, and report that the Committee is divided as to reporting the same, and present the same herewith for the consideration of the Senate.

Respectfully,
E. T. HULANISKI,
Chairman.

S. B. No. 99 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 147, by Mr. C. Burton, Jr., entitled, "An Act to amend Section 475, Compiled Laws of Utah, 1907, relating to the boundary line of Salt Lake County," beg leave to report that they have had the same under consideration, and report that the Committee is divided as to reporting the same, and present the same herewith for the consideration of the Senate.

Respectfully,
E. T. HULANISKI,
Chairman.

S. B. No. 147 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Appropriations and Claims, to whom was referred S. B. No. 166, by Mr. Williams, entitled, "An Act to amend Sections 2098x1, 2098x2, 2098x16, and 2098x17, Compiled Laws of Utah, 1907, in relation to the Utah Art Institute, and annual prizes to be paid for paintings; and making an appropriation therefor," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
W. N. WILLIAMS,
Chairman.

The report of the Committee was adopted, and S. B. No. 166 was read the second time.

Majority and minority reports having been offered on S. B. No. 148, by the Committee on Manufactures and Commerce, on motion of Mr. Marks the reports were made the special order for tomorrow at 10:15 a. m.

COMMUNICATION.

Salt Lake City, Utah, March 4th, 1909.

To the President and Members of the State Senate, Salt Lake City, Utah.

Gentlemen: As State Superintendent of the Department of Mercy, a branch of the State Humane Association, I have arranged for a meeting to be held next Wednesday afternoon, March 10th, 1909, at 4:30 o'clock, in the teachers' room, No. 204, Joint City and County Building, Salt Lake City, Utah.

Governor William Spry, Hon. Wm. H. King, Prof. D. H. Christensen, Dr. T. B. Beatty, Rev. Elmer I. Goshen, and Mathonihah Thomas will address the meeting on the subject of "The Fundamental Need of Humane Education in the Schools of Utah," and I herewith extend to you a cordial invitation to be present on the occasion.

Very respectfully yours,
MRS. TOM D. PITT.

Communication filed.

MISCELLANEOUS BUSINESS.

Mr. Stookey moved a reconsideration of the vote by which S. B. No. 124 was rejected on Tuesday. Carried.

S. B. No. 124 was recommitted to the Committee on Education.

On motion of Mr. John Y. Smith, S. B. No. 141 was recommitted to the Committee on Agriculture and Irrigation.

On motion of Mr. Hyde, the Senate adjourned until tomorrow at 10 a. m.

FIFTY-FOURTH DAY.

MORNING SESSION.

Senate Chamber,
Salt Lake City, Utah, March 5th, 1909.

The Senate met at 10 a. m., pursuant to adjournment, President Gardner presiding.

Roll-call; quorum present.

Prayer by Mr. Jos. B. Keeler.

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

SIFTING COMMITTEE APPOINTED.

Mr. Benner X. Smith moved that a Sifting Committee of three members be appointed by the President, to consider the bills remaining in the hands of the committees on Monday, March 8th.

The motion prevailed, and the President appointed Messrs. Benner X. Smith, Hulaniski, and Badger.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No .4, by Mr. Kuchler, entitled, "An Act to appropriate the sum of $2,500.00 to Margaret Clark, on account of the death of her husband, Seymour L. Clark, while engaged in his duties as a peace officer of the State of Utah, and a deputy sheriff of Weber County," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 4 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.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 38, by Mr. Badger, entitled, "An Act to amend Section 4247, Compiled Laws of Utah, 1907, relating to indecency, and providing a penalty for the violation of this act," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 38 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.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 7, by Mr. Badger, entitled, 'An Act to amend Section 4734, Compiled Laws of Utah, 1907, providing that an information or indictment must charge but one offense, with certain enumerated exceptions,'' beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 7 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.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 57, by Mr. C. Burton Jr., entitled, ''An Act to amend Section 1867, Compiled Laws of Utah, 1907, relating to apportionment and use of school funds,'' beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 57 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.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: A majority of your Committee on Manufactures and Commerce, to whom was referred S. B. No. 148, by Committee on Manufactures and Com-

merce, entitled, "An Act relating to the manufacture, sale, bartering, giving away, or otherwise furnishing of intoxicating liquor; providing for the licensing and regulation of the same; providing for elections in any county or any precinct, or voting district therein, or any subdivision of a county, to determine whether the sale of intoxicating liquors shall be prohibited therein; applying to such elections the provisions of Chapter 10, Title 21, Compiled Laws of Utah, 1907, and also the provisions of the general election laws of the State; providing for the issuance by the Board of County Commissioners of orders prohibiting the manufacture and sale of intoxicating liquors within certain limits, and declaring the duties of such Boards in reference thereto; providing penalties and punishment for the violation of any of the provisions of this act; declaring certain rules of evidence and pleading applicable to prosecutions under this act; providing means for the enforcement of the provisions of this act, and repealing Sections 1242, 1243, 1244, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, and 1258, Compiled Laws of Utah, 1907," beg leave to report that they have carefully considered same, and recommend that the bill be passed, with the following amendments:

Page 1, line 25 of the title, after "this act" insert "providing for a special election, to be held on the first Monday in June, 1910, to determine whether intoxicating liquor shall be manufactured and sold in the State of Utah as a whole".

1. Page 2, line 24, after the word "States" add a semi-colon and insert: "provided, that such last named preparations shall be sold only on prescription, as provided in Section 11 of this act."

2. Page 3, line 27, strike out the words: "who shall also act as" and insert: "and the board shall elect one of its members".

3. Page 4, line 20, strike out the word "the" preceding "city" and insert "any".

4. Page 5, line 2, insert after "license": "except

in cities of the first and second class, in which cities the city council shall determine the amount of such license".

5. Page 5, line 7, strike out the comma after "stated" and insert a dash.

6. Page 5, line 8, preceding "Laws" insert "Compiled"; preceding "1907" insert "Utah".

7. Page 5, line 10, strike out: "Brewer, not less than $900 per annum".

8. Page 5, strike out on lines 17 and 18: "Brewer, not less than $600 per annum".

9. Page 5, strike out on lines 24 and 25; "Brewer, not less than $450 per annum".

10. Page 5, following line 28, insert: "In all cities and counties, Brewers as follows: Operating a brewery or breweries, with an annual capacity not exceeding 5,000 barrels, not less than $1,000 per annum; with an annual capacity not over 5,000 barrels and not exceeding 25,000 barrels, not less than $2,000 per annum; with an annual capacity over 25,000 barrels and not exceeding 50,000 barrels, not less than $3,000 per annum; with an annual capacity over 50,000 barrels and not exceeding 75,000 barrels, not less than $4,000 per annum; with an annual capacity over 75,000 barrels, not less than $5,000 per annum".

11. Page 7, line 20, after "construe" insert "so".

12. Page 7, line 28, strike out "or" and add a comma; and after "cities" insert "or towns".

13. Page 7, line 31, after "meanor" insert a comma and the following: "and shall be punished as provided in Section 62 of this act".

14. Page 7, line 35, after "demeanor" insert a comma and: "and shall be punished as provided in Section 62 of this act".

15. Page 8, line 8, strike out the comma after "druggist" and add: "or".

16. Page 8, line 10, strike out "the" and insert "his".

17. Page 8, line 25, strike out the semi-colon after "work" and insert a comma.

18. Page 9, line 10, after "If" insert "any club or"; strike out "and" and insert "or".

19. Page 9, line 13, after "act" insert: "in addition to the penalties provided in Section 62 of this act".

20. Page 9, line 15, after "vote" insert "as a whole".

21. Page 10, line 12, add the word "the".

22. Page 11, line 1, strike out "said" and insert "such".

23. Page 11, line 27, strike out "a"; change the reading of "supporter" to "supported".

24. Page 12, line 19, after "ture" strike out the semi-colon and insert a period; then strike out balance of line.

25. Page 12, strike out all of lines 20, 21, 22, 23, 25.

26. Page 12, line 26, strike out "dealer in intoxicating liquors".

27. Page 13, line 10, strike out "$50" and insert "$10".

28. Page 14, line 2, strike out "at his own expense".

29. Page 14, line 23, strike out "190" and insert "19".

30. Page 14, add a comma at the end of line 29.

31. Page 17, line 3, after "any" insert "city".

32. Page 17, line 12, strike out "assayer" and insert "chemist".

33. Page 19, line 18, strike out "by a fine of not more than one hundred dollars," and insert: "as provided in Section 62 of this act".

34. Page 19, line 23, strike out "by a fine".

35. Page 19, strike out all of lines 24 and 25, and insert: "as provided in Section 62 of this act".

36. Page 20, line 19, insert after "building" and before "booth" a comma.

37. Page 21, line 16, after "that" insert "the".

38. Page 21, line 20, strike out "medical" and insert "medicinal".

39. Page 21, line 28. change the word "directing" to "directed".

40. Page 27, line 2, strike out semi-colon after "election" and insert a period, and strike out balance of the line.

41. Page 27, strike out all of lines 3 and 4.

42. Page 27, line 5, strike out "provided".

43. Page 28, lines 13 and 14, strike out "alcoholic stimulants" and insert "intoxicating liquors".

44. Page 28, line 24, after "election" strike out the period, and insert a comma, and insert the following: "except as to the election to be held on the first Monday in June, 1909, and as to such election such petition shall be filed not less than thirty days before such election".

45. Page 28, line 34, after "state" insert a period, and strike out balance of line.

46. Page 28, strike out all of line 35.

47. Page 29, strike out all of lines 1 to 19, both inclusive.

48. Page 30, line 11, after "residence" insert a comma.

49. Page 30, line 12, strike out "precinct" and insert "district".

50. Page 30, strike out lines 15 to 34, both inclusive, and insert: "(Here follow twenty lines for signatures)".

51. Page 31, line 9, strike out the figures "1" "12" "14", and insert "63" "75" "77".

52. Page 32, lines 11 and 12, strike out: "or the proper city authority as provided in Section 3 of this act".

53. Page 33, line 19, strike out "of".

54. Page 33, line 23, strike out "between the number and", and insert: "in the square at the right of".

55. Page 33, line 24, strike out "between the number and", and insert: "in the square at the right of".

56. Page 33, line 34, strike out "one" and insert "63".

57. Page 34, line 16, after "state" insert a comma, and: "including provisions relating to the expenses of elections".

58. Page 34, after line 17, insert: "Registration as in case of county elections shall be provided for in all voting districts".

59. Page 35, line 16, after "sell" strike out "or exchange, or", and insert a comma and "barter"; insert comma after "given away" and "or otherwise furnish".

59a. Page 35, line 18, strike out the comma after "provided" and insert a semi-colon; strike out "this law" and insert "Sections 11, 13, 14, and 64 of this act".

59b. Page 35, line 27, strike out the comma after "prohibition" and insert a semi-colon.

60. Page 36, line 2, strike out "10" and insert "73".

61. Page 36, line 5, after "of" insert "a".

62. Page 36, line 8, strike out "as" and insert "an".

63. Page 36, line 11, strike out "14" and insert "67".

64. Page 36, line 20, after "subdivision" insert "or any precinct or voting district".

65. Page 37, line 7, strike out "exchange" and insert "barter".

66. Page 37, line 8, strike out "or".

67. Page 37, line 8, after "away" strike out: "with a purpose of evading", and insert "or otherwise furnish in violation of".

67a. Page 37, lines 9 and 10, strike out "law" and insert "act".

68. Page 37, line 30, after "any" insert "newspaper, publisher, or other".

69. Page 37, line 35, strike out "the" preceding "grand"; change "jury" to read "juries".

70. Page 38, line 5, after "liquors" insert "by any device".

71. Page 38, line 6, strike out "such" and insert "a".

72. Page 38, line 7, strike out "in such county".

73. Page 38, line 35, after "sell" insert: "barter, give away, or otherwise furnish"; strike out "to have it sold".

74. Page 39, line 1, after "sold" insert: "bartered, given away, or otherwise furnished".

75. Page 39, line 2, after "law" insert: "shall be guilty of a misdemeanor, and shall be punished as provided in Section 62 of this act".

76. Page 39, line 5, strike out "spirituous" and insert "intoxicating".

77. Page 39, line 33, after "him" insert "of".

78. Page 40, line 4, strike out "inspection of the".

79. Page 40, after line 31, insert to read as Section 88: "Every person who shall within any county, subdivision of a county, precinct, or voting district, voting 'For Prohibition,' directly or indirectly, keep or maintain by himself or by associating or combining with others, any

club room or other place in which any intoxicating liquor is received or kept for the purpose of selling, bartering, giving away, or otherwise furnishing, or for distribution, or division, among the members of any club or association by any means whatsoever, and every person who shall sell, barter, give away, or otherwise furnish, distribute, or divide any such intoxicating liquor so received or kept, shall be guilty of a misdemeanor".

80. Page 40, line 32, change the section to read "90" instead of "89".

81. Add the following to read as "Section 91": "Section 1 to 62, inclusive, and Section 90, of this act, shall take effect July 1st, 1909; Sections 63 to 89, inclusive, shall take effect upon approval".

Section 89. If ten per cent of the registered voters of each county shall file petitions therefor, a special election shall be held for the entire State of Utah, on the first Monday in June, A. D. 1910, to determine whether intoxicating liquors shall be manufactured and sold within the State of Utah as a whole. The special election provided for in this section shall be conducted in the following manner:

The County Clerks of the various counties shall, not less than fifty nor more than one hundred twenty days, before such election, certify to the Secretary of State, if such be the fact, that petitions for the special election herein provided for, signed by the requisite number of voters, have been filed in his office. If the County Clerk of each county certify that such petitions have been filed with him, the Governor shall make proclamation of such election, as provided for in case of an election for State officers.

The Secretary of State shall, as provided for in case of amendments to the Constitution, prepare, certify, and transmit to the County Clerk of each county, two sample ballots for the election herein provided for. The said ballots shall be worded substantially as follows:

Ballot for ..... voting district. .....County, for prohibition election to be

held on the first Monday in June, A. D. 1910. Vote for or against prohibition of the manufacture and sale of intoxicating liquors for beverage purposes for the entire State of Utah.

Mark "X" in the square at the right:

For prohibition ☐

Against prohibition ☐

The special election herein provided for shall not interfere with the holding at the same time of an election as provided in this act for any county, subdivision of a county, precinct, and voting district thereof, but all petitions, notices, and ballots for the special election herein provided for may contain provisions for any election for such county, subdivision of a county, precinct and voting district, as well as for such special election. All petitions, notices, and ballots for the special election herein provided for shall conform as nearly as possible to forms for petitions, notices, and ballots provided for in this act, except that such petitions, notices, and ballots shall contain words indicating that a special election is to be held on the first Monday in June, A. D. 1910, to determine whether intoxicating liquors shall be manufactured and sold within the State of Utah as a whole.

The County Clerk shall furnish such ballots to the various precinct and voting district officials as provided in this act and in conformity with the general election laws of this State. All parts of this act not inconsistent with the provisions of this section shall apply to and govern the holding of the special election herein provided for. The general election laws of this State shall apply to and govern the election provided for herein in all cases where the same are not repugnant or inapplicable hereto. Registration as in case of county elections shall be provided for in all voting districts. Returns shall be made to the Board of County Commissioners as provided in the general election laws for county officials, and where elections for a county, subdivision, precinct or voting district

thereof, in addition to the special election herein provided for, have been held, the result of such election shall be declared and shall have the same force and effect as elections under the provisions of this act and as though no special election were held, except as hereinafter provided. The Board of County Commissioners shall canvass the returns and shall certify to the Secretary of State the number of votes for and against prohibition in the entire county. The Board of State Canvassers shall canvass the returns and shall declare the results thereof, as in case of general elections. If a majority of such votes cast in such election in the entire State shall be for prohibition, the Governor shall make proclamation thereof, and shall by order prohibit the manufacture and sale of intoxicating liquors within the State of Utah from and after the 1st day of July, 1910, and the force and effect of such proclamation shall be the same as though each and every county of this State as a whole had voted for prohibition, and the Boards of County Commissioners of each and every county had prohibited the manufacture and sale of intoxicating liquors in each and every county of this State, as provided in Section 73 of this act. The Boards of County Commissioners of each county in which elections are held under the provisions of this act, in addition to the special election herein provided for, to determine whether intoxicating liquors shall be manufactured and sold, or either, in such county, subdivision, precinct, or voting district thereof, shall declare the result of the vote for and against the manufacture and sale, or for and against the sale of intoxicating liquors, as provided in this act; such order to take effect on the 1st day of July, 1910. If any county as a whole shall vote against prohibition, and if the State shall as a whole vote for prohibition, the vote in the State shall prevail, and the proclamation and order of the Governor shall operate in such county, notwithstanding its vote against prohibition.

CARL A. BADGER,
J. A. HYDE,
H. BULLEN JR.,
JOHN Y. SMITH,

Majority of Committee on Manufactures and Commerce.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: The minority of your Committee on Manufactures and Commerce, to whom was referred S. B. No. 148, by the Committee on Manufactures and Commerce, disagreeing with the majority of your Committee regarding certain provisions of S. B. No. 148, as presented by the Committee, I am unalterably opposed to proposed Section 89, offered as amendment to the bill. I recommend that the bill be not passed.

Respectfully,
RUDOLPH KUCHLER,
Chairman.

The majority report of the Committee was adopted, and S. B. No. 148 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 65, by Mr. Badger, entitled, "An Act amending Sections 2372 and 2380, Compiled Laws of Utah, 1907, providing for the acceptance by the State of Utah of certain desert lands, and providing for contracts for the reclamation of the same, and validating and confirming proceedings heretofore taken under Chapter 2, Title 75, Compiled Laws of Utah, 1907," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 65 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.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House S. B. No. 65, by Mr. Badger, "An Act amending Sections 2372 and 2380, Compiled Laws of Utah, 1907, providing for the acceptance by the State of Utah of certain desert lands, and providing for contracts for the reclamation of the same, and validating and confirming proceedings heretofore taken under Chapter 2, Title 75, Compiled Laws of Utah, 1907."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 65 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 229, substitute for H. B. No. 200, by Committee on Counties, entitled, "An Act to amend Sections 464 and 475, Compiled Laws of Utah, 1907, relating to the boundary lines of Salt Lake and Davis Counties."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 229 was read the first time, and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 167, by Mr. Thornley, entitled, "An Act providing for the registration and numbering of motor vehicles and chauffeurs, and their use of the public highways, and imposing penalties for the violation of its provisions."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 167 was read the first time, and referred to the Committee on Highways and Bridges.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. J. R. No. 7, by Mr. Morris (by request), making available the appropriation of $2,500.00 for the purpose of macadamizing around the capitol grounds.

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. R. No. 7 was read the first time, and referred to the Committee on Capitol and Capitol Grounds.

UNFINISHED BUSINESS.

Senate Bill No. 52, by Mr. Wilson, entitled, "An Act creating a reservoir land grant fund; providing for the selection of a site; construction of reservoirs; and specifying and empowering the State Board of Land Commissioners to make loans from said funds and returns thereof; and for plans and specifications of said work and

manner of construction, and how payments shall be made; and making an appropriation therefor; and repealing Sections 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, and 2400, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 11; nays, 3; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Burton Hyde, and Miller.

Those absent and not voting were: Messrs. Brinkerhoff, Benner X. Smith, John Y. Smith, Stookey.

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

Senate Bill No. 129, by Mr. Badger, entitled, "An Act amending Section 973, Compiled Laws of Utah, 1907, relating to fees of County Recorders," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hulaniski, Hyde, Marks, Miller, Seely, Sevy, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Kuchler, Benner X. Smith, John Y. Smith, Stookey, Williams.

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

Senate Bill No. 130, by Mr. Badger, entitled, "An Act amending Sections 1498 and 1503, Compiled Laws of Utah, 1907, relating to filing of copy of notice of mining location; fee; and of filing duplicate notice of mining location; fee," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs, Badger,

Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Marks, Benner X. Smith, John Y. Smith, Stookey, Williams.

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

Senate Bill No. 131, by Mr. Badger, entitled, "An Act amending Section 4040, Compiled Laws of Utah, 1907, relating to decrees affecting real property to be recorded," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs, Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Sevy, Wilson, Mr. President.

Those absent and not voting were. Messrs. Brinkerhoff, Marks, Seely, Benner X. Smith, John Y. Smith, Stookey, Williams.

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

Senate Bill No. 144, by Mr. Wilson, entitled, "An Act providing the manner of annexing that part of the territory of one or more counties to an adjoining county, and of creating new counties out of existing counties; and repealing Sections 487x5, 487x6, 487x7, 487x8, 487x9, 487x10, and 487x11, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 7, nays, 7; absent and not voting, 4.

Those voting in the affirmative were: Messrs, Badger, Bullen, Horsley, Hulaniski, Kuchler, Williams, Mr. President.

Those voting in the negative were: Messrs. Burton, Hyde, Marks, Miller, Seely, Sevy, Wilson.

Those absent and not voting were. Messrs. Brinkerhoff, Benner X. Smith, John Y. Smith, Stookey.

Mr. Wilson gave notice that he would move tomorrow

a reconsideration of the vote by which S. B. No. 144 failed.

Senate Bill No. 106, by Mr. Badger, entitled, "An Act amending Section 1117, Compiled Laws of Utah, 1907, relating to the width of public and private ways," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs, Badger, Bullen, Horsley, Hyde, Kuchler, Marks, Seely, Sevy, Williams, Wilson, Mr. President.

Those absent and not voting were. Messrs. Brinkerhoff, Burton, Hulaniski, Miller, Benner X. Smith, John Y. Smith, Stookey.

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

Mr. Wilson was called to the chair.

Senate Bill No. 132, by Mr. Badger, entitled, "An Act amending Section 1895, Compiled Laws of Utah, 1907, relating to who may take acknowledgments," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs, Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Williams, Wilson.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, Benner X. Smith, John Y. Smith, Stookey, Mr. President.

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

The President resumed the chair.

Senate Bill No. 108, by Mr. Badger, entitled, "An Act to amend Section 1018, Compiled Laws of Utah, 1907, relating to officer performing duties without fees, and providing that poor person shall not be required to furnish cost bond," was read the third time, and placed on its final passage, and passed, as amended in title and body,

by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Benner X. Smith, John Y. Smith, Stookey.

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

On motion of Mr. Kuchler, the Senate took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate reconvened at 2 p. m.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 206, by Mr. Hodges, entitled, "An Act authorizing the diversion of the sheep inspection fund to the general funds of the State."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 206 was read the first time, and referred to the Committee on Live Stock.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 182, by Mr. Thompson, "An

Act amending Section 965, Compiled Laws of Utah, 1907, fixing the fees to be charged by the Secretary of State."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 182 was read the first time, and referred to the Committee on Salaries.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 7, by Mr. Badger, entitled, "An Act to amend Section 4734, Compiled Laws of Utah, 1907, providing that an information or indictment must charge but one offense, with certain enumerated exceptions"; S. B. No. 57, by Mr. Burton, entitled, "An Act to amend Section 1867, Compiled Laws of Utah, 1907, relating to apportionment and use of school funds"; S. B. No. 4, by Mr. Kuchler, entitled, "An Act to appropriate the sum of $2,500.00 to Margaret Clark, on account of the death of her husband, Seymour L. Clark, while engaged in his duties as a peace officer of the State of Utah, and a deputy sheriff of Weber County", and S. B. No. 38, by Mr. Badger, entitled, "An Act to amend Section 4247, Compiled Laws of Utah, 1907, relating to indecency, and providing a penalty for a violation of this act."

The same are herewith returned for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 7, 57, 4, and 38 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 31, by Mr. Holman, "An Act to amend Section 1221, Compiled Laws of Utah, 1907, relating to inquests and defining the duties of Justices of the Peace thereto."

The same is transmitted herewith for the signature of the President.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 31 was read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 109, by Mr. Hulaniski, entitled, "An Act providing punishment for the removal, stealing, or in any manner interfering with journal bearings, brasses, or other parts of locomotives, tenders, or railroad cars, and for buying or receiving such stolen property, knowing that the same had been stolen."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Hulaniski, the Senate concurred in the amendments by the House.

Senate Bill No. 109, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs, Badger, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, John Y. Smith, Stookey.

S. B. No. 109 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 208, by Mr. McRae, "An Act to amend Section 2503, Compiled Laws of Utah, 1907, relating to property exempt."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 208 was read the first time, and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS.

Senate Bill No. 189.—By Mr. Burton.

A Bill for an Act relating to surety companies, and repealing Sections 430x, 430x1, 430x2, 430x3, 430x4, 430x5, 430x6, 430x7, and 430x8, Compiled Laws of Utah, 1907.

S. B. No. 189 was read the first time, and referred to the Committee on Private Corporations and Insurance.

RESOLUTION REFERRED.

S. J. R. No. 7 was taken from the table and read the first time, and referred to the Committee on State affairs.

UNFINISHED BUSINESS.

Senate Bill No. 74, by Mr. Bullen, entitled, "An Act to amend Sections 2321, 2322, and 2324, Compiled Laws of Utah, 1907, providing for a State Board of Land Commissioners," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff and Burton.

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

Senate Bill No. 160, by Mr. Marks, entitled, "An Act creating a State Board, to be known as, The Capitol Commission; fixing the manner of appointment and the compensation of the members thereof; prescribing their powers and duties, and authorizing the erection of a State capitol," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Bullen, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Burton, Benner X. Smith, John Y. Smith, Stookey.

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

Senate Bill No. 161, by Mr. Marks, entitled, "An Act providing for the issue and disposal of State bonds, and the appropriation of the proceeds of the sale thereof for the purpose of the erection of a State capitol," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hyde, Kuchler, Marks, Miller, Seely,

Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Hulaniski, Benner X. Smith.

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

Senate Bill No. 162, by Mr. Marks, entitled, "An Act providing for the refunding of the bonds of the Territory of Utah, of the issue of July second, eighteen hundred and ninety-two, and the disposal of the funds provided by law for the redemption thereof," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Seely, Benner X. Smith.

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

Senate Bill No. 163, by Mr. Marks, entitled, "An Act providing for an election submitting to the qualified electors of the State a proposition to levy a one-mill tax in excess of the rate of taxation otherwise fixed or limited for all other purposes for fifteen years, to raise funds to construct and furnish a State capitol for the State of Utah," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff and Bullen.

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

Senate Bill No. 177, by the Committee on Public Health, entitled, "An Act creating the position of State Bacteriologist and Pathologist, and defining his duties, and providing for a State Public Health Laboratory and its location," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 11; nays, 4; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Hyde, Kuchler, Marks, Miller, Sevy, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Burton, Horsley, Hulaniski, Seely.

Those absent and not voting were: Messrs. Brinkerhoff, Benner X. Smith, John Y. Smith.

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

Senate Bill No. 51, by Mr. Marks, entitled, "An Act providing for the protection of fish, game, and birds; for the appointing of a Fish and Game Commissioner, chief deputy, chief wardens, hatchery superintendents, and special deputies prescribing their powers and duties; providing for fish and game licenses, and a fish and game fund; providing for the building of fish hatcheries; and providing penalties for the violation of this act; and repealing Chapters 1 and 2, Title 25, Compiled Laws of Utah, 1907, and all acts or parts of acts in conflict herewith," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Wilson.

Voting in the negative: Mr. President.

Those absent and not voting were: Messrs. Hulaniski, Benner X. Smith, Williams.

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

REPORT OF COMMITTEE.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 109, by Mr. Hulaniski, entitled, "An Act providing punishment for the removal, stealing, or in any manner interfering with journal bearings, brasses, or other parts of locomotives, tenders, or railroad cars, and for buying or receiving such property, knowing that the same had been stolen," beg leave to report that they have had the same carefully engrossed and enrolled, and herewith present the same for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 109 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.

MISCELLANEOUS BUSINESS.

Mr. Badger moved that S. B. No. 148 be made the special order for tomorrow at 10:15 a. m.

The roll being called, the motion failed by the following vote: Ayes, 10; nays, 6; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hyde, Sevy, John Y. Smith, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Hulaniski, Kuehler, Marks, Miller, Seely, Stookey.

Those absent and not voting were: Messrs. Brinkerhoff and Benner X. Smith.

Mr. Wilson moved that when the Senate adjourns, it do so until tomorrow at 9 a. m. Carried.

On motion of Mr. John Y. Smith, the Senate adjourned.

FIFTY-FIFTH DAY.

MORNING SESSION.

Senate Chamber,
Salt Lake City, Utah, March 6th, 1909.

The Senate met at 9 a. m., pursuant to adjournment, President Gardner presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-fourth day's session were read and approved.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 157, by Mr. Hyde, entitled, "An Act requiring all persons to procure a license before engaging in the dairy business, defining and regulating such business; fees and license therefor, and by whom issued; and providing a penalty for violation of any provisions of this Act," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 157 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Live Stock, to whom was referred H. B. No. 206, by Mr. Hodges, entitled, "An Act authorizing the diversion of the Sheep Inspection Fund to the General Fund of the State," beg leave to report that they have had the same

under consideration and recommend that the same be passed.

Respectfully,
JOHN H. SEELY,
Chairman.

The report of the Committee was adopted, and H. B. No. 206 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Labor, to whom was referred H. B. No. 18, by Mr. Archibald, entitled, "An Act relating to the protection of employees and for preventing superintendents, foremen, assistants, bosses or any other person from receiving or soliciting money," beg leave to report that they have carefully considered same and recommend that the bill be passed.

Respectfully,
CARL A. BADGER,
Chairman.

The report of the Committee was adopted, and H. B. No. 18 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Railroads, to whom was referred S. B. No. 155, by Mr. Badger, entitled, "An Act prohibiting trespassers upon the tracks and right-of-way of railroads, and providing penalties for the violation thereof," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
CARL A. BADGER,
Chairman.

The report of the Committee was adopted, and S. B. No. 165 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Railroads, to whom was referred S. B. No. 178, by Mr. Badger, entitled, "An Act prohibiting the giving of any free ticket, free pass, or free transportation for passengers or property between points within the State of Utah, except to certain enumerated persons," beg leave to report that they have carefully considered same. and recommend that the bill be passed.

Respectfully,
CARL A. BADGER,
Chairman.

The report of the Committee was adopted, and S. B. No. 178 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Labor, to whom was referred H. B. No. 154, by Mr. Russell, entitled, "An Act to amend Section 2723, Compiled Laws of Utah, 1907, relating to the use of trade-marks," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
CARL A. BADGER,
Chairman.

The report of the Committee was adopted, and H. B. No. 154 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 117, by Mr. Benner X. Smith, entitled, "An Act amending Sections 1712, 1714, 1715, 1716, 1717, 1718, 1720, 1726, 1727, and 4282, Compiled Laws of Utah, 1907, relating to the State Board of Pharmacy; the appointment, terms, qualification, compensation, and duties of its members; the registration of

pharmacists and assistant pharmacists and their certificates; and prohibiting the sale of poison to certain persons, and regulating the sale of poisons and providing penalties therefor," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 117 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 80, by Mr. Williams, entitled, "An Act creating a State Dairy and Food Bureau, defining its duties and powers; and making an appropriation for the purpose of carrying out the provisions of this Act," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 80 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Private Corporations and Insurance, to whom was referred H. B. No. 159, by Mr. McCracken, entitled, "An Act to amend Section 323, Compiled Laws of Utah, 1907, relating to the winding up the affairs of corporations whose franchises have expired," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
CHRIS. BURTON JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 159 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 136, by Mr. Williams, entitled, "An Act compelling all persons selling poultry, game, fish, butter, and eggs, which have been in cold storage more than three months, to be labeled 'Cold Storrage,' " beg leave to report that they have had the same under consideration and recommend that the bill be passed.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 136 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 128, by Mr. Benner X. Smith, entitled, "An Act to regulate the itinerant vending of medicine, nostrums, and appliances for the treatment of disease, injury, or deformity, and to provide for the licensing of vendors of the same," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 128 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 150, by Mr. Marks, entitled, "An Act relating to insufficient labeling of food

and food products, and providing punishment therefor," beg leave to report that they have had the same under consideration and recommend the following amendments thereto:

1. On line 7, strike out "to" and insert "who", and after "manufacture" add an "s".

2. On line 8, strike out "have" insert "or has," and after "produce" and "expose" add an "s".

3. On line 9, after "sell" add an "s".

With these amendments we recommend the bill be passed.

Respectfully,

J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 150 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Education, to whom was referred S. B. No. 59, by Mr. Bullen, entitled, "An Act to amend Section 1801, of the Compiled Laws of Utah, 1907, relating to creating school districts, dividing and consolidating school districts and adjusting property rights and burdens of the several districts affected thereby," beg leave to report that they have had the same under consideration and recommend that the bill be not passed, for the reason that the same is covered by H. B. No. 195.

H. BULLEN JR.,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 195, by Mr. Funk, entitled, "An Act to amend Section 1801, Compiled Laws of Utah, 1907, relating to creating school districts, dividing and consolidating school districts and adjusting property

rights and burdens of the several districts affected thereby," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 195 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Labor, to whom was referred S. B. No. 76, by Mr. Benner X. Smith, entitled, "An Act for the protection of persons furnishing labor and material for the construction or repair of public buildings and public works," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
CARL A. BADGER,
Chairman.

The report of the Committee was adopted, and S. B. No. 76 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 95, by Mr. Wootton, entitled, "An Act amending Section 1819, Compiled Laws of Utah, 1907, relating to the employment and the dismissal of teachers," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Private Corporations and Insurance, to whom was referred Senate Bill No. 61, by Mr. Benner X. Smith, entitled, "An Act providing for an Insurance Department, enacting an Insurance Code, and regulating Insurance Companies and their business, and fixing certain fees to be charged and collected by the Commissioner of Insurance, and Repealing Sections 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 422x, 422x1, 422x2, of the Compiled Laws of Utah, 1907, relating to and regulating Insurance Companies and their business," beg leave to report that they have had the same under consideration, and recommend that the amendments thereto, which are hereunto annexed, be made, and that the bill as thus amended be passed.

1.

That the title of the act be amended by inserting a comma after the figures "422x2", and by striking out the words "of the" which immediately follow those figures.

And that the bill be further amended by striking out on the first page thereof, after the words "Be it enacted by the Legislature of the State of Utah," the following "Division I";

And that the bill be further amended by striking out in line 23 of page 29 the words "Division II."

2.

That Section 4 be amended by striking out in lines 26 and 27, page 2, the following: "Three Thousand Dollars ($3,000)", and inserting in lieu thereof the following: "twenty-five hundred dollars."

3.

That Section 5 be amended in the following particulars:

(a) By inserting in line 35, page 2, after the word "Commissioner", the following: "with the consent of the State Board of Examiners".

(b) By striking out in lines 18 and 19, page 3, the following: "Twenty-one Hundred Dollars ($2100)", and inserting in lieu thereof the following, "eighteen hundred dollars."

4.

That Section 11 be amended by inserting, in line 8, page 5, after the word "insurance" the following: "except such papers as are mentioned in Sec. 351, Compiled Laws of Utah, 1907."

5.

That Section 15 be amended in the following particulars:

(a) By striking out all that is included between the word "State"; in line 34, page 7, and the word "The", in line 3, page 8, and inserting in lieu thereof the following: "provided, that the written consent of the State Board of Examiners must be obtained to all examinations, inquiries, or investigations made beyond the borders of the State of Utah."

(b) By inserting after the word "writing" in line 30, page 8, the following: "showing reasonable grounds for such belief," so as to make that line read as follows: "in writing, showing reasonable grounds for such belief, that such company is in an unsound or insolvent".

6.

That Section 16 be amended by inserting after the word "unsound", in line 15, page 10, the words "or insolvent".

7.

That Section 17 be amended in the following particulars:

(a) By striking out, in line 3, page 13, the following: "power-of-attorney and".

(b) By inserting, between lines 4 and 5, on page 13, the following:

"For filing certified copy of acceptance by foreign companies of the provisions of the Constitution of the State of Utah, $3.00.

"For filing any power-of-attorney, $1.00."

(c) By inserting, between lines 6 and 7, on page 13, the following:

"For filing amendments to articles of incorporation and by-laws of foreign companies, and examination thereof, $5.00."

(d) By adding after the word "received" in line 22, page 13, the following: "less the amount of all premiums returned,"

8.

That Section 22 be amended by striking out the whole Section beginning with line 21, page 17, and substituting in lieu thereof the following:

"(3) Cause for the revocation of the certificate of an agent or solicitor, may exist for violation of the insurance laws, or if it shall appear to the Commissioner, upon due proof, after notice that such agent or solicitor has knowingly deceived or defrauded a policy-holder or person being solicited for insurance, or that such agent or solicitor has unreasonably failed and neglected to pay over to the company, or its agent entitled thereto, any premium or part thereof, collected by him on any policy of insurance. The Commissioner shall publish such revocation in such manner as he deems proper for the protection of the public.

"(4) A person who is not provided with a certificate from the Commissioner as an authorized agent or solicitor of an insurance company, and who, for compensation, transmits for a person other than himself an ap-

plication for a policy of insurance to or from such company, shall be an insurance agent or solicitor within the intent and for the purposes of this act, and shall therefore become liable for all duties, requirements, liabilities, and penalties to which an agent of such company is subject, and such company, by compensating such person, through any of its officers, agents, or solicitors, shall thereby accept and acknowledge such person as its agent or solicitor in such transaction.

"(5) When an application is received for a certificate of authority, for an agent or solicitor for a life insurance company for a person already authorized by the Commissioner to act for another insurance company, it shall be the duty of the Commissioner to notify the company for which such person is already authorized to act of such application, and to also notify the company by or for which the application is made, of the name of the company for which such person is already authorized to act as agent or solicitor.

"(6) It shall be the duty of every person soliciting insurance in this State to comply with the provisions of this Act, relating to the procurement of certificates; and any person who solicits insurance without the certificate of authority of an agent or solicitor for the company receiving the business as required by this Act, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than One Hundred Dollars $100.00) or by imprisonment in the County Jail not exceeding two months, or both such fine and imprisonment, in the discretion of the court.

"(7) Any person who shall solicit and procure an application for insurance, other than fire insurance, shall, in any controversy between parties to the contract, or between the parties to the contract and the beneficiary, if any, be held to be the company's agent, whatever conditions or stipulations may be contained in the policy or contract; but such policy may provide that no statement or declaration made to or by any agent, examiner, or other person, not contained in the application, shall be taken or considered as having been made to or brought to the notice or knowledge of the company, or as charging

it with any liability by reason thereof. Such agent who knowingly procures by fraudulent representations payment or an obligation for payment of premium of insurance, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than One Hundred Dollars ($100.00) or more than One Thousand Dollars ($1,000.00) or by imprisonment in the County Jail for not more than one year.

"(8) An insurance agent who acts in negotiating a contract of insurance, or who collects premiums for an insurance company lawfully doing business in this State and who embezzles or fraudulently converts to his own use or with the intent to use or embezzle, takes, secretes, or otherwise disposes of or fraudulently withholds, appropriates, lends, invests, or otherwise uses or applies any money or substitute for money received by him as such agent, contrary to the instructions or without the consent of the company for or on account of which the same was received by him, shall be guilty of larceny and be punished accordingly.

"(9) Any solicitor, agent, or examining physician who shall knowingly or wilfully make any false or fraudulent statement or representation in or with reference to any application for insurance or for the purpose of obtaining any money or benefit in any corporation transacting business under this Act, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than One Hundred or more than Five Hundred Dollars, or imprisonment in the County Jail for not less than thirty days nor more than one year, or both, in the discretion of the Court."

9.

That Section 23 be amended by adding thereto the following sentences at the end of said Section in line 4, page 22:

"Every such company shall thereafter, before the first day of March of each year, file a new power of attorney, signed as aforesaid and of similar tenor. Here-

after it shall be unnecessary to file such papers in the office of the Secretary of State."

10.

That Section 24, on page 22, be amended so as to read as follows:

"Sec. 24. No foreign insurance company shall transact any business in this State unless it shall first file in the office of the commissioner a copy of its articles of incorporation and by-laws and all amendments thereof or alterations thereto, and also any such subsequent amendments or alterations, and also a copy of its acceptance of the provisions of the Constitution of this State, and, in the case of companies which have already filed the same, a copy of the instrument designating its agent upon whom process may be served, all certified to by the Secretary of State as being true copies of such papers on file in his office; together with a statement under oath of the president and secretary or other chief officers of such company, showing the condition of affairs of such company on the 31st day of December next preceding the date of such oath. This statement shall be in the same form and shall set forth the same particulars as the annual statement required by this Act. No charge for such certified copies, other than for the certificate attached thereto, shall be made when true copies are furnished by such company to the Secretary of State for his certification."

11.

That Section 25 be amended by striking out in line 19, page 22, the word "itse" and inserting in lieu thereof the word "its".

12.

That Section 26 be amended in the following particulars:

(a) By inserting a comma in lieu of the period in line 18, page 23, and adding immediately thereafter the

folowing clause: "or a capital and net surplus over all liabilities aggregating three hundred thousand dollars."

(b) By striking out, in line 22, page 23, the words "One Hundred Thousand Dollars ($100,000)", and inserting in lieu thereof the words "fifty thousand dollars."

(c) By striking out, in line 25, page 23, the words "a guaranty fund over all liabilities", and inserting in lieu thereof the following "cash assets".

(d) By striking out the whole of paragraph (4) and inserting in lieu thereof the following:

"(4) Companies with territory not limited to Utah, cash assets of not less than one hundred thousand dollars. Companies whose business is limited to Utah only, cash assets of not les than twenty-five thousand dollars, such assets to be net after deducting all liabilities other than reinsurance reserve.

"Companies with a guaranty fund shall be required to have the same capital and surplus as that required of joint stock companies.

"No mutual or mutual assessment fire insurance company shall receive a certificate of authority to do business in this State until it has filed with the Insurance Commissioner a satisfactory bond, to be approved of by the Insurance Commissioner, executed by at least two resident freeholders of this State or by a surety company authorized to do business in this State, in the penal sum of ten thousand dollars, for the use and benefit of the policy holders of such company in this State, who, in any action against such company, may make such sureties or surety company defendants to the suit, and a judgment shall be rendered against them as shall be proper. If the total annual premiums of such company in this State should exceed ten thousand dollars, then the bond shall be increased to an amount equal to such premiums. If the insurance company so desires, it may, in lieu of such bond, deposit with the Commissioner of Insurance bonds or securities of the kind mentioned in paragraph (1), Section 27, of this Act, equal in value to the amount of such bond, the value thereof to be deter-

mined by said Commissioner. In the event of a policy holder of this State recovering judgment against such company, the court shall make such decree for the sale of such securities to satisfy the same as may be just and proper."

(e) By inserting after the word "guaranty" and before the word "fund", in line 5, page 24, the following: "or surplus".

(f) By inserting after the word "guaranty" and before the word "fund" in line 14, page 24, the words, "or surplus".

(g) By inserting after the word "guaranty" and before the word "fund" in line 21, page 24, the words, "or surplus".

13.

That Section 27 be amended by striking out the whole of said Section, and substituting in lieu thereof the following:

'Sec. 27. (1) No insurance company shall transact business in this State unless it is possessed of the actual amount of capital or guaranty or surplus funds as required in Section 26 of this act,in cash or invested in bonds or public stock issued or created by the United States, or by this State, or by any of the States of the United States, or the District of Columbia, or any or either of them, or by any of the incorporated cities, counties, townships, or other municipal corporation thereof; or in bonds or notes secured by mortgages or trust deeds on unencumbered real estate located within said States, or the District of Columbia, or either of them, worth at least fifty per cent. more than the sum invested or loaned thereon.

"(2) Domestic insurance companies hereafter organized may, after complying with the provisions of this Act, invest their additional surplus, or other funds, in such securities as are named in paragraph (1) hereof; or may loan upon, or purchase real estate or mortgage bonds of railroad companies organized under the laws

of said States, or the District of Columbia, or either of them, or operated therein, or the capital stock, bonds, securities, or evidences of indebtedness created by any corporation or corporations created under the Laws of the United States, or of this, or any other State, except the stock of mining companies; provided, that no loan shall be made or retained on any of the above-mentioned securities, except the bonds or stocks issued or created by the United States, or this State, exceeding ninety per centum of the market value thereof; and provided further, that no loan shall be made by any company on its own stock; and any life insurance company of this State may, in addition to the foregoing, purchase for its own benefit, any policy of insurance, or other obligation of the company, and any claims of policy-holders, and may lend to the holders of policies of the company a sum not exceeding the reserve value of the policies and surplus or dividend additions thereto, if any, at the time the loan is made, for the payment of which loan, the policies and all profits thereon shall be pledged. After January 1, 1915, domestic insurance companies now organized shall be subject to the provisions of this paragraph.

14.

That Section 28 be amended by inserting after the word "shall" and before the word "make" in line 11, page 27, the following: "on all policies hereafter issued, beginning at the end of the fifth policy year,"

15.

That Section 30 be amended by striking out the whole of line 31, on page 27, and by inserting a period after the word "companies" in line 30 of the same page; and by inserting immediately thereafter the following sentence:

"A mutual fire insurance company may, however, insure a single risk in an amount not exceeding five per cent of its net annual premium income for the year last preceding."

16.

That Section 31 be amended by striking out, in line 35, page 27, immediately preceding the word "Compiled" the words "of the".

17.

That Section 32 be amended by inserting, after the word "shall" in line 19, page 28, the following: "without charge for so doing," and that that Section be also amended by inserting a new sentence, in line 24, page 28, after the letters "pany," the following: "He shall also, without charge for so doing, certify to the Commissioner any amendments made to such articles of incorporation or by-laws."

18.

That Section 34 be amended by striking out in line 14, page 29 the word "regular".

19.

That Section 35 be amended by striking out the whole of said Section, and substituting in lieu thereof, the following:

"Sec. 35. For the purpose of making valuations of life insurance policies under the provisions of this Act, the rate of interest assumed in valuing policies shall be three and one-half per cent. per annum, and the rate of mortality shall be established by the table known as the "American Experience Table of Mortality," for policies issued after January 1, 1910; for policies issued prior to January 1, 1910, the rate of interest assumed shall be 4 per cent. per annum, and the rate of mortality shall be established by the table known as the "Actuaries' Table of Mortality," such values to be on the basis of net premiums. For the purpose of estimating the liabilities of insurance companies other than life, the amount required to safely reinsure all outstanding risks shall be estimated by taking fifty per cent of the gross premiums

on all risks and policies in force issued for not more than one year and pro rata of all gross premiums on risks and policies written for a longer term than one year. The Commissioner may accept the valuation of the Department of Insurance of any other State or country if made upon the basis and according to the Standard herein required, if the Insurance officer of such State or country accepts as sufficient and valid for all purposes the Certificate of Valuation of the Commissioner of this State."

20.

That Section 36 be amended in the following particulars:

(1) By striking out the word "offices" in line 10, page 30, and inserting in lieu thereof the word "officers".

(2) By striking out the whole of paragraphs numbered (2), (3) and (7) thereof, and inserting in lieu thereof, the following paragraphs to be numbered (2), (3) and (7):

(2) A provision that the policy shall be incontestable after two years from its date, except for non-payment of premiums and except for violations of the conditions of the policy relating to naval or military service in the time of war or other prohibited risks.

(3) A provision that the policy shall constitute the entire contract between the parties, and that all statements made by the insured shall, in the absence of fraud, be deemed representations and not warranted, and that no such statement or statements shall be used in defense of a claim under the policy, unless contained in a written application, and a copy of such statement or statements shall be endorsed upon or attached to the policy when issued.

(7) A table showing in figures the loan values, if any, and options available under the policies each year upon default in premium payments during the first twenty years of an ordinary life policy, and during the term of premium payments required by the policy upon a lim-

ited payment life policy beginning with the year in which such values and options become available.

21.

That Section 37, paragraph (3), on page 31, be amended so as to make that paragraph read as follows:

"(3) A provision by which the policy shall purport to be issued or to take effect more than one year before the original application for the insurance is made, if thereby the assured would rate at an age more than one year younger, according to his age at nearest birthday, than his age at the date of his application, and unless the aggregate amount of the annual premiums for the whole term of such period shall be paid in cash."

22.

That Section 41, on page 32, be amended by changing the period after the word "notwithstanding" in line 27 of that page to a comma, and by adding immediately thereafter the following: " and the policies of a foreign life insurance company, when issued in this State, may include any provision which, by the law of its own State, it is required to incorporate in all policies issued by it."

23.

That Section 43 be amended by inserting, between lines 19 and 20, on page 33, a new paragraph, to be numbered (3), reading as follows:

"(3) This Section shall not apply to industrial policies."

24.

That Section 44 be amended in the following particulars:

(1) By inserting, after the word "year" and before the word "the" in line 28, page 33, the following words: "on all policies hereafter issued"; thus making that line read as follows: "policy year, on all policies hereafter is-

sued, the amount of surplus respectively to which all such policies".

(2) By inserting, in line 8, page 34, after the word "be" and before the word "in" the following word: "substantially".

(3) By striking out the whole of lines 10, 11, 12, 13, 14, 15, 16, 17, and 18, page 34, and inserting in lieu thereof the following:

"STATEMENT OF ANNUAL APPORTIONMENT OF SURPLUS.

Policy No..... Distribution Period.....
Yrs.; Age at Issue.....Surplus Accumulation contingently credited to policy as per last annual Statement .....
Interest credit: Net rate earned by company,.....
.....per cent.....
Savings and profit additionals for year.....

Contingent Surplus Credit.....19....., $.....
.....
Secretary."

25.

That Section 60 be amended by striking out, in line 7, page 46, the words "the general laws of Division I of".

26.

That Section 48 be amended by striking out the word "estimated" in line 15, page 36, and inserting in lieu thereof the word "estimate".

27.

That Section 49 be amended in the following particulars:

(a) By striking out the word "or" after the word "rebate" and before the word "premium" in line 12, page 37 and inserting in lieu thereof the word "of".

(b) By inserting after the word "kind" in line 15, page 37, a semicolon, and by changing the word "or" which immediately follows the word "kind" to "nor".

(c) By inserting a semicolon after the word "thereon" in line 21, page 37; and by changing the word "or" which follows the word "thereon" in the same line to "nor".

28.

That Section 52 be amended by striking out the whole of that Section, on page 39, and inserting in lieu thereof the following:

"Sec. 52. Any insurance contract shall be deemed to be made in the State of Utah if made through an authorized agent of such insurance company within this State, irrespective of where the insurance contract may be written."

29.

That Section 53 be amended by striking out the whole of that Section, pages 39 and 40, and substituting in lieu thereof the following Section, to be numbered 54:

"Sec. 54. No life insurance company, or association, other than fraternal beneficiary associations, which issue contracts, the performance of which is contingent upon the payment of assessments or calls made upon its members, shall do business within this State, except such companies which shall value their assessment policies or certificates of membership as yearly renewable term policies, according to the standard of valuation of life insurance policies prescribed by the laws of this State, and no such company shall provide in any contract of insurance for any cash or other benefit to accrue to any living member or policy holder or to any beneficiary, except a death benefit, and the assessment policies or certificates of any assessment company or association reincorporated to transact business as a legal reserve or level premium company shall also be valued as yearly renewable term policies, according to the standard of valuation

of life insurance policies prescribed by the laws of this State."

30.

That Section 54 be amended by striking out in line 21, page 39, the figures "54" and inserting in lieu thereof the figures "53."

31.

That Section 56 be amended in the following particulars:

(a) By striking out in line 5, page 40, the figures "56" and inserting in lieu thereof the figures "55".

(b) By striking out that portion of said section in lines 11 to 28, inclusive, on page 40, beginning with the word "The" in line 11, page 40, and ending with the word "thereafter" in line 28, page 40.

32.

That Section 57 be amended by striking out the whole thereof and inserting in lieu thereof a new Section, to be numbered 56, reading as follows:

"Sec. 56. (1) Every insurance company doing business in this State may reinsure the whole or any part of any policy obligation in any other insurance company. When the reinsurance is made by any other than a life insurance company, the company so reducing its direct amount at risk shall, for the purpose of computing its unearned premium fund, deduct from the original or policy premium on said direct amount at risk, the net sum actually paid for reinsuring such risk. The company taking over or acquiring the risk, through reinsurance, shall enter in premium in force at any time the premiums actually received for risks thus acquired through reinsurance, the unearned premium to be computed by the company ceding the risk upon the balance of policy premium in force after deducting the sum actually paid as a premium consideration for the risk so ceded. The company taking over such reinsurance shall compute its unearned premium fund on account thereof upon the

basis of the actual amount of net premium so received and in force at the time of such computation. But this provision shall not apply to a company that reduces by reinsurance its direct liability to the holders of its policies as a step preliminary to its permanent or final retirement from the business. Said retiring company shall then be credited in reduction of its outstanding policy liability with the original or policy premium reinsured, irrespective of the net sum actually paid for such reinsurance, and the company taking over such outstanding risks shall be charged with an unearned premium fund on the original or policy premium on said risks, as the same appear in the outstanding policies of the retiring company. No credit of any kind shall be allowed or given, either as a reduction of taxes or of liabilities, to any company transacting business in this State for reinsurance made in companies not authorized to issue policies in this State. The Commissioner of Insurance may, at any time, require schedules of reinsurance to be filed by each company, which schedules, however, shall not be open to the inspection of the public.

"(2) Whenever the Commissioner shall have or receive any information that any foreign insurance company, other than life, has violated any of the provisions of Section 34 of this Act, he is authorized, at the expense of such company, to examine, by himself or his accredited representative, at the principal office or offices of such company, located in the United States of America, or in any foreign country, and also at such other offices or agencies of such company as he may deem proper, all books, records, and papers of such company, and examine, under oath, the officers, managers and agents of such company as to such violation or violations. The refusal of any such company to submit to such examination or to exhibit its books and records for inspection, shall be presumptive evidence that it has violated the provisions of Section 34 of this Act, and it shall be subject to the penalties prescribed and imposed by this Act."

33.

That a new section be added, to be numbered Section 57 and to be placed between Sections 56 and 58, as follows:

"Sec 57. Any fire insurance company wilfully violating or failing to observe and comply with any of the provisions of this Act, applicable thereto, shall have its authority to transact business in this State revoked by the Commissioner of Insurance, and such revocation shall continue for at least one year from the date thereof, nor shall any fire insurance company whose authority to transact business in this State shall have been so revoked be again authorized or permitted to transact business herein until it shall have filed in the office of the Commissioner a certificate signed by its president or other chief officer to the effect that the terms and obligations of the provisions of this Act are accepted by it as a part of the conditions of its right and authority to transact business in this State.

"Any fire insurance company which shall hereafter apply to enter this State to transact business as a new company or to have its certificate of authority renewed, shall, before permission is given to transact business, or before the renewal of its certificate of authority be issued, file with the Commissioner of Insurance a certificate, signed by its president or other chief officer of such company, to the effect that the terms and obligations of the provisions of this Act are accepted by it as a part of the conditions of its right and authority to transact business in this State."

34.

That Section 58 be amended by striking out the following words, beginning in line 23, and ending in line 25, page 43: "and for domestic casualty insurance associations incorporated upon the assessment plan."

35.

That Section 62 be amended in the following particulars:

(a) By inserting after the word "or" and before the word "assessment" in line 22, page 46, the word "the".

(b) By striking out the whole of line 19, page 46, and substituting in lieu thereof the following words: "insurance on the mutual plan or fire insurance upon the assessment plan."

(c) By striking out all that part after the word "fix" in line 35, page 46, and before the word "but" line 7, page 47, reading as follows: "by a uniform rule the contingent mutual liability of its members for the payment of losses and expenses; and such contingent liabilities shall not be less than one nor more than three annual cash premiums, in addition to the one that is written in the policy and such liability shall be agreed to in writing by each applicant for insurance, before the policy is issued" and insert in lieu thereof the following: "an unlimited liability on the part of its members for the payment of losses and expenses".

(d) By striking out in line 8, page 47, the word "cash".

36.

That Section 64 be amended by striking out all that part in that Section after the word "company" in line 2, page 49, reading as follows: "and provided further, that no member of such company shall ever be required to pay for any expense or loss occasioned by fire more than the whole amount of his contingent liability."

37.

That Section 65 be amended by striking out in line 14, page 49, the word "motive", and inserting in lieu thereof the word "notice".

38.

That Section 68 be amended by striking out, in lines 29 and 30, page 49, the words "amounting to not less than $300,000 over and above all liabilities" and inserting in lieu thereof the following: "to an amount required by the provisions of Section 26 of this Act."

39.

That Section 69 be amended by striking out the whole of said Section.

40.

That Section 70 be amended by striking out the whole of said Section.

41.

That Section 71 be amended by striking out in line 14, page 52, the figures "71" and inserting in lieu thereof the figures "69".

42.

That Section 72 be amended by striking out in line 18, page 54, the figures "72" and inserting in lieu thereoff the figures "70".

43.

That a new Section be added to the Act, to be numbered 71, reading as follows:

"Sec. 71. In addition to the duties herein prescribed said Commissioner shall at least once in each year audit the accounts of all County officials in respect to the assessment and collection of State taxes and revenues, and shall make his reports of such examinations to the State Auditor. He shall also, under the direction of the State Board of Examiners, audit the accounts of all State Institutions as often as said Board may require, and shall make his reports of such examinations to the State Board of Examiners."

Respectfully,
CHRIS. BURTON JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 61 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Education, to whom was re-committed S. B. No. 124, by Mr. Stookey. entitled, "An Act to provide a permanent fund for the general maintenance of the University of Utah, including the Branch Normal School, and the Agricultural College of Utah," beg leave to report that they have carefully considered same and recommend that the bill be passed, with the following amendments thereto:

1. Page 1, line 5, after "purpose" insert "an amount equal to".

2. Page 1, line 7, preceding "purposes" insert "and State School".

3. Page 1, line 7, strike out the period after "Utah" and insert a semicolon and, "provided, that no part of this appropriation shall be taken from any funds provided by law for other school purposes".

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and S. B. No. 124 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Salaries, to whom was referred S. B. No. 127, by Mr. Benner X. Smith, entitled, "An Act creating the office of Under Sheriff", respectfully report that they have had the same under consideration and recommend that the bill be passed.

Respectfully,
RUDOLPH KUCHLER,
Chairman.

The report of the Committee was adopted, and S. B. No. 127 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 42, by Mr. Stookey, entitled, "An Act providing for a State Veterinarian, the manner of his appointment, prescribing his duties, and providing for the control and suppression of dangerous, contagious and infectious diseases of domestic animals," beg leave to report that they have had the same under consideration and recommend that the bill be passed with the following amendment thereto:

Page 3 strike out lines 4 to 8.

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 42 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Highways and Bridges, to whom was referred H. B. No. 56, by Mr. Henrie, entitled, "An Act establishing a Standard System of Construction of Public Roads in the State of Utah and the various counties thereof," beg leave to report that they have had same under consideration and recommend that the bill be passed.

Respectfully,
ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and H. B. No. 56 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Highways and Bridges, to whom was referred H. B. No. 58, by Mr. Henrie, entitled, "An Act defining the powers of County Commissioners relative to special road district tax for the con-

struction of gravel, macadam, and paved roads," beg leave to report that they have carefully considered same and recommend that the bill be passed.

Respectfully,
ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and H. B. No. 58 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Highways and Bridges, to whom was referred H. B. No. 57, by Mr. Henrie, entitled, "An Act defining powers of County Commissioners as to roads; appointing County Road Commissioner, defining his duties; providing an annual road poll tax; specifying who shall be liable and manner of collecting and expending the same, repealing Chapter 2, Title 30, also Title 64, Compiled Laws of Utah, 1907," beg leave to report that they have carefully considered same and recommend that the bill be passed.

Respectfully,
ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and H. B. No. 57 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Highways and Bridges to whom was referred H. B. No. 59, by Mr. Henrie, entitled, "An Act providing an annual vehicle road tax and the manner of collecting and expending the same," beg leave to report that they have carefully considered same and recommend that the bill be passed.

Respectfully,
ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and H. B. No. 59 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Highways and Bridges, to whom was referred S. B. No. 77, by Mr. Miller, entitled, "An Act making appropriations for constructing and improving roads in Washington County," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

Respectfully,
ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and S. B. No. 77 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Highways and Bridges, to whom was referred H. B. No. 167, entitled, "An Act providing for the registration and numbering of motor vehicles and chauffeurs, and their use of the public highways, and imposing penalties for the violation of its provisions," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

Respectfully,
ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and H. B. No. 167 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Highways and Bridges, to whom was referred H. B. No. 55, by Mr. Henrie, entitled, "An Act creating a State Road Commission, defining its duties, creating a system of State roads, a

State Road Building Fund and providing for its expenditure, and repealing Chapter 4, Title 30, Compiled Laws of Utah, 1907," beg leave to report that they have had same under consideration and recommend that the bill be passed.

Respectfully,
ALONZO BRINKERHOFF,
Chairman

The report of the Committee was adopted, and H. B. No. 55 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Public Institutions, to whom was referred S. B. No. 55, by Mr. C. Burton Jr., entitled, "An Act amending Section 2357x, Compiled Laws of Utah, 1907, relating to the disposition of money derived from the investment of land grant funds," beg leave to report that they have had same under consideration and recommend that the bill be passd.

Respectfully,
ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and S. B. No. 55 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: Your Committee on Education to whom was referred H. B. No. 105, by Mr. Wootton, entitled, "An Act amending Section 1891x20, Compiled Laws of Utah, 1907, relating to the powers of the Board of Education," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 105 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Education, to whom was referred S. J. R. No. 5, by Mr. Horsley, entitled, "Resolution Proposing an amendment to Section 1, Article X, of the Constitution of the State of Utah, relating to education," beg leave to report that they have had same under consideration and are unable to agree upon the report to be made by the Committee, but united in recommending that the bill be placed upon the Calendar of the Senate for such action as that body may determine.

Respectfully,
H. BULLEN JR.,
Chairman.

S. J. R. No. 5 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 107, by Mr. Wootton, entitled, "An Act amending Section 1891x3, Compiled Laws of Utah, 1907, relating to the election of members of the Board of Education," beg leave to report that they have carefully considered same and recommend that the bill be passed.

Respectfully,
H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 107 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Education, to whom was referred H. B. No. 109, by Mr. Archibald, entitled, "An Act to amend Sections 1892 and 1894, Compiled Laws of Utah, 1907, relating to schools in cities of the first and second class," beg leave to report that they

have carefully considered same and recommend that the bill be passed.

Respectfully,

H. BULLEN JR.,
Chairman.

The report of the Committee was adopted, and H. B. No. 109 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5th, 1909.

Mr. President: Your Committee on County and Municipal Corporations has had under consideration S. B. No. 100, by Mr. Benner X. Smith, entitled, "An Act to amend Sections 182, 183, 184, 185, 186, 195, 197, 199, 201, 205, 213, 214, 215, 216, 218, 222, 225, 265, 817, 818, 821, 821x, 821x1, 822, 825, 830, 831, 834, 887, 892, and 913, Compiled Laws of Utah, 1907, relating to the Municipal Government of Incorporated Cities, etc.," and recommends the following amendments thereto, and as so amended that the bill be passed, and that as a substitute for the Sections which have been stricken out by the amendments, we recommend the passage of Senate Bill No. 199, by your Committee, which is herewith introduced, entitled, "A Bill for An Act to amend Sections 817, 818, 821, 821x, 821x1, 822, 825, 830, 831, 834, 892, and 913, Compiled Laws of Utah, 1907, and enacting five new Sections, providing for a day of registration on the fourth Tuesday prior to Municipal Elections in cities of the first class; providing for furnishing a copy of official register the day before any Primary Election in cities of the first class; providing for registration of voters at Primary Elections in cities of the first class; providing that in cities of the first class Primary Elections for the nomination of officers, to be elected in such cities, shall be conducted as provided in Section 5 of this Act; providing for the qualification of persons entitled to vote at Primary Elections for Municipal offices in cities of the first class; providing for the manner of nominating candidates for Municipal offices in cities of the first class; providing for publication of the list of nominations of officers in cities of the first

class; providing for the arranging of names of candidates for offices in cities of the first class; providing for the filling vacancies in nominations of candidates for offices in cities of the first class; providing for the date of Municipal Elections and the terms of certain Municipal officers; providing that Chapter 10, Compiled Laws of Utah, 1907, relating to the election offenses, shall apply to Primary elections in cities of the first class; providing for the holding of elections in cities of the first class to determine whether or not the holder of any elective office may be removed by the electors qualified to vote for his successor; providing for the proposing by petition of electors of cities of the first class that ordinances be passed by the Boards of Commissioners of such cities; providing the time when ordinances passed by Boards of Commissioners of cities of the first class shall go into effect, and providing that qualified voters of such cities may prevent ordinances passed by Boards of Commissioners of cities of the first class from going into effect; providing for Primary Elections for nominations of Municipal offices in cities of the first class; providing for a Civil Service Commission in cities of the first class.

The amendments are as follows:

Page 1, line 4 of the Title, strike out figures 834, 892, commencing with the figures 817.

Page 1, line 4 of the Title, strike out figures 834, 892 and 913.

Page 3 of the Title, commencing on line 2, strike out all of said page after the word "cities".

Page 4, of the Title, strike out all down to and including the word "class" in line 24.

Page 4, line 3 of the Bill, strike out all of said line except the figures 887.

Page 5, line 1, strike out "and 913."

Page 10, line 15, after "council" insert "and".

Page 10, line 15, strike out "Park Commissioners" and strike out all of lines 16 and 17.

Page 12, line 6, strike out all of the Section after "thereof".

Page 12, line 16, strike out all of the line after "auditor" and strike out all of line 17, except the word "provided".

Page 12, line 20, insert after "therefor" the following:

"And in said cities of less than 12,000 inhabitants, a City Marshal shall be appointed by the Mayor on the first Monday in January following a Municipal Election, whose term of office shall be for two years."

Page 16, commencing at line 18, strike out all the rest of said page.

Page 17, strike out all of the page.

Page 18, strike out all of the page.

Page 19, strike out all of the page.

Page 20, strike out all of the page.

Page 21, strike out all of the page.

Page 22, strike out all of the page to and including line 32.

Page 23, line 29, change "1909" to "1903".

Page 24, commencing with line 2, strike out all of said page.

Page 25, strike out all of the page.

Page 26, strike out all of the page.

Page 27, strike out all of the page.

Page 28, strike out all of the page.

Page 29, strike out all of the page.

Page 30, strike out all of the page.

Page 31, strike out all of the page.

Page 32, strike out all of the page.

Page 33, strike out all of the page.

Page 34, strike out all of the page.

Page 35, strike out all of the page.

Page 36, strike out all of the page down to and including line 22.

Page 36, line 23, strike out "7" after "Sec." and insert "2".

Respectfully,
E. T. HULANISKI,
Chairman.

The report of the Committee was adopted, and S. B. No. 199 was read the first and the second time, and S. B. No. 100 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 5, 1909.

Mr. President: Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 48, by Mr. Pope, "An Act in relation to irrigation districts," beg leave to report that we have carefully considered the same and recommend that the bill be passed with the following Title amendments:

Strike out the Title and add in lieu thereof: "An Act in relation to the creation of irrigation districts, providing the method of fixing and altering the boundaries thereof; defining the manner of organizing and dissolving irrigation districts; providing for district elections and defining the manner of proclaiming and giving notice for the same and prescribing the method of their regulation; determining the method of balloting and fixing the qualifications of electors; providing for a board of directors in each district and defining the powers and duties thereof, also defining the duties of county officers in connection with irrigation districts; providing for the exercise of the right of eminent domain in certan cases; providing for the bonding of districts and prescribing the method of issuing and discharging the bonds; providing for the levy and assessment of taxes; prescribing the method of advertising for bids; defining the manner of submitting claims against the district and providing for

the manner of withdrawing from a district and hearings in certain cases."

Respectfully submitted,

JOHN Y. SMITH.

The report of the committee was adopted, and H. B. No. 48 was read the second time.

COMMUNICATIONS FROM THE GOVERNOR.

Salt Lake City, Utah, March 5th, 1909.

To the Senate: I have approved and filed with the Secretary of State the following bills:

S. B. No. 39, by Mr. Badger, entitled, "An Act authorizing the District Attorney in Judicial Districts having a population of ninety thousand or more inhabitants to appoint an assistant and providing the qualifications, salary and duties of said assistant."

S. B. No. 5, by Mr. Badger, entitled, "An Act defining the crime of indecent assault and providing punishment therefor."

S. B. No. 57, by Mr. Burton, entitled, "An Act to amend Section 1867, Compiled Laws of Utah, 1907, relating to apportionment and uses of school funds."

S. B. No. 7, by Mr. Badger, entitled, "An Act to amend Section 4734, Compiled Laws of Utah, 1907, providing that an information or indictment must charge but one offense, with certain enumerated exceptions."

S. B. No. 38, by Mr. Badger, entitled, "An Act to amend Section 4247, Compiled Laws of Utah, 1907, relating to indecency, and providing a penalty for a violation of this Act."

Respectfully,

WILLIAM SPRY,

Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 6, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State, H. B. No. 123, by Mr. Baker, entitled, "An Act amending Section 2050, Compiled Laws of Utah, 1907, and fixing the salary of the clerk of the Supreme Court, the reporter of the decisions of the Supreme Court, the adjutant general, the assistant adjutant general, and the state bank examiner."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 6, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 109, by Mr. Hulaniski, entitled, "An Act providing punishment for the removal, stealing, or in any manner interfering with journal bearings, brasses, or other parts of locomotives, tenders, or railroad cars, and for buying or receiving such stolen property, knowing that the same had been stolen."

The same is herewith returned for transmission to the Governor.

Respectfully,
ALEX BUCHANAN, JR.
Chief Clerk.

Communication filed.

S. B. No. 109 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 6, 1909.

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

able body that the House of Representatives has this day passed as amended H. B. No. 222, by Judiciary Committee, "An Act to amend Section 511, Compiled Laws of Utah, 1907, relating to County Commissioners."

The same is transmitted herewith for your action.

Respectfully,
ALEX BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 222 was read the first time, and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 6, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 60, by Mr. Kuchler, "An Act amending Section 2542x6, Compiled Laws of Utah, 1907, relating to transient stock."

Also S. B. No. 135, by Mr. Williams, "An Act regulating the sale for human food of slaughtered poultry, game birds, animals and fish, and providing a penalty for the violation of the provisions of this Act."

Also S. B. No. 177, by Committee on Public Health, "An Act creating the position of State Bacteriologist and Pathologist, and defining his duties, and providing for a State Public Health Laboratory and its location."

The same are returned herewith.

Respectfully,
ALEX BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 115, by Mr. Miller, "An Act levying a

State tax for High School purposes and providing for the manner of apportioning the same."

The same is transmitted herewith for your further action.

Respectfully,
ALEX BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 115 was referred to the Committee on Engrossed and Enrolled Bills.

INTRODUCTION OF BILLS.

S. B. No. 190, by Mr. Badger. A bill for an act amending Section 1102, Compiled Laws of Utah, 1907, relating to the duties, salary, and expenses of the Secretary of the Board of Health.

S. B. No. 190 was read the first time and referred to the Sifting Committee.

S. B. No. 191, by Mr. Badger, "An Act to prevent spitting upon public walks and places or upon the floor of public buildings or upon the floor of cars or other conveyances."

S. B. No. 191 was read the first time and referred to the Sifting Committee.

S. B. No. 192, by Mr. Badger (by request). A Bill for an Act requiring the inspection of ice before it is offered for sale, and requiring the inspection of ponds before ice is taken therefrom.

S. B. No. 192 was read the first time and referred to the Sifting Committee.

S. B. No. 193, by Mr. Badger. A Bill for an Act to prevent cruelty to animals.

S. B. No. 193 was read the first time, and referred to the Sifting Committee.

S. B. No. 194, by Mr. Benner X. Smith. A Bill for an Act amending Sections 3533 and 3534, Compiled Laws

of Utah, 1907, specifying how land shall be partitioned, if possible; providing for the sale of same and the appointment of referees where it is impossible to partition same, and for improvements thereon.

S. B. No. 194 was read the first time, and referred to the Sifting Committee.

S. B. No. 195, by Mr. Stookey (by request). A Bill for an Act requiring physicians and midwives to report all cases where newly born infants have inflammation of the eyes, and providing a penalty for failure to comply.

S. B. No. 195 was read the first time, and referred to the Sifting Committee.

S. B. No. 196, by Mr. Sevy. A Bill for an Act authorizing the Governor to accept from the United States the property known as the Panguitch School, including the lands, buildings and fixtures pertaining to such school, upon certain conditions.

S. B. No. 196 was read the first time, and referred to the Sifting Committee.

S. B. No. 197, by Mr. Benner X. Smith. A Bill for an Act to amend Section 1113x28, Compiled Laws of Utah, 1907, relating to the location of pesthouses.

S. B. No. 197 was read the first time, and referred to the Sifting Committee.

S. B. No. 198, by Mr. Benner X. Smith. A Bill for an Act to amend Section 4278, Compiled Laws of Utah, 1907, relating to the location of pesthouses.

S. B. No. 198 was read the first time, and referred to the Sifting Committee.

UNFINISHED BUSINESS.

H. B. No. 71, by Mr. Fuller, as amended, entitled, "An Act to create the State Board of Dental Examiners, regulate and define the practice of dentistry; provide penalties for the violation thereof; and to repeal Sec-

tions 747, 748, 749, 750, 751, 752, 753, 754, 756, 757, 758, 759, 759x, 759x1, 759x2, and 759x3, Compiled Laws of Utah, 1907," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 12; Nays, none; absent and not voting, 6.

Those voting in the affirmative were Messrs. Badger, Bullen, Burton, Horsley, Hyde, Kuchler, Marks, Seely, Sevy, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hulanski, Miller, Benner X. Smith, John Y. Smith, Williams.

Mr. Wilson moved a reconsideration of the vote by which S. B. No. 144 was rejected on Friday. Carried.

On motion of Mr. Wilson, S. B. No. 144 was made the special order for Tuesday, March 9th, at 2:30 p. m.

On motion of Mr. Marks, the House was requested to return to the Senate H. B. No. 39.

H. B. No. 98, by Committee on State Mental Hospital, entitled, "An Act amending Section 2154, Compiled Laws of Utah, 1907, relating to the State Mental Hospital; permitting the State to care for the feebleminded and non-insane epileptics; and providing for admission thereof," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 12; Nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Kuchler, Marks, Seely, Sevy, John Y. Smith, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hulaniski, Hyde, Miller, Benner X. Smith, Williams.

S. B. No. 96, by Mr. Badger, entitled, "An Act to protect public morals by prohibiting the giving of general publicity to treatment and devices for the cure or prevention of sexual or menstrual diseases, and to prescribe penalties for the violation of this act," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 12; Nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Horsley, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Burton, Hulaniski, Hyde, Benner X. Smith, Stookey, Williams.

The title of the Bill was made the title of the Act.

S. B. No. 116, by Mr. Horsley, entitled, "An Act to amend Section 686x10, Compiled Laws of Utah, 1907, relating to the jurisdiction of City Courts in civil actions," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, John Y. Smith, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Benner X. Smith, Williams.

The title of the Bill was made the title of the Act.

S. B. No. 8, by Mr. Hulaniski, entitled, "An Act to appropriate three thousand, five hundred dollars and interest thereon at the rate of 7 per cent per annum from October 1, 1908, to March 15, 1909, for the State Board of Horticulture for the payment of moneys advanced by Fred J. Kiesel, Thomas R. Cutler, and Joseph Geoghegan, for the purpose of defraying the expenses of an exhibit of Utah resources at the Irrigation Congress in 1908," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Miller, Sevy, Benner X. Smith, John Y. Smith, Williams.

The title of the Bill was made the title of the Act.

S. B. No. 85, by Mr. Hyde, entitled, "An Act to amend Section 213, Compiled Laws of Utah, 1907, relating to city officers, and providing for the appointment of a marshal in cities of less than 12,000 inhabitants," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Sevy, John Y. Smith, Stookey, Wilson, Mr. President.

Voting in the negative, Mr. Seely.

Those absent and not voting were: Messrs. Miller, Benner X. Smith, Williams.

The title of the Bill was made the title of the Act.

S. B. No. 146, by Mr. Marks, entitled, "An Act to amend Sections 3091 and 3112, Compiled Laws of Utah, 1907, relating to garnishments," was read the third time and placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Marks, Seely, Sevy, John Y. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hulaniski, Kuchler, Miller, Benner X. Smith, Stookey, Williams.

The title of the Bill was made the title of the Act.

Mr. Badger was called to the Chair.

H. B. No. 99, by Mr. Bower, entitled, "An Act creating a State Horticultural Commission; providing for the publication and distribution of its reports; for the appointment and bonding of a State Horticultural Inspector; the examination, bonding and appointment of county inspectors; defining their duties; the duties of common carriers, orchardists, and nurserymen; licensing and bonding nurserymen; defining a misdemeanor, and providing a penalty therefor; providing for the expenses of

the existing State Board of Horticulture during the remainder of their term of office; making an appropriation for carrying out the provisions of this act; and repealing Title 34, Compiled Laws of Utah, 1907, relating to horticulture," was read the third time and placed on its final passage, and passed, as amended, by the following vote: Ayes, 13; Nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson.

Those absent and not voting were: Messrs. Brinkerhoff, Marks, Miller, Benner X. Smith, Mr. President.

The President resumed the chair.

Mr. Badger moved that the rules be suspended, and the Senate proceed to the consideration of S. B. No. 148. The roll being called, the motion prevailed by the following vote: Ayes, 12; Nays, 4; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Seely, Sevy, John Y. Smith, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Hulaniski, Kuchler, Marks, Stookey.

Those absent and not voting were: Messrs. Miller and Benner X. Smith.

On motion of Mr. John Y. Smith the Senate took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate reconvened at 2 p. m..

THIRD READING OF SENATE BILL.

Senate Bill No. 148, by Committee on Manufactures and Commerce, entitled, "An Act relating to the manufacture, sale, bartering, giving away, or otherwise furnishing of intoxicating liquor; providing for the licensing and regulation of the same; provid-

ing for elections in any county or any precinct, or voting district therein, or any subdivision of a county, to determine whether the sale of intoxicating liquors shall be prohibited therein; applying to such elections the provisions of Chapter 10, Title 21, Compiled Laws of Utah, 1907, and also the provisions of the general election laws of the State; providing for the issuance by the Board of County Commissioners of orders prohibiting the manufacture and sale of intoxicating liquors within certain limits, and declaring the duties of such Boards in reference thereto; providing penalties and punishment for the violation of any of the provisions of this act; declaring certain rules of evidence and pleading applicable to prosecutions under this act; providing means for the enforcement of the provisions of this act; providing for a special election, to be held on the first Monday in June, 1910, to determine whether intoxicating liquor shall be manufactured and sold in the State of Utah as a whole; and repealing Sections 1242, 1243, 1244, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253. 1254, 1255, 1256, 1257, and 1258, Compiled Laws of Utah, 1907," was read the third time.

BILL MADE SPECIAL ORDER.

On motion of Mr. Badger S. B. No. 148 was made the special order for Monday at 10:30 a. m.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 6, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day ordered returned, as per your request, H. B. No. 39, by Mr. Holman, entitled, "An Act creating Section 1348x relating to libel."

The same is herewith returned.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Marks, H. B. No. 39 was placed on the calendar.

SENATE CLAIMS.

S. C. Nos. 2, 3, 4, 5, and 6, presented by Mr. Bullen.

Claims of citizens of Salt Lake, Cache, Weber, Box Elder, and Davis counties for refund of moneys paid for school lands.

Referred to the State Board of Examiners.

On motion of Mr. Seely, the Senate adjourned until Monday at 10:30 a. m.

FIFTY-SEVENTH DAY.

MORNING SESSION.

Senate Chamber,
Salt Lake City, Utah, March 8th, 1909.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 115, by Mr. Miller, entitled, "An Act levying a state tax for High School purposes and providing the manner of apportion-

ing the same," beg leave to report that they have had the same carefully engrossed and enrolled and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 115 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.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred E. B. No. 45, by Mr. Williams, entitled, "An Act appropriating the sum of two thousand dollars to William Forsberg for injuries sustained while employed by the State of Utah," beg leave to report that they have had the same carefully engrossed and enrolled, and herewith submit the same for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 45 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.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 83, by Mr. Bullen, entitled, "An Act amending Section 1823, Compiled Laws of Utah, 1907, providing for school sites and buildings; that plans and specifications for school buildings be submitted to a commission herein provided," beg leave to report that they have had the same carefully engrossed

and enrolled and herewith present the same for your signature.

Respectfully,
CHARLES E. MARKS.
Chairman.

S. B. No. 83 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.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 31, by Mr. Sevy, entitled "An Act to amend Section 666x, Compiled Laws of Utah, 1907, relating to Supreme Court stenographers," beg leave to report that they have had the same carefully engrossed and enrolled and herewith submit the same for your signature.

Respectfully,
CHARLES E. MARKS.
Chairman.

S. B. No. 31 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.

Senate Committee Room,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: Your Committee on Appropriations and Claims, to whom was referred S. B No. 40, by Mr. Badger, by request, entitled, "An Act appropriating the sum of $37.95 to Rocky Mountain Bell Telephone Company for telephone services rendered the office of County Superintendent of Schools of Salt Lake County," beg leave to report that they have had same under consideration and recommend that the bill be not passed for the reason the same is prohibited by Section 6, Article 14 of the Constitution of Utah.

W. N. WILLIAMS,
Chairman.

The report of the committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: Your Committee on Appropriations and Claims to whom was referred S. B. No. 81 by Mr. Badger, entitled, "An Act providing for a geological survey of the state of Utah and making appropriation therefor," beg leave to report that they have had the same under consideration, anl recommend that the bill be passed with the following amendment thereto:

Page 2. Strike out all of Section 7.

W. N. WILLIAMS,
Chairman.

The report of the committee was adopted, and S. B. No. 81 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: Your Committee on State Affairs to whom was referred S. B. No. 27 by Mr. Bullen, entitled "An Act repealing Section 2427x3, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

W. N. WILLIAMS,
Chairman.

The report of the committee was rejected. S. B. No. 27 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: Your Committee on Appropriations and Claims, to whom was referred Senate Petition No. 33, by Mr. Williams, by request, in relation to asking for an appropriation of $1,500.00 for the purchase of State Maps from B. A. M. Froiseth, beg leave to report that they have

had the same under consideration, and recommend that the petition be not granted.

W. N. WILLIAMS,
Chairman.

The report of the committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: Your Committee on Appropriations and Claims to whom was referred S. B. No. 88, by Mr. Seely, entitled "An Act creating a commission to provide for the display of Utah's resources at the Alaska-Yukon-Pacific Exposition at Seattle, Washington, in the year 1909; to define its duties and powers; to make an appropriation therefor, and repealing Sections 1, 2, 3, 4, 5, 6, 7, and 8, of Chapter 124, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

W. N. WILLIAMS,
Chairman.

The report of the committee was adopted, and S. B. No. 88 was read the second time.

On motion of Mr. Kuchler, the Senate took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate reconvened at 2 p. m.

SPECIAL ORDER.

On motion of Mr. Badger, S. B. No. 148 was made the special order for tomorrow at 10:30 a. m.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 6th, 1909.

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

passed, as amended, H. B. No. 220, by Mr. C. Y. Russell, entitled, "An Act relating to the employment of citizens of the United States on public works."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 220 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 114, by Mr. Miller entitled, "An Act to provide for the support of the government of the State, and for the several counties of the State, High Schools, and District and County Schools, for the fiscal years 1909 and 1910."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Miller, the Senate concurred in the amendments by the House. S. B. No. 114, as amended by the House, was placed on its final passage and passed by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Benner X. Smith.

S. B. No. 114 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 13, by Mr. Miller, entitled, "An Act to amend Section 1113x22, Compiled Laws of Utah, 1907, designating what officer shall attend a convention of health officers of the State."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Miller, the Senate concurred in the amendments by the House.

S. B. No. 13, as amended by the House, was placed on its final passage and passed by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting, Mr. Benner X. Smith.

S. B. No. 13 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 218, by Mr. Murdock, entitled, "An Act prohibiting the employment of persons under twenty-one years of age in operating engines, motors, or other power devices attached to elevators or hoists."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 218 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 199, by Mr. White, entitled, "An Act requiring the State Normal School to publish and distribute educational bulletins and to provide instructors for the County institutes.

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 199 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day requested the return of S. B. No. 177, for further consideration.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 177 was returned to the House.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 226, by Committee on Live Stock, entitled, "An Act relating to bulls and their use

upon the public range, and repealing Section 57, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 226 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 4th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 161, by Mr. Henrie, entitled, "An Act creating a State bounty fund; providing for a tax on certain live stock; providing for the destruction of certain wild animals; and repealing Chapter 1, Title 9, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 161 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 176, by Mr. Wilson, entitled, "An Act to amend Section 57, Compiled Laws of Utah, 1907, relating to cattle upon the public range, and providing the penalty for violation of this act;" and S. B. No. 15, by Mr. Benner X. Smith, entitled, "An Act regulating the sale, assignment of, or order for wages, pay, salary, or compensation to be earned in the future, and providing for the acceptance, acknowledgment, and recording there-

of, and the consent of the wife of the person making the sale, assignment of, or order, if he be a married man."

The same are returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 177, by Mr. Hansen, entitled, "An Act providing for the organization and regulation of county insurance companies, to insure against loss by fire or lightning."

The same is transmitted herewith for your consideration.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 177 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 98, by Committee on State Mental Hospital, entitled, "An Act amending Section 2154, Compiled Laws of Utah, 1907, relating to the State Mental Hospital, permitting the State to care for the feeble-minded and non-insane epileptics, and providing for admission thereof."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
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, Utah, March 8th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 115, by Mr. Miller, entitled, "An Act levying a State tax for high school purposes, and providing the manner of apportioning the same;" S. B. No. 45, by Mr. Williams, entitled, "An Act appropriating the sum of two thousand dollars to William Forsberg for injuries sustained while employed by the State of Utah;" and S. B. No. 31, by Mr. Sevy, entitled, "An Act to amend Section 666x, Compiled Laws of Utah, 1907, relating to Supreme Court stenographer."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 115, 45, and 31 were transmitted to the Governor.

INTRODUCTION OF BILLS.

Senate Bill No. 200.—By Mr. Marks (by request).

A Bill for an Act creating a commission to revise the revenue laws of the State of Utah, and to suggest changes. Providing for the appointment of the commission, its salary, the employment of necessary help, and appropriation for its salary and expenses.

S. B. No. 200 was read the first time, and referred to the Sifting Committee.

Senate Bill No. 201.—By Mr. Hyde (by request).

A Bill for an Act amending and re-enacting Section 2009, Compiled Laws of Utah, 1907, relating to validating certain conveyances.

S. B. No. 201 was read the first time, and referred to the Sifting Committee.

PRESENTATION OF PETITIONS.

Senate Petition No. 56.— By Mr. Bullen.

A petition signed by the County Commissioners of Cache County, asking for an appropriation of $10,000 for road construction in that county.

Referred to the Sifting Committee.

Mr. Hulaniski was called to the chair.

UNFINISHED BUSINESS.

Senate Bill No. 166, by Mr. Williams, entitled, "An Act to amend Sections 2098x1, 2098x2, 2098x16, and 2098x17, Compiled Laws of Utah, 1907, in relation to the Utah Art Institute, and annual prizes to be paid for paintings; and making an appropriation therefor," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, Stookey, Williams, Wilson,

Voting in the negative: Mr. Marks.

Those absent and not voting were: Messrs. Benner X. Smith, John Y. Smith, Mr. President.

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

House Bill No. 83, by Mr. McCracken, entitled, "An Act to amend Section 3414, Compiled Laws of Utah, 1907, relating to privileged communications, and the rights of witnesses," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, Stookey, Williams, Wilson.

Those absent and not voting were: Messrs. Bullen, Hyde, Benner X. Smith, John Y. Smith, Mr. President.

House Bill No. 84, by Mr. McCracken, entitled, "An Act to amend Section 5014, Compiled Laws of Utah, 1907, relative to competency of husband or wife to testify in certain cases," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Sevy, John Y. Smith, Stookey, Williams, Wilson.

Those absent and not voting were: Messrs. Hyde, Seely, Benner X. Smith, Mr. President.

The President resumed the chair.

House Bill No. 47, by Judiciary Committee, entitled, "An Act amending Sections 2513, 2516, 2517, 2550, 2553, 2559, 2560, 2561, 2562, 2563, 2564, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2584, 2585, 2588, 2589, 2591, 2596, and 2607, Compiled Laws of Utah, 1907, relating to the assessment of property," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Horsley, Sevy, Benner X. Smith, John Y. Smith.

Senate Bill No. 174, by Mr. Wilson, entitled, "An Act to amend Section 2357, Compiled Laws of Utah, 1907, relating to the investment of State funds and their securities," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Marks, Seely, Sevy, John Y. Smith, Stookey, Wilson, Mr. President.

Voting in the negative: Mr. Kuchler.

Those absent and not voting were: Messrs. Miller, Benner X. Smith, Williams.

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

House Bill No. 80, by Mr. Wootton, entitled, "An Act to amend Sections 2305 and 2307, Compiled Laws of Utah, 1907, relating to the name of the State Normal School; its relation to the University; courses of study; Normal scholarships, certificates, and diplomas," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Benner X. Smith.

House Bill No. 74, by Mr. William McMillan, entitled, "An Act amending Section 2703x, Compiled Laws of Utah, 1907, extending the time for complying with the provisions of Title 82, Compiled Laws of Utah, 1907, relating to town sites," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, John Y. Smith, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Sevy, Benner X. Smith, Williams.

House Bill No. 92, by Mr. Wootton, entitled, "An Act amending Section 1795, Compiled Laws of Utah, 1907,

relating to the requirements for the certificate of teachers," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler. Marks, Miller, Seely, Sevy, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Benner X. Smith, John Y. Smith, Williams.

House Bill No. 93, by Mr. Wootton, entitled, "An Act amending Section 1815, Compiled Laws of Utah, 1907, relating to school funds, and providing for school libraries," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Benner X. Smith and John Y. Smith.

Mr. Marks was called to the chair.

House Bill No. 27, by Mr. Thompson, entitled, "An Act providing for the establishment of an engineering experiment station in connection with the State School of Mines," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Stookey, Wilson.

Those absent and not voting were: Messrs. Brinkerhoff. Miller, Sevy, Benner X. Smith, John Y. Smith, Williams, Mr. President.

House Joint Resolution No. 6.—By Mr. Davis.

A Joint Resolution proposing an amendment to Section 4, of Article 14, of the Constitution of the State of Utah, in relation to the limit of indebtedness of counties, cities, towns, and school districts.

Be it resolved 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. That it is proposed to amend Section 4, of Article 14, of the Constitution of the State of Utah, so that the same shall read as follows:

Sec. 4. When authorized to create indebtedness as provided in Section 3 of this Article, no county shall become indebted to an amount, including existing indebtedness, exceeding two per centum. No city, town, school district, or other municipal corporation, shall become indebted to an amount, including existing indebtedness, exceeding four per centum of the value of the taxable property therein, the value to be ascertained by the last assessment for State and County purposes, previous to the incurring of such indebtedness; except that in incorporated cities the assessment shall be taken from the last assessment for city purposes; provided, that no part of the indebtedness allowed in this section shall be incurred for other than strictly county, city, town, or school district purposes; provided further, that any city of the first and second class, when authorized as provided in Section three of this article, may be allowed to incur a larger indebtedness, not to exceed four per centum, and any city of the third class, or town, not to exceed eight per centum additional, for supplying such city or town with water, artificial lights, or sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality.

Sec. 2. The Secretary of State is directed to cause this proposed amendment to be published as required by the Constitution and to be submitted to the electors of the State at the next general election in the manner provided by law.

Sec. 3. If approved by the electors of the State, this

proposed amendment shall take effect on the first day of January, 1911.

House Joint Resolution No. 6 was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson.

Those absent and not voting were: Messrs. Brinkerhoff, Seely, and Mr. President.

House Bill No. 210, by Judiciary Committee, entitled, "An Act amending Section 4310, Compiled Laws of Utah, 1907, in relation to disturbing the peace," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 11; nays, 2; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Marks, Seely, Benner X. Smith, Williams, Wilson.

Those voting in the negative were: Messrs. Hulaniski and Kuchler.

Those absent and not voting were: Messrs. Miller, Sevy, John Y. Smith, Stookey, and Mr. President.

House Bill No. 91, by Mr. Dyreng, entitled, "An Act to amend Section 999, Compiled Laws of Utah, 1907, entitled, 'Jurors in Justices' Courts. Per diem and mileage,' " was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyle, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson.

Those absent and not voting were: Mr. Miller and Mr. President.

The President resumed the chair.

House Bill No. 176, by Committee on Manufactures and Commerce, entitled, "An Act prohibiting the unauthorized use of the name or picture of any public institution in this State, or of any public officer, or private person, for the purpose of advertising," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Voting in the negative: Mr. Hyde.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, Seely.

COMMUNICATION.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

To the President and Members of the Senate:

You are hereby notified of an invitation issued to the Legislature of the State of Utah by the Commercial Club of Bingham to visit that camp on March 9th, 1909.

The invitation was received by me and presented to the House several days ago, but in some way the invitation happened to be misplaced on the files of the clerk and was never communicated to your body. This communication is intended to correct that mistake.

Arrangements have already been made for the trip tomorrow, and a special train over the Rio Grande will leave this city tomorrow morning at eleven o'clock, and will return in the evening at six. While in the camp the Legislature will be the guests of the Bingham Commercial Club, and of the large mining companies operating in that place. This invitation likewise includes the officers of the Senate.

Trusting that your honorable body will see fit to join the House in accepting this invitation, and regretting former delay in the matter, I have the honor to be,

Respectfully yours,

T. L. HOLMAN.

Communication filed.

On motion of Mr. Badger, the Senate thanked Mr. Holman for the invitation, and expressed its regret at being unable to accept, on account of press of business.

SPECIAL COMMITTEE.

Mr. Kuchler moved that H. B. No. 226 be withdrawn from the Sifting Committee and referred to a special committee of three, to be appointed by the chair, to act with a like committee from the House. Carried.

The chair appointed Messrs. Wilson, Seely, and Sevy.

On motion of Mr. Benner X. Smith, the Senate adjourned until tomorrow at 10 a. m.

FIFTY-EIGHTH DAY.

MORNING SESSION.

Senate Chamber,
Salt Lake City, Utah, March 9th, 1909.

The Senate met at 10 a.m., pursuant to adjournment, President Gardner presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-seventh day's session were read and approved.

BILLS MADE SPECIAL ORDER.

On motion of Mr. Benner X. Smith, Senate Bills Nos, 100 and 199 were made special order for this afternoon, following special order on S. B. No. 144.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: Your Committee on Highways and Bridges, to whom was referred H. B. No. 60, by Mr. Henrie (by request), as amended, entitled, "An Act relating to the use of convicts and prisoners on the county highways, and regulating compensation for services rendered," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
ALONZO BRINKERHOFF,
Chairman.

The report of the Committee was adopted, and H. B. No. 60 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 101, by Mr. Marks, entitled, "An Act to regulate the practice of optometry, and providing for the appointment of the Board of Examiners; and further providing for the issuing and revocation of licenses, and the fixing of a penalty for the violation of the provisions of this act; and repealing Sections 1686x, 1686x1, 1686x2, 1686x3, 1686x4, 1686x5, 1686x6, 1686x7, 1686x8, 1686x9, 1686x10, 1686x11, and 1686x12, Title 56, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend the following amendments thereto:

Amend Section 2 to read as follows: "Sec. 2. The

practice of optometry is the employment of subjective or objective, or both subjective and objective mechanical means to determine the accommodative and refractive conditions of the eye and the scope of its functions in general for the application and adjustment of lenses for the correction of errors of refraction, the relief of eye-strain, and the aid of vision."

Insert at end of Sec. 7: "And no person so licensed by the Optometry Board shall advertise or hold himself out as an eye specialist, or under any other title than that of optometrist, and every person so licensed is hereby prohibited from prescribing, using, recommending, or giving away any medicine or drugs, or operating upon the eye of any person."

On page 5, line 13, after the word "apply" insert "to duly licensed physicians and surgeons, or".

With these amendments, we recommend the bill be passed.

Respectfully,

E. T. HULANISKI,
Chairman pro tem.

The report of the Committee was adopted, and S. B. No. 101 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 114, by Mr. Miller, entitled, "An Act to provide for the support of the Government of the State, and for the several counties of the State, High Schools, and District and County Schools, for the fiscal years nineteen hundred and nine and nineteen hundred and ten," beg leave to report that they have had the same carefully engrossed and enrolled, and submit the same heerwith for your signature.

Respectfully,

CHARLES E. MARKS,
Chairman.

S. B. No. 114 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.

Senate Committee Room,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: Your Commitee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 13, by Mr. Miller, entitled, "An Act to amend Section 1113x22, Compiled Laws of Utah, 1907, designating what officer shall attend a convention of health officers of the State," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 13 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.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 64, by Mr. Badger, entitled, "An Act relating to the malicious erection of fences or other structures in the nature of a fence over five feet in height with the intent to spite, injure, or annoy an adjoining owner, lessee, or occupant of land; and providing a remedy therefor and an injunction to prevent the erection or maintenance thereof," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 64 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 89, by Mr. Marks, entitled, "An Act providing for police and fire departments in cities of this State of 12,000 and more inhabitants; providing a Board of Police and Fire Commissioners for cities of the first class; defining their powers and duties; providing for the control and maintenance of said board in cities of the first class; and providing the powers and duties of said departments in said cities, and for the maintenance and control of said departments; and repealing Chapter 12, Title 13, Compiled Laws of Utah, 1907, and all other acts and parts of acts in conflict herewith," beg leave to report that they have had the same under consideration, and a majority of said Committee, to-wit: Messrs. Marks, Badger, Wilson, and Hyde, recommend that the bill be passed, and a minority of said Committee, to-wit: Messrs. Benner X. Smith, Hulaniski, and Miller, recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The majority report of the Committee was adopted, and S. B. No. 89 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 149, by Mr. Marks, entitled, "An Act to amend Section 2893, Compiled Laws of Utah, 1907, relating to the statute of limitations," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 182, by Mr. Marks (by request), entitled, "An Act to amend Section 3245, Compiled Laws of Utah, 1907, relating to exemptions," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 155, by Mr. Marks (by request), entitled, "An Act to amend Section 1241x, Compiled Laws of Utah, 1907, relating to the maximum rate of interest on money," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Judiciary, to whom was referred S. B. No. 181, by Mr. Marks (by request), entitled, "An Act to amend Section 3098, Compiled Laws of Utah, 1907, relating to judgment against the garnishee on failure to answer," beg leave to report that they have had the same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 181 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Capitol Grounds, to whom was referred S. B. No. 186, by Mr. Williams, entitled, "An Act authorizing the State Board of Examiners to set apart a portion of the capitol grounds for the use of the National Guard of Utah, and authorizing the State Armory Board to construct an armory and arsenal thereon," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
S. J. STOOKEY,
Chairman.

The report of the Committee was adopted, and S. B. No. 186 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Capitol Grounds, to whom was referred H. J. R. No. 7, by Mr. Morris (by request), beg leave to report that they have had the same under consideration, and recommend that the same be passed.

Respectfully,
S. J. STOOKEY,
Chairman.

The report of the Committee was adopted, and H. J. R. No. 7 was read the second time.

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 8th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State the following bills:

Senate Bill No. 31, by Mr. Sevy, entitled, "An Act to amend Section 666x, Compiled Laws of Utah, 1907, relating to Supreme Court stenographer."

Senate Bill No. 45, by Mr. Williams, entitled, "An Act appropriating the sum of two thousand dollars to William Forsberg, for injuries sustained while employed by the State of Utah."

Senate Bill No. 65, by Mr. Badger, entitled, "An Act amending Sections 2372 and 2380, Compiled Laws of Utah, 1907, providing for the acceptance by the State of Utah of certain desert lands, and providing for contracts for the reclamation of the same; and validating and confirming proceedings heretofore taken under Chapter 2, Title 75, Compiled Laws of Utah, 1907."

Respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9th, 1909.

To the Senate:

I transmit herewith for your consideration communication from Mr. H. C. Edwards, with relation to amount which will be required to pay costs of suit and counsel fees incurred on behalf of the State of Utah in the case of Salt Lake City vs. Pleasant View Irrigation Company, et al.

Respectfully,
WILLIAM SPRY,
Governor.

Salt Lake City, Utah, March 1st, 1909.

Governor Spry,
Salt Lake City.

Dear Sir: I submit you herewith an estimate of the amount which will be required to pay costs of suit and counsel fees incurred on behalf of the State of Utah in

the case of Salt Lake City vs. Pleasant View Irrigation Company, et al.

As you undoubtedly know, this suit involves the waters of Parley's Canyon Creek, which includes all the water used by the penitentiary for culinary and irrigation purposes.

It is my opinion that $5,000.00 should be provided by the State to meet its expenses in this behalf. It may be that not to exceed $3,000.00 of this sum will be used; but it is not at all unlikely that more will have to be resorted to. This case has been on trial now since the fourth day of January, and from the present aspect it is liable to continue for another thirty days. If any of the parties to the action are dissatisfied, an appeal will necessarily follow, and this, of course, will involve extra expense, the exact amount of which it is impossible to indicate at this time.

I would suggest that an appropriation by the Legislature to the extent of $5,000.00 for this item be procured if possible.

Very respectfully,

H. C. EDWARDS.

Communication filed.

S. C. No. 8 was referred to the Committee on Appropriations and Claims.

State of Utah, Executive Office,
Salt Lake City, March 8th, 1909.

To the Senate:

As the Eighth Session of the Legislature is drawing to its close, I respectfully call your attention to a very important subject, which has not yet received your definite action, and upon which you should not fail to provide effective legislation. This subject is the regulation and control of the liquor traffic within the State.

I am aware of the multiplicity of interests that exist here, and the varying conditions between communities in different sections of Utah; also that the welfare of all must receive first consideration. This end can be reached, in my opinion, by a measure that avoids radicalism, and provides for a strict enforcement of its provisions. I had

hoped that by this time action to this end would have been taken by your honorable body, but at present there does not appear to be any such measure near to enactment. The situation appeals to me as one where my duty requires me to urge you to immediate action in the premises.

This legislation should be directed against vice in secret form as well as when displayed in the open; therefore I earnestly recommend that a law including both local option and strict regulation, as these relate to the liquor traffic, should be enacted, and that its provisions be drawn carefully within the Constitution, so there will be no failure. Wherever the sale of alcoholic liquors is permitted, it should be under regulations so plain and effective that the traffic will be kept within legitimate bounds, and be under the perfect control of those officers charged with the enforcement of law; and when the people of any locality wish to exclude such traffic from their neighborhood, they should be given the opportunity to do so.

The enactment of a measure of this kind, conceived in fairness, and dictated by calm judgment, appears to me to be within your present duty as representatives of the people, having at heart the welfare of all and desirous of preserving the rights of every person, and such a statute can be adopted within the time yet at your disposal. I shall be greatly pleased to give my approval to such a measure.

Respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

COMMUNICATIONS.

Office of the Secretary of State,
Salt Lake City, Utah, March 9th, 1909.

To the Senate:

I am directed by the State Board of Examiners to transmit to your honorable body the enclosed claim of Wasatch County in the sum of $5,060.50, for costs incurred in the arrest and prosecution of criminals in that county, and to advise you that in the opinion of the board the said

county is entitled to some relief, but in a sum not to exceed $1,000.00.

Very respectfully,
C. S. TINGEY,
Sec'y, State Board of Examiners.

Communication filed.

S. C. No. 11 was referred to the Committee on Appropriations and Claims.

Office of the Secretary of State,
Salt Lake City, Utah, March 9th, 1909.

To the Senate:

I am directed by the State Board of Examiners to transmit to your honorable body the enclosed claim of Provo City, amounting to $350.00, for rental of sewer privileges for the use of the State Mental Hospital during the years 1899 to 1908, inclusive, and to advise you that the board has approved the claim for $350.00, with the recommendation that an appropriation be made therefor.

Very truly yours,
C. S. TINGEY,
Sec'y, State Board of Examiners.

Communication filed.

S. C. No. 7 was referred to the Committee on Appropriations and Claims.

Office of the Secretary of State,
Salt Lake City, Utah, March 8th, 1909.

To the Senate:

I am directed by the State Board of Examiners to transmit to your honorable body the following claims for refund of 75 per cent. of moneys paid for school lands alleged to have been settled upon and cultivated prior to March 1st, 1869, said claims having been presented under the provisions of Chapter 88, Laws of Utah, 1899, and to advise you that the board has not heard evidence either in support of or against these claims, and has neither al-

lowed nor rejected them, believing it advisable to follow the procedure heretofore adopted by the State Board of Examiners in respect to similar claims, and to submit same to the Legislature for such action as it may deem wise and proper.

It is respectfully suggested, however, that if appropriations be made to cover these claims that a condition be attached to the payment of same, requiring the State Board of Examiners to take testimony as to the occupancy and cultivation of said land, and the rights of claimants to the refund, and that it also be stated that if paid they shall be paid out of the State school land fund.

Very respectfully,

C. S. TINGEY,
Sec'y, State Board of Examiners.

Communication filed.

S. C. No. 10 was referred to the Sifting Committee.

Office of the Secretary of State,
Salt Lake City, Utah, March 8th, 1909.

To the Senate:

I am directed by the State Board of Examiners to transmit to your honorable body the enclosed claim of H. S. Margetts for legislative supplies furnished the Eighth Legislature, as per contract, and amounting to $21.00, and to advise you that the board has approved the claim of $21.00, with the recommendation that an appropriation be made therefor.

Very respectfully,

C. S. TINGEY,
Sec'y, State Board of Examiners.

Communication filed.

S. C. No. 9 was referred to the Committee on Appropriations and Claims.

On motion of Mr. Kuchler, a recess was taken until 2 p. m.

AFTERNOON SESSION.

The Senate reconvened at 2 p. m.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 83, by Mr. Bullen, entitled, "An Act amending Section 1823, Compiled Laws of Utah, 1907, providing for school sites and buildings; that plans and specifications for school buildings be submitted to a commission herein provided.

The same is herewith returned for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 83 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 70, by Mr. Bullen, entitled, "An Act to punish derogatory statements affecting banks, banking institutions, or trust companies."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

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

passed, as amended, H. B. No. 96, by Mr. King, "An Act amending Section 487, Compiled Laws of Utah, 1907, relating to disputes over county boundary lines."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 96 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representatives King, Smith, and Nielson as a committee to confer with the Senate Committee on H. B. No. 226, by Committee on Live Stock, "An Act relating to bulls and their use upon the public range; and repealing Section 57, Compiled Laws of Utah, 1907."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 165, by Mr. Hansen, "An Act to prohibit the playing of football upon the grounds of any public institution, and to prohibit the organization or training of football teams at any school in any department of the public school system."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 165 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 157, by Mr. Pope, "An Act providing for hydrographic surveys and co-operation with the United States Government."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 157 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 173, by Mr. Pope, entitled, "An Act providing for the investigation of the agricultural resources and the encouragement of the agricultural development of the Uintah Basin."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 173 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and

filed with the Secretary of State, H. B. No. 98, by Committee on State Mental Hospital, "An Act amending Section 2154, Compiled Laws of Utah, 1907, relating to the State Mental Hospital; permitting the State to care for the feeble-minded and non-insane epileptics; and providing for the admission thereof."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 105, by Mr. Badger, entitled, "An Act amending Section 282x7, and repealing Section 282x8, Compiled Laws of Utah, 1907, relating to special tax funds in cities."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Badger, the Senate concurred in the amendments by the House.

S. B. No. 105, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Wilson, Mr. President.

Absent and not voting: Mr. Williams.

S. B. No. 105 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 86, by Mr. Hyde, "An Act directing the State Board of Land Commissioners to conduct experiments in sinking wells to procure subterranean waters for culinary and domestic purposes, and making an appropriation therefor; and repealing Sections 2369x and 2369x1, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Hyde, the Senate concurred in the amendments by the House.

S. B. No. 86, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Benner X. Smith and Williams.

S. B. No. 86 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 187, by Mr. Ashton, entitled, "An Act

to amend Section 3747, Compiled Laws of Utah, 1907, relating to undertakings on appeal from justices' courts."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 187 was read the first time, and referred to the Sifting Committee.

CONFERENCE COMMITTEE REPORT.

Senate Committee Room,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: Your conference committee, to whom was referred H. B. No. 226, by Committee on Live Stock, "An Act relating to bulls that are used on the public range, etc.," beg leave to report that the two committees, consisting of members from the Senate and House, have duly considered the bill, and recommend that it be passed by the Senate, with the following amendments, and that the House concur in said amendments:

On line 2, after the words "public domain," insert: "range or forest reserves"; on line 7, strike out "May" and insert: "shall jointly provide and"; on line 8, after the word "the" insert "public domain", and after the word "range" insert "or forest reserve"; on line 10, after the word "public", insert the word "domain", and after the word "range" insert "or forest reserve", and reinsert lines 18, 19, 20, and 21.

JOHN H. SEELY,
JAS. B. WILSON,
Senate Conference Com.
VOLNEY E. KING,
C. JOHN SMITH,
FRANCIS NIELSON,
House Conference Com.

The report of the Committee was adopted, and H. B. No. 226 was read the second time.

Senate Committee Room,
Salt Lake City, March 9th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 141, by Mr. John Y. Smith, entitled, "An Act declaring the use of the waters of this State for beneficial purposes, to be a public use; and providing for the exchange of waters," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed, but that S. B. No. 208, substitute for S. B. No. 141, by Sifting Committee, entitled, "An Act declaring the use of the waters of this State for beneficial purposes, to be a public use; and providing for the exchange of waters, and for the enforcement of the same," be substituted therefor and that the substitute bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 208 was read the first and the second time.

On motion of Mr. John Y. Smith, the Senate adjourned until tomorrow at 10 a. m.

FIFTY-NINTH DAY.

MORNING SESSION.

Senate Chamber,
Salt Lake City, Utah, March 10th, 1909.

The Senate met at 10 a. m., pursuant to adjournment, President Gardner 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, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 71, by Mr. Fuller, "An Act to create the State Board of Dental Examiners; regulate and define the practice of dentistry; provide penalties for the violation thereof; and to repeal Sections 747, 748, 749, 750, 751, 752, 753, 754, 756, 757, 758, 759, 759x, 759x1, 759x2, and 759x3, Compiled Laws of Utah, 1907."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 71 was read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 74, by Mr. William McMillan, "An Act amending Section 2703x, Compiled Laws of Utah, 1907, extending the time for complying with the provisions of Title 82, Compiled Laws of Utah, 1907, relating to town sites."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
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, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 84, by Mr. McCracken, "An Act to amend Section 5014, Compiled Laws of Utah, 1907, relative to competency of husband and wife to testify in certain cases."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 84 was read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 92, by Mr. Wootton, "An Act amending Section 1795, Compiled Laws of Utah, 1907, relating to the requirements for the certificate of teachers."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 92 was read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representa-

tives has this day signed, in open session, in the presence of the House, H. J. R. No. 6, by Mr. Davis, "A Joint Resolution proposing an amendment to Section 4, of Article 14, of the Constitution of the State of Utah, relating to the limit of indebtedness of counties, cities, towns, and school districts."

The same is transmitted herewith for the signature of the President of the Senate.

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. R. No. 6 was read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 176, by Committee on Manufactures and Commerce, "An Act prohibiting the unauthorized use of the name or picture of any public institution in this State, or of any public officer or private person, for the purpose of advertising."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 176 was read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 204, by Mr. Fuller, "An

Act relating to and fixing the time within which a bank shall be liable to a depositor for the payment of a forged or raised check."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 204 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day referred to your honorable body, House Petitions Nos. 12 and 18, "Relating to the establishment of an experiment station in Roosevelt Valley." Also, House Petition No. 2, by Mr. Pope, "Relating to the passing of the irrigation law."

The same are enclosed herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House Petitions Nos. 2, 12, and 18 were referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 25, by Mr. Ashton, entitled, "An Act amending Sections 720x24, 720x25, 720x29, 720x30, and 720x32, Compiled Laws of Utah, 1907, relating to the methods for the protection, disposition, and supervision of dependent, neglected, and ill-treated children, and to prescribe the punishment for such persons as are

responsible for the care of children, and repealing all acts, or parts of acts, inconsistent herewith."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 25 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 24, by Mr. Ashton, entitled, "An Act amending Sections 720x42 and 720x43, Compiled Laws of Utah, 1907, relating to the establishment and maintenance of detention schools for the care, custody, and education of dependent or delinquent children under eighteen years of age."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 24 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 22, by Mr. Ashton, "An Act amending Sections 720x, 720x1, 720x2, 720x3, 720x4, 720x5, 720x7, 720x10, 720x12, 720x14, 720x15, 720x16, and 720x21, Compiled Laws of Utah, 1907, relating to juvenile courts; the title, term of office, duties, appointment, and compensation of the judge thereof, and other officers connected therewith; providing for a Juvenile Court Commission, and specifying its duties and the duties of

its secretary; defining the jurisdiction of juvenile courts; providing for the jurisdiction of District Courts in certain districts; prescribing the powers, rights, proceedings, and practice of juvenile courts, and providing for the maintenance thereof; providing for appeals; for disposing of fines; and repealing all acts, or parts of acts, inconsistent herewith."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 22 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 114, by Mr. Miller, entitled, "An Act to provide for the support of the Government of the State, and for the several counties of the State, high schools, and district and county schools, for the fiscal years nineteen hundred and nine and nineteen hundred anl ten."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 114 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 13, by Mr. Miller, entitled, "An

Act to amend Section 1113x22, Compiled Laws of Utah, 1907, designating what officer shall attend a convention of health officers of the State."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 13 was transmitted to the Governor.

House of Representatives.
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 92, by Mr. Stookey, "An Act providing for archaeological and historical exploration and investigation in connection with the University of Utah, and making an appropriation therefor."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 92 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 131, by Mr. Badger (by request), "An Act amending Section 4040, Compiled Laws of Utah, 1907, relating to decrees affecting real property to be recorded."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 108, by Mr. Badger, "An Act to amend Section 1018, Compiled Laws of Utah, 1907, relating to officer performing duties without fees, and providing that poor person shall not be required to furnish cost bond."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 8th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 132, by Mr. Badger, "An Act amending Section 1895, Compiled Laws of Utah, 1907, relating to who may take acknowledgments."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 104, by Mr. Bullen, "An Act amending Sections 1854, 1855, and 1861, Compiled Laws of Utah, 1907, creating a State Text Book Commission, and providing for the manner of selecting text books."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 104 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 154, by Mr. Bullen, "An Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to high schools.

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Mr. Badger moved that a conference committee of three be appointed by the President to confer with a like committee from the House on the amendments to the bill. Carried.

Messrs. Bullen, Stookey, and Marks were appointed.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 107, by Mr. Badger (by request), entitled, "An Act amending Sections 256, 258, 259, 260, 273, and 277, Compiled Laws of Utah, 1907, relating to special taxes."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN,
Chairman.

Communication filed.

S. B. No. 107 was laid on the table until called up.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day ordered returned H. B. No. 99, by Mr. Bower, for change in title thereof, to cover amendment made by your honorable body, in body of the bill.

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 99.—By Mr. Bower.

"An Act creating a State Horticultural Commission; providing for the publication and distribution of its reports; for the appointment and bonding of a State Horticultural Inspector; the examination, bonding, and appointment of county inspectors; defining their duties; the duties of common carriers, orchardists, and nurserymen; licensing and bonding nurserymen; defining a misdemeanor, and providing a penalty therefor; and repealing Chapters 1 and 2, Title 34, Compiled Laws of Utah, 1907, relating to horticulture," was amended in title and placed on its final passage, and passed, as amended in title and body by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, Miller, Sevy.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Utah, March 9th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State the following bills:

Senate Bill No. 83, by Mr. Bullen, entitled, "An Act amending Section 1823, Compiled Laws of Utah, 1907, providing for school sites and buildings; that plans and specifications for school buildings be submitted to a commission herein provided."

Senate Bill No. 109, by Mr. Hulaniski, entitled, "An Act providing punishment for the removal, stealing, or in any manner interfering with journal bearings, brasses, or other parts of locomotives, tenders, or railroad cars, and for buying or receiving such stolen property, knowing the same had been stolen."

Respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

COMMUNICATIONS.

Salt Lake City, Utah, March 10th, 1909.

To the Senate:

I am directed by the State Board of Examiners to transmit to your honorable body the enclosed claim of Kelly & Company, No. 301, in the sum of $9.00 for engrossing paper furnished the Eighth Legislature, as per contract, and to advise you that the Board has approved the claim for $9.00 with the recommendation that an appropriation be made therefor.

Respectfully,
C. S. TINGEY,
Secretary of State Board of Examiners.

Salt Lake City, Utah, March 10th, 1909.

To the Senate:

I am directed by the State Board of Examiners to transmit to your honorable body the within claim No. 300, Miss A. M. Bowman, for $210.00 for services performed for the State Board of Health.

The Board understands from Dr. Beatty, Secretary of said State Board of Health, that this claim is for overtime for work performed by Miss Bowman while acting as clerk in the office of the State Board of Health. This Board has heretofore allowed no claims of State employees for overtime, and for that reason has not approved this claim, but the Board understands from Dr. Beatty that the services of Miss Bowman were necessarily performed as special work in connection with the Bacteriological Laboratory, and was done after office hours.

Respectfully,

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

The claims were referred to the Committee on Appropriations and Claims.

BILL MADE SPECIAL ORDER.

On motion of Mr. Badger, S. B. No. 148 was made the special order for this afternoon at 2:15.

SPECIAL ORDER.

Senate Bill No. 144, by Mr. Wilson, entitled, "An Act providing the manner of annexing that part of the territory of one or more counties to an adjoining county, and of creating new counties out of existing counties; and repealing Sections 487x5, 487x6, 487x7, 487x8, 487x9, 487x10, and 487x11, Compiled Laws of Utah, 1907," was placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Miller, Sevy, Stookey.

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

SPECIAL ORDER.

Senate Bill No. 100, by Mr. Benner X. Smith, "An Act to amend Sections 182, 183, 184, 185, 186, 195, 197, 199, 201, 205, 213, 214, 215, 216, 218, 222, 225, 265, and 887, Compiled Laws of Utah, 1907, relating to the municipal government of incorporated cities, the officers thereof, the powers, duties, and privileges of officers; providing for the number of and the manner of electing councilmen in cities of the second and third class; providing the qualifications of certain elective officers of cities; providing the manner of electing mayors, commissioners, and auditors of cities of the first class, and mayors and councilmen of cities of the second and third class; providing the rights, powers, duties, and privileges of mayors, commissioners, and other officers of cities; providing for the manner of filling vacancies in city offices; providing for meetings of the Boards of Commissioners and the City Council of cities; providing for rules and regulations for the conduct of their proceedings and the administration of the affairs of cities; providing for the election of certain officers in the cities and towns of this State, and fixing the terms thereof; and abolishing the offices of mayor and city councilmen in cities of the first class, as now provided by law; and providing that no election shall be held hereafter in cities of the first class for the office of city councilmen, city recorder, city treasurer, and city attorney; providing for the filing and publication of a sworn statement of election and campaign expenses of elective officers of cities of the first class and a forfeiture and penalty for failure so to do; providing for the creation of offices for the good government of cities; to regulate and prescribe their powers, duties, and compensations, and the manner of their appointment, term of office, and removal; providing for the oath of office and bonds of city officers; prohibiting city officers from being interested in any contract work, business, or sale, the consideration of which is paid from the treasury or by assessment, or in

the purchase of any property belonging to the city; and providing a penalty therefor; and prohibiting officers and employes, except policemen and firemen, from accepting franks, free tickets, or free service from any person, firm, or corporation operating within the city under a public franchise; and providing a penalty therefor; and providing for the compensation of officers of cities, and the time of payment; providing for the equalization of special taxes in cities; and repealing Sections 283, 284, and 285, Compiled Laws of Utah, 1907, relating to the Board of Public Works in cities of the first class, and vesting the powers of said boards in the Boards of Commissioners of cities of the first class," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 12; nays, 4; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Kuchler, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Hulaniski, Marks, Seely, Stookey.

Those absent and not voting were: Messrs. Miller and Sevy.

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

BILL REFERRED.

By request of the Sifting Committee, Senate Bill No. 188 was referred to the Committee on Appropriations and Claims.

On motion of Mr. Hyde, the Senate took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate reconvened at 2 p. m.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Concurrent Resolution No. 2, beg leave to report that they have carefully considered the same, and, with the following amendments, recommend that the same be passed.

On line 6, following the word "properly" insert "engrossed with pen and ink, on suitable paper, or".

Respectfully,
CHARLES E. MARKS,
Chairman.

The report of the Committee was adopted, and S. C. R. No. 2 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 203.—By the Committee on Appropriations.

A Bill for an Act relating to the collection of historical material; providing for the custody of same, and making an appropriation therefor.

S. B. No. 203 was read the first and second times.

Senate Bill No. 204.—By Mr. Benner X. Smith (by request).

A Bill for an Act to amend Section 1241x1, Compiled Laws of Utah, 1907, prohibiting the taking of usurious interest, and providing a penalty therefor.

S. B. No. 204 was read the first time, and referred to the Sifting Committee.

Senate Bill No. 205.—By Mr. Bullen.

A Bill for an Act amending Section 2075, of the Compiled Laws of Utah, 1907, relating to the appointment of the Board of Trustees of the Agricultural College, and fixing their terms of office.

S. B. No. 205 was read the first time, and referred to the Sifting Committee.

Senate Bill No. 206.—By Mr. Hulaniski.

An Act approving, legalizing, and adopting the Compiled Laws of Utah, 1907.

The rules were suspended, and S. B. No. 206 was read the first, second, and third times, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Seely, Sevy, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Kuchler, Marks, Miller, Benner X. Smith, John Y. Smith, Stookey.

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

Senate Bill No. 207.—By Mr. Marks.

A Bill for an Act defining what constitutes a private fish pond, a private fish hatchery, and what are public waters; and providing the manner of taking water from public streams, lakes, or reservoirs to feed said private ponds; and providing a penalty for violation of the provisions of this act.

S. B. No. 207 was read the first time, and referred to the Sifting Committee.

SPECIAL ORDER.

Senate Bill No. 148, by Committee on Manufactures and Commerce, entitled, "An Act relating to the manufacture, sale, bartering, giving away, or otherwise furnishing of intoxicating liquor; providing for the licensing and regulation of the same; providing for elections in any county, or any precinct, or voting district therein, or any subdivision of a county, to determine whether the sale of intoxicating liquors shall be prohibited therein; applying to such elections the provisions of Chapter 10, Title 21, Compiled Laws of Utah, 1907, and also the provisions of the general election laws of the State; providing for the

issuance by the Board of County Commissioners of orders prohibiting the manufacture and sale of intoxicating liquors within certain limits; and declaring the duties of such boards in reference thereto; providing penalties and punishment for the violation of any of the provisions of this act; declaring certain rules of evidence and pleading applicable to prosecutions under this act; providing means for the enforcement of the provisions of this act, and repealing Sections 1242, 1243, 1244, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, and 1258, Compiled Laws of Utah, 1907," was placed on its final passage, and passed, as amended, by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Miller.

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

Mr. Benner X. Smith moved that when the Senate adjourns it do so until 8 p. m. today. Carried.

BILL MADE SPECIAL ORDER.

On motion of Mr. Benner X. Smith, S. B. No. 61 was made special order to follow S. B. No. 199.

SPECIAL ORDER.

Senate Bill No. 199, by Committee on County and Municipal Corporations, entitled, "A Bill for an Act to amend Sections 817, 818, 821, 821x, 821x1, 822, 825, 830, 831, 834, 892, and 913, Compiled Laws of Utah, 1907, and enacting five new sections, providing for a day of registration on the fourth Tuesday prior to municipal elections in cities of the first class; providing for furnishing a copy of official register the day before any primary election in cities of the first class; providing for registration of voters at primary elections in cities of the first class; providing that in cities of the first class primary elections

for the nomination of officers, to be elected in such cities, shall be conducted as provided in Section 5 of this act; providing for the qualification of persons entitled to vote at primary elections for municipal offices in cities of the first class; providing for the manner of nominating candidates for municipal offices in cities of the first class: providing for publication of the list of nominations of officers in cities of the first class; providing for the arranging of names of candidates for offices in cities of the first class; providing for the filling vacancies in nominations of candidates for offices in cities of the first class; providing for the date of municipal elections and the terms of certain municipal officers; providing that Chapter 10, Compiled Laws of Utah, 1907, relating to election offenses, shall apply to primary elections in cities of the first class; providing for the holding of elections in cities of the first class to determine whether or not the holder of any elective office may be removed by electors qualified to vote for his successor; providing for the proposing by petition of electors of cities of the first class that ordinances be passed by the Boards of Commissioners of such cities; providing the time when ordinances passed by Boards of Commissioners of cities of the first class shall go into effect, and providing that qualified voters of such cities may prevent ordinances passed by Boards of Commissioners of cities of the first class from going into effect; providing for primary elections for nominations of municipal offices in cities of the first class; providing for a civil service commission in cities of the first class," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Williams, Mr. President.

Those absent and not voting were: Messrs. Burton, Miller, John Y. Smith, Stookey, Wilson.

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

A recess was taken until 8 p. m.

EVENING SESSION.

The Senate reconvened at 8 p. m.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 72, by Mr. Wilson, entitled, "An Act amending Section 446, of the Compiled Laws of Utah, 1907, and creating one new section, to be known as Section 446a, providing that certain corporations shall be liable for the killing of live stock, and specifying when and where affidavit of ownership and value shall be filed: and providing for recovery of attorney's fees in case of suit," beg leave to report that they have had same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 125, by Mr. Burton, entitled, "An Act to provide for the destruction of noxious weeds growing along artificial water ways used for the purpose of storing or conveying of irrigation water; and providing a penalty for the violation thereof," beg leave to report they have had the same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 139, by Mr. Badger (by request), entitled, "An Act to amend Section 375, Compiled Laws of Utah, 1907, relating to banking corporations and banks," beg leave to report that they have had the same under consideration, and recommend that the bill do not pass.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 78, by Mr. Wilson, entitled, "An Act requiring railway corporations to give notice through their despatchers, agents, and operators of delayed trains; providing penalties for violations thereof; and repealing Section 448, Compiled Laws of Utah, 1907," beg leave to report they have carefully considered same, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 165, by Mr. Hansen, entitled, "An Act to prohibit the playing of football upon the grounds of any public institution, and to prohibit the organization or training of football teams at any school in any department of the public school system," beg leave to report

they have considered the same, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 37, by Mr. Badger, entitled, "An Act prohibiting the use of the name, picture, or portrait of any public institution, or the official title of any public officer for purposes of advertising or trade, and providing penalties therefor," beg leave to report they have considered the same, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 168, by Mr. Sevy (by request), entitled, "An Act amending Section 3669, Compiled Laws of Utah, 1907, relating to change of venue in Justices' Courts," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. J. R. No. 4, by Mr. Benner X. Smith, en-

titled, "Resolution: Proposing an amendment to Section 1, Article XXII, of the Constitution of Utah, relating to 'Homestead Exemption,' authorizing the Legislature to subject a 'Homestead' to execution sale to satisfy judgments obtained on mechanics' and material men's liens, lawful mortgage liens, and purchase money and tax liens," beg leave to report that they have carefully considered the same, and recommend that same be passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. J. R. No. 4 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 153, by Mr. Benner X. Smith, entitled, "An Act relating to the sale of goods, being an Act to enact a law uniform with the laws of certain other States on that subject; and repealing Sections 2469, 2470, and 2473, Compiled Laws of Utah, 1907, and all acts, or parts of acts, inconsistent herewith," beg leave to report they have had the same under consideration, and recommend the bill be not passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 171, by Mr. Sevy, entitled, "An Act to amend Section 999, Compiled Laws of Utah, 1907, entitled, 'Jurors in Justices' Courts. Per diem and mileage,' " beg leave to report that they have had same under consideration, and recommend it be not passed, as

the matter contained herein is covered by House Bill already passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 106, by Mr. Dyreng, entitled, "An Act providing for payment of deposits made in two names," beg leave to report they have had same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 133, by Mr. Horsley, entitled, "An Act amending Section 281, Compiled Laws of Utah, 1907, relating to the manner of collecting special taxes," beg leave to report that they have had the same under consideration, and recommend that the bill do not pass.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was not adopted.
S. B. No. 133 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 229, substitute for H. B. No. 200, by Committee on Counties, entitled, "An Act to amend Sections 464 and 475, Compiled Laws of Utah, 1907, re-

lating to the boundary lines of Salt Lake and Davis Counties," beg leave to report that they have had the same under consideration, and that a majority of said Committee recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 30, by Mr. Benner X. Smith, entitled, "An Act to amend Section 616x, of the Compiled Laws of Utah, 1907, 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 apportionment of said sum to the various taxing funds,'" beg leave to report they have had same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 30 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 179, by Mr. Badger (by request), entitled, "An Act providing for a uniform price for the publication of proceedings, reports, legal notices, and advertising required by law to be published, and fixing a legal rate therefor," beg leave to report they have had same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 183, by Mr. Badger (by request), entitled, "An Act relating to the duty of keepers or proprietors of hotels and lodging houses, as to providing the means of escape from fires, and providing a penalty for the violation of this act," beg leave to report they have had the same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 180, by Mr. Kuchler, entitled, "An Act repealing Sections 1686x, 1686x1, 1686x2, 1686x3, 1686x4, 1686x5, 1686x7, 1686x8, 1686x9, 1686x10, 1686x11, and 1686x12, Compiled Laws of Utah, 1907, relating to the State Board of Optometry," beg leave to report they have had same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 164, by Mr. Burton (by request), entitled, "An Act providing that all streams or bodies of water in this State be declared navigable, and public highways for the purposes of hunting and fishing," beg

leave to report they have had same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

On motion of Mr. Burton, S. B. No. 164 was read the second time and placed on the calendar.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 182, by Mr. Thompson, entitled, "An Act amending Section 965, Compiled Laws of Utah, 1907, fixing the fees to be charged by the Secretary of State," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H .B. No. 182 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 185, by Mr. Kuchler, entitled, "An Act in relation to ores and treatment thereof, and trading and commerce therein, and to persons, associations, and corporations engaged in the treatment and trading commerce therein," beg leave to report that they have had same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 6th, 1909.

Mr. President: Your Committee on Public Health, to whom was referred S. B. No. 142, by Mr. Marks, entitled, "An Act to prevent the use of defective devices for testing the quantity and value of milk, cream, butter, or cheese, and providing a penalty for the violation of this act," beg leave to report that they have had the same under consideration, and recommend that the same be passed, with the following amendments:

Following the word "use" in line eight, insert "as a measure in the sale or purchase of milk or cream"; also, as Section 2, add: "Section 2. The United States standard of weights and measures shall be the standard for all weights or measures in this act."

Respectfully,
J. A. HYDE,
Chairman.

The report of the Committee was adopted, and S. B. No. 142 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 82, by Mr. Badger, entitled, "An Act to establish the Public Service Commission and prescribing its powers and duties; and to provide for the regulation and control of railroads and other public service corporations; and making an appropriation therefor; and repealing Sections 454, 455, and 456, of the Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and are unable to agree upon a report to be made by the Committee, but unite in recommending that the bill be placed on the calendar of the Senate for such action as that body may determine.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 82 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. J. R. No. 7, by Mr. Benner X. Smith, entitled, "Resolution authorizing the appointment of a commission to investigate the present system of records in all departments of State, county, and municipal governments, particularly those pertaining to the courts and land transfers, and to report," beg leave to report that they have had same under consideration, and recommend that the same be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. J. R. No. 7 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 159, by Mr. Benner X. Smith, entitled, "An Act to create the office of Utah Commissioner of Boats and Pilots; to provide for licensing of pilots; defining the duties of said Commissioner of Boats and Pilots; and to provide penalties for the violation of this act." beg leave to report that they have had same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 159 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 16, by Mr. Benner X. Smith, en-

titled, "An Act authorizing the court in its discretion to compel a party to a suit to submit to a physical examination by physicians and surgeons," beg leave to report they have had the same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 11, by Mr. Bullen, entitled, "An Act to amend Section 2090x, Revised Statutes of Utah, 1907, providing that instruction in the Agricultural College shall be free, and providing an entrance fee," beg leave to report that they have had same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 11 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 222, by Judiciary Committee, entitled, "An Act to amend Section 511, of the Compiled Laws of Utah, 1907, relating to County Commissioners," beg leave to report that they have had same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 222 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. J. R. No. 6, by Mr. Hyde, entitled, "A Joint Resolution requesting the Senators and Representative in Congress from Utah to endeavor to secure an amendment to the interstate commerce act to prohibit the shipment of alcoholic liquors in certain cases," beg leave to report that they have had same under consideration, and recommend its passage.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. J. R. No. 6 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 158, by Mr. Seely, entitled, "An Act to provide for a Utah State Conservation Commission, and prescribing the powers and duties of such commission; and appropriating the sum of $3,000.00 per annum, to be expended by said commission for certain purposes," beg leave to report that they have had same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 158 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 35, by Mr. Brinkerhoff, entitled, "An Act to amend Title 9, Compiled Laws of Utah, 1907, relating to the paying of bounties for the destruction of wild animals; and providing for a tax on cattle, horses,

and sheep," beg leave to report they have had same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

On motion, S. B. No. 35 was read the second time and placed on the calendar.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 53, by Mr. Hugh A. McMillin, entitled, "An Act to amend Section 2441, Compiled Laws of Utah, 1907, relating to the appointment and defining the duties of Bank Examiner," beg leave to report they have considered same, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. J. M. No. 3, by Mr. Morris, entitled, "Memorializing Congress to grant to the State of Utah, for the benefit of Indian war veterans of Utah, one million acres of land," beg leave to report that they have had same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. J. M. No. 3 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 152, by Mr. Burton, entitled, "An Act enacting a new section of the Compiled Laws of Utah, 1907, to be known as Section 1665x83, relating to and fixing the time within which a bank shall be liable to a depositor for the payment of a forged or raised check," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 152 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 208, by Mr. McRae, entitled, "An Act to amend Section 2503, Compiled Laws of Utah, 1907, relating to property exempt," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 208 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 118, by Mr. Benner X. Smith, entitled, "An Act to amend Section 4430, Compiled Laws of Utah, 1907, relating to trespass," beg leave to report

that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 118 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 190, by Mr. Badger, entitled, "An Act amending Section 1102, Compiled Laws of Utah, 1907, relating to the duties, salary, and expenses of the secretary of the Board of Health," beg leave to report that they have had same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 190 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 102, by Mr. Seely, entitled, "An Act authorizing the State Board of Examiners to dispose of certain experiment stations and farms, and repealing Sections 2093x, 2093x1, 2093x2, 2093x3, 2093x4, 2093x5, 2093x6, 2093x7, 2093x17, and 2093x19, Compiled Laws of Utah 1907," beg leave to report that they have had the same under consideration, and recommend it to the action of the Senate.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 102 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 172, by Mr. Brinkerhoff, entitled, "An Act creating the office of State Bee Inspector; providing for his appointment and salary; and county bee inspectors; and for inspection, disinfection, and spraying of bees; and repealing Sections 139, 140, 141, 142, 143, 143x, 143x1, and 143x2, Compiled Laws of Utah, 1907," beg leave to report that they have carefully considered same, and recommend that the bill be placed on the calendar of the Senate for such action as that body may determine.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 172 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 90, by Mr. Benner X. Smith, entitled, "An Act amending Section 2919, Compiled Laws of Utah, 1907, relating to parties and to actions or proceedings by or against joint tenants, or tenants in common, or actions or proceedings by one tenant in common, or joint tenant against his co-tenant," beg leave to report that they have carefully considered same, and recommend that the bill be passed with the following amendment thereto:

1. At the end of line 14, page 1, insert: "In all cases one tenant in common or joint tenant can suit his co-tenant."

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 90 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 143, by Mr. Benner X. Smith, entitled, "An Act to amend Section 3181, Compiled Laws of Utah, 1907, relating to the dismissal of actions and judgments of non-suit," beg leave to report that they have carefully considered same, and recommend that the bill be passed, with the following amendment thereto:

1. On page 2, after line 7, insert the following, to read as Section 7: "By the court, in its discretion, for want of prosecution, where after the action has been at issue for one year, and the plaintiff or party demanding affirmative relief has neglected to bring the action to trial".

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 143 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 151, by Mr. Hulaniski, entitled, "An Act relating to warehouse receipts, being an act to enact a law uniform with the laws of certain other States on that subject; and repealing Section 1403, Compiled Laws of Utah, 1907, and all acts, or parts of acts, inconsistent herewith," beg leave to report that they have carefully considered same, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: Your Committee on Engrossed and

Enrolled Bills, to whom was referred S. B. No. 86, by Mr. Hyde, entitled, "An Act directing the State Board of Land Commissioners to conduct experiments in sinking wells to procure subterranean waters for culinary and domestic purposes, and making an appropriation therefor; and repealing Sections 2369x and 2369x1, Compiled Laws of Utah, 1907," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 86 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.

Senate Committee Room,
Salt Lake City, Utah, March 9th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 105, by Mr. Badger, entitled, "An Act amending Section 282x7, and repealing Section 282x8, Compiled Laws of Utah, 1907, relating to special tax funds in cities," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 105 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.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representa-

tives has this day appointed Representatives Thompson, Wootton, and Ashton as members of Conference Committee to act with Senate Committee appointed to further consider S. B. No. 154, by Mr. Bullen, An Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to High Schools."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 163, by Mr. Marks, "An Act providing for an election submitting to the qualified electors of the State a proposition to levy a one-mill tax in excess of the rate of taxation otherwise fixed or limited for all other purposes for fifteen years, to raise funds to construct and furnish a State Capitol for the State of Utah."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 163 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 162, by Mr. Marks, "An Act providing for the refunding of the bonds of the Territory of Utah, of the issue of July second, eighteen hundred and ninety-two, and the disposal of the funds provided by law for the redemption thereof."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 162 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 160, by Mr. Marks, "An Act creating a State Board to be known as the Capitol Commission; fixing the manner of appointment and the compensation of the members thereof; prescribing their powers and duties and authorizing the erection of a State Capitol."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Marks, the Senate concurred in the amendment by the House.

S. B. No. 160, as amended by the House, was placed on its final passage, and passed by the following vote:

Ayes, 14; nays, none. Absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Mr. President.

Those absent and not voting were: Messrs. Miller, John Y. Smith, Williams, Wilson.

S. B. No. 160 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 161, by Mr. Marks, "An Act providing for the issue and disposal of State Bonds and the appropriation of the proceeds of the sale thereof for the purpose of the erection of a State Capitol."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 161 was referred to the Committee on Engrossed and Enrolled Bills.

On motion of Mr. Marks the rules were suspended and S. C. R. No. 2, providing for the engrossing of bills by typewriter or by pen, was read the third time and placed on its final passage, and passed by the following vote:

Ayes, 11; nays, 3. Absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Stookey, Williams, Mr. President.

Those voting in the negative were: Messrs. Bullen, Hyde, Benner X. Smith.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, John Y. Smith, Wilson.

On motion of Mr. Hyde, the Senate adjourned until tomorrow at 10:30 a. m.

SIXTIETH DAY.

Senate Chamber,
Salt Lake City, Utah, March 11th, 1909.

The Senate met at 10:30 a. m., pursuant to adjournment, President Gardner presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

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

INTRODUCTION OF RESOLUTION.

Senate Joint Resolution No. 8.—By Mr. Williams.

A Joint Resolution proposing an amendment to Section 1, of Article XIV, of the Constitution of the State of Utah, in relation to the limit of the State indebtedness.

On motion of Mr. Williams, the rules were suspended, and S. J. R. No. 8 was read the first and the second time.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Utah, March 10th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of the State the following bills:

Senate Bill No. 4, by Mr. Kuchler, entitled, "An Act to appropriate the sum of $2,500.00 to Margaret Clark, on account of the death of her husband, Seymour L. Clark, while engaged in his duties as a peace officer of the State of Utah, and a deputy sheriff of Weber County."

Senate Bill No. 13, by Mr. Miller, entitled, "An Act to amend Section 1113x22, Compiled Laws of Utah, 1907,

designating what officers shall attend a convention of health officers of the State."

Respectfully,

WILLIAM SPRY,
Governor.

Communication filed.

AMENDED BILL PASSED.

On motion of Mr. Badger, S. B. No. 107 was taken from the table. The Senate concurred in the amendments by the House.

S. B. No. 107, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 10; nays, none; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Badger, Bullen, Horsley, Hyde, Kuchler, Seely, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Burton, Hulaniski, Marks, Miller, Sevy, John Y. Smith, Stookey.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day returned, without his approval, H. B. No. 85, substitute for H. B. No. 41, by Committee on Mining and Smelting, entitled, "An Act amending Section 3588, Compiled Laws of Utah, 1907, in relation to the exercise of the right of eminent domain, by adding thereto a new subdivision, to be known as subdivision 13."

In disapproving of the measure, the Governor says:

"What may be a public use is a matter of Legislative discretion, and such determination on the part of the Legislature will be respected and followed by the Courts, 'unless the Act is clearly and palpably unconstitutional, or

the necessity for the taking is plainly without reasonable foundation.' ''

Highland Boy Mining Co. vs. Strickley, 28 Utah, page 215.

I do not believe that in the case of this measure the courts would hold that the necessity is so great as to permit of the devastation of such vast areas of our State for the purpose of aiding in the construction, development, and operation of mills and smelters for the reduction of ores.

In my opinion, the enactment of such a measure would be extremely dangerous, and I therefore return the bill without my approval.

Very respectfully,
WILLIAM SPRY,
Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, over the Governor's veto, House Bill No. 85, substitute for H. B. No. 41, by Committee on Mining and Smelting, "An Act amending Section 3588, Compiled Laws of Utah, 1907, in relation to the exercise of the right of eminent domain, by adding thereto a new subdivision, to be known as Subdivision 13."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

It being proposed that H. B. No. 85 pass, notwithstanding the Governor's veto, the roll was called, and the bill failed to pass by the following vote: Ayes, 10; nays, 6; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, John Y. Smith, Wilson, Mr. President.

Those voting in the negative were: Messrs. Kuchler, Marks, Seely, Sevy, Benner X. Smith, Stookey.

Those absent and not voting were: Messrs. Miller and Williams.

Mr. Benner X. Smith gave notice that he would move today a reconsideration of the vote by which H. B. No. 85 failed to pass over the Governor's veto.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, the following:

H. B. No. 93, by Mr. Wootton, "An Act amending Section 1815, Compiled Laws of Utah, 1907, relating to school funds and providing for school libraries."

H. B. No. 27, by Mr. Thompson, "An Act providing for the establishment of an engineering experiment station in connection with the State School of Mines."

H. B. No. 83, by Mr. McCracken, "An Act to amend Section 3414, Compiled Laws of Utah, 1907, relating to privileged communications, and the rights of witnesses."

H. B. No. 91, by Mr. Dyreng, "An Act to amend Section 999, Compiled Laws of Utah, 1907, entitled, 'Jurors in Justices' Courts. Per diem and mileage.' "

H. B. No. 210, by Judiciary Committee, substitute for H. B. No. 205, "An Act amending Section 4310, Compiled Laws of Utah, 1907, in relation to disturbing the peace."

H. B. No. 80, by Mr. Wootton, "An Act to amend Sections 2305 and 2307, Compiled Laws of Utah, 1907, relating to the name of the State Normal School; its relation

to the University; courses of study; Normal scholarships, certificates, and diplomas."

The same are transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. Nos. 93, 27, 83, 91, 210, and 80 were read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 236, by Committee on Mining and Smelting, substitute for H. B. No. 42, "An Act requiring the State Board of Labor, Arbitration, and Conciliation to make report on mines and quarries."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 236 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 184, by Mr. Fuller, "An Act to create the State Board of Veterinary Examiners; regulating and defining the practice of veterinary medicine, veterinary dentistry, and veterinary surgery; providing penalties for the violation thereof; and to repeal Sections 2723x5, 2723x6, 2723x7, 2723x8, 2723x9, 2723x10, 2723x11, 2723x12, 2723x13, 2723x14, 2723x15, 2723x16,

2723x17, 2723x18, and 2723x19, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 184 was read the first time and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 10th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 231, by Committee on Deaf, Dumb, and Blind, "An Act to create the Utah Commission for the adult blind, and prescribing the powers and duties thereof; and making an appropriation to be expended by the said Board for the objects and purposes for which the same is created."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 231 was read the first time, and referred to the Committee on Appropriations and Claims.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day filed with the Secretary of State, H. J. R. No. 6, by Mr. Davis, "A Joint Resolution proposing an amendment to Section 4, of Article 14, of the Constitution of the State of Utah, in relation to the limit of indebtedness of counties, cities, towns, and school districts."

Also, H. B. No. 84, by Mr. McCracken, entitled, "An Act to amend Section 5014, Compiled Laws of Utah, 1907,

relative to competency of husband or wife to testify in certain cases."

Also, H. B. No. 92, by Mr. Wotton, entitled, "An Act amending Section 1795,Compiled Laws of Utah,1907, relating to the requirements for certificate of teachers."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 51, by Mr. Marks, entitled, "An Act providing for the protection of fish, game, and birds; for the appointing of a Fish and Game Commissioner, chief deputy, chief wardens, hatchery superintendents, and special deputies; prescribing their powers and duties; providing for fish and game licenses and a fish and game fund; providing for the building of fish hatcheries; and providing penalties for the violation of this act; and repealing Chapters 1 and 2, Title 25, Compiled Laws of Utah, 1907, and all acts, or parts of acts, in conflict herewith."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Marks, the Senate concurred in the amendments by the House.

S. B. No. 51, as amended by the House, was placed on its final passage, and passed by the following vote:

Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger Brinkerhoff, Burton, Horsley, Hulaniski, Hyde, Kuchler,

Marks, Seely, Sevy, Benner X. Smith, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Miller, John Y. Smith, Williams.

S. B. No. 51 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, under suspension of the rules, S. C. R. No. 2, by Mr. Williams.

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. C. R. No. 2 was referred to the Committee on Engrossed and Enrolled Bills.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 99, by Mr. Bower, "An Act creating a State Horticultural Commission; providing for the publication and distribution of its reports; for the appointment and bonding of a State Horticultural Inspector; the examination, bonding, and appointment of county inspectors; defining their duties; the duties of common carriers, orchardists and nurserymen; licensing and bonding nurserymen; defining a misdemeanor, and providing a penalty therefor; and repealing Chapters 1 and 2, Title

34, Compiled Laws of Utah, 1907, relating to horticulture."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 99 was read by title and signed by the President, in open session, in the presence of the Senate.

House ot Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 105, by Mr. Badger, "An Act amending Section 282x7, and repealing Section 282x8, Compiled Laws of Utah, 1907, relating to special tax funds in cities."

Also, S. B. No. 86, by Mr. Hyde, "An Act directing the State Board of Land Commissioners to conduct experiments in sinking wells to procure subterranean waters for culinary and domestic purposes; and making an appropriation therefor; and repealing Sections 2369x and 2369x1, Compiled Laws of Utah, 1907."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. Nos. 105 and 86 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

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

has this day passed, as amended, S. B. No. 138, substitute for S. B. No. 12, by Committee on Agriculture and Irrigation, entitled, "An Act to amend Sections 1288x6, 1288x7, 1288x8, 1288x10, 1288x13, 1288x14, 1288x15, 1288x16, 1288x17, and 1288x24, and 970x, Compiled Laws of Utah, 1907, relating to the duties and powers of the State Engineer with reference to approval or rejection of applications for water rights; defining the time which may be allowed by the State Engineer for the beginning and completion of construction work upon water and irrigation works, and the beneficial use of water therefrom; empowering the State Engineer to grant extensions of time therefor; defining when and in what manner the place of diversion and the use of water may be changed; providing for the recording of instruments affecting applications for water rights, and what fees shall be charged and collected by the State Engineer."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 138, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Miller, Seely, John Y. Smith.

S. B. No. 138 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 32, by Mr. Sevy, entitled, "An Act to amend Section 2549, Compiled Laws of Utah, 1907, relating to notice to taxpayers by County Treasurers;" and S. B. No. 137, by Mr. Badger (by request), entitled, "An Act establishing a Board of Park Commissioners in cities of the first class; authorizing such cities to create such board; to define its powers and duties; to make appropriations therefor."

The same are returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 100, by Mr. Benner X. Smith, entitled, "An Act to amend Sections 182, 183, 184, 185, 186, 195, 197, 199, 201, 205, 213, 214, 215, 216, 218, 222, 225, and 265, Compiled Laws of Utah, 1907, relating to the municipal government of incorporated cities; the officers thereof; the powers, duties, and privileges of officers; providing for the number of and the manner of electing councilmen in cities of the second and third class; providing the qualifications of certain elective officers of cities; providing the manner of electing mayors, commissioners, and auditors of cities of the first class, and mayors and councilmen of cities of the second and third class; providing the rights, powers, duties, and privileges of mayors, commissioners, and other officers of cities; providing for the manner of filling vacancies in city offices; providing for meetings of the boards of commissioners and the city councils of cities; and providing for rules and regulations for the conduct of their proceedings and the administration of the affairs of cities; pro-

viding for the election of certain officers in the cities and towns of this State, and fixing the terms thereof; and abolishing the offices of mayor and city councilmen in cities of the first class, as now provided by law; and providing that no election shall be held hereafter in cities of the first class for the office of city councilmen, city recorder, city treasurer, and city attorney; providing for the filing and publication of a sworn statement of election and campaign expenses of elective officers of cities of the first class, and a forfeiture and penalty for failure so to do; providing for the creation of offices for the good government of cities; to regulate and prescribe their powers, duties, and compensations, and the manner of their appointment, term of office, and removal; providing for the oath of office and bonds of city officers; prohibiting city officers from being interested in any contract work, business, or sale, the consideration of which is paid from the treasury or by assessment, or in the purchase of any property belonging to the city; and providing a penalty therefor; and prohibiting officers and employes, except policemen and firemen, from accepting franks, free tickets, or free service from any person, firm, or corporation operating within the city under a public franchise; and providing a penalty therefor; and providing for the compensation of officers of cities and the time of payment; providing for the equalization of special taxes in cities; and repealing Sections 283, 284, and 285, Compiled Laws of Utah, 1907, relating to the Board of Public Works in cities of the first class, and vesting the powers of said boards in the boards of commissioners of cities of the first class."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 100, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Marks, Sealy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hulaniski, Hyde, Kuchler, Miller, Sevy, John Y. Smith.

S. B. No. 100 was referred to the Committee on Engrossed and Enrolled Bills.

INTRODUCTION OF RESOLUTION.

Senate Resolution No. 3.—By Mr. Kuchler.

Be it resolved by the Senate: That a committee of three be appointed to investigate the propriety of defining the boundaries of Sanpete and Juab Counties; such committee shall have power to administer oaths and hear testimony, to summon witnesses, and perform such acts as are necessary. They shall make a full report to the next session of the Legislature, and their necessary expenses shall be paid from the contingent fund of the Senate, Eighth Session.

On motion of Mr. Kuchler, the rules were suspended, and S. R. No. 3 was read the first, second, and third times, and placed on its final passage, and passed by the following vote: Ayes, 17; nays, none; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Miller.

The President appointed Messrs. Kuchler, Wilson, and Horsley to act as the committee.

SPECIAL ORDER.

Senate Bill No. 61, by Mr. Burton, entitled, "An Act providing for an Insurance Department; enacting an Insurance Code, and regulating Insurance Companies and

their business, and fixing certain fees to be charged and collected by the Commissioner of Insurance; and repealing Section 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 422x, 422x1, and 422x2, Compiled Laws of Utah, 1907, relating to and regulating insurance companies and their business," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 15; nays, none, absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hulaniski, Kuchler, Miller.

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

UNFINISHED BUSINESS.

Senate Bill No. 119, by Mr. Benner X. Smith, entitled, "An Act to amend Section 2467, Compiled Laws of Utah, 1907, relating to certain agreements declared to be void unless in writing," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Miller, Sevy, John Y. Smith.

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

BILL MADE SPECIAL ORDER.

On motion of Mr. Badger, S. B. No. 82 was made special order.

By request of Mr. Hyde, S. B. Nos. 98 and 99 were placed at the foot of the calendar.

Mr. Kuchler was called to the chair.

Senate Bill No. 62, by Mr. Benner X. Smith, entitled, "An Act to amend Section 105, Compiled Laws of Utah, 1907, fixing the qualifications of candidates for admission to the bar of the Supreme Court of this State," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 10; nays, 6; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Benner X. Smith, Williams.

Those voting in the negative were: Messrs. Brinkerhoff, Hyde, Sevy, John Y. Smith, Stookey, Wilson.

Those absent and not voting were: Mr. Miller and Mr. President.

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

Mr. Benner X. Smith moved a reconsideration of the vote by which H. B. No. 85 failed to pass over the Governor's veto.

The roll being called, the rules were suspended, and H. B. No. 85 substitute for H. B. No. 41, by Committee on Mining and Smelting, "An Act amending Section 3588, Compiled Laws of Utah, 1907, in relation to the exercise of the right of eminent domain by adding thereto a new subdivision to be known as Subdivision 13," passed, notwithstanding the Governor's veto, by the following vote: Ayes, 15; nays, 1; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson.

Voting in the negative: Mr. Marks.

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

The President resumed the chair.

Senate Bill No. 76, by Mr. Benner X. Smith, entitled, "An Act for the protection of persons furnishing labor and material for the construction or repair of public

buildings and public works," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Miller, Sevy, John Y. Smith.

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

Senate Bill No. 89, by Mr. Marks, entitled, "An Act providing for police and fire departments in cities of this State of 12,000 and more inhabitants; providing a Board of Police and Fire Commissioners for cities of the first class; defining their powers and duties; providing for the control and maintenance of said board in cities of the first class; and providing the powers and duties of said departments in said cities; and for the maintenance and control of said departments; and repealing Chapter 12, Title 13, Compiled Laws of Utah, 1907, and all other acts and parts of acts in conflict herewith," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 12; nays, 5; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Horsley, Hyde, Kuchler, Marks, Seely, Sevy, Stookey, Williams, Wilson.

Those voting in the negative were: Messrs. Burton, Hulaniski, Benner X. Smith, John Y. Smith, Mr. President.

Absent and not voting: Mr. Miller.

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

House Bill No. 211, by Committee on Judiciary, entitled, "An Act to amend Section 1666, Compiled Laws of Utah, 1907, relating to the appointment of notaries public," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, Miller, Sevy.

Senate Bill No. 26, by Mr. Badger, entitled, "An Act amending Section 2427x, Compiled Laws of Utah, 1907, creating a Bureau of Statistics," was read the third time, and placed on its final passage, and failed to pass by the following vote: Ayes, 7; nays, 6; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Bullen, Burton, Marks, Benner X. Smith, John Y. Smith, Stookey, Mr. President.

Those voting in the negative were: Messrs. Badger, Brinkerhoff, Horsley, Seely, Williams, Wilson.

Those absent and not voting were: Messrs. Hulaniski, Hyde, Kuchler, Miller, Sevy.

Mr. Badger gave notice of motion to reconsider the vote by which S. B. No. 26 was rejected.

Senate Bill No. 165, by Mr. Badger, entitled, "An Act prohibiting trespassers upon the tracks and right-of-way of railroads; and providing penalties for the violation thereof," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 11; nays, 4; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Stookey, Williams, Wilson.

Those voting in the negative were: Messrs. Bullen, Burton, Benner X. Smith, Mr. President.

Those absent and not voting were: Messrs. Hyde, Miller, John Y. Smith.

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

On motion of Mr. Burton, the enacting clause of S. B. No. 147 was stricken out.

On motion of Mr. Badger, the enacting clause of S. B. No. 113 was stricken out.

Senate Bill No. 117, by Mr. Benner X. Smith, entitled, "An Act amending Sections 1712, 1714, 1715, 1716, 1717, 1718, 1720, 1726, 1727, and 4282, Compiled Laws of Utah, 1907, relating to the State Board of Pharmacy; the appointment, terms, qualification, compensation, and duties of its members; the registration of pharmacists and assistant pharmacists, and their certificates; and prohibiting the sale of poison to certain persons; and regulating the sale of poisons, and providing penalties therefor," was read the third time, and placed on its final passage, and failed to pass by the following vote: Ayes, 8; nays, 5; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Hulaniski, Kuchler, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Burton, Horsley, Seely, Sevy, Benner X. Smith.

Those absent and not voting were: Messrs. Bullen, Hyde, Marks, Miller, John Y. Smith.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day requested returned, for further consideration, S. B. No. 32, by Mr. Sevy.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 32 was returned to the House.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 179, by Mr. Bower (by request), "An Act to amend Section 2866x, Compiled Laws of Utah, 1907, relating to the statute of limitations."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 179 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 230, by Mr. Nielson, "An Act to prevent certain abuses connected with the drilling, operation, and abandonment of wells on lands producing or containing petroleum or natural gas."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 230 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. C. R. No. 1, by Mr. Hansen, requesting the return by the Governor, for further consideration and

amendment, of H. B. No. 176, by Committee on Manufactures and Commerce.

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The rules were suspended, and H. C. R. No. 1 was read the first, second, and third times, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Hyde, Miller, Benner X. Smith, John Y. Smith.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed as members of a conference committee, Representatives Thompson, McCracken, and Eardley, to act with a like committee from the Senate to further consider H. B. No. 211, by Committee on Judiciary.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The President appointed Messrs. Stookey, Marks, and Horsley as a committee to confer with the House committee on H. B. No. 211.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

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

passed S. B. No. 199, by Committee on County and Municipal Corporations, "A Bill for an Act to amend Sections 817, 818, 821, 821x, 821x1, 822, 825, 830, 834, 892, and 913, Compiled Laws of Utah, 1907, and enacting five new sections, providing for a day of registration on the fourth Tuesday prior to municipal elections in cities of the first class; providing for furnishing a copy of official register the day before any primary election in cities of the first class; providing for registration of voters at primary elections in cities of the first class; providing that in cities of the first class primary elections for the nomination of officers, to be elected in such cities, shall be conducted as provided in Section 5 of this act; providing for the qualification of persons entitled to vote at the primary elections for municipal offices in cities of the first class; providing for the manner of nominating candidates for municipal offices in cities of the first class; providing for publication of the list of nominations of officers in cities of the first class; providing for the arranging of names of candidates for the offices in cities of the first class; providing for the filling of vacancies in nominations of candidates for offices in cities of the first class; providing for the date of municipal elections and the terms of certain municipal officers; providing that Chapter 10, Compiled Laws of Utah, 1907, relating to election offenses, shall apply to primary elections in cities of the first class; providing for the holding of elections in cities of the first class to determine whether or not the holder of any elective office may be removed by electors qualified to vote for his successor; providing for the proposing by petition of electors of cities of the first class that ordinances be passed by the boards of commissioners of such cities; providing the time when ordinances passed by boards of commissioners of cities of the first class shall go into effect; and providing that qualified voters of such cities may prevent ordinances passed by boards of commissioners of cities of the first class from going into effect; providing for primary elections for nominations of municipal officers in cities of the first class; providing for a civil service commission in cities of the first class."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 199 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 68, by Mr. John Y. Smith, "An Act establishing a State Library-Gymnasium Commission; defining its powers; prescribing its duties; and providing for its maintenance."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 68, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Horsley, Hulaniski, Kuchler, Marks Seely, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Burton, Hyde, Miller, Sevy, John Y. Smith.

S. B. No. 68 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 165, by Mr. Badger (by request), "An Act prohibiting trespassers upon the tracks and rights-of-way of railroads; and providing penalties for the violation thereof."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 233, by Judiciary Committee, "An Act to amend Section 686x51, Compiled Laws of Utah, 1907, in relation to fees of the clerk of the Municipal Court."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 233 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 190, by Mr. McCracken, "An Act to amend Sections 545 and 551, Compiled Laws of Utah, 1907, relating to the term of office and bond of the sheriff and county clerk."

The same is transmitted herewith for your consideration.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 190 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 81, by Mr. Russell, "An Act to amend Section 4251, Compiled Laws of Utah, 1907, relating to owning or renting buildings, keeping, residing in, or resorting to houses of ill-fame."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 81 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, substitute for H. B. No. 9, by Committee on Judiciary, entitled, "An Act amending Sections 13 and 14, Compiled Laws of Utah, 1907, relating to the defining, impounding, and disposal of estrays."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 9 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 124, by Mr. Baker, entitled, "An Act amending Section 2920, Compiled Laws of Utah, 1907, regarding the abatement of actions."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 124 was read the first time, and referred to the Sifting Committee.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 157, by Mr. Pope (by request), entitled, "An Act providing for hydrographic surveys and co-operation with the United States Government," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 157 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Appropriations and Claims, to whom was referred H. B. No. 231, by Committee on Deaf, Dumb, and Blind, entitled, "An Act to create the Utah Commission for the Adult Blind, and

prescribing the powers and duties thereof; and making an appropriation to be expended by the said board for the objects and purposes for which the same is created," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
W. N. WILLIAMS,
Chairman.

The report of the Committee was adopted, and H. B. No. 231 was read the second time.

Senate Committee Room,
Salt Lake City, Utah. March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 125, by Mr. Morris, entitled, "An Act creating a Board of Commissioners of Indian War Records prescribing its duties and compensation; and appropriating the sum of $5,000.00 for the compensation and expenses of the members thereof, and the publishing of the said records," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 125 was read the second time.

Senate Committee Room.
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 205, by Mr. Bullen, entitled, "An Act amending Section 2075, Compiled Laws of Utah, 1907, relating to the appointment of the Board of Trustees of the Agricultural College, and fixing their terms of office," beg leave to report they have had same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 205 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 9, by Mr. Kuchler, entitled, "An Act providing for the expenses of District Judges; the compensation and expenses of referees, and the compensation and expenses of stenographers engaged or employed in the adjudication of the rights of water claimants upon a river system or water source, under and by virtue of Chapter 1, of Title 40, Compiled Laws of Utah, 1907," beg leave to report that they have had same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 9 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 120, by Sifting Committee, entitled, "An Act amending Section 2276, Compiled Laws of Utah, 1907, relating to prisons and the control and punishment of prisoners and other persons, and adding a new section, to be known as Section 2276x," beg leave to report that they have had same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 120 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and

Enrolled Bills, to whom was referred S. B. No. 104, by Mr. Bullen, entitled, "An Act amending Sections 1854, 1855, and 1861, Compiled Laws of Utah, 1907, creating a State Text Book Commission, and providing for the manner of selecting text books," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,

CHARLES E. MARKS,
Chairman.

S. B. No. 104 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. C. R. No. 2, by Mr. Williams, "In relation to the engrossing of all bills and other documents," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,

CHARLES E. MARKS,
Chairman.

S. C. R. No. 2 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Sifting, to whom was referred H. B. No. 177, by Mr. Hansen, entitled, "An Act providing for the organization and regulation of county insurance companies, to insure against loss by fire and lightning," beg leave to report that they have had

the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 177 was read the second time.

SPECIAL ORDER.

Mr. Kuchler moved that the enacting clause of S. B. No. 82 be stricken out.

The roll being called, the motion prevailed by the following vote: Ayes, 12; nays, 5; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams.

Those voting in the negative were: Messrs. Badger, Burton, Benner X. Smith, Wilson, Mr. President.

Absent and not voting: Mr. Hyde.

UNFINISHED BUSINESS.

Senate Bill No. 42, by Mr. Stookey, entitled, "An Act providing for a State Veterinarian; the manner of his appointment; prescribing his duties; and providing for the control and suppression of dangerous, contagious, and infectious diseases of domestic animals," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Burton, Hyde, Miller, John Y. Smith, Wilson.

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

Senate Bill No. 128, by Mr. Benner X. Smith, entitled, "An Act to regulate the itinerant vending of medicine, nostrums, and appliances for the treatment of disease, injury, or deformity; and to provide for the licensing of vendors of the same," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Burton, Hyde, Miller, John Y. Smith.

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

On motion of Mr. Benner X. Smith, the rules were suspended, and the vote by which S. B. No. 117 failed of passage was reconsidered.

The roll being called. S. B. No. 117, by Mr. Benner X. Smith, entitled, "An Act amending Sections 1712, 1714, 1715, 1716, 1717, 1718, 1720, 1726, 1727, and 4282, Compiled Laws of Utah, 1907, relating to the State Board of Pharmacy; the appointment, terms, qualification, compensation, and duties of its members; the registration of pharmacists and assistant pharmacists, and their certificates; and prohibiting the sale of poison to certain persons; and regulating the sale of poisons, and providing penalties therefor," was passed, as amended in title and body, by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Horsley, Hulaniski, Kuchler, Marks, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Voting in the negative: Mr. Seely.

Those absent and not voting were: Messrs. Burton, Hyde, Miller, John Y. Smith.

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

Senate Bill No. 80, by Mr. Williams, entitled, "An Act creating a State Dairy and Food Bureau; defining its duties and powers; and making an appropriation for the purpose of carrying out the provisions of this act," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Miller, Sevy, Benner X. Smith, John Y. Smith.

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

Senate Bill No. 136, by Mr. Williams, entitled, "An Act requiring poultry, game, fish, butter, and eggs which have been in cold storage more than three months, to be labeled 'Cold Storage,'" was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Voting in the negative: Mr. Stookey.

Those absent and not voting were: Messrs. Badger, Hyde, Miller, Sevy.

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

On motion of Mr. Bullen, the rules were suspended, and Senate Bill No. 205, by Mr. Bullen, entitled, "An Act amending Section 2075, Compiled Laws of Utah, 1907, relating to the appointment of the Board of Trustees of the Agricultural College, and fixing their terms of office,"

was read the second and third times, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, 2; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Miller, Seely, Benner X. Smith, Stookey, Williams.

Those voting in the negative were: Mr. Wilson and Mr. President.

Those absent and not voting were: Messrs. Hyde, Marks, Seely, John Y. Smith.

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

Senate Bill No. 127, by Mr. Benner X. Smith, entitled, "An Act creating the office of Under Sheriff," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Marks, Miller, John Y. Smith.

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

Senate Bill No. 178, by Mr. Badger, entitled, "An Act prohibiting the giving of any free ticket, free pass, or free transportation for passengers or property between points within the State of Utah, except to certain enumerated persons," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 4; nays, 11; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Benner X. Smith, Wilson, Mr. President.

Those voting in the negative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Stookey, Williams.

Those absent and not voting were: Messrs. Hyde, Miller, John Y. Smith.

Senate Bill No. 77, by Mr. Miller, entitled, "An Act making appropriations for constructing and improving roads in Washington County," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Miller, John Y. Smith.

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

Senate Bill No. 55, by Mr. Burton, entitled, "An Act amending Section 2357x, Compiled Laws of Utah, 1907, relating to the disposition of money derived from the investment of land grant funds," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Marks, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Kuchler, Miller, John Y. Smith, Stookey.

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

House Bill No. 206, by Mr. Hodges, entitled, "An Act authorizing the diversion of the sheep inspection fund to the general funds of the State," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski,

Kuchler, Marks, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Miller, Benner X. Smith, John Y. Smith.

House Bill No. 159, by Mr. McCracken, entitled, "An Act to amend Section 323, Compiled Laws of Utah, 1907, relating to the winding up of the affairs of corporations whose franchises have expired," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Hyde, Marks, Miller, John Y. Smith.

On motion of Mr. Benner X. Smith, the House was requested to return S. B. No. 85 to the Senate.

On motion of Mr. Stookey, the enacting clause of S. B. No. 124 was stricken out.

On motion of Mr. Horsley, the enacting clause of S. J. R. No. 5 was stricken out.

On motion of Mr. Marks, the enacting clause of H. B. No. 195 was stricken out.

The rules were suspended, and Senate Bill No. 208, by Sifting Committee, entitled, "An Act providing for the exchange of waters for irrigation and culinary purposes," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 12; nays, 3; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Horsley, Hulaniski, Kuchler, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Burton, Marks, Seely.

Those absent and not voting were: Messrs. Hyde, Miller, Benner X. Smith.

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

House Bill No. 18, by Mr. Archibald, entitled, "An Act relating to the protection of employees, and for preventing superintendents, foremen, assistants, bosses, or any other person from receiving or soliciting money," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuchler, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Marks, Miller, John Y. Smith, Stookey.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. C. R. No. 2, by Mr. Williams, entitled, "In relation to the engrossing of all bills and other documents."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. C. R. No. 2 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 104, by Mr. Bullen, entitled, "An Act amending Sections 1854, 1855, and 1861, Compiled Laws of Utah, 1907, creating a State Text-Book Commission, and providing for the manner of selecting text books."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 104 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day ordered returned, as per your request, S. B. No. 85, by Mr. Hyde.

The same is enclosed herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 85 was laid on the table.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. J. R. No. 2, by Mr. Miller, entitled, "A Joint Resolution proposing an amendment to Section 7, of Article XIII, of the Constitution of the State of Utah, relating to the rate of taxation."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

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

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 62, by Mr. Benner X. Smith, entitled, "An Act to amend Section 105, Compiled Laws of Utah, 1907, fixing the qualifications of candidates for admission to the bar of the Supreme Court of this State."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives.
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 66, by Mr. Badger, entitled, "An Act amending Section 1211, Compiled Laws of Utah, 1907, relating to proceedings for divorce."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 66, as amended by the House, was placed

on its final passage, and passed by the following vote: Ayes, 10; nays, none; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Brinkerhoff, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Bullen, Burton, Marks, Miller, Benner X. Smith, John Y. Smith, Stookey.

S. B. No. 66 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 82, by Mr. Porter, entitled, "An Act creating the office of State Veterinary Surgeon; providing for the appointment of assistants; prescribing their duties and fixing their compensation; and making regulations for the prevention of the spread of contagious diseases among certain live stock."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 82 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 65, by Mr. McCracken, entitled, "An Act authorizing the University of Utah to erect a central building at a cost not exceeding two hundred and fifty thousand dollars; and authorizing partial conversion of the University of Utah permanent land fund into cash. The loan thereof and method of repaying the same."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 65 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. C. R. No. 1, by Mr. Hansen, requesting His Excellency the Governor to return H. B. No. 176, for further consideration and amendment.

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
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.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 42, by Mr. Stookey, entitled, "An Act providing for a State Veterinarian; the manner of his appointment; prescribing his duties; and providing for the control and suppression of dangerous, contagious, and infectious diseases of domestic animals."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State, H. B. No. 71, by Mr. Fuller, entitled, "An Act to create the State Board of Dental Examiners; regulate and define the practice of dentistry; provide penalties for the violation thereof; and to repeal Sections 747, 748, 749, 750, 751, 752, 753, 754, 756, 757, 758, 759, 759x, 759x1, 759x2, and 759x3 Compiled Laws of Utah, 1907;" H. B. No. 83, by Mr. McCracken, entitled, "An Act to amend Section 3414, Compiled Laws of Utah, 1907, relating to privileged communications and the rights of witnesses;" H. B. No. 74, by Mr. William McMillan, entitled, "An Act amending Section 2703x, Compiled Laws of Utah, 1907, extending the time for complying with the provisions of Title 82, Compiled Laws of Utah, 1907, relating to townsites;" H. B. No. 27, by Mr. Thompson, entitled, "An Act providing for the establishment of an engineering experiment station in connection with the State School of Mines;" H. B. No. 80, by Mr. Wootton, entitled, "An Act to amend Sections 2305 and 2307, Compiled Laws of Utah, 1907, relating to the name of the State Normal School; its relation to the University; courses of study, Normal scholarships, certificates, and diplomas;" H. B. No. 91, by Mr. Dyreng, entitled, "An Act amending Section 999, Compiled Laws of Utah, 1907, entitled, 'Jurors in Justices' Courts. Per diem and mileage;'" and H. B. No. 93, by Mr. Wootton, entitled, "An Act amending Section 1815, Compiled Laws of Utah, 1907, relating to school funds and providing for school libraries."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day returned, without his approval, H. B. No. 31, by Mr. Holman, entitled,

"An Act to amend Section 1221, Compiled Laws of Utah, 1907, relating to inquests, and defining the duties of Justices of the Peace thereto."

In returning the measure, the Governor says:

"This measure has failed of my approval for the reason that under its provisions the bars are let down for an expense to the several counties of the State, which expense would be limited neither by the restrictions of law, nor the discretion of those charged with its enforcement, but by the whims or personal considerations of all those who might demand the benefits of its unrestricted provisions.

"An officer charged with the duty of conducting inquests must be presumed to be an officer of responsibility and discretion. The provisions of this bill render the officer without discretionary judgment, and open the avenue for inquests not only 'on bodies of such persons as are supposed to have died by unlawful means,' but 'to hold inquests on the bodies of such persons as are supposed or alleged to have met death through accident, intention, or unlawful means,' and 'upon the request of any citizen.'

"So long as doubt exists as to the cause of death, it is reasonably and properly the duty of Justices of the Peace to hold inquests; but in cases where the cause of death is well known to be accidental, it is, in my opinion, unjust to saddle upon the county government the expense of inquests (at the request of any citizen), which inquest must be presumed to be, not in the interests of determining the cause of death, but rather in the interests of prospective damage suits, in which the public generally cannot possibly be interested."

The House has sustained the Governor's veto.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

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

passed, as amended, H. B. No. 70, by Mr. Clegg, entitled, "An Act to create a firemen's relief fund, and to increase the efficiency of the fire departments in the several towns and cities in the State of Utah."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk

Communication filed.

H. B. No. 70 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representatives Davis, Clegg, Hansen, White, Barnett, and Robinson as a committee to confer with a like committee from the Senate, to consider S. B. No. 148, H. B. No. 52, H. B. No. 126, and H. B. No. 223, relating to the sale and otherwise disposing of intoxicating liquors.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Mr. Marks moved that a committee of six be appointed by the President to confer with the House committee. Carried.

The President appointed Messrs. Marks, Stookey, Bullen, Williams, Horsley, and Benner X. Smith.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, the following:

H. B. No. 47, by Committee on Judiciary, "An Act amending Sections 2513, 2516, 2517, 2550, 2553, 2559, 2560, 2561, 2562, 2563, 2564, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2584, 2585, 2588, 2589, 2591, 2596, and 2607, Compiled Laws of Utah, 1907, relating to the assessment of property."

H. B. No. 159, by Mr. McCracken, "An Act to amend Section 323, Compiled Laws of Utah, 1907, relating to the winding up of the affairs of corporations whose franchises have expired."

H. B. No. 18, by Mr. Archibald, "An Act relating to the protection of employees, and for preventing superintendents, foremen, assistants, bosses, or any other person from receiving or soliciting money."

H. B. No. 206, by Mr. Hodges, "An Act authorizing the diversion of the sheep inspection fund to the general fund of the State."

The same are transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House Bills Nos. 47, 159, 18, and 206 were read by title, and signed by the President, in open session, in the presence of the Senate.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 161, by Mr. Henrie, entitled, "An Act creating a State bounty fund; providing for a tax on certain live stock; providing for the destruction of certain wild animals; and repealing Chapter 1, Title 9, Compiled Laws of Utah, 1907," beg leave to report that they have

carefully considered same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 161 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 196, by Mr. Sevy, entitled, "An Act authorizing the Governor to accept from the United States the property known as the Panguitch School, including the lands, buildings, and fixtures pertaining to such school. upon certain conditions," beg leave to report that they have had same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 196 was read the second time.

On motion of Mr. Sevy, the rules were suspended, and S. B. No. 196 was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Miller, Benner X. Smith, John Y. Smith.

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

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 124, by Mr. L. L. Baker, entitled,

"An Act amending Section 2920, Compiled Laws of Utah, 1907, regarding the abatement of actions," beg leave to report that they have had the same under consideration, and recommend the following amendment thereto:

In line 20, strike out "on" and insert "or".

With this amendment, we recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 124 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Appropriations and Claims herewith present Senate Bill No. 202, "An Act making appropriations for the support of the State Government for two years, beginning January 1st, 1909, and ending December 31st, 1910, and for other purposes," and recommend its passage.

Respectfully,
W. N. WILLIAMS,
Chairman.

The report of the Committee was adopted, and S. B. No. 202 was read the first and second times.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 81, by Mr. Russell, entitled, "An Act to amend Section 4251, Compiled Laws of Utah, 1907, relating to owning or renting buildings, keeping, residing in, or resorting to houses of ill-fame," beg leave to report that they have had the same under consideration, and a majority of said Committee, to-wit: Benner X. Smith and Hulaniski, recommend that the bill do not pass, and a minority of said Committee, to-wit: Badger, recommends that the bill be passed.

S. B. No. 81 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 9, by Mr. Morris, entitled, "An Act amending Sections 13 and 14, Compiled Laws of Utah, 1907, relating to the defining, impounding, and disposal of estrays," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. J. R. No. 3, by Mr. Badger, entitled, "A Resolution proposing an amendment to the Constitution of the State of Utah, by enacting a new section, prohibiting the manufacture, sale, and gift of intoxicating liquors," beg leave to report that a majority of the Committee, Messrs. Hulaniski and Benner X. Smith, recommend that the resolution do not pass; the minority of the Committee, Mr. Badger, recommends that the same do pass.

Respectfully,
BENNER X. SMITH,
Chairman.

S. J. R. No. 3 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 93, by Mr. Williams, entitled, "An Act amending Section 1944, Compiled Laws of Utah, 1907, relating to the canvass of the ballots cast at a bond election; making returns thereof; filing statements relating thereto in the county clerk's office; issuing bonds, and

providing a tax for interest thereon and redemption thereof; and limiting the amount of bonds that may be issued," beg leave to report that they have had the same under consideration, and recommend the following amendment thereto:

On page 2, line 22, after the word "in" insert "any".

With this amendment, we recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 93 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 190, by Mr. McCracken, entitled, "An Act to amend Sections 545 and 551, Compiled Laws of Utah, 1907, relating to the term of office and bond of the sheriff and county clerk," beg leave to report that they have had the same under consideration, and a majority of the said Committee, to-wit: Hulaniski and Badger, recommend the bill be passed, and a minority of said Commitee, to-wit: Benner X. Smith, recommends that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

H. B. No. 190 was read the second time.

UNFINISHED BUSINESS.

House Bill No. 55, by Mr. Henrie, entitled, "An Act creating a State Road Commission; defining its duties; creating a system of State roads, a State road building fund and providing for its expenditure; and repealing Chapter 4, Title 30, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and

passed by the following vote: Ayes, 10; nays, none; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Horsley, Hulaniski, Kuchler, Seely, Sevy, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Burton, Hyde, Marks, Miller, Benner X. Smith, John Y. Smith, Stookey.

House Bill No. 56, by Mr. Henrie, entitled, "An Act establishing a standard system of construction of public roads in the State of Utah, and the various counties thereof," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Horsley, Hulaniski, Kuchler, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Burton, Hyde, Marks, Miller, Benner X. Smith, John Y. Smith.

House Bill No. 57, by Mr. Henrie, entitled, "An Act defining powers of County Commissioners as to roads; appointing County Road Commissioner; defining his duties; providing an annual road poll tax; specifying who shall be liable and manner of collecting and expending the same; repealing Chapter 2, Title 30, and also Title 64, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Voting in the negative: Mr. Bullen.

Those absent and not voting were: Messrs. Marks, Miller, Benner X. Smith, John Y. Smith.

House Bill No. 58, by Mr. Henrie, entitled, "An Act defining the powers of County Commissioners relative to

special road district tax for the construction of gravel, macadam, and paved roads," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Hulaniski, Kuchler, Marks, Seely, Sevy, Stookey, Williams, Mr. President.

Those absent and not voting were: Messrs. Horsley, Hyde, Miller, Benner X. Smith, John Y. Smith, Wilson.

The rules were suspended, and H. B. No. 125, by Mr. Morris, entitled, "An Act creating a Board of Commissioners of Indian War Records; prescribing its duties and compensation; and appropriating the sum of $5,000.00 for the compensation and expenses of the members thereof, and the publishing of the said records," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Benner X. Smith, Stookey, Williams, Mr. President.

Those absent and not voting were: Messrs. Miller, Sevy, John Y. Smith, Wilson.

On motion of Mr. Hulaniski, the enacting clause of H. B. No. 59 was stricken out.

House Bill No. 60, by Mr. Henrie (by request), as amended, entitled, "An Act relating to the use of convicts and prisoners on the county highways, and regulating compensation for services rendered," was read the third time, and placed on its final passage, and failed to pass by the following vote: Ayes, 6; nays, 7; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Bullen, Burton, Horsley, Sevy, John Y. Smith, Stookey.

Those voting in the negative were: Messrs. Badger, Hulaniski, Kuchler, Seely, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, Marks, Miller, Benner X. Smith.

Mr. Badger moved a reconsideration of the vote by which H. B. No. 60 failed to pass. The motion was lost.

Senate Bill No. 88, by Mr. Seely, entitled, "An Act creating a commission to provide for the display of Utah's resources at the Alaska-Yukon-Pacific Exposition at Seattle, Washington, in the year 1909; to define its duties and powers; to make an appropriation therefor; and repealing Sections 1, 2, 3, 4, 5, 6, 7, and 8, of Chapter 124, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage and passed by the following vote: Ayes, 13; nays, 3; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Hyde, Kuchler, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson.

Those voting in the negative were: Messrs. Horsley, Hulaniski, Mr. President.

Those absent and not voting were: Messrs. Marks and Miller.

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

Senate Bill No. 157, by Mr. Hyde, entitled, "An Act requiring all persons to procure a license before engaging in the dairy business; defining and regulating such business; fees and license therefor, and by whom issued; and providing a penalty for a violation of this act," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks and Miller.

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

Mr. Badger moved a reconsideration of the vote by which S. B. No. 26 failed to pass. The motion was lost.

On motion of Mr. Bullen, the enacting clause of S. B. No. 27 was stricken out.

On motion of Mr. Hyde, Senate Bills Nos. 98 and 99 were withdrawn from the calendar.

House Bill No. 39, by Mr. Holman, entitled, "An Act creating Section 1348x, Compiled Laws of Utah, 1907, relating to libel," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 10; nays, 4; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hyde, Kuchler, Miller, Seely, Sevy, Williams, Wilson.

Those voting in the negative were: Messrs. Hulaniski, Benner X. Smith, Stookey, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Marks, John Y. Smith.

House Bill No. 48, by Mr. Pope, entitled, "An Act in relation to the creation of irrigation districts; providing the method of fixing and altering the boundaries thereof; defining the manner of organizing and dissolving irrigation districts; providing for district elections and defining the manner of proclaiming and giving notice for the same, and prescribing the method of their regulation; determining the method of balloting, and fixing the qualifications of electors; providing for a board of directors in each district, and defining the powers and duties thereof; also defining the duties of county officers in connection with irrigation districts; providing for the exercise of the right of eminent domain in certain cases; providing for the bonding of districts and prescribing the method of issuing and discharging the bonds; providing for the levy and assessment of taxes; prescribing the method of advertising for bids; defining the manner of submitting claims against the district, and providing for the manner of withdrawing from a district, and hearings in certain cases," was read the third time, and placed on

its final passage, and passed, as amended in title, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Miller, John Y. Smith, Stookey.

House Bill No. 109, by Mr. Archibald, entitled, "An Act to amend Sections 1892 and 1894, Compiled Laws of Utah, 1907, relating to schools in cities of the first and second class," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 12; nays, 3; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Kuchler, Seely, Sevy, Stookey, Williams, Wilson.

Those voting in the negative were: Messrs. Hulaniski, Benner X. Smith, Mr. President.

Those absent and not voting were: Messrs. Marks, Miller, John Y. Smith.

House Bill No. 107, by Mr. Wootton, entitled, "An Act amending Section 1891x3, Compiled Laws of Utah, 1907, relating to the election of members of the Board of Education," was read the third time, and placed on its final passage, and failed to pass by the following vote: Ayes, none; nays, 14; absent and not voting, 4.

Those voting in the negative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, Miller, John Y. Smith.

Mr. Marks was called to the chair.

The rules were suspended, and Senate Bill No. 203, by Committee on Appropriations and Claims, entitled,

"An Act relating to the collection of historical material; providing for the custody of same, and making an appropriation therefor," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Stookey, Williams, Wilson.

Those absent and not voting were: Messrs. Miller, Benner X. Smith, John Y. Smith, Mr. President.

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

The President resumed the chair.

House Bill No. 167, by Mr. Thornley, entitled, "An Act providing for the registration and numbering of motor vehicles and chauffeurs, and their use of the public highways; and imposing penalties for the violation of its provisions," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Williams, Wilson.

Voting in the negative: Mr. President.

Those absent and not voting were: Messrs. Badger, Miller, John Y. Smith, Stookey.

Senate Bill No. 181, by Mr. Marks (by request), entitled, "An Act to amend Section 3098, Compiled Laws of Utah, 1907, relating to judgment against the garnishee on failure to answer," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 10; nays, 2; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Burton, Hulaniski, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Bullen and Horsley.

Those absent and not voting were: Messrs. Badger, Brinkerhoff, Hyde, Miller, John Y. Smith, Stookey.

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

Senate Bill No. 186, by Mr. Williams, entitled, "An Act authorizing the State Board of Examiners to set apart a portion of the capitol grounds for the use of the National Guard of Utah, and authorizing the State Armory Board to construct an armory and arsenal thereon," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Brinkerhoff, Miller, John Y. Smith.

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

Senate Joint Resolution No. 7, by Mr. Benner X. Smith, entitled, "Resolution authorizing the appointment of a commission to investigate the present system of records in all departments of State, county, and municipal governments, particularly those pertaining to the courts and land transfers, and to report," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Bullen, Burton, Horsley, Hulaniski, Kuehler, Marks, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Badger, Brinkerhoff, Hyde, Miller, John Y. Smith, Stookey.

House Bill No. 226, by Joint Committee on Live Stock, entitled, "An Act relating to bulls and their use on the public range; and repealing Section 57, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Burton, Hyde, Miller, Benner X. Smith, John Y. Smith.

Mr. Sevy was called to the chair.

Senate Bill No. 64, by Mr. Badger, entitled, "An Act relating to the malicious erection of fences or other structures in the nature of a fence over five feet in height with the intent to spite, injure, or annoy an adjoining owner, lessee, or occupant of land; and providing a remedy therefor and an injuction to prevent the erection or maintenance thereof," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, 1; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson.

Voting in the negative were: Mr. Bullen.

Those absent and not voting were: Messrs. Brinkerhoff, Burton, Miller, John Y. Smith, Mr. President.

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

Senate Bill No. 101, by Mr. Marks, entitled, "An Act to regulate the practice of optometry in the State of Utah; defining the practice of optometry, and providing for the appointment of a Board of Examiners; and further providing for the issuing and revocation of licenses; and fixing of a penalty for the violation of the provisions of this act; and repealing Sections 1686x, 1686x1, 1686x2, 1686x3, 1686x4, 1686x5, 1686x6, 1686x7, 1686x8, 1686x9, 1686x10, 1686x11, and 1686x12, Title 56, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson.

Voting in the negative: Mr. Kuchler.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, John Y. Smith, 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 11th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State the following bills:

Senate Bill No. 86, by Mr. Hyde, entitled, "An Act directing the State Board of Land Commissioners to conduct experiments in sinking wells to procure subterranean waters for culinary and domestic purposes, and making an appropriation therefor; and repealing Sections 2369x and 2369x1, Compiled Laws of Utah, 1907."

Senate Bill No. 105, by Mr. Badger, entitled, "An Act amending Section 282x7, and repealing Section 282x8, Compiled Laws of Utah, 1907, relating to special tax funds in cities."

Respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

INTRODUCTION OF BILLS.

Senate Bill No. 209, by Sifting Committee, substitute for Senate Bill No. 91, by Mr. Badger.

A Bill for an Act creating annual license taxes, payable by all domestic and foreign corporations in this State with certain exceptions; providing for penalties and forfeitures, and the enforcement thereof; and for the revocation of the charters of domestic corporations failing to comply with the provisions of this act; and repealing Sections 456x6, 456x7, 456x8, 456x9, and 456x10, Compiled Laws of Utah, 1907.

S. B. No. 209 was read the first and the second time.

S. B. No. 210, by Mr. Badger, entitled, "An Act amending Sections 430x1, 430x2, 430x3, and 430x5, Compiled Laws of Utah, 1907, relating to corporate suretyship," was read the first time and referred to the Sifting Committee.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 52, by Mr. Wilson, entitled, "An Act creating a reservoir land grant fund; providing for the selection of a site, construction of reservoirs, and specifying and empowering the State Board of Land Commissioners to make loans from said funds and returns thereof; and for plans and specifications of said work, and manner of construction, and how payments shall be made; and making an appropriation therefor; and repealing Sections 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, and 2400, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 52, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, John Y. Smith, Stookey.

S. B. No. 52 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 128, by Mr. Benner X. Smith, "An Act to regulate the itinerant vending of medicine, nostrums, and appliances for the treatment of disease, injury, or deformity; and to provide for the licensing of vendors of the same."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 106, by Mr. Badger, entitled, "An Act amending Section 1117, Compiled Laws of Utah, 1907, relating to the width of public and private ways."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Badger, the Senate concurred in the amendments by the House.

S. B. No. 106, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger,

Burton, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Horsley, Marks, John Y. Smith, Stookey, Williams.

S. B. No. 106 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, the following:

H. J. R. No. 12, by Committee on Public Lands, "To the Honorable. the Senate and House of Representatives of the Congress of the United States."

H. B. No. 209, by Mr. Wootton, "An Act to amend Section 1337, Compiled Laws of Utah, 1907, relating to the period of employment of working men in mines, smelters, and sugar factories."

H. B. No. 133, by Mr. Dyreng, "An Act defining and classifying transient stock, and providing for the assessment, collection, and distribution of taxes on the same; providing penalties for violation of its provisions; and repealing Sections 2537, 2538, 2539, 2540, 2541, 2542, 2542x, 2542x1, 2542x2. 2542x3, 2542x4, 2542x5, and 2542x6, Compiled Laws of Utah, 1907."

The same are transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. R. No. 12, and House Bills Nos. 209 and 133 were read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, H. B. No. 232, by Mr. Archibald, entitled, "An Act to amend Sections 5174 and 5175, Compiled Laws of Utah, 1907, relating to the classification of cities, and the manner of changing the class of a city."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 232 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 64, by Mr. Badger, "An Act relating to the malicious erection of fences or other structures in the nature of a fence over five feet in height with the intent to spite, injure, or annoy an adjoining owner, lessee, or occupant of land; and providing a remedy therefor and an injunction to prevent the erection or maintenance thereof."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 101, by Mr. Marks, "An Act to regulate the practice of optometry in the State of Utah; de-

fining the practice of optometry, and providing for the appointment of the Board of Examiners; and further providing for the issuance and revocation of licenses, and the fixing of a penalty for the violation of the provisions of this act; and repealing Sections 1686x, 1686x1, 1686x2, 1686x3, 1686x4, 1686x5, 1686x6, 1686x7, 1686x8, 1686x9, 1686x10, 1686x11, and 1686x12, Title 56, Compiled Laws of Utah, 1907."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. J. R. No. 7, by Mr. Benner X. Smith, "Resolution authorizing the appointment of a commission to investigate the present system of records in all the departments of State, county, and municipal governments, particularly those pertaining to the courts and land transfers; and to report."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 77, by Mr. Miller, "An Act making appropriations for constructing and improving roads in Washington County."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 96, by Mr. Badger, "An Act to protect public morals by prohibiting the giving of general publicity to treatments and devices for the cure or prevention of sexual or menstrual diseases, and to prescribe penalties for the violation of this act."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 87, by Mr. Williams, "An Act providing for the enrollment and organization of the militia of the State; providing for the staff of the Commander-in-Chief, and the organization, equipment, discipline, duties, pay, and government of the National Guard of Utah; and providing penalties for unlawful interference with the members thereof while on duty; and providing for military courts and the jurisdiction thereof, and for the care and custody of Government and State military property; and providing penalties for the unlawful use and disposition of the same; and repealing Sections 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1494x3, 1494x4, and 1494x5, Compiled Laws of Utah, 1907."

The same is returned herewith for youth further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 87, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Benner X. Smith, John Y. Smith, Stookey.

S. B. No. 87 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 79, by Mr. Williams, "An Act creating a State Armory Board, and constituting it a body corporate, under the name of 'State Armory Board;' defining its powers and duties; making certain appropriations for its use; authorizing it to erect a State Arsenal and Armory in Salt Lake City, Salt Lake County, and to exercise the right of eminent domain; and authorizing the State Board of Land Commissioners to loan said Armory Board funds for said purpose; and repealing Sections 1494x, 1494x1, and 1494x2, Compiled Laws of Utah, 1907."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Williams, a conference committee, consisting of Messrs. Williams, Marks, and Stookey, was appointed by the President to confer with a like committee from the House on S. B. No. 79.

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Utah, March 11th, 1909.

To the Senate:

I return herewith, without my approval, Senate Bill No. 115, by Mr. Miller, entitled, "An Act levying a State tax for high school purposes, and providing the manner of apportioning the same."

Under the provisions of Section 3, of Article 10, of the Constitution, there is provided a perpetual State school fund, "The interest of which only, together with such other amounts as the Legislature may provide, shall be distributed among the several school districts, according to the school population therein."

Among the provisions of Section 2, the following appears:

"Provided that High Schools may be maintained free in all cities of the first and second class, now constituting school districts, and in such other cities and districts as may be designated by the Legislature. But where the proportion of school moneys apportioned or accruing to any city or school district shall not be sufficient to maintain all the free schools in such city or district, the High Schools shall be supported by local taxation."

Without further Constitutional provision, other than above quoted, it appears that the Legislature cannot provide for a tax as is in this act provided for High School purposes; that is, at least so long as it appears that the proportion of the school moneys provided for in Section 3, above quoted, and apportioned to any city or district,

is not sufficient to maintain all the free schools in said city or district.

Section 2, of Article 10, of the Constitution was amended, however, November 6th, 1906, by the addition of the following proviso:

"Provided, that when any cities or districts shall establish High Schools, the Legislature may authorize the use of State school funds to assist in supporting such schools: said fund being apportioned to the cities or districts concerned by the State Board of Education."

The last above quoted proviso harmonizes with the provisions of Sections 3 and 2, of Article 10, above quoted, on the theory that it means that the State school funds, that is the interest from the perpetual fund, together with the amount of taxes provided for by the Legislature, is first apportioned among the several school districts, according to the school population therein; but that the State Board of Education may apportion certain of the funds that go to the different school districts, to be used for High School purposes within such districts.

If in the amendment to Section 2, of Article 10, the word "school" in the expression "State school funds," had been omitted, the Legislature, doubtless, would have been authorized to make an appropriation from the State funds to aid in the support of High Schools; but as the provision now stands, as quoted from Sections 2 and 3, of Article 10, of the Constitution, it is my opinion that the Legislature cannot make an appropriation of State funds for the use of High Schools.

In returning this bill I wish to say that it would afford me great pleasure to approve the same, but in view of the foregoing conclusions, in which I am supported by the Attorney General, I cannot consistently do so.

In conclusion, I beg to call your attention to that portion of my message to the Legislature touching upon this matter, from which I quote:

"I regret exceedingly that the proposed Constitutional amendment providing for State aid for high schools

failed of passage in the recent election. However, the outlook for the future is bright and promising; for with the splendid increase in the number of high schools during the past two years, the necessity becomes more and more apparent that the fostering care of the State should be extended. While the elementary schools are of first importance, and should have the first claim for support, yet, according to Bulletin of Education, 'in practically all the States in which notable progress has been made, some form of State aid for high schools has been established.'

"I therefore recommend that the Legislature make provision for submission at the next general election of an amendment to the Constitution providing for the extension of State aid to high schools."

Respectfully,

WILLIAM SPRY,
Governor.

Communication filed.

A motion to pass S. B. No. 115 over the Governor's veto was lost by the following vote: Ayes, 6; nays, 9; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Brinkerhoff, Horsley, Miller, Seely, Sevy, Wilson.

Those voting in the negative were: Messrs. Badger, Bullen, Burton, Hulaniski, Kuchler, Marks, Benner X. Smith, Williams, Mr. President.

Those absent and not voting were: Messrs. Hyde, John Y. Smith, Stookey.

State of Utah, Executive Office.
Salt Lake City, March 11th, 1909.

To the Senate:

I return herewith Senate Bill No. 114, by Mr. Miller, entitled, "An Act to provide revenue for the support of the government of the State, and for the several counties of the State, High Schools, and district and county schools, for the fiscal years nineteen hundred and nine and nineteen hundred and ten," without my approval, with

the recommendation that the same be amended as follows:

Strike out the words "High Schools" on line 3 of the title, following the word "State".

Strike out the words "four and one-half" in Section 1, following the words "ad valorem tax of", and insert the word "five".

Strike out all of Section 3.

These amendments are made necessary by reason of my disapproval of Senate Bill No. 115, by Mr. Miller, returned to your body this day.

Respectfully,

WILLIAM SPRY,
Governor.

Communication filed.

A motion to pass S. B. No. 114 over the Governor's veto was lost by the following vote: Ayes, 6; nays, 9; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Brinkerhoff, Horsley, Miller, Seely, Sevy, Wilson.

Those voting in the negative were: Messrs. Badger, Bullen, Burton, Hulaniski, Kuchler, Marks, Benner X. Smith, Williams, Mr. President.

Those absent and not voting were: Messrs. Hyde, John Y. Smith, Stookey.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 156, by Mr. Hyde, entitled, "An Act to prohibit the bringing into this State of certain cattle, except they are free from tuberculosis; and requiring all dairy cattle within the State to be subjected to the tuberculin test."

The same is transmitted herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 156 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 71, by Mr. Badger, entitled, "An Act providing for an interlocutory and a final decree in divorce actions, and prohibiting the marriage of divorced persons within the period allowed for an appeal; and providing for changes in decrees; and amending Sections 1184 and 1212, Compiled Laws of Utah, 1907."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 71 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 130, by Mr. Badger, "An Act amending Sections 1498 and 1503, Compiled Laws of Utah, 1907, relating to filing of copy of notice of mining location; fee; and of filing duplicate notice of mining location; fee."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 130 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your joint committee, to whom was referred Senate Petition No. 4, by Mr. Bullen, in behalf of the Logan and Richmond Irrigation District, of Cache County, Utah, beg to report that in conformity with the direction of the House and Senate, we visited said Agricultural College and canal, and made a careful examination of the same, and beg leave to submit the attached report and agreement for your consideration.

Respectfully submitted,
RUDOLPH KUCHLER,
Chairman.
R. W. SEVY,
J. A. HYDE,
C. L. FUNK,
JOHN H. WOOTTON,
JNO. W. THORNLEY.

Agreement and Releases

Whereas, the land owners within and for the Logan and Richmond Irrigation District, and other land owners of valuable tracts of farming and orchard lands in Logan, Greenville, Hyde Park, and Smithfield, and along the course of the canal constructed in the year 1865 for the purpose of taking water from Logan River to farming lands of said district; and

Whereas, the said land owners as aforesaid claim

that the said canal has been injured and that they have been greatly damaged by land slides and washouts caused by the Agricultural College of the State of Utah, on account of the said Agricultural College having irrigated its farm lands which lie on an elevation immediately above the said canal, and the waters from such irrigation having seeped into the ground and washed out the gravel and dirt lying immediately above the said canal, and causing the damage to the said claimants as aforesaid.

Now therefore, it is hereby agreed and stipulated by the said parties in interest, their heirs, assigns, and successors, that for and in consideration of the amount of their said claims, to-wit: the sum of five thousand dollars, paid by the State of Utah for and on behalf of the said Agricultural College, and the receipt whereof is hereby acknowledged, the undersigned, for themselves, assigns, heirs, executors, administrators, and successors, do hereby release the said State of Utah and said Agricultural College from all damage which has been done or which may be done for twenty years in the future to said lands and canal situated in the Logan-Richmond Irrigation District, in the County of Cache, and State of Utah, by reason of slides, washouts, caused by the seeping of water from the Agricultural College farm of the Agricultural College, and from the washouts resulting from any seepage caused by the irrigation of said college farm which lies above said canal.

And as a part of the above named consideration, we do hereby release said Agricultural College and the State of Utah from all damage which may for twenty years in the future occur to said canal and lands, and each of them, by reason of said seepage waters from said Agricultural College farm of said Agricultural College, and from any overflow of said Logan and Richmond Irrigation District canal resulting from any and all seepings or slides caused by the irrigating of said Agricultural Farm, except those caused by the overflow of the Agricultural Farm canal. And we hereby bind our heirs and assigns, executors and administrators, and successors, by this agreement and release; that all present claims and claims for twenty years in the future for damages caused by

reason of seepage, washouts, slides, and overflow of waters caused by seepage in the canal and upon the lands herein affected from said College farm have been and are hereby fully settled for the consideration above named.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 51, by Mr. Marks, entitled, "An Act providing for the protection of fish, game, and birds; for the appointment of a Fish and Game Commissioner, chief deputy, chief wardens, hatchery superintendents, and special deputies; describing their powers and duties; providing for fish and game licenses, and a fish and game fund; providing for the building of fish hatcheries; and providing penalties for the violation of this act; and repealing Chapters 1 and 2, Title 25, Compiled Laws of Utah, 1907, and all acts, or parts of acts, in conflict herewith," beg leave to report that they have had the same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 51 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 66, by Mr. Badger, entitled, "An Act amending Section 1211, Compiled Laws of Utah, 1907, relating to proceedings for divorce," beg leave to report that they have had same care-

fully engrossed and enrolled, and present same for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 66 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 162, by Mr. Marks, entitled, "An Act providing for the refunding of the bonds of the Territory of Utah, of the issue of July second, eighteen hundred and ninety-two, and the disposal of the funds provided by law for the redemption thereof," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 162 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 163, by Mr. Marks, entitled, "An Act providing for an election, submitting to the qualified electors of the State a proposition to levy a one-mill tax in excess of the rate of taxation otherwise fixed or limited for all other purposes, for fifteen years, to raise funds to construct and furnish a State capitol for the State of Utah," beg leave to report

that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 163 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 161, by Mr. Marks, entitled, "An Act providing for the issue and disposal of State bonds and the appropriation of the proceeds of the sale thereof for the purpose of the erection of a State capitol," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B No. 161 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 160, by Mr. Marks, entitled, "An Act creating a State Board, to be known as the Capitol Commission; fixing the manner of appointment and the compensation of the members thereof; prescribing their powers and duties; and authorizing the erection of a State capitol," beg leave to report

that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,

CHARLES E. MARKS,
Chairman.

S. B. No. 160 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 107, by Mr. Badger, entitled, "An Act amending Sections 256, 257, 258, 259, 260, 261, 273, and 277, Compiled Laws of Utah, 1907, relating to special taxes," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,

CHARLES E. MARKS,
Chairman.

S. B. No. 107 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 92, by Mr. Stookey, entitled, "An Act providing for archaeological and historical exploration and investigation in connection with the University of Utah, and making an appropriation therefor," beg leave to report that they have

had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,

CHARLES E. MARKS,
Chairman.

S. B. No. 92 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 220, by Mr. Claude Y. Russell, entitled, "An Act relating to the employment of citizens of the United States on public works," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 220 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 204, by Mr. Benner X. Smith (by request), entitled, "An Act to amend Section 1241x1, Compiled Laws of Utah, 1907, prohibiting the taking of usurious interest, and providing a penalty therefor," beg leave to report they have had the same under consideration, and recommend the bill be passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 204 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 201, by Mr. Hyde (by request), entitled, "An Act amending and re-enacting Section 2009, Compiled Laws of Utah, 1907, relating to validating certain conveyances, "beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 201 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 194, by Mr. Benner X. Smith, entitled, "An Act amending Sections 3533 and 3534, Compiled Laws of Utah, 1907, specifying how land shall be partitioned, if possible; providing for the sale of same, and the appointment of referees where it is impossible to partition same, and for improvements thereon," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 194 was read the second time.

INTRODUCTION OF BILLS.

Senate Bill No. 211.—By Mr. Miller.

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 nine and nineteen hundred and ten.

On motion of Mr. Miller, the rules were suspended, and S. B. No. 211 was read the first, second, and third times, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, John Y. Smith, Stookey.

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

On motion of Mr. Benner X. Smith, S. B. No. 85 was returned to the House.

Mr. Benner X. Smith was called to the chair.

REPORT OF SPECIAL COMMITTEE.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: We, your Special Committee, to whom was referred the matter of investigating the condition of the Central Utah Experiment Farm, situated between Lehi and American Fork, and to consider the advisability of its continuation or abandonment, beg leave to say that

we have had the same under consideration; that we have visited the farm and examined a number of witnesses, and recommend as follows:

First: That on or before the first day of May, 1909, the citizens of Lehi shall furnish and transfer to the State 63 shares of irrigation water; and likewise, the citizens of American Fork shall furnish and transfer to the State 50 shares of irrigation water, which is considered to be an equal amount to the 63 shares to be furnished by the citizens of Lehi; the said water to be in addition to the water appurtenant to the farm and now belonging to the State, and to be delivered by said citizens at the experiment farm for useful purposes thereon.

Second: We recommend, further, that the experiments and demonstrations conducted on this farm be confined to horticultural lines, and that these operations be restricted to not more than thirty acres of the farm best calculated for said experimentation and demonstration, and that the balance be either disposed of or put to some commercial use.

Third: If the water herein referred to shall be furnished in such manner as the director of the farm may require, and the title thereto be vested in the State by May first, 1909, we recommend that the farm be continued in operation for at least two years, and that an appropriation of $5,000.00, or so much thereof as may be necessary for the general maintenance of the same, together with all moneys derived from the farm, be made; provided, that no buildings be erected on said farm within the next two years.

Fourth: If the water mentioned above be not furnished as herein indicated, by May first, 1909, we recommend that the farm be permanently discontinued and that no more money be spent thereon.

Respectfully,

S. J. STOOKEY,
Chairman.

The report of the Committee was adopted.

The President resumed the chair.

THIRD READING OF BILLS.

On motion of Mr. Williams, the rules were suspended, and Senate Bill No. 202, by Committee on Appropriations and Claims, "An Act making appropriations for the support of the State government for two years, beginning January 1st, 1909, and ending December 31st, 1910, and for other purposes," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 15; nays, 2; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson.

Those voting in the negative were: Mr. Benner X. Smith and Mr. President.

Absent and not voting: Mr. Horsley.

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

Mr. Stookey moved that the rules be suspended, and the vote be reconsidered by which H. B. No. 60 was rejected. Carried.

The House was requested to return H. B. No. 60.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

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

passed S. B. No. 129, by Mr. Badger, entitled, "An Act amending Section 973, Compiled Laws of Utah, 1907, relating to fees of county recorders."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

S. B. No. 129 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 116, by Mr. Horsley, entitled, "An Act to amend Section 686x10, Compiled Laws of Utah, 1907, relating to the jurisdiction of city courts in civil actions."

The same is returned herewith.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, under suspension of the rules, H. J. R. No. 13, by Mr. Nielson, "Memorializing the Congress of the United States to make an appropriation to construct a highway from the town of Bluff, Utah, to the Great Natural Bridges."

The same is transmitted herewith for your action.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

H. J. R. No. 13 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 146, by Mr. Marks, entitled, "An Act to amend Sections 3091 and 3112, Compiled Laws of Utah, 1907, relating to garnishments."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

S. B. No. 146 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 206, by Mr. Hulaniski, entitled, "An Act approving, legalizing, and adopting the Compiled Laws of Utah, 1907."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

S. B. No. 206 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 205, by Mr. Bullen, entitled, "An Act amending Section 2075, Compiled Laws of Utah, 1907, relating to the appointment of the Board of Trustees of the Agricultural College, and fixing their terms of office."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 205, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Horsley, Hyde, Kuchler, Marks, Miller,

Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Burton, Hulaniski, John Y. Smith.

S. B. No. 205 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 166, by Mr. Williams, entitled, "An Act to amend Sections 2098x1, 2098x2, 2098x16, and 2098x17, Compiled Laws of Utah, 1907, in relation to the Utah Art Institute and annual prizes to be paid for paintings, and making an appropriation therefor."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 166, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 15; nays, 1; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler,

Marks, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Voting in the negative: Mr. Benner X. Smith.

Those absent and not voting were: Messrs. Brinkerhoff and Miller.

S. B. No. 166 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 66, by Mr. Badger, "An Act amending Section 1211, Compiled Laws of Utah, 1907, relating to proceedings for divorce."

The same is returned herewith for transmission to the Governor.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

S. B. No. 66 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 107, by Mr. Badger, entitled, "An Act amending Section 256, 257, 258, 259, 260, 261, 273, and 277, Compiled Laws of Utah, 1907, relating to special taxes."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 107 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 160, by Mr. Marks, "An Act creating a State Board, to be known as the Capitol Commission; fixing the manner of appointment and the compensation of the members thereof; prescribing their powers and duties, and authorizing the erection of a State capitol."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 160 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 163, by Mr. Marks, "An Act providing for an election submitting to the qualified electors of the State a proposition to levy a one-mill tax in excess of the rate of taxation otherwise fixed or limited for all other purposes for fifteen years, to raise funds to construct and furnish a State capitol for the State of Utah."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 163 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 162, by Mr. Marks, entitled, "An Act providing for the refunding of the bonds of the Territory of Utah, of the issue of July second, eighteen hundred and ninety-two, and the disposal of the funds provided by law for the redemption thereof."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 162 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 92, by Mr. Stookey, "An Act providing for archaeological and historical exploration and investigation in connection with the University of Utah, and making an appropriation therefor."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 92 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 51, by Mr. Marks, "An Act providing for the protection of fish, game, and birds; for the appointment of a Fish and Game Commissioner, chief deputy, chief wardens, hatchery superintendents, and special deputies; describing their powers and duties; providing for fish and game licenses, and a fish and game fund; providing for the building of fish hatcheries; and providing penalties for the violation of this act; and repealing Chapters 1 and 2, Ttitle 25, Compiled Laws of Utah, 1907, and all acts, or parts of acts, in conflict herewith."

The same is returned herewith for transmission to the Governor.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 51 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 161, by Mr. Marks, entitled, "An Act providing for the issue and disposal of State bonds and the appropriation of the proceeds of the sale thereof for the purpose of the erection of a State capitol."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 161 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 75, by Mr. Benner X. Smith, entitled, "An Act to amend Section 686x17, Compiled Laws of Utah, 1907, relating to and providing for appeals from City Courts to District Courts, and from District Courts to the Supreme Court in certain cases."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 75, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, John Y. Smith.

S. B. No. 75 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 14, by Mr. Kuchler (by request), entitled, "An Act to provide for the establishment and maintenance of 'Free Traveling Libraries' in the State of Utah," beg leave to report they have had same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 29, by Mr. Stookey, entitled, "An Act to establish an insurance department in and for the State of Utah, and to regulate the insurance companies doing business therein," beg leave to report they have had same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 198, by Mr. Benner X. Smith, entitled, "An Act to amend Section 4278, Compiled Laws of Utah, 1907, relating to the location of pesthouses," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 198 was read the second time.

Senate Committee Room.
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 138, entitled, "An Act to amend Sections 1288x6, 1288x7, 1288x8, 1288x10, 1288x13, 1288x14, 1288x15, 1288x16, 1288x17, and 1288x24, and 970x, Compiled Laws of Utah, 1907, relating to the duties and powers of the State Engineer, with reference to approval or rejection of applications for water rights; defining the time which may be allowed by the State Engineer for the beginning and completion of construction work upon water and irrigation works, and the beneficial use of water therefrom; empowering the State Engineer to grant extensions of time therefor; defining when and in what manner the place of diversion and the use of water may be changed; providing for the recording of instruments affecting applications for water rights and what fees shall be charged and collected by the State Engineer," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 138 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 145, by Mr. Hulaniski (by request), entitled, "An Act validating articles of incorporation which have been filed in a wrong county," beg leave to report they have had same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 145 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 189, by Mr. Burton, entitled, "An Act relating to surety companies, and repealing Sections 430x, 430x1, 430x2, 430x3, 430x4, 430x5, 430x6, 430x7, and 430x8, Compiled Laws of Utah, 1907," beg leave to report that they have carefully considered same, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 199, by Committee on County and Municipal Corporations; substitute for the parts stricken out of S. B. No. 100, entitled, "An Act to amend Sections 817, 818, 821, 821x, 821x1, 822, 825, 830, 831, 834, 892, and 913, Compiled Laws of Utah, 1907, and enacting five new sections; providing for a day of registration of the fourth Tuesday prior to municipal elections in cities of the first class; providing for furnishing a copy of official register the day before any primary election in cities of the first class; providing for registration of voters at primary elections in cities of the first class; providing that in cities of the first class primary elections for the nomination of officers, to be elected in such cities, shall be conducted as provided in Section 5 of this act; providing for the qualification of persons entitled to vote at primary elections for municipal offices in cities of the first class; providing for the manner of nominating candidates for municipal offices in cities of the first class; providing for publication of the list of nominations of officers in cities of the first class; providing for the arranging of names of candidates for offices

in cities of the first class; providing for the filling of vacancies in nomination of candidates for offices in cities of the first class; providing for the date of municipal elections and the terms of certain municipal officers; providing that Chapter 10, Compiled Laws of Utah, 1907, relating to election offenses shall apply to primary elections in cities of the first class; providing for the holding of elections in cities of the first class to determine whether or not the holder of any elective office may be removed by the electors qualified to vote for his successor; providing for the proposing by petition of electors of cities of the first class that ordinances be passed by the Boards of Commissioners of such cities; providing the time when ordinances passed by Boards of Commissioners of cities of the first class shall go into effect, and providing that qualified voters of such cities may prevent ordinances passed by Boards of Commissioners of cities of the first class from going into effect, providing for primary elections for nominations of municipal offices in cities of the first class; providing for a civil service commission in cities of the first class," beg leave to report they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 199 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 100, by Mr. Benner X. Smith, entitled, "An Act to amend Sections 182, 183, 184, 185, 186, 195, 197, 199, 201, 205, 213, 214, 215, 216, 218, 222, 225, 265, and 887, Compiled Laws of Utah, 1907, relating to the municipal government of incorporated cities; the officers thereof; the powers, duties, and privileges of officers; providing for the number of

and the manner of electing councilmen in cities of the second and third class; providing the qualifications of certain elective officers of cities; providing the manner of electing mayors, commissioners, and auditors of cities of the first class, and mayors and councilmen of cities of the second and third class; providing the rights, powers, duties, and privileges of mayors, commissioners, and other officers of cities; providing for the manner of filling vacancies in city offices; providing for meetings of the boards of commissioners and the city councils of cities; and providing for rules and regulations for the conduct of their proceedings, and the administration of the affairs of cities; providing for the election of certain officers in the cities and towns of this State, and fixing the terms thereof; and abolishing the offices of mayor and city councilman in cities of the first class, as now provided by law; and providing that no election shall be held hereafter in cities of the first class for the office of city councilman, city recorder, city treasurer, and city attorney; providing for the filing and publication of a sworn statement of election and campaign expenses of elective officers of cities of the first class, and a forfeiture and penalty for failure so to do; providing for the creation of offices for the good government of cities; to regulate and prescribe their powers, duties, and compensations, and the manner of their appointment, term of office, and removal; providing for the oath of office and bonds of city officers; prohibiting city officers from being interested in any contract work, business, or sale, the consideration of which is paid from the treasury or by assessment, or in the purchase of any property belonging to the city; and providing a penalty therefor; and prohibiting officers and employes, except policemen and firemen, from accepting franks, free tickets, or free service from any person, firm, or corporation operating within the city under a public franchise; and providing a penalty therefor; and providing for the compensation of officers of cities and the time of payment; providing for the equalization of special taxes in cities; and repealing Sections 283, 284, and 285, Compiled Laws of Utah, 1907, relating to the Board of Public Works in cities of the first class, and vesting the powers of said boards in the boards of commissioners of cities of the first class," beg leave to report that they have had the same carefully

engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 100 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 130, by Mr. Badger, entitled, "An Act amending Sections 1498 and 1503, Compiled Laws of Utah, 1907, relating to filing of copy of notice of mining location; fee; and of filing duplicate notice of mining location; fee," beg leave to report that they have had the same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 130 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 197, by Mr. Benner X. Smith, entitled, "An Act to amend Section 1113x28, Compiled Laws of Utah, 1907, relating to the location of pesthouses," beg leave to report that they have carefully considered same, and recommend that the bill be passed, with the following amendments thereto:

1. Page 1, line 17, after "purposes" insert a semicolon and the following: "provided, that for all other dis-

eases there may be established only one pesthouse, asylum, or hospital in any one city or town".

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 197 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 68, by Mr. John Y. Smith, entitled, "An Act establishing a State Library-Gymnasium Commission; defining its powers, prescribing its duties; and providing for its maintenance," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS.
Chairman.

S. B. No. 68 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 71, by Mr. Badger, entitled, "An Act providing for an interlocutory and final decree in divorce actions; and prohibiting the marriage of divorced persons within the period allowed for an appeal; and providing for changes in decrees; and amending Sections 1184 and 1212, Compiled Laws of Utah, 1907," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 71 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 106, by Mr. Badger, entitled, "An Act amending Section 1117, Compiled Laws of Utah, 1907, relating to the width of public and private ways," beg leave to report they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 106 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 156, by Mr. Hyde, entitled, "An Act to prohibit the bringing into this State of certain cattle, except they are free from tuberculosis; and requiring all dairy cattle within the State to be subjected to the tuberculin test," beg leave to report that they have had the same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 156 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 52, by Mr. Wilson, entitled, "An Act creating a reservoir land grant fund; providing for the selection of a site, construction of reservoirs, and specifying and empowering the State Board of Land Commissioners to make loans from said funds and returns thereof; and for plans and specifications of said work, and how payments shall be made; and making an appropriation therefor; and repealing Sections 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, and 2400, Compiled Laws of Utah, 1907," beg leave to report that they have had the same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,

CHARLES E. MARKS.
Chairman.

S. B. No. 52 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 28, by Mr. Stookey, entitled, "An Act to amend Sections 403, 404, 405, 407, 408, 409, 410, 411, 413, 414, 415, 416, 417, 419, 420, 421, 422, 422x1, and 422x2, Compiled Laws of Utah, 1907, regulating the insurance business, and to amend Section 965, Compiled Laws of Utah, 1907, relating to fees to be collected by the Secretary of State; and to enact four new sections, to be known as Sections 422x3, 422x4, 422x5, and 422x6, regulating the transaction of insurance business in this State by foreign and domestic insurance companies and associations; and to amend Section 2441, of the Compiled Laws of Utah, 1907, relating to the appointment and duties of the Bank Examiner," beg leave to report they have had same un-

der consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 218, by Mr. Murdock, entitled, "An Act prohibiting the employment of persons under twenty-one years of age in operating engines, motors, or other power devices attached to elevators or hoists," beg leave to report that they have carefully considered same, and recommend that the bill be passed, with the following amendment thereto:

In the title, after the word "hoists" insert "in mines".

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was adopted, and H. B. No. 218 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 184, by Mr. Fuller, entitled, "An Act to create the State Board of Veterinary Examiners: regulating and defining the practice of veterinary medicine, veterinary dentistry, and veterinary surgery; providing penalties for the violation thereof; and to repeal Sections 2723x5, 2723x6, 2723x7, 2723x8, 2723x9, 2723x10, 2723x11, 2723x12, 2723x13, 2723x14, 2723x15, 2723x16, 2723x17, 2723x18, and 2723x19, Compiled Laws of Utah, 1907," beg leave to report that they have carefully considered same, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was adopted, and H. B. No. 184 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 65, by Mr. McCracken, entitled, "An Act authorizing the University of Utah to erect a central building at a cost not exceeding two hundred and fifty thousand dollars, and authorizing partial conversion of the University of Utah permanent land fund into cash, the loan thereof and method of repaying the same," beg leave to report that they have had the same under consideration, and recommend that the bill be passed, with the following amendments:

1. Page 1, line 12, after "fund" insert "as a loan".

2. Page 1, line 13, after "dollars" make a semi-colon and add: "provided that such loan shall be a debt of the University of Utah and not of the State of Utah".

3. Page 1, line 14, strike out all of the line after "fund".

4. Page 1, line 15, strike out "above account but".

5. Page 1, line 21, strike out "the regents of".

6. Page 2, line 3, strike out "acting" before "chairman"; and "acting" before "secretary".

7. Page 2, line 17, strike out "As acting" and begin "chairman" with a capital letter.

8. Page 2, line 20, strike out "As acting" and begin "secretary" with a capital letter.

9. Page 2, line 23, after "dollars" insert "with interest thereon".

10. Page 2, line 25, after "dollars" insert "with interest thereon".

11. Page 2, line 28, after "dollars" insert "with interest".

12. Page 2, line 29, after "payment" strike out semi colon and make a period, and strike out balance of section.

13. Insert Section 6 as follows: "Sec. 6. That the Board of Regents of the University of Utah are authorized and empowered to pay out of the funds appropriated, or otherwise available, for its general maintenance, the principal and interest of the said obligation as they become due".

14. Page 3, line 3, strike out "6" and insert "7".

15. Page 3, line 7, strike out "7" and insert "8".

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 65 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 82, by Mr. Porter, entitled, "An Act creating the office of State Veterinarian; providing for the appointment of assistants; prescribing their duties, and fixing their compensation; and making regulations for the prevention of the spread of contagious diseases among certain live stock," beg leave to report they have had same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 82 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 96, by Mr. King, entitled, "An Act amending Section 487, Compiled Laws of Utah, 1907.

relating to disputes over county boundary lines," beg leave to report that they have carefully considered same, and recommend that the bill be not passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 123, by Mr. Williams, entitled, "An Act providing a penalty for removing, destroying, concealing, selling, mortgaging, pledging, or otherwise disposing of personal property of another," beg leave to report that they have carefully considered same, and recommend that the bill be not passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 195, by Mr. Stookey, entitled, "An Act requiring physicians and midwives to report all cases where newly-born infants have inflammation of the eyes; and providing a penalty for failure to comply," beg leave to report that they have carefully considered same and recommend that the bill be passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 195 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 232, by Mr. Archibald, entitled, "An Act to amend Sections 174 and 175, Compiled Laws of Utah, 1907, relating to the classification of cities and the manner of changing a class of a city," beg leave to report that they have had the same under consideration, and recommend that the same be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 173, by Mr. Pope, entitled, "An Act providing for the investigation of the agricultural resources and the encouragement of the agricultural development of the Uintah Basin," beg leave to report that they have had the same under consideration, and recommend that the same be referred to the Committee on Appropriations and claims.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 204, by Mr. Fuller, entitled, "An Act relating to and fixing the time within which a bank shall be liable to a depositor for the payment of a forged or raised check," beg leave to report they have had same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 204 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 179, by Mr. Bower (by request), entitled, "An Act to amend Section 2866x, Compiled Laws of Utah, 1907, relating to the statute of limitations," beg leave to report they have had the same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was adopted, and H. B. No. 179 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. J. R. No. 12, by Committee on Public Lands, entitled, "To the Honorable the Senate and House of Representatives of the Congress of the United States," beg leave to report they have had the same under consideration, and recommend the resolution be not passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 187, by Mr. Ashton, entitled, "An Act to amend Section 3747, Compiled Laws of Utah, 1907, relating to undertakings on appeal from Justice Courts,"

beg leave to report they have considered same, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH.
Chairman

The report of the Committee was adopted, and H. B. No. 187 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 230, by Mr. Nielson, entitled, "An Act to prevent certain abuses connected with the drilling, operation, and abandonment of wells on lands producing or containing petroleum or natural gas," beg leave to report they have had same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was not adopted. H. B. No. 230 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 207, by Mr. Marks, entitled, "An Act defining what constitutes a private fish pond, a private fish hatchery, and what are public waters; and providing the manner of taking water from public streams, lakes, or reservoirs to feed said private ponds; and providing a penalty for violation of the provisions of this act," beg leave to report they have had the same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was not adopted. S. B. No. 207 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 121, by Mr. Williams, entitled, "An Act requiring warehousemen and others engaged in keeping or storing personal property to keep records and give information concerning goods received by them; and providing a penalty for violation thereof," beg leave to report they have had same under consideration, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 199, by Mr. White (by request), entitled, "An Act requiring the State Normal School to publish and distribute educational bulletins, and to provide instructors for the county institutes," beg leave to report they have had the same under consideration, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 199 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 200, by Mr. Marks (by request), entitled, "An Act creating a commission to revise the revenue laws of the State of Utah, and to suggest changes; providing for the appointment of the commission, its salary, the employment of necessary help, and appropriation for its salary and expenses," beg leave to report they

have considered the same, and recommend the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 200 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

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

Your Conference Committee, to whom was referred S. B. No. 154, by Mr. Bullen, "An Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to High Schools," beg leave to report that they have had said bill under consideration, and recommend that the Senate concur in the amendments as made by the House on lines 4, 5, 8, and 13, and that in lieu of the amendments made by the House on lines 14, 15, 16, and 17, that the following be inserted:

"The County or District Superintendent of Schools, the Trustees, and the principal of each respective high school in the State shall prescribe the text books to be used in such respective high school, outside of cities of the first and second class."

And, as amended, recommend that the bill be passed by the Senate and the House.

Respectfully,
ORVIL L. THOMPSON,
JOHN H. WOOTTON,
E. C. ASHTON,
House Conference Committee.
H. BULLEN JR.,
S. J. STOOKEY,
CHARLES E. MARKS,
Senate Conference Committee.

The report of the Committee was adopted, and S. B. No. 154 was placed on its final passage, and passed,

as amended by conference committee, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger Bullen, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Burton, Miller.

S. B. No. 154 was transmitted to the House.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 193, by Mr. Badger (by request), entitled, "An Act to prevent cruelty to animals," beg leave to report they have considered the same, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 191, by Mr. Badger (by request), entitled, "An Act to prevent spitting upon public walks and places, or upon the floor of public buildings, or upon the floor of cars or other conveyances, "beg leave to report they have considered the same, and recommend the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 22, by Mr. Ashton, entitled, "An Act amending Sections 720x, 720x1, 720x2, 720x3, 720x4, 720x5, 720x7, 720x10, 720x12, 720x14, 720x15, 720x16, and 720x21, Compiled Laws of Utah, 1907, relating to Juvenile Courts; the title, term of office, duties, appointment, and compensation of the Judge thereof and other officers connected therewith; providing for a Juvenile Court Commission, and specifying its duties and the duties of its secretary; defining the jurisdiction of Juvenile Courts; providing for jurisdiction of District Courts in certain districts; prescribing the powers, rights, proceedings, and practice of Juvenile Courts, and providing for the maintenance thereof; providing for appeals; for disposal of fines; and repealing all acts, or parts of acts, inconsistent herewith," beg leave to report that they have had the same under consideration, and a majority of said Committee, to-wit: Benner X. Smith and Badger, recommend that the same be passed; and that a minority of said Committee, to-wit: Hulaniski, recommends that the same be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The majority report of the Committee was adopted, and H. B. No. 22 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 24, by Mr. Ashton, entitled, "An Act amending Sections 720x42 and 720x43, Compiled Laws of Utah, 1907, relating to the establishment and maintenance of detention schools for the care, custody, and education of dependent or delinquent children under 18 years of age," beg leave to report that they have had the same under consideration, and that a majority of said Committee, to-wit: Benner X. Smith and Badger, recommend that the same be passed; and a minority of said

Committee, to-wit: Hulaniski, recommends that the bill be not passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The majority report of the Committee was adopted. and H. B. No. 24 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 25, by Mr. Ashton, entitled, "An Act amending Sections 720x24, 720x25, 720x29, 720x30, and 720x32, Compiled Laws of Utah, 1907, relating to the methods for the protection, disposition, and supervision of dependent, neglected, and ill-treated children, and to prescribe the punishment for such persons as are responsible for the care of children; and repealing all acts, or parts of acts, inconsistent herewith," beg leave to report that they have had the same under consideration, and a majority of said Committee, to-wit: Benner X. Smith and Badger, recommend that the bill be passed; and a minority of said Committee, to-wit: Hulaniski, recommends that the bill do not pass.

Respectfully,
BENNER X. SMITH.
Chairman.

The majority report of the Committee was adopted. and H. B. No. 25 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 187, by Mr. Benner X. Smith, entitled, "An Act validating certain acts of the County Commissioners in counties of the first class," beg leave to report that they have had the same under consideration. and a majority of said Committee, to-wit: Benner X. Smith and Badger, recommend that the bill be passed; and a

minority of said Committee, to-wit: Hulaniski, recommends that the bill be not passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The majority report of the Committee was adopted, and S. B. No. 187 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 70, by Mr. Clegg (by request), entitled, "An Act to create a fireman's relief fund, and to increase the efficiency of the fire departments in the several towns and cities of the State of Utah," beg leave to report that they have had the same under consideration, and a majority of said Committee, to-wit: Benner X. Smith and Hulaniski, recommend that the bill be not passed; and a minority of said Committee, to-wit: Badger, recommends that the bill be passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The minority report of the Committee was adopted, and H. B. No. 70 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 236, by Committee on Mining and Smelting, substituting H. B. No. 42, entitled, "An Act requiring the State Board of Labor, Arbitration, and Conciliation to make reports on mines and quarries," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,

BENNER X. SMITH,
Chairman.

The report of the Committee was not adopted. H. B. No. 236 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 79, by Mr. Smith, entitled, "An Act amending Section 299, Compiled Laws of Utah, 1907, relating to incorporated towns," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 210, by Mr. Badger, entitled, "An Act amending Sections 430x1, 430x2, 430x3, and 430x5, Compiled Laws of Utah, 1907, relating to corporate suretyship," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 210 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 233, by Judiciary Committee, entitled, "An Act to amend Section 686x51, Compiled Laws of Utah, 1907, in relation to the fees of the clerk of the Municipal Court," beg leave to report that they have had

the same under consideration, and recommend that the bill be passed.

BENNER X. SMITH.
Chairman.

The report of the Committee was adopted, and H. B. No. 233 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 91, by Mr. Badger, entitled, "An Act creating annual license taxes, payable by all domestic and foreign corporations in this State, with certain exceptions; providing for penalties and forfeitures, and the enforcement thereof; and for the revocation of the charters of domestic corporations failing to comply with the provisions of this act," beg leave to report that they have had the same under consideration, and recommend that the same be not passed, for the reason that the same has been covered by other legislation in the matter.

Respectfully,
BENNER X. SMITH.
Chairman.

The report of the Committee was adopted.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 209, by Mr. Wootton, entitled, "An Act to amend Section 1337, Compiled Laws of Utah, 1907, relating to the period of employment of working men in mines, smelters, and sugar factories," beg leave to report that they have had the same under consideration, and a majority of said Committee, to-wit: Benner X. Smith and Hulaniski, recommend that the bill be not passed; and a minority of said Committee, to-wit: Badger, recommends that the bill be passed.

Respectfully,
BENNER X. SMITH.
Chairman.

The minority report of the Committee was adopted, and H. B. No. 209 was read the second time.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House:

H. B. No. 226, by Committee on Live Stock, "An Act relating to bulls, and their use upon public ranges; and repealing Section 57, Compiled Laws of Utah, 1907."

H. B. No. 39, by Mr. Holman, "An Act creating Section 1348x, relating to libel."

H. B. No. 56, by Mr. Henrie, "An Act establishing a standard system of construction of public roads in the State of Utah and the various counties thereof."

The same are transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House Bills Nos. 226, 39, and 56 were read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 32, by Mr. Sevy, entitled, "An Act to amend Section 2549, Compiled Laws of Utah, 1907, relating to notice to taxpayers by County Treasurers."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 32 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House:

H. B. No. 109, by Mr. Archibald, "An Act to amend Sections 1892 and 1894, Compiled Laws of Utah, 1907, relating to schools in cities of the first and second class."

H. B. No. 58, by Mr. Henrie, "An Act defining the powers of County Commissioners relative to special road district tax for the construction of gravel, macadam, and paved roads."

H. B. No. 125, by Mr. Morris, "An Act creating a Board of Commissioners of Indian war records; prescribing its duties and compensation; and appropriating the sum of $5,000 for the compensation and expenses of the members thereof, and the publishing of the said records."

H. B. No. 57, by Mr. Henrie, "An Act defining powers of County Commissioners as to roads; appointing county road commissioner; defining his duties; providing an annual road poll tax, specifying who shall be liable and manner of collecting and expending the same; repealing Chapter 2, Title 30, and also 64, Compiled Laws of Utah, 1907."

H. B. No. 55, by Mr. Henrie, "An Act creating a State Road Commission; defining its duties; creating a system of State roads, a State road building fund; and providing

for its expenditure; and repealing Chapter 4, Title 30, Compiled Laws of Utah, 1907."

The same are transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House Bills Nos. 109, 58, 125, 57, and 55 were read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 68, by Mr. John Y. Smith, entitled, "An Act establishing a State Library-Gymnasium Commission; defining its powers, prescribing its duties, and providing for its maintenance."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 68 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 106, by Mr. Badger, entitled, "An Act amending Section 1117, Compiled Laws of Utah, 1907, relating to the width of public and private ways."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 106 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 71, by Mr. Badger, entitled, "An Act providing for an interlocutory and a final decree in divorce actions, and prohibiting the marriage of divorced persons within the period allowed for an appeal; and providing for changes in decrees; and amending Sections 1184 and 1212, Compiled Laws of Utah, 1907."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 71 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 52, by Mr. Wilson, entitled, "An Act creating a reservoir land grant fund."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 52 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 156, by Mr. Hyde, entitled, "An Act to prohibit the bringing into this State of certain cattle, except they are free from tuberculosis; and requiring all dairy cattle within the State to be subjected to the tuberculin test."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 156 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 76, by Mr. Benner X. Smith, entitled, "An Act for the protection of persons furnishing labor and material for the construction or repair of public buildings and public works."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 76 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

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

able body that the House of Representatives has this day passed, as amended, H. B. No. 23, by Mr. Ashton, "An Act amending Sections 720x49, 720x50, and 720x51, Compiled Laws of Utah, 1907, relating to regulating the presence of children under eighteen years of age upon the streets of cities, towns, and villages after certain hours of the night; designating the officers to enforce the same, and prescribing penalties for the violation thereof."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 23 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 130, by Mr. Badger, entitled, "An Act amending Sections 1498 and 1503, Compiled Laws of Utah, 1907, relating to filing of copy of notice of mining location; fee; and of filing duplicate notice of mining location; fee."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 130 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 100, by Mr. Benner X. Smith, "An

Act relating to the municipal government of incorporated cities, the officers thereof, the powers, duties, and privileges of officers, etc."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 100 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 199, by Committee on County and Municipal Corporations, entitled, "Providing for a day of registration on the fourth Tuesday prior to municipal elections in cities of the first class, etc."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 199 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 138, by Committee on Engrossed and Enrolled Bills, entitled, "An Act to amend Sections 1288x6, 1288x7, 1288x8, 1288x10, 1288x13, 1288x14, 1288x15, 1288x16, 1288x17, and 1288x24, and 970 x, Compiled Laws of Utah, 1907, relating to the duties and powers of the State Engineer with reference to approval or rejection of applications for water rights; defining the

time which may be allowed by the State Engineer for the beginning and completion of construction work upon water and irrigation works, and the beneficial use of water therefrom; empowering the State Engineer to grant extensions of time therefor; defining when and in what manner the place of diversion and the use of water may be changed; providing for the recording of instruments affecting applications for water rights, and what fees shall be charged and collected by the State Engineer."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 138 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 119, by Mr. Benner X. Smith, "An Act to amend Section 2467, Compiled Laws of Utah, 1907, relating to certain agreements declared to be void unless in writing."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 119 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 94, by Mr. Badger (by request), "An Act to amend Section 206, Compiled Laws of Utah, 1907, relating to the powers of City Councils."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 94 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 154, by Mr. H. Bullen, entitled, "An Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to High Schools."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 154 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day agreed to approve of H. B. No. 176, by Committee on Manufactures and Commerce, without further amendment, and the House respectfully asks your permission to return said bill for His Excellency's approval.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate consented to the return of H. B. No. 176 to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 174, by Mr. Wilson, entitled, "An Act to amend Section 2357, Compiled Laws of Utah, 1907, relating to the investment of State funds and their securities."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 174, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Horsley, Benner X. Smith, John Y. Smith, Stookey, Williams.

S. B. No. 174 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 177, by Committee on Public Health, substitute for S. B. No. 41, by Mr. Stookey, entitled, "An Act creating the position of State Bacteriologist and Pathologist, and defining his duties; and providing for a State public health laboratory and its location."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 177 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 144, by Mr. Wilson, entitled, "An Act providing the manner of annexing that part of the territory of one or more counties to an adjoining county, and of creating new counties out of existing counties; and repealing Sections 487x5, 487x6, 487x7, 487x8, 487x9, 487x10, and 487x11, Compiled Laws of Utah, 1907."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 144 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 74, by Mr. Bullen, entitled, "An Act to amend Sections 2321, 2324, and 2356, Compiled Laws of Utah, 1907, providing for a State Board of Land Commissioners."

The same is hereby returned for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 74, as amended by the House, was placed on its final passage, and passed by the following vote:

Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hulaniski, Hyde, Kuehler, Marks, Miller, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Horsley, John Y. Smith, Stookey, Williams.

S. B. No. 74 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day requested Senate communication setting forth the Governor's reasons for disapproving of Senate Bills Nos. 114 and 115, by Mr. Miller, and what action the Senate has taken on the Governor's veto.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The desired information was transmitted to the House.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 89, by Mr. Marks, entitled, "An Act providing for police and fire departments in cities of this State of 12,000 inhabitants; providing a board of police and fire commissioners for cities of the first class, defining their powers and duties; providing for the control and maintenance of said board in cities of the first class, and providing the powers and duties of said departments in said cities and for the maintenance and control of said departments, and repealing Chapter 12, Title 13, Compiled Laws of Utah, 1907, and all other acts and parts of acts in conflict herewith."

The same is herewith returned for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 89, as amended by the House, was placed on its final passage, and passed by the following vote:

Ayes, 12; nays, 3; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Marks, Seely, Sevy, Stookey, Williams, Wilson.

Those voting in the negative were: Messrs. Hulaniski, Kuchler, Mr. President.

Those absent and not voting were: Messrs. Miller, Benner X. Smith, John Y. Smith.

S. B. No. 89 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 61, by Mr. Burton, "An Act providing for an insurance department, enacting an insurance code and regulating insurance companies and their business, and fixing certain fees to be charged and collected by the commissioner of insurance, and repealing Sections 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 422x, 422x1, and 422x2, Compiled Laws of Utah, 1907, relating to and regulating insurance companies and their business."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 61, as amended by the House, was placed on its final passage, and passed by the following vote:

Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Marks, Seely, Sevy, Williams, Wilson, Mr. President.

Voting in the negative: Mr. Stookey.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, Benner X. Smith, John Y. Smith.

S. B. No. 61 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 55, by Mr. C. Burton, Jr., "An Act amending Section 2357x, Compiled Laws of Utah, 1907, relating to the disposition of money derived from the investment of land grant funds."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 55 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State the following Bills:

H. B. No. 99, by Mr. Bower, "An Act creating a State Horticultural Commission, providing for the publication and distribution of its reports, for the appointment and bonding of a State Horticultural Inspector. The examination, bonding, and appointment of County Inspectors, defining their duties; the duties of common carriers, orchardists, and nurserymen; licensing and bonding nurserymen; defining a misdemeanor and providing a penalty therefor; and repealing Chapters one and two, Title 34, Compiled Laws of Utah, 1907, relating to Horticulture."

H. B. No. 210, by Judiciary Committee, substitute for H. B. No. 205, "An Act amending Section 4310, Compiled Laws of Utah, 1907, relating to disturbing the peace."

H. B. No. 159, by Mr. McCracken, "An Act to amend Section 323, Compiled Laws of Utah, 1907, relating to the

winding up of the affairs of corporations whose franchises have expired."

H. B. No. 206, by Mr. Hodges, "An Act authorizing the diversion of the sheep inspection fund to the general fund of the State."

H. B. No. 18, by Mr. Archibald, "An Act relating to the protection of employees and for preventing superintendents, foremen, assistants, bosses, or any other person from receiving or soliciting money."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 136, by Mr. Williams, "An Act requiring poultry, game, fish, butter, and eggs, which have been in cold storage more than three months, to be labelled 'Cold Storage.'"

The same is herewith returned.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

INTRODUCTION OF MEMORIAL.

Senate Joint Memorial No. 2, by Mr. Kuchler, memorializing the Senate and House of Representatives at Washington, to maintain the present tariff on lead and hides and wool.

On motion, the rules were suspended, and S. J. M. No. 2 was read the first, second, and third times and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Kuchler,

Marks, Miller, Seely, Sevy, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hulaniski, Hyde, Benner X. Smith, John Y. Smith, Williams.

On motion of Mr. Wilson, the House was requested to return H. B. No. 59 to the Senate.

INTRODUCTION OF RESOLUTION.

Senate Resolution No. 4.—By Mr. Kuchler.

Be it Resolved, That the Secretary, Docket Clerk, and Minute Clerk of the Senate are hereby authorized and directed to revise and proof-read the Journal of the Senate of the Eighth State Legislature, the compensation therefor to be paid out of the contingent fund of the Legislature, and that $500 be appropriated for such purpose.

S. R. No. 4 was passed by unanimous vote.

THIRD READING OF BILLS.

Senate Bill No. 11, by Mr. Bullen, entitled, "An Act to amend Section 2090x, Revised Statutes of Utah, 1907, providing that instruction in the Agricultural College shall be free, and providing an entrance fee," was read the third time and placed on its final passage, and failed to pass by the following vote:

Ayes, 2; nays, 10; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Benner X. Smith, Wilson.

Those voting in the negative were: Messrs. Badger, Bullen, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Burton, Horsley, John Y. Smith, Stookey, Williams.

House Bill No. 222, by Judiciary Committee, entitled, "An Act to amend Section 511, of the Compiled Laws of Utah, 1907, relating to County Commissioners,"

was read the third time and placed on its final passage and passed by the following vote:

Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Burton, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Horsley, Miller, John Y. Smith, Stookey, Williams.

Senate Bill No. 190, by Mr. Badger, entitled, "An Act amending Section 1102, Compiled Laws of Utah, 1907, relating to the duties, salary, and expenses of the secretary of the Board of Health," was read the third time and placed on its final passage and passed by the following vote:

Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hulaniski, Hyde, Kuchler, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Horsley, Marks, Miller, John Y. Smith, Stookey, Williams.

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

Senate Joint Resolution No. 6, by Mr. Hyde, entitled, "A Joint Resolution requesting the Senators and Representative in Congress from Utah to endeavor to secure an amendment to the interstate commerce act to prohibit the shipment of alcoholic liquors in certain cases," was read the third time and placed on its final passage, and passed by the following vote:

Ayes, 10; nays, 2; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hyde, Seely, Sevy, Benner X. Smith, John Y. Smith, Wilson, Mr. President.

Those voting in the negative were: Messrs. Hulaniski, and Kuchler.

Those absent and not voting were: Messrs. Brinkerhoff, Horsley, Marks, Miller, Stookey, Williams.

House Bill No. 208, by Mr. McRae, entitled, "An Act to amend Section 2593, Compiled Laws of Utah, 1907, relating to property exempt," was read the third time and placed on its final passage, and passed by the following vote:

Ayes, 10; nays, none; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Badger, Burton, Hulaniski, Kuchler, Seely, Sevy, Benner X. Smith, John Y. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Horsley, Hyde, Marks, Miller, Stookey, Williams.

Senate Bill No. 30, by Mr. Benner X. Smith, entitled, "An Act to amend Section 616x, Compiled Laws of Utah, 1907, entitled, "An Act making it the duty of County Auditors to prepare and file statements showing the amount paid for salaries of County Assessors and County Treasurers, and their deputies and assistants, and providing for the apportionment of said sum to the various taxing funds," was read the third time and placed on its final passage, and passed, as amended in title and body, by the following vote:

Ayes, 10; nays, none; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hulaniski, Kuchler, Seely, Benner X. Smith, John Y. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Horsley, Hyde, Marks, Miller, Sevy, Stookey, Williams.

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

House Bill No. 43, by Mr. Wm. McMillan, entitled, "An Act amending Section 4233, Compiled Laws of Utah, 1907, prohibiting noisy and other amusements on Sunday, and providing a penalty for the violation thereof," was read the third time and placed on its final passage, and failed of passage by the following vote:

Ayes, 8; nays, 9; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Marks, Seely, Williams, Mr. President.

Those voting in the negative were: Messrs. Bullen, Hulaniski, Hyde, Kuchler, Sevy, Benner X. Smith, John Y. Smith, Stookey, Wilson.

Absent and not voting: Mr. Miller.

Mr. Wilson gave notice of a motion to reconsider the vote by which H. B. No. 43 failed to pass.

Senate Bill No. 142, by Mr. Marks, entitled, "An Act to prevent the use of defective devices for testing the quantity and value of milk, cream, butter, or cheese, and providing a penalty for a violation of this act," was read the third time and placed on its final passage and passed, as amended by the following vote:

Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Burton, Miller, Benner X. Smith, John Y. Smith.

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

Senate Bill No. 158, by Mr. Seely, entitled, "An Act to provide for a Utah State Conservation Commission, and prescribing the powers and duties of such commission; and appropriating the sum of $3,000.00 per annum, to be expended by said commission for certain purposes," was read the third time and placed on its final passage, and passed by the following vote:

Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen,

Horsley, Miller, Benner X. Smith, John Y. Smith, Stookey, Williams.

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

House Bill No. 182, by Mr. Thompson, entitled, "An Act amending Section 965, Compiled Laws of Utah, 1907, fixing the fees to be charged by the Secretary of State," was read the third time and placed on its final passage, and passed by the following vote:

Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Burton, Horsley, Miller, John Y. Smith, Stookey, Williams.

House Bill No. 230, by Mr. Nielson, entitled, "An Act to prevent certain abuses connected with the drilling, operation, and abandonment of wells on lands producing or containing petroleum or natural gas," was read the third time and placed on its final passage, and failed to pass by the following vote:

Ayes, 8; nays, 2; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Hulaniski, Hyde, Kuchler, Sevy, Wilson.

Those voting in the negative were: Benner X. Smith and Mr. President.

Those absent and not voting were: Messrs. Bullen, Horsley, Marks, Miller, Seely, John Y. Smith, Stookey, Williams.

The rules were suspended and H. B. No. 220, by Mr. Russell, entitled, "An Act relating to the employment of citizens of the United States on public works," was read the third time and placed on its final passage, and passed by the following vote:

Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Horsley, Miller, John Y. Smith, Stookey, Williams.

The rules were suspended, and Senate Bill No. 197, by Mr. Benner X. Smith, entitled, "An Act to amend Section 1113x28, Compiled Laws of Utah, 1907, relating to the location of pesthouses," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Burton, Horsley, Miller, John Y. Smith, Stookey, Williams.

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

The rules were suspended and Senate Bill No. 204, by Mr. Benner X. Smith, entitled, "An Act to amend Section 1241x1, Compiled Laws of Utah, 1907, prohibiting the taking of usurious interest, and providing a penalty therefor," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Horsley, Miller, John Y. Smith, Williams.

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

The rules were suspended, and House Bill No. 161, by Mr. Henrie, entitled, "An Act creating a State boun-

ty fund; providing for a tax on certain live stock; providing for the destruction of certain wild animals; and repealing Chapter 1, Title 9; Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 10; nays, 3; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Brinkerhoff, Burton, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Wilson, Mr. President.

Those voting in the negative were: Messrs. Badger, Hulaniski, Benner X. Smith.

Those absent and not voting were: Messrs. Bullen, Horsley, John Y. Smith, Stookey, Williams.

The rules were suspended, and Senate Bill No. 209, by Sifting Committee, entitled, "An Act creating annual license taxes, payable by all domestic and foreign corporations in this State, with certain exceptions; providing for penalties and forfeitures, and the enforcement thereof; and for the revocation of the charters of domestic corporations failing to comply with the provisions of this act; and repealing Sections 456x6, 456x7, 456x8, 456x9, and 456x10, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hulaniski, Hyde, Kuchler, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Horsley, Marks, Miller, John Y. Smith, Stookey, Williams.

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

The rules were suspended and Senate Bill No. 194, by Mr. Benner X. Smith, entitled, "An Act amending Sections 3533 and 3534, Compiled Laws of Utah, 1907,

specifying how land shall be partitioned, if possible; providing for the sale of same, and the appointment of referees where it is impossible to partition same, and for improvements thereon," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Horsley, Miller, John Y. Smith, Stookey, Williams.

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

Senate Bill No. 9, by Mr. Kuchler, entitled, "An Act providing for the expenses of District Judges; the compensation and expenses of referees, and the compensation and expenses of stenographers engaged or employed in the adjudication of the rights of water claimants upon a river system or water source, under and by virtue of Chapter 1, of Title 40, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Bullen, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Burton, Horsley, John Y. Smith, Stookey, Williams.

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

House Bill No. 177, by Mr. Hansen, entitled, "An Act providing for the organization and regulation of county insurance companies, to insure against loss by fire and lightning," was read the third time, and placed

on its final passage, and passed by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Hulaniski, Hyde, Kuchler, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Horsley, Marks, Miller, John Y. Smith, Stookey, Williams.

Senate Bill No. 198, by Mr. Benner X. Smith, entitled, "An Act to amend Section 4278, Compiled Laws of Utah, 1907, relating to the location of pesthouses," was read the third time, and placed on its final passage, and passed, under suspension of the rules, by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Burton, Horsley, Miller, John Y. Smith, Stookey, Williams.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 203, by Committee on Appropriations, "An Act relating to the collection of historical material; providing for the custody of same; and making an appropriation therefor."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 127, by Mr. Benner X. Smith, "An Act creating the office of under sheriff."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 181, by Mr. Marks, "An Act to amend Section 3098, Compiled Laws of Utah, 1907, relating to judgment against the garnishee on failure to answer."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 208, by Sifting Committee, substitute for S. B. No. 141, "An Act providing for the exchange of waters for irrigation and culinary purposes."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 208 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 186, by Mr. Williams, "An Act authorizing the State Board of Examiners to set apart a portion of the capitol grounds for the use of the National Guard of Utah, and authorizing the State Armory Board to construct an armory and arsenal thereon."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 186 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 196, by Mr. Sevy, "An Act authorizing the Governor to accept from the United States the property known as the Panguitch School, including the lands, buildings, and fixtures pertaining to such school, upon certain conditions."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 196 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 117, by Mr. Benner X. Smith, entitled, "An Act amending Sections 1712, 1714, 1715, 1716, 1717, 1718, 1720, 1726, 1727, and 4282, Compiled Laws of Utah, 1907, relating to the State Board of Pharmacy; the appointment, terms, qualification, compensation, and duties of its members; the registration of pharmacists and assistant pharmacists, and their certificates; and prohibiting the sale of poison to certain persons, and regulating the sale of poisons; and providing penalties therefor."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

Senate Bill No. 117, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Horsley, Hulaniski, Hyde, Kuehler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Burton, Miller, John Y. Smith.

S. B. No. 117 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representa-

tives has this day appointed Representatives Henrie, Nielson, and Nelson as a committee to meet with a like committee from the Senate to confer on Senate amendments to H. B. No. 161, by Mr. Henrie, "An Act creating a State bounty fund."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The President appointed Messrs. Seely, Wilson, and Sevy.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day approved and filed with the Secretary of State the following bills:

H. B. No. 176, by Committee on Manufactures and Commerce, entitled, "An Act prohibiting the unauthorized use of the name or picture of any public institution in this State, or of any public officer or private person, for the purpose of advertising."

H. B. No. 125, by Mr. Morris, entitled, "An Act creating a Board of Commissioners of Indian War Records; prescribing its duties and compensation; and appropriating the sum of $5,000.00 for the compensation and expenses of the members thereof, and the publication of the said records."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day returned, as per your request, H. B. No. 59, by Mr. Hen-

rie, entitled, "An Act providing an annual vehicle road tax, and the manner of collecting and expending the same."

The same is enclosed herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 59 was placed on the calendar.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day ordered returned, as per request, H. B. No. 60, by Mr. Henrie (by request), entitled, "An Act relating to the use of convicts and prisoners on the county highways, and regulating compensation for services rendered."

The same is enclosed herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Stookey, H. B. No. 60 was placed on its final passage, and passed by the following vote: Ayes, 11; nays, 4; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Marks, Sevy, Stookey, Williams, Wilson.

Those voting in the negative were: Messrs. Hulaniski, Kuchler, Benner X. Smith, Mr. President.

Those absent and not voting were: Messrs. Miller, Seely, John Y. Smith.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 85, by Mr. Hyde, "An Act

to amend Section 213; Compiled Laws of Utah, 1907, relating to city officers: and providing for the appointment of a marshal in cities of less than 12,000 inhabitants."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 85, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde Kuchler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, John Y. Smith, Mr. President.

S. B. No. 85 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 30, by Mr. Benner X. Smith, entitled, "An Act to amend Section 616x, Compiled Laws of Utah, 1907, entitled, "An Act making it the duty of county auditors to prepare and file statements showing the amount paid for salaries of county assessors and county treasurers and their deputies and assistants, and providing for the apportionment of said sum to the various taxing funds."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, S. B. No. 88, by Mr. Seely, "An Act creating a commission to provide for the display of Utah's resources at the Alaska-Yukon-Pacific Exposition at Seattle, Washington, in the year 1909; to define its duties and powers; to make an appropriation therefor."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 88, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Horsley, Marks, John Y. Smith, Stookey, Williams.

S. B. No. 88 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day ordered returned, as per your request, substitute for H. B. No. 9, by Mr. Morris, in relation to estrays.

The bill is enclosed herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The rules were suspended, and H. B. No. 9, by Mr. Morris, was read the second and the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 3; nays, 14; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Sevy, Benner X. Smith, Wilson.

Those voting in the negative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, John Y. Smith, Stookey, Williams, Mr. President.

Absent and not voting: Mr. Marks.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 11th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State the following bills:

Senate Bill No. 66, by Mr. Badger, entitled, "An Act amending Section 1211, Compiled Laws of Utah, 1907, relating to proceedings for divorce."

Senate Bill No. 130, by Mr. Badger, entitled, "An Act amending Sections 1498 and 1503, Compiled Laws of Utah, 1907, relating to filing of copy of notice of mining location; fee; and of filing duplicate notice of mining location; fee."

Senate Bill No. 106, by Mr. Badger, entitled, "An Act amending Section 1117, Compiled Laws of Utah, 1907, relating to the width of public and private ways."

Senate Bill No. 68, by Mr. John Y. Smith, entitled, "An Act establishing a State Library-Gymnasium Commission; defining its powers, prescribing its duties, and providing for its maintenance."

Senate Bill No. 92, by Mr. Stookey, entitled, "An Act providing for archaeological and historical exploration and investigation in connection with the University of Utah; and making an appropriation therefor."

Senate Bill No. 104, by Mr. Bullen, entitled, "An Act amending Sections 1854, 1855, and 1861, Compiled Laws of Utah, 1907, creating a State Text Book Commission, and providing for the manner of selecting text books."

Senate Bill No. 51, by Mr. Marks, entitled, "An Act providing for the protection of fish, game, and birds; for the appointing of a Fish and Game Commissioner, chief deputy, chief wardens, hatchery superintendents, and special deputies; prescribing their powers and duties; providing for fish and game licenses, and a fish and game fund; providing for the building of fish hatcheries: and providing penalties for the violation of this act; and repealing Chapters 1 and 2, Title 25, Compiled Laws of Utah, 1907, and all acts, or parts of acts, in conflict herewith."

Also Senate Concurrent Resolution No. 2, by Mr. Williams, relating to engrossed bills.

Respectfully,

WILLIAM SPRY,
Governor.

Communication filed.

BILLS RECONSIDERED.

Mr. Wilson moved a reconsideration of the vote by which H. B. No. 59 was rejected. Carried.

On motion of Mr. Wilson, H. B. No. 59, by Mr. Henrie, entitled, "An Act providing an annual vehicle road tax and the manner of collecting and expending the same," was placed on its final passage, and passed by the following vote: Ayes, 10; nays, 5; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Bad-

ger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Sevy, Stookey, Williams, Wilson.

Those voting in the negative were: Messrs. Hulaniski, Marks, Seely, Benner X. Smith, Mr. President.

Those absent and not voting were: Messrs. Kuchler, Miller, John Y. Smith.

Mr. Williams was called to the chair.

Mr. Badger moved that the rules be suspended, and the reconsideration of H. B. No. 43 be taken up.

The roll being called, the motion prevailed by the following vote: Ayes, 10; nays, 5; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Marks, Stookey, Williams, Wilson.

Those voting in the negative were: Messrs. Hulaniski, Kuchler, Seely, Sevy, Benner X. Smith.

Those absent and not voting were: Messrs. Miller, John Y. Smith, Mr. President.

THIRD READING OF BILLS.

Senate Bill No. 133, by Mr. Horsley, entitled, "An Act amending Section 281, Compiled Laws of Utah, 1907, relating to the manner of colecting special taxes," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 10; nays, 2; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hulaniski, Kuchler, Marks, Benner X. Smith, Williams, Wilson.

Those voting in the negative were: Messrs. Hyde and Sevy.

Those absent and not voting were: Messrs. Bullen, Miller, Seely, John Y. Smith, Stookey, Mr. President.

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

The rules were suspended, and House Bill No. 65, by Mr. McCracken, entitled, "An Act authorizing the University of Utah to erect a central building at a cost not exceeding two hundred and fifty thousand dollars, and authorizing partial conversion of the University of Utah permanent land fund into cash, the loan thereof, and method of repaying the same," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Marks, Sevy, Benner X. Smith, Stookey, Williams, Wilson.

Voting in the negative: Mr. Seely.

Those absent and not voting were: Messrs. Miller, John Y. Smith, Mr. President.

The rules were suspended, and H. B. No. 22, by Mr. Ashton, entitled, "An Act amending Sections 720x, 720x1, 720x2, 720x3, 720x4, 720x5, 720x7, 720x10, 720x12, 720x14, 720x15, 720x16, and 720x21, Compiled Laws of Utah, 1907, relating to Juvenile Courts; the title, term of office, duties, appointment, and compensation of the Judge thereof and other officers connected therewith; providing for a Juvenile Court Commission, and specifying its duties and the duties of its secretary; defining the jurisdiction of Juvenile Courts; providing for jurisdiction of District Courts in certain districts; prescribing the powers, rights, proceedings, and practice of Juvenile Courts, and providing for the maintenance thereof; providing for appeals; for disposal of fines; and repealing all acts, or parts of acts, inconsistent herewith," was placed on its final passage, and passed by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Marks, Seely, Sevy, Benner X. Smith, Stookey, Williams.

Voting in the negative: Mr. Wilson.

Those absent and not voting were: Messrs. Brinkerhoff, Miller, John Y. Smith, Mr. President.

On motion of Mr. Benner X. Smith, the House was requested to return H. B. No. 232.

Mr. Kuchler moved that the Senate adjourn without day.

The motion was seconded by Mr. Hulaniski.

The chair ruled the motion out of order.

The President resumed the chair.

Mr. Kuchler moved that H. B. No. 43 be taken up at this time.

The roll being called, the motion was lost by the following vote: Ayes, 5; nays, 7; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Hulaniski, Kuchler, Seely, Benner X. Smith, Mr. President.

Those voting in the negative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hyde, Williams, Wilson.

Those absent and not voting were: Messrs. Bullen, Marks, Miller, Sevy, John Y. Smith, Stookey.

The rules were suspended, and H. B. No. 24, by Mr. Ashton, entitled, "An Act amending Sections 720x42 and 720x43, Compiled Laws of Utah, 1907, relating to the establishment and maintenance of detention schools for the care, custody, and education of dependent or delinquent children under eighteen years of age," was read the third time, and placed on its final passage, and failed to pass by the following vote: Ayes, 8; nays, 5; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Brinkerhoff, Burton, Horsley, Hyde, Seely, Benner X. Smith, Williams, Wilson.

Those voting in the negative were: Messrs. Badger, Hulaniski, Kuchler, Miller, Mr. President.

Those absent and not voting were: Messrs. Bullen, Marks, Sevy, John Y. Smith, Stookey.

Mr. Badger gave notice of motion to reconsider the vote by which H. B. No. 24 failed to pass.

The rules were suspended, and House Bill No. 25, by Mr. Ashton, entitled, "An Act amending Sections 720x24, 720x25, 720x29, 720x30, and 720x32, Compiled Laws of Utah, 1907, relating to the methods for the protection, disposition, and supervision of dependent, neglected, and ill-treated children, and to prescribe the punishment for such persons as are responsible for the care of children; and repealing all acts, or parts of acts, inconsistent herewith," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Marks, Sevy.

The rules were suspended, and House Bill No. 81, by Mr. Russell, entitled, "An Act to amend Section 4251, Compiled Laws of Utah, 1907, relating to owning or renting buildings, keeping, residing in, or resorting to houses of ill-fame," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, 3; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Marks, Sevy, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Hulaniski, Kuchler, Benner X. Smith.

Those absent and not voting were: Messrs. Miller, Seely, John Y. Smith.

The rules were suspended, and Senate Bill No. 93, by Mr. Williams, entitled, "An Act amending Section 1944, Compiled Laws of Utah, 1907, relating to the can-

vass of the ballots cast at a bond election; making returns thereof; filing statements relating thereto in the county clerk's office; issuing bonds; and providing for a tax for interest thereon and redemption thereof; and limiting the amount of bonds that may be issued," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Miller, Seely, Sevy, John Y. Smith.

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

Mr. Wilson moved that House Bill No. 43 be taken up for consideration. Carried.

Mr. Hulaniski moved that no business be transacted unless all Senators are in their seats, except those excused by the chair. Carried.

On motion of Mr. Benner X. Smith, the sergeant-at-arms was instructed to bring in the absent members.

The rules were suspended, and House Bill No. 43 was placed on its final passage, and passed, as amended, by the following vote: Ayes, 12; nays, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Marks, Miller, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Hulaniski, Hyde, Kuchler, Seely, Sevy, Benner X. Smith.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 144, by

Mr. Wilson, entitled, "An Act providing the manner of annexing that part of the territory of one or more counties to an adjoining county, and of creating new counties out of existing counties; and repealing Sections 487x5, 487x6, 487x7, 487x8, 487x9, 487x10, and 487x11, Compiled Laws of Utah, 1907," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 144 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 75, by Mr. Benner X. Smith, entitled, "An Act to amend Section 686x17, Compiled Laws of Utah, 1907, relating to and providing for appeals from City Courts to District Courts, and from District Courts to the Supreme Court in certain cases."

Also, S. B. No. 119, by Mr. Benner X. Smith (by request), entitled, "An Act to amend Section 2467, Compiled Laws of Utah, 1907, relating to certain agreements declared to be void unless in writing."

Also, S. B. No. 146, by Mr. Marks, entitled, "An Act to amend Sections 3091 and 3112, Compiled Laws of Utah, 1907, relating to garnishments."

Also, S. B. No. 206, by Mr. Hulaniski, entitled, "An Act approving, legalizing, and adopting the Compiled Laws of Utah, 1907," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. Nos. 75, 119, 146, and 206 were 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 76, by Mr. Benner N. Smith, entitled, "An Act for the protection of persons furnishing labor and material for the construction or repair of public buildings and public works," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 76 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 154, by Mr. H. Bullen Jr., entitled, "An Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to High Schools," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 154 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred S. B. No. 192, by Mr. Badger (by request), entitled, "An Act requiring the inspection of ice before it is offered for sale, and requiring the inspection of ponds before ice is taken therefrom," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and S. B. No. 192 was read the second time.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 133, by Mr. Dyreng, entitled, "An Act defining and classifying transient stock, and providing for the assessment, collection, and distribution of taxes on the same; providing penalties for violation of its provisions, and repealing Sections 2537, 2538, 2539, 2540, 2541, 2542, 2542x, 2542x1, 2542x2, 2542x3, 2542x4, 2542x5, and 2542x6, Compiled Laws of Utah, 1907," beg leave to report that they have had the same under consideration, and recommend the same to the consideration of the Senate.

Respectfully,
BENNER X. SMITH,
Chairman.

H. B. No. 133 was read the second time.

On behalf of the members and officers of the Senate, Mr. Benner X. Smith presented to President Gardner, in an appropriate speech, a gold watch, suitably inscribed. The President responded feelingly, and thanked the donors for the token of appreciation.

On motion of Mr. Hulaniski, the vote was reconsidered by which H. B. No. 24 was rejected.

H. B. No. 24 was requested returned from the House.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 154, by Mr. Bullen, entitled, "An Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to High Schools."

S. B. No. 75, by Mr. Benner X. Smith, entitled, "An Act to amend Section 686x17, Compiled Laws of Utah, 1907, relating to and providing for appeals from City Courts to District Courts, and from District Courts to the Supreme Court in certain cases."

S. B. No. 119, by Mr. Benner X. Smith, entitled, "An Act to amend Section 2467, Compiled Laws of Utah, 1907, relating to certain agreements declared to be void unless in writing."

S. B. No. 146, by Mr. Marks, entitled, "An Act to amend Section 3091, Compiled Laws of Utah, 1907, relating to garnishments."

S. B. No. 206, by Mr. Hulaniski, entitled, "An Act approving, legalizing, and adopting the Compiled Laws of Utah, 1907."

S. B. No. 76, by Mr. Benner X. Smith, entitled, "An Act for the protection of persons furnishing labor and material for the construction or repair of public buildings and public works."

S. B. No. 144, by Mr. Wilson, entitled, "An Act providing the manner of annexing that part of the territory of one or more counties to an adjoining county, and of creating new counties out of existing counties; and repealing Sections 487x5, 487x6, 487x7, 487x8, 487x9, 487x10, and 487x11, Compiled Laws of Utah, 1907."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 154, 75, 119, 146, 206, 76, and 144 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day ordered returned, as per your request, H. B. No. 24, by Mr. Ashton, "Relating to the establishment and maintenance of detention homes."

The same is enclosed herewith.

Respectfully,
ALEX. BUNCHANAN JR.,
Chief Clerk.

Communication filed.

House Bill No. 24, by Mr. Ashton, entitled, "An Act amending Sections 720x42 and 720x43, Compiled Laws of Utah, 1907, relating to the establishment and maintenance of detention homes for the care, custody, and education of dependent or delinquent children under eighteen years of age," was placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Bullen, Horsley, Hulaniski, Hyde, Marks, Miller, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Kuchler and John Y. Smith.

House of Representatives.
Salt Lake City, Utah, March 11th, 1909.

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

able body that the House of Representatives has this day passed S. B. No. 198, by Mr. Benner X. Smith, entitled, "An Act to amend Section 4278, Compiled Laws of Utah, 1907, relating to the location of pesthouses."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 198 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 197, by Mr. Benner X. Smith, entitled, "An Act to amend Section 1113x28, Compiled Laws of Utah, 1907, relating to the location of pesthouses."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 197 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 93, by Mr. Williams, entitled, "An Act amending Section 1944, Compiled Laws of Utah, 1907, relating to the canvass of the ballots cast at a bond election; making returns thereof; filing statements relating thereto in the county clerk's office; issuing bonds, and providing a tax for interest thereon and redemption

thereof, and limiting the amount of bonds that may be issued."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 93 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 80, by Mr. Williams, entitled, "An Act creating a State Dairy and Food Bureau; defining its duties and powers: and making an appropriation for the purpose of carrying out the provisions of this act."

The same is returned herewith for your further consideration.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Williams, the Senate concurred in the amendments by the House.

S. B. No. 80, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Marks, Miller, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Seely and Stookey.

S. B. No. 80 was referred to the Committee on Engrossed and Enrolled Bills.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Utah, March 11th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State, Senate Bill No. 138, entitled, "An Act to amend Sections 1288x6, 1288x7, 1288x8, 1288x10, 1288x13, 1288x14, 1288x15, 1288x16, 1288x17, 1288x24, and 907x, Compiled Laws of Utah, 1907, relating to the duties and powers of the State Engineer with reference to approval or rejection of applications for water rights; defining the time which may be allowed by the State Engineer for the beginning and completion of construction work upon water and irrigation works, and the beneficial use of water therefrom; empowering the State Engineer to grant extensions of time therefor; defining when and in what manner the place of diversion and the use of water may be changed; providing for the recording of instruments affecting applications for water rights, and what fees shall be charged and collected by State Engineer."

Respectfully.

WILLIAM SPRY,
Governor.

Communication filed.

THIRD READING OF BILLS.

The rules were suspended, and House Bill No. 231, by Committee on Deaf, Dumb, and Blind, entitled, "An Act to create the Utah Commission for the Adult Blind, and prescribing the powers and duties thereof; and making an appropriation to be expended by the said board for the objects and purposes for which the same is created," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 18; nays, none.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuehler, Marks, Miller, Seely, Sevy, Benner X.

Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Senate Joint Resolution No. 4, by Mr. Benner X. Smith, entitled, "Resolution: 'Proposing an amendment to Section 1, Article XXII, of the Constitution of Utah, relating to Homestead Exemption,' authorizing the Legislature to subject a 'Homestead' to execution sale to satisfy judgments obtained on mechanics' and material men's lien, lawful mortgage liens, and purchase money, and tax liens," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, 5; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Mr. President.

Those voting in the negative were: Messrs. Badger, Brinkerhoff, Marks, Williams, Wilson.

Absent and not voting: Mr. Stookey.

The rules were suspended, and Senate Joint Resolution No. 3, by Mr. Badger, entitled, "A Resolution proposing an amendment to the Constitution of the State of Utah, by enacting a new section, prohibiting the manufacture, sale, and gift of intoxicating liquors," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 8; nays, 8; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Brinkerhoff, Burton, Horsley, Hyde, Sevy, John Y. Smith, Williams, Wilson.

Those voting in the negative were: Messrs. Badger, Bullen, Hulaniski, Marks, Miller, Seely, Stookey, Mr. President.

Those absent and not voting were: Messrs. Kuchler and Benner X. Smith.

Mr. Badger gave notice of motion to reconsider the vote by which S. J. R. No. 3 failed to pass.

House Bill No. 229, by Commiteee on Counties, entitled, "An Act to amend Sections 464 and 475, Compiled Laws of Utah, 1907, relating to the boundary lines of Salt Lake and Davis Counties," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 5; nays, 12; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Bullen, Burton, Hyde, Miller, Seely.

Those voting in the negative were: Messrs. Badger, Brinkerhoff, Horsley, Hulaniski, Kuchler, Marks, Sevy, Benner X. Smith, John Y. Smith, Williams, Wilson, Mr. President.

Absent and not voting: Mr. Stookey.

The rules were suspended, and Senate Joint Resolution No. 8, by Mr. Williams, "A Joint Resolution proposing an amendment to Section 1, of Article XIV, of the Constitution of the State of Utah, in relation to the limit of the State indebtedness," was read the first, second, and third times, and placed on its final passage, and passed by the following vote: Ayes, 12; nays, 3; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Hulaniski, Hyde, Marks, Seely, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Horsley, Miller, Sevy.

Those absent and not voting were: Messrs. Bullen, Kuchler, Benner X. Smith.

The rules were suspended, and Senate Bill No. 187, by Mr. Benner X. Smith, entitled, "An Act validating certain acts of the County Commissioners in counties of the first class," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 14; nays, 3; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Bad-

ger, Brinkerhoff, Burton, Horsley, Hyde, Kuchler, Marks, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those voting in the negative were: Messrs. Bullen, Hulaniski, Miller.

Absent and not voting: Mr. Seely.

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

Senate Bill No. 159, by Mr. Benner X. Smith, entitled, "An Act to create the office of Utah Commissioner of Boats and Pilots; to provide for licensing of pilots; defining the duties of said Commissioner of Boats and Pilots; and to provide penalties for the violation of this act," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, John Y. Smith, Stookey.

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

The rules were suspended, and Senate Bill No. 210, by Mr. Badger, entitled, "An Act amending Sections 430x1, 430x2, 430x3, and 430x5, Compiled Laws of Utah, 1907, relating to corporate suretyship," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. John Y. Smith and Stookey.

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

On motion of Mr. Benner X. Smith, the House was requested to return H. B. No. 230 to the Senate.

Mr. Badger moved the reconsideration of the vote by which S. J. R. No. 3 failed to pass.

The roll being called, the motion prevailed by the following vote: Ayes, 10; nays, 7; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Sevy, John Y. Smith, Williams, Wilson.

Those voting in the negative were: Messrs. Hulaniski, Kuchler, Marks, Miller, Seely, Benner X. Smith, Mr. President.

Absent and not voting: Mr. Stookey.

Senate Joint Resolution No. 3, by Mr. Badger, was placed on its final passage, and failed to pass by the following vote: Ayes, 9; nays, 8; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hyde, Sevy, John Y. Smith, Williams, Wilson.

Those voting in the negative were: Messrs. Bullen, Hulaniski, Kuchler, Marks, Miller, Seely, Benner X. Smith, Mr. President.

Absent and not voting: Mr. Stookey.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day amended H. B. No. 167, by Mr. Thornley, entitled, "An Act providing for the registration and numbering of motor vehicles and chauffeurs, and their use of the public highways; and imposing penalties for the violation of its provisions," as follows:

On page 2, line 12, insert after the word "person" the words "now or".

The same is transmitted herewith for your concurrence.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

On motion of Mr. Wilson, the Senate concurred in the amendment by the House.

H. B. No. 167, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 13; nays, 3; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Marks, Miller, Seely, Sevy, John Y. Smith, Williams, Wilson.

Those voting in the negative were: Messrs. Kuchler, Benner X. Smith, Mr. President.

Those absent and not voting were: Messrs. Hulaniski and Stookey.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representatives Thompson, Wm. McMillan, and McCracken to meet with a like committee from the Senate, to confer on Senate amendments to H. B. No. 43, by Mr. Wm. McMillan.

Respectfully,

ALEX. BUCHANAN JR.,

Chief Clerk.

Communication filed.

The President appointed Messrs. Kuchler, Seely, and Sevy.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day returned, without his approval, H. B. No. 39, by Mr. Holman, "An Act creating Section 1348x, relating to libel," with the recommendation that the title to said bill be so amended that it will comply with the provisions of Section 23, of Article VI, of the Constitution, which provides that "no bill shall be passed containing more than one subject, which shall be clearly expressed in the title."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Governor has this day returned, without his approval, H. B. No. 226, by Committee on Live Stock, "An Act relating to bulls and their use upon the public range, and repealing Section 57, Compiled Laws of Utah, 1907," with the recommendation that the same be so amended as to include in the body of the bill the "repealing of Section 57, Compiled Laws of Utah, 1907," as mentioned in the title.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. J. R. No. 14, by Mr. Wootton, entitled, "A Resolution proposing an amendment to Section 2, of Article X, of the Constitution of the State of Utah, as amended January 1st, 1907, relating to the public school

system, and Section 3, of Article X, of the Constitution of the State of Utah, relating to the State school fund."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. R. No. 14 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representatives Porter, Fuller, and Hayes as a committee to meet with a like committee from the Senate, to jointly consider H. B. No. 231, by Committee on Deaf, Dumb, and Blind.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The President appointed Messrs. Wilson, Williams, and Badger.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 157, by Mr. Hyde, entitled, "An Act requiring all persons to procure a license before engaging in the dairy business; defining and regulating such business; fees and license therefor, and by whom issued; and providing a penalty for a violation of any provision of this act."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 148, by Committee on Manufactures and Commerce, "An Act relating to the manufacture, sale, bartering, giving away, or otherwise furnishing of intoxicating liquors; providing for the licensing, regulation, and control of the same by the State Board of Examiners; providing for elections to determine whether licenses shall be granted for the sale of intoxicating liquors; designating voting districts; and prescribing the manner of holding elections; declaring certain rules of evidence and pleading applicable to prosecutions under this act; providing penalties for the violation of any of the provisions of this act, and means for the enforcement of the same; and making an appropriation for carrying out the provisions of this act; and repealing Sections 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1260x, and 1260x1, Compiled Laws of Utah, 1907."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Mr. Badger moved that Senate Bill No. 148, as amended, be read.

The motion prevailed, and S. B. No. 148 was read.

Mr. Benner X. Smith moved that S. B. No. 148 be returned to the House, with the suggestion that the amendments are not designated on the original bill. Carried.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 89, by

Mr. Marks, entitled, "An Act providing for police and fire departments in cities of this State of 12,000 and more inhabitants; providing a Board of Police and Fire Commissioners for cities of the first class; defining their powers and duties; providing for the control and maintenance of said board in cities of the first class; and providing the powers and duties of said departments in said cities; and repealing Chapter 12, Title 13, Compiled Laws of Utah, 1907, and all other acts, or parts of acts, in conflict herewith," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,

CHARLES E. MARKS,

Chairman.

S. B. No. 89 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.

Senate Committee Room,

Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 129, by Mr. Badger (by request), entitled, "An Act amending Section 973, Compiled Laws of Utah, 1907, relating to fees of county recorders."

Also, S. B. No. 55, by Mr. C. Burton Jr., entitled, "An Act amending Section 2357x, Compiled Laws of Utah, 1907, relating to the disposition of money derived from the investment of land grant funds," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,

CHARLES E. MARKS,

Chairman.

S. B. No. 129, and S. B. No. 55 were read by title, and signed by the President, in open session, in the pres-

ence of the Senate, and transmitted to the House for the signature of the Speaker.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 87, by Mr. Williams, entitled, "An Act providing for the enrollment and organization of the militia of the State; providing for the staff of the Commander-in-Chief, and the organization, equipment, discipline, duties, pay, and government of the National Guard of Utah; and providing penalties for unlawful interference with the members thereof while on duty; and providing for military courts and the jurisdiction thereof; and for the care and custody of Government and State military property; and providing penalties for the unlawful use and disposition of the same; and repealing Sections 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1494x3 1494x4, and 1494x5, Compiled Laws of Utah, 1907." beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 87 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 88, by Mr.

Seely, entitled, "An Act creating a Commission to provide for the display of Utah's resources at the Alaska-Yukon-Pacific Exposition at Seattle, Washington, in the year 1909; to define its duties and powers; to make an appropriation therefor," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 88 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Speaker of the House and President of the Senate:

Your conference committee, to whom was referred H. B. No. 161, by Mr. Henrie, providing for the bounties upon wild animals, etc., beg leave to report that we have duly considered the amendments made to said bill by the Senate, and recommend that the House concur in the Senate amendments.

Respectfully,
JOHN H. SEELY,
JAS. B. WILSON,
R. W. SEVY,
Senate Conference Com.
JOHN N. HENRIE,
FRANCIS NIELSON,
House Conference Com.

The report of the Committee was adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

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

passed, as amended, S. B. No. 202, by Committee on Appropriations and Claims, entitled, "An Act making appropriations for the support of the State government for two years, beginning January 1st, 1909, and ending December 31st, 1910, and for other purposes."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

On motion of Mr. Miller, a conference committee consisting of Messrs. Williams, Stookey, and Miller, was appointed by the President to confer with a like committee from the House on certain amendments to S. B. No. 202.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day ordered returned as per your request, H. B. No. 232, by Mr. Archibald, "Relating to classification of cities."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed H. B. No. 238, by Mr. Holman, "An Act relating to libel, and providing a penalty therefor."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 238 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 190, by Mr. Badger, entitled, "An Act amending Section 1102, Compiled Laws of Utah, 1907, relating to the duties, salary, and expenses of the Secretary of the Board of Health."

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, under suspension of the rules, H. B. No. 239, by Mr. Henrie, "An Act relating to bulls and their use upon public range, and repealing Section 57, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 239 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

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

ordered the return, as per your request, of H. B. No. 230, by Mr. Nielson, for further consideration.

The same is enclosed herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. J. R. No. 4, by Mr. Benner X. Smith, entitled, "A Resolution proposing an amendment to Section 1, Article XXII, of the Constitution of Utah, relating to 'Homestead Exemption;' authorizing the Legislature to subject a 'Homestead' to execution sale to satisfy judgments obtained on mechanics' and material men's liens, lawful mortgage liens, and purchase money and tax liens."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, under suspension of the rules, H. B. No. 240, by Mr. Hansen, entitled, "An Act relating to the manufacture, sale, bartering, giving away, or otherwise furnishing of intoxicating liquors; providing for the licensing, regulation, and control of the same by the State Board of Examiners; providing for elections to determine whether licenses shall be granted for the sale of intoxicating liquors; designating voting districts and prescribing the manner of holding elections; declaring certain rules of evidence and pleading applicable to prosecutions under

this act; providing penalties for the violation of any of the provisions of this act, and means for the enforcement of the same; and making an appropriation for carrying out the provisions of this act; and repealing Sections 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1260x, and 1260x1, Compiled Laws of Utah, 1907."

The same is transmitted herewith for your action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 240 was read the first time, and referred to the Sifting Committee.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. J. R. No. 8, by Mr. Williams, entitled, "A Joint Resolution proposing an amendment to Section 1, of Article XIV, of the Constitution of the State of Utah, in relation to the limit of the State indebtedness."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. J. R. No. 8 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. J. R. No. 2, by Mr. Miller, entitled, "A Joint Resolution proposing an amendment to Section 7, of Article XIII, of the Constitution of the State of Utah, relating to the rate of taxation."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. J. R. No. 2, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Seely, John Y. Smith.

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

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 211, by Mr. Miller, entitled, "An Act to provide 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 nine and nineteen hundred and ten."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 211 was referred to the Commttee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House:

H. B. No. 48, by Mr. Pope, "An Act in relation to creation of irrigation districts, etc."

H. B. No. 222, by Committee on Judiciary, "An Act to amend Section 511, Compiled Laws of Utah, 1907, relating to County Commissioners."

H. B. No. 177, by Mr. Hansen, An Act providing for the organization of county insurance companies to insure against loss by fire and lightning."

H. B. No. 65, by Mr. McCracken, "An Act authorizing the University of Utah to erect a central building, etc."

H. B. No. 182, by Mr. Thompson, "An Act amending Section 965, Compiled Laws of Utah, 1907, fixing the fees to be charged by the Secretary of State."

H. B. No. 220, by Mr. Russell, "An Act relating to the employment of citizens of the United States on public works."

H. B. No. 167, by Mr. Thornley, "An Act to provide for the registration of motor vehicles and chauffeurs."

H. B. No. 81, by Mr. Russell, "An Act to amend Section 4251, Compiled Laws of Utah, 1907, relating to owning or renting buildings, etc."

H. B. No. 161, by Mr. Henrie, "An Act creating a State bounty fund."

The same are transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. Nos. 48, 222, 177, 65, 182, 220, 167, 81, and 161 were read by title, and signed by the President, in open session, in the presence of the Senate.

On motion of Mr. Wilson, the action of the Senate on H. B. No. 232 was reconsidered.

The rules were suspended, and H. B. No. 232, by Mr. Archibald, entitled, "An Act to amend Section 174 and 175, Compiled Laws of Utah, 1907, relating to the classification of cities and the manner of changing the class of a city; and relating to the boundaries of school districts in case of change of class," was read the third time, and placed on its final passage, and passed, as amended in title and body, by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Marks, John Y. Smith.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 11th, 1909.

To the Senate:

I have this day approved and filed with the Secretary of State the following bills:

Senate Bill No. 76, by Mr. Benner X. Smith, entitled "An Act for the protection of persons furnishing labor and material for the construction or repair of public buildings and public works."

Senate Bill No. 119, by Mr. Benner X. Smith, entitled, "An Act to amend Section 2467, Compiled Laws of Utah, 1907, relating to certain agreements declared to be void unless in writing."

Senate Bill No. 206, by Mr. Hulaniski, entitled, "An Act approving, legalizing, and adopting the Compiled Laws of Utah, 1907."

Senate Bill No. 146, by Mr. Marks, entitled, "An Act to amend Sections 3091 and 3112, Compiled Laws of Utah, 1907, relating to garnishments."

Senate Bill No. 154, by Mr. Bullen, entitled, "An Act amending Sections 1830 and 1832, Compiled Laws of Utah, 1907, relating to High Schools."

Respectfully,

WILLIAM SPRY,
Governor.

Communication filed.

REPORT OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Speaker of the House and President of the Senate:

Your Conference Committee, to whom was referred H. B. No. 231, by Committee on Deaf, Dumb, and Blind, entitled, "An Act to create the Utah Commission for the Blind, and prescribing the powers and duties thereof; and making an appropriation to be expended by the said Board for the objects and purposes for which the same is created," beg leave to report that we have duly considered same as amended by the Senate, and recommend that the House concur in the amendment as made by the Senate, and that the bill be passed by the House.

Respectfully,

JAS. B. WILSON,
W. N. WILLIAMS,
CARL, A. BADGER,
Senate Conference Committee.
JOSEPH R. PORTER,
ORVIL L. THOMPSON,
GEO. A. FULLER,
House Conference Committee.

The report of the Committee was adopted.

THIRD READING OF BILLS.

On motion of Mr. Benner X. Smith, the rules were suspended, and House Bill No. 230, by Mr. Nielson, enti-

tled, "An Act to prevent certain abuses connected with the drilling, operation, and abandonment of wells on lands producing or containing petroleum or natural gas," was read the third time.

The previous action of the Senate on H. B. No. 230 was reconsidered.

H. B. No. 230 was placed on its final passage, and passed by the following vote: Ayes, 15; nays, 1; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Miller, Seely, Sevy, Benner X. Smith, Stookey, Williams, Wilson.

Voting in the negative: Mr. President.

Those absent and not voting were: Messrs. Marks and John Y. Smith.

The rules were suspended, and House Bill No. 82, by Mr. Porter, entitled, "An Act creating the office of State Veterinarian; providing for the appointment of assistants; prescribing their duties, and fixing their compensation; and making regulations for the prevention of the spread of contagious diseases among certain live stock," was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 14; nays, none; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Seely, Sevy, Benner X. Smith, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Marks, Miller, John Y. Smith, Williams.

The rules were suspended, and House Bill No. 133, by Mr. Dyreng, entitled, "An Act defining and classifying transient stock, and providing for the assessment, collection, and distribution of taxes on the same; providing penalties for violation of its provisions; and repealing Sections 2537, 2538, 2539, 2540, 2541, 2542, 2542x, 2542x1,

2542x2, 2542x3, 2542x4, 2542x5, and 2542x6, Compiled Laws of Utah, 1907," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Burton, Horsley, Hyde, Kuchler, Miller, Seely, Sevy, Benner X. Smith. Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Bullen, Hulaniski, Marks, John Y. Smith.

House Bill No. 190, by Mr. McCracken, entitled, "An Act to amend Sections 545 and 551, Compiled Laws of Utah, 1907, relating to the term of office and bond of the sheriff and county clerk," was read the third time, and placed on its final passage, and failed of passage by the following vote: Ayes, 5; nays, 11; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Burton, Hulaniski, Seely, Stookey, Williams.

Those voting in the negative were: Messrs. Badger, Brinkerhoff, Bullen, Horsley, Hyde, Marks, Miller, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Kuchler and John Y. Smith.

On motion of Mr. Badger, the House was requested to inform the Senate as to the present status of S. B. No. 148.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representatives McMillin, Davis, and Morris as a conference committee to act with Senate committee in considering House amendments to

S. B. No. 202, by Committee on Appropriations and Claims.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 209, by Sifting Committee, entitled, "An Act creating annual license taxes payable by all domestic and foreign corporations in this State, with certain exceptions; providing for penalties and forfeitures and the enforcement thereof; and for the revocation of the charters of domestic corporations failing to comply with the provisions of this act; and repealing Sections 456x6, 456x7, 456x8, 456x9, and 456x10, Compiled Laws of Utah, 1907."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

Senate Bill No. 209, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Burton, Miller, John Y. Smith, Stookey.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 204, by Mr. Benner X. Smith (by request), "An Act to amend Section 1241x1, Compiled Laws of Utah, 1907, prohibiting the taking of usurious interest, and providing a penalty therefor."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

Senate Bill No. 204, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 11; nays, none; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Hulaniski, Hyde, Marks, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Burton, Horsley, Kuchler, Miller, John Y. Smith, Stookey, Williams.

S. B. No. 204 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 158, by Mr. Seely, entitled, "An Act to provide for a Utah State Conservation Commission, and prescribing the powers and duties of such Commission; and appropriating the sum of $3,000.00 per annum to be expended by said commission for certain purposes."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 158 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your committee appointed to confer with the House Committee on H. B. No. 43, by Mr. McMillan, beg leave to report that they have met with said Committee, and have been unable to agree, the Senate Committee refusing to recede from its position, and the House Committee refusing to concur in the Senate amendments.

Respectfully,

RUDOLPH KUCHLER,
Chairman.
JOHN H. SEELY,
R. W. SEVY,
ORVIL L. THOMPSON.
JAMES B. McCRACKEN,
WM. McMILLAN.

The report of the Committee was adopted, and the Committee discharged.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 239, by Committee on Live Stock, entitled, "An Act relating to bulls and their use upon public range; and repealing Section 57, Compiled Laws of Utah, 1907," beg leave to report that they have had the

same under consideration, and recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted.

The rules were suspended, and House Bill No. 239 was read the second and the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hulaniski, Hyde, Miller, John Y. Smith, Stookey, Williams.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. B. No. 238, by Mr. Holman, entitled, "An Act relating to libel, and providing a penalty therefor," beg leave to report that they have had the same under consideration, and recommend the following amendment thereto:

Begin line 1 with "Sec. 1".

With this amendment, we recommend that the bill be passed.

Respectfully,
BENNER X. SMITH,
Chairman.

The report of the Committee was adopted, and H. B. No. 238 was read the second time.

The rules were suspended, and House Bill No. 238 was read the third time, and placed on its final passage, and passed, as amended, by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Kuehler, Marks, Seely, Sevy, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hyde, Miller, Benner X. Smith, John Y. Smith, Stookey, Williams.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 94, by Mr. Badger, entitled, "An Act to amend Section 206, Compiled Laws of Utah, 1907, relating to the powers of City Councils," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 94 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 197, by Mr. Benner X. Smith, entitled, "An Act to amend Section 1113x28, Compiled Laws of Utah, 1907, relating to the location of pesthouses," beg leave to report that they have had same carefully engrossed and enrolled, and present same for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 197 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 32, by Mr. Sevy, entitled, "An Act to amend Section 2549, Compiled Laws of Utah, 1907, relating to notice to taxpayers by County Treasurers."

Also, S. B. No. 198, by Mr. Benner N. Smith, entitled, "An Act to amend Section 4278, Compiled Laws of Utah, 1907, relating to the location of pesthouses."

Also, S. B. No. 208, substitute for No. 141, by Sifting Committee, entitled, "An Act providing for the exchange of water for irrigation and culinary purposes."

Also, S. B. No. 205, by Mr. Bullen, entitled, "An Act amending Section 2075, Compiled Laws of Utah, 1907, relating to the appointment of the Board of Trustees of the Agricultural College and fixing their terms of office."

Also, S. B. No. 196, by Mr. Sevy, entitled, "An Act authorizing the Governor to accept from the United States the property known as the Panguitch School, including the lands, buildings, and fixtures pertaining to such school, upon certain conditions."

Also, S. J. R. No. 8, by Mr. Williams, entitled, "A Joint Resolution proposing an amendment to Section 1, of Article XIV, of the Constitution of the State of Utah, in relation to the limit of State indebtedness," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,

CHARLES E. MARKS,
Chairman.

S. B. Nos. 32, 198, 208, 205, 196, and S. J. R. No. 8, were 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 174, by Mr. Wilson, entitled, "An Act to amend Section 2357, Compiled Laws of Utah, 1907, relating to the investment of State funds and their securities," beg leave to report they have had same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 174 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 93, by Mr. Williams, entitled, "An Act amending Section 1944, Compiled Laws of Utah, 1907, relating to the canvass of the ballots cast at a bond election; making returns thereof; filing statements relating thereto in the County Clerk's office; issuing bonds, and providing a tax for interest thereon and redemption thereof; and limiting the amount of bonds that may be issued," beg leave to report they have had same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 93 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 61, by Mr. Burton, entitled, "An Act providing for an Insurance Department; enacting an insurance code, and regulating insurance companies and their business; and fixing certain fees to be charged and collected by the Commissioner of Insurance; and repealing Sections 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 422x, 422x1, and 422x2, Compiled Laws of Utah, 1907, relating to and regulating insurance companies and their business," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 61 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 85, by Mr. Hyde, entitled, "An Act to amend Section 213, Compiled Laws of Utah, 1907, relating to city officers, and providing for the appointment of a marshal in cities of less than 12,000 inhabitants," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 85 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 117, by Mr. Benner X. Smith, entitled, "An Act amending Sections 1712, 1714, 1715, 1716, 1717, 1718, 1720, 1726, 1727, and 4282, Compiled Laws of Utah, 1907, relating to the State Board of Pharmacy; the appointment, terms, qualification, compensation, and duties of its members; the registration of pharmacists and assistant pharmacists, and their certificates; and prohibiting the sale of poison to certain persons; and regulating the sale of poisons; and providing penalties therefor," beg leave to report they have had same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 117 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 80, by Mr. Williams, entitled, "An Act creating a State Dairy and Food Bureau; defining its duties and powers; and making an appropriation for the purpose of carrying out the provisions of this act," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 80 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 177, by Committee on Public Health, entitled, "An Act creating the position of State Bacteriologist and Pathologist, and defining his duties; and providing for a State public health laboratory and its location," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 177 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 166, by Mr. Williams, entitled, "An Act to amend Sections 2098x1, 2098x2, 2098x16, and 2098x17, Compiled Laws of Utah, 1907, in relation to the Utah Art Institute, and annual prizes to be paid for painting; and making an appropriation therefor," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 166 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and

Enrolled Bills, to whom was referred S. B. No. 204, by Mr. Benner X. Smith (by request), entitled, "An Act to amend Section 1241x1, Compiled Laws of Utah, 1907, prohibiting the taking of usurious interest, and providing a penalty therefor," beg leave to report they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 204 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 186, by Mr. Williams, entitled, "An Act authorizing the State Board of Examiners to set apart a portion of the capitol grounds for the use of the National Guard of Utah, and authorizing the State Armory Board to construct an armory and arsenal thereon," beg leave to report that they have had same carefully engrossed and enrolled, and present same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 186 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.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 11th, 1909.

To the Senate:

I have this day appointed the following named per-

sons to the positions below enumerated, and invite your advise and consent thereto:

Regents of the University of Utah.

Frank Pierce, Salt Lake City.
Richard W. Young, Salt Lake City.
W. N. Williams, Salt Lake City.
Frank B. Stephens, Salt Lake City.
Each to serve for a period of four years, commencing July 1st, 1909.

Trustees Agricultural College.

Thomas Smart, Logan.
J. W. N. Whitecotton, Provo.
Mathonihah Thomas, Salt Lake City.
Lorenzo N. Stohl, Brigham.
Susa Y. Gates, Salt Lake City.

Trustees State School for Deaf.

Maud May Babcock, Salt Lake City.
John W. N. Volker, Ogden.
Each to serve for a period of six years.

Directors Utah State Fair Association.

Lester D. Freed, Salt Lake City.
William C. Winder, Salt Lake City.
Mrs. P. J. Riter, Salt Lake City.
F. J. Hendershot, Ogden.
W. F. Armstrong, Salt Lake City.
Each to serve for a period of four years.

State Board of Education.

D. H. Christensen, Salt Lake City.
Carl A. Marcuson, Price.
Each to serve for a period of four years.

State Board of Labor, Conciliation, and Arbitration.

John Dern, Salt Lake City.
Wm. Drysdale, Ogden.
Each to serve for a period of four years.

State Board of Sheep Commissioners.

L. R. Anderson, Manti.
J. S. Ostler, Nephi.
Thos. W. Jones, Salt Lake City.
Each to serve for a period of four years.

State Board of Health.

A. F. Doremus, Salt Lake City.
H. K. Merrill, Logan.
Each to serve for a period of seven years.

State Board of Pharmacy.

Alexander Hedquist, Provo.
J. L. Franken, Salt Lake City.

State Board of Corrections.

Dr. G. B. Pfoutz, Salt Lake City.
S. W. Stewart, Salt Lake City.

State Board of Dental Examiners.

Dr. A. C. Wherry, Salt Lake City.
Dr. W. G. Dalrymple, Ogden.
Each for a period of four years.
Dr. Enoch Van Cott, Salt Lake City.
Dr. S. H. Clawson, Salt Lake City.
Dr. E. A. Tripp, Salt Lake City.
Each for a period of two years.

State Board of Examiners of Barbers.

Wm. M. Piggott, Ogden.
David J. Watts, Salt Lake City.
Each to serve for a period of three years.

State Board of Medical Examiners.

Dr. D. C. Budge, Logan.
Dr. A. S. Condon, Ogden.
Dr. Chas. L. Olson, Murray.

Dr. F. E. Straup, Bingham.
Dr. A. P. Hibbs, Ogden.
Dr. H. Z. Lund, Salt Lake City.
Dr. I. C. Smullyan, Salt Lake City.
Dr. Robert R. Hampton, Salt Lake City.
Dr. G. F. Harding, Salt Lake City.

State Board of Examiners in Optometry.

F. J. Alexander, Salt Lake City.
H. O. Jensen, Salt Lake City.
L. W. Snow, Salt Lake City.

Park Commissioners.

Jos. R. Murdock, Heber City.
Byron Cummings, Salt Lake City.

State Board of Accountancy.

W. J. Bateman, Salt Lake City.
J. P. Goddard, Logan.
D. A. Swan, Salt Lake City.

Utah Board of Commissioners for the Uniformity of Legislation in the United States.

Benner X. Smith, Salt Lake City.
Jerrold R. Letcher, Salt Lake City.
L. L. Baker, Tooele.

Commissioners of Indian War Records.

J. M. Westwood, Springville.
M. L. Pratt, Provo.
J. H. Arthur, Cedar City.

State Bank Examiner.

C. A. Glazier, Provo, Utah.

State Coal Mine Inspector.

John E. Pettit, Coalville.

State Chemist.

Herman Harms, Salt Lake City.

State Engineer.

Caleb Tanner, Provo.

State Dairy and Food Commissioner.

Willard Hansen, Salt Lake City.

State Board of Land Commissioners.

W. D. Candland, Mt. Pleasant.
W. H. Thain, Logan.
M. M. Steele, Panguitch.
A. G. Giauque, Salt Lake City.
W. H. Farnsworth, Salt Lake City.

State Board of Equalization.

R. W. Salisbury, Salt Lake City.
Harden Bennion, Vernal.
Each for a period of four years.
George A. Black, Salt Lake City.
For a period of two years.

State Fish and Game Warden.

Fred. W. Chambers, Ogden, Utah.

State Horticultural Inspector.

J. E. Taylor, Salt Lake City.

Trustees Industrial School.

Harry S. Joseph, Salt Lake City.
John Walsh, Farmington.
Harold E. Peery, Ogden.

Respectfully,

WILLIAM SPRY,
Governor.

Communication filed.

Mr. Benner X. Smith moved a reconsideration of the action by which the Senate concurred in the House amendment to S. B. No. 209, and that a conference committee be appointed to confer with a like committee from the House. Carried.

The President appointed Messrs. Benner X. Smith, Hulaniski, and Badger.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 159, by Mr. Benner X. Smith, entitled, "An Act to create the office of Utah Commissioner of Boats and Pilots; to provide for licensing of pilots; defining the duties of said Commissioner of Boats and Pilots, and to provide penalties for the violation of this act."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 88, by Mr. Seely, entitled, "An Act creating a Commission to provide for the display of Utah's resources at the Alaska-Yukon-Pacific Exposition at Seattle, Washington, in the year 1909; to define its duties and powers; to make an appropriation therefor."

The same is returned herewith for transmission to the Governor.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk

Communication filed.

S. B. No. 88 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. J. R. No. 6, by Mr. Hyde, entitled, "A Joint Resolution requesting the Senators and Representative in Congress from Utah to endeavor to secure an amendment to the interstate commerce act to prohibit the shipment of alcoholic liquors in certain cases."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. J. R. No. 6 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 194, by Mr. Benner X. Smith, entitled, "An Act amending Sections 3533 and 3534, Compiled Laws of Utah, 1907, specifying how land shall be partitioned, if possible; providing for the sale of same, and the appointment of referees where it is impossible to partition same, and for improvements thereon."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 194, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 12; nays, none; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Kuchler, Marks, Seely, Sevy, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hulaniski, Miller, Benner X. Smith, John Y. Smith, Stookey, Williams.

S. B. No. 194 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. J. M. No. 2, by Mr. Kuchler, "Relating to mining and live stock industry in the State of Utah."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. J. M. No. 2, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Kuchler, Marks, Miller, Seely, Sevy, Stookey, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hulaniski, Hyde, Benner X. Smith, John Y. Smith, Williams.

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

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 142, by Mr. Marks, "An Act to prevent the use of defective devices for testing the quantity and value of milk, cream, butter, or cheese; and providing a penalty for the violation of this act."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 142 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representative Barnett, Dyreng, and Ashton as a Conference Committee to act

with Senate Committee in considering House amendments to S. B. No. 209.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that S. B. No. 148 is now in the hands of the House Sifting Committee.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 87, by Mr. Williams, "An Act providing for the enrollment and organization of the militia of the State; providing for the staff of the Commander-in-Chief, and the organization, equipment, discipline, duties, pay, and government of the National Guard of Utah; and providing penalties for unlawful interference with the members thereof while on duty; and providing for military courts and the jurisdiction thereof, and for the care and custody of Government and State military property; and providing penalties for the unlawful use and disposition of the same; and repealing Sections 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1549, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484,

1485, 1486, 1487, 1488, 1489, 1490, 1491, 492, 1493, 1494x3, 1494x4, aud 1494x5, Compiled Laws of Utah, 1907."

The same is returned herewith for transmission to the Governor.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 87 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 129, by Mr. Badger, "An Act amending Section 973, Compiled Laws of Utah, 1907, relating to fees of County Recorders."

S. B. No. 55, by Mr. C. Burton, Jr., "An Act amending Section 2357x, Compiled Laws of Utah, 1907, relating to the disposition of money derived from the investment of land grant funds."

S. B. No. 89, by Mr. Marks, "An Act providing for police and fire departments in cities of this State of 12,000 and more inhabitants; providing a board of police and fire commissioners for cities of the first class; defining their powers and duties; providing for the control and maintenance of said board in cities of the first class, and providing the powers and duties of said departments in said cities; and repealing Chapter 12, Title 13, Compiled Laws of Utah, 1907, and all other acts and parts of acts in conflict herewith."

The same are returned herewith for transmission to the Governor.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. Nos. 129, 55, and 89 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended in title and body, S. B. No. 210, by Mr. Badger (by request), entitled, "An Act amending Sections 430x1, 430x2, and 430x3, Compiled Laws of Utah, 1907, relating to corporate suretyship."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

S. B. No. 210, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 18; nays, none.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Miller, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

S. B. No. 210 was referred to the Committee on Engrossed and Enrolled Bills.

Mr. Badger moved that H. B. No. 240 be recalled from the Sifting Committee and considered by the Senate.

The roll being called, the motion failed by the following vote: Ayes, 10; nays, 8; absent and not voting, none.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Marks, Seely, Sevy, Williams.

Those voting in the negative were: Messrs. Hulaniski, Kuchler, Miller, Benner X. Smith, John Y. Smith, Stookey, Wilson, Mr. President.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 211, by Mr. Miller, 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 nine and nineteen hundred and ten."

Also, S. B. No. 194, by Mr. Benner X. Smith, entitled, "An Act amending Sections 3533 and 3534, Compiled Laws of Utah, 1907, specifying how land shall be partitioned, if possible; providing for the sale of same, and the appointment of referees where it is impossible to partition same, and for improvements thereon."

Also, S. B. No. 158, by Mr. Seely, entitled, "An Act to provide for a Utah State Conservation Commission, and prescribing the powers and duties of such commission; and appropriating the sum of $3,000.00 per annum, to be expended by said commission for certain purposes," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

Senate Bills Nos. 211, 194, and 158 were read by title, and signed by the President, in open session, in the pres-

ence of the Senate, and transmitted to the House for the signature of the Speaker.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Conference Committee, to whom was referred Senate Bill No. 79, by Mr. Williams, "An Act creating a State Armory Board, and constituting it a body corporate, under the name of 'State Armory Board;' defining its powers and duties; making certain appropriations for its use; authorizing it to erect a State Arsenal and Armory in Salt Lake City, Salt Lake County, and to exercise the right of eminent domain; and authorizing the State Board of Land Commissioners to loan said Armory Board funds for said purpose; and repealing Sections 1494x, 1494x1, and 1494x2, Compiled Laws of Utah, 1907," beg leave to report that we have had the amendments made by the House under consideration, and recommend that the Senate concur in the amendments as made by the House.

W. N. WILLIAMS,
S. J. STOOKEY,
CHARLES E. MARKS,
Conference Committee.

The report of the Committee was adopted.

Senate Bill No. 79, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 16; nays, none; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Hulaniski and Miller.

S. B. No. 79 was referred to the Committee on Engrossed and Enrolled Bills.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. Speaker of the House, and Mr. President of the Senate:

Your Conference Committee, appointed to consider S. B. No. 209, by Sifting Committee, entitled, "An Act creating annual taxes, payable by all domestic and foreign corporations in this State, with certain exceptions; providing for penalties and forfeitures and the enforcement thereof, and for the revocation of the charters of domestic corporations failing to comply with the provisions of this act; and repealing Sections 456x6, 456x7, 456x8, 456x9, and 456x10, Compiled Laws of Utah, 1907," beg leave to report that they have had same under consideration, and a majority of your committee recommend that the following amendments be made:

1. Page 1, line 16, after "service" add: "and all insurance corporations"; also strike out the House amendment in blue ink on page 1 opposite lines 16, 17, and 18, reading as follows: "and all mining companies not paying a tax on net proceeds".

And, as amended, recommend that the bill be passed.

Representative Barnett does not join in that part of the report striking out the amendment with reference to mining companies.

Respectfully,
BENNER X. SMITH,
Chairman.

The majority report of the Committee was adopted, and S. B. No. 209 was transmitted to the House.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

To the President of the Senate and Speaker of the House:

Your conference committee, to whom was referred S. B. No. 202, entitled, "An Act making appropriations for

the support of the State government for two years, beginning January 1st, 1909, and ending December 31st, 1910, and for other purposes," beg leave to report that it has met and considered the matters in dispute between the House and Senate relative to certain provisions of said bill, and unanimously recommends:

1. We concur in all House amendments referred to us in S. B. No. 202, except on page 15, line 7, reinsert: "and for the purchase of live stock".

2. Page 15, between lines 26 and 27, we concur in the amendments made by the House "of $80,000 for High Schools" with the following amendment on page 29, line 29, after the word "equipments" add "and the appropriation of $80,000 for High Schools".

3. Page 26, line 31, be stricken out, and the following added: "Washington County, for improving roads from Virgin and Leeds to the north county line, $1,000.00; for improving road from Chadbourne Ranch to Enterprise, $500.00; for other county roads, $1,500.00."

And, as amended, recommend the bill be passed.

Mr. Stookey does not join in that part of the report concurring in House amendment referring to $80,000 for High Schools.

W. N. WILLIAMS,
Chairman Senate Conference Committee.
HUGH A. McMILLIN,
Chairman House Conference Committtee.

The report of the Committee was adopted.

Senate Bill No. 202, as amended by the House and the Conference Committee, was placed on its final passage, and passed by the following vote: Ayes, 14; nays, 2; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Kuchler,

Marks, Seely, Sevy, John Y. Smith, Stookey, Williams, Wilson.

Those voting in the negative were: Mr. Benner X. Smith and Mr. President.

Those absent and not voting were: Messrs. Hulaniski and Miller.

S. B. No. 202 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 177, by Committee on Public Health, "An Act creating the position of State Bacteriologist and Pathologist, and defining his duties; and providing for a State Public Health Laboratory and its location."

S. B. No. 166, by Mr. Williams, "An Act to amend Sections 2098x1, 2098x2, 2098x16, and 2098x17, Compiled Laws of Utah, 1907, in relation to the Utah Art Institute, and annual prizes to be paid for paintings, and making an appropriation therefor."

S. B. No. 186, by Mr. Williams, "An Act authorizing the State Board of Examiners to set apart a portion of the capitol grounds for the use of the National Guard of Utah, and authorizing the State Armory Board to construct an armory and arsenal thereon."

S. B. No. 204, by Mr. Benner X. Smith, "An Act to amend Section 1241x1, Compiled Laws of Utah, 1907, prohibiting the taking of usurious interest, and providing a penalty therefor."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 177, 166, 186, and 204 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 80, by Mr. Williams, "An Act creating a State Dairy and Food Bureau; defining its duties and powers, and making an appropriation for the purpose of carrying out the provisions of this act."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 80 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House:

H. B. No. 231, by Committee on Deaf, Dumb, and Blind, "As Act to create the Utah Commission for the Adult Blind."

H. B. No. 22, by Mr. Ashton, "Relating to Juvenile Courts."

H. B. No. 25, by Mr. Ashton, "An Act amending Sections 720x24, 720x25, 720x29, 720x30, and 720x32, Com-

piled Laws of Utah, 1907, relating to the methods for the protection, disposition, and supervision of dependent, neglected, and ill-treated children, and to prescribe the punishment for such persons as are responsible for their care, etc."

H. B. No. 59, by Mr. Henrie, "An Act providing an annual vehicle road tax."

H. B. No. 208, by Mr. McCracken, "An Act to amend Section 2503, Compiled Laws of Utah, 1907, relating to property exempt."

H. B. No. 60, by Mr. Henrie, "An Act relating to the use of convicts and prisoners on the highways, etc."

H. B. No. 24, by Mr. Ashton, "An Act relating to the custody and education of dependent and delinquent children, etc."

The same are transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House Bills Nos. 231, 22, 25, 59, 208, 60, and 24 were read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 174, by Mr. Wilson, entitled, "An Act to amend Section 2357, Compiled Laws of Utah, 1907, relating to the investment of State funds and their securities."

S. B. No. 94, by Mr. Badger, entitled, "An Act to amend Section 206, Compiled Laws of Utah, 1907, relating to the powers of City Councils."

S. B. No. 197, by Mr. Benner X. Smith, entitled, "An Act to amend Section 1113x28, Compiled Laws of Utah, 1907, relating to the location of pesthouses."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 174, 94, and 197 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, the following bills:

S. B. No. 85, by Mr. Hyde, entitled, "An Act to amend Section 213, Compiled Laws of Utah, 1907, relating to city officers, and providing for the appointment of a marshal in cities of less than 12,000 inhabitants."

S. B. No. 61, by Mr. Burton, entitled, "An Act providing for an insurance department; enacting an insurance code, and regulating insurance companies and their business; and fixing certain fees to be charged and collected by the Commissioner of Insurance; and repealing Sections 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 422x, 422x1, and 422x2, Compiled Laws of Utah, 1907, relating to and regulating insurance companies and their business."

S. B. No. 93, by Mr. Williams, entitled, "An Act amending Section 1944, Compiled Laws of Utah, 1907, relating to the canvass of the ballots cast at a bond election; making returns thereof; filing statements relating thereto in the County Clerk's office; issuing bonds; and providing a tax for interest thereon and redemption thereof, and limiting the amount of bonds that may be issued."

The same are returned herewith for transmission to the Governor.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 85, 61, and 93 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House:

S. B. No. 205, by Mr. Bullen, "An Act amending Section 2075, Compiled Laws of Utah, 1907, relating to the appointment of the Board of Trustees of the Agricultural College, and fixing their terms of office."

S. B. No. 196, by Mr. Sevy, "An Act authorizing the Governor to accept from the United States the property known as the Panguitch School, including the lands, buildings, and fixtures pertaining to such school, upon certain conditions."

S. J. R. No. 8, by Mr. Williams, "A Joint Resolution proposing an amendment to Section 1, of Article XIV, of the Constitution of the State of Utah, in relation to the limit of State indebtedness."

S. B. No. 117, by Mr. Benner X. Smith, "An Act amending Sections 1712, 1714, 1715, 1716, 1717, 1718, 1720, 1726, 1727, and 4282, Compiled Laws of Utah, 1907, relating to the State Board of Pharmacy; the appointment, terms, qualifications, compensation, and duties of its members; the registration of pharmacists and assistant pharmacists, and their certificates; and prohibiting the sale of poison to certain persons; and regulating the sale of poisons, and providing penalties therefor."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 205, 196, and 117, and S. J. R. No. 8 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House:

S. B. No. 32, by Mr. Sevy, "An Act to amend Section 2549, Compiled Laws of Utah, 1907, relating to notice to taxpayers by County Treasurers."

S. B. No. 198, by Mr. Benner X. Smith, "An Act to amend Section 4278, Compiled Laws of Utah, 1907, relating to the location of pesthouses."

S. B. No. 208, by Sifting Committee, "An Act providing for the exchange of water for irrigation and culinary purposes."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 32, 198, and 208 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 133, by Mr. Horsley, entitled, "An Act

amending Section 281, Compiled Laws of Utah, 1907, relating to the manner of collecting special taxes."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Mr. Badger moved that all rules conflicting therewith be suspended, and that the Senate, in open session, advise and consent to the appointment of Senator Wm. N. Williams as a member of the Board of Regents of the University of Utah, and Senator Benner X. Smith and Representative L. L. Baker as members of the Commission on Uniformity of Legislation.

The motion carried.

EXECUTIVE SESSION.

On motion of Mr. Benner X. Smith, the Senate went into Executive Session.

REGULAR SESSION RESUMED.

The regular session was resumed.

The President announced that the Senate had advised and consented to the following appointments by the Governor:

Regents of the University of Utah.

Frank Pierce, Salt Lake City.
Richard W. Young, Salt Lake City.
W. N. Williams, Salt Lake City.
Frank B. Stephens, Salt Lake City.

Each to serve for a period of four years, commencing July 1st, 1909.

Trustees Agricultural College.

Thomas Smart, Logan.
J. W. N. Whitecotton, Provo.
Mathonihah Thomas, Salt Lake City.

Lorenzo N. Stohl, Brigham.
Susa Y. Gates, Salt Lake City.

Trustees State School for Deaf.

Maud May Babcock, Salt Lake City.
John W. N. Volker, Ogden.
Each to serve for a period of six years.

Directors Utah State Fair Association.

Lester D. Freed, Salt Lake City.
William C. Winder, Salt Lake City.
Mrs. P. J. Riter, Salt Lake City.
F. J. Hendershot, Ogden.
W. F. Armstrong, Salt Lake City.
Each to serve for a period of four years.

State Board of Education.

D. H. Christensen, Salt Lake City.
Carl A. Marcuson, Price.
Each to serve for a period of four years.

State Board of Labor, Conciliation, and Arbitration.

John Dern, Salt Lake City.
Wm. Drysdale, Ogden.
Each to serve for a period of four years.

State Board of Sheep Commissioners.

L. R. Anderson, Manti.
J. S. Ostler, Nephi.
Thos. W. Jones, Salt Lake City.
Each to serve for a period of four years.

State Board of Health.

A. F. Doremus, Salt Lake City.
H. K. Merrill, Logan.
Each to serve for a period of seven years.

State Board of Pharmacy.

Alexander Hedquist, Provo.
J. L. Franken, Salt Lake City.

State Board of Corrections.

Dr. G. B. Pfoutz, Salt Lake City.
S. W. Stewart, Salt Lake City.

State Board of Dental Examiners.

Dr. A. C. Wherry, Salt Lake City.
Dr. W. G. Dalrymple, Ogden.
Each for a period of four years.
Dr. Enoch Van Cott, Salt Lake City.
Dr. S. H. Clawson, Salt Lake City.
Dr. E. A. Tripp, Salt Lake City.
Each for a period of two years.

State Board of Examiners of Barbers.

Wm. M. Piggott, Ogden.
David J. Watts, Salt Lake City.
Each to serve for a period of three years.

State Board of Medical Examiners.

Dr. D. C. Budge, Logan.
Dr. A. S. Condon, Ogden.
Dr. Chas. L. Olson, Murray.
Dr. F. E. Straup, Bingham.
Dr. A. P. Hibbs, Ogden.
Dr. H. Z. Lund, Salt Lake City.
Dr. I. C. Smullyan, Salt Lake City.
Dr. Robert R. Hampton, Salt Lake City.
Dr. G. F. Harding, Salt Lake City.

Member of the Board of Examiners in Optometry.

L. W. Snow, Salt Lake City.

Park Commissioners.

Jos. R. Murdock, Heber City.
Byron Cummings, Salt Lake City.

State Board of Accountancy.

W. J. Bateman, Salt Lake City.

J. P. Goddard, Logan.
D. A. Swan, Salt Lake City.

Utah Board of Commissioners for the Uniformity of Legislation in the United States.

Benner X. Smith, Salt Lake City.
Jerrold R. Letcher, Salt Lake City.
L. L. Baker, Tooele.

Commissioners Indian War Records.

J. M. Westwood, Springville.
M. L. Pratt, Provo .
J. H. Arthur, Cedar City.

State Bank Examiner.

C. A. Glazier, Provo, Utah.
John E. Pettit, Coalville.

State Chemist.

Herman Harms, Salt Lake City.

State Engineer.

Caleb Tanner, Provo.

State Dairy and Food Commissioner.

Willard Hansen, Salt Lake City.

State Board of Land Commissioners.

M. M. Steele, Panguitch.
A. G. Giauque, Salt Lake City.
W. H. Farnsworth, Salt Lake City.

State Board of Equalization.

R. W. Salisbury, Salt Lake City.
Harden Bennion, Vernal.
Each for a period of four years.

George A. Black, Salt Lake City.
For a period of two years.

State Horticultural Inspector.

J. E. Taylor, Salt Lake City, Utah.

Trustees Industrial School.

Harry S. Joseph, Salt Lake City.
Harold E. Peery, Ogden.

And refused to advise and consent to the following appointments:

Members of Board of Examiners in Optometry.

F. J. Alexander, Salt Lake City.
H. O. Jensen, Salt Lake City.

Members of State Board of Land Commissioners.

W. D. Candland, Mt. Pleasant.
W. H. Thain, Logan.

State Fish and Game Commissioner.

Fred W. Chambers, Ogden.

Member Industrial School Board.

John Walsh, Farmington.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day requested the return of H. B. No. 240, by Mr. Hansen, relating to liquor regulation.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. B. No. 240 was returned to the House.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House:

S. B. No. 211, by Mr. Miller, "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 nine and nineteen hundred and ten."

S. B. No. 194, by Mr. Benner X. Smith, "An Act amending Sections 3533 and 3534, Compiled Laws of Utah, 1907, specifying how land shall be partitioned, if possible; providing for the sale of same, and the appointment of referees where it is impossible to partition same, and for improvements thereon."

S. B. No. 158, by Mr. Seely, "An Act to provide for a Utah State Conservation Commission, and prescribing the powers and duties of such commission; and appropriating the sum of $3,000.00 per annum to be expended by said commission for certain purposes."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 211, 194, and 158 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended, S. B. No. 148, by Committee on Manufactures and Commerce, "An Act relating to the manu-

facture, sale, bartering, giving away, or otherwise furnishing of intoxicating liquors; providing for the licensing and regulation of the same; providing for elections in any county or any precinct or voting district therein, or any subdivision of a county, to determine whether the sale of intoxicating liquors shall be prohibited therein; applying to such elections the provisions of Chapter 10, Title 21, Compiled Laws of Utah, 1907, and also the provisions of the general election laws of the State; providing for the issuance by the Board of County Commissioners of orders prohibiting the manufacture and sale of intoxicating liquors within certain limits, and declaring the duties of such boards in reference thereto; providing penalties and punishment for the violation of any of the provisions of this act; declaring certain rules of evidence and pleading applicable to prosecutions under this act; providing for the enforcement of the provisions of this act; and repealing Sections 1242, 1243, 1244, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, and 1258, Compiled Laws of Utah, 1907."

The same is returned herewith for your further action.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

The Senate concurred in the amendments by the House.

Senate Bill No. 148, as amended by the House, was placed on its final passage, and passed by the following vote: Ayes, 11; nays, 6; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Bullen, Burton, Horsley, Hyde, Seely, Sevy, John Y. Smith, Williams, Wilson.

Those voting in the negative were: Messrs. Hulaniski, Kuchler, Marks, Benner X. Smith, Stookey, Mr. President.

Absent and not voting: Mr. Miller.

S. B. No. 148 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended by report of conference committee, S. B. No. 202, by Committee on Appropriations and Claims, entitled, "An Act making appropriations for the support of the State government for two years, beginning January 1st, 1909, and ending December 31st, 1910, and for other purposes."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 202 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day rejected S. B. No. 9, by Mr. Kuchler, entitled, "An Act providing for the compensation and expenses of referees and the compensation of stenographers engaged or employed in the adjudication of the rights of water claimants upon a river system or water source, under and by virtue of Chapter 1, of Title 40, Compiled Laws of Utah, 1907."

The same is returned herewith.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed, as amended by the adoption of the Conference Committee report, S. B. No. 209, by Sifting Committee, "An Act creating annual license tax payable by all domestic and foreign corporations in this State, with certain exceptions; providing for penalties and forfeitures, and the enforcement thereof; and for the revocation of the charters of domestic corporations failing to comply with the provisions of this act; and repealing Sections 456x6, 456x7, 456x8, 456x9, and 456x10, Compiled Laws of Utah, 1907."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 209, as amended by Conference Committee report, was placed on its final passage and passed by the following vote: Ayes, 13; nays, none; absent and not voting, five.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Bullen, Burton, Miller, John Y. Smith, Stookey.

S. B. No. 209 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, the following bills:

H. B. No. 82, by Mr. Porter, entitled, "An Act creating the office of State Veterinarian."

H. B. No. 232, by Mr. Archibald, entitled, "Relating to the classification of cities."

H. B. No. 230, by Mr. Nielson, "An Act to prevent certain abuses connected with the drilling of wells, etc."

H. B. No. 133, by Mr. Dyreng, "An Act defining and classifying of transient stock, and providing for the assessment, etc."

H. B. No. 211, by Judiciary Committee, "Relating to the appointment of notaries public."

H. B. No. 239, by Committee on Live Stock, "An Act relating to bulls and their use upon the public range."

H. B. No. 238, by Mr. Holman, "An Act relating to libel, and providing a penalty therefor."

The same are transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House Bills Nos. 82, 232, 230, 133, 211, 239, and 238 were read by title, and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the House of Representatives has this day passed S. B. No. 187, by Mr. Benner X. Smith (by request), entitled, "An Act validating certain acts of the County Commissioners in counties of the first class."

The same is returned herewith for your further action.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 187 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 210, by Mr. Badger (by request), entitled, "An Act amending Sections 430x1, 430x2, and 430x3, Compiled Laws of Utah, 1907, relating to corporate suretyship," beg leave to report they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 210 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. J. R. No. 2, by Mr. Miller, entitled, "A Joint Resolution proposing an amendment to Section 7, of Article XIII, of the Constitution of the State of Utah, relating to the rate of taxation," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. J. R. No. 2 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Joint Memorial No. 2, by Mr. Kuchler, beg leave to report they

have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,

CHARLES E. MARKS,
Chairman.

S. J. M. No. 2 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. J. R. No. 6, by Mr. Hyde, entitled, "A Joint Resolution requesting the Senators and Representative in Congress from Utah to endeavor to secure an amendment to the interstate commerce act to prohibit the shipment of alcoholic liquors in certain cases," beg leave to report they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,

CHARLES E. MARKS,
Chairman.

S. J. R. No. 6 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.

THIRD READING OF BILL.

The rules were suspended, and House Bill No. 157, by Mr. Pope (by request), entitled, "An Act providing for hydrographic surveys and co-operation with the United States Government," was read the third time, and placed on its final passage, and passed by the following vote: Ayes, 13; nays, none; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Badger, Brinkerhoff, Burton, Horsley, Hulaniski, Hyde, Kuchler, Marks, Seely, Sevy, Benner X. Smith, Williams, Mr. President.

Those absent and not voting were: Messrs. Bullen, Miller, John Y. Smith, Stookey, Wilson.

REPORT OF COMMITTEE.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Sifting Committee, to whom was referred H. J. R. No. 14, by Mr. Wootton, entitled, "A Resolution proposing an amendment to Section 2, of Article X, of the Constitution of the State of Utah, as amended January 1st, 1907, relating to the public school system; and Section 3, of Article X, of the Constitution of the State of Utah, relating to the State school fund," beg leave to report that they have had the same under consideration, and recommend the same to the Senate for its consideration.

Respectfully,
BENNER X. SMITH,
Chairman.

On motion of Mr. Wilson, the rules were suspended, and H. J. R. No. 14 was read the first, second, and third times, and placed on its final passage, and passed by the following vote: Ayes, 15; nays, none; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Badger, Bullen, Burton, Horsley, Hulaniski, Kuchler, Marks, Seely, Sevy, Benner X. Smith, John Y. Smith, Stookey, Williams, Wilson, Mr. President.

Those absent and not voting were: Messrs. Brinkerhoff, Hyde, Miller.

INTRODUCTION OF RESOLUTION.

Senate Resolution No. 5.—By Mr. Badger.

Whereas, there has been inflicted on the representatives of the press of Salt Lake City, during the past two months, a series of hardships in the shape of bills, memorials, resolutions, speeches, debates, etc., etc., and

Whereas, the gentlemen mentioned have borne these afflictions with wonderful patience and forbearance, and have generally refused to retaliate by making adverse newspaper comment, notwithstanding the undoubted temptation to do so; and

Whereas, the reports of the Senate sessions published in the aforesaid newspapers have been eminently fair and considerate, betokening the high character and

professional integrity of the newspaper men; now therefore,

Be it resolved, that the Senate expresses to the representatives of the press its high appreciation of their numerous courtesies; and extends in the closing hours of the Eighth Session its high regard and best wishes for their future happiness and prosperity.

On motion of Mr. Badger, S. R. No. 5 was adopted by unanimous vote.

On motion of Mr. Kuchler, the enacting clause was stricken from the following Senate and House bills, memorials, and resolutions:

H. B. Nos. 14, 70, 79, 105, 124, 154, 179, 184, 187, 199, 204, 209, 218, 233, and 236.

H. J. R. Nos. 7, 12, and 13.

H. J. M. No. 3.

S. B. Nos. 35, 81, 90, 102, 103, 118, 120, 143, 145, 150, 152, 172, 192, 195, 200, 201, and 207.

S. J. R. No. 7.

REPORTS OF COMMITTEES.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 148, by Committee on Manufactures and Commerce, entitled, "An Act relating to the manufacture, sale, bartering, giving away, or otherwise furnishing of intoxicating liquors; providing for the licensing and regulation of the same; providing for elections in any county or any precinct or voting district therein, or any subdivision of a county, to determine whether the sale of intoxicating liquors shall be prohibited therein; applying to such elections the provisions of Chapter 10, Compiled Laws of Utah, 1907, and also the provisions of the general election laws of the State; providing for the issuance by the Board of County Commissioners of orders prohibiting the manufacture and sale of intoxicating liquors within certain limits, and declaring the duties of such boards in reference thereto; providing penalties and punishment for the violation of any of the provisions of this act; declaring certain rules

of evidence and pleading applicable to prosecutions under this act; providing means for the enforcement of the provisions of this act; and repealing Sections 1242, 1243, 1244, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, and 1258, Compiled Laws of Utah, 1907," beg leave to report they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 148 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 187, by Mr. Benner X. Smith (by request), entitled, "An Act validating certain acts of the County Commissioners in counties of the first class," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 187 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 209, by Sifting Committee, substitute for S. B. No. 91, by Mr. Badger, entitled, "An Act creating annual license taxes payable by all domestic and foreign corporations in this

State, with certain exceptions; providing for penalties and forfeitures, and the enforcement thereof; and for the revocation of the charters of domestic corporations failing to comply with the provisions of this act; and repealing Sections 456x6, 456x7, 456x8, 456x9, and 456x10, Compiled Laws of Utah, 1907," beg leave to report that they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 209 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 79, by Mr. Williams, entitled, "An Act creating a State Armory Board, etc.," beg leave to report they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 79 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.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 202, by Committee on Appropriations and Claims, entitled, "An Act making appropriations for the support of the State government for two years, beginning January 1st, 1909, and ending December 31st, 1910, and for other purposes,"

beg leave to report they have had the same carefully engrossed and enrolled, and present the same herewith for your signature.

Respectfully,
CHARLES E. MARKS,
Chairman.

S. B. No. 202 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.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, three copies of S. J. R. No. 6, by Mr. Hyde, "A Joint Resolution requesting the Senators and Representative in Congress from Utah to endeavor to secure an amendment to the interstate commerce act to prohibit the shipment of alcoholic liquors in certain cases."

S. J. M. No. 2, by Mr. Kuchler, "With reference to the tariff on wool, hides, and lead."

S. J. R. No. 2, by Mr. Miller, "A Joint Resolution proposing an amendment to Section 7, of Article XIII, of the Constitution of the State of Utah, relating to the rate of taxation."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. J. R. No. 6, S. J. M. No. 2, and S. J. R. No. 2 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 210, by Mr. Badger, "An Act amending Sections 430x1, 430x2, and 430x3, Compiled Laws of Utah, 1907, relating to corporate suretyship."

The same is returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

S. B. No. 210 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House:

S. B. No. 79, by Mr. Williams, "An Act creating a State Armory Board."

S. B. No. 187, by Mr. Benner X. Smith, "An Act validating certain acts of the County Commissioners in counties of the first class."

S. B. No. 209, by Mr. Badger, "An Act creating annual license taxes payable by all domestic and foreign corporations in this State, with certain exceptions; providing for penalties and forfeitures, and the enforcement thereof; and for the revocation of the charters of domestic corporations failing to comply with the provisions of this act; and repealing Sections 456x6, 456x7, 456x8, 456x9, and 456x10, Compiled Laws of Utah, 1907."

The same are returned herewith for transmission to the Governor.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 79, 187, and 209 were transmitted to the Governor.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. B. No. 157, entitled, "An Act providing for hydrographic surveys and co-operation with the United States Government."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
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, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, H. J. R. No. 14, by Mr. Wootton, "A Resolution proposing an amendment to Section 2, of Article X, of the Constitution of the State of Utah, as amended January 1st, 1907, relating to the public school system; and Section 3, of Article X, of the Constitution of the State of Utah, relating to the State school fund."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

H. J. R. No. 14 was read by title, and signed by the President, in open session, in the presence of the Senate.

On motion of Mr. Marks, the conference committee appointed to consider proposed legislation on the liquor question was relieved from further duty.

Mr. Marks moved that a committee of three be appointed to act with a like committee from the House, to wait on the Governor and inform him that the Legislature is ready to adjourn, and ask if he has any further communication to make. Carried.

The President appointed Messrs. Marks, Bullen, and Stookey.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day appointed Representatives Thompson, King, and Smith as a committee to act with a similar committee from the Senate to wait upon the Governor and inform him that the Legislature is now ready to adjourn.

Respectfully,
ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: I am directed to inform your honorable body that the Speaker of the House of Representatives has this day signed, in open session, in the presence of the House, S. B. No. 202, by Committee on Appropriations and Claims, "An Act making appropriations for the support of the State government for two years beginning January 1st, 1909, and ending December 31st, 1910, and for other purposes."

S. B. No. 148, by Committee on Manufactures and Commerce, "An Act relating to the manufacture, sale, bartering, giving away, or otherwise furnishing of intoxicating liquors; providing for the licensing and regulation of the same; providing for elections in any county, or any

precinct or voting district therein, or any subdivision of a county, to determine whether the sale of intoxicating liquor shall be prohibited therein; applying to such elections the provisons of Chapter 10, Title 21, Compiled Laws of Utah, 1907, and also the provisions of the general election laws of the State; providing for the issuance by the Board of County Commissioners of orders prohibiting the manufacture and sale of intoxicating liquors within certain limits, and declaring the duties of such boards in reference thereto; providing penalties and punishment for the violation of any of the provisions of this act; declaring certain rules of evidence and pleading applicable to prosecutions under this act; providing means for the enforcement of the provisions of this act; and repealing Sections 1242, 1243, 1244, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, and 1258, Compiled Laws of Utah, 1907.''

The same are returned herewith for transmission to the Governor.

Respectfully,

ALEX. BUCHANAN JR.,
Chief Clerk.

Communication filed.

Senate Bills Nos. 202 and 148 were transmitted to the Governor.

COMMITTEE REPORT.

Senate Committee Room,
Salt Lake City, Utah, March 11, 1909.

Mr. President: Your Committee on Contingent Expenses recommend that the following amounts be paid the following for extra compensation:

H. L. Cummings, Secretary	$ 40.00
Willard Done, Minute Clerk	40.00
B. Bachman, Docket Clerk	40.00
W. E. Jenkins, Engrossing Clerk	40.00
Mrs. E. G. Van Law, Committee Clerk	40.00
John Saxey, Committee Clerk	40.00
Estella Whiting, Committee Clerk	40.00
Mrs. D. C. Eichnor, Mailing Clerk	40.00

Daniel James, Sergeant-at-Arms	40.00
H. E. Steele, Assistant Sergeant-at-Arms	40.00
W. R. Thompson, Messenger	40.00
H. C. Boden, Messenger	40.00
Sadie Foss, Stenographer	40.00
Philip H. Robinson, Janitor	40.00
Miss E. E. Braffet, Engrossing Clerk	58.80
Michael W. Earl, Messenger to the Governor	40.00
Maud Hodgson, extra Engrossing Clerk	5.00
	$663.80

Respectfully,
CHARLES E. MARKS,
Chairman.

Senate Committee Room,
Salt Lake City, Utah, March 11th, 1909.

Mr. President: Your Committee on Contingent Expenses beg to report the following amounts paid out of the Contingent Expense Fund, as per vouchers filed with the State Auditor:

For compensation of officers, extra time	$ 663.80
Compensation of extra employees	440.00
Postage	268.15
Expense of committee to investigate boundary between Sanpete and Juab Counties	50.00
Employees City and County Building, for janitor service, etc.	115.00
For printing, supplies, etc.	378.65
Rocky Mountain Bell Telephone Co.	8.10
B. Bachman, extra service to Appropriations and Claims Committee	60.00
Revision of Journal, as per resolution	500.00
Total	$2483.70

Respectfully,
CHARLES E. MARKS,
Chairman.

The report of the committee was adopted.

The committee appointed to wait on the Governor

returned and reported that a communication was on the way from His Excellency.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 11th, 1909.

To the Senate:

I beg to inform your honorable body that I have no further communications to lay before you at the present time.

Permit me to congratulate you upon the completion of your labors in connection with this, the Eighth Legislative Assembly of the State of Utah; and to extend my best and very kindest wishes for a safe and pleasant journey to your respective homes.

Godspeed, health, prosperity and long life to each of you.

Very respectfully,
WILLIAM SPRY,
Governor.

Communication filed.

The minutes of the sixtieth day's session were approved.

At 11:55 a. m., on motion of Mr. Kuchler, the Senate adjourned sine die.

CERTIFICATE.

We, H. L. Cummings, Secretary; Willard Done, Minute Clerk; Benj. Bachman, Docket Clerk of the Senate, the duly appointed Revision Committee of the Senate Journal, do hereby certify that the foregoing is a full, true, and correct record of the proceedings of the Senate of the Eighth Legislative Assembly of the State of Utah, convened in regular session at Salt Lake City, Utah, commencing on the 11th day of January, 1909, and ending on the 11th day of March, 1909.

H. L. CUMMINGS.
WILLARD DONE.
BENJ. BACHMAN.

INDEX OF SENATE BILLS.

Number	TITLE	First Reading	Committee Report	Second Reading	Recommitted	Third Reading	Further Action	Further Action	Signed by President	Signed by Speaker	Signed by Governor
1	For Contingent Expenses	6		6		6		48	57	65	69
2	Relating to Legal Holidays	49	79	79		82	82	103	113	128	143
3	Eminent Domain by Foreign Corporations	49	175	175				297			
4	Appropriation to Margaret Clark	53	135	135		147		317	372	390	519
5	Defining Indecent Assault	57	116	116		123		313	345	352	433
6	To Prevent Unauthorized Use of Portrain, etc	57	91	91		100		205			
7	Indictment to Contain but One Offense	58	114	114		124		313	373	390	433
8	Appropriation L. J. Kiesel and Others	58	357	357		439					
9	Expenses of Judges in Water Claims	67	545	545		654	738				
10	Salaries of Certain State Officers	67	102	102		111	111	149	162	168	176
11	Instruction in Agricultural College	69	107	508		647					
12	Duties of State Engineer	69	196								
13	Convention of State Health Officers	74	173	173		185		449	464	486	519
14	Establishment of Free Travelling Libraries	79	607								
15	Sale and Assignment of Wages	79	272	272		297		451			
16	Party to submit to Physical Examination	80	507								
17	In Furnishing Governor's Office	80	134	134		146		204	213	216	221
18	Duty of County Auditors	80						85			
19	Bonded Indebtedness of City or Town	80	91	91		100		109	122	129	151
20	Right of Eminent Domain for Smelters	85	361								
21	Punishment for Life Convicts	86	136	136		147		215	222	226	264
22	Relating to Nominations	86	125	125		141		229	256	267	293
23	Relating to Nominations	36	126	126		141		230	256	267	293
24	Relating to Nominations	86	126	126		141		230	255	267	293
25	Regulation of Employment Officers	86	160	160		170		227	288	298	343

Number	TITLE	First Reading	Committee Report	Second Reading	Recommitted	Third Reading	Further Action	Further Action	Signed by President	Signed by Speaker	Signed by Governor
26	Bureau of Statistics	87	446	446		535	569				
27	Bureau of Statistics	87	446	446							
28	Creating Insurance Department	87	615								
29	Creating Insurance Department	87	607								
30	Duties of County Auditor	92	503	503		649	661				
31	Relating to Stenographers	92	154	154		167		352	445	453	468
32	Notice to Tax Payers	92	289	289		347	529	632 536	704	730	
33	Prohibiting Taking of Weapons in State Prison	92	182								
34	Punishment of Convicts for Committing Assaults	93	134	134		146		190	201	204	211
35	Bounties on Wild Animals	96	510	510				744			
36	Safety Cages in Mines	96	240	240		351					
37	Prohibiting Use of Portrait for Advertising Purposes	96	500								
38	Relating to Indecent Exposure	96	115	115		124		312	372	390	433
39	Appointment of Assistant District Attorney	96	115	115		131		269	307	343	433
40	Appropriation to Rocky Mt. Bell Tel. Co	96	445								
41	Printing for State Bacteriologist	97	301								
42	Printing for State Veternarian	97	424	424		547	557				
43	Relating to the State Chemist	98	300								
44	Building for University of Utah	98									
45	Appropriation to William Tusberg	98	184	184		197		352	444	453	468
46	Relating to Homesteads	103	272								
47	Relating to Homestead	103	272								
48	Relating to Homesteads	103	272								
49	Competency of Husband and Wife	109	135	135		147		226			
50	Privilged Connections	110	154	154		167		226			

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker	Signed by Governor
51	Relating to Fish and Game	110	324	324	395	525	589	605	664
52	Reservoir Land Grant Fund	110	302	302	385	575	615	634	
53	Duties of Judges of Election	110	127	142	142	192	201	204	211
54	Sale of Intoxicating Liquors	111	213						
55	Investment of Land Grant Funds	111	427	427	551	645	686	719	
56	Sale of Intoxicating Liquors	116	239						
57	Apportionment of School Funds	116	155	155	157	312	373	390	433
58	Name of State Normal School	117	366						
59	Creating School districts	117	402						
60	Transitory Live Stock	117	182	182	203	435			
61	Creating Insurance Department	117	404	422	531	644	706	728	
62	Qualifications of Attorneys	118	363	363	533	555			
63	Relating to Divorce Proceedings	118	234	284	341				
64	Malicious Erection of Fences	118	464	464	573	578			
65	Acceptance of Desert Lands	118	174	174	186	314	383	384	468
66	Proceedings for Divorce	118	271	271	297	555	589	602	663
67	Relating to Townsites	119	173						
68	State Library Gymnasium Commission	119	154	154	157	540	613	633	664
69	Regulating Service of Bulls	122	181	181		301			
70	Statements Affecting Banks	122	241	241	275	473			
71	Final Decree in Divorce Cases	122	283	283	341	586	613	634	
72	Killing of Live Stock by Corporations	123	498						
73	Appropriation to G. A. R.	123	183	183	197	262	289	299	342
74	State Board of Land Commissioners	127	286	286		642			
75	Appeals from City Courts	128	259	259	295	606	670	673	
76	Protection of Persons Furnished Labor	128	403	403	533	635	671	673	695
77	Appropriation Roads Washington County	137	426	426	551	579			

INDEX TO SENATE BILLS—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker	Signed by Governor
78	Railroads to Give Notice of Delayed Trains	137	499			722			
79	Creating State Armory Board	138	244	244	265	581	746	748	
80	Dairy and Food Bureau	138	400	400	549	676	707	726	
81	Printing for Geological Survey	138	446	446		744			
82	Public Service Commission	138	506	506		547			
83	School Sites and Buildings	139	183	183	196	353	445	473	490
84	Fine to Apply for Lots Under Townsites	139	173			554			
85	Appointment of Town Marshal	139	346	346	440	552 595 660	706	728	
86	Appropriation for Sinking Wells	139	285	285	309	477	514	527	574
87	Organization of State Militia	139	243	243	275	580	687	718	
88	Alaska-Yukon Commission	140	447	447	568	662	687	714	
89	Police and Fire Department	144	465	465	534	643	685	719	
90	Proceedings Against Joint Tenants	145	513	513		744			
91	Annual Corporation Tax	145	630						
92	Historical Explanations	145	256	256	293	486	592	604	664
93	Canvass of Ballots Bond Election	155	565	565	668	675	705	728	
94	Powers of City Councils	156	286	286	351	638	703	727	
95	Salaries of Judges District Courts	156	204	254	295	311			
96	Protection of Public Morals	156	365	365	438	580			
97	Registration of Land Titles	156	237	237	340				
98	Boundaries of Sanpete County	163	368	368		569			
99	Boundaries of Juab County	163	369	369		569			
100	Powers and Duties of Cities of the First Class	163	429	429	492	529	610	636	

INDEX TO SENATE BILLS—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker	Vetoed by Governor	Signed by Governor
101	Regulating Practice of Attorney	166	462	460	573	578				
102	To Dispose of Experiment Stations	166	512	512		744				
						744				
103	County Commissioners to Appropriate for G. A. R.	166	236	236		297				
104	State Text Book Commission	166	279	279	350	487	546	554		644
105	Special Tax Funds in Cities	169	236	236	264	476	515	527		578
106	Width of Public and Private Ways	169	305	305	388	576	614	633		663
							520			
107	Relating to Special Taxes	169	238	238	265	488	592	602		
108	Officers Performing Duties for Poor Persons	169	306	306	388	487				
109	Stealing Passes, etc., from Railroads	170	258	258	294	391	396	434		490
110	Duties Board of Public Works	177	235							
111	Contracts for Public Improvements	177	238							
112	Inspection of Public Improvements	177	236							
113	Sureties on Bonds	177	306	306		536				
114	Revenue for Support of State	177	290	290	347	448	464	485	584	
115	State Tax for High Schools	177	259	259	259	435	443	453	582	
116	Jurisdiction of City Courts	184	363	363	439	598				
						658				
117	State Board of Pharmacy	184	399	399	536	548	707	729		

INDEX TO SENATE BILLS—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker	Vetoed by Governor	Signed by Governor
118	Relating to Trespass	185	512	512		744				
119	Certain Agreements to Be in Writing	185	362	362	532	638	670	673		695
120	Taking of Weapons in the State Prison	182	546	546		744				
121	Warehousemen to Keep Records	185	623							
122	For Bridges Over the Green River	193	221	221	273					
123	Removing of Pledged Property	193	619							
				423	423					
124	For Permanent Fund for State University	194	286	286	340	552				
125	Destruction of Weeds on Streams	194	498							
126	Fees of State Engineer	196	196	196						
127	Office of Under Sheriff	194	423	423	550	656				
128	Vending of Medicines	194	401	401	548	576				
129	Fees for County Recorder	194	303	303	386	598	686	719		
130	Filing of Mining Location Notices	194	303	303	386	336	612	636		663
131	Decrees Affecting Real Property	195	304	304	387	486				
132	Who May Take Acknowledgments	195	306	306	388	487				
133	Collecting Special Taxes	201	502	502	665	730				
134	Appropriation to Wasatch County	202								
135	Sale of Poultry, etc	202	242	242	308	435				

INDEX TO SENATE BILLS—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker	Vetoed by Governor	Signed by Governor
136	Sale of Cold Storage Products	202	401	401	549	646				
137	Board of Park Commissioners	202	304	304	349					
138	Powers of State Engineer		280	280	350	527	608	637		677
139	Relating to Banking Corporations	208	499							
140	State Board of Sheep Commissioners	208	257							
141	Exchange of Waters	208	302	302		479				
142	Devices for Testing Milk, etc	209	506	506	650	717				
143	Dismissal of Actions	209	514	514		744				
						641				
144	Annexing Counties	216	305	305	387	491	670	673		
145	Validating Articles of Incorporation	217	608	608		744				
146	Relating to Garnishments	217	362	362	440	599	670	673		696
147	Boundary Lines of Salt Lake County	217	369	369		536				
						685				
						496				
148	Sale of Intoxicating Liquors	219	373	383	441	719	744	744	750	
						736				
149	Statute of Limitations	217	465							
150	Labelling of Food	217	401	402		744				

INDEX TO SENATE BILLS—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Further Action	Further Action	Signed by President	Signed by Speaker	Signed by Governor
151	Relating to Warehouse Receipts	223	514								
152	Bank Liable for Forged Checks	223	511	511		744					
153	Sale of Goods	223	501				515				
154	Relating to High Schools	224	280	280	348	488	624	639	671	673	696
155	Maximum Rate of Interest	224	466								
156	Certain Cattle to Be Inspected	224	300	300	349	585			614	635	
157	License for Dairy Business	224	397	397	568	684					
158	Utah State Conservation Committee	245	509	509	650	700			721	736	
159	Commissioner of Boats	245	507	507	680	714					
160	Capitol Commission	259	322	322	393	517		591	603		
161	Issue and Disposal of State Bonds	259	321	321	393	518		591	605		
162	Refunding Bonds of Territory of Utah	260	324	324	394	516		590	604		
163	Providing for Election for Tax	260	319	319	394	516		590	603		
164	Public Streams to Be Used for Fishing, etc	260	504	504							
165	Trespassing on Railroads	260	398	398	535	541					
166	Utah Art Institute	260	370	370	454	601		708	710	725	
167	Justice Courts	261	360								
168	Change of Venue in Justice Courts	261	500								
169	Pleadings in Justice Courts	261	359								
170	Proceedings Supplemental to Execution	261	360								
171	Jurors in Justice Courts	292	501								
172	State Bee Inspector	292	513	513		744					
173	For Roads in Sanpete County	292									
174	Investment of State Funds	292	346	346	455	640			705	727	
176	Service of Bulls	301		301		451					

INDEX TO SENATE BILLS—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Further Action	Further Action	Signed by President	Signed by Speaker	Signed by Governor
177	State Board of Health	301	301	301	395	435	640 450	708	709	725	
178	Giving of Free Transportation Prohibited	307	399	399	550						
179	Prices for Publication of Notices	308	503								
180	Repealing State Board of Optometry	339	504								
181	Judgment Against Garnishee	339	466	466	571	656					
182	Relating to Exemptions	339	466								
183	Fire Escapes for Lodging Houses	339	504								
184	Appropriation for County Certificates	339									
185	In Relation to Ores, etc	354	505								
186	Capital Ground for National Guard	354	467	467	572	657			710	725	
187	Validating Acts of County Commissioners	355	627	627	679	740			745	748	
188	For Roads Howell County	355									
189	Relating to Surety Companies	392	609	6							
190	Salary Secretary Board of Health	436	512	512	648	690					
191	Spitting on Walks and Floors	436	625								
192	Inspection of Ice	436	595	672	744						
193	Cruelty to Animals	436	625								
194	How Lands Shall Be Partitioned	436	594	594	654	715			721	736	
195	Inspection of Eyes of Newly Born Infants	437	619	619		744					
196	Acceptance of Panguitch School	437	562	562	562	657		704	729		
197	Location of Pest Houses	437	612	612	652	675		703	728		
198	Location of Pest Houses	437	607	607	655	675		704	730		
199	Government of Cities of the First Class	429	429	429	496	539			609	636	
200	Commission to Revise Revenue Laws	453	623	623		744					

INDEX TO SENATE BILLS—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker	Signed by Governor
201	Validating Certain Conveyances	454	594	594		744 698 689			
202	Appropriation Bill	563	563	563	597	723 738	746	750	
203	Collection of Historical Material	494	494	494	570	655			
204	Taking of Usurious Interest	494	593	593	652	700	709	725	
205	Appointment of Trustees Agricultural College	494	544	544	549	600	704	729	
206	Adopting Compiled Laws of Utah, 1907	495		495	495	599	670	673	695
207	(?)	495	622	622		744			
208	Exchange of Waters' Substitute for S. B. 141	479	479	479	552	656 699 723 739	704	730	
209	Annual License Tax for Corporations	574		574	653	714 708 718			
210	Relating to Suretyship	575	629	629	680	720	740	748	
211	Revenue for Support of State	595		595	596	693	721	736	

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker		Vetoed by Governor	Signed by Governor
2	Eminent Domain for Foreign Corporations	130	239	239	276		277	277			345
3	Manner of Commencing Actions	89	153			297					
9	Impounding and Disposal of Estrays	542	564	663	663						
14	Fees of Sheriffs	99	273			744					
18	Protection of Employees	228	398	398	553		561	561			646
22	Creation of Juvenile Courts	484	626	626	666		726	726			
23	Regulating Children on Streets Under Age	635	708								
						674					
24	Establishment of Detention Homes	484	626	626	667	672	727	727			
25	Care of Ill Treated Children, etc	483	627	627	668		726	726			
			367			457		522			
27	State School of Mines	144	240	240	294		522				558
						310					
28	State Aid for Public Schools	137	140	162	171		190	190			215
31	Duties of Justices of the Peace	99	283	283	348		391	391		558	
32	Relating to Pawnbrokers	130	200	200	210		225	225			263
36	Fees and Mileage of Jurors District Court	104	153								
37	Sale of Intoxicating Liquors	180	214								
39	Relating to Libel	108	362	442	569	438	631	631		683	
						701					
						682					
						665					
43	Amusements on Sunday	129	356	356	649	669					
44	Penalty for Vagrancy	119	133	133	140		179	179			198
45	Carrying of Concealed Weapons	130	242	242	293		310	310			345
47	Assessment of Property	189	363	363	455		561	561			
48	Relating to Irrigation Districts	180	432	432	569		694	694			
49	Relating to Townsites	149									

INDEX OF HOUSE BILLS IN THE SENATE.—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker	Vetoed by Governor	Passage Over Veto	Signed by Governor
51	Holding of Farmers' Institutes	191	200	200	210		263	263			278
53	Duties of Bank Examiners	109	510								
55	State Road Building Fund	150	426	426	565		632	632			
56	Construction of Public Roads	150	424	424	566		631	631			
57	Annual Road Pole Tax	159	425	425	566	567	632	632			
58	Construction of Roads	159	424	424	566	646	632	632			
59	Annual Vehicle Road Tax	160	425	425		689 664 598	726	726			
60	Convict Labor on Roads	231	462	462	567	660	727	727			
65	Central Building for University of Utah	556	617	617	666		695	694			
69	Pools on Horse Races	207									
70	Creating Firemen's Relief Fund	560	628	628		744					
71	Board of Dental Examiners	212	337	337	437		480	480			558
74	Relating to Townsites	149	346	346	456		480	480			558

INDEX TO HOUSE BILLS IN THE SENATE—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker	Vetoed by Governor	Passage Over Veto	Signed by Governor
79	Relating to Incorporated Towns	206	629			744					
80	Name of State Normal School	192	368	368	456		522	523			558
81	Renting of Houses of Ill Fame	542	564	564	668		695	694			
82	Creating Office of Veterinary Surgeon	556	618	618	697		739	739			
83	Privileged Communication	199	357	357	454		522	522			558
84	Competency of Husband and Wife	192	358	359	455		481	481			524
85	Right of Eminent Domain	190	255	255	308		344	344	520	533	
87	District Judges to Certify to Salary Vouchers	315	360						521		
91	Jurors in Justice's Courts	316	365	365	459		522	522			558
92	Certificates of Teachers	189	367	367	456		481	481			525
93	Providing for School Libraries	191	366	366	457		522	522			558
95	Employment of Teachers	316	403								
96	Disputes Over County Boundary Lines	474	618								
98	Care of the Feeble Minded	228	338	388	438	452	452	452			475
99	State Board of Horticulture	268	558	358	440	489	527	527			645

INDEX TO HOUSE BILLS IN THE SENATE—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker		Signed by Governor
105	Power of Board of Education	198	427	427		744				
106	Payment of Deposits	207	502							
107	Election of Board of Education	206	428	428	570					
109	Relating to Schools in Cities	354	428	428	570		622	622		
122	Tax for Libraries	212	222	222	246		269	269		311
123	Salary of Reporter of Decisions of Supreme Court	206	254	254	296		310	310		434
124	Abatement of Actions	543	562	562		744				
125	Commission for Indian War Veterans	344	544	544	567		632	632		
130	Relating to Grade Stallions	299	367							
133	Assessment and Collection of Taxes on Transient Stock	577	672	672	697		739	739		
142	Appropriation of Money by Counties to G. A. R.	231	257	257	296		310	310		
149	Relating to Bigamy	314	361							

INDEX TO HOUSE BILLS IN THE SENATE—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by Speaker	Signed by President	Signed by Governor
154	Use of Trade Marks	262	399	399		744			
157	Providing for Hydrographic Surveys	475	543	543	742		749	749	
159	Winding up Affairs of Corporations	315	400	400	552		561	561	645
161	State Bounty Fund, Tax for	451	561	561	652	680	694	695	
						658			
165	Prohibit Playing of Football	474	499						
167	Registration of Motors, etc	385	426	426	571	681	694	695	
173	Encouragement of Agricultural Development	475	620						
176	Unauthorized Use of Pictures, etc	270	364	364	460	639	482	482	659
177	County Insurance Companies	452	546	547	654		694	695	
179	Statute of Limitations	537	621	621		744			
182	Fees of Secretary of State	389	505	505	651		694	695	
184	Board of Veterinary Examiners	523	616	616					
187	Undertakings on Appeal Justice Court	477	622	622		744			
190	Terms of Sheriffs and County Clerks	541	565	565	698				
195	Creating School Districts	316	402	403		552			
199	Bulletins by State Normal School	450	623	623		744			

INDEX TO HOUSE BILLS IN THE SENATE—CONTINUED.

Number	TITLE	First Reading	Committee Report	Second Reading	Third Reading	Further Action	Signed by President	Signed by Speaker	Signed by Governor	Vetoed by Governor
204	Payment of Raised or Forged Checks	482	620	620		744				
206	Sheep Inspection Fund	389	397	397	551		561	561	646	
208	Property Exempt from Execution	392	511	511	649		727	727		
209	Employment of Men in Sugar Factories	577	630	630		744				
210	Disturbing the Peace	318	365	365	459		522	522	645	
211	Appointment of Notary Public	318	355	355	534	538	740	740		
218	Employment of Persons Operating Motors, etc	449	616	616		744				
220	Employment of Citizens	448	593	593	651		695	694		
222	County Commissioners	434	508	508	647		695	694		
226	Service of Bulls	461	474	478	572		631	631		683
		450	478							
229	Boundary Lines of Salt Lake County	384	502	679						
						681				
						697				
230	Natural Gas and Oil Wells	537	622	622	651	690	739	739		
						696				
						684				
231	Commission for Adult Blind	524	544	544	677		726	726		
						667				
232	Classifications of Cities	578	620			689	739	739		
						695				
233	Fees Clerk Municipal Court	541	629	629		744				
236	Board of Labor to Make Reports	523	628		628		744			
238	Relating to Libel	689	702	702	702		740	740		
						Recall				
239	Relating to Bulls	690	701	702	702		740	740		
240	Sale of Intoxicating Liquors	691				721	735			

SENATE JOINT MEMORIALS.

Number	TITLE	Read First Time	Committee Report	Read Second Time	Read Third Time	Further Action	Signed by President	Signed by Speaker	Signed by Governor
1	Land for State Capitol	81	95	95	120	136	152	158	176
2	To Maintain Tariff on Lead, etc.		646	646	646	716	741	747	

SENATE RESOLUTIONS.

Number	TITLE	Passed Senate
3	Committee to Investigate Boundary Lines	531
4	In Reissuing of the Senate Journal	647
5	Thanking the Press	743

SENATE CONCURRENT RESOLUTIONS.

Number	TITLE	Read First Time	Read Second Time	Read Third Time	Further Action	Signed by President	Signed by Speaker	Action of Governor
1	Messenger to Governor	53	53	53				
2	Engrossed Bills to Be Typewritten	72	494	518	527	546	553	664
3	Death of Caleb W. West	91	91	91	104			
4	In Joint Session	247	247	247	248			

HOUSE CONCURRENT RESOLUTIONS.

Number	TITLE	Read First Time	Read Second Time	Read Third Time	Signed by President	Signed by Speaker
1	Requesting Return of H. B. 176	537	538	538	557	557

HOUSE JOINT MEMORIALS.

Number	TITLE	Read First Time	Committee Report	Read Second Time.	Read Third Time	Further Action	Signed by President	Signed by Governor
1	Annexation of Arizona Territory	54	66	66	70	83	88	131
3	Land for Indian War Veterans	229	510	510				

HOUSE JOINT RESOLUTIONS IN THE SENATE.

Number	TITLE	Presented	Read First Time	Committee Report	Read Second Time	Read Third Time	Signed by President	Signed by Governor
1	To Celebrate February 12th	89	98	132				
2	Application for Carnegie Endowment	212	212	223	223	246	264	278
3	For Portrait of ex-Gov. Cutler	104	104	105	105	105	179	
6	Indebtedness of Counties, etc	262	262	356	356	459	482	524
7	Appropriation for Capitol Grounds	385	385	467	467			
12		577	577	621				
13	For Road for Bluff, Utah	598	598					
14	Public School System	683	683	743	743	743	749	

SENATE JOINT RESOLUTIONS.

Number	TITLE	Presented	Read First Time	Read Second Time	Further Action	Read Third Time	Signed by President	Signed by Speaker
1	Rate of Taxation	102	111		124			
2	Rate of Taxation	122	128	163	692	245	741	747
3	Sale of Intoxicating Liquors	193	203	564	681	678		
4	Relating to Homesteads	291	308	500	691	678		
5	Relating to Education	291	291	428	552			
6	Shipment of Liquors	291	308	509	715	648	742	747
7	Commission to Investigate Records	355	392	507	579	572		
8	Limit of State Indebtedness	519	519	519	691	679	704	729

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2	Intoxicating Liquors	Mfgs. and Commerce	52
3	Intoxicating Liquors	Mfgs. and Commerce	66
4	Intoxicating Liquors	Mfgs. and Commerce	66
5	Intoxicating Liquors	Mfgs and Commerce	66
6	Intoxicating Liquors	Mfgs. and Commerce	66
7	Intoxicating Liquors	Mfgs. and Commerce	68
8	Intoxicating Liquors	Mfgs. and Commerce	68
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11	Intoxicating Liquors	Mfgs. and Commerce	75
12	Appropriation to Margaret Clark	Appr. and Claims	75
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14	Sale of Intoxicating Liquors	Mfgs. and Commerce	76
15	Sale of Intoxicating Liquors	Mfgs. and Commerce	84
16	Sale of Intoxicating Liquors	Mfgs. and Commerce	89
16	Sale of Intoxicating Liquors	Mfgs. and Commerce	94
17	Sale of Intoxicating Liquors	Mfgs. and Commerce	94
18	Sale of Intoxicating Liquors	Mfgs. and Commerce	94
19	Sale of Intoxicating Liquors	Mfgs. and Commerce	94
20	Erection of State Capitol	Capitol and Capitol Grounds	102
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24	Appropriation Logan & R. I. Co.	Appr. and Claims	121
25	Sale of Liquor	Mfgs. and Commerce	132
26	Sale of Liquor	Mfgs. and Commerce	132
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