SENATE JOURNAL

FIFTEENTH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH

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SENATE JOURNAL

FIFTEENTH SESSION

FIRST DAY

SENATE CHAMBER,
State Capitol
Salt Lake City, Utah, Jan. 8, 1923.

Pursuant to constitutional requirements, the hold-over Senators and Senators-elect of the Fifteenth Regular Session of the Legislature of the State of Utah convened at 12:00 o'clock noon.

The Senate was called to order by Secretary of State H. E. Crockett, who read the following Certificate of Election:

CERTIFICATE OF MEMBERSHIP OF THE FIFTEENTH LEGISLATURE OF THE STATE OF UTAH, 1923.

STATE OF UTAH,
Office of Secretary of State.

I, H. E. Crockett, Secretary of State of the State of Utah, do hereby certify:

That, at a general election held within and for said State on Tuesday, November 7, 1922, the following named persons were chosen by the electors as members of the Fifteenth Legislature of the State of Utah, to serve in the Senate from the several Districts and for the respective terms as follows:

Second District—Clarence L. Funk, County of Cache. For the term of four years.

Third District—G. Frank Ryan, Counties of Rich, Morgan, Summit, Wasatch and Daggett. For the term of four years.

Fourth District—David Jenson, County of Weber. For the term of four years.

Sixth District—Charles Cottrell, Jr., A. B. Irvine, and M. Shirley Winder, County of Salt Lake. For the term of four years.

Seventh District—LeRoy Dixon and Wilford W. Warnick, County of Utah. For the term of four years.

Ninth District—W. D. Candland, County of Sanpete. For the term of four years.

Eleventh District—David Hirschi, Counties of Beaver, Iron and Washington. For the term of four years.

Twelfth District—Oscar W. McConkie, Counties of Emery, Carbon, Grand and San Juan. For the term of four years.

And I further certify,

That by virtue of an election held on Tuesday, the 2nd day of November, 1920, at which persons were chosen as members of said body, for the term of four years then next ensuing, the following are entitled to serve for the unexpired period, from the several Districts, to-wit:

First District—John W. Peters, County of Box Elder.

Fourth District—Thomas E. McKay, County of Weber.

Fifth District—William H. Smart, Counties of Duchesne and Uintah.

Sixth District—Harrison E. Jenkins, Henry N. Standish and Antoinette B. Kinney, County of Salt Lake.

Eighth District—Perry B. Fuller, Counties of Juab and Millard.

Tenth District—H. C. Tebbs, Counties of Sevier, Wayne, Piute, Garfield and Kane.

Thirteenth District—Rufus Adams, Counties of Davis and Tooele.

As appear from the returns of said elections now of record in the office of Secretary of State.

In testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State of Utah this 8th day of January, A. D. 1923.

(Seal) H. E. CROCKETT,
Secretary of State.

Prayer by Senator Cottrell.

Roll call showed all members present.

Oath of office was administered to the members by Chief Justice A. J. Weber.

Nominations for President being declared in order, Senator Thomas E. McKay was nominated by Senator Peters.

The nomination of Senator McKay was seconded by Senator Warnick, and also by Senator McConkie on behalf of the Democratic minority.

Motion by Senator Peters that Senator McKay be declared President of the Senate by acclamation was carried unanimously.

Motion by Senator Fuller that the lady Senator, Mrs. Kinney and Senator McConkie escort the President to the chair, was carried unanimously.

Senator McKay was duly sworn in as President of the Senate by Chief Justice A. J. Weber.

Senator Peters moved the adoption of the following Order of Business for the first day:

ORDER OF BUSINESS FOR FIRST DAY.

1. Nomination and election of officers and employees of the Senate, and administering oath of office to same. (Messenger to the Governor.)

2. Appointment of a committee of three to notify the House of Representatives that the Senate is organized and ready for the transaction of business.

3. Appointment of a Committee on Senate Rules, consisting of three members.

4. Appointment of Senate members of the Committee on Joint Rules. (Notify House.)

5. Selection of Seats.

6. Recess.

7. Report of the Committee on Joint Rules, and action thereon. (Notify House.)

8. Report of the Committee on Senate Rules, and action thereon.

9. Appointment of a committee of three Senators to act with a like committee from the House of Representatives, to inform the Governor that the Legislature is duly organized, and is ready to receive his communications.

10. Miscellaneous business.

11. Reports of Committees.

12. Adjournment.

Motion carried.

Senator Jenkins moved the appointment of the following officers and employees of the Senate:

Secretary of the Senate, H. L. Cummings.

Minute Clerk, Francis F. Wetzel.

Docket Clerk, William F. Langenbacker.

Sergeant-at-Arms, Thomas Haycock.

Mailing Clerk, Louise Spencer Tanner.

Committee Clerks, H. S. Laney, Chas. W. Crosby, Henrietta Bott, Sarah H. Heath, Hilma Peterson.

Door Deepers, Lawrence Walker, C. K. Dorius.

Watchmen, W. M. Ryan, Walter Cottrell.

Messengers, J. H. Smart, L. W. Fuller.

Chaplain, T. H. Merrill.

Motion carried.

The officers and employees were then sworn in by Chief Justice A. J. Weber.

The following Concurrent Resolution was offered by Senator Candland:

SENATE CONCURRENT RESOLUTION NO. 1.
By Mr. Candland.

Whereas it appears necessary in order to expedite the business of the Legislature that there be created the position of messenger to the Governor;

Now, therefore, the said position is created for such time as the Legislature shall be in session and the Governor is hereby authorized to appoint any suitable person to such position.

On motion of Senator Candland the Rules were suspended and S. C. R. No. 1 was read the second and third times and placed on final passage.

Final vote: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder, Mr. President.

S. C. R. No. 1 was transmitted to the House for its action.

Senator Standish moved that the President appoint a committee of three to notify the House of Representatives that the Senate was organized and ready for business. Motion carried.

The President appointed Senators Standish, Funk and Hirschi as said committee.

Senator Tebbs asked unanimous consent to introduce the following bill at this time.

S. B. No. 1, by Mr. Tebbs, "An Act appropriating $45,000.00 or so much thereof as may be necessary to defray the regular and contingent expenses of the Fifteenth Session of the Legislature of the State of Utah."

On motion of Senator Tebbs, under suspension of Rules S. B. No. 1 was read first, second and third times and placed on final passage.

S. B. No. 1 then passed on the following roll call:

Final vote: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were Senators Adams, Candland, Cottrell, Dixon, Fuller, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting, Funk, Hirschi and Standish.

S. B. No. 1 was transmitted to the House for its action.

The President appointed Senators Dixon, Jenson and McConkie to be members of both the Senate Rules Committee and the Joint Rules Committee.

Motion by Senator Dixon that selection of seats be made in the following order: Senator Kinney, Senator McConkie; holdover Senators and newly elected Senators.

An Amendment was offered by Senator McConkie wherein he should select his seat with the newly elected Senators. The amendment was defeated.

The original motion carried.

The committee which was appointed to notify the House that the Senate was organized and ready for business reported that the House was not yet organized and had asked for further time.

Senator Peters moved that the Senate recess until 2 p. m.

Motion carried.

The Senate resumed its session at 2 p. m. President McKay presiding.

REPORT OF COMMITTEE ON RULES.

January 8, 1923.

Mr. President:

Your Committee on Rules respectfully reports that it has considered the matter of the rules for the present session of the Senate and it recommends the adoption of the Senate Rules of the Fourteenth Session of the Legislature with the following amendments, which refer to the printed rules, as they appear in the Senate Journal of 1921, page 30.

Rule 75. *Standing Committees.* The following standing committees shall be appointed by the President of the Senate:

1. Agriculture, seven members.
2. Appropriations and Claims, seven members.
3. Commerce and Industries, five members.
4. Contingent Expenses, three members.
5. Education, five members.

6. Engrossing and Enrolling, three members.
7. Judiciary, five members.
8. Public Affairs, five members.
9. Public Health and Labor, five members.
10. Revision and Printing, three members.
11. Rules, three members.

Respectfully submitted,
LE ROY DIXON,
Chairman.

Senator Dixon moved the adoption of the report. Motion carried.

RULES OF THE SENATE, FIFTEENTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, 1923.

1. *Secretary of State to Call to Order.* The Senate, at the commencement of every regular session of the Legislature, shall be called to order by the Secretary of State, or some person designated by him, who shall preside until the members shall have been sworn in, and shall have elected a President.

2. *Election of President.* The Senate shall elect a President, who shall preside during the session, and who shall have the general direction of the Senate chamber.

3. *President May Call a Senator to Chair.* The President may call a Senator to the chair, and such Senator shall be vested with all the powers of the President while so presiding, but such substitute shall not extend beyond an adjournment.

4. *Temporary Presiding Officer in Absence of President.* In the absence of the President, one of the Senators shall be elected to preside temporarily, until the return of the President. In case of a vacancy in the office of President, or in case the President or the Senator appointed by him to perform the duties of the chair, is absent at the hour to which the Senate stands adjourned, the oldest senior Senator present shall call the Senate to order, and shall preside until a President

pro tempore is elected, and such election shall be the first business in order.

5. *Duties of President.* It shall be the general duty of the President:

(a) To assign to the officers and employees of the Senate their respective duties and stations, and to have general supervision over them.

(b) To assign places to properly accredited newspaper representatives.

(c) To take the chair every day, precisely at the hour to which the Senate shall have adjourned, immediately call the Senate to order, and proceed with the daily order of business.

(d) To announce the business before the Senate in the order in which it is to be acted upon.

(e) To receive and submit in the proper manner, all motions and propositions presented by the Senators.

(f) To put to vote all questions which are regularly moved, or which necessarily arise in the course of proceedings, and to announce the result thereof.

(g) To restrain the Senators while engaged in debate, within the rules of order.

(h) To enforce on all occasions the observance of order and decorum among the Senators.

(i) To inform the Senate when necessary, or when referred to for that purpose, on any point of order or practice.

(j) To receive messages and other communications from other branches of the Government, and to announce them to the Senate.

(k) To authenticate by his signature, when necessary, all the acts, orders and proceedings of the Senate over which he presides.

(l) To name the members of committees when directed to do so in any particular case, or when it is a part of his general duty by the rules.

(m) To represent and stand for the body over which he presides, declaring its will, and in all things obeying its commands. Every officer of the Senate is

subordinate to the President, and in all that relates to his several duties, is under his supervision.

6. *Election and Duties of Secretary.* A Secretary of the Senate shall be elected at the commencement of each session, to hold his office at the pleasure of the Senate. His general duties shall be:

(a) To attend every ession, call the roll, to read all bills, amendments, resolutions and all papers which are ordered to be read by the Senate or presiding officer.

(b) To superintend all copying and work to be done for the Senate.

(c) To have supervision over all employees of the Senate, subject, however, to the direction of the President, to assign, re-assign or transfer all employees to their respective duties, to certify and transmit to the House all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the House immediately after their passage or adoption by the Senate.

(d) To keep a correct Journal of the proceedings of the Senate.

(e) To notify the House of the action by the Senate on all matters originating in the House and requiring action on the part of the Senate.

(f) To keep a record of the attendance of all employees. Any employee absenting himself or herself without the permission of the President, shall not be paid for the day or days of such absence. He shall keep a record of all leaves of absence and shall keep a record of and approve all pay-rolls and bills.

(g) To sign jointly with the President all requisitions on the State Auditor for warrants to pay the expenses of the Senate.

(h) To permit no records or papers belonging to the Legislature to be taken out of his custody, otherwise than in the regular course of business.

(i) To report any missing papers to the notice of the President.

(j) To be responsible for all the official acts of his assistants.

7. *Election and Duties of Sergeant-at-Arms.* A Sergeant-at-Arms shall be elected at the commencement of each session to hold his office at the pleasure of the Senate. His general duties shall be:

To attend all sittings of the Senate, to execute the command of the Senate from time to time and to serve all process which shall be issued by order of the Senate or by order of any committee when the same is signed by the President. He shall, subject to the directions of the President and Secretary, have supervision over the doorkeepers, messengers and watchmen, and he shall preserve order in the lobby and gallery, and guard the floor from intruders. He shall report each day to the Secretary, the absence or late arrival of any employee of the Senate.

RIGHTS AND DUTIES OF MEMBERS

8. *Every Senator Must Be Present.* Every Senator shall be present within the Senate Chamber during the sessions of the Senate, unless duly excused or necessarily prevented.

9. *Less Than Quorum May Send for Absent Senators.* In case a less number than a quorum of the Senate shall convene at the hour to which the Senate shall have adjourned, those present are authorized to send the Sergeant-at-Arms, or any other person, for the absent Senators.

10. *How Excused from Voting.* A Senator desiring to be excused from voting may, when his name is called, make a brief statement, not occupying over five minutes, giving the reasons for making such request, and the question of excusing him shall then be decided without debate. Any Senator desiring to explain his vote upon a bill, may, when his name is called, be allowed a like opportunity.

11. *Not a Vote Unless Present.* No Senator shall be permitted to vote on any question unless he shall be within the Senate Chamber before the vote is announced.

ORDER AND DECORUM

12. *President to Preserve Order. Appeal.* The President shall preserve order and decorum, he may speak to points of order in preference to other Senators, rising from his seat for that purpose; and he shall decide questions of order, subject to an appeal by any Senator, on which appeal no Senator shall speak more than once, unless by leave of the Senate. On appeal being taken, the question shall be: "Shall the decision of the chair stand as the judgment of the Senate?" Which question and the action thereon shall be entered in the Journal.

13. *Disturbance in Lobby or Gallery.* In case of any disturbance or disorderly conduct therein, the President shall have the power to order the lobby and gallery cleared.

14. *Punishment for Disrespect to Senate.* The Senate may, during its session, punish by imprisonment any person not a member, who shall be guilty of disrespect to the Senate, 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.

15. *Smoking Not Permitted.* No person shall be permitted to smoke within the Senate Chamber while the Senate is in session.

16. *Obtaining the Floor.* When any Senator is about to speak, or to deliver any matter to the Senate, he shall rise from his seat and respectfully address himself to "Mr. President." Upon being recognized by the chair, he may address the Senate, confining himself to the question under consideration, and avoiding personalities. No Senator shall impeach the motives of any other Senator.

17. *Calling a Senator to Order for Transgressing Rules.* If any Senator in speaking (or otherwise) transgress the rules of the Senate, the President shall, or any Senator may, call him to order, in which case the Senator so called to order shall sit down, unless permitted to

explain; and the Senate if appealed to shall decide the case without debate. If the decison be in favor of the Senator 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.

18. *Calling a Senator to Order for Words Spoken.* If any Senator be called to order for words spoken in debate, the Senator calling him to order shall repeat the words to which exception is taken, and they shall be recorded by the Secretary; but no Senator shall be held to answer, or be subject to the censure of the Senate for words spoken in debate, if any Senator has meanwhile spoken in debate or other business has intervened after the words spoken, and before such exceptions have been taken.

19. *President to Decide Who is Entitled to Floor.* If two or more Senators rise at once, the President shall name the Senator who is to speak first.

20. *Senators Not to Leave Chamber, When.* While the President is addressing the Senate, or putting a question, no Senator shall walk out of, or across the chamber, nor while a Senator is speaking, walk between him and the chair.

21. *Calling of Yeas and Nays.* No Senator or other person shall visit or remain by the Secretary's desk while the yeas and nays are being called.

22. *Priority of Business.* All questions relating to priority of business shall be decided without debate.

MOTIONS

23. *Motions to be Stated Before Debate.* When a motion is made, it shall be stated by the President, or if in writing, shall be handed to the Secretary and read aloud before debate.

24. *Motions in Writing.* Every motion, excepting motions to adjourn, postpone or commit, shall be reduced to writing if the President or any Senator desire it.

25. *Withdrawing a Motion.* 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 division or amendment.

26. *No Second Required to Motions.* No second shall be required to any motion in the Senate.

27. *Motions in Order During Debate.* When a question is under debate, no motion shall be received except:

(1) To fix the time to which to adjourn.
(2) To adjourn.
(3) To call the Senate.
(4) To commit.
(5) To lay on the table.
(6) To postpone to a day certain.
(7) To postpone indefinitely.
(8) To amend.

These several motions shall have precedence in the order in which they stand in this rule.

During a roll-call no motion or other busniess shall be in order, until after the announcement of the result of the vote.

28. *Motion to Adjourn Always in Order. Exceptions.* A motion to adjourn shall always be in order except when the Senate is voting, and except when a previous motion to adjourn having been defeated, no intervening business has been transacted; but this rule shall not authorize any Senator to move an adjournment when another Senator has the floor.

29. *Motion to Lay on Table Temporary Only.* A motion to lay on the table shall only have the effect of disposing of the matter temporarily, and it may be taken from the table at any time by order of the Senate.

30. *Motion to Postpone.* 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, and at the same stage of a bill or proposition.

31. *Motion to Strike Out Enacting Clause.* A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, and if carried shall be deemed a rejection of the bill.

32. *Filling Blanks.* When a blank is to be filled, and different sums or times are proposed, the question shall be first put on the least sum and the shortest time.

33. *Motions Must be Germane.* No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

34. *Motions to Commit or Postpone Preclude Amendments.* 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.

35. *What Questions to be Decided Without Debate.* A motion to adjourn, to take a recess, to lay on the table or to take from the table shall be decided without debate, and all incidental questions of order arising after a motion is made for either of the questions named in this rule, and pending such motion, shall be decided whether on appeal or otherwise, without debtae.

36. *Division of Question.* If the question in debate contains several points, any Senator may have the same divided; but on a 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.

RECONSIDERATION

37. *Who May Move to Reconsider.* 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 for a reconsideration of such bill.

38. *Reconsideration Requires Majority of Senate.* Upon a motion to reconsider the vote on the final passage of any bill, a majority of all the members of the Senate shall be required to reconsider the same.

39. *Motion to Reconsider.* When a question has been decided by the Senate, any Senator voting with the prevailing side may move a reconsideration thereof,

or give notice that he will make such motion within the time prescribed by the rules, but no motion for the reconsideration of any vote shall be in order after a bill or resolution upon which the vote was taken shall have gone out of the possession of the Senate. No motion for reconsideration shall be in order unless made within the next day of actual session of the Senate. Such motion shall take precedence of all other motions and questions, except a motion to adjourn.

40. *Notice of Motion to Reconsider.* Upon notice being given by any Senator of his intention to move a reconsideration of any vote taken, the Secretary shall enter the same in the Journal and shall retain the bill or other papers with reference to which such vote was taken, until the time for reconsideration has expired; provided, that the operation of this rule shall be suspended during the last week of the session.

41. *No Motion to Reconsider Within Three Days of Adjournment.* No notice of a motion to reconsider shall be received within three days of the time fixed for the final adjournment of the Legislature.

DEBATES

42. *Senators Not to Speak More Than Twice.* No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation), so long as any Senator who has not spoken desires to speak.

43. *Interruptions and Questions.* No Senator shall interrupt or question another Senator in debate without his consent, and to obtain such consent, he shall first address the President.

44. *Author May Open and Close Debate.* The author of a bill, motion or resolution, shall have the privilege of opening and closing the debate.

45. *Previous Question.* The previous question shall not be entertained or be a rule of practice in the Senate.

AMENDMENTS

46. *Substitute Motions.* All so-called substitute motions and resolutions shall be considered as amendments only, and shall be subject to the rules relating thereto; except such matters as may be reported by committee.

47. *Amendments Must Be Germane.* Any substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

48. *Amendments to Measure Requiring Two-thirds Vote.* A constitutional amendment, or a bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

49. *Tabling An Amendment Does Not Prejudice Bill.* An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

50. *Rider Amendments.* No amendment by way of rider shall be made to any bill on its third reading.

51. *Amendments in Order at Second and Third Reading.* Amendments shall be in order at the second and third readings 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 recomitment.

52. *Committee Amendments, How Reported; Speaking on Amendments.* Amendments reported by a committee shall refer to the printed bill and shall not be inserted in the original bill until after such amendments shall have been adopted by the Senate, when they shall be properly inserted by the Secretary. A copy of the printed bill with all proposed amendments entered thereon shall accompany the committee's report. Such committee amendments shall be inserted in the Senators' files before the bill is considered on its second reading, and the amendments shall be acted upon by the Senate in the same manner as though offered from the floor.

On an amendment being moved, a Senator who has spoken to the main question may speak again to the amendment.

53. *Amendments Referred to Committees to be Reported.* Whenever any bill to which an amendment is pending shall be referred to a committee, such amendment shall be reported back to the Senate.

54. *Order of Action.* If any amendment be offered, the question shall be first upon the amendment. If rejection is recommenedd by a committee, the adoption of an amendment shall not change the question.

VOTING

55. *Roll Call on Final Passage of Bills and Other Questions.* The vote upon the final passage of all bills shall be by yeas and nays, the names of the Senators to be called alphabetically, except that the President shall be called last. The yeas and nays shall be ordered on other questions when demanded by five Senators present. In recording the votes taken by yeas and nays, the Secretary shall report those absent or not voting.

56. *Voting or Changing Vote After Decision Announced.* When the yeas and nays are taken on any question, no Senator shall be permitted to vote or to change his vote after the decision is announced by the chair.

57. *May Change Vote Before Decision Announced.* Any Senator may change his vote before the decision of the question shall have been announced by the chair.

58. *Senators Required to Vote.* Every Senator present when a question is put, or when his name is called, shall vote, unless the Senate shall, for a special cause, excuse him, or unless he has a direct personal or pecuniary interest in the event of such question. In case the vote is by yeas and nays, or by a division, a member entering the chamber after the question is put and before it is decided, may have the question stated, record his vote and be counted.

59. *Pairs.* Absent Senators whose votes, if they were present, would be cast on opposite sides of any

question may pair by filing a signed statement of the same with the Secretary, who shall read the same to the Senate before the vote is taken. A blank form of pair shall be provided by the Secretary.

60. *Putting Question; Division.* The President shall rise to put the question, but may state it sitting, and shall put questions in this form, to-wit:

"As many as are in favor (as the question may be) say aye," and after the affirmative vote is expressed, "As many as are opposed say no." If he doubts the result of the vote, or if a division be called for, the Senate shall divide; those in the affirmative shall first rise from their seats and be counted, and afterward those in the negative.

CALL OF THE SENATE

61. *Call of the Senate.* Any five Senators may demand 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.

62. *Putting Question.* Upon a Call of the Senate being moved, the President shall say: "It requiring five Senators to make a call of the Senate, those in favor of the call rise." And, if a sufficient number shall rise, the call shall be thereby ordered.

63. *Doors to Be Closed.* A call of the Senate being ordered, the Sergeant-at-Arms shall close the doors, and no Senator shall be allowed to leave the chamber.

64. *Sergeant-at-Arms to Bring in Absentees.* The Secretary shall immediately call the roll of the Senate, and note the absentees, whose names shall be read and entered upon the Journal in such manner as to show who are absent without leave and who are absent with leave. The Secretary shall furnish the Sergeant-at-Arms with a list of those who are absent without leave, and the Sergeant-at-Arms shall forthwith proceed to find and bring in such absentees.

65. *Senate Under Call; Raising Call; Adjournment.* While the Senate is under call, no business shall be transacted except to receive and act on the report of

the Sergeant-at-Arms; and no motion shall be in order except a motion to adjourn and a motion to suspend further proceedings under the call, which motions shall be determined by the yeas and nays, and the motion to suspend further proceedings under the call shall not be adopted unless a majoirty of all the Senators vote in favor thereof. A majority of those present may adjourn, but upon reconvening, the Senate shall not be considered to be under the call, but the call of the Senate may again be ordered in the same manner as above described.

66. *Sergeant-at-Arms May Report.* The Sergeant-at-Arms may make a report of his proceedings at any time, which report may be accepted, and further proceedings under the call thereby dispensed with; but the motion to accept such report shall be determined by yeas and nays, and it shall not be adopted unless a majority of all the Senators shall vote in favor thereof. If such report be not accepted, the Sergeant-at-Arms shall proceed to a completion of his duties as required by Rule 64.

67. *Call Raised When Absentees Present.* When the Sergeant-at-Arms shall make a report showing that all who were absent without leave (naming them) are present, such report shall be entered on the Journal and the call be at an end; and thereupon the doors shall be open, and the business pending when the call was made shall be proceeded with.

ORDER OF BUSINESS

68. *Hour for Meeting.* The hour for the meeting of the Senate shall be at 2 o'clock p. m., daily, except Sundays, unless a different hour shall be prescribed by resolution or motion adopted by a majority vote.

69. *Roll Call; Quorum.* Before proceeding to business, the roll of the Senators shall be called and the names of those present and those absent shall be entered on the Journal. A majority of the Senators must be present to constitute a quorum for the transaction of business, but a smaller number may adjourn from day

to day, and may compel the attendance of absent members.

70. *Leave of Absence.* Unless unable to attend on account of illness or other cause, no Senator or officer of the Senate shall be absent from the session during the entire day without first having obtained leave of absence.

71. *Daily Order of Business.* The daily order of business in the Senate shall be as follows:

1. Roll call.
2. Prayer by the Chaplain.
3. Reading and approval of the Journal of the preceding day.
4. Presentation of petitions.
5. Reports of Standing Committees.
6. Reports of Special Committees.
7. Presentation of resolutions, motions and notices.
8. Introduction of bills.
9. Consideration of resolutions.
10. Consideration of bills on third reading.
11. Consideration of bills on second reading.
12. Miscellaneous business.

72. *Messages and Reports Received at Any Time.* Messages from the Governor and from the House of Representatives, communications and reports from State officers, reports from the committees on engrossing and enrolling and on rules, may be received at any time, except when the President is putting the question, or when the yeas and nays are being called; and upon motion may be considered at any time.

73. *Unfinished Business.* The item of unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference under its regular order in the daily order of business.

74. *Action Out of Regular Order.* The Senate may at any time on motion supported by a majority vote of the Senators present proceed out of order to any order of business or return to an order already passed. When the Senate shall have reached any particular order of

business, any item thereunder may be taken up for consideration out of its regular order upon motion supported by a majority vote of the Senators present; provided that it shall require unanimous consent to advance any bill on the calendar.

COMMITTEES

75. *Standing Committees.* The following standing committees shall be appointed by the President of the Senate:

1. Agriculture, seven members.
2. Appropriations and Claims, seven members.
3. Commerce and Industries, five members.
4. Contingent expenses, three members.
5. Education, five members.
6. Engrossing and Enrolling, three members.
7. Judiciary, five members.
8. Public Affairs, five members.
9. Public Health and Labor, five members.
10. Revision and Printing, three members.
11. Rules, three members.

76. *Chairman of Committee.* The first Senator named on a committee shall be the chairman thereof.

77. *Committee Not to Sit While Senate in Session.* No committee shall sit while the Senate is in session, without special leave.

78. *Special Committees.* Special committees may be provided for on motion or by resolution, designating the number and the object, and unless otherwise ordered shall be appointed by the President.

79. *Committee Quorum; Subcommittees.* A majority of any committee shall constitute a quorum for the transaction of business. Subcommittees, who shall report to the regular committee, may be appointed to take charge of any part of the committee's business.

80. *Business in Committees; Report.* All business referred to a committee shall be taken up within fifteen days unless further time is granted by the Senate, and if not at once disposed of, a time shall be fixed by the committee for the final hearing thereon and a report

thereof made to the Senate. When a bill has been acted upon by a committee, the chairman shall report it back to the Senate forthwith.

81. *Notice of Meeting to Author of Bill.* The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or resolution.

82. *Dissenting Members to Be Reported.* Members dissenting from a report of a committee shall be so reported when they request it.

83. *Committee on Contingent Expenses; Payment of Expenses.* No expenditures on behalf of the Senate shall be incurred by any officer without the consent and authority of the Committee on Contingent Expenses. The said committee shall examine and audit all requisitions and bills for supplies and expenditures of the Senate, of its members and committees, for stationery and other purposes, and shall certify to the correctness of the same; and no such requisition shall be made, nor bill be audited or paid unless so certified by the chairman or other member of the committee. After any bill or claim shall have been audited and approved by the Committee on Contingent Expenses, it shall be certified by the President and Secretary to the State Auditor for payment by state warrant.

BILLS, RESOLUTIONS, ETC., PROCEDURE

84. *Seven Copies of Bills Required.* Seven typewritten or printed copies of every bill, resolution or memorial shall be furnished the Secretary by the Senator introducing the same.

85. *Bill Backs.* The Secretary shall attach to each bill or resolution a substantial back, which shall bear no writing except the number of the bill and the name of the person or committee introducing it.

86. *Introduction and First Reading of Bill.* Any Senator desiring to introduce a bill shall rise from his seat and address the President, and upon being recognized, shall present the same to the Secretary. The

Secretary shall thereupon give it a number and read the title. This shall constitute the first reading of the bill.

87. *Reference to Committee on Revision and Printing.* After the bill has been read the first time it shall as a matter of course be referred to the Committee on Revision and Printing, which shall examine the same. The committee, by and with the written assent of the author filed with it, shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, or in the form of the bill, for the purpose of avoiding repetitions, securing a proper title, insuring accuracy in the text and references and consistency with the language of existing statutes. The Committee on Revision and Printing shall also see to it that the provisions of the Joint Rules covering the underscoring of new matter and the indicating of old matter omitted are observed, and that no bill is printed until these provisions are carried out.

88. *Report of Committee on Revision and Printing.* The Committee on Revision and Printing shall report back all bills in the order in which they were sent to it, but shall not retain any bill for longer than three legislative days, unless otherwise ordered. In its report the Committee on Revision and Printing shall state whether the requirements of these rules have been complied with, and whether the object sought to be accomplished by the proposed legislation can be secured without a special act by amending an existing law, or by enactment of a general law.

89. *Bills Ordered Printed and Referred to Standing Committee.* When the report of the Committee on Revision an Printing has been read, the question shall be: "Shall the bill be printed?" If ordered printed, the bill shall be referred to a standing committee by the President, and 250 copies thereof, unless otherwise ordered by the Senate, shall be printed. The Committee on Revision and Printing shall compare the printed bill with the original, and if it is found to be a true and correct copy, the committee shall so certify to the Senate.

A printed copy of the bill, bearing the written approval of its author, shall thereupon be substituted for the original, and shall thenceforth be treated as the original bill.

90. *Bill Reported from Committee.* When bills are reported from committees, they shall be placed at the foot of the second reading calendar, in the order in which they are received. The report of the committee shall be filed with the bill.

91. *Second Reading of Bill.* When a bill is reached on the second reading calendar, it shall be read in full, after which the report of the committee shall be read and acted upon. The bill shall then be open for general discussion and amendment. The final question on the second reading shall be: "Shall the bill be read a third time?" and shall be decided by a yea and nay vote. If this question is decided in the negative, it shall be deemed a rejection of the bill.

92. *Bill Placed on Third Reading Calendar.* Each bill, resolution or constitutional amendment ordered read a third time shall be placed at the foot of the third reading calendar.

93. *Reprinting Bill.* Any bill that has been materially amended on its second reading may by a majority vote be ordered reprinted.

94. *Third Reading of Bill; Final Question.* When a bill is reached on the third reading calendar, it shall be read by title, unless objection be made, in which event the bill shall be read in full as it passed its second reading. The bill shall then be open for discussion or further amendment. The final question shall be stated thus: "This bill having been read three times, the question is: "Shall the bill pass?" or "Shall the bill be concurred in?" as the case may be.

95. *Third Reading of Money Bills to Be in Full.* The third reading of all bills appropriating money shall be in full.

96. *Amendments Inserted in Bill Before Transmitted to House.* Any bill, resolution, memorial or constitutional amendment which shall have passed the Senate

with amendments shall have such amendments inserted therein in blue before being transmitted to the House of Representatives.

97. *Recommitment Before Passage.* Any bill, resolution or memorial may be recommitted at any time previous to its passage.

98. *Bill Transmitted to House.* Each bill which passes its third reading shall be certified by the Secretary and by him transmitted to the House. The date of transmission shall be entered on the books of the Secretary.

99. *Enrollment of Bills Signed by President.* After a Senate bill has passed both Houses, it shall be duly enrolled under the direction of the Committee on Engrossing and Enrolling and carefully examined as provided by Joint Rule No. 32. When the bill is reported to the Senate as correctly enrolled, its title shall be publicly read and it shall be signed by the President in the presence of the Senate, and then transmitted to the House to be signed by the Speaker.

100. *No Bill to Be Introduced After Fortieth Day.* No bill shall be introduced in the Senate after the fortieth day of the session, without unanimous consent.

101. *All Money Bills Referred to Appropriations and Claims Committee.* All bills appropriating money from any fund shall be referred to the Committee on Appropriations and Claims before being read a second time.

102. *Resolutions Lie One Day on Table.* All resolutions except joint or concurrent resolutions shall lie one day on the table.

103. *Action on House Bill.* When a House bill has been received by the Senate, with a message announcing that it has passed the House, such bill shall be read the first time and referred by the President to a standing committee and its course shall thereafter be the same as that of a Senate bill; provided, however, that when a House bill is received, the text of which is stated by a Senator to be identical with that of a Senate bill, which has already been considered and reported by a standing

committee of the Senate, such House bill shall be referred to the Committee on Engrossing and Enrolling for comparison, which committee shall report without delay whether or not such bill is identical with the Senate bill. If reported identical, such House bill shall be substituted for the Senate bill and shall take its place on the second reading calendar, provided that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

104. *No Senate Bills to Be Passed Within Three Days of Adjournment.* No Senate bill shall be passed within three days of the time set for the adjournment sine die of the two Houses of the Legislature.

THE CALENDAR.

105. *Bills Placed on Calendar.* When bills, resolutions, memorials or other business are reported from committees, they shall be placed upon the Calendar, to be kept by the Secretary as follows:

All bills when reported to the Senate by Committees shall be placed at the foot of the second reading calendar, in the order in which the reports are made, and after passing the second reading, they shall be placed at the foot of the third reading calendar, in the order of second reading.

106. *Precedence in Consideration of Bills; Printed Calendar.* Precedence shall be given in the consideration tion of bills on the Calendar in the following order: Third reading calendar and second reading calendar, unless otherwise ordered by unanimous consent. The bills upon third reading shall be considered in the order in which they appear upon the Calendar, unless otherwise ordered, by unanimous consent. If a bill is passed on the Calendar, for any reason other than the absence of the author by leave of the Senate, it shall be placed at the foot of the Calendar, unless otherwise ordered. The Secretary shall cause the Calendar to be prepared and printed daily, and laid upon the desk of the President and each Senator every day the Senate may be in session.

107. *Special Order.* Any subject may by a vote of a majority of those voting be made a special order, and when the time fixed for its consideration arrives, the President shall lay it before the Senate.

COMMITTEE OF THE WHOLE.

108. *Bills on Second Reading May Be Considered in Committee of the Whole.* During consideration of bills on their second reading, three Senators may move that any bill or bills in said order of business shall be considered in Committee of the Whole, and the Senate shall resolve itself into a Committee of the Whole for the consideration of the bill or bills to be so considered.

109. *Procedure in Committee of Whole.* In forming a committee of the whole, the President, unless otherwise ordered by the Senate, shall appoint a chairman to preside, who shall for the time being exercise all the powers of the President necessary to the conduct of the business of the committee. The rules of the Senate shall govern as far as practicable, except that a Senator may speak more than twice on the same subject, that a call for the yeas and nays cannot be made, nor can an appeal from the decision of the chair be taken. Such committee may strike out the enacting clause of a bill and report that fact to the Senate; and if the report be agreed to by the Senate, it shall be deemed a rejection of the bill.

110. *Action on Bills in Committee of the Whole; Report to Senate.* Upon bills committed to a Committee of the Whole, the bill shall first be read throughout by the Secretary, and then again read and debated by sections, leaving the title to be last considered. The body of the bill shall not be defaced or underlined, but all amendments, noting the page and line, shall be duly entered by the Secretary on a separate paper, as the same shall be agreed to by the committee. All amendments made in Committee of the Whole shall be reported by the chairman to the Senate, and shall by him be moved to be inserted, and if adopted shall then be entered upon the Journal. After the bill has been reported to the

Senate, it shall again be subject to debate and amendment before the vote thereon is taken.

111. *Motion to Rise Always in Order in Committee of the Whole.* A motion that the committee of the whole rise shall always be in order, and shall be decided without debate.

EXECUTIVE SESSIONS.

112. *Executive Sessions.* When a motion is adopted to close the doors of the Senate, on the discussion of any business that may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, the President, Secretary, Minute Clerk and Sergeant at Arms to withdraw and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

113. *Executive Communications and Nominations.* When executive communications or nominations shall be sent by the Governor to the Senate for confirmation, they shall, after being read by the secretary, without motion be referred to a special committee of five appointed by the President, unless otherwise ordered by the Senate. In no event shall action be taken on any executive nomination before the third day after its receipt from the Governor. After having been reported by the special committee of five appointed by the President, the final question on every nomination shall be: "Will the Senate advise and consent to this nomination?" which question shall not be put on the day the nomination or nominations are reported from the committee, unless by unanimous consent. While any nomination remains with the Senate, it shall be in order to reconsider any vote taken thereon.

SUSPENSION OF RULES.

114. *Suspension or Alteration of Rules Requires Two-Thirds Vote.* No standing rule of the Senate shall be altered, amended, suspended or rescinded without the vote of two-thirds of the Senators present.

RULES OF ORDER.

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

PRIVILEGES.

116. *Admission to Senate Chamber.* No person shall be admitted within the Senate Chamber (galleries excepted) during the session, unless specially invited by a Senator, except the members and officers of the two houses of the Legislature, the Governor, heads of State Departments, former Governors, members of the Congressional Delegation, Judges of the United States Courts and of the State Courts, and reporters of the press. Any such person shall only be entitled to the quiet and orderly occupancy of the seats provided for visitors or for representatives of the press, and in no event to the privileges of the floor.

117. *Senators' Seats Not to Be Occupied by Others.* At no time, whether the Senate be in session or not, shall any employee of the Senate, or any person whatsoever, other than the President or a Senator, be permitted to occupy the chair or use the desk of the President or that of any Senator.

118. *Sergeant-at-Arms to Enforce Rules.* The Sergeant-at-Arms and the employees under his direction will be held to a strict enforcement of the two preceding rules.

119. *Employees and Visitors Not to Influence Legislation.* Any employee of the Senate or of its committees soliciting or inviting any Senator to vote or use his influence for any bill or matter before the Senate shall be at once dismissed from service and employment, and any person entitled to the privilege of the floor of the Senate who shall, while on the floor during the session of the Senate, solicit or invite any Senator to vote or use his influence for any bill or matter before the Senate shall forfeit his privilege.

Senator Jenkins moved that the President appoint a committee of three to act with a like committee from the House of Representatives to inform the Governor that the Legislature is organized and ready to receive his communications.

Motion carried.

The President appointed Senators Jenkins, Kinney and McConkie as such committee.

Motion by Senator Peters that a Book of Rules, including a Roster of the Fifteenth Session of the Legislature be prepared for the use of officers and members, the Committee on Joint Rules to have charge of this work.

Motion carried.

Senator Candland requested that he be excused for three days owing to the death of the wife of a former member of the legislature from his county—also that a bill which he handed to the Secretary would be introduced in the regular order of business.

On motion of Senator Peters the Senate adjourned to 2 p. m., Tuesday, Jan. 9, 1923.

SECOND DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 9, 1923.

The Senate was called to order at 2 p. m. by President McKay.

Roll call. All members present, except Senator Candland, who was excused until January 12.

Prayer by the Chaplain.

The Journal of the First Day was read, corrected and approved.

PRESENTATION OF RESOLUTIONS

Senator Jenson called attention to the sudden death of the Honorable Abbott R. Heywood and moved the appointment of a committee of three to prepare and submit an appropriate resolution.

Motion carried.

The President appointed Senators Jenson, Irvine and Funk as such committee.

Senator Standish moved that Mrs. Helen Nelson be appointed Committee Clerk in the Senate.

Motion carried.

Senator Peters moved that each Senator be allowed a mailing list of Seven.

Motion carried.

It was suggested that following the adjournment each employee make himself acquainted with each Senator.

On motion of Senator Peters the Senate adjourned to 2:00 p. m., Wednesday, January 10, 1923.

THIRD DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 10, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll call. Nineteen members present; one excused.

Prayer by the Chaplain.

The Journal of the Second Day was read, corrected and approved.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 10, 1923.

Mr. President:

I am directed to inform your Honorable Body that the House has this day completed a permanent organization with the following officers:

Speaker, Wm. W. Seegmiller.

Chief Clerk, E. L. Cropper.

Docket Clerk, Lamont Allen.

Minute Clerk, John G. Weaver.

Engrossing and Enrolling Clerk, Jeanne Salmon.

Committee Clerks, Corey F. Albritton, Fern Tanner, Montess Brimhall, Mrs. P. South, Miss Hattie Peters, Florence Collins, Olva Seegmiller, Eva McCullough.

Sergeant-at-Arms, Peter T. Black.

Assistant Sergeant, Martin Isaacson.

Messenger, Wm. Elsmore.

Messenger, Wilford Robinson.

Assistant Messenger, F. E. Brown.

Assistant Messenger, Jos. Hughes.

Doorkeeper, Hyrum Sessions.

Assistant Doorkeeper, L. M. Morrison.

Assistant Doorkeeper, John Shafer.

Mailing Clerk, Mrs. Clara N. Maughn.

Filing Clerk, Mrs. Willie K. Tanner.

Chaplain, B. S. Bastian.

Janitor, Thornton Jackson.

In making these selections we have aimed at efficiency and we hold the Representatives making the recommendations responsible for the proper performance of duty by the appointees.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol.

Salt Lake City, Utah, Jan. 10, 1923.

Mr. President:

I am requested to notify your Honorable Body that Representatives Crouch, Wheatley and Graham, have been appointed as a committee to notify the Senate that the House is fully organized and ready for business.

Also that Representatives Callister, Peacock and Rowan, have been appointed a committee to act with a like committee from the Senate to notify the Governor that the House and Senate are fully organized and ready to receive any communication His Excellency may desire to make.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Committee from House reported that the House is now organized and ready for business.

It was moved by Senator Peters that the report of the House Committee be received.

Motion carried.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 10, 1923.

Mr. President:

I am instructed to inform your Honorable Body, that the House has this day passed, under suspension of rules, S. B. No. 1, by Mr. Tebbs, entitled, "An Act appropriating Forty-five thousand dollars ($45,000.00) or so much thereof as may be necessary to defray the regular and contingent expenses of the Fifteenth Session of the Legislature of the State of Utah," and the same is herewith returned for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 1 referred to Committee on Enrolling and Engrossing.

THE HOUSE OF REPRESENTATIVES,
The Capitol,
Salt Lake City, Utah, Jan. 10, 1923.

Mr. President:

I am instructed to inform your Honorable Body, that the House has this day passed, under suspension of rules, S. C. R. No. 1, by Mr. Candland, creating a position of messenger to the Governor, and the same is herewith returned for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. C. R. No. 1 referred to Committee on Enrolling and Engrossing.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 10, 1923.

Mr. President:

Your committee appointed to prepare and submit Resolutions in memory of the life and character of HONORABLE ABBOTT R. HEYWOOD, Chairman of the Public Utilities Commission of the State of Utah, respectfully submit the following Resolutions, and move their adoption:

RESOLUTIONS

Whereas, Divine Providence has called from our midst and companionship, and loyal and faithful service to the State of Utah, HONORABLE ABBOTT R. HEYWOOD, Chairman of the Public Utilities Commission of the State of Utah, a man of exceptional ability, sterling worth, character and integrity; loving and devoted to his family; a loyal, true, public spirited and patriotic citizen; faithful and energetic in the discharge of his public duties in City, County, State and Nation; fearless in his convictions; fair and impartial in his public actions and decisions affecting the public welfare; ever mindful of and a firm believer and defender of Constitutional Government; and one who has rendered faithful and distinguished service for his City, County, State and Nation;

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the State of Utah, that we recognize in the death of HONORABLE ABBOTT R. HEYWOOD, the loss of a true, loyal, faithful, energetic and patriotic citizen and public servant of sterling character and integrity, who has rendered faithful and distinguished public service to his City, County, State and Nation, whose timely and valuable counsel and public service will be keenly missed by the entire State; and,

BE IT FURTHER RESOLVED, that the Senate of the State of Utah extends to the surviving widow and son the sincere love and sympathy of each of its Members, with the sincere and earnest hope and prayer that our Heavenly Father through His Holy Spirit will comfort and console them in their bereavement and sorrow for one so noble and devoted to his family and State; and,

BE IT FURTHER RESOLVED, that a copy of these Resolutions be spread upon the Journal of the Senate, and a copy transmitted to the family.

Very respectfully submitted,

DAVID JENSON,
Chairman.

Report filed.

It was moved by Senator Jenson that the report be adopted.

Motion carried.

The following standing committees were appointed by the President:

STANDING COMMITTEES OF THE SENATE

Agriculture—Smart, Candland, Hirschi, Cottrell, Funk, Ryan and Warnick.

Appropriations and Claims—Tebbs, Adams, Kinney, Winder, Candland, McConkie and Peters.

Commerce and Industry—Jenkins, Adams, Standish, Ryan and Funk.

Contingent Expense—Adams, Standish and Hirschi.

Education—Irvine, Peters, Kinney , Warnick and Cottrell.

Engrossing and Enrolling—Winder, Kinney and Smart.

Judiciary—Jenson, Irvine, Tebbs, Candland and McConkie.

Public Affairs—Peters, Jenson, Fuller, Irvine and Dixon.

Public Health and Labor—Standish, Fuller, Hirschi, Dixon and Winder.

Revision and Printing—Fuller, Jenkins and Tebbs.

Rules—Dixon, Jenson and McConkie.

The committee to the Governor reported that they, in connection with a like committee from the House, had waited on His Excellency, the Governor, and that he had extended his wishes for success to both Houses of the Legislature—also that he would be ready to meet with the Legislature in joint assembly at 3:00 p. m. today.

Senator Jenkins moved the adoption of the report.

Motion carried.

Senator Jenkins was appointed to advise the Governor that the hour set by him for the joint session was approved by the Senate.

INTRODUCTION OF BILLS

S. B. No. 2, by Mr. Jenkins, "An Act providing for a definite sentence in all criminal cases, and repealing sections 9062, 9063 and 9064, inclusive, of the Compiled Laws of Utah, 1917," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 3, by Mr. Candland, "An Act to amend Sections 890 (342), 891 (343), 893 (345), and 895 (347), Title 19, Chapter 1, Compiled Laws 1917; and inserting Section 892X, so as to provide for the mutual co-operation of the associations not for pecuniary profit, provided for in said chapter," was read the first time and referred to the Committee on Revision and Printing.

Senator Jenkins moved that the members saunter until 2:45 p. m.

Motion carried.

The Senate met again in the Senate Chamber at 2:45 p. m., and moved in a body to the House Chamber for joint session.

JOINT SESSION

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 10, 1923.

The Joint Session of the Legislature was called to order at 2:55 p. m., President McKay presiding.

Senate roll call. Quorum present.

Invocation by the Senate Chaplain .

It was moved by Senator Peters that the President of the Senate, in conjunction with the Speaker of the House appoint a committee of three Senators and three Representatives to wait on the Governor and inform him that the Legislature is now in joint session, and to escort His Excellency to the assembly.

Motion carried.

Senators Peters, Adams and Ryan and Representatives Wood, Lyman and Meek were appointed as such committee.

The Governor was received by President McKay and Speaker Seegmiller.

Governor Charles R. Mabey was introduced by President McKay and addressed the assembly as follows:

EXECUTIVE OFFICE,
STATE OF UTAH.

To the Members of the Legislature of Utah:

Pursuant to law I lay before you the condition of the state and make recommendations as to some of its most pressing legislative needs.

It had been my hope that the economic situation would clear sufficiently to admit of a more gratifying report than that which will be handed to you in the budget. But the process of deflation has continued unabated, products in many lines have gone begging for want of markets, our most important mining industries were forced to

close for a season and some manufacturing concerns have been on the verge of ruin. All this has seriously affected the general welfare of the people and diminished the revenues of the commonwealth.

A glance at the last report of the State Auditor reveals the fact that from two sources alone, the direct property and the inheritance tax, there has been a decline of upwards of $700,000.00 in the income. This has made it impossible to absorb to any great extent the deficit in the general fund left over from the previous administration.

From that same statement it will be noted that the estimated net receipts for this biennium are slightly in excess of $3,200,000.00, after paying the aforesaid deficiency. As this is lower even than for the period just closed it will be necessary to keep all appropriations pruned to the very trunk.

Turning, however, to the other side of the ledger, the prospect is far more pleasing. The practice of incurring obligations in the various offices and subdivisions beyond the legislative allowances had become so alarming that $984,000.00 of such overdrafts were handed down to us, in addition to road contracts, with no funds to meet the same, in excess of $1,000,000.00.

It has been the firm desire of the gentlemen in the capitol and the heads of the institutions to correct this custom, and I am happy to say that all are running within their budgets for the first time in many years. Furthermore, not a single one has asked for funds in excess of his appropriation. In other words, where deficits have been passed upon, it is for emergencies absolutely beyond the control of any state official. Of the $104,407.08 granted in six different items, the most important are $75,000.00 for the maintenance of the National Guard in quelling the disturbances in Carbon County; $5,000.00 to extradite fugitives from justice; $20,000.00 State Engineer's revolving fund, not a true deficit, since it reverts eventually to the treasury; and $3,070.08, legislative expense, 1921.

Nor must I fail to call to your attention, as figures later placed in your hands will verify, that the six state

institutions, which spend the major portion of the revenues, are being run more economically. These tabulations will show that, with one exception, the annual per capita maintenance cost is lower than it has been for four years. As specific examples one must go back to 1915-16 in the history of the Agricultural College to find as low an average, while with the University a similar low year does not exist since 1912-13, just an even decade. The erection of new buildings is not considered in this review, since it would be unfair.

These statistics embrace monies received from all sources, including the Federal Government. If the actual state appropriations alone were considered, the comparison would be still more favorable.

Too much credit cannot be given to all officers and employees for this result. They have rendered unstinted co-operation and are largely responsible for the correction of this evil, but it would have been utterly impossible without the new department of Finance and Purchase, which has checked anticipated expenditures and purchased supplies and kept the proper officials informed as to the status of each fund during the two-year period.

For your further satisfaction let me state that the Motor Vehicle Act, passed at the last session, aside from providing for the interest and sinking funds on road bonds, has accumulated in the neighborhood of $231,000.00, which remains at your disposal. The policy of more rigid inspection, thus forcing delinquent persons to pay the license, has been somewhat responsible for this result.

The aim of this state to keep its credit sound has been upheld. The sinking funds of all bond issues have been reserved and carefully invested, during the twenty-four months $400,000.00 having been dedicated to this purpose.

It would be well if some similar scientific basis for the creation and investment of such funds had been followed in the other political units. As the matter now stands, when bonds become due, the officials take advantage of the provision allowing maturities to be met by a refunding issue. This often incurs additional ex-

pense for financing and probably causes higher interest rates. But the greatest harm attaching to this usage is that the people are often paying for so-called "dead horses," or assets that are entirely worn out. The law should be amended so as to force proportionate funding annually for the life of the debt.

TAXATION

Chief among the thoughts of the average citizen of today is that of economy. Wherever he has spoken, his words have been unmistakably for rigid trimming in every line of governmental activity. Two years ago it was the hope that the necessity for drastic cuts would have passed away, but the severe financial stress under which all classes of society have labored forces the conclusion that even more careful conservation of funds must be assured to live within the pocketbook of the tax payer.

That this administration has striven to do this is evidenced by the figures already given. But the state's attempt to spend less money is futile without a similar resolve on the part of every tax-levying power. This truth is apparent even in the most casual study of the distribution of the tax dollar. From the graphs on your desks, taking 1922 as an example, it will be observed that only 6.4 cents out of every dollar raised went into the state exchequer. This small percentage of the whole, though it were eliminated entirely, would not materially reduce the burden, unless every other body, charged with the duty of raising money, makes an essential reduction. In compliance with an insistent demand the state decreased its levy in 1921 approximately 12 per cent; yet in spite of this the general aggregate for that year was higher, because other taxing units failed to make similar reductions.

The Constitution limits the state levy to 2.4 mills. The men who framed it had no hesitancy in thus keeping its officials within certain bounds. Ought there not to be similar definite restrictions against all others who have the authority to levy? To a careful observer it would seem apparent.

I cannot leave this subject without advising you of another unwholesome tendency. The complaint is repeatedly made that government cost has expanded enormously during the last decade. The charge is true. But it must be patent that the demands upon government have been equally as great. Citing some instances in the seven-year period from 1916 to 1922, inclusive, a remarkable divergence in the percentage of increase among the various funds appears. While the growth in the general fund was 43 per cent, it amounted to 100 per cent for the District and High Schools and 324 per cent for road purposes. Ten years ago we had no road program at all. Last year 26.9 per cent of all monies received went for this purpose alone, while 50.1 per cent was devoted to education and less than six cents out of every dollar for administrative needs. These are figures that pertain to state affairs alone. Investigation of other political units will prove this trend to be even more marked.

We have determined that this commonwealth shall have a strong educational system and a net-work of excellent highways, for these are the twin-sisters of orderly progress. We have demanded protection to our citizenship as against the encroachment of wealth. We have beautified our cities and towns and made them better places to live in. But all these improvements have added heavier responsibilities upon government and have been the main cause for our ever-enlarging tax problem.

DEPOSITARY LAW

For the purpose of extending responsibility beyond the Treasurer in the designation of depositaries and the distribution of their funds, many other states have enacted special legislation. Our present law, vesting all such authority in the State Treasurer is susceptible to favoritism and kindred weaknesses. It is deemed a better safe-guard to place this duty upon a board consisting of the Attorney General, the Treasurer and the Bank Commissioner. Doubtless such action giving authority to these officials to select depositaries, fix the requirements

thereof and allocate thereto the public monies, would improve our present method.

MOTOR VEHICLE

In his biennial report the Secretary of State urges certain changes in the Motor Vehicle law for the purpose of overcoming defects and eliminating trifling annoyances to the public. These recommendations have my hearty concurrence and I ask your early consideration of the necessary amendments.

COUNTY AND MUNICIPAL AUDITS

Experience has proved that those responsible for the keeping of public records will exercise greater diligence if they know that all their accounts are to be examined by experts. Again, those who accept positions of trust and discharge their duties honestly are entitled to have public confidence in them upheld by means of thorough independent audits of their books. Efficient and well conducted inspections will not only assist in safeguarding public funds, but will also tend toward better record keeping and much needed uniformity and standardization. It is therefore desirable that our statute require periodic independent examinations of the records of counties, cities of the first and second class, and school districts. While some additional expense would no doubt be involved, it is believed that wholesome economy will result.

REORGANIZATION

In line with the best political thought of the day your immediate predecessors took steps towards re-casting the state administrative system. The result was a new road commission, a re-organized land board, the merging of some fifteen other units into the agricultural department and the bureau of registration and statistics and the creation of the department of finance and purchase. The response to these changes was immediate and salutary. Each division is carrying on the work in its field with increased dispatch and efficiency and there

has been a more perfect co-ordination of effort with consequent decrease in overlapping and, as already outlined, a reduction in expenses.

It was not to be expected that these alterations could be made without some friction in the readjustment of the various parts, nor was it hoped that all needful consolidations had been effected. It was thought that the scope of some might need extension, while others would require modification to limit their powers. Along these lines I wish to observe some pertinent points.

DEPARTMENT OF AGRICULTURE

In spite of all that may be said to the contrary, the fact remains that marketing is the vital problem with the grower and money is the measure of successful farming, rather than pounds, bushels or tons. A way must be found to protect the producer and to guarantee a return commensurate with the importance of his labors.

I am of the opinion that a well-considered co-operative marketing bill, if enacted, will encourage agriculture and that the commendable efforts of the department to improve live stock and to standardize farm products should be further assisted. The amendment of the present statute so as to permit the forming of local farm bureaus as bodies corporate not for pecuniary profit, and furthermore, so as to authorize them to be federated into a state unit, would aid this.

FINANCE AND PURCHASE

It was my belief when the law was framed creating the Department of Finance and Purchase that the constitutional officers should be omitted from this supervision. This was in accordance with the ideas of those who had made a deep study of such reorganization methods. But after a council with those concerned it was decided to include such officers in the new plan. I still think the original idea is correct, as the principle behind the enactment does not contemplate that those who hold their commission direct from the electorate should come under this classification.

REGISTRATION AND STATISTICS

It was presumed that the merging of the ten different commissions into the Bureau of Registration and Statistics would eliminate lost motion, insure better service to the men and women in the professions and provide a central home where records could be properly kept. These things have been accomplished. But since the bureau was not founded with a view to making money for the state, it is recommended that more liberal privileges be extended to the commissioner in permitting members of the different professions to attend the various national conventions.

ROADS AND HIGHWAYS

Perhaps no governmental activity has received so great an impetus during the last few years as that of road building. The forward movement in transportation through the advent of the automobile and the consequent demand on the part of the public for better highways is the cause. Every section of the country has made the most strenuous efforts in this direction, but Utah stands in the very forefront, only one other state having made the per capita outlay equal to hers during the four years immediately preceding 1921. Up to that time so extensive had been the expenditures that $6,000,000 in bonds for this purpose had been issued, which sum was insufficient by more than a million dollars to complete outstanding contracts when the present administration came in. It will be recalled that the Fourteenth Legislature authorized a further indebtedness to finish this work. Furthermore, to bring this improtant function under a responsible head, it created a new road commission and a new law.

Under the conditions the gentlemen forming the new department had no other alternative than to call upon the counties to match funds available under the Federal Aid Act of 1915, while the matter of maintenance had to be disposed of by utilizing such monies as might come from those counties that had been overpaid in the past. The collections from the Motor Vehicle law lately passed

would barely suffice to pay interest on outstanding bonds and lay aside the necessary sinking funds.

How well this problem has been solved will be apparent when it is stated that this commission inherited eight government aid projects, aggregating 197 miles, only two of which had been completed and none of which had been accepted. During the two years, twenty-one such projects have been finished and fifteen accepted, twenty-one others are under way, sixty-five miles of hard surfaced roads have been built and an additional seventy-six miles of gravel and forty-eight miles of graded earth roads.

Actual funds received from the National administration since the act became law are as follows:

1917	None
1918	None
1919	$ 44,451.84
1920	237,000.49
1921	747,859.61
1922	949,545.61

Had we in the beginning availed ourselves of the aid extended by the parent government, as in this biennium, there had hardly been need of such extensive bond issues for this purpose. This itself should justify a continuation of the present method of highway management and control.

Some observations are worthy of notice in considering the future in this field. If this work continues we must sense keenly the necessity of a revolving fund to finance further projects under Federal Aid until such times as the commission can secure returns from vouchers drawn on the bureau. The unappropriated $231,000.00 already mentioned should be devoted to this purpose.

We have many millions invested in highways. These must be maintained and protected. The only source of income is the present motor vehicle law. This, because of its restrictions and excess levies has become exceedingly obnoxious. Yet the proceeds in the future will be barely enough to pay the annual interest and sinking

funds on road bonds. Only one other means of meeting this dilemma seems available. By scaling the schedules downward and levying some form of gasoline tax it can be solved. This should receive your early and earnest study, not only for the reasons given, but also that our future participation from Washington be not lost, for it is mandatory upon the Secretary of Agriculture to refuse requests from any state which does not police and maintain those of its highways in the Federal system.

I repeat that this investment has cost an enormous sum and that no effort should be spared to protect it. No vehicle should be permitted to use these roads and pound them to pieces with excessive loads and insufficient tire surface. A well-organized patrol, under the department responsible for upkeep and repairs will best overcome the difficulty.

I cannot leave this subject without referring again to the heavy toll upon human life taken by traffic upon the rigid surfaced roads. It is recognized that lack of proper lighting on horse-drawn conveyances is largely accountable for this evil. The measure passed in 1921, which leaves with the several county commissioners regulation of the practice, does not control the situation. Some central body should be empowered to draft rules and see that they are enforced.

HEALTH ACTIVITIES

The great importance of the conservation of the lives and health of the people is obvious and every legitimate aid should be rendered to the official agencies involved in carrying out this purpose.

Among the important measures which have been inaugurated during the biennium is the state-wide investigation of the health conditions of children through the traveling clinic of the State Board of Health. This clinic, which was made possible by assistance received from the United States Public Health Service at the request of the board, has visited a majority of the towns of the State. Thousands of children have been given

careful physical examination and the mothers have been instructed in the proper methods of their care. In this connection your attention is directed to the provisions of the Federal Shepard-Towner Act for the promotion of the welfare and hygiene of infancy and maternity, whereby the state is receiving material financial assistance in carrying on the worthy objects set forth in the Act.

At present five different state agencies are engaged in health activities. The resultant waste, duplication and friction are obvious, to say nothing of the loss in efficiency through lack of co-ordination. The officers of the departments and institutions concerned are now formulating plans to bring this important work under one jurisdiction and their report will be filed with you during this session for your consideration and, it is hoped, favorable action.

As an especial subject for your approval, reference is made to the need for a commission to make a complete study of the prevalence of tuberculosis in Utah, with a view to presenting all such facts before the next legislature and with such recommendations as will seem best to moderate this disease. This may be accomplished practically without expense as a survey has been completed by the State Board of Health in co-operation with the Utah Public Health Association and most of the necessary data are available. Each of these organizations is willing to continue this work without further cost.

PUBLIC LANDS

The preservation of its natural resources should be the care of every people. While we have been unfortunate in permitting much of our land, with its incalculable mineral wealth, to pass into private ownership, it is still not too late to protect that which remains. Mention is first made of the question of riparian rights. Many thousands of acres are claimed by certain interests who place themselves in the singular position of refusing to pay taxes because they do not own these lands and at the same time declining to give them up because

of their riparian rights. This question should be taken into the courts and settled at once, since the state would be the gainer no matter what the outcome.

Another question with regard to land titles comes to us through the grants made originally for school purposes. The Federal authorities have taken the arbitrary position that title did not pass when these grants were made because they were known mineral lands and therefore should revert back to the National Government. During the last two years the Land Commissioner has attempted to defend the state's interests by using finances from his contingent fund, but this has not proved sufficient. Steps should be taken to fortify and protect the commonwealth in this dispute.

But by far the transcendent problem in this field is that of a speedy survey of the public domain, of which 764 townships, or 17,602,000 acres remain uncharted. This territory embraces 27,500 square miles, about one-third of our entire area. The state's portion approaches two million acres. Undoubtedly much of this is of great value for its mineral deposits, but if it were used for leasing only, the annual income would be $250,000.00, while if sold at the minimum price, it would add $5,000,000.00 to the school fund. The mineral deposits would on the other hand be reserved to the state.

At your last session a beginning was made by dedicating $50,000 as a revolving fund. This amount, together with that set aside in Washington, was sufficient to survey some seventy-seven townships. The state's share, more than 160,000 acres, will annually pay back 40 per cent of the original appropriation, if leased for grazing only, while in due time the principal will also be returned to the treasury. Arguments are not necessary to see how vital it is to proceed with this work.

THE INDETERMINATE SENTENCE

Whatever the many factors are that enter into the unparalleled increase in crime, it is certain that the present pardoning system is not entirely blameless. Without enlarging on its merits or demerits in an extended

discussion, one can safely say that the psychology of it is wrong and that in practice it fails to measure up to the claims of its proponents.

No board, howsoever careful and efficient, can hope to arrive at justice, when it hears but one side of a case. Especially must this be true when upwards of two score of such are disposed of in the course of a few hours. Too many of our citizens, in a mistaken zeal, look upon the state prison as a house of correction rather than as a penal institution. These importune the Board of Pardons each month with the same specious arguments. Their stereotyped plea is "I don't think longer imprisonment will do him any good," or "He has learned his lesson." As a matter of fact the primary purpose of such places of durance is not reformatory at all. Men are immured as a protection to society, first, as against any further act they may commit, and secondly, as a deterrent to others equally as weak.

One of the proper functions of the courts is to impose sentence for the infraction of law, yet under the existing statutes the sentence is really fixed by the pardoning power, an executive branch of the government. This anomaly makes of our courts a mockery and a reproach and destroys the morale of those who are sworn to enforce the law.

Men, in and out of prison, must learn the age-long lesson that the wages of sin is death and that he who does wrong must pay the price. This truth, in my opinion, will do more towards real reformation in the prisoner than a deluge of maudlin sentiment. I commend to your consideration such modifications of the present pardoning system as may be necessary to correct these wrongs, with the earnest hope that you may find it practicable to alter the indeterminate sentence law.

EXTRADITION OF FUGITIVES FROM JUSTICE

The extradition of fugitives from justice is usually a county concern, the officials of which are better able to get at the facts than is the executive department. And with very few exceptions all cases originate in one

county only. It is believed that a change in the existing statute, assessing the expense of extradition against the county making such request and authorizing the county commissioners to pass upon all cases before such requests are made would more truly serve the ends of justice and with much less cost.

FISH AND GAME DEPARTMENT

No state activity has a more universal appeal than that which has to do with the preservation of our wild life. This is at once evidenced by reference to the number of licenses purchased during the past year. It reveals the fact that the lure of the out-of-doors is not confined to any one age or class, nor to any one section of the community, but to all people of all ages and conditions. These devotees of the rod and the gun, through closer contact with nature in mountain and valley, must surely retain more of primitive strength and virility than could otherwise be their portion. The natural hope would be to entice larger numbers of their fellows to similar alluring fields by the extension of the work.

It may be safely said that greater strides have been made towards replenishing the woods and streams during the last two years than at any other like period in our history, and if mapping out a constructive program and faithful adherence thereto, is considered, not in a decade has so much progress been made. Nor must it be forgotten that this has not been done without the hearty co-operation of hundreds of patriotic citizens, each of whom has had but one thought and that—the restoration of wild life as nearly as possible to the status in which our fathers found it when they entered these valleys. Your deliberations will surely lead you to encourage the furtherance of these plans and the orderly working thereof.

In this connection mention is made of the steps already undertaken on the part of some Federal officials to annex still another power to the number hitherto taken over by the bureau at Washington. One speaks of the proposed "public shooting ground game refuge

bill." The protection of game can be much better handled here at home without having it administered from an office three thousand miles away with added cost and less efficiency, to say nothing of the dissatisfaction and annoyance that would naturally follow. It is a good rule of American political science that local self-government should be as little interfered with as possible. Any movement towards decreasing this ought to receive the vigorous opposition of every legislature in the country.

STATE PARKS

No other section of the continent has embraced within so small a space the natural wonders that are found in Utah. The mountain beauty of the lakes in the Uintahs, the glory of the snow-crowned peaks of the Wasatch, the grandeur of Little Zion, the coloring of Cedar Breaks, the fantastic rock formation in Bryce and the sublimity of the gorge of the Colorado, with its alluring Indian relics, have long been known to the inhabitants of this state. But only recently has the outside world been apprised of their existence. With the spread of this knowledge many hundreds of thousands of people will visit us for entertainment and instruction in the years to come. They will bring wealth to our cities and spread abroad the story of our marvelous scenery.

It is believed that the time has arrived for us to make an effort to conserve these natural monuments by the founding of a state park system, which will embrace some of those spots not already taken over by the Federal machinery and thus form a net-work of such parks in conjunction with the other commonwealths. Bryce, the supreme wonder of them all, is seen best from territory owned by us. If this were consecrated as the beginning of such a plan, it would meet with the approval of the great majority of the electorate.

WATER STORAGE

The Fourteenth Legislative authorized a Water Storage Commission whose duty it was to study the ir-

rigation and power possibilities with a view to forming comprehensive plans of development. This work had scarcely begun before it became apparent that if Utah was to receive the same consideration at the hands of the Federal government as had been extended to neighboring communities, definite surveys, acceptable to its officials, would have to be undertaken and completed. Our failure to be fortified with such facts and figures was the principal reason for our lack of success in securing money from the parent government. The performance of this task required much more than had been allotted the commission. Through the kindness of certain commercial organizations funds were raised to prosecute this enterprise. We are now in position, as a consequence to present definite statements to the Reclamation Service on one project and will shortly be similarly prepared with respect to two others. The gentlemen who furnished the revenue to further this undertaking should be reimbursed.

THE COLORADO RIVER PACT

Through her peculiar geographic position Utah is intensely interested in the development of the Great West. Since the earliest days of her history, lines of travel have radiated, like the spokes of a wheel, into the remote corners of other communities and nowhere is this more truly the case than in the southwest. For when that territory was still a wilderness her citizens contributed largely to the exploration and subjugation of those vast reaches of desert and mountain. And now, because of this same key position, her material growth must be indissolubly linked with this region drained by the waters of the country's last great unexploited river —the Colorado.

The average citizen knows that this stream draws its copious supply from almost one-half of the entire area of Utah and that Wyoming, Colorado, Nevada, New Mexico, Arizona and California contribute to the 244,000 square miles of its basin. Furthermore, he is familiar with the fact that for sublime and awesome grandeur no other quarter of the globe can compare with it. But

he may not know that this same basin contains the greatest storehouse of untouched wealth to be found in the country; that its waters will yet render productive more than 6,000,000 acres of land; that possibly an equal number of horsepower may be converted into electric energy from its swirling floods; that its scenic glories may be enhanced many fold and that millions may be added to its present population. Yet all this is true.

It is but lately that these facts have come into prominence. Already the impulse had gained momentum to acquire, to control and to dominate, when a movement was inaugurated to forestall any difficulties that might arise. For the history of irrigation in the West had taught us that grave troubles lie in the diversion of water upon arid land, not the least of these being the endless litigation arising through misunderstanding among the users of such water. The Colorado River Commission was the result, with the Federal Government participating.

The labors of that body are now completed. A formal pact has been signed by the several representatives of the political units involved and it is now subject to the consideration of the various legislatures and the National Congress.

A survey of the provisions of the agreement shows how wisely the perplexing problems have been solved. No state is robbed of its heritage; none is stayed in its growth. Under the broad principle that there is water enough for all and that the river should be scientifically developed, the flow has been equitably distributed and each state can work out its reclamation projects in its own way, with practically no time limit and with no fear that communities better favored financially can gain priorities in excess of their just rights. In this way the endless legal battles that have characterized the use of other streams are at once eliminated and the people are thus saved vast sums of money. Agriculture, which is the foundation upon which the prosperity of this state is laid, is paramount and all other purposes to which the life-giving fluid may be dedicated take a secondary place.

Utah is especially to be congratulated upon her share in the negotiations that have brought about such results, for more than once it seemed to those most intimately acquainted with the situation to be barren of hope. The first state to apply Anglo-Saxon irrigation and ever foremost in its practical application, again she has seen her ideas accepted and made the basis for the greatest compact yet entered into among the states and between themselves and the Federal Government. It is needness to amplify reasons as to the consequences that will follow the ratification of the work of the commission. But it is devoutly hoped that Utah through its legislature will be the first to affix the stamp of its approval to this supreme effort in statesmanship.

NATIONAL GUARD

Last June it became necessary to send the National Guard into Carbon County to preserve the peace. An intolerable condition had arisen, not entirely due to the strike, but largely because of the many people of foreign birth and traditions who had not yet learned proper reverence for American laws and American ideals. These had flaunted their disrespect for our established order in the face of authority and engendered a feeling of terror among the more timid members of society. The young men in uniform, many of whom were under legal age, led by splendid officers, remedied the situation. Quiet was restored, immediately and surely, and this state was saved from that embarrassment which fell upon some other sections of the country. I take this occasion to express publicly the gratitude of the commonwealth for this excellent service.

THE DIGNITY OF THE LAW

The general tone of approval which met the act of calling the men to the colors shows the temper of our citizens. For Utah stands out pre-eminent in the deference of its people for law. This attitude is intuitive and natural. The electorate is made up largely either of those elements who came from the more conservative, law-abiding inhabitants of the Old World, or who took

part in making possible the Federal Constitution. In fact many have a firm belief that this fundamental law of the Republic was welded together by men divinely inspired, that it is the last word in orderly, progressive government. A faith so strong will not brook any attempt to subvert our institutions or discredit them.

Today, however, there is abroad an unhappy tendency to chafe under restraint. The forces impelling men in this direction do not need discussion here, nor will time permit. But the grave danger of this moral drift is palpable and all classes of society must learn the primary truth that laws are enacted to be obeyed. For disregard for one law tends to create disrespect for all law. The less discerning and the criminally inclined cannot distinguish between workable and unworkable enactments. To them all are alike. When they see one law slighted and despised, they so view all measures laid down for the protection of their fellows. The resultant evil is so far-reaching as to threaten the very groundwork of our civilization.

On the other hand restraint must be exercised by the law-giver. He, too, must know that useless and unnecessary legislation will not be backed by public opinion, without which enforcement is impossible. Freakish enactments are as perilous as the disdain with which they are met. Our statutes are already too much cluttered with this type of ordinance. Any steps you might take towards strengthening the existing law and upholding the hand of authority will, I am sure, have the approbation of your constituents.

CHARLES R. MABEY.

Senator Jenson moved that the most excellent message of the Governor given for consideration of the Legislature be received and spread at length on the Journals of both Houses.

Motion carried.

The Governor then extended to the members of the Legislature the courtesy of his office and all State offices at any time.

President McKay introduced Major Washington Irving Lincoln Adams, President General of the National Society of the Sons of the American Revolution, who spoke briefly, thanking the assembly for its courtesy and complimenting the City and State on their thrift and wishing the members a happy, prosperous and useful New Year.

On motion of Senator Peters the joint assembly adjourned.

The Senate re-convened in the Senate Chamber at 4:10 p. m.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 10, 1923.

Mr. President:

Your committee on Enrolling and Engrossing, to whom was referred S. B. No. 1, by Mr. Tebbs, entitled, "An Act appropriating $45,000.00 or so much thereof as may be necessary to defray the regular and contingent expenses of the Fifteenth Session of the Legislature of the State of Utah," respectfully report that they have had the same carefully enrolled and engrossed and transmit the same herewith for your signature.

Respectfully,
M. SHIRLEY WINDER,
Chairman.

Report filed.

S. B. No. 1 was signed by the President in the presence of the Senate and transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 10, 1923.

Mr. President:

Your Committee on Enrolling and Engrossing, to whom was referred Resolutions of Respect to the memory of the late Abbott R. Heywood, beg leave to report that they have had the same carefully enrolled and en-

grossed, and transmit the same for your further action.

Respectfully,
M. SHIRLEY WINDER,
Chairman.

Report filed.

The Resolutions were signed by the President and a copy transmitted to the family of the late Honorable Abbott R. Heywood.

On motion of Senator Jenkins the Senate adjourned to 2:00 p. m. January 11, 1923.

FOURTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 11, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll call. Nineteen members present; one excused.

Prayer by the Chaplain.

The Journal of the Third Day was read, corrected and approved.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 11, 1923.

Mr. President:

Your committee on Revision and Printing report back S. B. No. 2, by Mr. Jenkins, entitled, "An Act providing for a definite sentence in all criminal cases, and repealing Sections 9062, 9063 and 9064, inclusive, of the Compiled Laws of Utah, 1917," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 2 was ordered printed and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 4, by Mr. Peters, "An Act ratifying a compact and treaty apportioning the waters of the Colorado River, approved by a representative of the United States of America and entered into by representatives of Utah, Wyoming, Colorado, New Mexico, Arizona, Nevada and California, sitting as the Colorado River Commission," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 5, by Mr. Tebbs, "An Act amending Section 6012, Compiled Laws of Utah, 1917, relating to Receipts for Taxes," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 6, by Mr. Peters, "An Act to amend Section 6107, Compiled Laws of Utah, 1917, relating to County Treasurer's settlement with cities, towns and schools for taxes," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 7, by Mr. Jenson, "An Act concerning Declaratory Judgments and Decrees and to make uniform the law relating thereto," was read the first time and referred to the Committee on Revision and Printing.

Motion by Senator Fuller that the Senate set Monday at 2:00 p. m., as the time to which it will adjourn.

Senator Jenson offered an amendment designating Friday at 2:00 p. m., instead of Monday.

The amendment carried.

On motion of Senator Jenkins the Senate adjourned.

FIFTH DAY.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 12, 1923

The Senate was called to order at 2 p. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Fourth Day was read, corrected and approved.

REPORTS OF STANDING COMMITTEES

UTAH STATE SENATE,
Salt Lake City, Utah, January 12, 1923.

To the Senate:

Your Committee on Joint Rules respectfully recommends that the Joint Rules of the Fourteenth Session of the Legislature as printed in the Senate Journal of 1921, pages 40 to 48, be adopted as the Joint Rules of the present session, with the following amendments, to wit:

Rule 20. Strike out the word "without" in line 21, and following the word "matter" in line 22 insert the following: "provided, however, when an entire title, chapter, or section is omitted, then in that event reference only to said omitted title, chapter, or section shall be made within the parentheses."

Respectfully sumbitted,
THOMAS E. McKAY,
Chairman.

Senator Dixon moved the adoption of the report.

Motion carried.

JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, LEGISLATURE OF UTAH, FIFTEENTH SESSION

1923

ORGANIZATION.

1. *Notification of Organization of Each House.* Immediately after the organization of the Senate and House of Representatives, at the commencement of every regular session of the Legislature, each house shall appoint a committee of three to notify the other house that it is organized and ready for the transaction of business.

2. *Committee on Joint Rules.* Thereupon a committee on Joint Rules shall be appointed, to consist of three Senators, three Representatives, the President of the Senate (who shall be chairman) and the Speaker of the House, whose duty it shall be to formulate a set of joint rules of the Senate and House of Representatives.

3. *Adoption of Rules, Complete Organization of Legislature.* Upon the adoption by both houses of the Joint Rules, as well as of their own Rules, respectively, the Legislature shall be deemed fully organized.

4. *Joint Committee to Notify Governor.* Thereupon a joint committee, consisting of three Senators and three Representatives, shall be appointed to inform the Governor personally of the organization of the two houses, and of their readiness to receive his communications.

JOINT CONVENTIONS.

5. *Where Held. Who Preside.* Joint conventions of the two houses shall be held in the Hall of the House of Representatives, and the President of the Senate shall preside.

6. *Secretaries. Journal.* The Secretary of the Senate and the Chief Clerk of the House of Representatives shall be secretaries of the Joint Convention. and the proceedings thereof shall be entered at length upon the Journal of each House.

7. *Rules of House to Govern.* The rules of the House of Representatives so far as the same may be applicable, shall govern the proceedings in joint convention.

8. *May Compel Attendance of Absent Members.* Joint conventions shall have the power to compel the attendance of absent members in the mode and under the penalties prescribed by the Rules of the house to which such members respectively belong, and for that purpose the sergeant-at-arms of each House shall attend.

9. *Adjournments, Duty of Each House.* Joint conventions may adjourn from time to time, as may be found necessary; and it shall be the duty of the House of Representatives to prepare to receive the Senate, and of the Senate to proceed to the Hall of the House of Representatives at the time fixed by resolution, or to which the joint convention may have adjourned.

10. *No Business to Be Transacted Except That Specified in the Call.* In all joint conventions it shall be incompetent for either House or the members thereof, or the joint convention, to engage in the transaction of any business other than that for which they were assembled.

JOINT MEETINGS OF COMMITTEES.

11. *Standing Committees May Meet Jointly.* Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the House of Representatives to one of its committees, the chairmen of the respective committees, when in their judgment the interest of legislation or the expedition of business will be better served thereby, may arrange for joint meetings of their committees for the consideration of such bill.

BILLS AND RESOLUTIONS.

12. *Scope of Word "Bill."* Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions and memorials.

13. *Defining Joint and Concurrent Resolutions.* Joint resolutions are those relating to matters to be treated by both houses of the Legislature. Concurrent resolutions are similar resolutions requiring the concurrence of the Governor.

14. *Procedure on Joint and Concurrent Resolutions and Constitutional Amendments.* Joint resolutions, concurrent resolutions and constitutional amendments shall be treated in all respects as bills.

PREPARATION AND INTRODUCTION OF BILLS.

15. *Size. Number of Copies. Folding. Form.* All bills shall be type-written or printed on paper eight and one-half by thirteen inches, shall be triplicate or in such additional numbers as each House may require respectively, shall not be folded, and shall have the arrangement and wording prescribed by the following:

16. *Forms of Bills.* Every bill shall have (a) a designation; (b) a title; (c) an enacting clause; (d) subject matter disposed in one or more sections; and (e) an emergency clause, if necessary.

17. *Designation.* The designation shall be a heading preceding the title:

S. B. (or H. B.) No..... By Mr.....
S. J. R. (or H. J. R.) No. ..... By Mr. .....

18. *Title.* The title of every bill introduced shall convey an accurate idea of its subject and shall be expressed in the fewest words practicable. In amending a section of an existing law, the mere reference to the section by number shall not be deemed sufficient.

19. *Enacting Clause.* The title shall be immediately followed by the enacting clause, the form of which is prescribed by the Constitution, Article VI., Section 22, viz: "Be it enacted by the Legislature of the State of Utah."

20. *Subject Matter.* The subject matter of the bill shall follow the enacting clause, and shall be disposed in one or more sections.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

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 (Cont., Art. VI, Sec 22).

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. (Const. Art. VI., Sec. 22.)

In case of a bill amending an existing law, all omissions must be shown by the insertion of heavy parentheses.

All additions must be shown by underlining the new matter, and in printing bills all new matter shall be underlined.

No section sub-heads shall be included in any bill. In case of a bill amending an existing law the black-faced sub-heads shall be omitted.

21. *Emergency Clause.* An emergency clause is not required in a bill unless it is desired to make the act take effect at a time other than that prescribed by the Constitution, Art. VI., Sec. 25. Whenever an emergency clause is inserted in a bill, it shall constitute the last section of the bill, and shall be in substantially the following form: "This act shall take effect upon (approval) (or a given date.)"

A bill containing an emergency clause can only be passed by a vote of two-thirds of all the members elected to each house (Const. Art. VI, Sec. 25); provided, however, that if such bill receives a majority vote, but less

than two-thirds, it shall nevertheless be deemed passed, and the emergency clause shall be omitted from the bill as finally enrolled.

RECORD OF BILLS.

22. *Secretary and Chief Clerk to Keep Register.* The Secretary of the Senate and the Chief Clerk of the House of Representatives, shall keep a register, in which shall be recorded every action taken by the Senate and House of Representatives on every bill, concurrent or joint resolution, or constitutional amendment.

23. *Endorsements on Bills.* The Secretary of the Senate and the Chief Clerk of the House of Representatives shall endorse on every bill a statement of any action taken by the Senate and House of Representatives.

Senate amendments shall be inserted in the bill in blue, and the House amendments in red.

MESSAGES.

24. *Message to Accompany Bill.* While bills are being transmitted between the two houses, they shall be accompanied by a message signed by the Secretary of the Senate or the Chief Clerk of the House of Representatives, as the case may be.

25. *Notice to Other House of Rejection.* When a bill which has passed in one House is rejected in the other, notice thereof shall be given immediately to the house in which the same has passed.

26. *By Whom Sent.* Messages shall be sent to the other house by an officer or employee to be designated by the Secretary, if it be a Senate message, or by the Chief Clerk, if it be a House message.

CONFERENCE COMMITTEES.

27. *Concurrence in Amendments.* In case the Senate amend and pass a House bill, or a House amend and pass a Senate bill, the Senate (if it be a Senate bill), or the House (if it be a House bill), must either "concur" or "refuse to concur" in the amendments. If

the Senate concur (if it be a Senate bill), or the House concur (if it be a House bill), the Secretary or Chief Clerk shall notify the House making the amendments, and the bill shall be ordered to enrollment.

28. *Disagreement. Conference Committee.* If the Senate refuse to concur (if it be a Senate bill), or the House refuse to concur (if it be a House bill), the Secretary or the Chief Clerk shall notify the house making the amendments of such refusal, and ask that it recede from its amendments. If it refuses to recede, the presiding officer shall appoint a committee of three on conference, and the Secretary or Chief Clerk shall immediately notify the other house of the action taken, and request the appointment of a like committee, which committee shall thereupon be appointed by the presiding officer of the other house. The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Representative named on such committee shall act as chairman of the committee from the House, and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The committee shall report in writing, and shall be authorized to report such modifications or amendments as they think advisable. But no committee of conference shall consider or report on any matter except those directly at issue between the two houses. The papers shall be left with the conferees of the house having possession of the bill, and they shall present the report of the committee to their house. When such house shall have acted thereon, it shall transmit the same, and the papers relating thereto, to the other, with a message certifying its action thereon. Every report of a committee of conference shall be read through, in each House, before a vote is taken on the same.

29. *Either House May Recede.* It shall be in order for either house to recede from any subject matter of difference existing between the two houses at any time previous to conference, whether the papers on which such difference arose are before the House receding, formally or informally and on such vote to recede, the same

number shall be required to constitute a quorum to act thereon, and to assent to such receding, as was required on the original question out of which the difference arose.

30. *Failure of Conferees to Agree.* In case of a failure of the conferees to agree, a report of such failure may be made, and a further conference may be had, either by the same or new committees appointed for such purpose. After each House shall have refused conference, and shall have adhered to its disagreement, the bill which is the subject of difference shall be deemed lost, and shall not be again revived during the same session in either house. The report of the committee of conference shall not be subject to amendment.

ACTION ON BILLS AFTER PASSAGE.

31. *Enrollment.* When a bill shall have passed both Houses, it shall be duly enrolled by the Engrossing and Enrolling Committee of the house in which it originated, and the fact of its origin shall be certified by the endorsement of the Secretary or Chief Clerk, which endorsement shall also show the dates upon which it passed the Senate and House of Representatives, respectively, and the number of votes cast for and against it in each house, and the number of absentees.

32. *Joint Examination of Enrolled Bills.* When a bill shall have been enrolled it shall be examined by the Engrossing and Enrolling Committees of the two Houses, acting jointly for that purpose, who shall carefully compare the enrollment with the bill as passed, correct any errors therein, and make report thereof forthwith to their respective houses.

33. *Presiding Officers to Sign Bills.* Every bill reported to have been duly enrolled shall be signed first by the presiding officer of the house in which it originated, and then by the presiding officer of the other house, in the presence of the respective houses, after its title has been publicly read immediately before signing, and the fact of such signing shall be entered upon the Journal (Const., Art. VI., Sec. 24). Two carbon

copies of the enrolled bill shall be made, one of which shall be filed by the Secretary or Chief Clerk, and the other given to the author of the bill.

34. *Transmitted to Governor.* After a bill shall have been signed by the respective presiding officers of the two houses, it shall be transmitted by the Secretary or Chief Clerk of the house in which it originated, together with a written message, to the Governor for his approval.

35. *Governor's Action on Bill Reported to Other House.* When the Governor has informed either house that he has signed a bill, or taken any other action affecting both houses, the house to which his action is reported shall inform the other house of the Governor's report.

ADJOURNMENT.

36. *No Adjournment for More Than Three Days Without Consent of Other House.* Neither house shall, without the consent of the other, adjourn for more than three days.

37. *Adjournment Sine Die.* Adjournment sine die shall be in pursuance of a joint resolution duly adopted, designating the date and hour for such adjournment.

LEGISLATIVE EXPENSES.

38. *How Paid.* Each house shall have full control of its own expenses. All bills, claims, or pay rolls shall be certified by the President and Secretary of the Senate, or the Speaker and Chief Clerk of the House, as the case may be, to the State Auditor for payment by state warrant, drawn against the fund appropriated for the expenses of the Legislature.

UTAH STATE SENATE,
Salt Lake City, Utah, January 12, 1923.

Mr. President:

Your committee on Enrolling and Engrossing, to whom was referred S. C. R. No. 1, by Mr. Candland, entitled "Whereas it appears necessary in order to expedite the business of the Legislature, that there be

created the position of messenger to the Governor," respectfully report that they have had the same carefully enrolled and engrossed and transmit the same herewith for your signature.

Respectfully,

M. S. WINDER,
Chairman.

S. C. R. No. 1 was signed by the President in the presence of the Senate and transmitted to the House for the signature of the Speaker.

INTRODUCTION OF BILLS.

S. B. No. 8, by Mr. Candland. "An Act amending Section 5599, Compiled Laws of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921 relating to the Issuance of Patents," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 9, by Mr. Candland. "An Act amending Section 5584, Compiled Laws of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921, relating to the Sale of Public Lands by Auction," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 10, by Mr. Candland. "An Act amending Section 5590, Compiled Laws of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921 relating to the Relinquishment of U. S. Filing Lists and Purchase from the State," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 11, by Mr. Candland. "An Act amendiing Section 2514, Compiled Laws of Utah, 1917, as amended by Chapter 52, Laws of Utah 1921, relating to Fees of the State Land Commissioner," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 12, by Mr. Candland, "An act amending section 5583, Compiled Laws of Utah, 1917, as amended by Chapter 118 Laws of Utah, 1921, Relating to the Certification of Certain Vouchers by the State Land Commissioner or his Chief Clerk," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 13, by Mr. Candland. "An Act amending Section 5607, Compiled Laws of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921, relating to the Investment of Funds," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 14, by Mr. Candland. "An Act amending Section 5606, Compiled Laws of Utah, 1917, as amended by Chapter 118 Laws of Utah, 1921, relating to the Monthly Payment of Monies," was read the first time and referred to the Committee on Revision and Printing .

S. B. No. 15, by Mr. Peters. "An Act granting power to the legislative body of cities and towns to regulate and restrict the height, number of stories, and size of buildings and other structures; percentage of lot that may be occupied, size of yards and open spaces, the location and use of buildings and structures and land for trade industries, residences, and other purposes; to provide for a Zoning Commission; and to provide for the zoning of cities and towns by the creation of appropriate districts therein," was read the first time and referred to the Committee on Revision and Printing.

Moved by Senator Peters that when the Senate adjourns it be to 2 p. m., Monday, Jan. 15, 1923.

Motion carried.

REPORTS OF STANDING COMMITTEES.

UTAH STATE SENATE,
Salt Lake City, Utah, January 12, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 7, by Mr. Jenson, entitled, "An Act Concerning Declaratory Judgments and Decrees and to Make Uniform the Law Relating Thereto," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

Report filed.

S. B. No. 7 was ordered printed and referred to the Committee on Judiciary.

UTAH STATE SENATE,
Salt Lake City, Utah, January 12, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 6, by Mr. Peters, entitled, "An Act to amend Section 6107 Compiled Laws of Utah, 1917, relating to county treasurer's settlement with cities, towns and schools for taxes," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

Report filed.

S. B. No. 6 was ordered printed and referred to the Committee on Public Affairs.

UTAH STATE SENATE,
Salt Lake City, Utah, January 12, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 4, by Mr. Peters, entitled, "An Act ratifying a compact and treaty apportioning the waters of the Colorado River, approved by a representative of the United States of America and entered into by representatives of Utah, Wyoming, Colorado, New Mexico, Arizona, Nevada and California, sitting as the Colorado River Commission," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

Report filed.

S. B. No. 4, was ordered printed and referred to the Committee on Public Affairs.

UTAH STATE SENATE,
Salt Lake City, Utah, January 12, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 5, by Mr. Tebbs, entitled, "An Act amending Section 6012, Compiled Laws of Utah, 1917, relating to receipts for taxes," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

Report filed.

S. B. No. 5, was ordered printed and referred to the Committee on Public Affairs.

COMMUNICATIONS FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
Salt Lake City, Utah, January 12, 1923.

Mr. President

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, Senate Bill No. 1, entitled "An Act appropriating $45,000.00 or as much thereof as may be necessary to defray the regular and contingent expenses of the Fifteenth Session of the Legislature of the State of Utah," and the same is herewith returned to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 1, was transmitted to the Governor for his action.

HOUSE OF REPRESENTATIVES,
Salt Lake City, Utah, January 12, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, S. C. R. No. 1, by Mr. Candland, and the same is herewith returned to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. C. R. No. 1, was transmitted to the Governor for his action.

On motion of Senator Warnick, the Senate adjourned.

EIGHTH DAY.

SENATE CHAMBER
State Capitol
Salt Lake City, Utah, Jan. 15, 1923.

The Senate was called to order at 2 p. m. by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the Fifth Day was read, corrected and approved.

Senator Peters moved that the author of S. B.'s 8, 9, 10, 12, 13 and 14 act with a committee to be appointed to determine if the said bills could not be condensed into one bill.

It was suggested that the Committee on Revision and Printing handles such matters and Mr. Peters therefore withdrew his motion.

REPORTS OF STANDING COMMITTEES

State of Utah,
Senate Chamber
Salt Lake City, January 15, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 15, by Mr. Peters, entitled "An act granting power to the legislative body of cities and towns to regulate and restrict the height, number of stories, and size of buildings and other structures; percentage of lot that may be occupied, size of yards and open spaces, the location and use of buildings and structures and land for trade industries, residences, and other purposes; to provide for a zoning commission; and to provide for the zoning of cities and towns by the creation of appropriate districts therein," without change.

Respectfully,
PERRY B. FULLER
Chairman.

S. B. No. 15 was ordered printed and referred to the Committee on Public Affairs.

COMMUNICATIONS FROM THE GOVERNOR

State of Utah,
Executive Office, Salt Lake City
January 12, 1923

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, Senate Bill No. 1, by Mr. Tebbs, entitled "An Act appropriating $45,000.00 or so much thereof as may be necessary to defray the regular and contingent expenses of the fifteenth session of the legislature of the State of Utah."

Respectfully yours,
CHARLES R. MABEY,
Governor

The House was notified of the Governor's action.

State of Utah,
Executive Office, Salt Lake City,
January 12th 1923

To the Senate:

I have this day approved and transmitted to the Secretary of State, Senate Concurrent Resolution No. 1, by Mr. Candland, authorizing the Governor to appoint a messenger to serve during the Legislative Session.

I appreciate very much the courtesy extended and wish to inform your honorably body that pursuant to the authority of the resolution, I have designated Mr. W. J. Arnold.

Respectfully yours,
CHARLES R. MABEY,
Governor

The House was notified of the Governor's action.

PRESENTATION OF RESOLUTIONS

To Governor Charles R. Mabey and the Fifteenth Legislature:

WHEREAS: The Public Utilities Commission has, under powers granted by Title 91, Chapters 1 to 5 Compiled Laws of Utah, assumed to supersede all rights and

powers reserved by the Constitution of Utah, to municipal Corporations, and whereas:

The assuming of such powers has deprived the officers of all cities any rights of franchise, control or supervision, thereby causing needless expense to the taxpayers by maintaining a super government at an expense, as now asked for, of $36,000.00 per annum, said super government being appointed for a term of six years and not subject to the elective will of the people, thereby leaving the elective officers with no power to carry out the mandates of the people in their expressed will at the polls, therefore be it

"Resolved by the City Council of the City of St. George in regular session that the Fifteenth Legislature and the Chief Executive, Charles R. Mabey, be asked to pass such legislation as will give such home rule to the cities as delegated by the Constitution of Utah or repeal Title 91, Chapters 1 to 5, Compiled Laws of Utah and abolish the Public Utilities Commission, and be it further

"Resolved that copies of this resolution be sent to His Honor, Governor Charles R. Mabey, the State Senate and the House of Representatives, and to cities throughout the State."

Passed by the City Council of the City of St. George this 6th day of January, A. D. 1923.

Attest:
G. E. MILES — ALBERT E. MILLER
City Recorder — Mayor
The Resolution was filed.

INTRODUCTION OF BILLS

S. B. No. 16 by Mr. Candland. "An Act to amend Sections 2044, 2047, and 2065, Chapter 47, Session Laws of Utah, 1921, relating to the organization and govern-

ment of drainage districts; to the distribution and control of water for drainage purposes; and authorizing any drainage water and water rights; and repealing all laws and parts of laws in conflict with this Act," was read the first time and referred to the Committee on Revision and Printing.

S. C. M. No. 1, by Mr. Irvine, "Petitioning the Congress of the United States to appoint an Immigration Commission and to define its powers," was read the first time and referred to the Committee on Revision and Printing.

MISCELLANEOUS BUSINESS

University of Utah,
Salt Lake City, January 11, 1923.

Mr. Thomas E. McKay, President,
The Senate,
State Capitol,
City.

Dear Sir:

The Extension Division of the University of Utah invites the state officers and the members and officers of the State Legislature to view the motion picture, "How a Law is Made", in the Ballroom of the Hotel Utah, Wednesday evening, January 17, at 8 o'clock.

This motion picture, it will be remembered, was taken on the floor of the House and of the Senate. It presents the activities of the Utah Legislature of the session of 1921.

Yours very truly,
F. W. REYNOLDS,
Director, Extension Division.

Senator Peters moved that the invitation be accepted with thanks.

Motion carried.

On motion of Senator Jenkins the Senate adjourned.

NINTH DAY

STATE SENATE,
State Capitol,
Salt Lake City, Utah, Jan. 16, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Eighth Day was read and approved.

PRESENTATION OF PETITIONS

St. George, Utah,
January 4, 1923.

To the Honorable Governor Charles R. Mabey,
Utah State Senate,
Utah House of Representatives.
Gentlemen:

Your petitioners, Republican citizens and taxpayers of Washington County, have ever stood for economy of government and a "government of the people, by the people, and for the people," therefore, we are opposed to your granting the request of the Public Utilities Commission for an appropriation of $72,000.00 to maintain such commission.

Whereas, said like amounts, appropriatel by previous legislatures, has resulted in but very little good to the people, as said commission has been a commission of the corporations, by the corporations, for the corporations, therefore, we respectfully ask that you repeal Title 91, Chapters 1 to 5, Compiled Laws of Utah, 1917, and abolish the Public Utilities Commission.

Respectfully,
SAMUEL JUDD
and 23 others.

The petition was filed, to be later referred to the Committee on Public Affairs.

REPORTS OF STANDING COMMITTEES

STATE SENATE,
Salt Lake City, Utah, Jan. 15, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 11, by Mr. Candland, entitled, "An act amending Section 2514, Compiled Laws of Utah, 1917, as amended by Chapter 52, Laws of Utah, 1921, relating to fees of the State Land Commissioner," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 11 was ordered printed and referred to the Committee on Judiciary.

STATE SENATE,
The Capitol,
Salt Lake City, Utah, Jan. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 16, by Mr. Candland, entitled, "An act to amend Sections 2044, 2047 and 2065, Chapter 47, Session Laws of Utah, 1921, relating to the organization and government of drainage districts; to the distribution and control of water for drainage purposes; and authorizing any drainage water and water rights; and repealing all laws and parts of laws in conflict with this act," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 16 was ordered printed and referred to the Committee on Agriculture.

STATE SENATE,
State Capitol,
Salt Lake City, Utah, Jan. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. C. M. No. 1, by Mr. Irvine, entitled, "Petitioning the Congress of the United States to appoint an Im-

migration Commission and to define its powers," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. C. M. No. 1 was ordered printed and referred to the Committee on Public Affairs.

SENATE CHAMBER,
Salt Lake City, Utah, Jan. 16, 1923.

Mr. President:

Your Committee on Public Affairs, to whom was referred S. B. No. 4, by Mr. Peters, entitled, "An act ratifying a compact and treaty apportioning the waters of the Colorado River, approved by a representative of the United States of America and entered into by representative of Utah, Wyoming, Colorado, New Mexico, Arizona, Nevada and California, sitting as the Colorado River Commission." returns the same to the Senate with the recommendation that it be passed.

Respectfully submitted,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 4 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 16, 1923.

Mr. President:

Your Committee on Public Affairs, to whom was referred S. B. No. 5, by Mr. Tebbs, entitled, "An act amending Section 6012, Compiled Laws of Utah, 1917, relating to receipts for taxes," returns the same to the Senate with the recommendation that it be passed with the following amendments: Line 3, strike out sub-head "Receipts."

Respectfully submitted,
J. W. PETERS,

Report filed.

S. B. No. 5 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 16, 1923.

Mr. President:

Your Committee on Public Affairs, to whom was referred S. B. No. 6, by Mr. Peters, entitled, "An act to amend Section 6107, Compiled Laws of Utah, 1917, relating to County Treasurer's settlement with cities, towns and schools for taxes," returns the same to the Senate with the recommendation that it be passed.

Respectfully submitted,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 6 was placed on the second reading calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 1, by Mr. Winder, "An act to provide for a Special Committee to investigate the crime wave now existent in our commonwealth and to determine if the official acts of the Board of Pardons do in any measure contribute to it.

Motion by Senator Winder that the Rules be suspended and S. J. R. No. 1 be read the second and third times and placed on final passage.

An amendment that the Resolution be read the second time was made by Senator Jenkins.

Amendment carried.

S. J. R. No. 1 was then read the second time.

Motion by Senator Winder that the Rules be suspended and S. J. R. No. 1 be read the third time and placed on final passage.

The motion was lost.

S. J. R. No. 1 was referred to the Committee on Revision and Printing.

INTRODUCTION OF BILLS

S. B. No. 17, by Mr. Dixon, "An act to increase the number of district judges in and for the Fourth

Judicial District of the State of Utah," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 18, by Mr. Tebbs, "An act relating to the care of public funds belonging to counties, cities, towns, and school districts, and providing for the collection of interest thereon; creating public depository boards and defining their powers and duties; providing for the designating of public depositories and the depositing of public funds therein; and, defining the powers and duties of all custodians of public funds," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Peters, the Rules were suspended and S. B. No. 4 was read the second time.

On motion of Senator Peters, the Senate resolved itself into a Committee of the Whole to hear Dr. John A. Widtsoe and State Engineer R. E. Caldwell, on the Colorado River Compact, with which S. B. No. 4 is concerned.

Senator Peters was called to the chair by President McKay to act as Chairman of the Committee of the Whole.

After the Committee of the Whole arose, the Senate resumed its regular session.

Senator Peters reported that the Senate had met in Committee of the Whole and listened to interesting talks by Dr. Widtsoe and Engineer Caldwell.

S. B. No. 4 was ordered read the third time on the following roll call:

Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting, Senator Ryan.

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH,
EXECUTIVE CHAMBER,
Salt Lake City, Jan. 16, 1923.

To the Members of the Legislature:

I extend to all members of the Legislature a hearty invitation to attend an informal reception in the Governor's reception room, State Capitol, to be given in your honor, Friday, January 19, at 7:30 p. m.

It is my hope that through such a function we may all become better acquainted with each other. Furthermore, it is desirable that the citizens have an opportunity to meet you, and I have therefore extended an invitation to the general public to come at 8:30 o'clock or after.

Sincerely yours,
CHARLES R. MABEY,
Governor of the State of Utah.

Moved by Senator Irvine that the invitation be accepted.

Motion carried.

MISCELLANEOUS BUSINESS

AGRICULTURAL COLLEGE,
Logan Utah,

Hon. Thos. E. McKay,
President of the Senate,
State Capitol Building,
Salt Lake City, Utah.
Dear President McKay:

Will you please extend to the members of the Senate and the employees an invitation to visit the Utah Agricultural College, Monday, January 22. It is planned to leave Salt Lake City early in the morning at about 7 o'clock, arriving at Logan between 11 and 11:30 a. m. Luncheon will either be served en route or after arrival at Logan. The afternoon will be spent in an inspection of the College and its work. The returning train will leave Logan at 7:00 p. m. (or at a different hour, according to the pleasure of the members of the Legislature) arriving in Salt Lake City about 11 p. m. Sup-

per will be served either at Logan just before leaving or en route.

The expenses of this trip, I am authorized by the Chamber to say, will be borne by the Logan Chamber of Commerce, so that no costs need be incurred by the State or the Legislature.

We naturally leave it to the discretion of the Senate to determine how many of the members shall take this trip. We earnestly hope the entire body may be able to go. You will later be advised, after receipt of your decision in this matter, as to details of the trip.

Very truly yours,
ELMER G. PETERSON,
President.

Moved by Senator Funk the invitation be accepted and that a committee of one be appointed to confer with President Peterson and complete arrangements for the trip.

Senator Candland offered an amendment that instead of all the members of the Senate, only the Committee on Public Affairs make the trip to Logan.

The amendment was lost.

The original motion carried.

Senator Funk was appointed as committee to arrange details for the trip.

A letter was read from D. S. Spencer, General Passenger Agent of the Union Pacific System, inviting the Senators to view some scenes of some of the Southern Utah attractions at a time and place which the Senate might suggest.

On motion of Senator Tebbs, the invitation was accepted with thanks and Wednesday evening, in the Hotel Utah Ballroom, after the University of Utah Show, was suggested as the most convenient time and place.

INTRODCTION OF BILLS

S. C. M. No. 2, by Mr. Jenkins, "Petitioning the Congress of the United States to assist the silver mining industry," was read the first time and referred to the Committee on Revision and Printing.

On motion of Senator Winder the Senate adjourned.

TENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 17, 1923

The Senate was called to order at 2 p. m. by President McKay.

Roll Call. Nineteen members present. One excused.

Prayer by the Chaplain.

The Journal of the Ninth Day was read, corrected and approved.

Moved by Senator Jenkins that commencing Tuesday Jan. 23, the correction of the Journal be handled by two Senators in conjunction with the Minute clerk, the Senators to be appointed to serve a week at a time.

Motion carried.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Jan. 16, 1923

Mr. President:

Your committe on Revision and Printing report back Senate Bill Number 3, By Mr. Candland, entitled, "An Act to Amend Sections 890 (342), 891 (343), 893 (345) and 895 (347) Title 19, Chapter 1, Compiled Laws of Utah, 1917, relating to corporations not for pecuniary profit, and inserting Section 892X, so as to provide for a central or state-wide association and for local associations and for the co-operation thereof," with a few changes, assented to by Mr. Candland.

Respectfully,
PERRY B. FULLER.
Chairman

S. B. No. 3 was ordered Printed and Referred to the Committee on Agriculture.

Salt Lake City, Utah, January 17, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. J. R. No. 1, by Mr. Mr. Winder entitled, "To pro-

vide for a Special Committee to investigate the crime wave now existent in our commonwealth and to determine if the official acts of the Board or Pardons do in any measure contribute to it", without change,

Respectfully,
PERRY B. FULLER,
Chairman.

S. J. R. No. 1, was Ordered Printed and Referred to the Committee on Public Affairs.

Salt Lake City, Utah, January 17, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. C. M. No. 2, by Mr. Jenkins, entitled, A memorial "Petitioning the Congress of the United States to assist the silver mining industry," without charge.

Respectfully,
PERRY B. FULLER,
Chairman.

S. C. M. No. 2, was ordered printed and Referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, January 17, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 18, by Mr. Tebbs, entitled "An act relating to the care of public funds belonging to counties, cities, towns and school districts, and providing for the collection of interest thereon; creating public depository boards and defining their powers and duties; providing for the designating of public depositories and the depositing of public funds therein; and, defining the powers and duties of all custodians of public funds", without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 18 was ordered printed and Referred to the Committee on Public Affairs.

Salt Lake City, Utah, January 17, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 17 by Mr. Dixon, entitled, "An act to increase the number of district judges in and for the Fourth Judicial District of the State of Utah", without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 17, was ordered printed and Referred to the Committee on Judiciary.

Salt Lake City, Utah, January 17, 1923.

Mr. President:

Your Committee to which was referred Senate Bill Number 11, by Mr. Candland, entitled "An act amending section 2514 Compiled Laws of Utah, 1917 as amended by Chapter 52, Laws of Utah, 1921 relating to fees of the State Land Commissioner," hereby return the same and recommend that it be passed.

Very Respectfully,
DAVID JENSON,
Chairman.

Report Filed.

S. B. No. 11 was placed on the Second reading calendar.

REPORTS OF SPECIAL COMMITTEES

Senator Warnick reported that he had been requested to announce that the invitation from the Agricultural College was intended to include the Press Representatives.

INTRODUCTION OF BILLS

S. B. No. 19, By Mr. Hirschi, "An Act to repeal Sections 2894 and 2895, Compiled Laws of Utah, 1917, relating to the width of tires upon vehicles used upon state highways," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 20, By Mr. Warnick, "An Act Amending Sections 6015, 6016 and 6018, Compiled Laws of Utah,

1917, as amended by Chapters 119, 120 and 121 Laws of Utah, 1919, relating to delinquent taxes," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 21, By Mr. Dixon, "An act to amend Sections 570X19 and 577, Compiled Laws of Utah, 1917, relating to contracts by Cities for Public Lighting," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 22, By Mr. Dixon, "An act for Relief of veterans and widows of the Black Hawk Indian Wars of Utah," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 23, By Mr. Peters, "An act to amend Section 5867 (2507), 5868 (2508), 5869 (2509), and 5871 (2511) Chapter III, Laws of Utah, 1917, relating to the Assessment of Bank Stock," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON SECOND READING

Moved by Senator Peters that, S. B. No. 4 be made Special Order for Friday at 2:30 p. m.

Motion carried.

S. B. No. 4, was made Special Order for Friday at 2:30 p. m.

S. B. No. 5, was read the second time.

On motion of Senator Peters the report of the Committee was adopted.

On motion of Senator Peters the following amendments were inserted. In Line 1, insert the word "Section" between the word "That" and the number "6012", and in Line 3, insert the word "Section" before the number "6012".

On motion of Senator Tebbs, S. B. No. 5, was recommitted.

S. B. No. 6, was read the second time.

Senator Jenkins moved that the last half word in line 6, all of line 7 and the first two words in line 8, be stricken.

The Motion was lost.

Senator Irvine moved an amendment to insert in Line 7, the words "and collected upon", between the words "by" and "such".

Motion carried.

S. B. No. 6, was then ordered read the Third time on the following roll call. Ayes 19, Nays 0, Absent 1.

Those voting in the affirmative were: Senators, Adams, Candland Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder, Mr. President.

Absent and not voting: Senator Funk.

S. B. No. 6 was placed on the third reading calendar.

On motion of Senator Jenkins the Rules were suspended and S. B. No. 11 was read the second time.

Report Filed.

S. B. No. 11 was then ordered read the third time on the following roll call: Ayes 19, Nays 0, Absent 1.

Those voting in the affirmative were Senators: Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder, Mr. President.

Absent and not voting: Senator Funk.

S. B. No. 11 was placed on the third reading calendar.

MISCELLANEOUS BUSINESS

Salt Lake City, Utah, January 16, 1923.

Mr. President:

Your committee on Revision and Printing beg leave to report Senate Bill Number 24, By Committee on Revision and Printing entitled, "An Act to amend Sections 5583, 5584, 5590, 5599, 5606 and 5607, Compiled Laws of Utah, 1917, as Amended by Chapter 118 of the

Laws of Utah, 1921, Relating to State Lands and the State Land Commisioner," as a substitute for Senate Bills 8, 9, 10, 12, 13, and 14.

Respectfully,
PERRY B. FULLER,
Chairman

Report Filed.

S. B. No. 24, By Committee on Revision and Printing, Substitute for S. B's 8, 9, 10, 12, 13 and 14, "An act to amend sections 5583, 5584, 5590, 5599, 5606 and 5607, Compiled Laws of Utah, 1917, as amended by Chapter 118 of the Laws of Utah, 1921, relating to State Lands and the State Land Commissioner, after being read the first time, was ordered printed and referred to the Committee on Public Affairs.

On motion of Senator Tebbs the Senate adjourned.

ELEVENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 18, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Tenth Day was read, corrected and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Jan. 18, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 19, by Mr. Hirschi, entitled, "An act to repeal Sections 2894 and 2895, Compiled Laws of Utah,

1917, relating to the width of tires upon vehicles used upon State highways," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 19 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 18, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 20, by Mr. Warnick, entitled, "An act amending Sections 6015, 6016 and 6018, Compiled Laws of Utah, 1917, as amended by Chapters 119, 120 and 121, Laws of Utah, 1919, relating to delinquent taxes," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 20 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 18, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 21, by Mr. Dixon, entitled, "An act to amend Sections 570X19 and 577, Compiled Laws of Utah, 1917, relating to contracts by cities for public lighting," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 21 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 18, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 22, by Mr. Dixon, entitled, "An act for relief of veterans and widows of the Black Hawk Indian War of Utah," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 22 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Utah, Jan. 18, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 23, by Mr. Peters, entitled, "An act to amend Sections 5867 (2507), 5868 (2508), 5869 (2509), and 5871 (2511), Chapter III, Laws of Utah, 1917, relating to the assessment of bank stock," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 23 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Jan. 18, 1923.

Mr. President:

Your Committee on Commerce and Industry, to whom was referred S. C. M. No. 2, by Mr. Jenkins, (petitioning the Congress of the United States to assist the silver mining industry), respectfully report that they have carefully considered the same and recommend its passage.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. C. M. No. 2 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 18, 1923.

Mr. President:

Your Committee on Public Affairs, to whom was recommitted S. B. No. 5, by Mr. Tebbs, relating to receipt for taxes, etc., reports that it has carefully considered the same, and recommends that S. B. No. 30, by Committee on Public Affairs, be substituted therefor, and passed.

Respectfully submitted,
J. W. PETERS,
Chairman.

INTRODUCTION OF BILLS

S. B. No. 25, by Mr. Standish, "An act amending Sections 4, 11 and 16 of Chapter 91, Laws of Utah, 1921, relating to the treatment of human ailments, and repealing Section 5 of said Chapter, and providing that if any part of the act is held to be invalid such decision shall not affect any other part of the act," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 26, by Mr. Candland, "An act to amend Section 5905 (2542X2), relating to the assessment of transient live stock brought into the State for the purpose of being grazed, fed or ranged. Credit allowed; and extending a tax credit to feeders of cattle, sheep or hogs, who prove that such animals were slaughtered or removed from the State prior to July 1, of any taxable year by adding thereto sub-Section 5905X1 (2542X3)," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 27, by Mr. Dixon, "An act creating the Utah Tuberculosis Research Commission, and prescribing the powers and duties of such commission," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 28, by Mr. Jenkins, "An act to repeal Section 3843, Compiled Laws of Utah, 1917, requiring the County Assessor to file a list of all eligible males, in the county, within certain ages, annually with the County Commissioners, within a specified time," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 29, by Mr. Irvine, "An act concerning aeronautics and to make uniform the law with reference thereto," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 30, substitute for S. B. No. 5, by Committee on Public Affairs, "An act amending Section 6010, Compiled Laws of Utah, 1917, relating to notice to taxpayers," after being read the first time, was ordered printed and placed on the second reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 6 was read the third time.

On motion of Senator Peters, the following amendment was made: Strike the last half-word in line 6, all of line 7 and the first two words in line 8.

On motion of Senator Standish, S. B. No. 6 was made special order for Tuesday, Jan. 23, at 2:30 p. m.

S. B. No. 11 was read the third time and placed on its final passage.

On motion of Senator Candland, the following amendments were made: In line 4, strike the words "of agricultural lands," and change "$1.00" to read "$2.00." Strike all of lines 5 and 6. Place period after "$2.00" in Line 7, strike the last three words in same line and all of line 8.

On motion of Senator Peters, the words "Fees of the Land Commissioner" were inserted in line 4 between the number "2514" and the word "For."

On motion of Senator Irvine, the word "Section" was inserted in line 4 preceding the number "2514" and "(968)" was inserted immediately following the number "2514."

S. B. No. 11 then passed on the following roll call:

Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Adams.

S. B. No. 11 was transmitted to the House for its action.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Jenkins, the Rules were suspended and S. C. M. No. 2 was read the second time.

Report filed.

S. C. M. No. 2 was ordered read the third time on the following roll call:

Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams and Dixon.

On motion of Senator Standish, the Rules were suspended and S. C. M. No. 2 was read the third time and placed on its final passage.

S. C. M. No. 2 then passed on the following roll call:

Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Candland, Cottrell, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Dixon and Hirschi.

S. C. M. No. 2 was transmitted to the House for its action.

MISCELLANEOUS BUSINESS

Salt Lake City, Utah, Jan. 18, 1923.

TO THE SENATE:

Your Committee on Joint Rules respectfully reports that it has met with a like Committee from the House, in regard to the amendment made to Rule 20 of the Joint Rules, and now recommends that the amendment matter be stricken and the word "without," which was eliminated by the amendment, be restored, making the rule read as adopted and printed in the "Joint Rules" of the Fourteenth Session of the Legislature.

Respectfully submitted,

THOMAS E. McKAY,

Chairman.

Report filed.

On motion of Senator Dixon, the report was adopted.

Senator Dixon moved that Senate Rule, regarding printing of bills, be amended and that hereafter 300 copies of all bills be printed.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 17, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed H. J. M. No. 1, by Mrs. N. A. Dunyon, being, "A memorial to the President of the United States, requesting the appointment of a commission to confer with representatives of foreign governments in order to interest them in an increased use of silver for coinage and reserves," and the same is herewith transmitted for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Jan. 18, 1923.

Mr. President:

I am instructed to request of your Honorable Body, the return of H. J. M. No. 1, by Mrs. Dunyon, for the further action of the House.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed and the request granted.

On motion of Senator Fuller, the Senate adjourned.

TWELFTH DAY.

STATE SENATE,
State Capitol,
Salt Lake City, Utah, Jan. 19, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Eleventh Day was read and approved.

REPORTS OF STANDING COMMITTEES.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your committee on Revision and Printing report back Senate Bill No. 27, by Mr. Dixon, entitled, "An Act creating the Utah Tuberculosis Research Commission, and prescribing the powers and duties of such Commission," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 27 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your committee on Revision and Printing report back Senate Bill No. 26, by Mr. Candland, entitled, "An Act to amend Section 5905 (2542X2), relating to the assessment of transient live stock brought into the State for the purpose of being grazed, fed or ranged. Credit allowed; and extending a tax credit to feeders of cattle, sheep or hogs who prove that such animals were slaughtered or removed from the State prior to July First of any taxable year by adding thereto Sub-section 5905x1 (2542x3)," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 26 was ordered printed and referred to the Committee on Agriculture.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your committee on Revision and Printing report back Senate Bill No. 25, by Mr. Standish, entitled "An Act amending Sections 4, 11 and 16 of Chapter 91, Laws of Utah, 1921 relating to the treatment of human ailments, and repealing Section Five of said Chapter, and providing that if any part of the Act is held to be invalid such decision shall not affect any other part of the Act," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 25 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your committee on Revision and Printing report back Senate Bill No. 28, by Mr. Jenkins, entitled, "An Act to repeal Section 3843, Compiled Laws of Utah, 1917, requiring the County Assessor to file a list of all eligible males, in the County, within certain ages, annually with the County Commissioners, within a specfied time," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 28 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your committee on Revision and Printing report back Senate Bill No. 29, by Mr. Irvine, entitled, "An Act concerning aeronautics and to make uniform the law with reference thereto," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B., No. 29 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. J. R. No. 1, by Mr. Winder, entitled, "To provide for a special committee to investigate the crime wave now existent in our commonwealth and to determine if the official acts of the Board of Pardons do in any measure contribute to it," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,
Chairman.

Report filed.

S. J. R. No. 1 was placed on the Second reading calendar.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. C. Memorial No. 1, by Mr. Irvine, entitled, "Petitioning the Congress of the United States to appoint an Immigration Commission and to define its powers," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,
Chairman.

Report filed.

S. C. M. No 1. was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 19, by Mr. Hirschi, entitled, "An Act to repeal Section 2894 and 2895, Compiled Laws of Utah, 1917, relating to the width of tires upon vehicles used upon state highways," begs to report that it has con-

sidered the same and returns it to you without recommendation.

Respectfully,

J. W. PETERS,
Chairman.

Report filed.

S. B. No. 19 was placed on the Second reading calendar.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 20, by Mr. Warnick, entitled, "An Act amending Section 6015, 6016, and 6018, Compiled Laws of Utah, 1917, as amended by Chapters 119, 120 and 121, Laws of Utah, 1919, relating to delinquent taxes," begs to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,
Chairman.

Report filed.

S. B. No. 20 was placed on the Second reading calendar.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 21, by Mr. Dixon, entitled, "An Act to amend Sections 570x19 and 577, Compiled Laws of Utah, 1917, relating to contracts by cities for public lighting," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,
Chairman.

Report filed.

S. B. No. 21 was placed on the Second reading calendar.

COMMUNICATIONS FROM THE HOUSE.

Salt Lake City, Utah, Jan. 18, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. 14, entitled, "An Act to amend Sections 8121 and 8122, Compiled Laws of Utah, 1917, relating to crimes against Nature," and the same is herewith transmitted for the action of your honorable body.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 14 was read first time and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF UTAH,
Executive Office.

Salt Lake City, Utah, Jan. 19, 1923.

To the Senate:

I submit for your consideration and confirmation the following list of appointments made to the positions specified:

Commissioner of Agriculture—Mr. A. A. Hinckley, Hinckley.

To fill the unexpired term of four years, serving until April 1st, 1925.

Board of Agriculture—Mr. Charles R. Pugh, Kanab; Mr. Henry Moss, Woods Cross; Mr. David F. Smith, Centerville; Mr. O. D. Merrill, Richmond; Mr. Jas. L. Wrathall, Grantsville; Mr. Thomas Chantry, Wellington; Mr. J. Edward Taylor, Salt Lake.

To fill the unexpired term of four years serving until April, 1st, 1925.

Bank Commissioner—Mr. Seth Pixton, Riverton.

To fill the unexpired term of four years, serving until April 1st, 1925.

Bank Examiners—Mr. Clayton I. Thatcher, Ogden; Mr. W. F. Piper, Salt Lake.

To fill the two year term from April 1st, 1923, to April 1st, 1925.

Board of Corrections—Mr. James Ivers, Jr., Salt Lake City.

To fill the unexpired term of four years, serving until April 1st, 1925.

State Industrial Commission—Mr. O. F. McShane, Beaver City.

To fill the unexpired term of six years, serving until April 1st, 1927.

Respectfully yours,
CHARLES R. MABEY,
Governor.

The communication was referred to a Committee consisting of Senators Tebbs, Peters, Irvine, Jenson and Jenkins.

INTRODUCTION OF BILLS.

S. B. No. 31 by Mr. Adams, "An Act to repeal Chapter 21, Session Laws of Utah, 1921, entitled, "An Act to provide for the regulation of traffic in eggs; to provide for the licensing of dealers in eggs; to prevent fraud and misrepresentation by dealers; and to prevent the sale of eggs unfit for human food," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 32 by Mrs. Kinney, "An Act to amend Sections 1, 3, 4 and 5 of Chapter 56, Laws of Utah, 1921, relating to the continuance of the Welfare Commission and the employment of a secretary" was read the first time and referred to the Committee on Revision and Printing.

On motion of Senator Candland Saturday Jan. 20, at 2:p. m. was set as the time to which the Senate will adjourn.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Peters S. B. No. 4 which was special order for this time was made special order for Tuesday, Jan. 23rd at 3 p. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 30 Sub. for S. B. No. 5 was read the second time.

On motion of Senator Jenson "(2610)" was inserted immediately following number 6010 in line 3.

S. B. No. 30 was then ordered read the third time on the following roll call: Ayes 17; Nays, 0; Absent 3.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Mr. President.

Absent and not voting: Senators, Candland, Tebbs and Winder.

S. B. No. 30 was placed on third reading calendar.

On motion of Senator Irvine the rules were suspended and S. C. M. No. 1 was read the second time.

Report filed.

On motion of Senator Hirschi Lines 9 to 13 inclusive were stricken.

On motion of Senator Irvine the word "these" in line 15 was stricken.

S. C. M. No. 1 was then ordered read the third time on the following roll call: Ayes 17, Nays 2, Absent 1.

Those voting in the affirmative were: Senators. Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jensen, Kinney, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder, and Mr. President.

Those voting in the negative were: Senators. Jenkins and McConkie.

Absent and not voting: Senator Candland.

S. C. M. No. 1 was placed on the third reading calendar.

On motion of Senator Winder the rules were suspended and S. J. R. No. 1 was read the second time.

Report filed.

S. J. R. No. 1 was then ordered read the third time on the following roll call: Ayes 15, Nays 4, Absent 1.

Those voting in the affirmative were: Senators. Adams, Cottrell, Dixon, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators, Fuller, Funk, Kinney and Tebbs.

Absent and not voting: Senator Candland.

S. J. R. No. 1 was placed on the third reading calendar.

On motion of Senator Warnick the Rules were suspended and S. B. No. 20 was read the second time.

Report filed.

S. B. No. 20 was ordered read the third time on the following roll call: Ayes 18, Nays 0, Absent 2.

Those voting in the affirmative were: Senators, Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Candland and Tebbs.

S. B. No. 20 was placed on the third reading calendar.

On motion of Senator Dixon the Rules were suspended and S. B. No. 21, was read the second time.

Motion by Senator Jenkins that the enacting clause be stricken.

The motion was lost.

Motion by Senator Irvine that the word "Ten" in Lines 8 and 17 be changed to read "Five".

The motion was defeated.

S. B. No. 21, was then ordered read the third time on the following roll call: Ayes 14, Nays 4, Absent 2.

Those voting in the affirmative were: Senators Cottrell, Dixon, Fuller, Funk, Hirschi, Jenson, Kinney, Mc-

Conkie, Peters, Ryan, Smart, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Irvine, Jenkins and Standish.

Absent and not voting: Senators Candland and Tebbs.

S. B. No. 21 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended, H. B. No. 28, by Mr. Mozley, entitled, "An act to require the teaching of the Constitution of the United States in the public and private schools of the state", and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed and H. B. No. 28, was read the first time and referred to Committee on Education.

Salt Lake City, Utah, Jan. 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the house this day passed, as amended, H. B. No. 2, by Mr. Atwood entitled, "An act to provide for the organization of associations with or without capital stock, etc," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed and H. B. No. 2, was read the first time and referred to Committee on Agriculture.

On motion of Sen. Cottrell the Senate adjourned.

THIRTEENTH DAY

STATE SENATE,
State Capitol,
Salt Lake City, Jan. 20, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll call. Nineteen members present. One excused.

Prayer by the Chaplain.

The Journal of the Twelfth Day was read, corrected and approved.

Senators Jenkins and Hirschi were appointed to correct the Journal the week of Jan. 22nd.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Jan. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back Senate Bill Number 31, by Mr. Adams, entitled, "An Act to repeal Chapter 21, Session Laws of Utah, 1921, entitled, "An Act to provide for the regulation of traffic in eggs; to provide for the licensing of dealers in eggs; to prevent fraud and misrepresentation by dealers; and to prevent the sale of eggs unfit for human food, without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 31 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Jan. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 32, by Mrs. Kinney, entitled, "An Act to amend Sections 1, 3, 4 and 5, of Chapter 56, Laws of Utah, 1921, relating to the continuance of the Welfare Commission and the employment of a secretary," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 32 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Jan. 20, 1923.

Mr. President:

Your committee on Commerce and Industry to whom was referred S. B. No. 23, by Mr. Peters, entitled, "An Act to amend Section 5867 (2507), 5868 (2508), 5869 (2509) and 5871 (2511) Chapter 3, Laws of Utah, 1917, relating to the assessment of bank stock," respectfully report that they have carefully considered the same and recommend that the bill be passed.

Respectfully,

HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 23 was placed on the second reading calendar.

COMMUNICATIONS FROM THE GOVERNOR

STATE OF UTAH, EXECUTIVE OFFICE.

Salt Lake City, Jan. 20, 1923.

To the Legislature:

As a result of public agitation to move the State Prison from its present site to one more isolated from the populous districts and to provide facilities to put the prisoners at productive labor, I appointed a committee of five disinterested citizens last September to investigate the proposal and report back to me.

I am just in receipt of such report, a copy of which I hand you herewith. I concur in the recommendations of these citizens, and commend them to your consideration, providing an adequate source of revenue can be found to carry out the plan.

Respectfully yours,

CHARLES R. MABEY,
Governor.

Communication filed, and on motion of Senator Peters was referred to the Committee on Appropriations.

REPORT OF INVESTIGATING COMMITTEE

Salt Lake City, Utah, Jan. 20, 1923.

Governor Charles R. Mabey,
State Capitol,
City.

Dear Governor:

Referring to your letter of September 28th, requesting advice, co-operation and recommendatoin of the undersigned, as citizens, with respect to the advisability of moving the State Prison from its present location, we desire to submit the following:

First, the entire Committee, although quite familiar with the present location and its environments, paid a formal visit to the State Prison, and made a careful investigation. It is now located very near to the heart of the southeast section of Salt Lake City, there being residences and other improvements on all sides of it. Therefore, as a natural result, as long as the institution remains where it now is, it will retard materially the growth of that section of the city. It is an undesirable adjunct and a menace, in a way, to the citizens who reside near to it. In some instances, we are informed, (because of the close proximity of homes) prisoners have been enabled to escape because the guards have hesitated to use firearms, being fearful of injuring or killing innocent persons.

Most of the land now occupied, consisting of about 181 acres, is very desirable for homes. It is estimated that at least 150 acres could be platted and sold without delay on terms satisfactory to the State; the balance would be available for municipal purposes, and could be used to beautify that section of the city.

Several desirable sites within easy distance from the courts of this district are to be had. The land for a new location could be obtained at very much less than the land now occupied for the uses of the institution. The difference between the cost of a new loctaion and the salable value of the land now occupied would go a long way toward paying the expenses of removal. Another important consideration, in our view, is that prison labor would be available in defraying a large part of the expense of removal.

We are of the opinion that the citizens of Salt Lake City, represented by its various commercial organizations, would, if approached, be a unit in supporting you in any steps you might deem it proper to take, looking to the early removal of this institution.

In conclusion, we do not hesitate to recommend that you urge upon the present session of the Legislature a careful consideration of this important matter.

If the further services of the undersigned are needed, we hold ourselves at all times subject to your call.

Very truly yours,

(Signed) CHAS. S. BURTON
(Signed) J. D. DIXON
(Signed) JOHN W. THORNLEY
(Signed) ALEX L. BREWER
(Signed) N. J. HANSEN

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the Senate, S. B. No. 11, by Mr. Candland, entitled "An Act Amending Section 2514, Compiled Laws of Utah, 1921, Relating to Fees of the State Land Commissioner," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 11 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Jan. 20, 1923.

Mr. President:

I am instructed to in form your honorable body that the House has this day passed H. J. M. No. 1, by Mrs. Dunyon, being "A Memorial to the President of the United States requesting the appointment of a commission to confer with representatives of foreign governments in order to interest them in an increased use of

silver for coinage and reserves," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed and H. J. M. No. 1 was read the first time and referred to Committee on Commerce and Industry.

Salt Lake City, Utah, Jan. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. No. 35, by Mr. Bagnall, entitled "An Act to Amend Section 6024, Compiled Law of Utah, 1917, Relating to the Manner in Which Property May Be Redeemed from Tax Sale," and the same is herewith transmitted for the action of your honorable body.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed and H. B. No. 35 was read the first time and referred to Committee on Public Affairs.

INTRODUCTION OF BILLS.

S. B. No. 33, by Mr. Jenkins, "An Act relating to insurance; requiring certain insurance concerns to file rates with the Commissioner of Insurance; prohibiting discrimination and forbidding rebates of premium paid under such rates or any deviation from rates or schedules until amended rates or schedule have been duly filed; requiring supervision and examination of such rating bureaus by the Commissioner of Insurance; providing for inspection and survey of municipalities and fire hazards; requiring bureaus to keep on file records of all risks rated by them, the same to be open to inspection by all interested parties, permitting certain insurance concerns to file acceptance of some rating bureau's schedule of rates with the Commissioner of Insurance; and fixing penalties for violation of this act," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 34, by Mr. Jenson, "An Act to amend Section 1560, of the Compiled Laws of Utah, 1917, Providing for the apportionment of the cost of assessing and collecting taxes," was read the first itme and referred to the Committee on Revision and Printing.

S. B. No. 35, by Mrs. Kinney, "An Act relating to malfeasance, misfeasance and nonfeasance of public officials, directing prosecuting attorneys to proceed against offenders, constituting taxpaying citizens parties beneficially interested in any proceedings brought to remedy such evils," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 30 was read the third time and placed on final passage.

Senator McConkie moved the following amendment: Insert in Line 18 between the quotation mark after the word "Tax" and the semi-colon, the words "and shall write thereon the amount of delinquent tax due."

Senator Candland offered an amendment to the amendment striking the words "of delinquent tax due," substituting therefor the words "required to redeem the same."

Senator McConkie offered an amendment to Senator Candland's amendment striking the words "required to redeem the same" and replacing the words "of delinquent tax due."

Senator McConkie's amendment was defeated.

Senator Candland's amendment was defeated.

Senator Jenkins moved the following amendment: In Line 17 strike the word "prior" and between the words "tax" and "and" insert the words "for the previous year."

Senator Candland moved the following amendment to the amendment: In Line 17 between the words "tax" and "and" insert the words "within a period of four years."

The amendment to the amendment carried.

S. B. No. 30 then passed on the following roll call: Ayes, 19, nays 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Ryan.

S. B. No. 30 was transmitted to the House for its action.

S. C. M. No. 1 was read the third time and placed on final passage:

S. C. M. No. 1 then passed on the following roll call: Ayes, 19; nays, 0, absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting; Senator Ryan.

S. C. M. No. 1 was transmitted to the House.

S. J. R. No. 1 was read the third time and placed on its final passage.

S. J. R. No. 1 then passed on the following roll call: Ayes, 12; nays, 6; absent, 2.

Those voting in the affirmative were: Senators Adams, Cattrell, Dixon, Hirschi, Irvine, Jenkins, McConkie, Peters, Smart, Warnick, Winder and Mr. President.

Those votng in the negative were: Senators Candland, Fuller, Funk, Kinney, Standish and Tebbs.

Absent and not voting: Senators Ryan and Jenson.

S. J. R. No. 1 was transmitted to the House.

On motion of Senator Jenkins S. B. No. 20 was made Special Order for Thursday, Jan. 25th, at 2:30 p. m.

S. B. No. 21 was read the third time and placed on its final passage.

On motion of Senator McConkie the word "ten" in Lines 8 and 17 was changed to "five."

On motion of Senator Peters the enacting clause was stricken and the bill rejected.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 19 was read the second time.

Report filed.

S. B. No. 19 was ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder, and Mr. President.

Absent and not voting: Senator Ryan.

S. B. No. 19 was placed on the third reading calendar.

REPORTS OF STANDING COMNITEES

Salt Lake City, Utah, Jan. 20, 1923.

Mr. President:

Your Committee on Enrolling and Engrossing to which was referred S. B. No. 11 by Mr. Candland entitled "An Act amending Section 2514, Compiled Laws of Utah, 1917, as amended by Chapter 52, Laws of Utah, 1921, relating to fees of the State Land Commissioner" begs leave to report that it has had a copy of said bill carefully engrossed and transmits the same herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

Report filed.

S. B. No. 11 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Moved by Senator Peters that when the Senate adjourn it be to Tuesday, Jan. 23rd, at 2 p. m.

Motion carried.

On motion of Senator Dixon the Senate adjourned.

SIXTEENTH DAY.

STATE SENATE.
State Capitol.
Salt Lake City, Utah, Jan. 23, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

Report of Committee on Journal Correction was presented and accepted.

PRESENTATION OF PETITIONS

To The Honorable Members,
Senate, State of Utah,
House of Representatives, State of Utah.

WHEREAS crime has increased the last few years, and there appears to be a "crime wave" sweeping over the country each winter it is evident from the practice of the past years that the operation of the indeterminate sentance law is not what was contemplated in its creation;

THEREFORE, we, the undersigned, peace officers in the State of Utah recommend that the present law be repealed or modified, that a minimum and maximum penalty be again established.

The trial judge at each individual case, who hears all the evidence, is in much better position to determine what sentence should be imposed, and

UNLESS some new evidence is in the meantime discovered in favor of prisoners who make applications for pardon, the Board of Pardons should have no jurisdiction in the cases; and greater care should be exercised in the granting of paroles, as experience has shown that the greater percentage of crimes cleared up were committed by ex-convicts or parole violators.

Signed by, Curtis Allison, and 254 others.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Jan. 23, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 33, by Mr. Jenkins, entitled, "An Act relating to insurance; requiring certain insurance concerns to file rates with the Commissioner of Insurance; prohibiting discrimination and forbidding rebates of premium paid under such rates or any deviation from rates or schedules until amended rates or schedule have been duly filed; requiring supervision and examination of such rating bureaus by the Commissioner of Insurance; providing for an inspection and survey of municipalities and fire hazards; requiring bureaus to keep on file records of all risks rated by them, the same to be open to insection by all interested parties, permitting certain insurance concerns to file acceptance of some rating bureau's schedule of rates with the Commissioner of Insurance; and fixing penalities for Violations of this act," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 33, was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Jan. 23, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 34, by Mr. Jensen, entitled, "An Act to amend Section 1560, of the Compiled Laws of Utah, 1917, providing for the apportionment of the cost of assessing and collecting taxes", without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 34, was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 23, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 35, by Mrs. Kinney, entitled, "An Act

relating to malfeasance, misfeasance and non-feasuance of public officials, directing prosecuting attorneys to proceed against offenders, constituting taxpaying citizens parties beneficially interested in any proceedings brought to remedy such evils", without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 35 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Jan. 23, 1923.

Mr. President:

Your Committee on Agriculture, to which was referred S. B. No. 3, by Mr. Candland, entitiled, "An Act to amend Section 890 (342), 891 (343), 893 (345) and 895 (347), Title 19, Chapter 1 Comiled Laws of Utah, 1917 relating to corporations not for pecuniary profit, and inserting Section 892X, so as to provide for a central or state-wide association and for local associations and for the cooperation thereof" begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
WILLIAM H. SMART,
Chairman.

Report filed.

S. B. No. 3, was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 23, 1923.

Mr. President:

Your Committee on Agriculture, to which was referred H. B. No. 2, by Mr. Atwood, entitled, "An Act to provide for the organization of associations with or without capital stock and not for pecuniary profit but for the mutual help and benefit of its shareholders or members in the production, handling, storing, shipping and marketing of agricultural and related products and by-products; and for supplying members with machinery, equipment, and materials, and to provide and advance funds to members to aid in carrying out said purposes",

begs leave to report that it has considered the same favorably and recommend that it be passed.

Respectfully,
WILLIAM H. SMART,
Chairman.

Report filed.

H. B. No. 2, was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 23, 1923.

Mr. President:

Your Committee on Education, to which was referred H. B. No. 28, by Mr. Mozely, entitled, "An Act to require the teaching of the Constitution of the United States in the public and private schools of the State", begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

H. B. No. 28, was placed on the second reading calendar.

INTRODUCTION OF BILLS

S. B. No. 36, By Mr. Jenkins, "An Act to amend Section, 3087, Compiled Laws of Utah, 1917, as amended by chapter 97 session laws, 1919 and chapter 112 session laws of 1921 relating to salaries of county officers, was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 37, By Mr. Jenkins, "An Act defining an insurance agent, prescribing his qualifications, providing for licensing the same, and fixing a penalty for violating any of the provisions of this act", was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 19, was read the third time and placed on its final passage.

S. B. No. 19 then passedon the following roll call: Ayes 13, Nays 5, Absent 2.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenson, Kinney, Peters, Smart, Tebbs, Warnick and Winder.

Those voting in the negative were: Senators Adams, Jenkins, McConkie, Standish and Mr. President.

Absent and not voting: Senators, Irvine and Ryan.

S. B. No. 19 was transmitted to the House for its action.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 23 was read the second time.

On motion of Senator Peters, S. B. No. 4, which was to be special order for 3 p. m., was recommitted to the Committee on Public Affairs.

SPECIAL ORDER

Consideration of S. B. No. 6, on third reading.

On motion of Senator McConkie, S. B. No. 6 was made special order for Thursday Jan. 25, at 3 p. m.

Consideration of S. B. No. 23 on second reading was resumed.

On motion of Senator Candland beginning with the word "provided" in Line 11 and ending with the word "year" in Line 13 was stricken.

S. B. No. 23 was ordered read the third time on the following roll call: Ayes15, Nays 3, Absent 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Winder and Mr. President.

Those voting in the negative were: Senators, Hirschi, Tebbs and Warnick.

Absent and not voting were: Senators Irvine and Ryan.

S. B. No. 23, was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 23, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 11, by Mr. Candland entitled, "An Act amending Section 2514, Compiled Laws of Utah, 1917, as amended by chapter 52, Laws of Utah 1921, relating to fees of the State Land Commissioner", and the same is herewith returned to your honorable body for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 11 was transmitted to the Governor for his action.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Jan. 23, 1923.

Mr. President:

Your Committee on Revision and Printing report back Senate Bill Number 36, by Mr. Jenkins, entitled, "An Act to amend Section 5087, Compiled Laws of Utah, 1917, as amended by chapter 97, session Laws of Utah, 1919, and chapter 112 session laws of 1921 relating to salaries of county officers", without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 36 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 23, 1923.

Mr. President:

Your Committee on Revision and Printing report back Senate Bill Number 37, by Mr. Jenkins, entitled, "An Act defining an insurance agent, prescribing his qualifications, providing for licensing the same and

fixing a penalty for violating any of the provisions of this act" without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 37 was ordered printed and referred to the Committee on Commerce and Industry.

On motion of Senator Candland the Senate adjourned.

SEVENTEENTH DAY

SENATE CHAMBER
State Capitol
Salt Lake City, Utah, January 24, 1923

The Senate was called to order at 2 p. m. by President McKay.

Roll Call. Nineteen members present. One excused.

Prayer by the Chaplain.

The Journal of the sixteenth day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, January 24, 1923

Mr. President:

We your Committee on Public Health and Labor, to whom was referred S. B. No. 27, by Mr. Dixon, "An Act creating the Utah Tuberculosis Research Commission, and prescribing the powers and duties of such Commission" beg leave to report as follows: we have given due and careful consideration to the subject contained therein and do recommend that it be passed.

Respectfully,
H. N. STANDISH,
Chairman.

Report filed.

S. B. No. 27 was placed on the second reading calendar.

Salt Lake City, Utah, January 24, 1923

Mr. President:

Your Committee on Commerce and Industry to which was referred S. B. No. 31, by Mr. Adams, entitled, An act to repeal Chapter 21, Session Laws of Utah, 1921, entitled, "An Act to provide for the regulation of traffic in eggs; to prevent fraud and misrepresentation by dealers; and to prevent the sale of eggs unfit for human food" begs leave to report that it has considered the same and returns it to you with the recommendation that it be passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 31 was placed on the second reading calendar.

COMMUNICATIONS FROM THE GOVERNOR

Executive Office.
STATE OF UTAH,

January 24, 1923

To the Senate.

I have this day approved and transmitted to the office of the Secretary of State Senate Bill No. 11, by Mr. Candland entitled, "An Act amending Section 2514, Compiled Laws of Utah, 1917 as amended by chapter 52, Laws of Utah, 1921, relating to fees of the State Land Commissioner."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

Executive Office.
STATE OF UTAH,

January 23, 1923.

To the Senate:

On January 19, 1923, I appointed Honorable E. E. Corfman to membership on the Public Utilities Commis-

sion, to fill the unexpired term of six years occasioned by the death of Honorable A. R. Heywood, serving from January 19, 1923, to April 1, 1927.

Your confirmation of this appointment is requested.

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed and referred to Committee consisting of Senators Fuller, Dixon, Standish, Ryan and Winder.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, January 24, 1923

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. No. 25, by Mr. Pettit, entitled, "An Act to amend section 3925 Compiled Laws of Utah, 1917, relating to the certificates for mining boss or fire boss" and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 25 was read the first time and referred to Committee on Public Health and labor.

INTRODUCTION OF RESOLUTIONS

S. C. R. No. 2 by Mr. Jenkins, "A concurrent resolution proposing an amendment to the Constitution of the State of Utah by amending section 9 Article IV, relating to elections and commencement of term of office," was read the first time and referred to the Committe on Revision and Printing.

INTRODUCTION OF BILLS

S. B. No. 38, By Mrs. Kinney, "An Act to amend Section 5364 Compiled Laws of Utah 1917, transferring the control of the Industrial School to the State Board of

Education," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 39, By Committee on Commerce and Industry, "An Act amending section 981 X, chapter 24, Session Laws of Utah, 1921, relating to state banking department by extending the provisions of said act to savings banks" was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 40 By Mr. Jenkins, "An Act to amend section 1463 of the Compiled Laws of Utah, 1917, relating to county officers having their offices at county seats and the hours said offices shall be kept open," was read the first time and referrd to the Committee on Revision and Printing.

S. B. No. 41 By Mr. Jenson, "An Act to amend sections 2186, 2191, 2192 and 2193, Compiled Laws of Utah, 1917, relating to nominations of candidates for election," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 42 By Mr. McConkie, "An Act relating to killing animals and fixing a penalty therefor" was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 43 by Mr. McConkie, "An Act to amend Section 8388, Title 119, Chapter 54, Compiled Laws of Utah, 1917 relating to killing or maiming animals" was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 44, by Mr. Dixon, "An Act to amend Sections 2, 6, 14 and 16 of Chapter 110 Sesssion Laws of Utah, 1921, also adding and enacting two additional sections, to be known as Sections 14A and 14B," was read the first time and referred to the Committee on Revision and Printing.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, January 24, 1923

Mr. President:

Your committee on Revision and Printing report back Senate Bill No. 38, entitled, "An Act to amend

Section 5364 Compiled Laws of Utah, 1917, transferring the control of the Industrial School to the State Board of Eudcation," without change.

Respectfully,
PERRY B. FULLER
Chairman.

S. B. 38 was ordered printed and referred to the Committee on Education.

Salt Lake City, Utah, January 24, 1923

Mr. President:

Your committee on Revision and Printing report back Senate Bill No. 39 by the Committee on Commerce and Industry entitled, "An Act amending Section 981x, Chapter 24, Session Laws of Utah, 1921, relating to state banking department by extending the provisions of said act to Savings Banks," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 39 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, January 24, 1923

Mr. President:

Your committee on Public Affairs to which was recommitted S. B. No. 4, by Mr. Peters, entitled, "An Act ratifying a compact and treaty apportioning the waters of the Colorado river, approved by a representative of the United States of America and entered into by representatives of Utah, Wyoming, Colorado, New Mexico, Arizona, Nevada and California, sitting as the Colorado River Commission," begs leave to report that it has again considered the same favorably and recommends that it be passed.

Since recommitment your committee further studied the compact in connection with Congressman Don B. Colton. It may be affirmatively stated that Congressman Colton is not in any sense opposed to the compact, but was in the attitude of wishing to get Utah's viewpoint. Such opinions and interpretations as were expressed and given, practically resolved into a unan-

imous opinion in favor of the desirability of ratifying the compact.

Respectfully,
J. W. PETERS,
Chairman.

S. B. No. 4 took its former place on the third reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Tebbs S. B. No. 23 was made special order for Friday, January 26th, at 2:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 3 was read the second time.
Report filed.

On motion of Senator Jenkins the following amendments were made: Strike the letters "I D" in line 11, page 1, and line 30, page 2, the words "Nomination of Trustees by Superior Body" in line 17, page 3, the parenthesis surrounding the number "895" in line 11, and the words "Annual Report" in line 27, page 4 and the words "Rights and Duties Continued" in line 16, page 5.

S. B. No. 3 was ordered read the third time on the following roll call:

Ayes 19; nays 0 ; absent 1.

Those voting in the affirmative were, Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder, Mr. President.

Absent and not voting, Senator Irvine.

S. B. No. 3 was placed on the third reading calendar.

On motion of Senator Peters, S. B. No. 4 was considered on its third reading.

S. B. No. 4 was read the third time and placed on final pasage.

S. B. No. 4 then passed on the following roll call:

Ayes 19; nays 0; absent 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan Smart, Standish, Tebbs, Warnick, Winder, Mr. President.

Absent and not voting, Senator Irvine.

S. B. No. 4 was transmitted to the house for its action.

REPORTS OF STANDING COMMITTEE

Salt Lake City, Utah, January 24, 1923

Mr. President:

Your committee on Commerce and Industry begs leave to report that they have considered S. B. No. 39, by Committee on Commerce and Industry, entitled, "An Act amending Section 981X, Chapter 24, Session Laws of Utah, 1921, relating to state banking department by extending the provisions of said act to savings banks," and recommend that the bill be passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 39 was placed on the second reading calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 2 was read the second time.

Moved by Senator McConkie that Section 8 be stricken. The motion was defeated.

H. B. No. 2 was ordered read the third time on the following roll call:

Ayes 15; nays 4; Absent 1.

Those voting in the affirative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenson Kinney, McConkie, Peters, Ryan, Smart, Warnick, Winder, Mr. President.

Those voting in the negative were: Senators Adams Jenkins, Standish and Tebbs.

Absent and not voting, Senator Irvine.

H. B. No. 2 was placed on the third reading calendar.

H. B. No. 28 was read the second time and ordered read the third time on the folowing roll call:

Ayes 18; nays 0; absent 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Jenkins, Jenson, Kinney, McConkie, McKay, Peters, Ryan Smart, Standish, Tebbs, Warnick, Winder, Mr. President.

Absent and not voting: Senators Funk and Irvine.

H. B. No. 28 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, January 24, 1923

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 41, as amended, entitled, "An Act to amend section 5765, Compiled Laws of Utah, 1917, relating to power of district attorneys to employ clerk," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 41 was read first time and referred to Committee on Judiciary.

Salt Lake City, Utah, January 24, 1923

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, H. B. No. 49, by Mr. Callister, entitled, "An Act to amend section 8048, of Chapter 19, Title 119, Compiled Laws of Utah, 1917, relating to felonious assaults" and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed. H. B. No. 49 was read first time and referred to Committee on Judiciary.

Salt Lake City, Utah, January 24, 1923

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, H. B. No. 52, by Mr. Callister entitled "An Act to Amend Chapter 17, of Title 119, Compiled Laws of Utah, 1917, relating to robbery, by adding a new section, to be known as section 8044X," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed. H. B. No. 52 was read first time and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, January 24, 1923

Mr. President:

Your committee on Revision and Printing report back Senate Concurrent Resolution Number Two, by Mr. Jenkins, entitled, "A concurrent resolution proposing an amendment to the Constitution of the State of Utah by amending section 9 Article IV, relating to elections and commencement of term of office" without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. C. R. No. 2 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, January 24, 1923

Mr. President:

Your Committe on Revision and Printing report back Senate Bill Number forty, by Mr. Jenkins, entitled, "An Act to amend section 1463 of the Compiled Laws of Utah, 1917, relating to county officers having their offices at county seats and the hours said offices shall be kept open" without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 40 was ordered printed and referred to the Committee on Public Affairs.

MISCELLANEOUS BUSINESS

University of Utah
Salt Lake City, Utah, January 24, 1923

To the President and Members
of the Senate,
State Capitol, City.
Ladies and Gentlemen:

The University of Utah extends to you an invitation to visit the University. In conference with some of your officials it has been suggested that perhaps your honorable body would not desire to take a whole day for this visit. Therefore it has been suggested that, if it meets with your approval, you come on Tuesday next, January 30, at 3:00 o'clock. This will give you some time to look over the campus and buildings and have dinner with us in the evening at 6:00 o'clock. This invitation includes yourselves and partners.

Hoping that you can accept this invitation, I remain

Very sincerely yours,
GEORGE THOMAS,
President.

On motion of Senator Cottrell the invitation was accepted.

On motion of Senator Peters the Senate adjourned.

EIGHTEENTH DAY.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 25, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Seventeenth day was read and approved.

REPORTS OF STANDING COMMITTEES.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 41, by Mr. Jenson, entitled, "An act to amend Sections 2186, 2191, 2192 and 2193, Compiled Laws of Utah, 1917, relating to nominations of candidates for election," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 41 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 42, by Mr. McConkie, entitled, "An act relating to killing animals and fixing a penalty therefor," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 42 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 43, by Mr. McConkie, entitled, "An act to amend Section 8388, Title 119, Chapter 54 Compiled Laws of Utah, 1917, relating to killing or maiming animals," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 43 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 44, by Mr. Dixon, entitled, "An act to

amend Sections 2, 6, 14 and 16 of Chapter 110, Session Laws of Utah, 1921, also adding and enacting two additional sections, to be known as Sections 14A and 14B," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 44 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 36, by Mr. Jenkins, entitled, "An act to amend Section 5087, Compiled Laws of Utah, 1917, as amended by Chapter 97, Session Laws, 1919, and Chapter 112, Session Laws of 1921 relating to salaries of county officers," has considered and returns same to you with the following amendments: On line three after the word "amended" insert the words "to read." On line 16 strike out the "parenthesis" and underscore the number "4000," without recommendation.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 36 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your committee on Public Affairs, to which was referred S. B. No. 28, by Mr. Jenkins, entitled, "An act to repeal Section 3843, Compiled Laws of Utah, 1917, requiring the County Assessor to file a list of all eligible males in the county, within certain ages, annually with the County Commissioners, within a specified time.," reports that same has been considered favorably, and recommend that it be passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 28 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 35, by Mr. Bagnall, entitled "An act to amend Section 6024, Compiled Laws of Utah, 1917, relating to the manner in which property may be redeemed from tax sale," has considered and reports the same back favorably.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 35 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your committee on Public Affairs to which was referred S. B. No. 32, by Mrs. Kinney, entitled "An act to amend Sections 1, 3, 4 and 5, of Chapter 56, Laws of Utah, 1921, relating to the continuance of the Welfare Commission and the employment of a Secretary," has considered and reports the same back favorably.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 32 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 40, by Mr. Jenkins, entitled, "An act to amend Section 1463 of the Compiled Laws of Utah, 1917, relating to county officers having their offices at county seats and the hours said offices shall be kept open," reports back the same favorably.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 40 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

Your Committee on Agriculture, to whom was referred S. B. No. 26, by Mr. Candland, entitled, "An act to amend Section 5905 (2542X2) relating to the assessment of transient live stock brought into the state for the purpose of being grazed, fed or ranged. Credit allowed; and extending a tax credit to feeders of cattle, sheep or hogs who prove that such animals were slaughtered or removed from the State prior to July 1st of any taxable year by adding thereto subsection 5905X1 (2542X3) (2542X4)," have considered the same, and recommend that S. B. No. 45 by the Committee on Agriculture, be substituted for S. B. No. 26, and that S. B. No. 45 be passed.

Respectfully,

WM. H. SMART,
Chairman.

Report filed.

S. B. No. 45, after being read the first time, was ordered printed and placed on the second reading calendar.

INTRODUCTION OF BILLS.

S. B. No. 45, Sub. for S. B. No. 26, by Committee on Agriculture, "An act to amend Section 5905 (2542X2) relating to the assessment of transient live stock brought into the state for the purpose of being grazed, fed or ranged. Credit allowed; and extending a tax credit to feeders of cattle, sheep or hogs who prove that such animals were slaughtered or removed from the state prior to July 1st of any taxable year by adding thereto subsection 5905X1 (2542X3) (2542X4)."

S. B. No. 46, by Committee on Commerce and Industry, "An act making a promissory note secured by a mortgage or deed of trust upon real or personal property, negotiable, and providing the negotiability of the same shall not be abridged or impaired by any conditions contained in the mortgage or deed of trust securing the same," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 47, by Mr. Funk, by request, "An act amending Section 5, Chapter 55, Laws of Utah, 1921, relating to embalming," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 48, by Mr. Funk, by request, "An act amending Section 3, Compiled Laws of Utah, 1917, as amended by Chapter 1, Laws of Utah, 1921, relating to Certified Public Accountants," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 49, by Mr. Funk, by request, "An act to amend Section 279, Compiled Laws of Utah, 1917, as amended by Chapter 4, Laws of Utah, 1921, relating to Licensed Architects," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 50, by Mr. Peters, "An act amending Sections 2 and 4, of Chapter 127, Session Laws of Utah for 1921, relating to the Department of Finance and Purchase," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 51, by Mr. Jenson, "An act amending Chapter 12, designated as Section 12, on page 53, Laws of Utah, 1921, providing pensions for employees of police departments in cities having a population of 30,000 or more inhabitants," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 52, by Mrs. Kinney, "An act to amend Section 5385, Compiled Laws of Utah, 1917, relating to the government and control of the State Mental Hospital and increasing membership on board of insanity," was read the first time and referred to the Committee on Revision and Printing.

COMMUNICATIONS FROM THE HOUSE.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the Senate,

S. B. No. 30, by Com. on Public Affairs, entitled "An act amending Section 6010, Compiled Laws of Utah, 1917, relating to notice to taxpayers," and the same is herewith transmitted to your honorable body for further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 30 was referred to the Committee on Enrolling and Engrossing.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 3 was read the third time and placed on its final passage.

S. B. No. 3 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candand, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 3 was transmitted to the House for it action.

H. B. No. 2 was read the third time and placed on its final passage.

On motion of Senator McConkie Section 8 was stricken from the bill and Sections 9 and 10 became Sections 8 ad 9 respectively.

H. B. No. 2 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

H. B. No. 2 was returned to the House for its further action.

SPECIAL ORDER.

Consideration of S. B. No. 20 on third reading.

Senator Warnick moved that the last eight words in line 11 and the first eight words in line 12, page 3, namely, "stating in separate columns the amount, as obtained from the tax list, due each taxing fund," be stricken, and the following inserted therefor: "stating the aggregate amount of taxes due on the property therein enumerated, provided that taxes levied only on a certain kind or class of property for a special purpose shall be separately set out."

On motion of Senator Jenkins S. B. No. 20 was made special order for Friday, Jan. 26, at 3 p. m.

H. B. No. 28 was read the third time and placed on its final passage

H. B. No. 28 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan. Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

H. B. No. 28 was returned to the House for its further action.

SPECIAL ORDER.

Consideration of S. B. No. 6 on third reading.

S. B. No. 6 then passed on the following roll call: Ayes, 13; nays, 6; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Irvine, Kinney, McConkie, Peters, Ryan, Smart, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Cottrell, Fuller, Hirschi, Jenkins, Standish and Tebbs.

Absent and not voting: Senator Jenson.

S. B. No. 6 was transmitted to the House for its action.

Congressman Don B. Colton was introduced by President McKay, and spoke briefly on the vital problems confronting the country, and particularly the lawmakers.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 27 was read the second time and ordered read the third time on the following roll call; Ayes, 16; nays, 3; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Kinney, McConkie, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Irvine, Peters and Tebbs.

Absent and not voting: Senator Jenson.

S. B. No. 27 was placed on the third reading calendar.

S. B. No. 31 was read the second time.

On motion of Senator Dixon, S. B. No. 31 was made special order for Monday, Jan. 29, at 2:30 p. m.

S. B. No. 39 was read the second time.

On motion of Senator Jenkins the following amendments were made: Insert between the enacting clause and line 1, "Section 1. Section 981X, Chapter 24, Session Laws of Utah, 1921, is hereby amended to read as follows:" and change the number "1" in line 1 to "981X."

S. B. No. 39 was ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Dixon ,Jenson and Tebbs.

S. B. No. 39 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

I am instructed to inform your honorable body that the House refuses to concur in the Senate amendments to H. B. No. 2, by Mr. Atwood, entitled, "An act to provide for the organization of associations with or without capital stock and not for pecuniary profit, etc.," and asks that the Senate recede from its amendments.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Senator Warnick moved that the Senate recede from its amendments. The motion was defeated.

Senators Candland, McConkie and Funk were appointed as Conference Committee to consider further action with a like committee from the House.

Salt Lake City, Utah, Jan. 25, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended H. B. No. 8, by Mr. Hollenbeck, entitled, "An act amending general section No. 5985, of Chapter 5 of the Compiled Laws of the State of Utah, entitled "Equalization of Taxes" and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 8 was read the first time and referred to Committee on Public Affairs.

INTRODUCTION OF BILLS.

S. B. No. 53, by Mr. Tebbs, "An act to authorize and regulate the practice of Chiropractic, to provide for the examination and licensing of Chiropractors, to provide for an examining board, to establish rules and regulations covering the practice of Chiropractic, to establish a fee for examination and license, defining certain du-

ties of the Department of Registration, to provide for a penalty for practicing Chiropractic without a license as provided in this act, to provide for the revocation of licenses, and to repeal all acts in conflict herewith," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 54, by Mr. McConkie, "An act concerning conditional sales and to make uniform the law relating thereto," was read the first time and referred to the Committee on Revision and Printing.

On motion of Senator Tebbs, the Senate adjourned.

NINETEENTH DAY

STATE SENATE.
State Capitol,
Salt Lake City, Utah, Jan. 26, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the Eighteenth Day was read and approved.

REPORTS OF STANDING COMMITTEES.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 30, Sub. for S. B. No. 5, by Com. of Public Affairs, entitled, "An act amending Section 6010, Compiled Laws of Utah, 1917, relating to notice to taxpayers," begs leave to report that it has had a copy of said bill carefully engrossed and herewith transmit same for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 30 was signed by the President in the presence of the Senate and transmitted to the House for the signature of the Speaker.

Salt Lake City, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 46, by the Committee on Commerce and Industry, entitled, "An act making a promissory note secured by a mortgage or deed of trust upon real or personal property, negotiable, and providing the negotiability of the same shall not be abridged or impaired by any conditions contained in the mortgage or deed of trust securing the same," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 46 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing Report back S. B. No. 47, by Mr. Funk, entitled, "An act amending Section 5, Chapter 55, Laws of Utah, 1921, relating to embalming," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 47 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report S. B. No. 48, by Mr. Funk, entitled, "An act amending Section 3, Compiled Laws of Utah, 1917, as amended by Chapter 1, Laws of Utah, 1921, relating to Certified Public Accountants," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 48 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 49, by Mr. Funk, entitled, "An act to amend Section 279, Compiled Laws of Utah, 1917, as amended by Chapter 4, Laws of Utah, 1921, relating to Licensed Architects," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 49 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 50, by Mr. Peters, entitled, "An act amending Sections 2 and 4, of Chapter 127, Session Laws of Utah for 1921, relating to the Department of Finance and Purchase," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 50 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 51, by Mr. Jenson entitled, "An act amending Chapter 12, designated as Section 12, on page 53, Laws of Utah, 1921, providing pensions for employees of police departments in cities having a population of 30,000 or more inhabitants," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 51 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 52, by Mrs. Kinney, entitled, "An act to amend Section 5385, Compiled Laws of Utah, 1917, relating to the government and control of the State Mental Hospital and increasing membership on board of insanity," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 52 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your committee on Revision and Printing report back S. B. No. 53, by Mr. Tebbs, entitled, "An act to authorize and regulate the practice of Chiropractic, to provide for the examination and licensing of Chiropractors, to provide for an examining board, to establish rules and regulations covering the practice of Chiropractic, to establish a fee for examination and license, defining certain duties of the department of registration, to provide for a penalty for practicing Chiropractic without a license as provided in this act, to provide for the revocation of licenses and to repeal all acts in conflict herewith," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 53 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 54, by Mr. McConkie, entitled "An act concerning conditional sales and to make uniform the law relating thereto," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 54 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee to which was referred S. B. 24, substitute for S. B.'s 8, 9, 10, 12, 13, and 14, entitled "An act to amend Sections 5583, 5584, 5590, 5599, 5606 and 5607, Compiled Laws of Utah, 1917, as amended by Chapter 118 of the Laws of Utah, 1921, relating to state lands and the State Land Commissioner," herewith returns the same and recommends that it be passed with the following amendment: "By inserting the word "those" at the end of line 8 on page 4.

Respectfully submitted,
WM. H. SMART,
Chairman.

Report filed.

S. B. No. 24 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed S. B. No. 19, by Mr. Hirschi, entitled, "An act to repeal Sections 2894 and 2895, Compiled Laws of Utah, 1917, relating to the width of tires upon vehicles used upon state highways," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 19 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day appointed Repre-

sentatives Wood, Atwood and Butterfield to meet with a like committee from the Senate to consider H. B. No. 2, by Mr. Atwood.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Moved by Senator Peters that when the Senate adjourns it be to 2 P. M. Monday, Jan. 29th.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 55, by Mrs. Kinney, "An act authorizing cities, towns, counties and school districts to acquire, maintain and operate playgrounds, athletic fields, gymnasiums, public baths, swimming pools, camps, indoor recreation centers and other recreation facilities," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 56, by Mrs. Kinney, "An act to regulate the placing out of children by persons other than the parents or relatives of such children, prescribing certain records to be kept and conditions to be observed by persons authorized by law to secure homes for children, regulating the bringing into the state of children for the purpose of placing out, requiring persons placing children to secure a license from the State Board of Health and prescribing certain powers and duties of the State Board of Health and making violations of this act a misdemeanor," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Standish S. B. No. 27 was made special order for Monday, Jan. 29, at 3 p. m.

S. B. No. 39 was read the third time and placed on its final passage.

S. B. No. 39 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 39 was transmitted to the House for its action.

On motion of Senator Peters S. B. No. 23 was made special order for Tuesday, Jan. 30.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 28 was read the second time and ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell and Hirschi.

S. B. No. 28 was placed on the third reading calendar.

S. B. No. 36 was read the second time.

On motion of senator Peters the report of the Committee was adopted.

On motion of Senator Jenkins the following amendments were made: Strike the word "Session" wherever it appears in the Title and in Section 1; between the word "Laws" and "1919" in line 3 of the title and line 2 of the bill, insert the words "of Utah;" between the word "of" and "1921" in line 3, insert the word "Utah;" in line 14, class 5, change "500" to "600" and in line 19, class 5, change "1100" to "1400."

On motion of Senator Irvine Section 2 was added to the bill as follows: "Section 2. This act shall take effect upon approval."

S. B. No. 36 was ordered read the third time on the following roll call: Ayes, 11; nays, 9; absent, 0.

Those voting in the affirmative were: Senators Cottrell, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, Standish, Tebbs, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Candland, Dixon, Hirschi, McConkie, Peters, Ryan, Smart and Warnick.

S. B. No. 36 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, H. B. No. 28, by Mr. Mozley, entitled, "An act to require the teaching of the Constitution of the United States in the public and private schools of the state," and the same is herewith transmitted for the signature of the President of the Senate.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 28 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 30, Sub. for S. B. No. 5, by Com. on Public Affairs, entitled, "An act amending Section 6010, Compiled Laws of Utah, 1917, relating to notice to taxpayers," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

S. B. No. 30 was transmitted to the Governor for his action.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed S. B. No. 4, by Mr. Peters,

entitled "An act ratifying a compact and treaty apportioning the waters of the Colorado river, approved by a representative of the United States of America and entered into by representatives of Utah, Wyoming, Colorado, New Mexico, Arizona, Nevada and California, siting as the Colorado River Commission," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 4 was referred to the Committee on Enrolling and Engrossing.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 19, by Mr. Hirschi, entitled, "An act to repeal Sections 2894 and 2895, Compiled Laws of Utah, 1917, relating to the width of tires upon vehicles used upon state highways," begs leave to report that it has had a copy of said bill carefully engrossed and herewith transmit same for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

Report filed.

S. B. No. 19 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 55 by Mrs. Kinney, entitled, "An act authorizing cities, towns, counties and school districts to acquire, maintain and operate playgrounds, athletic fields, gymnasiums, public baths, swimming pools, camps,

indoor recreation centers and other recreation facilities," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 55 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 56 by Mrs. Kinney, entitled, "An act to regulate the placing out of children by persons other than the parents or relatives of such children, prescribing certain records to be kept and conditions to be observed by persons authorized by law to secure homes for children, regulating the bringing into the State of children for the purpose of placing out, requiring persons placing children to secure a license from the State Board of Health and prescribing certain powers and duties of the State Board of Health and making violations of this act a misdemeanor," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 56 was ordered printed and referred to the Committee on Judiciary.

SPECIAL ORDER.

Consideration of S. B. No. 20 on third reading.

Amendment offered by Senator Warnick Jan. 25th, carried.

On motion of Senator Warnick the words "as amended by Section 6018, Laws of Utah, 1921," were inserted after the figures "1919," in line 3 of the title and line 3 of the bill.

Moved by Senator Jenkins that the underscored words "second Monday in January" in lines 14 and 15, page 1, and lines 7 and 8, page 2, be stricken, and the words "January 15th" inserted therefor.

The motion was defeated.

Moved by Senator Hirschi that the figure "3" in line 12, page 1, be changed to "1."

Amendment to the amendment was offered by Senator Jenkins changing the "3" in line 12, page 1 to "1-2 of 1."

The amendment to the amendment was defeated.

The amendment was defeated.

Moved by Senator Jenson that the words "second Monday in" in lines 14 and 15, page 1 and lines 7 and 8, Page 2, be stricken and the words "15th day of" inserted therefor.

The motion carried.

S. B. No. 20 was then rejected on the following roll call: Ayes, 9; nays, 11; absent, 0.

Those voting in the affirmative were: Senators Adams, Dixon, Funk, Jenson, Peters, Ryan, Smart, Warnick and Mr. President.

Those voting in the negative were: Senators Candland, Cottrell, Fuller, Hirschi, Irvine, Jenkins, Kinney, McConkie, Standish, Tebbs and Winder.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 35 was read the second time. On motion of Senator Winder the matter in parenthesis in lines 11 and 12 was stricken.

H. B. No. 35 was ordered read the third time on the following roll call: Ayes, 15; nays 1,; absent, 4.

Those voting in the affirmative were: Senate Adams, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenson. Kinney. Peters. Smart. Standish. Tebbs. Warnick. Winder and Mr. President.

Those voting in the negative were: Senator Jenkins.

Absent and not voting: Senators Candland, Funk, McConkie and Ryan.

H. B. No. 35 was placed on the third reading calendar.

Unanimous consent was received for the introduction of the following bills:

S. B. No. 57, by Mr. Jenkins, "An act to provide for the admission to the treatment building of the State Mental Hospital of suitable persons making voluntary application for treatment," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 58, by Mr. Winder, "An act creating a State Board of Review. Defining powers, authorities and duties," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 59, by Mr. Winder, "An act to amend Section 4624, Compiled Laws of Utah, 1917, relating to the levying and collecting of taxes for school purposes in county school districts of the first class and providing for certain limitations upon the amount of such taxes to be levied," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 60, by Mr. Winder, "An act to amend Section 4704, Compiled Laws of Utah, 1917, relating to the powers of Boards of Education in cities of the first and second class to levy taxes, and providing for certain limitations upon the amount of such taxes to be levied," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 61, by Mr. Winder, "An act to amend Section 1401 of the Compiled Laws of Utah, 1917, as amended by Chapter 37, Session Laws of Utah, 1921, authorizing counties of the State of Utah to levy a special tax for the purpose of distributing the products and industries of any County in the state at domestic or foreign exposition, for the purpose of encouraging immigration and increasing production in the state, and providing for certain limitations upon the amount of such taxes to be levied," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 62, by Mr. Winder, "An act to amend Section 671, Compiled Laws of Utah, 1917, as amended by Chapter 13, Session Laws of Utah, 1919, as amended by Chapter 14, Session Laws of Utah, 1921, relating to annual tax levies in cities," was read the first time and referred to the Committee on Revision and Printing.

levy taxes for the care of indigents, the erection and

S. B. No. 63, by Mr. Winder, "An act to amend Section 5993, Compiled Laws of Utah, 1917, relating to the powers of County Commissioners to levy taxes for general county purposes for the care, maintenance and relief of the indigent sick, and providing for limitations upon the amounts to be levied for such purposes," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 64, by Mr. Winder, "An act to amend Section 96, of Chapter 3, Title 3, Compiled Laws of Utah, 1917, relating to animals on the range," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 65, by Mr. Jenkins, "An act amending Sections 5383, 5384, 5406, 5409, 5413 and 5415, Compiled Laws of Utah, 1917, changing the name of the State Mental Hospital, located at Provo City, in the County of Utah, to the Utah State Hospital," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 66, by Mr. Winder, "An act to amend Section 1400X46, Compiled Laws of Utah, 1917, relating to the powers of Boards of County Commissioners to maintenance of hospitals, infirmaries or poor houses, the employment of superintendents and physicians, and, providing for a limitation upon the amount to be levied for such purposes," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 32 was read the second time. On motion of Senator Kinney S. B. No. 32 was made special order for Wednesday, Jan. 31, at 2:30 p. m.

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

On motion of Senator Peters further action on said bill was deferred until it could be put in proper form.

S. B. No. 40 was read the second time.

On motion of Senator Jenkins the words "Offices at County Seats, when," being a sub-title, were stricken.

On motion of Senator McConkie the word "sheriffs" was inserted at the end of line 5.

S. B. No. 40 was ordered read the third time on the following roll call: Ayes, 13; nays, 7, absent, 0.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Irvine, Jenkins, Kinney, McConkie, Ryan, Smart, Standish, Winder and Mr. President.

Those voting in the negative were: Senators Candland, Funk, Hirschi, Jenson, Peters, Tebbs and Warnick.

S. B. No. 40 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 26, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 19, by Mr. Hirschi, entitled, "An act to repeal Section 2894 and 2895, Compiled Laws of Utah, 1917, relating to the width of tires upon vehicles used upon state highways," and the same is herewith transmitted for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 19 was transmitted to the Governor for his action.

COMMUNICATIONS FROM THE GOVERNOR

State of Utah
EXECUTIVE OFFICE
Salt Lake City.

January 26, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, Senate Bill No. 30, by the Committee on Public Affairs, entitled "An act amending Section 6010, Compiled Laws of Utah, 1917, relating to Notice to Taxpayers."

Respectfully yours,
CHAS. R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

Senators Fuller and Funk were appointed to correct the Journal for the week of January 29th.

On motion of Senator Peters the Senate adjourned.

TWENTY-SECOND DAY

STATE SENATE,
The Capitol,
Salt Lake City, Utah, Jan. 29, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the Nineteenth Day was read and approved.

PRESENTATION OF PETITIONS.

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

Your Memorialists—the Daughters of Utah Pioneers —respectfully represent, that,

The Society of the Daughters of Utah Pioneers has now been organized for twenty-one years, and during that period of time its members have endeavored to carry out the objects of its organization, namely: to perpetuate the names and achievements of the men and women who were the Founders of this great Commonwealth, by preserving old land-marks, collecting relics, establishing a library of pioneer historical matter, securing unprinted manuscripts, photographs, and all such data as shall aid in perfecting a record of the strong character, pure life, and heroic deeds of the pioneers, also to commemorate the advent of the pioneers into the barren wastes of Utah, by observing appropriately the

twenty-fourth of July and such other days and advents as are important in Utah History.

Your Memorialists further represent, that, this Society is the only organization which has collected personal biographies of the pioneers of Utah, and that it now has hundreds of such biographies, and thousands of relics systematically filed and registered.

The Society has had no funds for this purpose up to the present time, save membership fees, a source of revenue which is wholly inadequate, even though all service has been voluntary; wherefore, the Society now feels that its work is of sufficient value and interest to the commonwealth, to be carried on and maintained in a more definite and persistent way.

In consideration of the foregoing and in order that the ideals and achievements and service of the Founders of the State may be thus perpetuated for future generations.

Your Memorialists respectfully ask the Fifteenth Legislature of the State of Utah, to grant the Society, Daughters of Utah Pioneers, the sum of two thousand dollars ($2,000.00) per annum to continue the work above described—the same to be duly accounted for to the proper State authority;

And your petitioners, as in duty bound, will ever pray.

Signed:

FLORA BEAN HORNE,
President.

DONNETTE SMITH KESLER,
First Vice President.

JULIA P. MURDOCK FARNSWORTH,
Second Vice President.

JOSEPHINE JANE WOODRUFF,
Secretary.

The petition was referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committtee on Revision and Printing report back S. B. No. 57 by Mr. Jenkins, entitled, "An act to provide for the admission to the treatment building of the State Mental Hospital of suitable persons making voluntary application for treatment," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 57 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 59 by Mr. Winder entitled, "An act to amend Section 4624, Compiled Laws of Utah, 1917, relating to the levying and collecting of taxes for school purposes in county school districts of the first class and providing for certain limitations upon the amount of such taxes to be levied," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 59 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B No. 58 by Mr. Winder, entitled, "An act creating a State Board of Review. Defining powers, authorities and duties," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 58 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 60 by Mr. Winder, entitled, "An act to amend Section 4704, Compiled Laws of Utah, 1917, relating to the powers of Boards of Education in cities of the first and second class to levy taxes, and providing for certain limitations upon the amount of such taxes to be levied," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 60 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 61 by Mr. Winder, entitled, "An act to amend Section 1401 of the Compiled Laws of Utah, 1917, as amended by Chapter 37, Session Laws of Utah, 1921, authorizing counties of the State to levy a special tax for the purpose of distributing the products and industries of any County in the State at domestic or foreign exposition, for the purpose of encouraging immigration, and increasing production in the State, and providing for certain limitations upon the amount of such taxes to be levied," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 61 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 62 by Mr. Winder, entitled, "An act to amend Section 671, Compiled Laws of Utah, 1917, as amended by Chapter 13, Session Laws of Utah, 1919, as

amended by Chapter 14, Session Laws of Utah, 1921, relating to annual tax levies in cities," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 62 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 63, by Mr. Winder, entitled, "An act to amend Section 5993, Compiled Laws of Utah, 1917, relating to the powers of County Commissioners to levy taxes for general county purposes for the care, maintenance and relief of the indigent sick, and providing for limitations upon the amounts to be levied for such purposes," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 63 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 64 by Mr. Winder, entitled, "An act to amend Section 96, of Chapter 3, Title 3, Compiled Laws of Utah, 1917, relating to animals on the range," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. D. No. 64 was ordered printed and referred to the Committee on Agriculture..

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 65, by Mr. Jenkins, entitled, "An act amending Sections 5383, 5384, 5406, 5409, 5413 and 5415, Compiled Laws of Utah, 1917, changing the name of the

State Mental Hospital, located at Provo City, in the County of Utah, to the Utah State Hospital," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 65 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 66 by Mr. Winder, entitled, "An act to amend Section 1400X46, Compiled Laws of Utah, 1917, relating to the powers of Boards of County Commissioners to levy taxes for the care of indigents, the erection and maintenance of hospitals, infirmaries or poor houses, the employment of superintendents and physicians, and providing for a limitation upon the amount to be levied for such purposes, without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 66 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your committee on Commerce and Industry report favorably on S. B. No. 46, by the Committee on Commerce and Industry, entitled, "An act making a promissory note secured by a mortgage or deed of trust upon real or personal property, negotiable, and providing the negotiability of the same shall not be abridged or impaired by any conditions contained in the mortgage or deed of trust securing the same," and recommend that the same be passed.

Respectfully,

HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 46 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Commerce and Industry report favorably upon H. J. M. No. 1, by Mrs. Dunyon, entitled, "A Memorial to the President of the United States requesting the appointment of a commission to confer with representatives of foreign governments in order to interest them in an increased use of silver for coinage and reserves," and recommend that the same be passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

H. J. M. No. 1 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Commerce and Industry report favorably upon S. B. No. 49, by Mr. Funk, entitled, "An act to amend Section 279, Compiled laws of Utah, 1917, as amended by Chapter 4, Laws of Utah, 1921, relating to Licensed Architects."

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 49 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Commerce and Industry report S. B. No. 33, by Mr. Jenkins, entitled, "An act relating to Insurance; requiring insurance concerns to file rates with the Commissioner of Insurance; prohibiting discrimination and forbidding rebates of premium paid under such rates or any deviation from rates or schedules until amended rates or schedules have been duly filed; requiring supervision and examination of such

rating bureaus by the Commissioner of Insurance; providing for an inspection and survey of municipalities and fire hazards; requiring bureaus to keep on file records of all risks rated by them, the same to be open to inspection by all interested parties; permitting certain insurance concerns to file acceptance of some rating bureau's schedule of rates with the Commissioner of Insurance, and fixing penalties for violation of this act," recommending that same be passed with the following amendments:

Line 8, of the title, strike the word "such."

Line 6, page 1, place a comma after the word "marine."

Page 2, line 3 and 4, strike the words "or any inter-insurance or reciprocal insurance exchange."

Page 9, line 21, add the words "provided, however, that none of the provisions of this act shall apply to reciprocal or inter-insurance exchanges."

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 33 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Commerce and Industry report favorably upon Senate Bill No. 48, by Mr. Funk, entitled, "An act amending Section 3, Compiled Laws of Utah, 1917, as amended by Chapter 1, Laws of Utah, 1921, relating to Certified Public Accountants."

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 48 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Commerce and Industry report favorably upon S. B. No. 37, by Mr. Jenkins, entitled,

"An act defining an Insurance Agent, prescribing his qualifications, providing for licensing the same and fixing a penalty for violating any of the provisions of this act."

Respectfully,
HARRISON E. JENKINS,
Chairman.

S. B. No. 37 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 4, by Mr. Peters, entitled, "An act ratifying a compact and treaty apportioning the waters of the Colorado River, approved by a representative of the United States of America and entered into by representatives of Utah, Wyoming, Colorado, New Mexico, Arizona, Nevada and California, sitting as the Colorado River Commission," begs leave to report that it has had a copy of said bill carefully engrossed and herewith transmit same for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

Report filed.

S. B. No. 4 was signed by the President in the presence of the Senate and transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE GOVERNOR

State of Utah,
Executive Chamber,

Salt Lake City, Utah, Jan. 29, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, Senate Bill No. 19, by Mr. Hirschi, entitled, "An act to repeal Sections 2894, and 2895, Compiled Laws of Utah, 1917, relating to the width of tires upon vehicles used upon State highways."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

I am instructed to inform your honorable body that the House is this day advised by his Excellency, the Governor, that H. B. No. 28, by Mr. Mozley, entitled "An act to require the teaching of the Constitution of the United States in the public and private schools of the state," has been approved and transmitted to the office of the Secretary of State.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Salt Lake City, Jan. 29, 1923.

I am instructed to inform your honorable body that S. C. M. No. 1, by Mr. Irvine, entitled, "Petitioning the Congress of the United States to appoint an Immigration Commission and to define its powers," failed of passage and the same is herewith returned to your honorable body.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed S. J. R. No. 1, by Mr. Winder, "To provide for a Special Committee to investigate the crime wave now existent in our commonwealth and to determine if the official acts of the Board of Pardons do in any measure contribute to it," and the same is herewith transmitted for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. J. R. No. 1 was referred to the Committee on Enrolling and Engrossing.

Senators Winder, Jenson and Dixon were appointed as Senate Committee called for in S. J. R. No. 1.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed S. C. M. No. 2, by Mr. Jenkins "Petitioning the Congress of the United States to Assist the Silver Mining Industry" and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. C. M. No. 2 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, H. B. No. 57, by Mr. Callister, entitled, "An act amending Section 1461 of the Compiled Laws of Utah, 1917, relating to appointment of Deputies and Assistants for County, Precinct and District Officers," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 57 was read the first time and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 67 by Mr. Adams, "A bill to define Osteopathy and to authorize and regulate the practice of Osteopathic physicians and surgeons and to provide penalties for the violation of this act and to repeal all acts

and parts of acts in conflict herewith," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 68, by Mr. Jenson, "An act providing that voluntary associations may sue, or be sued, and designating upon what person process may be served," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 69, by Mr. Jenson, "An act amending Sections 33, 45, 52 and 77, Chapter 67, Laws of Utah, 1919, pertaining to adjudications and to applications for water and fees of the State Engineer's office," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 70, by Mr. Dixon, "An act to amend sections 666 and 666X1 of Chapter 13 of the Session Laws of Utah, 1921, providing for a Civil Service Commission in cities of the first and second class for police and fire departments," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 28 was read the third time and placed on its final passage.

S. B. No. 28 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 28 was transmitted to the House for its action.

S. B. No. 36 was read the third time and placed on its final passage.

On motion of Senator Standish the number "4000" in line 16, page, 1, was amended to read "3500."

S. B. No. 36 was then rejected on the following roll call: Ayes, 9; nays, 11; absent, 0.

Those voting in the affirmative were: Senators Cottrell, Funk, Irvine, Jenkins, Kinney, Standish, Tebbs, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Jenson, McConkie, Peters, Ryan, Smart and Warnick.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, S. B. No. 4, by Mr. Peters, entitled, "An act ratifying a compact and treaty apportioning the waters of the Colorado River, approved by a representative of the United States of America and entered into by representatives of Utah, Wyoming, Colorado, New Mexico, Arizona, Nevada and California, sitting as the Colorado River Commission," and the same is herewith transmitted for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 4 was transmitted to the Governor for his action.

SPECIAL ORDER

S. B. No. 31 was read the second time and ordered read the third time on the following roll call: Ayes 12; nays, 8; absent, 0.

Those voting in the affirmative were: Senators Adams, Cottrell, Funk, Irvine, Jenkins, Kinney, Peters, Ryan, Standish, Tebbs, Winder and Mr. President.

Those voting in the negative were: Senators Candland, Dixon, Fuller, Hirschi, Jenson, McConkie, Smart and Warnick.

S. B. No. 31 was placed on the third reading calendar.

Moved by Senator Peters that when the Senate adjourns it be to 12 noon, Tuesday, Jan. 30.

The motion was amended by Senator Standish setting the hour at 1 p. m.

The amendment carried.

Consideration of S. B. No. 27 on third reading.

On motion of Senator Candland S. B. No. 27 was made special order for Thursday, Feb. 1, at 2:30 p. m.

H. B. No. 35 was read the third time and placed on its final passage.

H. B. No. 35 was then rejected on the following roll call: Ayes, 1; nays, 18; absent, 1.

Those voting in the affirmative were; Senator Candland.

Those voting in the negative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Jenkins.

H. B. No. 35 was returned to the House.

S. B. No. 40 was read the third time and placed on its final passage.

S. B. No. 40 was then rejected on the following roll call: Ayes, 3; nays, 17; absent, 0.

Those voting in the affirmative were: Senators Cottrell, Jenkins and McConkie.

Those voting in the negative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

CONSIDERATION OF BILLS ON SECOND READING

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

On motion of Senator Peters the following amendments were made: In line 1 of the title strike "Section 5905 (2542X2)" and insert therefor the following: Chapter 3, Title 106, Compiled Laws of Utah 1917." Place a comma after the word "ranged" in line 4 of the title and strike the last two words in said line, all of lines 5, 6, 7, 8 and the first word in line 9,"Sub-" the "1" after

"5905X" in Line 9, and all of line 10; add in line 9, "s" to the word "Section" and "5905XI" at the end of the line.

Insert the following after the enacting clause: "Section 1. Sections 5905X and 5905X1 are hereby added to Chapter 3, Title 106, Compiled Laws of Utah, 1917, by inserting said sections immediately following Section 5905 (2542X2) to read as follows:

Strike all of Section 5905 and the parenthesis, including the figures therein in lines 10 and 21, page 2.

S. B. No. 45 was then ordered read the third time on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Adams.

Those absent and not voting: Senator Irvine.

S. B. No. 45 was placed on the third reading calendar.

S. B. No. 24 was read the second time.

On motion of Senator Jenson the following amendments were made: Strike all printed matter in parenthesis in the bill and in each case where parenthesis occur strike all but one of same; strike the word "that" in line 1 and the words "be and the same" in line 3, page 1; correct spelling of word "state" in line 21, page 2 ; change the word "purchased" to "purchaser" in lines 15 and 19, page 3, and add the word "those" at the end of line 8, page 4.

S. B. No. 24 was ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senator Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those absent and not voting: Senator Funk.

S. B. No. 24 was placed on third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 29, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended by the House, H. B. No. 34, by Mr. Finlinson, entitled: "An act relating to the care of state funds and providing for the collection of interest thereon; creating a state depository board and defining its powers and duties; providing for the designating of public depositories and the depositing of public funds therein," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 34 was read first time and referred to Committee on Public Affairs.

COMMUNICATIONS FROM THE GOVERNOR

Executive Office

Salt Lake City, Utah, Jan. 29, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State,, Senate Bill No. 4, by Mr. Peters, entitled, "An Act ratifying a compact and treaty apportioning the waters of the Colorado River, approved by a representative of the United States of America and entered into by representatives of Utah, Wyoming, Colorado, New Mexico, Arizona, Nevada and California, sitting as the Colorado River Commission."

Respectfully yours,

CHARLES R. MABEY,

Governor.

Communication filed.

The House was notified of the Governor's action.

STATE OF UTAH

Executive Office

Salt Lake City, Utah, Jan. 29, 1923.

Pursuant to law, I hand you the budget for the biennium 1923-1924.

It will be noted that the estimated state revenue subject to legislative appropriation for this period is $3,764,284.40, while the budget requirements amount to $3,871,187.54, an excess of $106,903.14 over estimated revenue, which excess however, it is expected will be eliminated by saving which will result from the enactment of legislation now pending.

I have endeavored to make equitable distribution of the State's revenue, although being of necessity compelled to substantially reduce the amount requested by the various departments, in order to keep the budget within the limits of the funds estimated to be available. There is, however, an instance in which the authorities in charge feel that the work of their institution cannot be carried on with the amount appropriated in the budget for that purpose. In the opinion of the President and Board of Trustees of the Agricultural College, its branch at Cedar City cannot be maintained under the budgetary allowance for the coming biennium.

In view of the figures, it is quite obvious that funds for any increase in the appropriation for this institution must be provided by special legislative enactment.

Respectfully yours,

CHARLES R. MABEY,

Governor.

Communication filed and referred to the Committee on Appropriations.

On motion of Senator Irvine, Mrs. Marie Bagley was employed as Committee Clerk in the Senate.

On motion of Senator Fuller, the Senate adjourned.

TWENTY-THIRD DAY.

STATE SENATE.
State Capitol,
Salt Lake City, Utah, Jan. 30, 1923.

The Senate was called to order at 1:00 p. m., by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the twenty second day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Jan. 30, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. C. M. No. 2, by Mr. Jenkins, entitled, "Petitioning the Congress of the United States to assist the silver mining industry" begs leave to report that it has had a copy of said memorial carefully engrossed and herewith transmits same for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

Report filed.

S. C. M. No. 2 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Jan. 30, 1923.

Mr. President:

Your Committee on Revision and Printing report back S B. No. 67 by Mr. Adams, entitled, "A Bill to define osteopathy and to authorize and regulate the practice of osteopathic physicians and surgeons and to provide penalties for the violation of this act and to repeal all acts and parts of acts in conflict herewith" without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 67 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Jan. 30, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 68 by Mr. Jenson, entitled, "An Act providing that voluntary associations may sue, or be sued, and designating upon what person process may be served" without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 68 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Jan. 30, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 69 by Mr. Jenson, entitled, "An act amending Section 33, 45, 52 and 77, Chapter 67, Laws of Utah, 1919, pertaining no adjudications and to applications for water and fees of the State Engineer's office" without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 69 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Jan. 30, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 70 by Mr. Dixon, entitled, "An Act to amend Sections 666 and 666XI of Chapter 13 of the Session Laws of Utah, 1921, providing for a civil service commission in cities of the first and second class for police and fire departments" without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 70 was ordered printed and referred to the Committee on Public Affairs.

REPORTS OF SPECIAL COMMITTEES

Salt Lake City, Utah, Jan. 30, 1923.

Mr. President:

Your Conference Committee, to whom was referred H. B. No. 2, by Mr. Atwood, entitled, "An Act to provide for the organization of associations with or without capital stock and not for pecuniary profit, etc." beg leave to report that the committees met jointly and considered the matters referred to it and unanimously agreed to recommend to the respective houses of the Legislature that Section 8 of said bill be stricken out and the following substituted therefor:

"SECTION 8. Any person who knowingly induces any member or stock-holder of any Association organized hereunder to breach his marketing contract with the Association, or maliciously spreads false reports about the finances or management thereof shall be guilty of a misdemeanor, and shall be liable in damages to the Association aggrieved".

Respectfully,
W. D. CANDLAND,
Chairman.

Report filed. On motion of Senator Peters the report was adopted. H B. No. 2 then passed on the following roll call: Ayes 20, Nays 0, Absent 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr President.

H. B. No. 2 was returned to the House for its further action.

Moved by Senator Irvine that the Committee on Education and such members of the Appropriations Committee as may be able to go be directed by the Senate to visit The Branch Agricultural College at Cedar City at a time to be appointed and that the President be considered ex-officio member of such visiting committee.

The motion carried.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 30, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended by the House, H B. No. 45 by Mr. Shelley, entitled, "An Act amending Section 4551, Compiled Laws of Utah, 1917, relating to the use of school buildings", and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

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

INTRODUCTION OF BILLS

S. B. No. 71 by Mr. McConkie, "An Act to amend Section 1463 of the Compiled Laws of Utah, 1917, relating to county officers having their offices at county seats and the hours said offices shall be kept open", was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 72 by Mr. Irvine, "An Act specifying registration and tuition fees of the University of Utah and of the Agricultural College of Utah; requiring reports of registration and of fees collected at these institutions, and the payment into the State Treasury of all moneys received; and forbidding the teaching of partisan political or sectarian religious doctrine in the University of Utah and the Agricultural College of Utah, and repealing all acts or parts of acts in conflict herewith", was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 73 by Mr. Winder, "An Act to amend Section 3096, of the Compiled Laws of Utah, 1917, providing for the administration of the State Insurance Fund", was read the first time and referred to the Committee on Revision and Printing.

SPECIAL ORDER

On motion of Senator Peters S. B. No. 23, which was special order for this time was made special order for Friday, Feb. 2, at 2:30 p. m.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 31 was read the third time and placed on its final passage. S. B. No. 31 was then rejected on the following roll call. Ayes 7, Nays 13, Absent 0.

Those voting in the affirmative were: Senators Adams, Cottrell, Funk, Jenkins, Peters, Standish and Tebbs.

Those voting in the negative were: Senators Candland, Dixon, Fuller, Hirschi, Irvine, Jenson, Kinney, McConkie, Ryan, Smart, Warnick, Winder and Mr. President.

S. B. No. 45 was read the third time and placed on its final passage. S. B. No. 45 then passed on the following roll call: Ayes 16, Nays 0, Absent 4.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Tebbs, Warnick and Mr. President.

Absent and not voting, Senators Cottrell, Funk, Standish and Winder.

S. B. No. 45 was transmitted to the House for its action.

S. B. No. 24 was read the third time and placed on its final passage.

On motion of Senator Peters S. B. No. 24 was made special order for Wednesday, Jan. 31, at 3 p. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 46 was read the second time and was ordered read the third time on the following roll call: Ayes 17, Nays 0, Absent 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi,

Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting, Senators Irvine, Peters and Standish.

S. B. No. 46 was placed on the third reading calendar.

H. J. M. No. 1 was read the second time. On motion of Senator Jenkins the "J" in the designation was changed to "C".

H. C. M. No. 1 was ordered read the third time on the following roll call: Ayes 19, Nays 0, Absent 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting, Senator Tebbs.

H. C. M. No. 1 was placed on the third reading calendar.

S. B. No. 49 was read the second time and ordered read the third time on the following roll call: Ayes 19, Nays 0, Absent 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting, Senator Irvine.

S. B. No. 49 was placed on the third reading calendar.

On motion of Senator Jenkins consideration of S. Bs. Nos. 33 and 37 was deferred until Wednesday, Jan. 31.

S. B. No. 48 was read the second time and ordered read the third time on the following roll call: Ayes 17, Nays 0, Absent 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Winder and Mr. President.

Absent and not voting, Senators Irvine, Tebbs and Warnick.

S. B. No. 48 was placed on the third reading calender.

On motion of Senator Jenkins the rules were suspended and H. C. M. No. 1 was read the third time and placed on its final passage. H. C. M. No. 1 then passed on the following roll call: Ayes 18, Nays 0, Absent 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting, Senators Irvine and Tebbs.

H. C. M. No. 1 was returned to the House for its further action.

REPORTS OF STANDING COMMITTES

Salt Lake City, Utah, Jan. 30, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 71 by Mr. McConkie, entitled, "An Act to amend Section 1463 of the Compiled Laws of Utah, 1917, relating to county officers having their offices at county seats and the hours said offices shall be kept open," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 71 was ordered printed and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, S. C. M. No. 2, by Mr. Jenkins, petitioning the Congress of the United States to assist the silver mining industry. The same is herewith transmitted for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. C. M. No. 2 was transmitted to the Governor for his action.

On motion of Senator Peters the Senate adjourned.

TWENTY-FOURTH DAY

STATE SENATE,
The Capitol,
Salt Lake City, Utah, Jan. 31, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the Twenty-third Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 72 by Mr. Irvine, entitled, "An act specifying registration and tuition fees of the University of Utah and of the Agricultural College of Utah; requiring reports of registration and of fees collected at these institutions, and the payment into the State Treasury of all moneys received; and forbidding the teaching of partisan political or sectarian religious doctrine in the University of Utah and the Agricultural College of Utah, and repealing all acts or parts of acts in conflict herewith," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 72 was ordered printed and referred to the Committee on Education.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 73 by Mr. Winder, entitled, "An act to amend Section 3096, of the Compiled Laws of Utah, 1917, providing for the administration of the State Insurance Fund," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 73 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Committee on Public Health and Labor to whom was referred S. B. No. 47 by Mr. Funk, entitled, "An act amending Section 5, Chapter 55, Laws of Utah, 1921, relating to embalming," beg leave to report that they have had the same under consideration and recommend that it be passed with the following amendment: after the word "registration" at the end of paragraph D, insert the word "and."

Respectfully submitted,
H. N. STANDISH,
Chairman.

Report filed.

S. B. No. 47 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Committee on Public Health and Labor to whom was referred H. B. No. 25 by Mr. Pettit, entitled "An act to amend Section 3925, Compiled Laws of Utah, 1917, relating to the certificates for mining boss or fire boss," beg leave to report that they have given careful consideration to the subject contained therein and recommend that it be passed with the following amendments: After the word "States" at the end of the proposed amendment, change the period to a comma and insert the words "or has not applied for first papers to become such."

Respectfully submitted,
H. N. STANDISH,
Chairman.

Report filed.

H. B. No. 25 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Committee on Public Health and Labor to whom was referred S. B. No. 57 by Mr. Jenkins, entitled, "An

act to provide for the admission to the treatment building of the State Mental Hospital of suitable persons making voluntary application for treatment," beg leave to report that they have given due and careful consideration to the same and recommend that it be passed.

Respectfully submitted,
H. N. STANDISH,
Chairman.

Report filed.

S. B. No. 57 was placed on the second reading calendar.

REPORTS OF SPECIAL COMMITTEES

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Committee on Confirmation of the Governor's appointments recommends all appointments favorably.

Respectfully,
H. C. TEBBS,
Chairman.

Report filed, action on same to be taken Feb. 1st.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your special committee respectfully report their unanimous approval of the request of Honorable Charles R. Mabey, Governor of Utah, that his appointment of Mr. E. E. Corfman to membership on the Public Utilities Commission, to fill the unexpired term of six years occasioned by the death of Mr. A. R Heywood, to serve from January 19th, 1923, to April 1st, 1927, be confirmed.

Respectfully submitted,
PERRY B. FULLER,
Chairman.

Report filed, action on same to be taken Feb. 1st.

STATE OF UTAH,
Executive Office.

Salt Lake City, Utah, Jan. 31, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. C. M. No. 2, by Mr.

Jenkins, petitioning the Congress of the United States to assist the silver mining industry.

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

Salt Lake City, Utah, Jan. 30, 1923.

To the Senate,
The Capitol.
Gentlemen:—

Our entire file and claim of Mr. George F. Summerhays against the state covering damages sustained in an automobile accident which occurred August 16th, 1919, when he, his wife, baby and two small sons went over the embankment in Parley's Canyon, is herewith transmitted to your Honorable Body for your consideration, with recommendations from this Board that actual hospital and medical expenses be paid.

Yours very truly,
(Signed) H. E. CROCKETT,
Secretary, State Board of Examiners.

Enclosure.

Communication filed.

The claim was referred to the Committee on Appropriations.

INTRODUCTION OF BILLS

S. B. No. 74, by Mr. Dixon, "An act to amend Section 1789, Compiled Laws of Utah, 1917, relating to the exclusion of persons from certain trials," was read the first time and referred to the Committee on Revision and Printing.

S. C. M. No. 3, by Mr. Dixon, "Petitioning the Congress of the United States to extend relief to settlers on irrigation projects of the United States Reclamation Service," was read the first time and referred to the Committee on Revision and Printing.

SPECIAL ORDER

Consideration of S. B. No. 32 on second reading.

Moved by Senator Tebbs that further consideration of the bill be deferred until a report of the Welfare Commission is in the hands of the Senate.

The motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 46 was read the third time and placed on its final passage.

S. B. No. 46 then passed on the following roll call: Ayes, 18; nays, 2; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Winder and Mr. President.

Those voting in the negative were: Senators Cottrell and Warnick.

S. B. No. 46 was transmitted to the House for its action.

S. B. No. 49 was read the third time and placed on its final passage .

S. B. No. 49 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 49 was transmitted to the House for its action.

S. B. No. 48 was read the third time and placed on its final passage.

On motion of Senator Funk the following amendment was made: In line 23 between the words "States" and "upon" insert the words "or who has been admitted to membership in the American Institute of Accountants."

S. B. No. 48 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting, Senator Jenkins.

S. B. No. 48 was transmitted to the House for its action.

SPECIAL ORDER

Consideration of S. B. 24 on third reading.

On motion of Senator Peters the bill was amended as follows: In line 3, page 5, change the figure "40" to "50", strike the word "and" and insert therefor the following: "plus 20 per cent of the value of such."

S. B. No. 24 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senator Winder.

S. B. No. 24 was transmitted to the House for its action.

CONSIDERATION OF BILLS ON SECOND READING

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

On motion of Senator Jenkins the committee report was adopted and the following additional amendments made: Strike the word "such" in line 8 of the title; insert a comma after the word "marine" in line 6, page 1; strike the words "or any inter-insurance or reciprocal insurance exchange," in lines 3 and 4, page 2; correct the spelling of the word "agreements" in line 11, page 4; change the word "willingly" in line 14, Page 9, to "wilfully;" and at the end of line 21, page 9, change the period to a comma and add the following: "provided, however, that none of the provisions of this act shall apply to reciprocal or inter-insurance exchanges."

On motion of Senator Irvine the following amendment was made:

On page 3, strike lines 11 to 16 inclusive and all except the last 3 words in line 17 and in line 17 before the word "shall" insert the words "Any person violating this act."

S. B. No. 33 was ordered read the third time on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Funk, Tebbs and Winder.

S. B. No. 33 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended H. B. No. 21, by Mr. Openshaw, entitled, 'An act to amend Section 1201, Compiled Laws of Utah, 1917, relating to loan, trust and guarantee associations," and same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed. H. B. No. 21 was read first time and referred to Committee on Judiciary.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 66, by Mrs. Ly man, entitled, "An act to amend Section 570X15, Compiled Laws of Utah, 1917, relating to construction of water works by cities and the jurisdictoin of cities over

water shed. streams, reservoirs, canals and lands," and same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed. H. B. No. 66 was read first time and referred to Committee on Public Health and Labor.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. C. M. No. 3 by Mr. Dixon, relating to "Relief to settlers on United States reclamation projects," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. C. M. No. 3 was ordered printed and referred to the Committee on Agriculture.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 42, by Mr. McConkie, entitled, "An act relating to killing animals and fixing a penalty therefor," return the same herewith and recommend that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 42 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 35, by Mrs. Kinney, entitled, "An act relating to Malfeasance, Misfeasance and Nonfeasance of Public Officials, directing Prosecuting Attorneys to proceed against offenders, constituting taxpaying citizens parties

beneficially interested in any proceedings brought to remedy such evils," return the same herewith and recommend that it be not passed.

Respectfully,

DAVID JENSON,
Chairman.

Report filed.

S. B. No. 35 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 57, by Mr. Callister, entitled, "An act amending Section 1416 of the Compiled Laws of Utah, 1917, relating to appointment of deputies and assistants for County, Precinct and District Officers," return the same herewith and recommend that the same be passed.

Respectfully,

DAVID JENSON,
Chairman.

Report filed.

H. B. No. 57 was placed on the second reading calendar.

Salt Lake City, Utah, Jan. 31, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 43, by Mr. McConkie, entitled "An act to amend Section 8388, Title 119, Chapter 54, Compiled Laws of Utah, 1917, relating to killing or maiming animals," return the same herewith and recommend that the same be passed with the following amendment:

Insert parenthesis on Line 1 after the word "maliciously."

Respectfully,

DAVID JENSON,
Chairman.

Report filed.

S. B. No. 43 was placed on the second reading calendar.

S. B. No. 37 was read the second time.

On motion of Senator Jenkins the bill was amended as follows: Page 1, line 5, "ber" made to read "member"; page 3, lines 5 and 6, strike the word "immediately" and insert between the words "suspend" and "any" the following: ", after a hearing,"

On motion of Senator Irvine, the following amendments were made: In line 18, page 1, correct transposition by moving the words "as agent" over between the words "engage" and "in"; page 3, line 2, insert, inparenthesis, between the words, "him" and "discloses" the following: "in which investigation the agent whose license it is proposed to revoke shall be entitled to a hearing."

S. B. No. 37 was ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senator Tebbs.

S. B. No. 37 was placed on the third reading calendar.

On motion of Senator Fuller the Senate adjourned.

TWENTY-FIFTH DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 1, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Twenty-Fourth Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 74, by Mr. Dixon, entitled, "An act to amend Section 1789, Compiled Laws of Utah, 1917, relating to the exclusion of persons from certain trials," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 74 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

Your Committee on Agriculture to which was referred S. C. M. No. 3, by Mr. Dixon, entitled, "Relief to settlers on United States Reclamation Projects. Petitioning the Congress of the United States to extend relief to settlers on irrigation projects of the United States Reclamation Service," begs leave to report that it has considered the same and recommends that it be passed.

Respectfully,
WM. H. SMART,
Chairman.

Report Filed.

S. C. M. No. 3 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 1, 1923

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 29, by Mr. Irvine, entitled, "An act concerning Aeronautics, etc.", begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
J. W. PETERS,
Chairman.

Report Filed.

S. B. No. 29 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 41, by Mr. Jenson, entitled, "An act to amend Sections 2186, 2191, 2192 and 2193, Compiled Laws of Utah, 1917, relating to nominations of candidates for election," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully submitted,
J. W. PETERS,
Chairman.

Report Filed.

S. B. No. 41 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 50, by Mr. Peters, entitled, "An act amending Sections 2 and 4 of Chapter 127, Session Laws of Utah for 1921, relating to the Department of Finance and Purchase," begs leave to report that it has considered the same and recommends that it be passed with the following amendments:

In the first line of the title strike out the word "of" after the figure "4", and the word "of" after the figure "127"; and in the second line of the title strike out the word "Session" and the word "for."

On lines 3 and 4 strike the sub-heads.

On line 4, page 3, strike the sub-heads.

In lines 11 and 12 strike the words "Board of Examiners" and substitute in lieu thereof the word "Governor."

Respectfully submitted,
J. W. PETERS,
Chairman.

Report Filed.

S. B. No. 50 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 52, by Mrs. Kinney, entitled, "An act to amend Section 5385, Compiled Laws of Utah, 1917, relating to the govenment and control of the State Mental Hospital, etc.", begs leave to report that it has considered the same favorably and recommends that it be passed with the following amendments:

On line 4 strike the word "seven" and substitute in lieu thereof the word "five."

On line 6 strike the word "four" and substitute in lieu thereof the word "two."

On line 8 strike the word "two" and substitute in lieu thereof the word "one."

On line 9 strike the word "two" and substitute in lieu thereof the word "one."

Respectfully submitted,

J. W. PETERS,

Chairman.

Report filed,

S. B. No. 52 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 51, by Mr. Jenson, entitled, "An act amending Chapter 12, designated as Section 12, on page 53, Laws of Utah, 1921, providing pensions for employees of police departments in cities having a population of 30,000 or more inhabitants," begs leave to report that it has considered the same favorably and recommends that it be passed with the following amendments:

On line 4 before the word "any" insert "Section 1."

Respectfully submitted,

J. W. PETERS,

Chairman.

Report filed,

S. B. No. 51 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 17, by Mr. Dixon, entitled, "An act to increase the number of District Judges in and for the Fourth Judicial District in the State of Utah," return the same herewith and recommend that the same be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed,

Further action on S. B. No. 17 was deferred pending the filing of a minority report.

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 65, by Mr. Jenkins, entitled "An act amending Sections 5383, 5384, 5406, 5409, 5413 and and 5415, Compiled Laws of Utah, 1917, changing the name of the State Mental Hospital, located at Provo City, Utah, in the County of Utah, to the Utah State Hospital," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully submitted,
J. W. PETERS,
Chairman.

Report filed,

S. B. No. 65 was placed on the second reading calendar.

On motion of Senator Peters the Senate resolved itself into Executive Session to consider and pass on appointments of the Governor.

The Senate resumed the regular session and order of business.

Moved by Senator Candland that further consideration of, and action on the said appointments be deferred pending the outcome of certain bills now under consideration in the Legislature.

The motion carried and action was deferred.

INTRODUCTION OF BILLS

S. B. No. 75, by Mr. Jenson, "An act to amend chapter 3, Title 106, Compiled Laws of Utah, 1917, relating to Taxation and Assessment of Property by adding four independent Sections, to be known as 5866X, 5866X1, 5866X2 and 5866X3, defining the terms 'Merchant' and 'Manufacturer,' providing for the statement of personal property required to be made by a Merchant or Manufacturer, providing the method of assessing personal property of a merchant or manufacturer, providing for the listing of other property not forming a part of real property used by a merchant or manufacturer, and providing for the exemption from taxation of property moving in interstate commerce, was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 76, by Mr. Funk, "An act to amend Section 4787, Compiled Laws of Utah, 1917, relating to the filing of schedules of rates of public utilities, refunds and free transportation; providing for the filing of annual lists of tickets, passes, mileage books, franks or reduced rate transportation," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 77, by Mr. Winder, "An act to amend Section 786X11, Compiled Laws of Utah, 1917, relating to the powers of town trustees to levy an annual tax for general corporation purposes, and providing for the limitation of such levies," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 78, by Mr. Tebbs, "An act to amend Section 5464, of Chapter 12, Title 100, Compiled Laws of Utah, 1917, relating to the State Prison," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 79, by Mr. Peters, "An act requiring distributors of and dealers in, motor vehicle fuels to obtain a license therefor, and levying a tax of two and one-half cents per gallon on motor vehicle fuels; providing for the regulation of the sales of such fuels and the collection of said tax, and for the crediting of proper amounts of the same to a fund for the payment of interest and sinking fund charges on state road bonds and to the

state highway maintenance fund, defining terms, and prescribing penalties," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 80, by Mr. Peters, "An act to amend Section 3971, Section 3974, and Section 3991, Compiled Laws of Utah, 1917, all as amended by Chapter 81, Session Laws of Utah, 1921, and Sections 3971X1, 3974X, 3974X5, and 3974X23 of Chapter 81, Laws of Utah, 1921, and to repeal Sections 3974X1, 3974X2, 3974X3, 3974X4, 3974X9, 3974X10, 3974X11, 3974X12, 3974X17, 3974X18, 3974X19, 3974X20, 3974X21, 3974X22, of Chapter 81, Laws of Utah, 1921, relating to Motor Vehicles," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 81, by Mr. Peters, "An act to amend Section 3973, Compiled Laws of Utah, 1917, as amended by Chapter 82, Session Laws of Utah, 1921, relating to motor vehicles and licenses and fees therefor," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 82, by Mr. Peters, "An act amending Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Session Laws of Utah, 1921, relating to traffic regulations on state highways," was read the first time and referred to the Committee on Revision and Printing.

SPECIAL ORDER

Consideration of S. B. No. 27 on third reading.

Moved by Senator Cottrell that S. B. No. 27 be made special order for Tuesday, Feb. 6, at 2:30 at which time the Senate go into Committee of the Whole to hear discussion of the bill.

The motion was defeated.

On motion of Senator Jenkins the bill was amended as follows: In line 4, page 1, change the period to a comma and add "for a term of two years."

In lines 22 and 23, page 1, strike the words "and until their successors are appointed and qualified."

On motion of Senator Standish the bill was amended as follows: In line 25, page 1, after the word "secretary"

insert the words "who shall serve without pay from the State."

S. B. No. 27 then passed on the following roll call: Ayes, 12; nays, 8; absent, 0.

Those voting in the affirmative were: Senators Adams, Dixon, Fuller, Hirschi, Jenkins, Jenson, McConkie, Ryan, Smart, Standish, Winder and Mr. President.

Those voting in the negative were: Senators Candland, Cottrell, Funk, Irvine, Kinney, Peters, Tebbs and Warnick.

S. B. No. 27 was transmitted to the House for its action.

On motion of Senator Dixon action on S. B. No. 33 was deferred until Feb. 2nd.

S. B. No. 37 was read the third time and placed on its final passage.

S. B. No. 37 then passed on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Tebbs.

Absent and not voting: Senator Ryan.

S. B. No. 37 was transmitted to the House for its action.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, H. C. M. No. 1, by Mrs. Dunyon, entitled, "A memorial to the President of the United States requesting the appointment of a commission to confer with representatives of foreign governments in order to interest them in an increased use of silver for coinage and reserves," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. C. M. No. 1 was signed by the President in the presence of the Senate and returned to the House for its further action.

REPORT OF STANDING COMMITTEE

Salt Lake City, Utah, Feb. 1, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 77 by Mr. Winder, entitled, "An act to amend Section 786X11, Compiled Laws of Utah, 1917, relating to the powers of town trustees to levy an annual tax for general corporation purposes, and providing for the limitation of such levies," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 77 was ordered printed and referred to the Committee on Public Affairs.

On motion of Senator Jenkins the Senate adjourned.

TWENTY-SIXTH DAY

STATE SENATE,
The Capitol,
Salt Lake City, Utah, Feb. 2, 1923.

The Senate was called to order at 2:00 p. m., by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Twenty-Fifth Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 75, by Mr. Jenson, entitled, "An act to amend Chapter 3, Title 106, Compiled Laws of Utah,

1917, relating to taxation and assessment of property by adding four independent sections, to be known as 5866X,, 5866X1, 5866X2 and 5866X3, defining the terms 'Merchant' and 'Manufacturer,' providing for the statement of personal property required to be made by a merchant or manufacturer, providing the method of assessing personal property of a merchant or manufacturer, providing for the listing of other property not forming a part of real property used by a merchant or manufacturer, and providing for the exemption from taxation of property moving in interstate commerce," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 75 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 79 by Mr. Peters, entitled, "An act requiring distributors of and dealers in, motor vehicle fuels to obtain a license therefor, and levying a tax of two and one-half cents per gallon on motor vehicle fuels; providing for the regulation of the sales of such fuels and the collection of said tax, and for the crediting of proper amounts of the same to a fund for the payment of interest and sinking fund charges on state road bonds and to the state highway maintenance fund; defining terms; and prescribing penalties," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 79 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 80 by Mr. Peters, entitled, "An act to amend Section 3971, Section 3974 and Section 3991, Com-

piled Laws of Utah, 1917, all as amended by Chapter 81, Session Laws of Utah, 1921, and Sections 3971X1, 3974X, 3974X5 and 3974X23 of Chapter 81, Laws of Utah, 1921 and to repeal Sections 3974X1, 3974X2, 3974X3, 3974X4, 3974X9, 3974X10, 3974X11, 3974X12, 3974X17, 3974X18, 3974X19, 3974X20, 3974X21, 3974X22 of Chapter 81, Laws of Utah, 1921, relating to Motor Vehicles," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 80 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 81 by Mr. Peters, entitled, "An act to amend Section 3973, Compiled Laws of Utah, 1917, as amended by Chapter 82, Laws of Utah, 1921, relating to motor vehicles and licenses and fees therefor," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 81 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 82 by Mr. Peters, entitled, "An act amending Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, relating to traffic regulations on state highways," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 82 was ordered printed and referred to the the Committee on Public Affairs.

On motion of Senator Jenkins, 500 copies of Senate bills 79, 80, 81 and 82 were ordered printed.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. J. R. No. 1, by Mr. Winder, entitled, "To provide for a Special Committee to investigate the crime wave now existent in our commonwealth and to determine if the official acts of the Board of Pardons do in any measure contribute to it," begs leave to report that it has had a copy of said resolution carefully engrossed and herewith transmits same for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. J. R. No. 1 was signed by the President in the presence of the Senate and transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Committee on Public Health and Labor to which was referred S. B. No. 25, by Mr. Standish, entitled, "An act amending Sections 4, 11 and 16, of Chapter 91, Laws of Utah, 1921, relating to the treatment of human ailments, and repealing Section Five of said Chapter, and providing that if any part of the act is held to be invalid such decision shall not affect any other part of the act," begs leave to report as follows:

Your Committee has had this bill under consideration several times and has given one public hearing on the subject, and has decided that it cannot agree and therefore returns it herewith out recommendation.

Respectfully submitted.
H. N. STANDISH,
Chairman.

Report filed.

S. B. No. 25 was placed on second reading calendar.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Committee on Public Health and Labor to which was referred S. B. No. 53, by Mr. Tebbs, entitled,

"An act to authorize and regulate the practice of Chiropractic to provide for the examination and licensing of chiropractors, to provide for an examining board, to establish rules and regulations covering the practice of chiropractic, to establish a fee for examination and license, defining certain duties of the department of registration, to provide for a penalty for practicing chiropractic without a license as provided in this act, to provide for the revocation of licenses and to repeal all acts in conflict herewith," beg leave to report as follows:

The Committee has had this bill under consideration several times and has given one public hearing on the subject, and has decided that it cannot agree, and therefore returns it herewith without recommendation.

Respectfully submitted,

H. N. STANDISH,

Chairman.

Report filed.

S. B. No. 53 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Commtitee on Public Health and Labor to which was referred S. B. No. 67, by Mr. Adams, entitled, "A bill to define osteopathy and to authorize and regulate the practice of osteopathic physicians and surgeons and to provide penalties for the violation of this act and to repeal all acts and parts of acts in conflict herewith," begs leave to report as follows:

Your Committee has had this bill under consideration several times and has given one public hearing on the subject and has decided that it cannot agree, and therefore returns it herewith without recommendation.

Respectfully submitted,

H. N. STANDISH,

Chairman.

Report filed.

S. B. No. 67 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Committee on Public Health and Labor to which was referred H. B. No. 66, Substitute for H. B. No. 33, by Mrs. Lyman, entitled, "An act to amend Section 570X15, Compiled Laws of Utah, 1917, relating to construction of waterworks by cities and the jurisdiction of cities over watershed, streams, reservoirs, canals and lands," begs leave to report that after due and careful consideration of the same returns it herewith and recommends that it be passed.

Respectfully submitted.

H. N. STANDISH,
Chairman.

Report filed.

H. B. No. 66 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

Your Judiciary Committee to which was referred S. B. No. 71, by Mr. McConkie, entitled, "An act to amend Section 1463 of the Compiled Laws of Utah, 1917, relating to county officers having their offices at county seats and the hours said offices shall be kept open," returns the same herewith and recommends that it be passed.

Respectfully,

DAVID JENSON,
Chairman.

S. B. No. 71 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

A minority of your Judiciary Committee, having had under consideration S. B. No. 17, by Mr. Dixon, entitled "An act to increase the number of district judges in and for the Fourth Judicial District in the State of Utah," and believing that sufficient necessity for the creation of a new Judgeship does not exist, and that any temporary exigency may easily be provided for by the assignment by the Governor of Judges from other districts, and in the

interest of economy recommend that said bill do not pass.

Respectfully,
W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 17 was placed on the second reading calendar.

On motion of Senator Jenkins it was decided that when the Senate adjourns it be to Saturday, Feb. 3, at 11 a. m.

Moved by Senator Irvine that a Committee of three be appointed to act with a like committee from the House in arranging an appropriate program for Lincoln's Birthday.

An amendment moved by Senator Peters that the said committee investigate the matter and report.

The amendment carried.

The President appointed Senators Irvine, Peters and Hirschi as said committee.

SPECIAL ORDER

On Motion of Senator Peters S. B. No. 23 which was special order for this time was made special order for Saturday, Feb. 3, at 11:30 a. m.

INTRODUCTION OF BILLS

S. B. No. 83, by Mr. Funk, "An act to amend Section 1642, Compiled Laws of Utah, 1917, relating to the number of justices of the Supreme Court; the number required to constitute a quorum; the term of office; the election; and the compensation of such justices," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 84, by Mr. Hirschi, "An act to appropriate $181,000.00 of the amount in the Motor Vehicle Registration Fund to the State Road Commission to be used as a revolving fund," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 85, by Mr. Hirschi, "An act to appropriate $50,000.00 from the Motor Vehicle Registration Fund to the State Road Commission to be used as a contingent fund," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 33 was read the third time and placed on its final passage.

On motion of Senator Candland S. B. No. 33 was made special order for Tuesday, Feb. 6, at 2:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 47 was read the second time.

On motion of Senator Dixon the bill was amended as follows: In line 14 change the period to a semi-colon and add the word "and"; strike parenthesis and letter "e" in line 15 and change paragraph designation "f" in line 24 to "e".

S. B. No. 47 was ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Tebbs and Winder.

S. B. No. 47 was placed on the third reading calendar.

H. B. No. 25 was read the second time.

On motion of Senator Jenkins the bill was amended as follows: Page 1, line 10, strike the word "any" leaving the parenthesis, and change the word "his" to "their."

On motion of Senator Irvine the bill was amended as follows: Change period at the end of line 9, page 2, to comma, and add: "Unless such person shall produce satisfactory evidence of good moral character and that he has declared his intention to become a citizen as pro-

vided by the naturalization laws of the United States and has thereafter shown reasonable diligence in his effort to become such citizen."

Moved by Senator Jenkins that on page 2, line 15, change the comma after the word "mine" to a period and strike the balance of the bill from there on.

The motion was defeated.

On motion of Senator Peters the bill was further amended as follows: Strike in line 4 and 5, page 1, "at the first term after March 17, 1905"; in lines 11 and 12, page 2, strike "after March 17, 1905," and commence the word "no" with a capital letter.

H. B. No. 25 was ordered read the third time on the following roll call: Ayes, 16; nays, 1; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Those voting in the negative were: Senator Jenkins.

Absent and not voting: Senators Fuller, Tebbs and Winder.

H. B. No. 25 was placed on the third reading calendar.

S. B. No. 57 was read the second time and ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent. 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Tebbs and Winder.

S. B. No. 57 was placed on the third reading calendar.

S. B. No. 42 was read the second time and was ordered read the third time on the following roll call: Ayes 17; nays,0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Ir-

vine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Tebbs and Winder.

S. B. No. 42 was placed on the third reading calendar.

S. B. No. 35 was read the second time.

On motion of Senator Kinney the unfavorable report of the Committee was adopted, the enacting clause was striken and the bill rejected.

H. B. No. 57 was read the second time and ordered read the third time on the following roll call: Ayes, 15; nays, 2; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish and Mr. President.

Those voting in the negative were: Senators Funk and Warnick.

Absent and not voting: Senators Fuller, Tebbs and Winder.

H. B. No. 57 was placed on the third reading calendar.

S. B. No. 43 was read the second time.

The Committee report was adopted.

S. B. No. 43 was ordered read the third time on the following roll call: Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart Standish, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Tebbs and Winder.

S. B. No. 43 was placed on third reading calendar.

S. C. M. No. 3 was read the second time and ordered read the third time on the following roll call: Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Tebbs and Winder.

S. C. M. No. 3 was placed on the third reading calendar.

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

On motion of Senator Irvine the bill was amended as follows: On page 3, in line 6, place a comma after the word "water" and insert thereafter "loose sheets of paper."

S. B. No. 29 was ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Tebbs and Winder.

S. B. No. 29 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, H. B. No. 2, by Mr. Atwood, entitled, "An act to provide for the organization of associations with or without capital stock and not for pecuniary profit but for the mutual help and benefit of its shareholders or members in the production, handling, storing, shipping and marketing of agricultural and related products and by-products; and for supplying members with machinery, equipment and materials, and to provide and advance funds to members to aid in carrying out said purposes," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 2 was signed by the President in the presence of the Senate and returned to the House for its further action.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended H. B. No. 55, by Mrs. Graham, entitled, "An act to amend Section 4743 Compiled Laws of Utah, 1917, relating to incorrigibility, and providing for the transfer of habitually delinquent children to the State Industrial School by the Superintendent of the school district with the consent of the child's parents and for the transfer of the case to the Juvenile Court of the District if the child's parents refuse such consent," and same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 55 was read the first time and referred to the Committee on Education.

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, S. J. R. No. 1, by Mr. Winder, to provide for a special committee to investigate the crime wave now existent in our commonwealth and to determine if the official acts of the Board of Pardons do in any measure contribute to it, and the same is herewith transmitted for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. J. R. No. 1 was transmitted to the office of the Secretary of State.

On motion of Senator Irvine the Senate adjourned.

TWENTY-SEVENTH DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 3, 1923.

The Senate was called to order at 11:00 a. m., by President McKay.

Roll call. Seventeen members present. Two excused: Senator Winder absent.

Prayer by the Chaplain.

The Journal of the Twenty-Sixth Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 78, by Mr. Tebbs, entitled, "An Act to amend Section 5464, of Chapter 12, Title 100, Compiled Laws of Utah, 1917, relating to the State Prison," with a slight change assented to by Mr. Tebbs.

Respectfully,
HARRISON E. JENKINS,
Vice-Chairman.

S. B. No. 78 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 76, by Mr. Funk, entitled, "An act to amend Section 4787, Compiled Laws of Utah, 1917, relating to the filing of schedules of rates of public utilities, refunds and free transportation; providing for the filing of annual lists of tickets, passes, mileage books, franks or reduced rate transportation," without change.

Respectfully,
HARRISON E. JENKINS,
Vice-Chairman.

S. B. No. 76 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 83, by Mr. Funk, entitled, "An act to amend Section 1642, Compiled Laws of Utah, 1917, relating to the number of justices of the Supreme Court; the number required to constitute a quorum; the terms of office; the election, and the compensation of such justices," without change.

Respectfully,
HARRISON E. JENKINS,
Vice-Chairman.

S. B. No. 83 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 84, by Mr. Hirschi, entitled "An act to appropriate $181,000.00 of the amount in the Motor Vehicle Registration Fund to the State Road Commission to be used as a revolving fund," without change.

Respectfully,
HARRISON E. JENKINS,
Vice-Chairman.

S. B. No. 84 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 85, by Mr. Hirschi, entitled, "An act to appropriate $50,000 from the Motor Vehicle Registration Fund to the State Road Commission to be used as a contingent fund," without change.

Respectfully,
HARRISON E. JENKINS,
Vice-Chairman.

S. B. No. 85 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

Your Committee on Education, to whom was referred Senate Bill No. 72 by Mr. Irvine, entitled: "An act specifying registration and tuition fees of the University of Utah and of the Agricultural College of Utah; requiring reports of registration and of fees collected at these institutions, and the payment into the state treasury of all moneys received, and forbidding the teaching of partisan political or sectarian religious doctrine in the University of Utah and the Agricultural College of Utah, and repealing all acts or parts of acts in conflict herewith," beg leave to report that they have carefully considered the same and recommend that the bill be passed. Senator Peters, however, does not concur in this recommendation.

Respectfully,

A. B. IRVINE,
Chairman.

Report filed.

S. B. No. 72 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 18, by Mr. Tebbs ,entitled, "An act relating to the care of public funds belonging to counties, cities. towns and school districts, and providing for the collection of interest thereon; creating public depository board and defining their powers and duties; providing for the designating of public depositories and the depositing of public funds therein; and defining the powers and duties of all custodians of public funds," begs leave to report that it has considered the same unfavorable, and recommends that it be not passed.

Respectfully,

J. W. PETERS,
Chairman.

Report filed.

S. B. No. 18 was placed on the second reading calendar.

REPORTS OF SPECIAL COMMITTEES

Chairman Irvine of the Committee appointed to report on the advisability of having a special program prepared for Lincoln's Birthday, recommended on behalf of said committee that no special program be arranged by the Senate.

On motion of Senator Peters the report of the committee was adopted.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 59, Substitute for H. B. No. 6, by Committee on Irrigation and Reservoirs, entitled, "An act to repeal Chapter 10, Special Session Laws of Utah, 1919, relating to the investment of irrigation district bonds," and same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed. H. B. No. 59 was read the first time and referred to the Committee on Agriculture.

INTRODUCTION OF BILLS

S. B. No. 86, by Mr. Jenkins, "An act permitting the establishment of branch banks, stating how and by whom organized, and providing a penalty for the violation of this act," was read the first time and referred to the Committee on Revision and Printing.

S. C. R. No. 3, by Mr. Warnick, "A resolution proposing an amendment to Sections 2 and 3, Article XIII, of the Constitution of the State of Utah, setting forth what property shall be subject to taxation, defining the word property, and setting forth powers and duties of the Legislature as to raising revenue for certain purposes; also providing for the classification of property for purposes of taxation and for taxing incomes," was read the

first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 47 was read the third time and placed on its final passage.

On motion of Senator Warnick the bill was amended as follows: In line 18 strike the words "after the first day of July, 1921."

S. B. No. 47 then passed on the following roll call: Yeas, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Adams, Fuller, Hirschi, Tebbs and Winder.

S. B. No. 47 was transmitted to the House for its action.

On motion of Senator Jenkins action on H. B. No. 25 was deferred one day.

S. B. No. 57 was read the third time and placed on its final passage.

S. B. No. 57 then passed on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Adams, Fuller, Hirschi, Tebbs and Winder.

S. B. No. 57 was transmitted to the House for its action.

S. B. No. 42 was read the third time and placed on its final passage.

S. B. No. 42 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Funk, Irvine ,Jenkins, Jenson,

McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Adams, Fuller, Hirschi, Kinney, Tebbs and Winder

S. B. No. 42 was transmitted to the House for its action.

On motion of Senator Irvine H. B. No. 57 was made special order for Thursday Feb. 8, at 2:30 p. m.

S. B. No. 43 was read the third time and placed on its final passage.

S. B. No. 43 then passed on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Irvine, Jenkins, Jensen, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Hirschi, Kinney, Tebbs and Winder.

S. B. No. 43 was transmitted to the House for its action.

On motion of Senator Ryan S. C. M. No. 3 was made special order for Wednesday, Feb. 7, at 2:30 p. m.

S. B. No. 29 was read the third time and placed on its final passage.

S. B. No. 29 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Irvine, Jenkins, Jenson, McConkie, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Hirschi, Kinney, Peters, Tebbs and Winder.

S. B. No. 29 was transmitted to the House for its action.

On motion of Senator Jenkins action on S. B. No. 23 was deferred until Tuesday, Feb. 6.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 41 was read the second time and ordered read the third time on the following roll call: Ayes, 14; nays, 1; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Standish and Mr. President.

Those voting in the negative were: Senator Warnick.

Absent and not voting: Senators Fuller, Hirschi, Kinney, Tebbs and Winder.

S. B. No. 41 was placed on the third reading calendar.

S. B. No. 50 was read the second time.

The committee report was adopted.

On motion of Senator McConkie the bill was amended as follows: Strike line 7, page 2, and insert in lieu thereof "State Land Commissioner;" in line 12, page 3, strike the words "less than three thousand ($3,000.00) dollars nor.'.

Moved by Senator Smart that the adoption of the amendments recommended in the committee report be re-considered.

The motion was defeated.

On motion of Senator Candland further consideration of the bill was deferred until Wednesday, Feb. 7, at 3 p. m.

S. B. No. 52 was read the second time.

On motion of Senator Kinney the committee report was adopted.

On motion of Senator Candland the bill was amended as follows: Insert in line 7, between the words "Senate" and "which" the words "who shall serve without pay."

S. B. No. 52 was ordered read the third time on the following roll call: Ayes, 15; nays, 1; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Those voting in the negative were: Senator Jenkins.

Absent and not voting: Senators Fuller, Hirschi, Tebbs and Winder.

S. B. No. 52 was placed on the third reading calendar.

Unanimous consent was received for the introduction of the following bills:

S. B. No. 87, by Mr. Irvine, "An act to amend Chapter, 28, of the Session Laws of Utah, 1919, relating to the appointment of County Purchasing Agents and defining their duties," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 88, by Mr. Irvine, "An act to amend Section 1506, Compiled Laws of Utah, 1917, relating to duties of sheriffs," was read the first time and referred to the Committee on Revision and Printing.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 86 by Mr. Jenkins, entitled, "An act permitting the establishment of branch banks, stating how and by whom organized, and providing a penalty for the violation of the provisions of this act," without change.

Respectfully,
HARRISON E. JENKINS,
Vice-Chairman.

S. B. No. 86 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 3, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. C. R. No. 3, by Mr. Warnick, entitled, "A resolution proposing an amendment to Sections two and three, Article XIII of the Constitution of the State of Utah, setting forth what property shall be subject to taxation, defining the word property, and setting forth powers and duties of the Legislature as to raising revenue for certain purposes; also providing for the classification of property for purposes of taxation and for taxing incomes," without change.

Respectfully,
HARRISON E. JENKINS,
Vice-Chairman.

S. C. R. No. 3 was ordered printed and referred to the Committee on Public Affairs.

Moved by Senator Irvine that when the Senate adjourns it be to Tuesday, Feb. 6, at 2 p. m.

The motion carried.

S. B. No. 51 was read the second time.

Moved by Senator Candland that the word "shall" in line 11 be changed to "may."

The motion was defeated.

Moved by Senator Candland that the words "Equal to one-half of the actual monthly wage of such person," in line 14 be stricken and the following inserted therefor "to be fixed by the City Commission."

The motion was defeated.

Moved by Senator Jenkins that "$75.00" in line 16 be changed to "$30.00."

Amendment to the amendment moved by Senator Funk that "$50.00" be substituted for "$30.00."

The amendment to the amendment carried.

The amendment carried.

S. B. No. 51 was ordered read the third time on the following roll call: Ayes, 13; nays, 3; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Warnick and Mr. President.

Those voting in the negative were: Senators Irvine, Jenkins and Standish.

Absent and not voting: Senators Fuller, Hirschi, Tebbs and Winder.

S. B. No. 51 was placed on the third reading calendar.

Senators Jenson and Dixon were appointed to correct the Journal the week of Feb. 5th.

On motion of Senator Peters the Senate adjourned.

THIRTIETH DAY

STATE SENATE,
The Capitol
Salt Lake City, Utah, Feb. 6, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll call. Nineteen members present. One excused.

Prayer by the Chaplain.

The Journal of the Twenty-Seventh Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Feb. 6, 1923

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 87, by Mr. Irvine, entitled, "An act to amend Chapter 28, Laws of Utah, 1919, relating to the appointment of county purchasing agents and defining their duties," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 87 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 88, by Mr .Irvine, entitled, "An act to amend Section 1506, Compiled Laws of Utah, 1917, relating to duties of sheriffs," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 88 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

Your Judiciary Committee to which was referred House Bill No. 14 by Mr. Callister, entitled, "An act to amend Sections 8121 and 8122, Compiled Laws of Utah, 1917, relating to Crimes against Nature," herewith return the same and recommend that it be passed with the following amendments:

Strike last "s" in "Sections" in line one of title of bill:

Insert after word "and" in line one of title the foliowing words "repealing section;"

Strike word "that" line one and last "S" in word "Sections" in line one; strike "and 8122" in line 1.

Strike word "are" in line 2 and insert in lieu thereof the word "is";

Insert after word "other" in line 5 the following words, "Detestable and abominable." Insert after the word "animal" in Line 6, the following words "with either the sexual organs or the mouth."

Strike all of line 8, 9 and 10, and insert in lieu thereof the following:

"Section 2. Section 8122 Compiled Laws of Utah, 1917, is hereby repealed."

Respectfully submitted.

DAVID JENSON,
Chairman.

Report filed.

H. B. No. 14 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred House Bill No. 34, by Mr. Finlinson, entitled, "An act relating to the care of state funds, and providing for the collection of interest thereon, etc." begs leave to report that it has considered the same favorably, and recommends that it be passed.

Respectfully submitted.

J. W. PETERS,
Chairman.

Report filed.

H. B. No. 34 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred Senate Bill No. 55, by Mrs. Kinney, entitled, "An act authorizing cities, towns, counties, and school districts to acquire, maintain and operate play grounds, athletic fields, gymnasiums, public baths, swimming pools, camps, indoor recreation centers and other recreation facilities," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully submitted,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 55 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred Senate Bill No. 70, by Mr. Dixon, entitled, "An act to amend Sections 666 and 666X1 of Chapter 13, of the session Laws of Utah, 1921, providing for a civil Service Commission in cities of the first class," begs leave to report that it has considered the same favorably and recommends that the same be passed with the following amendments:

In line 1 of the title, strike the word "of."

In line 2 of the title strike the words "of the."

In lines 3 and 4 strike the sub-heads.

In line 12 strike the sub-head.

In line 19, fill the blank with the figure "2."

In line 20, fill the blank with the figure "4."

In line 21, fill the first blank with the figure "6," and the second blank with the figure "2."

Respectfully submitted,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 70 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred Senate Bill No. 34, by Mr. Jenson, entitled:

"An act to amend Section 1560, Compiled Laws of Utah, 1917, providing for the apportionment of the cost of assessing and collecting taxes," reports that it has considered the same favorably, and recommends that it be passed with the following amendments:

On line 1 of the title and line 1 of the bill strike the words "of the."

On line 4, after the word "district" insert "except drainage districts."

On line 6, after the word "district" insert "except drainage districts."

On line 7, change the small "t" in the word "the" to a capital "T."

On line 8, after the word "district" add "except drainage districts."

Respectfully submitted,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 34 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

Your Committee on Agriculture to whom was referred S. B. No. 16 by Mr. Candland, entitled "An act to amend Sections 2044, 2047 and 2065, Chapter 47, Session Laws of Utah, 1921, relating to the organization and government of drainage districts; to the distribution and control of water for drainage purposes; and authorizing any drainage water and water rights; and repealing all laws and parts of laws in conflict with this act," have considered it and report back that they wish to substitute a new bill for the same. The amendments offered are so long and numerous that they believe in the inter-

est of economy that it would be better to reprint the bill rather than to write in the amendments.

Respectfully submitted,

W. D. CANDLAND,

Vice Chairman.

On motion of Senator Candland the rules were suspended and three copies of the bill offered in amendment were accepted.

INTRODUCTION OF BILLS

S. B. No. 89, by Mr. Jensen, "An act appropriating Eighty-Five Thousand Dollars for the erection and completion of an armory building at Ogden, Utah, and providing for the expenditure thereof under the direction and supervision of State Armory Board," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 90, by Mr. Jenson, "An act regulating the manufacture of bedding, the use of sanitary material; providing for tagging and labeling, and providing punishment for failure to comply with the act," was read the first time and referred to the Commtitee on Revision and Printing.

S. B. No. 91, by Committee on Agriculture, Sub. for S. B. No. 16, "An act to amend Sections 2044, 2047 and 2065, Chapter 47, Laws of Utah, 1921, relating to the organization and government of drainage distrincts; to the distribution and control of water for drainage purposes; and authorizing any drainage district to appropriate, use, purchase, sell, and convey water and water-rights, and repealing all laws and parts of laws in conflict with this act," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 92, by Mr. Peters, "An act amending Section 4798 of the Compiled Laws of Utah, 1917, and adding to Chapter 5 of title 91 of said Compiled Laws of Utah, 1917, a new Section to be known as Section 4838X, both relating to the powers of the Public Utilities Commission," was read the first time and referred to the Committee on revision and Printing.

S. B. No. 93, by Mr. Peters, "An act adding a new Section to Chapter 4 of Title 91, Compiled Laws of Utah, 1917, to be known as Section 4819-X, prescribing certain powers and duties of the Public Utilities Commission with respect to automobile corporations as the same are defined in Paragraph 13 of Section 4782, Compiled Laws of Utah, 1917, providing for licensing such automobile corporations and imposing a mileage tax on such corporations, and requiring such automobile corporations to give a bond for the faithful compliance with the rules and regulations of the commission and the payment of such tax as well as of any judgments recovered against them for loss or damage resulting from the operations of such automobile corporations, and fixing penalties for a violation of this act," was read the first time and referred to the Committee on Revision and Printing.

S. C. M. No. 4, by Mr. Candland, "A memorial to the Congress of the United States, favoring the elimination of tax exemption securities," was read the first time and referred to the Committee ond Revision and Printing.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

I am requested to inform your honorable body that the Governor of this state approved and transmitted to the Secretary of Sate, H. C. M. No. 1, by Mrs. Dunyon, entitled "A memorial to the President of the United States requesting the appointment of a commission to confer with representatives of foreign governments in order to interest them in an increased use of silver for coinage and reserves.

Respectfully

E. L. CROPPER,
Chief Clerk

Communication filed.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 40, by Mr. White "An act repealing Chapter 47, Laws of Utah, 1919, and

Chapter 6 Laws of Utah, 1919, Special Session, relating to fish and game," and the same is herewith transmitted for your action.

Respectfully yours,

E. L. CROPPER.
Chief Clerk

Communication filed. H. B. No. 40 was read the first time an referred to the Committee on Agriculture.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed S. B. No. 28, by Mr. Jenkins, "An act to repeal Section 3843, Compiled Laws of Utah, 1917, requiring the County Assessor to file a list of all eligible males, in the county, within certain ages, annually, with the County Commissioners, within a specified time," and the same is herewith returned for your further action.

Respectfully yours,

E. L. CROPPER,
Chief Clerk

Communication filed.

S. B. No. 28 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended, H. B. No. 20, by Mr. Bailey, entitled, "An act to amend Section 62, of Chapter 67, Session Laws of Utah, 1919, relating to water and water rights," and same is herewith transmitted to your honorable body for your action.

Respectfully yours,

E. L. CROPPER,
Chief Clerk

Communication filed. H. B. No. 20 was read the first time and referred to the Committee on Agriculture.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended H. B. No. 73, by Mr. Finlinson ,entitled, "An act amending Section 21, Chapter 68, Session Laws of Utah, 1919, relating to the levying and collection of taxes of irrigation and water conservation districts," and same is herewith transmitted to your honorable body for your action.

Respectfully yours,

E. L. CROPPER,

Chief Clerk

Communication filed. H. B. No. 73 was read first time and referred to Committee on Agriculture.

SPECIAL ORDER

On motion of Senator Jenkins, S. B. No. 23 which was special order for this time, was made special order for Tuesday, Feb. 13, at 2:30 p. m.

Consideration of S. B. No. 33 on third reading.

Moved by Senator Candland that in line 1, page 1, the word "fire" be inserted between the words "every" and "insurance."

The motion was defeated.

Moved by Senator Candland that Sections 4 and 5 be stricken.

On motion of Senator Jenkins S. B. No. 33 was recommitted.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 25 was read the third time and placed on its final passage.

H. B. No. 25 then passed on the following roll call: Ayes, 15; nays, 1; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, McConkie, Peters, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Jenkins.

Absent and not voting: Senators Kinney, Ryan, Smart and Tebbs.

H. B. No. 25 was returned to the House for its further action.

S. B. No. 41 was read the third time and placed on its final passage.

S. B. No. 41 then passed on the following roll call: Ayes, 15; nays, 1; absent, 4.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, McConkie, Peters, Ryan, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Candland.

Absent and not voting, Senators Jenkins, Kinney, Smart and Standish.

S. B. No. 41 was transmitted to the House for its action.

S. B. No. 52 was read the third time and placed on its final passage.

S. B. No. 52 then passed on the following roll call: Ayes 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Jenkins, Smart and Standish.

S. B. No. 52 was transmitted to the House for its action.

S. B. No. 51 was read the third time and placed on its final passage.

On motion of Senator Cottrell, "fifteen (15)' 'in line 7 was changed to read "twenty (20)" and in line 9 "twenty (20)" was changed to read "twenty-five (25)."

Senator Jenkins moved to insert in line 10 between the words "request" and "or" the following: "and with the consent of the City Commissioners," and to strike in line 11 the words "or City Council."

On motion of Senator Jenson further action on S. B. No. 51 was deferred one day.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 17 was read the second time.

Majority and minority reports filed.

S. B. No. 17 was ordered read the third time on the following roll call: Ayes, 14; nays, 5; absent, 1.

Those voting in the affirmative were: Senators Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Ryan, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Candland, Jenkins, Peters and Tebbs.

Absent and not voting: Senator Smart.

S. B. No. 17 was placed on the third reading calendar.

Moved by Senator Peters that a committee of three be appointed by the President to draft an appropriate resolution to be directed to Senator Smart who was excused on account of the death of his daughter.

The motion was unanimously carried.

Senators Peters, Jenson and McConkie were appointed as such committee.

On motion of Senator Irvine the Senate adjourned.

THIRTY-FIRST DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 7, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll call. Nineteen members present. One excused.

Prayer by the Chaplain.

The Journal of the Thirtieth Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 28, by Mr. Jenkins, entitled, "An act to repeal Section 3843, Compiled Laws of Utah, 1917, requiring the county assessor to file a list of all eligible males, in the county, within certain ages, annually with the County Commissioners, within a specified time," begs leave to report that it has had a copy of said bill carefully engrossed and herewith transmit same for the signature of the President,

Respectfully,

M. S. WINDER,

Chairman.

Report filed.

S. B. No. 28 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 78, by Mr. Tebbs, entitled, "An act amending Section 5464, Chapter 12, Title 100, Compiled Laws of Utah, 1917, relating to the State Prison," begs leave to report that they have considered the same favorably and recommend that it be passed.

Respectfully submitted,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 78 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 8, by Mr. Hollenbeck, entitled, "An act amending general Section No. 5985, Chapter 5, of the Compiled Laws of the State of Utah, entitled

"Equalization of Taxes", begs leave to report the they have considered the same, and report it back without recommendation.

Respectfully submitted,

J. W. PETERS,

Chairman.

Report filed.

H. B. No. 8 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred S. B. No. 75, by Mr. Jensen, entitled, "An act to amend Chapter 3, Title 106, Compiled Laws of Utah, 1917, relating to taxation and assessment of property by adding four independent sections, to be known as 5866X, 5866X1, 5866X2 and 5866X3, defining the terms "Merchant" and "Manufacturer", providing for the statement of personal property required to be made by a merchant or manufacturer, providing the method of assessing personal property of a merchant or manufacturer, providing for the listing of other property not forming a part of real property used by a merchant or manufacturer, and providing for the exemption from taxation of property moving in interstate commerce," has carefully considered the same and recommends that the bill be passed.

Respectfully,

HARRISON E. JENKINS,

Chairman.

Report filed.

S. B. No. 75 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred S. B. No. 73, by Mr. Winder, entitled, "An act to amend Section 3096, of the Compiled Laws of Utah, 1917, providing for the administration of the State

Insurance Fund," has carefully considered the same and recommends that the bill be passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 73 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. C. M. No. 4 by Mr. Candland, entitled "A memorial to the Congress of the United States, favoring the elimination of tax exemption securities," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. C. M. No. 4 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 89, by Mr. Jenson, entitled, "An act appropriating eighty-five thousand dollars for the erection and completion of an armory building at Ogden, Utah, and providing for the expenditure thereof under the direction and supervision of state armory board," without change.

Respectfully,
PERRY B. FULLER.
Chairman.

S. B. No. 89 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 90, by Mr. Jenson, entitled, "An act regulating the manufacture of bedding, the use of sanitary

material; providing for tagging and labeling, and providing punishment for failure to comply with this act," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 90 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 91, (Substitute for S. B. No. 16), by Committee on Agriculture, entitled, "An act to amend Sections 2044, 2047 and 2065, Chapter 47, Laws of Utah, 1921, relating to the organization and government of drainage districts; to the distribution and control of water for drainage purposes; and authorizing any drainage district to appropriate, use, purchase, sell and convey water and water-rights, and repealing all laws and parts of laws in conflict with this act," without change.

Respectfully submitted,
PERRY B. FULLER,
Chairman.

S. B. No. 91 after being read the fiirst time was ordered printed and was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 92, by Mr. Peters, entitled, "An act amending Section 4798 of the Compiled Laws of Utah, 1917, and adding to Chapter 5 of Title 91 of said Compiled Laws of Utah, 1917, a new Section to be known as Section 4838X, both relating to the powers of the Public Utilities Commission," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 92 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 93, by Mr. Peters, entitled, "An act adding a new section to Chapter 4 of Title 91, Compiled Laws of Utah, 1917, to be known as Section 4819X, prescribing certain powers and duties of the Public Utilities Commission with respect to automobile corporations as the same are defined in paragraph 13 of Section 4782, Compiled Laws of Utah, 1917, providing for licensing such automobile corporations and imposing a mileage tax on such corporations, and requiring such automobile corporations to give a bond for the faithful compliance with the rules and regulations of the commission and the payment of such tax as well as of any judgments recovered against them for loss or damage resulting from the operations of such automobile corporations, and fixing penalties for a violation of this act," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 93 was ordered printed and referred to the Committee on Public Affairs.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 2, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day appointed Representatives Stark, Dunyon and Christensen, N. C., as a Committee of three to act with a like committee from the Senate to investigate the crime wave.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

I am instructed to inform your honorable body that the House refuses to concur in the Senate amendments

to H. B. No. 25, by Mr. Pettit, entitled, "An act to amend Section 3925, Compiled Laws of Utah, 1917, relating to the certificates for mining boss or fire boss," and asks that the Senate recede from its amendments.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Moved by Senator Standish that the Senate do not recede from its amendments.

The motion carried and the House was so notified.

Senators Standish, Irvine and Funk were appointed as Conference Committee to consider further action on H. B. No. 25, with a like committee from the House.

Salt Lake City, Utah, Feb. 6, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended by the Senate S. B. No. 45, (Substitute Bill for S. B. No. 26), by the Committee on Agriculture, entitled, "An act to amend Chapter 3, Title 106, Compiled Laws of Utah, 1917, relating to the assessment of transient live stock brought into the state for the purpose of being grazed, fed or ranged, by adding thereto Sections 5905X and 5905X1," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 45 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

I am requested to inform your honorable body that the Speaker of the House has appointed Representatives Pettit, Atwood and Butterfield a conference committee on H. B. No. 25.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, S. B. No. 28, by Mr. Jenkins ,entitled, "An act to repeal Section 3843, Compiled Laws of Utah, 1917, requiring the County Assessor to file a list of all eligible males in the County within certain ages, annually with the County Commissioners, within a specified time," and the same is herewith transmitted for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 28 was transmitted to the Governor for his action.

A communication was read from the Utah State Welfare Commission endorsing the Indeterminate Sentence law and advocating its continuance.

INTRODUCTION OF BILLS

S. B. No. 94, by Mr. McConkie, "An act to amend Section 5075 (2051), Compiled Laws of Utah, 1917, relating to mileage of District Judges and Attorneys," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING SPECIAL ORDER

Consideration of S. C. M. No. 3.

S. C. M. No. 3 then passed on the following roll call: Ayes, 17; nays, 2; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Ryan and Tebbs.

Absent and not voting: Senator Smart.

S. C. M. No. 3 was transmitted to the House for its action.

Consideration of S. B. No. 51.

Senator Jenkins' amendment of Feb. 6th was withdrawn.

Moved by Senator Winder that the following be added at the end of line 16. "Except that in case such person has an income from any source equal to or in excess of seventy-five (75) per cent of his wage during active service such person shall not be eligible to receive such pension."

The motion carried.

Senator Tebbs moved the reconsideration of the vote which carried the amendments made by Senator Cottrell Feb. 6th.

The m otion was defeated.

Senator Irvine moved that the following be inserted between the words "cities" and "may": "or who has been permanently disabled in the performance of his duty to the extent that he is not able to perform his duties, insofar as such disability is not compensated by the Compensation Act."

The motion carried.

On motion of Senator Adams the enacting clause was striken and the bill rejected.

S. B. No. 17 was read the third time and placed on its final passage.

Moved by Senator Cottrell that further action on the bill be deferred until Feb. 8 at 2:30 p. m.

The motion was defeated.

S. B. No. 17 was then rejected on the following roll call: Ayes, 7; nays, 11; absent, 1; excused, 1.

Those voting in the affirmative were: Senators Dixon, Irvine, Jenson, McConkie, Ryan, Warnick and Mr. President.

Those voting in the negative were: Senators Adams, Candland, Fuller, Funk, Hirschi, Jenkins, Kinney, Peters, Standish, Tebbs and Winder.

Absent and not voting: Senator Smart.

Excused from voting: Senator Cottrell.

CONSIDERATION OF BILLS ON SECOND READING SPECIAL ORDER

Consideration of S. B. No. 50.

On motion of Senator Jenkins the bill was amended as follows: Page 2, line 3, add: "including The State Insurance Fund."

On motion of Senator Cottrell the following matter was stricken: Lines 11, 18, 19 and 20, page 1, and lines 9 and 19, page 2.

On motion of Senator Irvine the enacting clause was stricken and the bill rejected.

S. B. No. 65 was read the second time and was ordered read the third time on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Funk, Kinney, Smart and Winder.

S. B. No. 65 was placed on the third reading calendar.

Moved by Senator Tebbs that S. B.s 25, 53 and 67 be considered in Committee of the Whole Thursday, Feb. 8, at 3 p. m.

Substitute moved by Senator Jenkins that the rules be suspended and said bills be placed on the calendar and the next bill in order be taken up.

The substitute motion was defeated.

The motion was defeated.

Introduction of Resolutions.

S. R. No. 2.

Salt Lake City, Utah, Feb. 7, 1923.

The grim hand of death has placed its blight upon the family of our esteemed colleague, William H. Smart, in the demise of his lovely daughter, Anna Smart. This untimely bereavement provokes the heartfelt sympathy of all the members of the Senate and in giving expression to these feelings we pass this resolution, extending sincere condolence to Mr. Smart and to the members of his family. It is our invocation that a kind Providence will lay a soothing hand upon their aching hearts.

J. W. PETERS,
Chairman.
DAVID JENSON
OSCAR W. McCONKIE

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Special Committee on Resolutions recommends that the Resolutions expressing the condolence of the members of the Senate to Mr. William H. Smart in the death of his daughter, Anna Smart, be adopted, spread upon the minutes and a copy thereof sent to Mr. Smart.

Respectfully,
J. W. PETERS,
Chairman.

On motion of Senator Peters the report was adopted.

On motion of Senator Tebbs the Senate adjourned.

THIRTY-SECOND DAY

STATE SENATE,
The Capitol.
Salt Lake City, Feb. 8, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll call. Nineteen members present. One excused.

Prayer by the Chaplain.

The Journal of the Thirty-first Day was read and approved.

On motion of Senator Peters it was decided that when the Senate adjourns it will be to 1 p. m. Feb. 9th.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 45, (Substitute Bill for S. B. No. 26) by Committee on Agriculture, entitled, "An act to amend Chapter 3, Title 106, Compiled Laws of Utah, 1917, relating to the assessment of transient live stock brought into the State for the purpose of being grazed, fed or ranged, by adding thereto Sections 5905X and 5905X1," begs leave to report that it has had a copy of said bill carefully engrossed and herewith transmits same for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

Report filed.

S. B. No. 45 was then signed by the President in the presence of the Senate and transmitted to the House for the signature of the Speaker.

Salt Lake City, Feb. 8, 1923.

Mr. President:

Your Committee on Commerce and Industry, to whom was referred S. B. No. 90, by Mr. Jenson, entitled, "An act regulating the manufacture of bedding, the use of sanitary material; providing for tagging and labeling, and providing punishment for failure to comply with the act," return the same herewith and recommend that it be passed.

Respectfully,

HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 90 was placed on the second reading calendar.

Salt Lake City, Feb. 8, 1923.

Mr. President:

Your Committee on Commerce and Industry, to whom was referred Senate Bill No. 44, by Mr. Dixon, entitled "An act to amend Sections 2,6,14 and 16 of Chapter 110, Session Laws of Utah, 1921, also adding and enacting two additional Sections, to be known as Sections 14A and 14B," return the same herewith and beg leave to report that they have given the same careful consideration and return it herewith without recommendation.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 44 was placed on the second reading calendar.

Salt Lake City, Feb. 8, 1923.

Mr. President:

Your Committee on Commerce and Industry, to whom S. B. No. 33, by Mr. Jenkins, entitled, "An act relating to Insurance; requiring certain Insurance concerns to file rates with the Commissioner of Insurance; prohibiting discrimination and forbidding rebates of premium paid under such rates or any deviation from rates or schedules until amended rates or schedules have been duly filed; requiring supervision and examination of such rating bureaus by the Commissioner of insurance; providing for an inspection and survey of Municipalities and fire hazards; requiring bureaus to keep on file records of all risks rated by them, the same to be open to inspection by all interested parties; permitting certain insurance concerns to file acceptance of some rating bureau's schedule of rates with the Commissioner of Insurance; and fixing the penalties for violation of this act," was recommitted, have held a public hearing at which proponets and opponets of the bill were heard and beg leave to return the same herewith for the further action of the Senate.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 33 was placed at the head of the third reading calendar.

Salt Lake City, Feb. 8, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 94 by Mr. McConkie, entitled, "An act to amend Section 5075 (2051), Compiled Laws of Utah, 1917, relating to mileage of district judges and attorneys," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

Report filed.

S. B. No. 94 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Feb. 8, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred S. B. No. 87, by Mr. Irvine, entitled, "An act to amend Chapter 28, of the Session Laws of Utah, 1919, relating to the appointment of County Purchasing Agents and defining their duties," return the same herewith and recommend that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 87 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 8, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 52, by Mr. Callister, entitled, "An act to amend Chapter 17, of Title 119, Compiled Laws of Utah, 1917, relating to robbery, by adding a new section, to be known as Section 8044X," return the same herewith and recommend that it be not passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

Moved by Senator Peters that the report of the Committee be adopted.

The motion was defeated.

H. B. No. 52 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 8, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 49, by Mr. Callister, entitled, "An act to amend Section 8048, of Chapter 19, Title 119, Compiled Laws of Utah, 1917, relating to Felonious Assaults," return the same herewith and recommend that it be not passed.

Respectfully,

DAVID JENSON,

Chairman.

Report filed.

H. B. No. 49 was placed on the second reading calendar.

Salt Lake City, Feb. 8, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 41, by Mr. Naylor, entitled, "An act to amend Section 5765, Compiled Laws of Utah, 1917, relating to power of District Attorneys to employ Clerk," return the same herewith and recommend that it be passed.

Respectfully,

DAVID JENSON,

Chairman.

Report filed.

H. B. No. 41 was placed on the second reading calendar.

Salt Lake City, Feb. 8, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 88, by Mr. Irvine, entitled, "An act to amend Section 1506, Compiled Laws of Utah, 1917, relating to

duties of Sheriffs," return the same herewith and recommend that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 88 was placed on the second reading calendar.

Salt Lake City, Feb. 8, 1923.

Mr. President:

Your Committee on Agriculture to which was referred H. B. No. 73, by Mr. Finlinson, entitled, "An act amending Section 21, Chapter 68,, Session Laws of Utah, 1919, relating to the levying and collection of taxes for irrigation and water conservation districts," has had same under consideration and recommends that it be passed as amended by the House.

Respectfully,
W. D. CANDLAND,
Vice Chairman.

Report filed.

On motion of Senator Funk the rules were suspended and H. B. No. 73 was read the second time.

The following amendment was moved by Senator Jenkins:

In line 24, page 1, insert a comma, the word "penalties," and another comma between the words "costs" and "and."

The amendment was defeated.

H. B. No. 73 was then orederd read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1. Adams, Candland, Cottrell Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Smart.

H. B. No. 73 was placed on the third reading calendar.

Salt Lake City, Feb. 8, 1923.

Mr. President:

Your Committee on Agriculture to which was referred H. B. No. 20, by Mr. Bailey, entitled, "An act to

amend Section 62, of Chapter 67, Session Laws of Utah, 1919, relating to water and water-rights," has had same under consideration and recommends that it be passed with the following amendments:

Page 1, line 6, after the word "source" insert " or any part thereof."

Page 1, line 6, after the word "source" insert "or "so distributed" and strike out "from such river system or water source."

Page 1, line 18, strike out all underlined matter.

Page 1, line 24, after the word "water" insert the word "affected", strike out the words "from any river system or water source."

Respectfully,
W. D. CANDLAND,
Vice-Chairman.

H. B. No. 20 was placed on the second reading calendar.

COMMUNICATIONS FROM THE GOVERNOR

STATE OF UTAH,
Executive Office. Salt Lake City, Feb. 8, 1923.
To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 28, by Mr. Jenkins, entitled, "An act to repeal Section 3843, Compiled Laws of Utah, 1917, requiring the County Assessor to file a list of all eligible males, in the county within certain ages, annually with the County Commissioners, within a specified time."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

STATE OF UTAH,
Executive Office. Salt Lake City, Utah, Feb. 6, 1923.
To the Senate:

I hand you herewith the report of a committee appointed by me in pursuance to the provisions of Chapter

153, Session Laws of Utah, 1921, to investigate the proposal to erect suitable monuments in honor of the white people killed in Indian wars in this State.

Respectfully yours,
CHARLES E. MABEY,
Governor.

Communication filed.

Referred to the Committee on Appropriations.

(Copy.)
LEVI EDGAR YOUNG
Salt Lake City
Feb. 2, 1923.

Governor Charles R. Mabey,
State Capitol,
City.

Dear Governor:

Your committee appointed, consisting of Mr. P. C. Peterson, Charles Welsh and Levi Edgar Young, to investigate the question of a suitable memorial to those who fell in the Indian wars of early day Utah, begs leave to submit the following:

The committee, after due deliberation, feels that the most appropriate memorial that could be erected to perpetuate the memory of the brave men who fell before the Red Men while redeeming this wilderness, should be in the form of a monument made of granite with a bronze tablet on which is inscribed the name of every hero who took part in the various Indian troubles. The committee feels that a monument placed in a proper spot in Salt Lake City will remind future generations of the heros who helped to make the present State of Utah possible.

Respectfully submitted,
LEVI EDGAR YOUNG,

INTRODUCTION OF BILLS

S. B. No. 95, by Mr. Ryan. "An act amending Section 95 (57) Compiled Laws of Utah, 1917, relating to cattle on public range," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 96, by Mr. Ryan, "An act relating to the possession of animals by others than the owner or owners, and requiring a definite procedure in such cases, and providing a penalty for failure to do so," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING SPECIAL ORDER

Consideration of H. B. No. 57.

Moved by Senator Jenkins that the bill be amended as follows: Strike the underscored matter in lines 3 and 4. Add the following sentence after the period in line 8: "Every deputy so appointed must be a citizen of the United States."

Substitute motion by Senator Tebbs that the enacting clause be stricken.

The substitute motion carried and the bill was rejected.

S. B. No. 65 was read the third time and placed on its final passage.

S. B. No. 65 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Smart and Winder.

S. B. No. 65 was transmitted to the House for its action.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Standish S. B.s 25, 53 and 67 were made special order for 3 p. m., Tuesday, Feb. 13th.

H. B. No. 66 was read the second time.

H. B. No. 66 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell Dixon, Fuller, Funk, Hirschi,

Irvine, Jenkins, Jenson, Kinney, Peters, Ryan, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Smart and McConkie.

H. B. No. 66 was placed on the third reading calendar.

S. B. No. 71 was read the second time.

On motion of Senator Peters the bill was amended as follows:

Strike the word "tht" and "re-" in line 1, and all of line 2, and the first seven words in line 3.

S. B. No. 71 was then ordered read the third time on the following roll call: Ayes, 15; nays, 2; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senators Peters and Standish.

Absent and not voting: Senators Hirschi, Smart and Winder.

S. B. No. 71 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Feb. 8, 1923.

Mr. President:

I am instructed to inform your honorable body that the Governor has this day signed and transmitted to the Secretary of State H. B. No. 2, by Mr. Atwood.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Salt Lake City, Feb. 8, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House S. B. No. 45 (Substitute for S. B. No. 26, by Committee on Agriculture, entitled, "An act to amend Chapter 3, Title 106, Compiled

Laws of Utah, 1917, relating to the assessment of transient live stock brought into the state for the purpose of being grazed, fed or ranged, by adding thereto Sections 5905X and 5905X1," and the same is herewith returned to the Senate for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 45 was transmitted to the Governor for his action.

S. B. No. 72 was read the second time.

The following amendment was moved by Senator Peters.

Page 1, line 2, strike the last eight words and down to the comma in line 3.

The motion was defeated.

Motion by Senator Peters that the enacting clause be stricken.

The motion was defeated.

S. B. No. 72 was then ordered read the third time on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Peters.

Absent and not voting: Senator Smart.

S. B. No. 72 was placed on the third reading calendar

On motion of Senator Cottrell the Senate adjourned.

THIRTY-THIRD DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 9, 1923.

The Senate was called to order at 1:00 p. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Thirty-Second Day was read and approved.

PRESENTATION OF PETITIONS

S. P. No. 6. A petition urging the abolishment of the Public Utiliteis Commission signed by William Bettrnge and 159 other citizens of Iron County was read and referred to the Committee on Public Affairs.

S. P. No. 7. A similar petition signed by Mayor J. F. Welsh and Recorder Susanna Shields for the City Council of Park City was also read and referred to the Committee on Public Affairs.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 95, by Mr. Ryan, entitled, "An act amending Section 95 (57) Compiled Laws of Utah, 1917, relating to cattle on the public range, without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 95 was ordered printed and referred to the Committee on Agriculture.

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 96, by Mr. Ryan, by request, entitled, "An act relating to the possession of animals by others than the owner or owners, and requiring a definite procedure in such cases, and providing a penalty for failure to do so," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 96 was ordered printed and referred to the Committee on Agriculture.

REPORTS OF SPECIAL COMMITTEES

Salt Lake City, Feb. 8, 1923.

Mr. President and Speaker:

The Committee on conference on H. B. No. 25, by Mr. Pettit, relating to mine boss and fire boss ,having met have agreed to recommend, and do recommend to their respective Houses, that the amendment as passed by the Senate shall stand.

Respectfully submitted,

H. N. STANDISH,
A. B. IRVINE,
C. L. FUNK,
Managers for the Senate.

J. E. PETTIT,
L. M. ATWOOD,
A. T. BUTTERFIELD,
Managers for the House.

Report filed.

H. B. No. 25 was returned to the House.

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH,
Executive Office.

Salt Lake City, Feb. 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 45, substitute for S. B. No. 26, by the Committee on Agriculture, entitled, "An act to amend Chapter 3, Title 106, Compiled Laws of Utah, 1917, relating to the assessment of transient live stock brought into the state for the purpose of being grazed, fed or ranged, by adding thereto Sections 5905X and 5905X1."

Respectfully yours,

CHARLES R. MABEY,
Governor.

Report filed.

The House was notified of the Governor's action.

On motion of Senator Peters it was decided that when the Senate adjourns it will be to 12:30 p. m. Feb. 10th.

INTRODUCTION OF BILLS

S. B. No. 97, by Mr. Winder, "An act authorizing County Commissioners to appoint one or more Probation Officers to be known as Adult Probation Officers, empowering courts to place certain classes of offenders on probation, and to suspend sentence under certain conditions, and for other purposes," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 98, by Mr. Warnick, "An act to amend Section 6015, Compiled Laws of Utah, 1917, as amended by Chapter 119, Laws of Utah, 1919, relating to the time when taxes become delinquent," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 99, by Mr. Peters, "An act to amend Section 3972, Compiled Laws of Utah, 1917, as amended by Chapter 83, Session Laws of Utah, 1921, relating to the registration and regulation of motor vehicles," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING

Consideration of S. B. No. 33.

Amendment of Senator Candland of Feb. 6th to strike Sections 4 and 5 under consideration.

Substitute motion offered by Senator McConkie that the enacting clause be stricken.

The substitute motion was defeated.

The amendment was defeated.

On motion of Senator Jenkins the bill was amended as follows:

Page 4, in lines 12, 17 and 19, change the word "section" to "act."

S. B. No. 33 then failed of passage on the following roll call: Ayes, 10; nays, 9; absent, 1.

Those voting in the affirmative were: Senators Dixon, Fuller, Irvine, Jenkins, Jenson, Kinney, Smart, Standish, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Candland, Cottrell, Funk, Hirschi, McConkie, Ryan, Tebbs and Warnick.

Absent and not voting: Senator Peters.

Senator Cottrell gave notice that he would move for reconsideration of the final vote on S. B. No. 33 the following day.

H. B. No. 73 was read the third time and placed on its final passage.

H. B. No. 73 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting the affirmative were: Senators Adams, Candland Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jensen, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Fuller and Winder.

H. B. No. 73 was returned to the House for its further action.

H. B. No. 66 was read the third time and placed on its final passage.

H. B. No. 66 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Fuller and Winder.

H. B. No. 66 was returned to the House for its further action.

S. B. No. 71 was read the third time and placed on its final passage.

S. B. No. 71 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Standish and Winder.

S. B. No. 71 was transmitted to the House for its action.

S. B. No. 72 was read the third time and placed on its final passage.

On motion of Senator Peters the bill was amended as follows:

Strike the words "and of" in line 2 of the Title, the word "and" in line 9 of the Title, and the words "and of" in line 5, page 1. Add a comma in line 2 of the Title after the word "Utah," "and of the Branch Agricultural College of Utah," after the word "Utah," in line 3 of the Title, a comma after the word "Utah" in line 9 of the Title, "or the Branch Agricultural College of Utah" at the end of line 9 of the Title, striking the comma, add "and of the Branch Agricultural College of Utah" after the second word "Utah" in line 5, page 1, "or the Director of the Branch Agricultural College of Utah" after the word "Utah" in line 7, page 1, "or of the Branch Agricultural College of Utah" after the second word "Utah" in line 8, page 2, "or in the Branch Agricultural College of Utah" at the end of line 20, page 2, "or the Branch Agricultural College of Utah" after the word "Utah" in line 27, page 2, "and the Registrar of the Branch Agricultural College of Utah" after the word "Utah" in line 5, page 3, "nor in the Branch Agricultural College of Utah" after the word "Utah" in line 12, page 3, and include "or of the Branch Agricultural College of Utah" at the end of Section 8.

On motion of Senator Irvine the bill was amended as follows:

At the end of line 5, page 3, add the words "Finance and Purchase, and with the State Superintendent of Public Instruction a certified list of all students registered during the next."

S. B. No. 72 then passed on the following roll call: Ayes, 11; nays, 8; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Irvine, Jenkins Jenson, Kinney, Tebbs and Winder.

Those voting in the negative were: Senators Funk, Hirschi, McConkie, Peters, Ryan, Smart, Warnick and Mr. President.

Absent and not voting: Senator Standish.

CONSIDERATION OF BILLS ON SECOND READING

Consideration of S. B. No. 32 resumed.

The following amendment was moved by Senator Jenkins:

In lines 7 and 8, strike the words "and until their successors are appointed and qualified."

The amendment was defeated.

Moxed by Senator Cottrell that the last six words of the Title and the underscored matter in Section 3 be stricken.

The motion carried and the amendment was made.

S. B. No. 32 was then ordered read the third time on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Candland.

Absent and not voting: Senator Jenkins.

S. B. No. 32 was placed on the third reading calendar.

S. B. No. 18 was read the second time.

Committee report filed.

On motion of Senator Peters the bill was amended as follows:

Strike the last four words in line 20 and the first three words in line 21, page 3.

On motion of Senator Peters the bill was amended as follows:

Change "110 in line 21, page 3, to "100."

Senator Peters moved that Section eleven be stricken.

On a substitute motion of Senator Tebbs the enacting clause was stricken and the bill rejected.

On motion of Senator Peters H. B. No. 34 was recommitted.

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

Your Committee on Education to which was referred H. B. No. 45, by Mr. Shelley, entitled, "An act Amending Section 4551,Compiled Laws of Utah,1917, relating to the use of school buildings," has considered and reports back the same without recommendation.

Respectfully,

A. B. IRVINE,

Chairman.

Report filed.

H. B. No. 45 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

Your Committee on Education to which was referred S. B. No. 38, by Mrs. Kinney, entitled, "An act to amend Section 5364, Compiled Laws of Utah, 1917, transferring the control of the Industrial School to the State Board of Education," has considered the same and report same unfavorably and recommends that the bill be not passed, Senator Kinney not concurring.

Respectfully,

A. B. IRVINE,

Chairman.

Report filed.

S. B. No. 38 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 97, by Mr. Winder, entitled, "An act authorizing County Commissioners to appoint one or

more probation officers, to be known as adult probation officers, empowering courts to place certain classes of offenders on probation, and to suspend sentence under certain conditions, and for other purposes," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. 97 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 98, by Mr. Warnick, entitled, "An act to amend Section 6015, Compiled Laws of Utah, 1917, as amended by Chapter 119, Laws of Utah, 1919, relating to the time when taxes become delinquent," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 98 was ordered printed and referred to the Committee on Public Affairs.

On motion of Senator Dixon the Senate adjourned.

THIRTY-FOURTH DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 10, 1923.

The Senate was called to order at 12:30 p. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Thirty-Third Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 99, by Mr. Peters, entitled, "An act to amend Section 3972, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, relating to the registration and regulation of motor vehicles," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 99 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred H. B. No. 21, by Mr. Openshaw, entitled, "An act to amend Section 1201 Compiled Laws of Utah, 1917, relating to Loan, Trust and Guarantee Associations," return the same herewith and recommend that the same be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 21 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 10, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 98, by Mr. Warnick, entitled, "An act to amend Section 6015, Compiled Laws of Utah, 1917, as amended by Chapter 119, Laws of Utah, 1919, relating to the time when taxes become delinquent," begs leave to report that it has considered the same and returns it to you without recommendation.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 98 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 10, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. C. R. No. 3, by Mr. Warnick, entitled, "A resolution proposing an amendment to Sections two and three, Article XIII of the Constitution of the State of Utah, setting forth what property shall be subject to taxation, etc.", begs leave to report that it has considered the same and returns it to you without recommendation.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. C. R. No. 3 was placed on the second reading calendar.

On motion of Senator Dixon it was decided that when the Senate adjourns it will be to Tuesday, Feb. 13, at 2 p. m.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended by the House S. B. No. 3, by Mr. Candland, entitled, "An act to amend Sections 890 (342), 891 (343), 893 (345), and 895 (347, and re-enacting Sections 892, 894, 896, 897, 898 and 899, Title 19, Chapter 1, Compiled Laws of Utah, 1917, relating to corporations not for pecuniary profit, and inserting Section 892X, so as to provide for a central or state-wide association and for local associations and for the cooperation thereof," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Moved by Senator Candland that the Senate concur in the House amendments.

The motion carried.

S. B. No. 3 was then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Fuller.

The House was notified of the Senate's action.

S. B. No. 3 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 10, 1923.

Mr. President:

The House of Representatives request the members of Your Honorable Body to join us in commemorating the anniversary of the Immortal Lincoln, Monday, February 12, 1923, at three thirty p. m.

Respectfully,

E. L. CROPPER,

Chief Clerk,

The Senate having decided to adjourn to Tuesday, the invitation was accepted with thanks, with the explanation that as many of the Senators as were in the city and able to do so would attend.

Salt Lake City, Utah, Feb. 9, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended by the House, H. B. No. 39, by Mr. White, entitled, "An act providing for the appointment of a fish and game commissioner, chief deputy, and other deputies and assistants; creating a fish and game fund; prescribing duties, powers and salaries of commissioner, deputies and other assistants; providing bonds for Commissioners and Deputies, providing a license to hunt, fish and trap, and to market cat fish, and to operate private ponds; the appointment of license agents; regulating the draining of canals and waterways; providing for screens and fishways; pro-

hibiting the pollution of state waters; fixing open seasons and limits of fish and game; prohibiting the sale and transportation of game and game fish; providing for and regulating guides; providing for seizure and sale of unlawful devices; protecting game animals; providing open seasons for deer and bear; defining game animals; providing license and season for trapping fur-bearing animals; providing for private game farms; regulating the taking of game birds; establishment of game preserves; regulating the use of fire arms on game preserves; providing open seasons for ducks and geese; protecting song birds; providing for public shooting grounds; prohibiting the use of silencers on fire-arms; prohibiting the waste of fish and game; prohibiting shooting on public highways; and prohibiting the destruction of state property," and same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk,

Communication filed.

H. B. No. 39 was read the first time and referred to the Committee on Agriculture.

Salt Lake City, Utah, Feb. 10, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, H. B. No. 66, by Mrs. Lyman, entitled, "An act to amend Section 570X15, Compiled Laws of Utah, 1917, relating to construction of waterworks by cities and jurisdiction of cities over watersheds, streams, reservoirs, canals and lands," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk,

H. B. No. 66 was signed by the President in the presence of the Senate and returned to the House for its further action.

Salt Lake City, Utah, Feb. 10, 1923.

Mr. President:

I am instructed to inform your honorable body that

the Speaker of the House has this day signed in open session H. B. No. 25, by Mr. Pettit, entitled, "An act to amend Section 3925, Compiled Laws of Utah, 1917, relating to the certificates for mining boss or fire boss," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk,

H. B. No. 25 was signed by the President in the presence of the Senate and returned to the House for its further action.

Salt Lake City, Utah, Feb. 10, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, H. B. No. 73, by Mr. Finlinson, entitled, "An act amending Section 21, Chapter 68, Session Laws of Utah, 1919, relating to the levying and collection of taxes of irrigation and water conservation districts," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk,

H. B. No. 73 was signed by the President in the presence of the Senate and returned to the House for its further action.

Salt Lake City, Utah, Feb. 10, 1923.

Mr. President:

Your Committee on Public Affairs to which was recommitted H. B. No. 34, by Mr. Finlinson, entitled, "An act relating to the care of State funds, and providing for the collection of interest thereon, etc," begs leave to report that it has again considered the same and reports back without recommendation.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 34 was placed on the second reading calendar.

Senators Cottrell and Ryan were appointed to correct the Journal the week of Feb. 12th.

An invitation to the annual Police department ball, Feb. 22nd, enclosing complimentary tickets for the Senators was received from the Police Mutual Aid Association of Salt Lake City.

On motion of Senator Tebbs the invitation was accepted with thanks.

PRESENTATION OF RESOLUTIONS

S. R. No. 3.

RESOLUTION OF COMMITTEE ON PUBLIC HEALTH

WHEREAS, the Utah Farm Bureau, at the request of Governor C. R. Mabey, and in cooperation with the public and private state, county and local agencies, has inaugurated a State wide Clean Home-Clean Town campaign in the interest of cleaner homes inside and out, cleaner towns and cleaner highways, the campaign to begin March 1st and continue for a period of 4 months; and

WHEREAS, the campaign is to go forward under the slogan, "Your Community is Your Job" and is to include a comprehensive plan for general clean-up activities in every town and home in the State;

BE IT RESOLVED by the Senate of the Fifteenth Legislature of the State of Utah:

THAT we do hereby endorse and approve of the State wide Clean Home-Clean Town campaign, suggested by Hon. Charles R. Mabey, Governor of Utah, being conducted under the auspices of the Utah State Farm Bureau. and call upon all public officials and citizens of the State of Utah to assist and co-operate in this worthwhile campaign.

On motion of Senator Standish the rules were suspended and the resolution considered and endorsed.

INTRODUCTION OF BILLS

S. B. No. 100, by Mr. Standish, "An act amending Sections 3 and 5 of Chapter 130, Laws of Utah, 1921, creating the Department of Registration and adding two additional Sections to be numbered 11 and 12, providing for the revocation of licenses for non-payment of annual renewal fees," was read the first time and referred to the Committee on Revision and Printing.

PRESENTATION OF PETITIONS

S. P. No. 8. A petition from the citizens of Beaver County urging the abolishment of the Public Utilities Commission, signed by George Jefferson and 50 others was read.

S. P. No. 9. A similar petition from the citizens of Garfield County signed by G. J. Goulding and 30 others was read.

Both petitions were referred to the Committee on Public Affairs.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Cottrell the vote by which S. B. No. 33 was defeated was reconsidered.

On motion of Senator Funk S. B. No. 33 was made special order for Tuesday, Feb. 13th at 2:20 p. m.

S. B. No. 32 was read the third time and placed on its final passage.

Senator Cottrell moved that "eight" in line 6 be changed to "four" and "five" in line 8 be changed to "two."

The motion was defeated.

S. B. No. 32 then passed on the following roll call: Ayes, 18; nays 0; absent 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Funk and Peters.

S. B. No. 32 was transmitted to the House for its action.

COMMUNICATIONS FROM THE GOVERNOR

STATE OF UTAH,
Executive Office.

Salt Lake City, Utah, Feb. 10, 1923.

To the Senate:

I have the honor to transmit herewith, the report of a committee appointed by me, in compliance with the provisions of Senate Joint Resolution No. 4, Fourteenth Legislature, pertaining to the proposal to erect a suitable building for the housing of State documents, relics and other sources of information relating to the history of Utah.

CHARLES R. MABEY,
Governor.

Communication filed and referred to the Committee on Appropriations.

To the Honorable Charles R. Mabey,
Governor of Utah.
Sir:

The undersigned have the honor herewith to submit their report, in compliance with the terms of Senate Joint Resolution No. 4, passed February 25, 1921, and approved March 5, 1921, which reads as follows:

"WHEREAS the history of any people can only be properly preserved for future generations when a place is provided wherein the documents, relics, and other sources of information relating to their life and work may be housed; and

"WHEREAS, we believe that the erection of a memorial building to contain such records and relics would receive the approval of the people of the State; therefore

"BE IT RESOLVED by the Legislature of the State of Utah that the Governor is hereby authorized and requested to appoint a committee of five resident citizens of the State, who shall serve without pay, whose duty shall be to consider the subject of the erection of a building for that purpose and to report to the next session of the legislature."

In the exercise of the authority conferred by this resolution, and in order to carry out its provisions, the Governor, in August, 1921, appointed as said committee, Mrs. Alice Wright of Provo; Mrs. Donnette Smith Kesler; Dr. George W. Middleton, Dr. John Z. Brown, and Mrs. Annie Wells Cannon, all of Salt Lake City; and though the committee has not held a large number of meetings, it nevertheless feels that it has with reasonable thoroughness fulfilled the duty entrusted to it. An investigation has been made as to the whereabouts and condition of many records, documents, relics, etc., pertaining to the history of our State, and we are obliged to report with regret that though Utah is the very heart of Pioneer history in the West, these priceless records and relics are widely scattered and lamentably uncared-for except where local patriotic clubs or societies—notably the Daughters of Utah Pioneers—have undertaken the task of collecting and preserving them. In this connection we beg to draw attention also to the fact that many unique and valuable historical land marks—Cove Fort in Millard County, for example—denoting special phases in the State's formation and development, are in danger of being destroyed or commercialized through private ownership—a fate which we hardly need say, would be universally deplored, and which obviously can be more easily averted now than at any later date.

In the course of its inquiries the committee has ascertained that fourteen of the States in the American Union have historical memorial buildings specially devoted to the housing of the records and relics of those commonwealths, while twenty-nine States have space reserved in their respective Capitols for these purposes. Of the remaining eight States, some have placed their historical records in the keeping of their universities—a plan which is generally regarded as unsatisfactory for the reason that such institutions are closed part of the year, also that the documents are not readily accessible, and come under the supervision and control of the school authorities instead of being regarded as the property and heritage of the State.

Your Committee firmly believes that the time is not far distant when the people of Utah will demand the erection of a Memorial in honor of the labors and achievements of the Pioneers—the founders of their beloved State. With that thought in mind, we recommend that the Legislature now about to convene be asked to reserve a site on the Capitol grounds for the erection of a Pioneer Memorial Building for the housing and care of all state historical records, documents, relics, etc., and for such other purposes as would conduce to the preservation and illustrations of Pioneer history; and that until such building shall be erected, proper space be allotted in the State Capitol for the care of such documents and relics as have been or shall be collected.

The committee cannot feel to close its report without bestowing a word of commendation upon the untiring and patriotic services of the Daughters of Utah Pioneers in the various counties of the State, in striving to collect and preserve everything of historic interest. Their energy and zeal in this service deserve state-wide recognition and gratitude.

In conclusion we desire to express our appreciation of the honor of having been appointed to act on the Pioneer Memorial Committee; and we respectfully advise that the work thus far done, and as represented in this brief report, be carried on with ever-increasing enthusiasm and loyalty until the desired objects are fully attained.

Respectfully submitted,
ALICE P. WRIGHT,
DONNETTE SMITH KESLER,
GEO. W. MIDDLETON,
JOHN Z. BROWN,
ANNIE WELLS CANNON.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 14 was read the second time.

The committee report was adopted and the amendments recommended therein made.

H. B. No. 14 was ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Funk and Kinney,

On motion of Senator Winder the rules were suspended and H. B. No. 14 was read the third time and placed on its final passage.

H. B. No. 14 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Funk, Kinney and Tebbs.

H. B. No. 14 was returned to the House for its further action.

S. B. No. 55 was read the second time.

Report filed.

On motion of Senator McConkie S. B. No. 55 was made special order for Wednesday, Feb. 14, at 3 p. m.

S. B. No. 70 was read the second time.

Committee report adopted.

The following amendment was moved by Senator Dixon: Insert in lines 4 and 5 after the word "in" the word "all."

The amendment carried.

Senator Jenkins moved the following amendments: Change the word "amend in line 1 of the Title, to "repeal," change "amended" in line 2 page 1, to "repealed" and strike the balance of the bill from there on.

Amendment to the amendment by Senator Peters to strike "Sections 666 and 666X1" in line 1 of the Title, and line 1, page 1, and change the word "are" in line 2, page 1 to "is."

On substitute motion of Senator Candland S. B. No. 70 was made special order for Thursday, Feb. 15, at 2:30 p. m.

S. B. No. 34 was read the second time.

The committee report was adopted.

S. B. No. 34 was then ordered read the third time on the following roll call: Ayes, 12; nays, 6; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, and Winder.

Those voting in the negative were: Senators Hirschi, McConkie, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell and Ryan.

S. B. No. 34 was placed on the third reading calendar.

S. B. No. 78 was read the second time.

On motion of Senator McConkie the bill was amended as follows: Strike the word "of" in line 1 of the title and line 1 of the bill, the word "that" in line 1 of the bill. Change the word "be" in line 2 to "is" and the word "the" in line 6 to "a."

S. B. No. 78 was then ordered read the third time on the following roll call: Ayes, 10; nays, 8; absent, 2.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller, Funk, Hirschi, Jenson, Kinney, Peters, Smart and Tebbs.

Those voting in the negative were: Senators Adams, Irvine, Jenkins, McConkie, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell and Ryan.

S. B. No. 78 was placed on the third reading calendar.

Salt Lake City, Feb. 10, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 100, by Mr. Standish, entitled, "An act amending Sections 3 and 5 of Chapter 130, Laws of Utah, 1921, creating the Department of Registration and adding two additional Sections to be numbered 11 and 12,

providing for the revocation of licenses for non-payment of annual renewal fees," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 100 was ordered printed and referred to the Committee on Public Health and Labor.

A communication from the Beehive girls of the State of Utah recommending certain amendments to the Fish and Game Bill, H. B. No. 39 was read and referred to the Committee on Agriculture.

On motion of Senator Peters the Senate adjourned.

THIRTY-SEVENTH DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 13, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll call. Nineteen members present. One excused.

Prayer by the Chaplain.

The Journal of the Thirty-Fourth Day was read and approved.

PRESENTATION OF PETITIONS

S. P. No. 13. A petition protesting the passage of S. B. No. 44 relating to the Real Estate sales, signed by James E. Balantyne and ten others of Ogden, was read and referred to the Committee on Commerce and Industry.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 13, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 79, by Mr. Peters, entitled, "An act requiring distributors of and dealers in, motor vehicle fuels to obtain a license therefor, and levying a tax of two and one-half cents per gallon on motor vehicle fuels; providing for the regulation of the sales of such fuels and

the collection of said tax, and for the crediting of proper amounts of the same to a fund for the payment of interest and sinking fund charges on state road bonds and to state highway maintenance fund; defining terms; and prescribing penalties," begs leave to report that it has considered the same favorably and recommends that it be passed with the following amendments:

Line nine, page one, correct the spelling of the word "liquids."

Page two, line four, correct the spelling of the word "defined."

Page two, line 15, correct the spelling of the word "of."

Page three, line 11, strike the word "fees" and substitute in lieu thereof the word "taxes."

Page three, line 12, strike the last word in the line and all of line 13 except the last three words, and after the word "paid", line 13, insert the word "quarterly."

Page four, line 26, correct the spelling of the word "highways," page 5, line 21, correct the spelling of the word been.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 79 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 13, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 80, by Mr. Peters, entitled, "An act to amend Section 3971, Section 3974 and Section 3991, Compiled Laws of Utah, 1917, all as amended by Chapter 81, Session Laws of Utah, 1921, and Sections 3971X1, 3874X, 3974X5, and 3974X23 of Chapter 81, Laws of Utah, 1921, and to repeal Sections 3974X1 3974X2, 3874X3, 3974X4, 3974X9, 3974X10, 3974X11, 3974X12, 3974X17, 3974X18, 3974X19, 3974X20, 3974X21, 3974X22, of Chapter 81, Laws of Utah, 1921, relating to Motor Vehicles," begs leave to report that it has con-

sidered the same favorably and recommends that it be passed with the following amendments:

Strike all of Section 3974X5 and substitute in lieu thereof a new section to be known as Section 3974X5 as follows:

"Section 3974X5. No application for the registration of any vehicle shall be accepted by the Secretary of State unless and until said vehicle shall have been inspected by an official inspector. The County Assessors of the respective counties of the state and their deputies are hereby constituted the official inspectors of vehicles within their respective counties. They shall, when application is made for the registration of any vehicle, inspect such vehicle and make their record of inspection upon the application forms as provided by the Secretary of State, and shall verify such record under oath. Neither the County Assessors nor their deputies shall receive any compensation for the services required under this section or section 3972 as amended, other than their regular salaries paid by the respective counties."

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 80 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 13, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 81, by Mr. Peters, entitled, "An act to amend Section 3973, Compiled Laws of Utah, 1917, as amended by Chapter 82, Laws of Utah, 1921, relating to motor vehicles and licenses and fees therefor," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 81 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 13, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 82, by Mr. Peters, entitled, "An act

amending Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, relating to traffic regulations on state highways." begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 82 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 13, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 99, by Mr. Peters, entitled, "An act to amend Section 3972, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, relating to the registration and regulation of motor vehicles," returns the same herewith, and recommends that it be passed with the following amendments:

Amend Section 3972 by striking out in line 14 the words "The required fee shall accompany the application," and insert in lieu thereof the following: "It is hereby made the duty of the County Assessors of the respective Counties of the state to receive such applications together with the required fee. Before making any inspection under the provisions of section 3479X5, and before receiving any fee as required by this section each County Assessor shall execute to the Secretary of State a surety bond in such sum as the Secretary of State shall require not exceeding $10,000.00 dollars. The premium of such bond shall be paid out of the receipts by the Secretary of State for vehicle licenses in the same manner as other expenses against said funds are paid. Upon receipt of any such application and fee the assessor shall issue a receipt in duplicate and deliver the original to the owner and forward the duplicate to the Secretary of State with his daily report. The duplicate receipt will be authority for the owner to operate his vehicle until the registration certificate and number plates are received by the owner. Every County Assessor shall each day report to the Secretary of State and transmit to him all applications with

the record of inspection and all fees received by him during the preceding day."

Further amend said section by striking out all new matter beginning in line 23 of page one and continuing to line 6 of page two, and substitute the following: "As soon as issued, the registration certificate and number plates shall be mailed by the Secretary of State, to the owner at his address as shown in the application."

Respectfully,

J. W. PETERS,

Chairman.

S. B. No. 99 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 13, 1923.

Mr. President:

Your Committee on Public Health and Labor to which was referred S. B. No. 100, by Mr. Standish, entitled, "An act amending Sections 3 and 5 of Chapter 130, Laws of Utah, 1921, creating the Department of Registration, and ading two additional sections to be numbered 11 and 12 providing for the revocation of licenses for non payment of annual renwal fees," begs leave to report that after due and careful consideration they return the same herewith, and recommend that it be passed with the following amendments:

Page three, line seven, underscore all the matter in that line including the word "obstetrics" on line eight.

Page three, line eight, after the word "and" insert the word "for" and after the word "obstetrics" insert the word "only" followed by a comma, then insert parenthesis, insert comma after the word "persons".

Page three, line nine, underscore the words "and surgery."

Page three, line 10, after the letter "a" insert parenthesis, add the letters "ly" after the word "regular" and underscore the word "regularly"

Page three, line 10, after the word "medical" insert parenthesis, underscore the word "college" after parenthesis.

Page three, line 11, after the syllable "ing" insert parenthesis.

Page four, line 14, strike the underscoring under the words "and until".

Page four, line 24, change the word "four" to "three" and the figures "$4,000" to "$3,000".

Page five, line two, strike all of line two after the word "may", all of line three, and all of line four up to the word "appoint".

Page five, line seven, after the word "number" change the period to a comma and insert the following: "and may authorize the payment of not to exceed $100 toward the expenses of such delegate attending such convention".

Respectfully submitted,
H. N. STANDISH,
Chairman of Public Health and Labor.

Report filed.

On motion of Senator Standish the rules were suspended and S. B. No. 100 was grouped with bills 25, 53 and 67 and made special order on second reading for Feb. 15 at 2:30 p. m.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Feb. 12, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended H. B. No. 101, by House Committee on Appropriations, entitled, "An act to amend Section 5691, Compiled Laws of Utah, 1917, relating to the biennial budget submitted to the Legislature of the State," and same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk,

Communication filed. H. B. No. 101 was read the first time and referred to the Committee on Appropriations.

Salt Lake City, Utah, Feb. 13, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open

session H. B. No. 14, by Mr. Constantine, entitled, "An act to amend Section 8121, and repealing Section 8122, Compiled Laws of Utah, 1917, relating to crimes against nature," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk,

H. B. No. 14 was signed by the President in the presence of the Senate and returned to the House for its further action.

On motion of Senator Jenkins S. B. No. 44 was recommitted.

On motion of Senator Jenkins it was decided that when the Senate adjourns it will be to 1 p. m. Wednesday, Feb. 14th.

INTRODUCTION OF BILLS

S. B. No 101, by Mrs. Kinney, "An act authorizing retirement allowances to faculty members of the University of Utah who are seventy years of age or over and who have been been in continuous service of the University for thirty years or more," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 102, by Mr. Jenkins, "An act relating to the Board of Trustees of the Agricultural College and the Board of Regents of the University of Utah," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 103, by Mr. Irvine, "An act providing for the enforcement of the law relating to sinking fund levies and the investment of sinking funds," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 104, by Mr. Irvine, "An act relating to the investment of sinking funds," was read the first time and referred to the Committee on Revision and Printing

S. B. No. 105, by Mr. Funk, "An act limiting the load that may be placed upon vehicles used upon the public highways," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 106, by Mr. Hirschi, "An act amending Section 783, Compiled Laws of Utah, 1917, relating to incorporation of towns," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING SPECIAL ORDER

Consideration of S. B. No. 33.

S. B. No. 33 then passed on the following roll call Ayes, 12; nays, 7; absent, 1.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Winder and Mr. President.

Those voting in the negative: Senators Candland, Fuller, Funk, Hirschi, McConkie, Tebbs and Warnick.

Absent and not voting: Senator Ryan.

S. B. No. 33 was transmitted to the House for its action.

Consideration of S. B. No. 23.

Senator Jenkins moved to amend the bill as follows:

Strike the underscored matter in lines 3, 4, 6, 17, 19, page 1, and lines 14, 20, 22, 25, 28, page 2, and the words "or associations" in line 23, page 1.

Senator Tebbs moved as a substitute to strike the enacting clause.

The substitute motion was defeated.

The motion was defeated.

Senator Warnick moved to amend the bill as follows:

In line 9, page 1, change the word " shall" to "may".

The motion was defeated.

Senator Jenkins moved to amend the bill as follows:

On line 4, page 1, lines 14 and 20, page 2, add immediately following the underscored matter the words "doing a commercial banking business."

The motion was defeated.

On motion of Senator Peters the bill was amended as follows:

In line 2 of the Title, correct the spelling of word "Chapter", insert word "Compiled" before word

"Laws", and in line 1, page 1, insert "Section 1" before "5867".

S. B. No. 23 was then rejected on the following roll call: Ayes, 9; nays, 9; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Fuller, Funk, Jenkins, Jenson, Peters, Smart and Standish.

Those voting in the negative were: Senator Cottrell, Dixon, Hirschi, Irvine, Kinney, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators McConkie and Ryan.

S. B. No. 34 was read the third time and placed on its final passage.

S. B. No. 34 was then rejected on the following roll call: Ayes, 7; nays, 11; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Irvine, Jenkins, Jenson, Peters and Smart.

Those voting in the negative were: Senator Cottrell, Fuller, Funk, Hirschi, Kinney, McConkie, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting, Senators Dixon and Ryan.

On motion of Senator Tebbs S. B. No. 78 was made special order for Friday, Feb. 16, at 2:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 8 was read the second time.

Action deferred until amendments are typewritten.

S. B. No. 75 was read the second time.

On motion of Senator Jenson, S. B. No. 75 was made special order for Saturday, Feb. 17th.

S. B. No. 73 was read the second time.

On motion of Senator McConkie the bill was amended as follows:

Strike "of the" in line 1 of the Title and line 1 of the bill, "That" in line 1, "be and the same" in line 2, and change "in" in line 10 to "of".

S. B. No. 73 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Fuller, Funk and Ryan.

S. B. No. 73 was placed on the third reading calendar.

S. B. No. 91 was read the second time.

On motion of Senator Irvine S. B. No. 91 was made special order for Saturday, Feb. 17, at 3 p. m.

Consideration of H. B. No. 8.

H. B. No. 8 was then rejected on the following roll call: Ayes, 2; nays, 15; absent, 3.

Those voting in the affirmative were: Senators Hirschi and Tebbs.

Those voting in the negative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Irvine and Ryan.

Salt Lake City, Utah, Feb. 13, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 101, by Mrs. Kinney, entitled, "An act authorizing retirement allowances to faculty members of the University of Utah who are seventy years of age or over and who have been in continuous service of the University for thirty years or more," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 101 was ordered printed and referred to the Committee on Education.

On motion of Senator Tebbs the Senate adjourned.

THIRTY-EIGHTH DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 14, 1923.

The Senate was called to order at 1:00 p. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Thirty-Seventh Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Committee on Enrolling and Engrossing, to which was referred S. B. No. 3, by Mr. Candland, entitled "An act to amend Section 890,(342), 891(343), 893(345) and 895 (347), and re-enacting Sections 892, 894, 896, 897, 898 and 899, Title 19, Chapter 1, Compiled Laws of Utah, 1917, relating to Corporations not for pecuniary profit, and inserting Section 892X, so as to provide for a central or state-wide association and for local associations and for the cooperation thereof," returns the same herewith and reports that it has had a copy of the bill carefully engrossed which is now ready for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 3 was signed by the President in the presence of the Senate and transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred S. B. No. 86, by Mr. Jenkins, entitled, "An act permitting the establishment of branch banks, stating how and by whom organized, and providing a penalty

for the violation of the provisions of this act," begs leave to report that it has considered the same and returns it herewith, and recommends that it be not passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

On motion of Senator Jenkins the report was adopted and the bill rejected.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was re-committed S. B. No. 44, by Mr. Dixon, entitled, "An act amending Sections 2, 6, 14 and 16, of Chapter 110, Session Laws of Utah, 1921, also adding and enacting two additional Sections to be known as Sections 14A and 14B, begs leave to report that it has further considered the same and recommends that it be passed with the following amendments:

Page one, line one, add the words "Section One."

Page three, line 17, insert parenthesis after the word "shall".

Underline all the matter in Sections 14A and 14B on page three and four.

Change the number of Section 14A to 14X and the number of Section 14B to Section 14X1.

Change the title and Section one to agree with this latter change.

Page four, line 29, insert parenthesis after the article "a", strike the word "felony" insert in lieu thereof the word "misdemeanor".

Page five, line one, strike the words "or state prison".

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 44 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 13, 1923.

To the Senate:

I am directed to inform your honorable body that the Governor has this day approved and transmitted to the office of the Secretary of State, H. B. No. 73, by Mr. Finlinson, entitled, "An act amending Section 21, Chapter 68, Session Laws of Utah, 1919, relating to the levying and collection of taxes of irrigation and water conservation districts."

Respectfully,
E. L. CROPPER,
Chief Clerk,

Communication filed.

On motion of Senator Kinney S. B. No. 38 was recommitted.

INTRODUCTION OF BILLS

S. B. No. 107, by Mrs. Kinney, "An act amending Section 5528, Compiled Laws of Utah, 1917, for the purpose of authorizing the Board of Regents of the University of Utah to assist the Faculty and other Teachers of the University in purchasing old age annuities," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 108, by Mr. Standish, "An act making unlawful the bartering, selling or offering for sale of Cigarettes or Cigarette Papers in the State of Utah without a permit, providing for the granting, issuance and revocation of permits therefor, fixing the license fees for such permits and requiring a bond as a condition to the issuance thereof; providing for a stamp tax and stamps on all cigarettes, cigarette papers or wrappers and tubes sold in the State of Utah, declaring unlawful the making, altering, forging or counterfeiting of any such license or stamp, or having possession thereof, knowing the same to be forged, counterfeited, spurious or altered; prohibiting the furnishing of cigarettes or cigarette papers or wrappers to minors; declaring to be a nuisance any building or place used for the sale or keeping for

sale of cigarette papers or wrappers in violation of the provisions of this act; providing penalties for the enforcement of the provisions of this act, and repealing Sections 1, 2, 3, 5 and 6, of Chapter 145, Sessions Laws of Utah for 1921," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 109, by Mr. Irvine, "An act to amend Section 1271, Compiled Laws of Utah, 1917, as amended by Chapter 17, Session Laws of Utah, 1919, relating to the annual license tax of foreign and domestic corporations," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 110, by Mr. Irvine, by request, "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto," was read the first time and referred to the Committee on Revision and Printing.

S. B. 111, by Mrs. Kinney, "An act amending Section 1790, Chapter 8, Compiled Laws of Utah, 1917, relating to powers of courts respecting conduct of proceedings, by adding thereto sub-Section 10," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 112, by Mr. Hirschi, "An act repealing Title 91, including Sections 4775 to 4853, both inclusive, Compiled Laws of Utah, 1917, creating a Public Utilities Commission, defining public utilities, prescribing the powers and duties of the Commission and the duties of Public Utilities, providing penalties for violations of provisions of the act," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 113, by Mr. Ryan, "An act creating a Commission to erect a monument commemorating the heroism of the early settlers in the territory of Utah, who made the trip from the Missouri river to Salt Lake City by handcarts," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 114, by Mrs. Kinney, "An act to amend Section 6533, Compiled Laws of Utah, 1917, providing for change of venue. Grounds for change of venue, and

adding another subdivision to be known as No. 6, making provisions for change of venue by reason of prejudice and bias of justice," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 115, by Mr. Cottrell, "An act enlarging the definition of a lottery, and enumerating the persons, and the scheme or schemes, and the act or acts which shall constitute operating a lottery and providing a penalty therefor," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 116, by Mrs. Kinney, "An act creating a Commission to provide a statue of Indian Chief Washakie," was read the first time and referred to the Committee on Revision and Printing.

S. C. M. No. 5, by Mr. Ryan, "Memoralizing Congress to enact H. B. No. 10,861 was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 117, by Mr. Jenkins, "An act amending Section 3114 of Title 49, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921, relating to the Industrial Commission, the State Insurance Fund and Workmen's Compensation," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 118, by Mr. Irvine, "An act providing for a fund for disabled and retired employees of the State Prison; also providing for its administration, allowance and payment," was read the first time and referred to the Committee on Revision and Printing.

SPECIAL ORDER

S. B. No. 55 on second reading.

On motion of Senator Kinney S. B. No. 55 was recommitted.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 73 was read the third time and placed on its final passage.

S. B. No. 73 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Hirschi and Peters.

S. B. No. 73 was transmitted to the House for its action.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 102, by Mr. Jenkins, entitled, "An act relating to the Board of Trustees of the Agricultural College and the Board of Regents of the University of Utah," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 102 was ordered printed and referred to the Committee on Education.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 103, by Mr. Irvine, entitled, "An act providing for the enforcement of the laws relating to sinking fund levies and the investment of sinking funds," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 103 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Commtitee on Revision and Printing reports back S. B. No. 104, by Mr. Irvine, entitled, "An act re-

lating to the investment of sinking funds," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 104 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 105, by Mr. Funk, entitled, "An act limiting the load that may be placed upon vehicles used upon the public highways," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 105 was ordered printed and referred to the Committee on Agriculture.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Committee on Revision and Printing reports back S. B. No. 106, by Mr. Hirschi, entitled, "An act amending Section 783, Compiled Laws of Utah, 1917, relating to incorporation of towns," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 106 was ordered printed and referred to the Committee on Public Affairs.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 90 was read the second time and ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Hirschi.

S. B. No. 90 was placed on the third reading calendar.

S. B. No. 87 was read the second time.

On motion of Senator Jenkins the bill was amended as follows:

Insert "Section 1" before the word "each" in line 3, page 1.

S. B. No. 87 was then ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Hirschi.

S. B. No. 87 was placed on the third reading calendar.

Unanimous consent was received for the consideration at this time of S. B. No. 88.

S. B. No. 88 was read the second time and ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams and Hirschi.

S. B. No. 88 was placed on the third reading calendar.

H. B. No. 52 was read the second time.

Senator Tebbs moved the adoption of the Committee report.

On substitute motion of Senator Irvine H. B. No. 52 was recommitted.

On motion of Senator Candland H. B. No. 49 was recommitted.

H. B. No. 41 was read the second time and ordered read the third time on the following roll call: Ayes. 14; nays, 4; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart. Standish and Tebbs.

Those voting in the negative were: Senators Cottrell, Peters, Winder and Mr. President.

Absent and not voting: Senators Hirschi and Warnick.

H. B. No. 41 was placed on the third reading calendar.

H. B. No. 20 was read the second time.

The Committee report and the amendments recommended therein were adopted.

Senator Ryan moved to amend the bill as follows:

Page 1, line 12, insert between the words "user" and "to" the words "upon waters so distributed."

The motion was defeated.

H. B. No. 20 was then ordered read the third time on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

H. B. No. 20 was placed on the third reading calendar.

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

Senator Peters moved to amend the bill as follows:

In line 7 after the words "picture shows" insert "for educational purposes and not for profit"; after the word "dances" insert "for recreational purposes and not for profit", and after the word "concerts" insert a comma and the words "Boy Scout activities."

The motion was defeated.

On motion of Senator Irvine the enacting clause was stricken and the bill rejected.

H. B. No. 21 was read the second time.

On motion of Senator Jenkins the bill was amended as follows:

Strike the House amendment at the end of line 3, page 2, and subdivisions 3, 6, 7 and 8, Section 1201.

H. B. No. 21 was then ordered read the third time on the following roll call, Ayes, 16; nays, 1; absent, 3.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the in the negative were: Senator Cottrell.

Absent and not voting: Senators Adams, Peters and Tebbs.

H. B. No. 21 was placed on the third reading calendar.

COMMUNICATIONS FROM THE GOVERNOR

Executive Office.

Salt Lake City, Utah, Feb. 14, 1923.

To the Senate:

Herewith is transmitted to your honorable body the report of a committee appointed by me on January 16, 1923, to investigate and make recommendations relative to better co-ordination and arrangement of public health activities.

Respectfully,
CHARLES R. MABEY,
Governor.

Communication filed.

Report referred to the Committee on Public Health and Labor.

Report of Committee on Public Health Activities.

February 7, 1923,

Honorable Charles R. Mabey,
Governor,
State Capitol,
Salt Lake City, Utah.

Sir:

Your Committee, appointed January 1, 1923 to investigate and make recommendations looking toward better co-ordination and arrangement of the work pertaining to public health in the State, has to report as follows:

Our investigation has disclosed that while there is some duplication of effort, the various state agencies conducting health work have had only the best interests of

the state at heart and much good has, no doubt, been accomplished by all of the agencies, notwithstanding the duplication. The importance to our commonwealth of all health activities cannot be too highly emphasized, and we do not believe the activities should in any way be curtailed. While, no doubt, some saving to the state can be had through a better co-ordination and an elimination of duplication, however, the recommendations we have to make are in the interests of greater afficiency, and the matter of saving is not in our opinion the primary end to be sought.

In beginning our investigation, it was noted that public health activities are being conducted by the following state agencies.

1. State Department of Agriculture.
2. State Board of Education.
3. University of Utah.
4. Utah Agricultural College.
5. State Board of Health.

In addition to these five state agencies, there are at least two volunteer agencies that are doing public health work: namely, (1) Utah Public Health Association, and (2) American Red Cross.

In the course of our investigation, representatives of each of the state organizations named were interviewed and in each case the executive officer presented a written statement relative to the activities of his particular organization.

State Department of Agriculture:

It is found by law this department is charged with:

1. Performing the enforcement of the Pure Food and Drug Act, which involves the collecting and testing of samples of all foods and drugs placed for sale within the state.

2. Inspection of sanitation in hotels, including toilets, sheets, towels, and disposition of waste, etc.

3. The testing of milk.

4. Sanitary inspection of dairies, slaughter-houses, etc. To perform these various functions it requires that

there shall be employed by the State Department of Agriculture various inspectors.

State Board of Education:

This department is charged with the responsibility of teaching the school children hygiene, sanitation, and the fundamental principles of physiology and personal health. In order to more effectively promote the health of school children, there is employed in various parts of the state, public school nurses who assume joint responsibility with the state and local boards of health for the health conditions of the schools. Chapter 85 of the Session Laws of Utah of 1919, created the office of Director of Health Education and provided a course of study for the preparation of health education supervisors and school nurses. Under the provisions of this chapter, a State Director of Health Education was appointed by the State Board of Education, who also have power to fix his salary and determine his qualifications. The duties of the Director of Health Education, as outlined in the chapter referred to, require that he shall exercise supervisory control of health education in the public schools and that he shall consult and advise with local boards of education in regard to effective means of preserving the health and physical welfare of school children and of children of pre-school age. During the present school year the State Superintendent of Public Instruction, in addition to his other duties, is performing the duties of the State Director of Health Education, no appointment having been made since the resignation of Dr. Gowans at the close of the last school year. It seems to be the contention of the State Board of Education that that Board is responsible for the health of all children of school age.

University of Utah:

The University of Utah has within its organization a department of preventive medicine and hygiene, which department was created for the purpose of teaching in a popular way to the people of the state the fundamental *principals of health education. .This work is accomplished* by the head of this department who has secured, to assist

him, the services of practitioners of medicine throughout the state who give, upon request, popular health lectures. This is the only activity performed by the State University which applies directly to the citizens of the state who are not in attendance at the institution.

In addition to the above, this department contributes articles to newspapers and magazines, issues bulletins on infant welfare, and distributes large quantities of health literature furnished them by various national welfare organizations.

These activities are performed at an expense to the state of approximately $3,750.00 during the present year.

Utah Agricultural College:

The public activities undertaken by the Utah Agricultural College are a part of the work of the Department of Home Economics, which employs for this particular work a supervisor of health projects, who is a nurse trained in public health work and who goes throughout the state and organizes classes of mothers and provides for them a course of study in health and sanitation as it applies to home making. The state contributes a part of the salary and the traveling expenses of this person, and in addition there is provided certain Federal Appropriations.

State Board of Health:

Relating to the powers and duties of the State Board of Health, the statutes provide that it shall have general supervision of all matters pertaining to quarantine; shall have co-ordinate powers as a Board of Health with every local Board; and shall make such rules and regulations not contrary to law as may be deemed necessary for the preservation of public health. It shall make sanitary investigations and inquiries respecting the cause of diseases, especially of epidemic diseases, including those of domestic animals, the sanitary conditions and effects of localities, employments and circumstances on the public health; it shall have general supervision of the interests of the health of the citizens of the state. Under the supervision of the State Board of Health, the state law vests jurisdiction in local Boards of Health in all matters

pertaining to the preservation of the health of those in attendance upon the public and private schools of the state. The State Board of Health is also required to prescribe rules for making tests of school children suffering from defective sight or hearing, or diseased teeth, and shall furnish to Boards of Education and Boards of Trustees of school districts rules of instruction, test cards, blanks, and other useful appliances.

After a very careful consideration of the activities outlined above and the problems presented, we believe that the following recommendations will tend toward a more ericient and economical administration of the health program:

1. That all public health activities now being performed by the Department of Agriculture be placed under the direct administration of the State Board of Health.

2. While it is clearly the function of the State Board of Education to provide for the instruction of health education to children of school age, it is felt that the maintenance and preserving of the health of the child and the responsibility for health conditions in the schools should rest with the State Board of Health, as now provided by law.

3. All public health activities undertaken by the State University and the Utah Agricultural College should be undertaken only upon approval and in cooperation with the State Board of Health, and if necessary to provide for this approval, legislation should be enacted to cover same.

In conformity with the above recommendations, Chapter 85 of the Session Laws of 1919 creating the office of Director of Health Education should be repealed. It will also be necessary to amend the laws relating to the powers and duties of the State Department of Agriculture, and if deemed necessary prohibitive legislation should be enacted to bring the activities of the University and the Agricultural College in conformity with rules and regulations to be prescribed by the State Board of Health,

All volunteer organizations, whose activities are devoted to public health work, should function in coopera-

tion with or under the direction of the State Board of Health.

Respectfully submitted,
L. G. KELLY,
B. W. BLACK, M. D.,
CARL A. BADGER.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 3, by Mr. Candland, entitled, "An act to amed Sections 890 (342), 891 (343), 893 (345) and 895 (347), Title 19, Chapter 1, Compiled Laws of Utah, 1917, relating to corporations not for pecuniary profit, and inserting Section 892X, so as to provide for a central or state-wide association and for local associations and for the co-operation thereof," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk

Communication filed.

S. B. No. 3 was transmitted to the Governor for his action.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed S. C. M. No. 3, by Mr. Dixon, being "Relief to Settlers on United States Reclamation Projects," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk

Communication filed.

S. C. M. No. 3 was referred to the Committee on Enrolling and Engrossing.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 15, by Mr. Peters, entitled, "An act granting power to the legislative body of cities and towns to regulate and restrict the height, number of stories, and size of buildings and other structures, etc.", begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 15 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. C. M. No. 4, by Mr. Candland, entitled "A memorial to the Congress of the United States, favoring the elimination of tax exemption securities," begs leave to report that it has considered the same and a majority recommends that it be passed.

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. C. M. No. 4 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 14, 1923

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 76, by Mr. Funk, entitled, "An act to amend Section 4787, Compiled Laws of Utah, 1917, relating to the filing of schedules of rates of public utilities, refunds and free transportation, etc.", begs leave to report that it has considered the same and returns it to you withont recommendation.

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 76 was placed on the second reading calendar.

H. B. No. 34 was read the second time.

On motion of Senator McConkie H. B. No. 34 was made special order for Friday, Feb. 16th, at 3 p. m.

S. B. No. 98 was read the second time and ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Dixon.

S. B. No. 98 was placed on the third reading calendar.

On motion of Senator Warnick S. C. R. No. 3 was made special order for Wednesday, Feb. 21, at 2:30 p. m.

On motion of Senator Peters it was decided that when the Senate adjourns it will be to Thursday, Feb. 15, at 1 p. m.

S. B. No. 79 was read the second time.

The committee report and the amendments recommended therein were adopted.

On motion of Senator Peters the Senate adjourned.

THIRTY-NINTH DAY

STATE SENATE,
The Capitol,
Salt Lake City, Utah, Feb. 15, 1923.

The Senate was called to order at 1:00 p. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Thirty-Eighth day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. C. M. No. 3, by Mr. Dixon, entitled, "Relief to settlers on United States Reclamation Projects," begs leave to report that it has had a copy of said memorial carefully engrossed and herewith transmits same for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. C. M. No. 3 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 68, by Mr. Jenson, entitled, "An act providing that voluntary associations may sue, or be sued, and designating upon what person process may be served," returns the same herewith and recommends that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 68 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 83, by Mr. Funk, entitled, "An act to amend Section 1642, Compiled Laws of Utah, 1917, relating to the number of Justices of the Supreme Court; the number required to constitute a Quorum; the terms of office; the election; and the compensation of such Justices," returns the same herewith and recommends that it be not passed. Senators Candland and Tebbs dissented from

the action of the majority of the Committee and desired to have their vote expressed as being favorable to the bill.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 83 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Education to which was recommitted S. B. No. 38, by Mrs. Kinney, entitled, "An act to amend Section 5364 Compiled Laws of Utah, 1917 transferring the control of the Industrial School to the State Board of Education, begs leave to report that it has reconsidered the same and returns it herewith without recommendation.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

S. B. No. 38 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Education to which was referred H. B. No. 55, by Mrs. Graham, entitled, "An act to amend Section 4743, Compiled Laws of Utah, 1917, relating to incorrigibility, and providing for the transfer of habitually delinquent children to the State Industrial School by the superintendent of the school district with consent of the child's parents and for the transfer of the case to the Juvenile Court of the district if the child's parents refuse such consent," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

H. B. No. 55 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, S. B. No. 39, by Committee on Commerce and Industry, entitled, "An act amending Section 981X, Chapter 24, Session Laws of Utah, 1921, relating to State Banking Department by extending the provisions of said act to Savings Banks," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 39 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. No. 93, by Mr. Callister, entitled, "An act to require the installation of certain sanitary facilities in the operating rooms of theatres and moving picture houses; and providing penalties for its violation," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 93 was read the first time and referred to Committee on Public Health and Labor.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. No. 79, by Mr. Naylor, entitled, "An act to amend Sections 1,

2, 4, and 6, of Chapter 42, Session Laws of Utah, 1919, relating to voting of absent electors," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 79 was read the first time and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 14, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. No. 74, by Mr. Rowan, entitled, "An act to amend Sections 7, 9 and 10, Chapter 23, of the Session Laws of Utah, 1921, relating to the liquidation of banks," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 74 was read the first time and referred to the Committee on Judiciary.

PRESENTATION OF PETITIONS

S. P. No. 14, a petition from farmers of Duchesne county urging toward the providing of rail transportation from the West into Uintah Basin was read and referred to the Committee on Public Affairs.

INTRODUCTION OF BILLS

S. B. No. 119, By Mr. Hirschi, "An act amending Section 5979, Compiled Laws of Utah, 1917, relating to remission of taxes," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 120, by Mr. Jenson, "An act amending Section 892, of Title 19, Chapter 1, of the Compiled Laws of Utah, 1917, relating to corporations organized not for

pecuniary profit," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 121, by Mr. Jenson, "An act to require the teaching of the Constitution of the United States and of this State, including the study of and devotion to American institutions and ideals in all the Public Schools and Colleges," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 122, by Mr. Adams, "An act making it mandatory on County Commissioners to appropriate a definite proportion of money raised for road purposes by general or special taxes upon property within the corporate limits of cities and towns for use upon the public roads within the corporate limit of such Cities and Towns within the Counties," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 123, by Mr. McConkie, "An act appropriating fifteen thousand dollars for road building from Bluff, Utah, to the oil fields in San Juan County, Utah, and providing for the expenditure thereof under the direction and supervision of the County Commissioners," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 124, by Mr. Funk, "An act to amend Section 2852, Compiled Laws of Utah, 1917, as amended by Chapter 61, Session Laws of Utah, 1921, relating to the powers and duties of the State Road Commission, and repealing Section 2850X, Session Laws of Utah. 1921 relating to the appointment, salary and term of office of a State Road Engineer," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 125, by Mr. Irvine, "An act to amend Section 9405, Compiled Laws of Utah, 1917, relating to the extradition of fugitives from this State and the payment of the expenses for such extradition," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 126 by Mr. Winder, "An act to amend Section 2857, Compiled Laws of Utah, 1917, as amneded by Chapter 57, Session Laws of Utah, 1919, relating to the

powers of County Commissioners to levy taxes for County road purposes and Special Taxes for State Road purposes, and to the powers of Cities to levy special taxes for State road puroses within such cities; providing for the collection and distribution of such taxes; providing for reports, and providing for certain limitations in the amounts to be levied," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 127, by Mr. Candland, "An act creating a State Board of Supplies and Purchase, defining its powers and duties, making appropriation for necessary expense, and repealing Sections 1,3,4,5,6,7,8,9,10 and 11 of Chapter 127, Session Laws of Utah, 1921," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 128, by Mr. Irvine, by request, "An act amending Section 6015, Chapter 119, Session Laws of Utah, 1919, relating to delinquent taxes," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 90 was read the third time and placed on its final passage.

Senator Dixon moved to amend the bill as follows:

Strike "old or worn clothing" in line 12, page 3.

The motion was defeated.

S. B. No. 90 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senator Winder.

S. B. No. 90 was transmitted to the House for its action.

S. B. No. 87 was read the third time and placed on its final passage.

On motion of Senator Peters the bill was amended as follows:

In line 1 of the title and line 1 of the bill insert before the word "Chapter" the words "Section 4,"; strike the last 23 lines on page 1 and the first 3 lines on page 2; change the "5" in line 9, page 2 to "2".

S. B. No. 87 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senator Winder.

S. B. No. 87 was transmitted to the House for its action.

Petitions relating to legislation afecting the healing arts, with approximately 50,000 signatures were presented by Senator Tebbs and referred by the President to the Committee on Public Health and Labor.

S. B. No. 88 was read the third time and placed on its final passage.

S. B. No. 88 then passed on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Hirschi.

Absent and not voting: Senator Tebbs.

S. B. No. 88 was transmitted to the house for its action.

H. B. No. 41 was read the third time and placed on its final passage.

Senator Jenkins moved to amend the bill as follows:

In line 13 change "nine hundred" to "seventy-five" and "annum" to "month".

An amendment to the amendment offered by Senator Peters changing "seventy-five" to "fifty."

The amendment to the amendment was defeated.

The amendment carried.

H. B. No. 41 was rejected on the following roll call: Ayes, 10; nays, 8; absent, 2.

Those voting in the affirmative were: Senators Adams Fuller, Funk, Irvine, Jenkins, Jenson, McConkie Smart, Standish and Warnick.

Those voting in the negative were: Senators Candland, Cottrell, Hirschi, Kinney, Peters, Ryan, Winder and Mr. President.

Absent and not voting: Senators Dixon and Tebbs.

H. B. No. 20 was read the third time and placed on its final passage.

H. B. No. 20 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Dixon and Tebbs.

H. B. No. 20 was returned to the House for its further action.

H. B. No. 21 was read the third time and placed on its final passage.

H. B. No. 21 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Tebbs and Funk.

H. B. No. 21 was returned to the House for its further action.

S. B. No. 98 was read the third time and placed on its final passage.

Senator Warnick moved to amend the bill as follows:

Add after the ward "may" in line 12, page 1 the words "upon the petition of not less than one hundred taxpayers."

The motion carried.

Senator Hirschi moved to change the "3" in line 11, page 1, to "2."

The motion was defeated.

S. B. No. 98 then passed on the following roll call: Ayes, 17; nays, 2; absent, 1.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative: Senators Irvine and Kinney.

Absent and not voting: Senator Candland.

S. B. No. 98 was transmitted to the House for its action.

SPECIAL ORDER

Consideration of S. B.s 25, 53, 67 and 100 on second reading.

S. B. No. 25 was read the second time.

On motion of Senator Irvine all rules conflicting with the conjoint consideration of Senate Bills 25, 53, 67 and 100 were suspended.

S. B.s 53, 67 and 100 were read the second time.

Committee report recommendations covering technical amendments to S. B. No. 100 were adopted.

Consideration of amendment recommended in line 24, page 4, in the Committee report.

An amendment to the amendment was offered by Senator Irvine as follows:

In line 24, page 4, after the word "of" insert "not less than three thousand dollars (3,000) nor more than."

The amendment to the amendment was defeated.

An amendment to the amendment was offered by Senator Peters as follows:

In line 24, page 4, change "three" to "thirty-six" and "(3,000.00)" to "(3,600.00)".

The amendment to the amendment was defeated.

The amendment was adopted.

Consideration of amendments recommended in lines 1, 2, 3 and 7, page 5.

The amendments were adopted.

On motion of Senator Irvine it was decided that when the Senate adjourns it will be to Friday, Feb. 16th, to 2 p. m.

At the request of Senator Cottrell, and with the consent of the author action on S. B. No. 78 which was special order for Friday, Feb. 16, at 2:30 p. m. was deferred one day.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 75, by Mr. Mozley, entitled, "An act relating to the placing of any form of advertising along public highways, or on any part of the public domain excepting as provided herein and providing for the removal of such form or forms of advertising now in place, penalties for violations thereof, etc" and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 75, was read first time and referred to Committee on Public Affairs.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House is this day advised by his Excellency, the Governor that he has approved and transmitted to the office of the Secretary of State H. B. No. 25, by Mr. Pettit, entitled, "An act to amend Section 3925, Compiled Laws of Utah, 1917, relating to the certificates for mining boss or fire boss,, and H. B. No. 66, by Mrs. Lyman, entitled, "An act to amend Section 570X15, Compiled Laws of Utah, 1917, relating to con-

struction of waterworks by cities and the jurisdiction of cities over watersheds, streams, reservoirs, canals and lands."

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 15, 1923

Mr. President:

I am instructed to inform your Honorable Body the Speaker of the House has this day signed, in open session, S. C. M. No. 3, by Mr. Dixon, "Relief to settlers on United States Reclamation projects" and the same is herewith returned to be transmitted to His Excellency, The Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. C. M. No. 3 was transmitted to the Governor for his action.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

I am instructed to inform your Honorable Body the House has this day stricken the enacting clause in S. B. No. 49, by Mr. Funk, entitled, "An act to amend Section 279, Compiled Laws of Utah, 1917, as amended by Chapter 4, Laws of Utah, 1921, relating to licensed architects" and the same is herewith returned to your Honorable Body.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed, H. B. No. 88, by Mrs. Lyman, entitled, "An act accepting the provisions

of an act of congress, entitled, "An act for the promotion of the welfare and hygiene of maternity and infancy, and other purposes" etc, and the same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 88 was read first time and referred to Committee on Public Health and Labor.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed, H. B. No. 23, by Mr. Constantine, entitled, "An act revising and amending Section 8975, of Chapter 33, Title 120, Compiled Laws of Utah, 1917, relating to the order of trial in criminal procedure" and the same is herewith transmitted to your Honorably Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 23 was read the first time and referred to Committee on Judiciary.

Salt Lake City, Utah, February 15, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 58, by Mr. McKell, entitled, "An act providing for the auditing of accounts of cities, counties and school districts" and the same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,

Communication filed.

H. B. No. 58 was read first time and referred to Committee on Public Affairs.

COMMUNICATIONS FROM THE GOVERNOR

State of Utah,
Executive Office
Salt Lake City, Utah, February 15, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 3, by Mr. Candland, entitled, "An act to amend Sections 890 (342), 891 (343), 893 (345) and 895 (347), and re-enacting Sections 892, 894, 896, 897, 898 and 899, Title 19, Chapter 1, Compiled Laws of Utah, 1917, relating to corporations not for pecuniary profit, and inserting Section 892X, so as to provide for a central or state-wide association and for local associations and for the co-operation thereof."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, February 15, 1923.

Mr. President:

Your Comittee on Engrossing and Enrolling to which was referred S. B. No. 39, by Committee on Commerce and Industry, entitled, "An act amending Section 981X, Chapter 24, Session Laws of Utah, 1921, relating to State Banking Department by extending the provisions of said act to savings banks," begs leave to report that it has had a copy of said bill carefully engrossed and herewith transmitts same for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman,

Communication filed.

S. B. No. 39 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Revision and Printing report S. B. No. 115, by Mr. Cottrell, entitled, "An act enlarging the definition of a lottery, and enumerating the persons, and the scheme or schemes, and the act or acts which shall constitute operating a lottery and providing a penalty therefor," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 115 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 114, by Mrs. Kinney, entitled "An act to amend Section 6533, Compiled Laws of Utah, 1917, providing for change of venue. Grounds for change of venue, and adding another subdivision to be known as No. 6, making provisions for change of venue by reason of prejudice and bias of Judge," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 114 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 113, by Mr. Ryan, entitled, "An act creating a commission to erect a monument commemorating the heroism of the early settlers in the territory of Utah, who made the trip from the Missouri River to Salt Lake City by handcarts," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 113 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 112, by Mr. Hirschi, entitled, "An act repealing Title 91, including Sections 4775 to 4853, both inclusive, Compiled Laws of Utah, 1917, creating a Public Utilities Commission, defining Public Utilities, prescribing the powers and duties of the commission and the duties of Public Utilities, providing penalties for violations of provisions of the act," without change.

Respectfully,

PERRY B. FULLER,

Chairman.

S. B. No. 112 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 111, by Mrs. Kinney, entitled, "An act amending Section 1790, Chapter 8, Compiled Laws of Utah, 1917, relating to powers of courts respecting conduct of proceedings, by adding thereto sub section 10" without change.

Respectfully,

PERRY B. FULLER,

Chairman.

S. B. No. 111 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 109, by Mr. Irvine, entitled, "An act to amend Section 1271, Compiled Laws of Utah, 1917, as amended by Chapter 17, Session Laws of Utah, 1919, relating to the annual license tax of foreign and domestic corporations," without change.

Respectfully,

PERRY B. FULLER,

Chairman.

S. B. No. 109 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 107 by Mrs. Kinney, entitled, "An act amending Section 5528, Compiled Laws of Utah, 1917, for the purpose of authorizing the Board of Regents of the University of Utah to assist the faculty and other teachers of the University in purchasing old age annuities" without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 107 was ordered printed and referred to the Committee on Education.

On motion of Senator Peters the Senate by unanimous consent took up the separate consideration of S. B. No. 100.

Senator Tebbs moved to amend the bill as follows: Strike the underscored matter in Lines 11 to 15, inclusive Page 3, and insert the following between Lines 6 and 7 Page 3.

"For the practice of chiropractic, which is defined to be the science of palpating and adjusting the articulations of the spinal column by hand only, five chiropractors, graduates of reputable schools of Chiropractic, each of whom is now and for the past three years next preceding his appointment has been engaged in this State in the practice of chiropractic and no other method or system of treating human ailments.

The examinations shall be in the basic subjects required for graduation by the duly recognized schools of chiropractic.

Any person who is engaged in the practice of chiropractic in this State at the time of the passage of this act and who holds a diploma or degree from a regularly chartered college or school of chiropractic whose requirements for graduation are not less than those re-

quired for graduation by the duly recognized college of chiropracitc for that year, upon presenting his diploma to the Director of the Department of Registration within sixty days after March 14, 1923, shall be entitled to receive a license to practice chiropractic in the State, and any person who does not hold a diploma or degree from a regularly chartered college or school of chiropractic, but who is engaged in the practice of chiropractic in this State, and who has been so engaged for not less than fifteen years prior to the passage of this act, shall be entitled to a license upon passing to the satisfaction of the Board of Chiropractic examiners, a clinical examination, within ninety days after March 14, 1923."

On motion of Senator Candland the Senate adjourned.

FORTIETH DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 16, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the Thirty-Ninth Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. C. M. No. 5, by Mr. Ryan, "Memoralizing Congress to enact H. B. No. 10861," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. C. M. No. 5 was ordered printed and referred to the Committee on Agriculture.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S.B . No. 108, by Mr. Standish, entitled "An act making unlawful the bartering, selling or offering for sale of cigarettes or cigarette papers in the State of Utah without a permit, etc.", without change.

Respectfully,

PERRY B. FULLER,
Chairman.

Four hundred copies of S. B. No. 108 were ordered printed and the bill referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 110, by Mr. Irvine, entitled, "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 110 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 116, by Mrs. Kinney, entitled, "An act creating a commission to provide a statue of Indian Chief Washakie," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 116 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 117, by Mr. Jenkins, entitled "An act amending Section 3114 of Title 49, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921, relating to the Industrial Commission, the State Insurance Fund and Workmen's Compensation," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 117 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 118, by Mr. Irvine, entitled, "An act providing for a fund for disabled and retired employees of the State Prison; also providing for its administration, allowance and payment," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 118 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 119, by Mr. Hirschi, entitled, "An act amending Section 5979, Compiled Laws of Utah, 1917, relating to remission of taxes," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 119 was ordered printed and referred to Committee on Judiciary.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 120, by Mr. Jenson, entitled, "An act amending Section 892, of Title 19, Chapter 1, of the Compiled Laws of Utah, 1917, relating to corporations organized not for pecuniary profit," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 120 was ordered printed and referred to Committee on Judiciary.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 121, by Mr. Jenson, entitled, "An act to require the teaching of the Constitution of the United States and of this State, including the study of and devotion to American institutions and ideals in all the public schools and colleges," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

On motion of Senator Jenson the enacting clause was stricken on S. B. No. 121 and the bill rejected.

Salt Lake City, Utah, Feb. 16, 1923

Mr President:

Your committee on Revision and Printing report back S. B. No. 122, by Mr. Adams, entitled, "An act making it mandatory of county commissioners to appropriate a definite proportion of money raised for road purposes by general or special taxes upon property within the corporate limits of cities and town, etc.", without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 122 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 123, by Mr. McConkie, entitled, "An act appropriating fifteen thousand dollars for road building from Bluff, Utah, to the oil fields in San Juan County, Utah, and providing for the expenditure thereof under the direction and supervision of the county commissioners," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 123 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 124, by Mr. Funk, entitled, "An act to amend Section 2852, Compiled Laws of Utah, 1917, as amended by Chapter 61, Session Laws of Utah, 1921, relating to the powers and duties of the State Road Commission and repealing Section 2850X of Chapter 61, Laws of Utah, 1921, relating to the appointment, salary and term of office of a State Road Engineer," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 124 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 125, by Mr. Irvine, entitled "An act to amend Section 9405, Compiled Laws of Utah, 1917, relating to the extradition of fugitives from this State and the payment of the expenses for such extradition", without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 125 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 126, by Mr. Winder, entitled, "An act to amend Section 2857, Compiled Laws of Utah, 1917, as amended by Chapter 57, Laws of Utah, 1919, relating to the powers of County Commissioners to levy taxes for County Road purposes and special taxes for State Road purposes, etc.", without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 126 was ordered printed and referred to the the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 128, by Mr. Irvine, entitled, "An act amending Section 6015, Chapter 119, Session Laws of Utah, 1919, relating to delinquent taxes," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 128 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Public Health and Labor to whom was referred H. B. No. 88, by Mrs. Lyman, entitled, "An act accepting the provisions of an act of Congress entitled 'An act for the promotion of the welfare and hygiene of maternity and infancy, and other purposes,' approved November 23rd, 1921, desigating the bureau of child hygiene as the state agency with which the federal bureau shall cooperate," begs leave to report that after

due and careful consideration of the same they return it herewith and recommend that it be passed.

Respectfully,
H. N. STANDISH,
Chairman.

Report filed.

H. B. No. 88 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your Committee on Public Health and Labor to whom was referred H. B. No. 93, by Mr. Callister, entitled, "An act to require the installation of certain sanitary facilities in the operating rooms of theatres and moving picture houses; and providing penalties for its violation," begs leave to report that after due and careful consideration of the same they return it herewith and recommend that it be not passed.

Respectfully,
H. N. STANDISH,
Chairman.

Report filed.

H. B. No. 93 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

Your committee on Agriculture to which was referred S. B. No. 95, by Mr. Ryan, entitled, "An act amending Section 95 (57), Compiled Laws of Utah, 1917, relating to cattle on the public range," begs leave to report that it has considered the same and returns it to you with the recommendation that it be passed with the following amendment:

Line 3, after the word "unlawful" insert "after April 1, 1924."

Respectfully,
W. D. CANDLAND,
Vice Chairman.

Report filed.

S. B. No. 95 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session S. B. No. 39 by Committee on Commerce and Industry, entitled "An act amending Section 981X, Chapter 24, Session Laws of Utah, 1921, relating to State Banking Department by extending the provisions of said act to Savings Banks," and the same is herewith returned to your honorable body to be transmitted to His Excellency, the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 39 was transmitted to the Governor for his action.

Salt Lake City, Utah, Feb. 16, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. No. 61, by Mr. Hollenbeck, entitled, "An act amending Section 6018, Compiled Laws of Utah of 1917, and the amendment thereto, being Chapter 121 of the Laws of Utah of 1919, relating to the sale of property for delinquent taxes," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 61 was read the first time and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

I am instructed to inform your honorable body that the House his this day passed H. B. No. 89, by Mr. Wilkins, entitled, "An act amending Section 548, of Title

16, Chapter 2, Compiled Laws of Utah, 1917, relating to vacancies in City Council and how filled," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 89 was read the first time and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 15, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 111, by Committee on Judiciary entitled "An act to amend Section 8046 of Chapter 18, Title 119, Compiled Laws of Utah, 1917, relating to attempts to kill," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 111 was read the first time and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 129, by Mr. Jenson "An act to amend Section 2511, Compiled Laws of Utah, 1917, relative to fees of the Secretary of State," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 130, by Mr. Jenson, "An act to amend Sections 945, 958, 1142, 1271 and 1274, Compiled Laws of Utah, 1917, as amended by Chapter 17, Laws of Utah 1919, relating to foreign and domestic corporations, and adding a new section to be known as Section 945X," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 131, by Mr. Funk, "An act to amend Section 177, of Chapter 2, Session Laws of Utah 1921, relat-

ing to livestock," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 132, by Mr. Irvine, "An act to amend Section 7720, of the Compiled Laws of Utah, 1917," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 133, by Mr. Irvine, "An act to amend Section 6848, Compiled Laws of Utah, 1917, relating to judgment on dismissal or nonsuit," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 134, by Mr. Irvine, by request, "An act amending Section 4406, Compiled Laws of Utah, 1917, as amended by Chapter 90, Laws of Utah, 1921, relating to licensing registered pharmacists," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 135, by Mr. Irvine, by request, "An act amending Chapter 81, Laws of Utah, 1919, relating to the registration of pharmacists, drug stores and places of business where drugs are sold, and adding new sections requiring pharmacies and drug stores at all times to be in charge of registered pharmacists and permitting places of business located more than three miles from a registered pharmacy or drug store to sell certain drugs and poisons in original packages and making it unlawful to sell drugs, medicines or poisons except at places authorized in this act," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 136, by Mr. Dixon, "An act to provide for the transfer of school funds from one district to another was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 137, by Mr. Dixon, "An act making it unlawful to sell, or keep for sale alcohol which has been denatured with bichloride of mercury, or any corrosive sublimate," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 138, By Mr. Funk, "An act to amend Section 9045, Compiled Laws of Utah, 1917, relating to the issuance of a bench warrant on application of the district

attorney," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 139, by Mr. Funk, "An act to amend Sections 8676, 8779 and 8780, Compiled Laws of Utah, 1917, relating to the preparation of the information, filing of the information, and the refusal of the district attorney to file the information," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 140, by Mr. Funk, "An act to amend Section 1955, Compiled Laws of Utah, 1917, relating to the duties of the attorney general, the district attorney and the county attorney to render legal assisance to the state dairy and food commissioner," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 141, by Mr. Funk, "An act to amend Sections 3085 and 3157, Compiled Laws of Utah, 1917, relating to the powers and duties of the attorney general, district attorney and the county attorney to prosecute actions for the State Industrial Commission," was read the first time and referred to the Committee on Revision and Priniting.

S. B. No. 142, by Mr. Funk, "An act to amend Section 9348, Compiled Laws of Utah, 1917, relating to the dismissal of an action, information or indictment, on motion of court or district attorney," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 143, by Mr. Funk, "An act to amend Section 3209, Compiled Laws of Utah, 1917, relating to the duties of the court and the district attorney, in regard to the collection of inheritance taxes," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 144, by Mr. Funk, "An act to amend Section 5402, Compiled Laws of Utah, 1917, relating to the custody, examinations and applications in behalf of alleged insane persons for entrance to the State Mental Hospital, and providing for a legal representative of the

state to be present," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 145, by Mr. Funk, "An act to amend Sections 5075, Compiled Laws of Utah, 1917, relating to the mileage of district judges and district attorneys," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 146, by Mr. Funk, "An act to amend Section 4839, Compiled Laws of Utah, 1917, relating to the provisions for the enforcement of the constitution and statutes of this state affecting public utilities and providing that the attorney general and the district attorney shall aid in such enforcement," was read the first time and referred to the Committee on Revission and and Printing.

S. B. No. 147, by Mr. Funk, "An act to amend Section 2861, Compiled Laws of Utah, 1917, relating tothe legal advisors of the State Road Commission," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 148, by Mr. Funk, "An act to repeal Sections 5773 and 5774, Compiled Laws of Utah, 1917 relating to the office of deputy district attorney, qualification and bond," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 149, by Mr. Funk, "An act to repeal Sections 5757, 5758, 5759, 5760, 5761, 5762, 5763, 5764, 5765 5766, 5767, 5768, 5769, 5770, 5771 & 5772, Compiled Laws of Utah, 1917, relating to the office of District Attorney, election qualifications, duties, reports and compensation," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 150, by Mr. Funk, "An act to amend Section 9284, Compiled Laws of Utah, 1917, relating to the definition of subpoena, and defining who may issue such subpoena," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 151, by Mr. Funk, "An act to amend Section 8814, Compiled Laws of Utah, 1917, relating to the advis-

ing of grand juries by the court and the district attorney and providing for the exclusion of persons," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 152, by Mr. Funk, "An act to amend Section 3360, Compiled Laws of Utah, 1917, relating to the enforcement of an act prohibiting the manufacture and use of intoxicating liquor, and regulating the sale and traffic therein," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 153, by Mr. Funk, "An act to amend Section 3374, Compiled Laws of Utah, 1917, relating to the powers and duties of prosecuting attorneys to bring actions for the enforcement of an act prohibiting the manufacture and use of intoxicating liquors, and regulating the sale and traffic therein, and providing for the serving of subpoenas, taking of testimony of witnesses and providing penalties," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 154, by Mr. Jenkins, "An act permitting the withdrawal by the surviving husband, wife or children of bank deposits of deceased depositors; prescribing the procedure for so doing; fixing a penalty for false affidavits in connection therewith, and for other purposes," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 155, by Mr. Jenkins, "'An act amending Section 2763 of the Compiled Laws of Utah, 1917, prohibiting compulsory vaccination of any child or person, and providing for exclusion of unvaccinated children from public school during smallpox epidemic," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 156, by Mr. McConkie, "An act appropriating $595.03 to reimburse San Juan County for money spent under contract with the State to eradicate rodents on State lands," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 157, by Mr. McConkie, "An act amending Section 5993, Compiled Laws of Utah, 1917, relating to

tax levies,'' was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 158, by Mr. McConkie, ''An act concerning state parks, designating the State Fish and Game Commission to act as a State Park Commissioner and authorizing the acquiring of estates and properties real or personal, authorizing the management and maintenance of the same, authorizing Counties, cities and towns to appropriate money or convey property to State Parks, authorizing the construction and maintenance of roads and trails, authorizing the erection of buildings, the development of water power, leasing lands, issuing licenses for camping privileges, and prescribing regulations relating thereto; authorizing the establishing and maintaining of utilities, granting power to make agreements with the United States government or certain of its departments, to grant franchises, make and publish rules, affix penalties, and designating the authority of officers and employees'' was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 159, by Mr. Fuller, ''An act to designate a State Road,'' was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 160, by Mr. Irvine, (by request) ''An act authorizing the Governor, in cases of emergency or necessity, to assume control of available supplies of coal, coal mines, and means of transportation and distribution thereof; to mine, sell and distribute coal in such cases; to govern the price thereof; and making the interference with or violation of the regulations and operations for the mining and distributing coal a crime, and providing penalties therefor,'' was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 161, by Mr. Irvine, ''An act amending Section 7441, Compiled Laws of Utah, 1917, relating to the issuance and services of summons from Justice's Courts, and providing for dismissal of actions in which summons is not served within one year from the commencement of the action, and providing further, that actions so dismissed do not toll the statute of limita-

tions," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 162, by Mrs. Kinney, "An act amending Section 3960, Laws of Utah, 1917, relating to providing funds for the support of dependent mothers," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 163, by Mr. Hirschi, "An act to amend Sections 5867, 5868 and 5871, Compiled Laws of Utah, 1917, relating to the taxation of shares of stock of banks, banking, loan, trust and guaranty associations and investment banks and brokerage companies; providing for reports by the cashier or other accounting officer of such banks, associations or companies; providing for deductions, and providing that such banks, associations or companies shall pay the tax levied upon such shares of stock," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 164, by Mr. Warnick, (by request) "An act repealing Chapter 38, Laws of Utah, 119, defining the term "Agricultural seeds;" regulating the sale of the same within the State; providing for the labeling thereof; providing a penalty for violations, and specifying the duties of enforcing officers," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 165, by Mr. Winder, "An act to repeal Chapter 85, of Session Laws of Utah, 1919, relating to Health Education," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 166, by Mr. Winder, "An act amending Sections 368, 370 and 373, Compiled Laws of Utah, 1917, as amended by Chapter 5, Laws of Utah, 1921, relating to the licensing and regulation of barbers and barber schools," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 167, by Mr. Peters, "An act amending Section 360X as added to title 19, Compiled Laws of Utah, 1917, by Chapter 22, Session Laws of Utah, 1921, relating to corporations," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 168, by Mr. Peters, "An act providing for two sets of judges of election in election districts where at the general election next preceding there were more than on hundred votes cast for the office of governor, providing for duplicate ballot boxes in such cases and the counting of ballots, and declaring it unlawful for any election officer to divulge information concerning the count, or for any other person to intentionally ascertain or attempt to ascertain progress of the count before the close of the polls, and providing a penalty therefor, and providing for the making of returns by two sets of election officers, and adding to Chapter 6, of title 27, Compiled Laws of Utah, 1917, to be known as Section 2214X, and amending Section 2222, Compiled Laws of Utah, for 1917, relating to the counting of votes and the disposal of excess ballots," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 169, by Mr. Candland, (by request), "An act to provide for the disposition of moneys paid to banks, corporations, associations, firms or persons on debts, either secured or unsecured, which have been sold, discounted, hypothecated, pledged or otherwise dispsod of, and providing a penalty for the failure of such bank, corporation, association, firm or person to comply with the provisions of this act," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 170, by Mr.McConkie, "An act amending Section 6408, Compiled Laws of Utah, 1917, relating to succession in absence of will and of marriage contract," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 171, by Mr. McConkie, "An act to amend Section 5765, Compiled Laws of Utah, 1917, relating to powers of district attorneys to employ clerk," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 172, by Mr. McConkie, "An act amending Chapter 93, Laws of Utah, 1919, amended by Chapter 108, Laws of Utah, 1921," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 173, by Mr. Peters, "A bill to amend Sections 1062, 1064, 1072, 1074, 1076 of Chapter 8, title 16, of Compiled Laws of Utah, relating to cooperative banks for personal credits, and adding thereto a new section designated as Section 1082X, of said Chapter and Compiled Laws," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 174, by Mr. Dixon, "An act amending Section 2852, Compiled Laws of Utah, 1917, as amended by Chapter 61, Laws of Utah, 1921," was read the first time and referred to the Committee on Revision and Printing.

S. B No. 175, by Mr. Cottrell, (by request) "An act to amend Sections 3972, 3974, 3980 and 3981, of the Compiled Laws of Utah, 1917, and to amend Section 3974, Compiled Laws of Utah, 1917, as amended by Section 3974, Laws of Utah, 1919, providing for making application for license of motor vehicles and motorcycles, filing of bonds, issuance of license number plates: loss of plates, transfer of ownership, change of residence, chauffeur's bonds and licenses," was read the first time and referred to the Committee on Revision and Printing.

S B. No. 176, by Mr. Winder, (by request) "An act to amend Chapter 25, of title 119, of the Compiled Laws of Utah, 1917, by enacting an additional section to be known as Section 8099X, defining the terms prostitution and prostitute," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON SECOND READING

Consideration of S. B. No. 100.

Senator Tebbs withdrew his amendment offered Feb. 15th and moved to amend as follows:

Page 3, between line 6 and 7 insert the following:

"For Chiropractic, which is defined as the science of palpating and adjusting the articulations of the spinal column by the hands only, five chiropractors duly licensed and engaged in the practice of chiropractic and no other system or method of treating human ailments."

Page three ,line 12, after the word "surgery" and before the word "two" insert the following words "except as otherwise provided.

Amendment to the amendment offered by Senator Candland as follows:

Page 3, line 8, strike "five," insert "three."

Page 3, line 12, strike "two," insert "one."

Page 3, line 14, strike "three" insert "two."

Page 3, line 16, strike "five" insert "three." Strike "each."

Page 3, line 17, strike "one" insert "two."

Page 3, line 19, insert "and one medical practitioner" at end of line.

Page 3, line 20, strike "three" insert "two." Strike "each" and insert "two."

Page 3, line 23, add "and one medical practitioner" at end of line.

Page 3, line 24, strike "five" insert "two."

Page 3, line 25, add "and one medical practitioner" at end of line.

The amendment to the amendment was defeated.

The amendment carried.

On motion of Senator Dixon the bill was amended as follows:

Page 2, line 13, add after authorities "provided that appeal to the courts may be had."

Page 3, line 11, after syllable "ing" change the semicolon to a period and add the following paragraph, "For the Osteopathic physician or the Osteopathic physician and surgeon, three members each of whom shall be a graduate of a regularly chartered college of Osteopathy in good standing and licensed in this state," Start word "for" with a capital letter, making new paragraph.

Page 4, line 27, insert "State" before word "board."

Page 5, line 6, strike "any" and insert "the professional." Line 7, strike "has become," substitute "is." Line 27, strike "s" from "fees" and strike "due."

On motion of Senator Peters it was decided that when the Senate adjourns it will be to Sat., Feb., 17, at 1 p. m.

On motion of Senator Peters the bill was amended as follows: Change "one" to "three" and add "s" to "year" both in lines 26 and 30, page 5.

On motion of Senator Jenkins the bill was amended as follows: Strike the last two lines on page 3 and the first four lines on page 4.

S. B. No. 100 was ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senator Winder.

S. B. No. 100 was placed on the third reading calendar.

COMMUNICATIONS FROM THE GOVERNOR

State of Utah,
Executive Office
Salt Lake City, Utah, Feb. 16, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. C. M. No. 3, by Mr. Dixon, entitled "Relief to settlers on United States Reclamation Projects."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

State of Utah,
Executive Office
Salt Lake City, Utah, Feb. 16, 1923.

To the Legislature:

In accordance with the provisions of Section 5691, Compiled Laws of Utah, 1917, I have the honor to submit

for your consideration, Supplement No. 1 to the Executive Budget.

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The report was referred to the Committee on Appropriations.

BUDGET SUPPLEMENT NO. 1

To the Utah National Guard:
Salary of stenographer in Pension Dept. $2.040.00

To the Civil War Veterans 6,000.00

To the G. A. R. Encampment Fund 2,000.00

Special Appropriations:

To the Salt Lake Chamber of Commerce Advance to the Metallurgical Department of the University of Utah for investigation of oil shale 2,500.00

To the Board of Examiners:
For the purchase of Lot No. 1, block No. 3 plat "J", Salt Lake City Survey in accordance with agreement entered into between the Board of Examiners and David W. Davis, owner of property, for addition to capitol grounds 2,000.00

To the Board of Examiners:
For grading of the streets fronting State Capitol grounds property in preparation for curb and gutter extension No. 44 ..... 3,000.00

Miscellaneous Appropriations Approved by the State Board of Examiners:

Claim No. 13140.—Chris Mathison	40.00
Claim No. 13141.—Oscar D. Saunders	85.00
Claim No. 13142.—Levi L. Pederson	187.50
Claim No. 13143.—C. H. Butcher	187.50
Claim No. 13144—H. E. Zerbe	86.52
Claim No. 13145.—Dr. C. L. Olsen	5.00

Claim No. 13146.—American Printery 25.00
Claim No. 13147.—C. L. Funk 2,409.68
Claim No. 13148.—Claimants as per list attached to claim for Condemned Tubercular cattle 5,224.55
Claim No. 13149.—Shields Stationery Co. 61.20
Claim No. 13149-A.—Mrs. Winnie Jones 1,632.00

Deficits:

For the following deficits as authorized and allowed by the State Board of Examiners for the year 1921 and 1922:

To the Capitol Maintenance $8,500.00
To the State Power Plant 1,770.56

For the following deficits as authorized and allowed by the State Board of Examiners for the year 1919 and 1920:

To the Capitol Maintenance $7,797.44
To the State Power Plant 1,991.64
To the State Industrial School 7,545.48
To the Utah National Guard;Rentals of Armories 300.00
For the Extradition of Fugitives from Justice 20.70

State of Utah,
Executive Office
Salt Lake City, Utah, Feb. 16, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 39, by the Committee on Commerce and Industry, entitled, "An act amending Section 981X, Chapter 24, Session Laws of Utah, 1921, relating to State Banking Department by extending the provisions of said act to savings banks."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

Moved by Senator Irvine that action on S. B.s No. 79, 80, 81, 82, and 99 be deferred until Wednesday, Feb.

21, at 2:30 p. m. at which time the Senate go into Committee of the Whole to discuss same and opponents of the bills be given not to exceed one hour to explain their objections.

The motion was defeated.

On motion of Senator Tebbs the Senate adjourned.

FORTY-FIRST DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 17, 1923.

The Senate was called to order at 1:00 p. m. by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the Fortieth Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

Your Committee on Public Affairs, to whom was referred S. B. No. 108, by Mr. Standish, entitled, "An act making unlawful the bartering, selling or offering for sale of cigarettes or cigarette papers in the State of Utah without a permit, providing for the granting, issuance and revocation of permits therefor, fixing the license fees for such permits and requiring a bond as a condition to the issuance thereof, providing for a stamp tax and stamps on all cigarettes, cigarette papers or wrappers and tubes sold in the State of Utah, declaring unlawful the making, altering, forging or counterfeiting of any such license or stamp, or having possession thereof, knowing the same to be forged, couterfeited, spurious or altered; prohibiting the furnishing of cigarettes or cigarette papers or wrappers to minors;declaring to be a nuisance any build-

ing or place used for the sale or keeping for sale of cigarette papers or wrappers in violation of the provisions of this act; providing penalties for the enforcement of the provisions of this act and repealing Sections 1, 2, 3, 5 and 6, of Chapter 145, Session Laws of Utah for 1921," return the same herewith and recommend that it be not passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 108 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

Your Committee on Public Affairs, to whom was referred H. B. No. 75, by Mr. Mozley, entitled "An act relating to the placing of any form of advertising along public highways, or on any part of the public domain, excepting as provided herein and providing for the removal of such form or forms of advertising now in place, penalties for violations thereof,etc.", return the same herewith and recommend that it be passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. N. 75 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

Your Committee on Public Affairs, to whom was referred H. B. No. 58, by Mr. McKell, entitled, "An act providing for the auditing of accounts of Cities, Counties and School Districts," return the same herewith and recommend that it be passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H B. No. 58 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

Your Committee on Public Affairs, to whom was referred S. B. No. 116, by Mrs. Kinney, entitled, "An act creating a commission to provide a statue of Indian Chief Washakie," return the same herewith and recommend that it be passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 116 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

Your Committee on Public Affairs, to whom was referred S. B. No. 106, by Mr. Hirschi, entitled, "An act amending Section 783, Compiled Laws of Utah, 1917, relating to incorporation of Towns" return the same herewith and recommend that it be passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 106 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

In am instructed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 20, by Mr. Bailey, entitled, "An act to amend Section 62, of Chapter 67, Session Laws of Utah, 1919, relating to water and water-rights," and the same is herewith transmitted for the signature of thePredent.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No 20 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

In am instructed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 21, by Mr. Openshaw, entitled, "An act to amend Section 1201, Compiled Laws of Utah, 1917, relating to Loan, Trust and Guarantee Associations," and same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 21 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended by the House, H. B. No. 50, by Mr. Iverson, entitled, "An act amending Sections 984, as amended by Chapter 18, Session Laws, 1919, and Sections 1001, 1006 Compiled Laws of Utah, 1917, and adding new sections to be known as 972X, 972X1, 975X, 985X1, 985X2, 1004X, 1004X1, 1009X1, 1009X2, 1020X, 1020X1, 1020X2, 1020X3, relating to the duties of banking corporations with reference to the manner of keeping books and records, the making of loans to Officers and Directors, the holding of monthly meetings, the charging off of losses, the making of false entries or statements, providing when real estate may be purchased and held, prescribing certain powers and duties of the Bank Commissioner and requiring the Attorney General to conduct prosecutions under the act," and

same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 50 was read the first time and referred to Committee on Judiciary.

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

In am instructed to inform your honorable body that the House has this day passed as amended by the Senate, S. B. No. 24, by Committee on Revision and Printing, entitled, "An act to amend Sections 5583, 5584, 5590, 5599, 5606 and 5607, Compiled Laws of Utah, 1917, as amended by Chapter 118 of the Laws of Utah, 1921, relating to state lands and the state land commissioner" and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 24 was referred to the Committee on Engrossing and Enrolling.

Salt Lake City, Utah, Feb. 17, 1923.

Mr. President:

In am instructed to inform your honorable body that the House has this day passed as amended by the House S. B. No. 42 by Mr. McConkie entitled, "An act relating to killing animals and fixing a penalty therefor," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

On motion of Senator McConkie the Senate concurred in the House amendment.

S. B. No. 42 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Cottrell.

S. B. No. 42 was referred to the Committee on Enrolling and engrossing.

Senator Funk withdrew Senate bills Nos.138 to 153 inclusive which he introduced Feb. 16th.

Unanimous consent was received for the introduction of the following bill:

S. B. No. 177, by Mr. McConkie, "An act to amend Section 8289, Chapter 45, Title 119, Compiled Laws of Utah, 1917, relating to grand larceny," was read the first time and referred to the Committee on Revision and Printing.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 100 was read the third time and placed on its final passage.

Senator Jenkins moved to strike the words "and no other system or method of treating human ailments," from the amendment of Senator Tebbs of Feb. 16th.

The motion was defeated.

S. B. No. 100 was then rejected on the following roll call: Ayes, 10; nays, 10; absent, 0.

Those voting in the affirmative were: Senators Adams, Dixon, Fuller, Funk, Irvine, Kinney, Ryan, Tebbs, Warnick and Winder.

Those voting in the negative were: Senators Candland, Cottrell, Hirschi, Jenkins, Jenson, McConkie, Peters, Smart, Standish and Mr. President.

CONSIDERATION OF BILLS ON SECOND READING

Consideration of S. B. No. 25.

Senator Standish moved to amend the bill as follows:

Page 1, lines 14 and 21, page 2, line 13, page 3, lines 18 and 28, insert the word "class" before the word "hours." Page 4 in lines 26 and 27 strike the words "in a medical college in good standing, the" and substitute therefor the article "a". In line 27 after the word "study" insert the words "such as is."

On motion of Senator Irvine further action on S. B. No. 25 was deferred until Tuesday, Feb. 20, at 2:30 p. m.

On motion of Senator Peters the vote by which S. B. No. 100 was defeated was reconsidered.

On motion of Senator Peters S. B. No. 100 was made special order for Tuesday, Feb. 20, at 2:25 p. m.

On motion of Senator Tebbs action on S. B.s No. 53 and 67 was deferred until Tuesday, Feb. 20.

SPECIAL ORDER

Consideration of H. B. No. 34 on second reading.

H. B.No. 34 was then ordered read the third time on the following roll call: Ayes, 14; nays, 3; absent, 3.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senators Adams, Irvine and Winder.

Absent and not voting: Senators Fuller, Funk and Ryan.

H. B. No. 34 was placed on the third reading calendar.

Consideration of S. B. No. 78 on third reading.

Senator Tebbs moved to amend the bills as follows:

Page 1, line 3, strike the remainder of page and add in lieu thereof the following.

"5464. The salaries of all officers and employes of the Utah State Prison shall be fixed as follows, to-wit:

The warden shall receive $3,600 per year.

The deputy warden shall receive $1,800.00 per year and cottage rent free.

The clerk shall receive $1,500.00 per year.

Guards or keepers who live at the prison or in a cottage shall receive $1,380.00 per year, and cotage rent free. Guards or keepers who do not live at the prison or in cottages, shall receive $1,620.00 per year.

All salaries shall be paid on the first day of each month, monthly at the office of the prison. The warden shall, in addition to his salary be allowed the use of the house free of rent, and those officers or guards living at the prison shal be allowed the use of a house or an apartment free of rent, but the warden, officers or guards, or any person employed in or about the prison shall not be permitted to receive in any way perquisites, emoluments, or supplies for himself or his family from the prison other than the compensation hereby allowed. The Board of Corrections may, if it shall deem fit, for the interest of the prison, require the keepers, guards, and such of the employees as it may designate, to be lodged and messed or boarded in the prison, and for that purpose may furnish lodging rooms in a plain and substantial manner, and supply provisions from the prison stock, which shall be cooked and prepared by the labor of convicts, and served at such time and on such terms, and in such place as the Board may direct."

Substitute motion offered by Senator Jenkins to strike the last four words in line 5, all of lines 6, 7, 8, 9, 10, 11 and the first four words in line 12.

The substitute motion was defeated.

On motion of Senator Peters "$3,600" was changed to read "$3,000.00'

Senator Peters moved to change $1,620.00" to "$1,500.00".

Senator Winder moved to strike the enacting clause.

The motion was defeated.

Substitute motion by Senator Candland to change "$1,380.00" to "$1,500.00" and "$1,620.00" to "$1,800."

The substitute motion was defeated.

The motion was defeated.

The amendment carried.

S. B. No. 78 then passed on the following roll call: Ayes 13; nays 4, absent, 2; excused, 1.

Those voting in the affirmative were: Senators Adams, Candland, Irvine, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Cottrell, Dixon, Funk and Jenkins.

Absent and not voting: Senator Fuller and Ryan.

Excused from voting: Senator Hirschi.

S. B. No. 78 was transmitted to the House for its action.

On motion of Senator Jenson action on S. B. No. 75 was deferred until Friday, Feb. 23, at 2:30 p. m.

On motion of Senator Jenkins it was decided that when the Senate adjourns it will be to 2 p. m. Monday, Feb. 19th.

Consideration of S. B. No. 91 on second reading.

Senator Peters moved to amend the bill as follows:

Page 7, line 6, strike the word "developed."

The motion was defeated.

On motion of Senator Dixon the bill was amended as follows.

Page 7, line 13, change comma after "place" to period, strike "and" and start "upon" with capital letter. In line 15, after "district" insert "together with" and strike "and." In line 17 insert after "remove" "at anytime." Strike the last two words in line 17, and all except the last two words in line 18.

S. B. No. 91 was then ordered read the third time on the following roll call: Ayes, 15; nays, 1; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Peters.

Absent and not voting: Senators Fuller, Jenkins, Ryan and Tebbs.

S. B. No. 91 was placed on the third reading calendar.

Consideration of S. B. No. 70 on second reading.

Amendments pending since Feb. 10th were defeated.

S. B. No. 70 was then ordered read the third time on the following roll call: Ayes, 16; nays, 2; absent, 2.

Those voting in the affirmative were Senators: Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Adams and Candland.

Absent and not voting: Senators Fuller and Ryan.

S. B. No. 70 was placed on third reading calendar.

Senators King and Smart were appointed to correct the Journal the week of Feb. 19th.

On motion of Senator Cottrell the Senate adjourned.

FORTY-THIRD DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 19, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the Forty-First Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 136, by Mr. Dixon, entitled "An Act to

provide for the transfer of school funds from one district to another," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 136 was ordered printed and referred to the Committee on Education.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 176, by Mr. Winder, entitled, "An act to amend Chapter 25 of Title 119 of the Compiled Laws of Utah, 1917, by enacting an additional section to be known as Section 8099X defining the terms prostitution and prostitute," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 176 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 173, by Mr. Peters, entitled, "A bill to amend Section 1062, 1064, 1072, 1074, 1076, of Chapter 8, Title 19, of the Compiled Laws of Utah, 1917, relating to cooperative banks for personal credits, and adding thereto a new section designated as Section 1082X of said Chapter and Compiled Laws," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 173 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 169, by Mr. Candland, entitled, "An act to provide for the disposition of moneys paid to banks

corporations, associations, firms, or persons on debts, either secured or unsecured, which have been sold, discounted, hypothecated, pledged, or otherwise disposed of, and providing a penalty for the failure of such bank, corporation, association, firm, or person to comply with the provisions of this act," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 169 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 168, by Mr. Peters, entitled, "An act providing for two sets of judges of election in election districts where at the general election next preceding there were more than one hundred votes cast for the office of Governor," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 168 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 167, by Mr. Peters, entitled, "An act amending Section 860X as added to Title 19, Compiled Laws of Utah, 1917, by Chapter 22, Session Laws of Utah, 1921, relating to corporations," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 167 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 166, by Mr. Winder, entitled, "An act

amending Sections 368, 370 and 373, Compiled Laws of Utah, 1917, as amended by Chapter 5, Laws of Utah, 1921, relating to the licensing and regulation of barbers and barber schools," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 166 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 165, by Mr. Winder, entitled, "An act to repeal Chapter 85, of Session Laws of Utah, 1919, relating to health education," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 165 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 163, by Mr. Hirschi, entitled, "An act to amend Sections 5867, 5868 and 5871, Compiled Laws of Utah, 1917, relating to the taxation of shares of stock of banks, banking, loan, trust and guaranty associations, etc.," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 163 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 162, by Mrs. Kinney, entitled, "An act amending Section 3960, Laws of Utah, 1917, relating to

providing funds for the support of dependent mothers," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 162 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 155, by Mr. Jenkins, entitled, "An act amending Section 2763 of the Compiled Laws of Utah, 1917, prohibiting compulsory vaccination of any child or person, and providing for exclusion of unvaccinated children from public schools during smallox epidemic," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 155 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 159, by Mr. Fuller, entitled, "An act to designate a State Road," with a slight change by Mr. Fuller.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 159 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 154, by Mr. Jenkins, entitled,' An act permitting the withdrawal by the surviving husband, wife or children of bank deposits of deceased depositors; prescribing the procedure for so doing; fixing a penalty for

false affidavits in connection therewith, and for other purposes," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 154 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 137, by Mr. Dixon, entitled, "An act making it unlawful to sell, or keep for sale, alcohol which has been denatured with bichloride of mercury, or corrosive sublimate," with a slight change by Mr. Dixon.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 137 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 177, by Mr. McConkie, entitled, "An act to amend Section 8289, Chapter 45, Title 119, Compiled Laws of Utah, 1917, relating to grand larceny," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 177 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 42, by Mr. McConkie, entitled, "An act relating to killing animals and fixing a penalty therefor," has had a copy of said bill carefully

engrossed and herewith tranmits same for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 42 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 24, Substitute for S. B.s 8, 9, 10, 12, 13 and 14, by Committee on Revision and Printing, entitled, "An act to amend Sections 5583, 5584, 5590 5599, 5606 and 5607, Compiled Laws of Utah, 1917, as amended by Chapter 118 of the Laws of Utah, 1921, relating to State lands and the State Land Commissioner" begs leave to report that it has had a copy of said bill carefully engrossed and herewith transmitts same for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 24 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Commerce and Industry, to which was refered S. B. No. 103, by Mr. Irvine, entitled, "An act providing for the enforcement of the laws relating to sinking funds, levies, and the investment of sinking funds," begs leave to report that it has considered the same and return it herewith with the recommendation that it be passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 103 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Commerce and Industry, to which was referred S. B. No. 104, by Mr. Irvine, entitled, "An act relating to the investment of sinking funds," begs leave to report that it has considered the same and returns it herewith with the recommendation that it be passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 104 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Commerce and Industry, to which was referred S. B. No. 117, by Mr. Jenkins, entitled, "An act amending Section 3114 of Title 49, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921, relating to the Industrial Commission, the State Insurance Fund and Workmen's Compensation," begs leave to report that it has considered the same and recommends that it be passed with the following amendments:

Page 1, line 17, after the word "carrier" insert "including the State Insurance Fund."

Page 1, line 18, after the word "by" insert "first securing the written consent of the Industrial Commission and by."

Page 1, line 19, strike "ten" and insert "thirty" and also strike "and the Industrial Commission."

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 117 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred S. B. No. 84, by Mr. Hirschi, entitled "An act to appropriate $181,000.00 of the amount in the Motor Vehicle Registration Fund, to the State Road Commission to be used as a revolving fund," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

H. C. TEBBS,

Chairman.

Report filed.

S. B. No. 84 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred H. B. No. 101, by House Committee on Appropriations, entitled, "An act to amend Section 5691, Compiled Laws of Utah, 1917, relating to the Biennial Budget submitted to the Legislature of the State," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

H. C. TEBBS,

Chairman.

Report filed.

H. B. No. 101 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the House is this day notified by his Excellency, the Governor, that he did, on February 17th, sign, approve, and transmit to the office of Secretary of State, H. B. No. 14, by Mr. Constantine, entitled, "An act to amend

Section 8121 and repealing Section 8122, Compiled Laws of Utah, 1917, relating to Crimes against Nature."

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 42, by Mr. McConkie, entitled "An act relating to killing animals and fixing a pealty therefor," and the same is herewith returned to your honorable body to be transmitted to his Excellency, the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 42 was transmitted to the Governor for his action.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the House hast his day passed as amended by the Senate, S. B. No. 43, by Mr. McConkie, entitled, "An act to amend Section 8388, Title 119, Chapter 54, Compiled Laws of Utah, 1917, relating to killing or maiming animals," and same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 43 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day killed S. B. No. 27, by Mr. Dixon, entitled, "An act creating the Utah Tuberculosis Re-

search Commission and prescribing the powers and duties of such commission," and we herewith return the same.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

February 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day killed S. B. No. 46, by Committee on Commerce and Industry, entitled, "An act making a promissory note secured by a mortgage or deed of trust upon real or personal property, negotiable, and providing the negotiability of the same shall not be abridged or impaired by any conditions contained in the mortgage or deed of trust securing the same," and we herewith return the same.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended by the Senate S. B. No. 47, by Mr. Funk, entitled, "An act amending Section 5, Chapter 55, Laws of Utah, 1921, relating to embalming," and same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER.
Chief Clerk.

S. B. No. 47 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 97, by Mr. Leatham, entitled, "An act to amend Section 4600, of the

Compiled Laws of Utah, 1917, relative to the election of members of the Board of Education for county school districts," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 97 was read first time and referred to Committee on Education.

Salt Lake City, Utah, Feb. 19, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended by the House, H. B. No. 78, by Mr. Pettit, entitled, "An act amending Section 8128, Compiled Laws of Utah, 1917, governing amusements on Sunday," and same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 78 was read first time and referred to Committee on Education.

Salt Lake City, Utah, Feb. 19, 1923

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 24, by Committee on Revision and Printing, being Substitute for S. B.'s Nos. 8, 9, 10 12, 13, and 14, and the same is herewith transmitted to your honorable body to be transmitted to his excellency, the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 24 was transmitted to the Governor for his action.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 34 was read the third time and placed on its final passage.

H. B. No. 34, then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Irvine and Winder.

H. B. No. 34 was returned to the House for its further action.

S. B. No. 91 was read the third time and placed on its final passage.

Senator Warnick moved to amend the bill as follows:

Page 8, line 7, after the word "persons" insert "receiving the number of signatures representing the greatest number of acres within said district."

On motion of Senator Dixon the amendment was amended as follows: Add after the word "district" "Provided that said petition represents a majority acreage in said istrict."

The motion was defeated.

S. B. No. 91 then passed on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick Winder and Mr. President.

Those voting in the negative were: Senator Tebbs.

Absent and not voting: Senator Irvine.

Senator Fuller gave notice that he would move for reconsideration of the final vote on S. B. No. 91.

S. B. No. 70 was read the third time and placed on its final passage.

S. B. No. 70 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators

Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Funk and Irvine.

S. B. No. 70 was transmitted to the House for its action.

CONSIDERATION OF BILLS ON SECOND READING

Senate Bills 80, 81, 82 and 99 were read the second time.

Consideration of S. B. No. 79.

On motion of Senator Peters the bill was amended as follows:

In line 4 of the title after the word "on" insert "the sale or use of."

Senator Standish moved to amend the bill as follows:

Page 3, line 16, strike the words "and one half."

The motion was defeated.

On motion of Senator Jenkins it was decided that commencing Tuesday, Feb. 20th, the hours of meeting of the Senate be 10 a. m. and 2 p. m. each day unless otherwise ordered.

S. B. No. 79 was then ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 0; excused, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrel, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Excused from voting: Senator Irvine.

S. B. No. 79 was placed on the third reading calendar.

Consideration of S. B. No. 80.

On motion of Senator Candland the Senate adjourned

FORTY-FOURTH DAY

MORNING SESSION

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 20, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Forty-third Day was read and approved.

Senator Ryan withdrew S. B. No. 96 and S. C. M. No. 5.

UNFINISHED BUSINESS

Consideration of S. B. No. 80 on second reading.

Senator Peters moved to amend the committee amendment as follows:

In line 7 of typewritten amendment as recommended in the committee report after the period add the following: "Said counties shall be paid from the Motor Vehicle fund the sum of twenty-five cents for each car inspected by the assessors or their deputies in said counties." Also strike the last sentence of the amendment.

The motion carried.

On motion of Senator Peters the bill was amended as follows:

Strike "f" in word "for" in line 21, page 4, correct spelling of word "state" in line 6, page 5, change "fee" to "fine" in line 21, page 6, correct spelling of word "marshal" in two places in line 25, page 6, and strike lines 10 to 16 inclusive, on page 7.

S. B. No. 80 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi,

Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Tebbs and Winder.

S. B. No. 80 was placed on the third reading calendar.

Consideration of S. B. No. 81.

On motion of Senator Peters the bill was amended as follows:

Add to the Title "and providing for a refund of a part of license fees paid in certain cases" and add the following section, changing present "Section 2" to "Section 3."

Section 2. If any person has heretofore obtained a license for a motor vehicle for the year 1923 under the provisions of the section which is amended by this act, and paid therefore the fee required by said Section, then and in that event there shall be refunded to such person the difference between the amount which he paid as a fee for such license and the amount which he would be required to pay under the provisions of this act. Upon application to the secretary of state for such refund he is hereby authorized to make prompt payment thereof out of the funds received by him under the provisions of the said section or of this act."

Page 4, line 23, correct spelling of word "owned."

S. B. No. 81 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Tebbs and Winder.

S. B. No. 81 was placed on the third reading calendar.

Consideration of S. B. No. 82.

S. B. No. 82 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Tebbs and Winder.

S. B. No. 82 was placed on the third reading calendar.

Consideration of S. B. No. 99.

The Committee Report and the amendments recommended therein were adopted.

The last letter in line 22, page 1, was stricken.

S. B. No. 99 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Tebbs and Winder.

S. B. No. 99 was placed on the third reading calendar.

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

The committee report and the amendments recommended therein were adopted.

On motion of Senator Dixon the bill was amended as follows:

Strike Section 16 and substitute in lieu thereof the following:

Section 16. Any person, firm, partnership, association, co-partnership or corporation, violating the provisions of this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof—if a person, or a member of a firm, association, or a partnership—shall be punished by a fine of not less than $30.00 and not to exceed two hundred ninety-nine dollars, or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment; in the discretion of the court; and if a corporation, it shall be punished by a fine not less than one hundred dollars and not to exceed two hundred ninety-nine dollars.

On motion of Senator Hirschi the bill was amended as follows:

Line 16, page 1 strike "s" from "references" and insert "Section 2" at the beginning of line 6, page 5.

S. B. No. 44 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Tebbs Warnick, and Mr. President.

Absent and not voting: Senators Peters, Ryan and Winder.

S. B. No. 44 was placed on the third reading calendar.

S. C. M. No. 4 was read the second time.

S. C. M. No. 4 was then ordered read the third time on the following roll call: Ayes, 16; nays, 2; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick and Mr. President.

Those voting in the negative were: Senators Dixon and Tebbs.

Absent and not voting: Senators Ryan and Winder.

S. C. M. No. 4 was placed on the third reading calendar.

S. B. No. 76 was read the second time.

On motion of Senator Funk, S. B. No. 76 was made special order for Friday, Feb. 23, at 3 p. m.

On motion of Senator Peters the Senate recessed until 2 p. m.

AFTERNOON SESSION

The Senate reconvened at 2 p. m.

Roll call. All members present.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred S. B. No. 154, by Mr. Jenkins, entitled, "An act permitting the withdrawal by the surviv-

ing husband, wife or children of bank deposits of depositors; prescribing the procedure for so doing; fixing a penalty for false affidavits in connection therewith, and for other purposes," begs leave to report that it has considered the same and returns it herewith with the recommendation that it be passed.

Respectfully,

HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 154 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 43, by Mr. McConkie, entitled, "An act to amend Section 8388, Title 119, Chapter 54, Compiled Laws of Utah, 1917, relating to killing or maiming animals," begs leave to report that it has had said bill carefully engrossed and herewith returns same for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 43 was signed by the President in the presence of the Senate and was transmtited to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 47, by Mr. Funk, entitled "An act amending Section 5, Chapter 55, Laws of Utah, 1921, relating to embalming," begs leave to report that it has had said bill carefully engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 47 was signed by the President in the presence of the Senate and was transmtited to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 135, by Mr. Irvine by request, entitled, "An act amending Chapter 81, Laws of Utah, 1919, relating to the registration of pharmacies, drug stores and places of business where drugs are sold, and adding two new sections requiring pharmacies and drug stores at all times to be in charge of registered pharmacists and permitting places of business located more than three miles from a registered pharmacy or drug store to sell certain drugs and poisons in original packages and making it unlawful to sell drugs, medicines or poisons except at places authorized in this act," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 135 was ordered printed and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 174, by Mr. Dixon, entitled, "An act amending Section 2852, Compiled Laws of Utah, 1917, as amended by Chapter 61, Laws of Utah, 1921, relating to the State Road Commission, its powers and duties," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 174 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 157, by Mr. McConkie, entitled, "An act amending Section 5993, Compiled Laws of Utah, 1917, relating to tax levies, in counties for general county

purposes, the relief of the indigent sick, and dependent poor," with a slight change assented to by Mr. McConkie.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 157 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 156, by Mr. McConkie, entitled, "An act appropriating $595.03 to reimburse San Juan County for money spent under contract with the state to eradicate rodents on state lands," wihout change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 156 was ordered printed and referred to the Committee on Appropriations.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 134, by Mr. Irvine, by request, entitled, "An act amending Section 4406, Compiled Laws of Utah, 1917, as amended by Chapter 90, Laws of Utah, 1921, relating to licensing registered pharmacists," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 134 was ordered printed and referred to the Committee on Public Health and Labor.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 133, by Mr. Irvine, entitled, "An act to amend Section 6848, Compiled Laws of Utah, 1917, re-

lating to judgment on dismissal or nonsuit," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 133 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 132, by Mr. Irvine, entitled, "An act to amend Section 7720, of the Compiled Laws of Utah, 1917," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 132 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 131, by Mr. Funk, entitled, "An act to amend Section 177, of Chapter 2, Session Laws of Utah, 1921, relating to live stock," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 131 was ordered printed and referred to the Committee on Agriculture.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 130, by Mr. Jenson, entitled, "An act to amend Sections 945, 958, 1142, 1271 and 1274, Compiled Laws of Utah, 1917, as amended by Chapter 17, Laws of Utah, 1919, relating to foreign and domestic corporations, and adding a new section to be known as Section 945X", without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 130 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 127, by Mr. Candland, entitled, "An act creating a State Board of Supplies and Purchase, defining its powers and duties, making appropriations for necessary expense, and repealing Sections 1, 3, 4, 5, 6, 7, 8, 9, 10 and 11, of Chapter 127, Session Laws of Utah, 1921," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 127 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

Your Committee on Revision and Printing report S. B. No. 129, by Mr. Jenson, entitled, "An act to amend Section 2511, Compiled Laws of Utah, 1917, relative to fees of the Secretary of State," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 129 was ordered printed and referred to the Committee on Public Affairs.

Unanimous consent was received for the introduction of the following bill:

S. B. No. 178, by Mr. Irvine, by request, "An act providing for the welfare of pregnant girls committed to the State Industrial School and of children born to them while under the control of said school," was read the first time and referred to the Committee on Revision and Printing.

Senator Fuller moved a reconsideration of the final vote on S. B. No. 91.

The motion carried.

On motion of Senator Candland the bill was amended as follows:

Page 8, line 7, after the word "persons" insert "recommended by the petition representing the greater number of acres in said district.

On motion of Senator Funk the bill was amended as follows:

Page 2, line 5, strike "one-third in area" and substitute therefor "a majority of the acreage."

On motion of Senator Peters the bill was amended as follows:

Page 7, line 6, strike the word "developed."

S. B. No. 91 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs and Mr. President.

Absent and not voting: Senators Dixon, Warnick and Winder.

S. B. No. 91 was transmitted to the House for its action.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, H. B. No. 34, by Mr. Finlinson, entitled, "An act relating to the care of State Funds and providing for the collection of interest thereon, etc.", and the same is herewith transmitted to your honorable body for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

H. B. No. 34 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day amended S. B. No. 41, by Mr.

Jenson, entitled, "An act to amend Sections 2186, 2191, 2192 and 2193, Compiled Laws of Utah, 1917, relating to nominations of candidates for election," by striking the enacting clause, and the bill is herewith returned to your honorable body.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 43, by Mr. McConkie, entitled, "An act to amend Section 8388, Title 119, Chapter 54, Compiled Laws of Utah, 1917, relating to killing or maiming animals," and the same is herewith returned to your honorable body to be transmitted to his excellency, the governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 43 was transmitted to the Governor for his action.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, S. B. No. 47, by Mr. Funk, entitled, "An act amending Section 5, Chapter 55, Laws of Utah, 1921, relating to embalming," and the same is herewith returned to your honorable body to be transmitted to his excellency, the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 47 was transmitted to the Governor for his action.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed S. B. No. 57, by Mr. Jenkins, entitled, "An act to provide for the admission to the treatment building of the State Mental Hospital of suitable persons making voluntary application for treatment," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

S. B. No. 57 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the House, S. B. No. 6, by Mr. Peters, entitled, "An act to amend Section 6107, Compiled Laws of Utah, 1917, relating to county treasurer's settlement with cities, towns and schools for taxes," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

On motion of Senator Peters the Senate concurred in the House amendments.

S. B. No. 6 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Funk and Winder.

S. B. No. 6 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. No. 30, by Mr. McKell, entitled, "An act prohibiting rebates of premiums paid on policies of insurance and bonds," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 30 was read the first time and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 20, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day amended S. B. No. 52, by Mrs. Kinney, entitled, An act to amend Section 5385, Compiled Laws of Utah, 1917, relating to the government and control of the State Mental Hospital and increasing membership on board of insanity," by striking the enacting clause, and the bill is herewith returned to your honorable body.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

SPECIAL ORDER

Consideration of S. B. No. 100.

On motion of Senator Tebbs the bill was amended as follows:

Strike from the amendment of Senator Tebbs of Feb. 16th, the words "and no other system or method of treating human ailments."

On motion of Senator Standish the bill was amended as follows:

Strike words "duly licensed and" in Tebbs amendment of Feb. 16th.

On motion of Senator Standish further action on S. B. No. 100 was deferred until after consideration of S. B. No. 25.

Consideration of S. B. No. 25 on second reading.

The amendments offered by Senator Standish and pending since Feb. 17th, were carried.

On motion of Senator Standish the bill was amended as follows:

Insert between lines 2 and 3, page 3:

"f. The terms 'medical' and 'medicine' as used herein shall be construed to include all heretofore regularly recognized branches of the medical profession, to-wit: Eclectic, Homeopathic, Osteopathic and Allopathic.

On motion of Senator Jenkins the lettering of the sub-paragraphs was adjusted.

Senator Dixon moved to amend the bill as follows:

Page 1, line 1, of title and bill insert "10" after "4". Page 3, insert as sub-division 2, between lines 2 and 3, the following: "2 (a) For the practice of Osteopathy in all its branches; that the applicant for admission has satisfactorily completed an approved course of study in a high school or other equivalent school having a course of study requiring an attendance through four school years, and in addition thereto the applicant shall be a graduate of a professional school or college of Osteopathy, legally chartered, which requires as a prerequisite for graduation the completion of at least 4422 hours class work, covering the standard American Osteopathic Association curriculum and giving instructions in all of the subjects necessary to educate a thoroughly competent general practitioner, including obstetrics, minor surgery with emphasis on fractures and dislocations; and embodying necessary instructions in anesthetics, antiseptics, germicides, parasiticides, narcotics and antidotes, and to teach principles of surgery and surgical diagnosis leading to the Degree of Osteopathic Physician or (doctor of Osteopathy), to have all the rights and duties of a general physician.

(b) To practice as an Osteopathic Physician and Surgeon the applicant in addition to the requirements

set forth in this section shall submit evidence that he has completed one year's premedical course in a college of liberal arts and has completed in addition thereto a one year's course of training as a surgical assistant in a hospital equipped for doing major surgical work.

(c) A license shall be regularly issued without examination to any Osteopathic Physician or Physician and Surgeon who has been legally licensed by another state or territory or who has passed an examination for admission into the medical corps of the United States army, navy, or public health service, upon the payment of a fee of $25.00.

(d) Osteopathic Physicians or Osteopathic Physicians and Surgeons licensed hereunder shall have the same duties and rights as Physicians and Surgeons of other schools of medicine with respect to the treatment of cases, holding of offices in public institutions and be entitled to the title of Physician and Doctor.

Page 4 after line 21 insert "Section 10. Each applicant who successfully passes an examination shall be entitled to a license. The following kinds of licenses shall be issued:

1. To practice medicine and surgery in all their branches.

2. (a) To practice Osteopathy. (b) To practice Osteopathy and surgery in all their branches.

3. To treat human ailments without the use of drugs or medicine and without operative surgery, and to practice such treatment in accordance with the tests of the school of practice designated by the applicant under the provisions of Section 3 of this act.

Page 5, line 9, insert after licenses "provided that the right of appeal to the courts may always be had.

On motion of Senator Standish the Senate adjourned.

FORTY-FIFTH DAY

MORNING SESSION

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 21, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Forty-fourth Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred H. B. No. 111, by the Committee on Judiciary, entitled "An act to amend Section 8046, of Chapter 18, Title 119 Compiled Laws of Utah, 1917, relating to attempts to kill," return the same herewith and recommend that it be passed with the following amendment:

Change comma to period after the word "life," in line 6, and strike the remainder of line 6 and all in line 7.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 111 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred H. B. No. 49, by Mr. Callister, entitled, "An act to amend Section 8048, of Chapter 19, Title 119, Compiled

Laws of Utah, 1917, relating to felonious assaults," return the same herewith and recommend that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 49 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred H. B. No. 52, by Mr. Callister, entitled, "An act to amend Chapter 17, of Title 119, Compiled Laws of Utah, 1917, relating to robbery, by adding a new section, to be known as Section 8044X," return the same herewith and recommend that it be passed with the following amendment:

Change the comma to a period after the word "life" in line 7, and strike all of the remainder of line 7 and all of line 8.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 52 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred S. B. No. 56, by Mrs. Kinney, entitled, "An act to regulate the placing out of children by persons other than the parents or relatives of such children; prescribing certain records to be kept and conditions to be observed by persons authorized by law to secure homes for children, regulating and bringing into the state of children for the purpose of placing out, requiring persons placing children to secure a license from the State Board of Health and prescribing certain powers and duties of the State Board of Health and making violations of this act a misdemeanor," return the same herewith and

recommend that it be passed with the following amendments: Strike all of Section 1, and insert in lieu thereof the following:

"Section 1. No person, firm, corporation or association shall engage in the business of receiving children for placement or adoption or of placing children either temporarily or permanently in homes, or hold itself out as being prepared to receive children for either of said purposes without having in full force a written license from the State Board of Health authorizing the carrying on of such business. Whoever within a period of six months receives for placing or actually places or assists in placing for adoption or otherwise more than two children shall be deemed to be engaged in the business of receiving or placing children within the meaning of this act."

In line 8 of page 2, after the word "bringing" insert the following, "or causing to be brought."

In line 12, page 2, strike "of" and insert "or" in lieu thereof.

In line 14, page 2, insert after the word "report" to the State Board of Health."

In line 24, page 2, strike the words "who violates" and insert comma after "person" and the following words: "firm or corporation violating."

Respectfully,

DAVID JENSON,
Chairman.

Report filed.

S. B. No. 56 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 57, by Mr. Jenkins, entitled, "An act to provide for the admission to the treatment building of the State Mental Hospital of suitable persons making voluntary application for treatment," begs leave to report that it has had said bill carefully

engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 57 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the President.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Education, to whom was referred S. B. No. 102, by Mr. Jenkins, entitled, "An act relating to the Board of Trustees of the Agricultural College and the Board of Regents of the University of Utah," return the same herewith without recommendation.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

S. B. No. 102 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Education, to whom was referred S. B. No. 107, by Mrs. Kinney, entitled, "A bill for an act amending Section 5528, Compiled Laws of Utah, 1917, for the purpose of authorizing the Board of Regents of the University of Utah to assist the faculty and other teachers of the University in purchasing old age annuities," return the same herewith and recommend that it be passed with the following amendment:

Line 12 of page 1, strike out the word "ten" and insert in lieu thereof the word "eight."

Respectfully,
A. B. IRVINE,
Chairman.

S. B. No. 107 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the House, S. B. No. 29, by Mr. Irvine, enttiled, "An act concerning aeronautics and to make uniform the law with reference thereto," and the same is herewith transmitted to your honorable body for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

On motion of Senator Irvine the House amendments were concurred in.

S. B. No. 29 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams and Hirschi.

S. B. No. 29 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 20, 1923

Mr. President:

I am instructed to inform your honorable body that the House has this day amended S. B. No. 71, by Mr. McConkie, entitled, "An act to amend Section 1463, of the Compiled Laws of Utah, 1917, relating to county officers having their offices at county seats and the hours said offices shall be kept open," by striking the enacting clause and the same is herewith returned to your honorable body.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 20, 1923

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the House, H. B. No. 114, by Mr. Leatham, entitled, "An act to amend Section 2898, of Title 43, Compiled Laws of Utah, 1917, relating to exemptions of homesteads," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 114 was read the first time and referred to Committee on Agriculture.

Salt Lake City, Utah, Feb. 20, 1923

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 121, by Mr. Finlinson, entitled, "An act providing for the levying of a tax for the control of hog cholera," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 121 was read the first time and referred to the Committee on Public Health and Labor.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 79 was read the third time and placed on its final passage.

On motion of Senator Peters the bill was amended as follows: Page 2, line 12, change "five" to "one." Page 3, line 25, after the word "dealer" add "as defined in this act."

S. B. No. 79 then passed on the following roll call: Ayes, 17; nays 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Fuller, Irvine and Tebbs.

S. B. No. 79 was transmitted to the House for its action.

S. B. No. 80 was read the third time and placed on its final passage:

S. B. No. 80 then passed on the following roll call: Ayes, 17; nays 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Fuller, Irvine and Tebbs.

S. B. No. 80 was transmitted to the House for its action.

S. B. No. 81 was read the third time and placed on its final passage:

S. B. No. 81 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 81 was transmitted to the House for its action.

S. B. No. 82 was read the third time and placed on its final passage:

On motion of Senator Peters the bill was amended as follows: Strike "That" in line 1, page 1.

S. B. No. 82 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi,

Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, and Mr. President.

Absent and not voting: Senator Winder.

S. B. No. 82 was transmitted to the House for its action.

S. B. No. 99 was read the third time and placed on its final passage:

On motion of Senator Peters the bill was amended as follows: Strike the underlining in line 19, page 2.

S. B. No. 99 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, and Mr. President.

Absent and not voting: Senator Winder.

S. B. No. 99 was transmitted to the House for its action.

S. B. No. 44 was read the third time and placed on its final passage:

On motion of Senator Dixon the bill was amended as follows: Strike underscored matter in lines 14 and 15, page 1, and substitute after word "person" the words "firm, partnership, association, co-partnership or corporation, who"

Senator Irvine moved to amend the bill as follows: Strike Sections 14X and 14X1.

Amendment to the amendment offered by Senator Candland as follows: After word "Section" in line 20, page 4, add "until such advertising literature has been approved by the commission."

The amendment to the amendment carried.

Amendment to the amendment offered by Senator Hirschi to strike words "or proposed to be offered for sale" in lines 1, 17 and 23 and 24, page 4.

Amendment to the amendment was defeated.

Amendment to the amendment offered by Senator Candland to strike the words "upon its own initiative, or," in line 30, page 3.

Amendment to the amendment carried.

The amendment carried.

Senator Funk moved to strike the enacting clause.

The motion was defeated.

On motion of Senator Jenkins the bill was amended as follows: Strike last two lines in Title and last three words in line 2 and substitute "relating to Real Estate Brokers." Strike in lines 2 and 3, page 1, "Sections 14X and 14X1 are hereby enacted."

Senator Candland moved to amend the bill as follows: Add at the end of line 16, page 3, "And to censor all literature issued by real estate brokers."

The motion was defeated.

S. B. No. 44 then passed on the following roll call: Ayes, 16; nays, 4; absent, 0.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative: Senators: Candland, Funk, Hirschi and Ryan.

S. B. No. 44 was transmitted to the House for its action.

S. C. M. No. 4 was read the third time and placed on its final passage.

S. C. M. No. 4 then passed on the following roll call: Ayes, 17; nays, 2; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Dixon and Tebbs.

Absent and not voting: Senator Irvine.

S. C. M. No. 4 was transmitted to the House for its action.

CONSIDERATION OF BILLS ON SECOND READING

Consideration of S. B. No. 25.

On motion of Mr. Jenkins the bill was amended as follows: In the Standish amendment of Feb. 20, between lines 2 and 3, page 3, strike "herein" and substitute therefore the words "in this act."

Senator Dixon withdrew amendment offered Feb. 20th, and moved to amend the bill as follows:

Insert on page 3 of said bill as sub-division 2 between lines 2 and 3 the following:

2. .(a) For the applicant desiring to practice as an Osteopathic Physician only without recourse to operative surgery in all its branches, that the applicant has satisfactorily completed an approved course of study in a high school or other equivalent school having a course of study requiring an attendance through four school years and in addition thereto the applicant shall be a graduate of a professional school or college of Osteopathy, legally chartered, which requires as a prerequisite for graduation the completion of at least 4422 hours class work, covering the standard American Osteopathic association curriculum and giving instruction in all of the subjects necessary to educate a thoroughly competent general practitioner.

(b) For the applicant desiring to practice as an Osteopathic Physician and Surgeon, that he is a graduate of an osteopathic college deemed to be reputable and in good standing at the time of his graduation and required as a prerequisite of graduation a four years residence course of instruction over a period of four school years of not less than eight and one-half months of actual school attendance and study in each of such school years, such course to include not less than 4422 hours in lectures and class work. Such standard to be equal to the standard required of other practitioners of surgery, and who is a graduate of a high school or other equivalent requiring an attendance through four school years and being equal to fifteen units and have had one year of college work in a recognized university or college, and in addition thereto has completed a one year's

course of training as a surgical interne in a hospital equipped for doing major surgical work.

Page 4 after line 21 insert "Section 10. Each applicant who successfully passes an examination shall be entitled to a license. The following kinds of licenses shall be issued.

1. To practice medicine and surgery in all their branches.

2. (a) To practice Osteopathy. (b) To practice Osteopathy and surgery in all their branches.

3. To treat human ailments without the use of drugs or medicine and without operative surgery, and to practice such treatment in accordance with the tenets of the school of practice designated by the applicant under the provisions of Section 3, Chapter 91, Laws of Utah, 1921.

4. To practice obstetrics.

The amendment was defeated.

On motion of Senator Jenkins the Senate recessed until 2 p. m.

AFTERNOON SESSION

The Senate reconvened at 2 p. m.

Roll call. All members present.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 6, by Mr. Peters, entitled, "An act to amend Section 6107, Compiled Laws of Utah, 1917, relating to county treasurer's settlement with cities, towns and schools for taxes," begs leave to report that it has had the said bill carefully engrossed and returns same herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

S. B. No. 6 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 160, by Mr. Irvine, by request, entitled, "An act authorizing the Governor, in cases of emergency or necessity, to assume control of available supplies of coal, coal mines, and means of transportation and distribution thereof; to mine, sell and distribute coal in such cases; to govern the price thereof; and making the interference with or violation of the regulations and operations for the mining and distributing coal a crime, and providing penalties therefor," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 160 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Revision and Printing report S. B. No. 161, by Mr. Irvine by request, entitled, "An act amending Section 7441, Compiled Laws of Utah, 1917, relating to the issuance and service of summons from Justice's Courts, and providing for dismissal of actions in which summons is not served within one year from the commencement of the action, and providing further, that actions so dismissed do not toll the statute of limitations," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 161 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 170, by Mr. McConkie, entitled, "An act amending Section 6408, Compiled Laws of Utah, 1917, relating to succession in absence of will and of marriage contract," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 170 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 171, by Mr. McConkie, entitled, "An act to amend Section 5765, Compiled Laws of Utah, 1917, relating to powers of district attorneys to employ clerk," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 171 was ordered printed and referred to the Committee on Judiciary.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 172, by Mr. McConkie by request, entitled, "An act amending Chapter 93, Laws of Utah, 1919, amended by Chapter 108, Laws of Utah, 1921," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 172 was ordered printed and referred to the Committee on Education.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 178, by Mr. Irvine by request, entitled,

"An act providing for the welfare of pregnant girls committed to the State Industrial School and of children born to them while under the control of said school," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 178 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred S. B. No. 167, by Mr. Peters, entitled, "An act amending Section 860X as added to Title 19, Compiled Laws of Utah, 1917, by Chapter 22, Session Laws of Utah, 1921, relating to corporations," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 167 was placed on the second reading calendar.

On motion of Senator Winder the vote by which the amendment offered by Senator Dixon this morning to S. B. No. 25 was defeated, was reconsidered.

Senator Jenkins moved to amend the amendment as follows: Strike all the matter in the amendment relating to Section 10.

The motion was defeated.

The amendment of Senator Dixon carried.

Senator Tebbs moved to amend the bill as follows: Change "1911" to "1921" in lines 13 and 24, page 3.

Amendment to the amendment offered by Senator McConkie changing "1921" to "1919".

The amendment to the amendment carried.

The amendment carried.

S. B. No .25 was then ordered read the third time on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 25 was placed on the third reading calendar.

Consideration of S. B. No. 100 on third reading.

Senator Winder moved to amend the bill as follows: Page 3, strike lines 2 to 7 inclusive and the amendment added at the end of line 7, and reinstate the following: "The Director of Registration may become a member of National associations of representatives of the several professions coming under the Department."

The motion was defeated.

S. B. No. 100 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 100 was transmitted to the House for its action.

On motion of Senator Irvine the rules were suspended and S. B. No. 25 was read the third time and placed on its final passage.

S. B. No. 25 then passed on the following roll call Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 25 was transmitted to the House for its action.

Senator Peters moved to strike the enacting clause of S. B. No. 53.

On substitute motion of Senator Winder S. B. No. 53 was layed on the table.

Senator Adams moved that further action on S. B. No. 67 be deferred.

The motion was defeated.

Senator Peters moved to strike the enacting clause of S. B. No. 67.

On substitute motion of Senator Funk S. B. No. 67 was layed on the table.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred S. B. No. 128, by Mr. Irvine, entitled, "An act amending Section 6015, Chapter 119, Session Laws of Utah, 1919, relating to delinquent taxes," return the same herewith and recommend that it be not passed.

Respectfully,

DAVID JENSON,

Chairman.

On motion of Senator Irvine the report was adopted and the bill rejected.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred S. B. No. 114, by Mrs. Kinney entitled,"An act to amend Section 6533, Compiled Laws of Utah, 1917, providing for change of venue. Grounds for change of venue and adding another subdivision to be known as No. 6, making provisions for change of venue by reason of prejudice and bias of Judge," return the same herewith and recommend that it be not passed.

Respectfully,

DAVID JENSON,

Chairman.

On motion of Senator Tebbs the report was adopted and the bill rejected.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred S. B. No. 177, by Mr. McConkie, entitled, "An act to

amend Section 8289, Chapter 45, Title 119, Compiled Laws of Utah, 1917, relating to grand larceny," return the same herewith and recommend that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 177 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred S. B. No. 119, by Mr. Hirschi, entitled, "An act amending Section 5979, Compiled Laws of Utah, 1917, relating to remission of taxes," return the same herewith and recommend that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. 119 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred S. B. No. 132, by Mr. Irvine, entitled, "An act to amend Section 7720 of the Compiled Laws of Utah, 1917," return the same herewith and recommend that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 132 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred S. B. No. 162, by Mrs. Kinney, entitled, "An act amending Section 3960, Laws of Utah, 1917, relating to pro-

viding funds for the support of dependent mothers," return the same herewith and recommend that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 162 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

Your Judiciary Committee, to whom was referred S. B. No. 133, by Mr. Irvine, entitled, "An act to amend Section 6848, Compiled Laws of Utah, 1917, relating to judgment on dismissal or non-suit," return the same herewith and recommend that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 133 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, S. B. No. 57, by Mr. Jenkins, entitled, "An act to provide for the admission to the treatment building of the State Mental Hospital of suitable persons making voluntary application for treatment," and the same is herewith transmitted to your honorable body to be transmitted to his excellency, the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 57 was transmitted to the Governor for his action.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day adopted committee report on S. B. No. 33, by Mr. Jenkins, entitled "An act relating to insurance; requiring certain insurance concerns to file rates with the Commissioner of Insurance; etc.", which recommended the striking of the enacting clause.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 6, by Mr. Peters, entitled "An act to amend Section 6107, Compiled Laws of Utah, 1917, relating to county treasurer's settlement with cities, towns and schools for taxes," and the same is herewith returned to your honorable body to be transmitted to his excellency, the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 6 was transmitted to the Governor for his action.

On motion of Senator Peters it was decided that when the Senate adjourns it will be to 2 p. m., Friday, Feb. 23rd.

On motion of Senator Fuller the Senate adjourned.

FORTY-SEVENTH DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 23, 1923.

The Senate was called to order at 2:00 p. m. by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the Forty-Fifth day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 29, by Mr. Irvine, entitled, "An act concerning aeronatuics and to make uniform the law with reference thereto," begs leave to report that it has had said bill carefully engrossed and returns same herewith for the signature of the President.

Respectfully

M. S. WINDER,
Chairman.

S. B. No. 29 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 164, by Mr. Warnick, by request, entitled, "An act defining the term 'agricultural seeds,' regulating the sale of the same within the State; providing for the labeling thereof; providing a penalty for violations, and specifying the duties of enforcing officers, and repealing chapter 38, Laws of Utah, 1919," without change.

Respectfully

PERRY B. FULLER,
Chairman.

S. B. No. 164 was ordered printed and referred to the Committee on Agriculture.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 74, by Mr. Rowan, entitled "An act to amend Sections 7, 9 and 10, Chapter 23, of the Session Laws of

Utah, 1921, relating to the liquidation of banks," returns the same herewith and recommends that it be passed.

Respectfully

DAVID JENSON,

Chairman.

Report filed.

H. B. No. 74 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 115, by Mr. Cottrell, entitled, "An act enlarging the definition of a lottery, and enumerating the persons, and the scheme or schemes, and the act or acts which shall constitute operating a lottery and providing a penalty therefor," returns the same herewith and recommends that it be passed with the following amendments:

Strike out the title and insert in lieu thereof the following: "An act amending Chapter 33, Title 119, laws of Utah, 1917, relating to lotteries, by adding a new section to be known as Section 8153X."

After "Section 1," in line 1, insert the following: "Chapter 33, of Title 119, Laws of Utah, 1917, is hereby amended by adding thereto a new section to be known as Section 8153X, reading as follows:"

Respectfully

DAVID JENSON,

Chairman.

Report filed.

S. B. No. 115 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 74, by Mr. Dixon, entitled, "An act to amend Section 1789, Compiled Laws of Utah, 1917, relating to the exclusion of persons from certain trials," herewith returns the same and recommends that it be passed.

Respectfully

DAVID JENSON,

Report filed. Chairman.

S. B. No. 74 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 174, by Mr. Dixon, entitled, "An act amending Section 2852, Compiled Laws of Utah, 1917, as amended by Chapter 61, Laws of Utah, 1921, relating to the State Road Commission, its powers and duties," begs leave to report that it has considered the same and returns it herewith and recommends that it be passed.

Respectfully

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 174 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 159, by Mr. Fuller, entitled, "An act to designate a State Road," begs leave to report that it has considered the same and returns it herewith and recommends that it be passed.

Respectfully

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 159 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 157, by Mr. McConkie, entitled, "An act amending Section 5993, Compiled Laws of Utah, 1917, relating to tax levies," begs leave to report that it has considered the same and returns it herewith and recommends that it be passed.

Respectfully

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 157 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 129, by Mr. Jenson, entitled, "An act to amend Section 2511, Compiled Laws of Utah, 1917, relative to fees of the Secretary of State," begs leave to report that it has considered the same and returns it herewith and recommends that it be not passed.

Respectfully

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 129 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 55, by Mrs. Kinney, entitled, "An act authorizing cities, towns, counties and school districts to acquire, maintain and operate playgrounds, athletic fields, gymnasiums, public baths, swimming pools, camps, indoor recreation centers and other recreation facilities," begs leave to report that it has considered same and returs it herewith, hte majority of the Committee favoring the bill.

Respectfully

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 55 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 60, by Mr. Winder, entitled, "An act to amend Section 4704, Compiled Laws of Utah, 1917, relating to the powers of Boards of Education in cities of the first and second class to levy taxes, and providing

for certain limitations upon the amount of such taxes to be levied," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully

J. W. PETERS,

Report filed. Chairman.

S. B. No. 60 was placed on the recond reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 58, by Mr. Winder, entitled, "An act creating a State Board of Review. Defining powers, authorities and duties," begs leave to report that it has considered the same and returns it herewith wihout recommendation.

Respectfully

J. W. PETERS,

Report filed. Chairman.

S. B. No. 58 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 62, by Mr. Winder, entitled, "An act to amend Section 671, Compiled Laws of Utah, 1917, as amended by Chapter 13, Session Laws of Utah, 1919, as amended by Chapter 14, Session Laws of Utah, 1921, relating to annual tax levies in cities," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully

J. W. PETERS,

Report filed. Chairman.

S. B. No. 62 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 61, by Mr. Winder, entitled, "An act

to amend Section 1401 of the Compiled Laws of Utah, 1917, as amended by Chapter 37, Session Laws of Utah, 1921, authorizing counties of the state of Utah to levy a special tax for the purpose of distributing the products and industries of any County in the State at domestic or foreign exposition, etc.", begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully

J. W. PETERS,

Report filed. Chairman.

S. B. No. 61 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 66, by Mr. Winder, entitled, "An act to amend Section 1400X46, Compiled Laws of Utah, 1917, relating to the powers of Boards of County Commissioners to levy taxes for the care of indigent, etc.", begs leave to report that it has considered and returns the same herewith without recommendation.

Respectfully

J. W. PETERS,

Report filed. Chairman.

S. B. No. 66 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 77, by Mr. Winder, entitled, "An act to amend Section 786X11, Compiled Laws of Utah, 1917, relating to the powers of Town Trustees to levy an annual tax for general corporation purposes, and providing for the limitation of such levies," begs leave to report that it has considered and returns the same herewith without recommendation.

Respectfully

J. W. PETERS,

Report filed. Chairman.

S. B. No. 77 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 126, by Mr. Winder, entitled, "An act to amend Section 2857, Compiled Laws of Utah, 1917, as amended by Chapter 57, Session Laws of Utah, 1919, relating to the powers of County Commissioners to levy taxes for County Road Purposes and Special Taxes for State Road purposes, etc.", begs leave to report that it has considered and returns the same herewith without recommendation.

Respectfully

J. W. PETERS,

Report filed. Chairman.

S. B. No. 126 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 63, by Mr. Winder, entitled, "An act to amend Section 5993, Compiled Laws of Utah, 1917, relating to the powers of County Commissioners to levy taxes for general county purposes for the care, maintenance and relief of the indigent sick and providing, for limitations upon the amounts to be levied for such purposes," begs leave to report that it has considered the same, and returns without recommendation.

Respectfully

J. W. PETERS,

Report filed. Chairman.

S. B. No. 63 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 59, by Mr. Winder, entitled, "An act to amend Section 4624, Compiled Laws of Utah, 1917, relating to the levying and collecting of taxes for school

purposes, in county school districts of the first class and providing for certain limitations upon the amount of such taxes to be levied," begs leave to report that it has considered the same and returns it herewith without recommendaion.

Respectfully
J. W. PETERS,
Chairman.

Report filed.

S. B. No. 59 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Health and Labor, to which was referred H. B. No. 121, by Mr. Finlinson entitled, "An act providing for the levying of a tax for the control of hog cholera," begs leave to report that it has given the same due and careful consideration and returns it herewith and recommends that it be passed.

Respectfully
H. N. STANDISH,
Chairman.

Report filed.

H. B. No. 121 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Health and Labor, to which was referred S. B. No. 137, by Mr. Dixon, entitled, "An act making it unlawful to sell, or keep for sale, alcohol which has been denatured with bichloride of mercury, or any corrosive sublimate,' begs leave to report that it has given the same due and careful consideration and returns it herewith and recommends that it be passed.

Respectfully
H. N. STANDISH,
Chairman.

S. B. No. 137 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Health and Labor, to which was referred S. B. No. 166, by Mr. Winder, enti-

tled, "An act amending Sections 368, 370 and 373, Compiled Laws of Utah, 1917, as amended by Chapter 5, Laws of Utah, 1921, relating to the licensing and regulation of barbers and barber schools," begs leave to report that it has given the same due and careful consideration and returns it herewith and recommends that it be not passed.

Respectfully
H. N. STANDISH,
Chairman.

Report filed.

S. B. No. 166 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Health and Labor, to which was referred S. B. No. 176, by Mr. Winder, entitled, "An act to amend Chapter 25, of Title 119, of the Compiled Laws of Utah, 1917, by enacting an additional section to be known as Section 8099X defining the terms prostitution and prostitute," begs leave to report that it has given the same due and careful consideration and returns is herewith and recommends that it be not passed.

Respectfully
H. N. STANDISH,
Chairman.

Report filed.

S. B. No. 176 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred S. B. No. 169, by Mr. Candland by request, entitled, "An act to provide for the disposition of moneys paid to banks, corporations, associations, firms or persons on debts, either secured or unsecured, which have been sold, discounted, hypothecated, pledged or otherwise disposed of, and providing a penalty for the failure of such bank, corporation, association, firm, or person to comply with the provisions of this act," begs

leave to report that it has considered the same carefully and recommends that it be not passed.

Respectfully

HARRISON E. JENKINS,

Report filed. Chairman.

S. B. No. 169 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 112, by Mr. Hirschi, entitled, "An act repealing Title 91, including Sections 4775 to 4853, both inclusive, Compiled Laws of Utah, 1917, creating a public Utilities Commission, etc," has carefully considered the same and recommends that it be not passed.

Respectfully

J. W. PETERS,

Report filed. Chairman.

On motion of Senator Peters the rules were suspended and S. B. No. 112, was made special order for Saturday, Feb. 24, on second reading.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 21, 1923.

Mr. President:

I am instructed to inform your honorable body that the House is this day advised by his excellency, the Governor, that he has approved and transmitted to the office of Secretary of State, H. B. No. 21, by Mr. Openshaw, entitled, "An act to amend Section 1201, Compiled Laws of Utah, 1917, relating to loan, trust and guarantee associations."

Respectfully

E. L. CROPPER,

Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open ses-

sion, S. B. No. 29, by Mr. Irvine, entitled, " An act concerning areonautics and to make uniform the law with reference thereto," and the same is herewith returned to your honorable body to be transmitted to his excellency, the Governor.

Respectfully
E. L. CROPPER,
Chief Clerk.

S. B. No. 29 was transmitted to the Governor for his action.

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the House, H. B. No. 109, by Mr. Stark, entitled, "An act providing the manner of creating a new county out of more than one existing county," and the same is herewith transmitted to your honorable body for your action.

Respectfully
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 109 was read the first time and referred to Committee on Public Affairs.

Unanimous consent was received for the introduction of the following bills:

S. B. No. 179, by Mr. Peters, "An act providing for the adoption of the commission-manager form of government by cities as an alternative to the plan now in effect, by the vote of citizens, as provided herein, and providing a form of government thereunder," was read the first time and referred to the Committtee on Revision and Printing.

S. B. No. 180, by Mr. Jenson by request, "An act amending Section 6730, Compiled Laws of Utah, 1917, as amended by Chapter 125, Laws of Utah, 1919, relating to garnishment before judgment," was read the first time and referred to the Committee on Revision and Printing.

SPECIAL ORDER

Consideration of S. C. R. No. 3 on second reading.

The Resolution was read.

S. C. R. No. 3 was then ordered read the third time on the following roll call: Ayes, 10; nays, 7, absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, McConkie, Ryan, Warnick and Mr. President.

Those voting in the negative were: Senators Cottrell, Irvine, Jenkins, Jenson, Kinney, Smart and Standish.

Absent and not voting: Senators Peters, Tebbs and Winder.

S. C. R. No. 3 was placed on the third reading calendar.

On motion of Senator Jenson further action on S. B. No. 75 was deferred until Wednesday, Feb. 28, at 2:30 p. m.

Consideration of S. B. No. 76 on second reading.

S. B. No. 76 was then ordered read the third time on the following roll call: Ayes, 14; nays, 1; absent, 5.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Kinney, McConkie, Ryan, Smart, Warnick and Mr. President.

Those voting in the negative were: Senator Jenson.

Absent and not voting: Senators Adams, Peters, Standish, Tebbs and Winder.

S. B. No. 76 was placed o the third reading calendar.

On motion of Senator Jenkins it was decided that when the Senate adjourns it will be to 9:00 a. m. Saturday, Feb. 24.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 15 was read the second time.

S. B. No. 15 was then ordered read the third time on the following roll call: Ayes, 17; nays, 2; absent, 1.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Candland and Hirschi.

Absent and not voting: Senator Standish.

S. B. No. 15 was placed on the third reading calendar.

S. B. No. 68 was read the second time.

Seator Winder moved to amend the bill as follows:

In line 2 after syllable "bers" add "in this state."

The motion was defeated.

Senator Winder moved to amend the bill as follows:

In same line change period after word "association" to semi-colon and add "provided that nothing in this act shall apply to religious, fraternal or labor associations not organized wholly within this state."

The motion was defeated.

S. B. No. 68 was then ordered read the third time on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senator Winder.

Absent and not voting: Senator Standish.

S. B. No. 68 was placed on the third reading calendar.

A communication from a committee of Salt Lake business men was read inviting the members of the Senate to attend a meeting at the Orpheum building, Saturday, Feb. 24th, at 1:30 p. m., at which cigarette legislation is to be discussed.

On motion of Senator Irvine the invitation was accepted, providing the Senators are able to attend.

S. B. No. 83 was read the second time.

S. B. No. 83 was then ordered read the third time on the following roll call: Ayes, 13; nays, 6; absent, 1.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller, Funk, Hirschi, Jenkins, Kinney, Peters, Ryan, Smart, Tebbs, Warnick and Winder.

Those voting in the negative were: Senators Adams, Cottrell, Irvine, Jenson, McConkie and Mr. President.

Absent and not voting: Senator Standish.

S. B. No. 83 was placed on the third reading calendar.

On motion of Senator Irvine the Senate adjourned.

FORTY-EIGHTH DAY

MORNING SESSION

STATE SENATE,
The Capitol
Salt Lake City, Utah, Feb. 24, 1923.

The Senate was called to order at 9:00 a. m. by President McKay.

Roll call. Nineteen members present. Senator Cottrell absent.

Prayer by the Chaplain.

The Journal of the Forty-Seventh Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 179, by Mr. Peters, entitled, "An act providing for the adoption of the Commission-Manager form of government by cities as an alternative to the plan now in effect, by the vote of citizens, as provided herein, and providing a form of government thereunder," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 179 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 180, by Mr. Jenson, by request, entitled, "An act amending Section 6730, Compiled Laws of Utah, 1917, as amended by Chapter 125, Laws of Utah, 1919, relating to garnishment before judgment," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 180 was ordered printed and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 23, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. C. R. No. 3, by Mr. Constantine, being "A resolution memorializing Congress to pass the Towner-Sterling act," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. C. R. No. 3 was read the first time and referred to the Committee on Education.

SPECIAL ORDER

Consideration of S. B. No. 112 on second reading. The bill was read.

S. B. No. 112 was rejected on the following roll call: Ayes, 5; nays, 14; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Hirschi, Tebbs and Winder.

Those voting in the negative were: Senators Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senator Cottrell.

On motion of Senator Winder S. B. No. 58 and accompanying group of tax bills were made special order for Monday afternoon, Feb. 26.

COMMUNICATIONS FROM THE GOVERNOR

State of Utah,
Executive Office.
Salt Lake City, Utah, Feb. 24, 1923.

To the Senate:

I am returning herewith S. B. No. 24, Substitute for S. B.'s 8, 9, 10, 12, 13 and 14, for correction.

From the record it seems that when the above numbered bills were consolidated in S. B. No. 24 one line was omitted in copying Section 5584. The effect of this omission is to increase the limitation on the sale of arid lands from 320 acres to four sections, and eliminates all restrictions on the sale of grazing lands.

I recommend that the omitted words be included in the present bill, when the same will meet with my approval.

Respectfully yours,
CHARLES R. MABEY,
Governor.

Senator Fuller moved to amend the bill as follows: Insert the following between lines 8 and 9, page 2: "ceed 320 acres, and grazing lands in amounts not to ex-"

The motion was carried.

S. B. No. 24 then passed on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Funk Irvine and Peters.

S. B. No. 24 was transmitted to the House for its action.

S. C. R. No. 3 was read the third time and placed on its final passage.

S. C. R. No. 3 was rejected on the following roll call: Ayes, 8; nays, 10; absent, 2.

Those voting in the affirmative were: Senators Adams, Dixon, Funk, McConkie, Ryan, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senators Candland, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, Smart, Standish and Winder.

Absent and not voting: Senators Cottrell and Peters.

On motion of Senator Candland the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p. m.
Roll call. All members present.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Agriculture to which was referred H. B. No. 59, by Committee on Irrigation and Reservoirs, entitled "An act to repeal Chapter ten, special Session Laws of Utah, 1919, relating to the investment of irrigation district bonds, begs leave to report that it has carefully considered the same and returns it herewith and recommends that it be passed.

Respectfully,
WM. H. SMART,
Chairman.

Report filed.

H. B. No. 59 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Agriculture to which was referred S. B. No. 105, by Mr. Funk, entitled, "An act limiting the load that may be placed upon vehicles used upon the public highways," begs leave to report that it has carefully considered the same and returns it herewith and recommends that it be passed.

Respectfully,

WM. H. SMART,

Chairman.

Report filed.

S. B. No. 105 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Public Health and Labor to whom was referred S. B. No. 134, by Mr. Irvine, by request, entitled, "An act amending Section 4406, Compiled Laws of Utah, 1917 as amended by Chapter 90, Laws of Utah, 1921, relating to licensing registered pharmacists," beg leave to report that after due and careful consideration they recommend that it be passed.

Respectfully,

H. N. STANDISH,

Chairman.

Report filed.

S. B. No. 134 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Public Health and Labor to whom was referred S. B. No. 165, by Mr. Winder, entitled, "An act to repeal Chapter 85 of Session Laws of Utah, 1919, relating to health education," beg leave to report that afer due and careful consideration they recommend that it be passed with the following amendments.

Line 1 of the Title, insert the words "Section 1" after the word "repeal;"

Section 1, line 1, insert the words "Section 1" after the word "that" so that it will read "That Section 1, Chapter 85, Session Laws of Utah, 1919, is hereby repealed."

Respectfully,
H. N. STANDISH,
Chairman.

Report filed.

S. B. No. 165 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred S. B. No. 135, by Mr. Irvine, by request, entitled, "An act amending Chapter 81, Laws of Utah, 1919, relating to the registration of pharmacies, drug stores and places of business where drugs are sold, etc.", begs leave to report that it has carefully considered the same and returns it herewith and recommends that it be passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 135 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Agriculture, to which was referred H. B. No. 39, by Mr. White, entitled "An act providing for the appointment of a fish and game commissioner, chief deputy, and other deputies and assistants; creating a fish and game fund; prescribing duties, powers, and salaries of commissioners, deputies, and other assistants; providing bonds for commissioner and deputies; providing a license to hunt, fish and trap, and to market cat fish, and to operate private ponds; the appointment of license agents; etc.", returns the same herewith and recommends that it be passed with the following amendments:

Page 2, line 3, after the word "Commissioner," insert "whose term of office shall be for 4 years and until his successor is appointed and qualified, and"

Line 10, strike the last five words and all of line 11. Insert in lieu thereof "twenty-five per cent of all fees for licenses issued under this act shall be turned into the State General Fund."

Page 6, line 9, change "3600" to "3000".

Respectfully,

WM. H. SMART,

Chairman.

Report filed.

H. B. No. 39 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 93, by Mr. Peters, entitled, "An act adding a new section to Chapter 4 of Title 91, Compiled Laws of Utah, 1917, to be known as Section 4819X, prescribing certain powers and duties of the Public Utilities Commission with respect to automobile corporations as the same are defined in paragraph 13 of Section 4782, etc.", begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 93 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 92, by Mr. Peters, entitled, "An act amending Section 4798 of the Compiled Laws of Utah, 1917, and adding to Chapter 5 of Title 91, etc.", begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 92 was placed on the second reading calendar.

COMMUNICATIONS FROM THE GOVERNOR

Salt Lake City, Utah, Feb. 23, 1923.

State of Utah,
Executive Office.
To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 42, by Mr. McConkie, entitled, "An act relating to killing animals and fixing a penalty therefor."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

Salt Lake City, Utah, Feb. 24, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State S. B. No. 43, by Mr. McConkie, entitled, "An act to amend Section 8388, Title 119, Chapter 54, Compiled Laws of Utah, 1917, relating to killing or maiming animals."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

Salt Lake City, Utah, Feb. 24, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 47, by Mr. Funk, entitled, "An act amending Section 5, Chapter 55, Laws of Utah, 1921, relating to embalming."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

Salt Lake City, Utah, Feb. 24, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 57, by Mr. Jen-

kins, entitled, "An act to provide for the admission to the treatment building of the state mental hospital of suitable persons making voluntary application for treatment."

Respectfully yours,
CHARLES R. MABEY.
Governor.

Communication filed.

The House was notified of the Governor's action on the above four bills.

Unanimous consent was received for the introduction of the following bill:

S. B. No. 181, by Mr. Tebbs: "An act authorizing the State Land Commissioner to lease the whole or any part of Section 36, Township 36 South, Range 4 West, Salt Lake Meridian," was read the first time and referred to the Committee on Revision and Printing.

On motion of Senator Tebbs the Senate went into Executive Session to consider the Governor's nominations made in communications to the Senate of January 19th and 23rd.

The executive session being terminated, the Senate resumed its regular order of business.

The question, "Will the Senate advise and consent to the following nominations made by the Governor," was put and carried unanimously.

Commisioner of Agriculture:

Mr. A. A. Hinckley ..... Hinckley

To fill the unexpired term of four years, serving until April 1st, 1925.

Board of Agriculture:

Mr. Charles R. Pugh ..... Kanab
Mr. Henry Moss ..... Woods Cross
Mr. David F. Smith ..... Centerville
Mr. O. D. Merrill ..... Richmond
Mr. Jas. L. Wrathall ..... Grantsville
Mr. Thomas Chantry ..... Wellington
Mr. J. Edward Taylor ..... Salt Lake

To fill the unexpired term of four years serving until April 1st, 1925.

Bank Commissioner:
Mr. Seth Pixton ..... Riverton
To fill the unexpired term of four years, serving until April 1st, 1925.

Bank Examiners:
Mr. Clayton I. Thatcher ..... Ogden
Mr. W. F. Piper ..... Salt Lake
To fill the two year term from April 1st, 1923, to April 1st, 1925.

Board of Corrections:
Mr. James Ivers, Jr. ..... Salt Lake
To fill the unexpired term of four year, serving until April 1st, 1925.

State Industrial Commission:
Mr. O. F. McShane ..... Beaver City
To fill the unexpired term of six years, serving until April 1st, 1927.

E. E. Corfman to membership on the Public Utilities Commission, to fill the unexpired term of six years occasioned by the death of Honorable A. R. Heywood, serving from January 19th, 1923, to April 1st, 1927.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 76 was read the third time and placed on its final passage.

On motion of Senator Peters the bill was amended as follows: Page 3 line 9, after the word "state" insert "and county peace officers."

Senator McConkie moved to amend the bill as follows: Page 3, line 11, after the word "carries" insert "except automobile and vehicle stage lines."

The motion was defeated.

On motion of Senator Hirschi the enacting clause was stricken and the bill rejected.

S. B. No. 15 was read the third time and placed on its final passage.

Senator Jenkins moved to amend the bill as follows: Add to the bill

Section 8. "Nothing in this act shall be so construed as to empower any city or town without first compen-

sating the owner thereof, to remove or in any way to interfere with any buildings, structures or improvements already existing in any part of such city or town; or to prevent any repairs, alterations, improvements or additions to or enlargements of any building, structure or improvement; where no change in the use thereof is contemplated; or to prohibit the repair, alteration or replacement of any building, structure or improvement which has been damaged by fire, the elements or otherwise."

The motion was defeated.

Senator Hirschi moved to amend the bill as follows: Add to the bill: Section 8. Provided that the provisions of this act shall apply only to cities of the first and second class."

The motion was defeated.

S. B. No. 15 was passed on the following roll call: Ayes, 17; nays, 3; absent, 0.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Candland, Hirschi and Tebbs.

S. B. No. 15 was transmitted to the House for its action.

Unanimous consent was received for the presentation of S. R. No. 4 by Mr. Hirschi, urging the reinstatement in the National Appropriation bill of the appropriation for the Zion National Park.

On motion of Senator Candland the rules were suspended and S. R. No. 4 was read the first, second and third times and unanimously passed.

S. R. No. 4 was referred to the Committee on Enrolling and Engrossing.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to inform your honorable body that the House is advised by his excellency, the Governor,

that he has approved and filed with the Secretary of State's office, H. B. No. 20, by Mr. Bailey, entitled, "An act to amend Section 62, Chapter 67, Session Laws of Utah, 1919, relating to water and water-rights," and H. B. No. 34, by Mr. Finlinson, entitled, "An act relating to the care of State Funds and providing for the collection of interest thereon; creating a state depository board and defining its powers and duties; providing for the designating of public depositories and the depositing of public funds therein."

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to enclose herewith a copy of an opinion of the Attorney General and to also notify you that the House will not be in session after the expiration of the sixtieth day.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has concurred in Senate amendments, and passed S. B. No. 24, by Committee on Revision and Printing entitled, "An act to amend Sections 5583, 5584, 5590, 5599, 5606 and 5607, Compiled Laws of Utah, 1917, as amended by Chapter 118 of the Laws of Utah, 1921, relating to state lands and the state land commissioner" and the same is herewith transmitted to your honorable body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 24 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. C. M. No. 2, by Mr. Wheatley "Memoralizing the Utah delegation in Congress to use their efforts to secure action at this session of Congress upon Senate Joint Resolution No. 269 providing for the distribution of surplus war materials," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. C. M. No. 2 was read the first time and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 122, by Mr. Finlinson, entitled "An act providing for the levying of a tax for the indemnification of condemned and slaughtered tubercular cattle" and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 122 was read the first time and referred to the Committee on Agriculture.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. C. R. No. 4, by Mrs. Dunyon, and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. C. R. No. 4 was read the first time and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, H. C. R. No. 2, by Mrs.

Dunyon, being "Resolution for the annual display of the American flag on Mother's day, the second Sunday in May," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

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

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. No. 99, by Mr. Goggin, entitled, "An act amending Sections 3220 and 3221, Title 51, of the Compiled Laws of Utah, 1917, and providing for coroners to be appointed by the mayors of all cities of the first and second class in Utah and giving them power to appoint deputies and providing for the compensation of such coroners" and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 99 was read the first time and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 108, by Mr. McKell, entitled, "An act providing for the cancellation of state warrants not presented to the State Treasurer for payment within a period of two years from date of issue," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 108 was read the first time and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 24, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 104, by Mr. Goggin, entitled, "An act amending Section 1932, Title 24, Compiled Laws of Utah, 1917, relating to baking powder," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

H. B. No. 104 was read the first time and referred to the Committee on Public Health and Labor.

On motion of Senator Dixon S. B. No. 83 was made special order for Wednesday, Feb. 28.

On motion of Senator Jenkins S. B. No. 135 was recommitted.

S. B. No. 68 was read the third time and placed on its final passage.

S. B. No. 68 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Funk.

S. B. No. 68 was transmitted to the House for its action.

Senators Adams and Warnick were appointed to correct the Journal the week of Feb. 26th.

On motion of Senator Peters the Senate adjourned.

FIFTIETH DAY

MORNING SESSION

STATE SENATE,
The Capitol.
Salt Lake City, Utah., Feb. 26, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Forty-eighth Day was read and approved.

On motion of Senator McConkie, S. B. No. 157 was recommitted.

On motion of Senator Peters S. B. No. 93 was recommitted.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 181, by Mr. Tebbs, entitled, "An act authorizing the State Land Commissioner to lease the whole or any part of Section 36, Township 36 South, Range 4 West, Salt Lake Meridian," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

S. B. No. 181 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred H. C. R. No. 4, by Mrs. Dunyon, entitled, "Whereas it has come to our attention that there is in contemplation by the various civic, industrial and commercial organizations of the State of Utah, the holding of an international mining exposition to be held at Salt Lake City, Utah, sometime within the next two years, etc.", begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

HARRISON E. JENKINS,
Chairman.

Report filed.

H. C. R. No. 4 was placed on the second reading calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 38 was read the second time.

H. B. No. 55 was read the second time.

S. B. No. 38 was then rejected on the following roll call: Ayes, 4; nays, 12; absent, 4.

Those voting in the affirmative were: Senators Fuller, Kinney, Peters and Ryan.

Those voting in the negative were: Senators Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, McConkie, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Adams, Jenson, Tebbs and Winder.

H. B. No. 55 was then rejected on the following roll call: Ayes, 4; nays, 12; absent, 4.

Those voting in the affirmative were: Senators Fuller, Kinney, Peters and Ryan.

Those voting in the negative were: Senators Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, McConkie, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Adams, Jenson, Tebbs and Winder.

H. B. No. 55 was returned to the House.

On motion of Senator Hirschi the rules were suspended and S. B. No. 92 was read the second time.

On motion of Senator Peters the bill was amended as follows:

Strike "of the" in line 1 and "of said" in line 3 of the Title; strike "That" in line 1, page 1; strike "be" in line 2, page 1, and substitute therefore "is".

Strike the underscored matter on Page 1 and insert the following: "Except that the Commission shall have no jurisdiction over or power to control the installation, establishment, maintenance, operation, service or rates of any light or water plant owned and operated by any municipal corporation. The rates or charges for services rendered by any public utility now or hereafter owned and operated by any political subdivision of the state shall, so far as practicable, be so fixed as to provide a revenue sufficient to pay all expenses of operation and maintenance and the interest on all bonds issued to con-

struct, acquire or maintain such public utility and to provide the sinking funds requisite to pay said bonds at maturity."

Page 2, line 4, after the word "schedule" insert "or in any proceeding to reduce an existing rate, charge or schedule."

On page 2 line 12 transpose the words "to fully"

Page 2, line 14, add after the word "employment" "such appointees, however, to be subject to the approval of a majority of the petitioners or the protestants who represent the consumers in such proceeding."

Page 2, line 16, strike the word "add" and remainder of line and line 17 down to and including "sufficient." and substitute therefor "such utility."

S. B. No. 92 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were. Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Jenson and Winder.

S. B. No. 92 was placed on the third reading calendar.

Senator Hirschi moved that the rules be suspended and S. B. No. 92 be read the third time.

The motion was defeated.

H. B. No. 88 was read the second time.

H. B. No. 88 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were. Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Jenson and Winder.

H. B. No. 88 was placed on the third reading calendar.

H. B. No. 93 was read the second time.

H. B. No. 93 was then rejected on the following roll call: Ayes, 1; nays, 17; absent 2.

Those voting in the affirmative were: Senator Kinney.

Those voting in the negative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Jenson and Winder.

H. B. No. 93 was returned to the House.

On motion of Senator Jenkins the Senate recessed until 2 P. M.

AFTERNOON SESSION

The Senate reconvened at 2 p. m.

Roll call. All members present.

S. B. No. 95 was read the second time.

The committee report, including the amendments recommended therein, was adopted.

S. B. No. 95 was then ordered read the third time on the following roll call: Ayes, 15; nays, 1; absent, 3; excused, 1.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Standish, Tebbs and Mr. President.

Those voting in the negative were: Senator Warnick.

Absent and not voting: Senators Cottrell, Funk and Kinney.

Excused from voting: Senator Winder.

S. B. No. 95 was placed on the third reading calendar.

Unanimous consent was received for the introduction of the following:

S. M. No. 1, by Mr. Tebbs: "Petitioning the Congress of the United States to make an appropriation for road building along the north rim of the Grand Canyon of the Colorado."

S. J. R. No. 3, by Mrs. Kinney, "To provide for a special joint committee to examine the sumptuary laws of the state, to report and recommend the elimination thereof to the Fifteenth Legislature of the State of Utah, not later than March 3rd, 1923," was read the first time and referred to the Committee on Revision and Printing.

S. B. No. 182, by Mr. Jenson, by request, "An act amending Chapter 8, Title 100, Compiled Laws of Utah,

1917, relating to State Historical Society, by adding new Section to be known as Section 5357X," was read the first time and referred to the Committee on Revision and Printing.

On motion of Senator Tebbs the rules were suspended and S. M. No. 1 was read the first, second and third time and placed on final passage.

S. M. No. 1 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. M. No. 1 was referred to the Committee on Enrolling and Engrossing and the Secretary instructed to wire the memorial to Senator Smoot.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 181, by Mr. Tebbs, entitled, "An act authorizing the State Land Commissioner to lease the whole or any part of Section 36, Township 36 South, Range 4 West, Salt Lake Meridian," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,

Report filed. Chairman.

On motion of Senator Peters the rules were suspended and S. B. No. 181 was read the second time and ordered read the third time on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 181 was placed on the third reading calendar.

SPECIAL ORDER

S. B. No. 58 was read the second time.

On motion of Senator Winder the bill was amended as follows:

After word "duties" in Title, change period to comma and add " limiting tax levies for county, municipal and school purposes, providing the method for increase or decrease of such levies and for referendum to taxpayers."

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 24, substitute for S. B.'s 8, 9, 10, 12, 13 and 14, by Committee on Revision and Printing, entitled, "An act to amend Sections 5583, 5584, 5590, 5599, 5606 and 5607, Compiled Laws of Utah, 1917, as amended by Chapter 118, of the Laws of Utah, 1921, relating to state lands and the State Land Commissioner," begs leave to report that it has had said bill carefully engrossed, and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 24 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. J. R. No. 3, by Mrs. Kinney, entitled, "To provide for a special joint committee to examine the sumptuary laws of the State, to report and recommend the elimination thereof to the Fifteenth Legislature of the State of Utah, not later than March 3rd, 1923," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. J. R. No. 3 was ordered printed and referred to the Committee on Public Affairs.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 122, by Mr. Adams, entitled, "An act making it mandatory on County Commissioners to appropriate a definite proportion of money raised for road purposes by general or special taxes upon property within the corporate limits of cities and towns for use upon the public roads within the corporate limit of such cities and towns within the counties," returns the same herewith and recommends that it be passed with the following amendment:

In line 2, after the word "purposes," insert "other than State Road purposes."

Respectfully,

DAVID JENSON,

Report filed. Chairman.

S. B. No. 122 was placed on the second reading calendar.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 171, by Mr. McConkie, entitled, "An act to amend Section 5765, Compiled Laws of Utah, 1917, relating to powers of District Attorneys to employ clerk," returns the same herewith and recommends that it be passed with the following amendments:

Strike the words "seventy-five" in line 4, insert parenthesis after the word "of" following the word population," and insert in lieu of the words "seventy-five" "forty".

Respectfully,

DAVID JENSON,

Report filed. Chairman.

S. B. No. 171 was placed on the second reading calendar.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 23, by Mr. Constantine, entitled, "An act re-

vising and amending Section 8975, of Chapter 33, Title 120, Compiled Laws of Utah, 1917, relating to the order of trial in criminal procedure," returns the same herewith and recommends that it be not passed.

Respectfully,

DAVID JENSON,

Report filed. Chairman.

H. B. No. 23 was placed on the second reading calendar.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 161, by Mr. Irvine (by request), entitled "An act amending Section 7441, Compiled Laws of Utah, 1917, relating to the issuance and service of summons from Justice's Courts, and providing for dismissal of actions in which summons is not served within one year from the commencement of the action, and providing further, that actions so dismissed do not toll the statute of limitations," returns the same herewith and recommends that it be passed with the following amendments.

In line 4 between the words "the" and "justice" insert parenthesis and the following "plaintiff or." Underline the word "justice" in line 4. After the first word in line 5, insert parenthesis. Underline the word "plaintiff" in line 5. Between the words "may" and "desire" in line 5, insert parenthesis. Underline all of line 5 after the word "may." Underline all of line 6. At the end of line 6, insert the following words "does not plead or." Strike out the letter "s" in the word "appears" in line 7, and underline all of lines 7, 8, 9, 10, 11, 12 and 13.

Respectfully,

DAVID JENSON,

Report filed. Chairman.

S. B. No. 161 was placed on the second reading calendar.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 50, by Mr. Iverson, entitled, "An act amend-

ing Section 984 as amended by Chapter 18, Session Laws 1919 and Sections 1001, 1006, Compiled Laws of Utah, 1917, and adding new sections to be known as 972X, 972X1, 975X, 975X1, 985X2, 1004X, 1004X1, 1009X1, 1009X2, 1020X, 1020X1, 1020X2, 1020X3, relating to the duties of banking corporations with reference to the manner of keeping books and records," et cetra," returns the same herewith and recommends that it be passed with the following amendments:

In line 6 of the Title before the word "relating," insert "1020X4."

In the last line of the Title, change period to comma and insert "And providing that no officer, director, employee or attorney of a member bank to be beneficiary of or to receive any fee, commission, gift or other consideration in connection with any business of the bank."

At the end of line 5, change period to comma and insert "and 1020X4."

In line 25, page 3, insert after the word "notice" "from the State Bank Commissioner."

Line 22, page 6, after the word "commissioner," insert period and strike the remainder of line 22 and all of line 23.

After line 30 on page 7 insert the following:

Section 1020X4. Other than the usual salary or director's fee paid to any officer, director, employee, or attorney of a member bank, and other than a reasonable fee paid by said bank to such officer, director, employee or attorney for services rendered to such bank, no officer, director, employee, or attorney of a member bank shall be a beneficiary of or receive directly or indirectly, any fee, commission, gift, or other consideration for or in connection with any transaction or business of the bank: Provided, however, that nothing in this act contained shall be construed to prohibit a director, officer, employee, or attorney from receiving the same rate of interest paid to other depositors for similar deposits made with such bank; and provided further, that notes, drafts, bills of exchange or other evidences of debt executed or indorsed by directors or attorneys of a member bank may be discounted with such member bank on the

same terms and conditions as other notes, drafts, bills of exchange, or evidences of debt upon the affirmative vote or written assent of at least a majority of the members of the board of directors of such member bank."

Respectfully

DAVID JENSON,

Chairman.

Report filed.

H. B. No. 50 was placed on the second reading calendar.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 180, by Mr. Jenson (by request), entitled, "An act amending Section 6730, Compiled Laws of Utah, 1917, as amended by Chapter 125, Laws of Utah, 1919, relating to garnishment before judgment," returns the same herewith and recommends that it be passed.

Respectfully,

DAVID JENSON,

Chairman.

Report filed.

S. B. No. 180 was placed on the second reading calendar.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 170, by Mr. McConkie, entitled "An act amending Section 6408, Compiled Laws of Utah, 1917, relating to succession in absence of will and of marriage contract," returns the same herewith and recommends that it be passed.

Respectfully,

DAVID JENSON,

Report filed. Chairman.

S. B. No. 170 was placed on the second reading calendar.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. C. R. No. 2, by Mr. Jenkins, entitled, "A concurrent

resolution proposing an amendment to the Constitution of the State of Utah by amending Section 9, Article 4, relating to elections and commencement of term of office," returns the same herewith and recommends that it be not passed.

Respectfully,
DAVID JENSON,
Chairman.

On motion of Senator Jenkins the enacting clause in S. C. R. No. 2 was stricken and the bill rejected.

Salt Lake City, Utah., Feb. 26, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was recommitted S. B. No. 135, by Mr. Irvine, by request, entitled, "An act amending Chapter 81, Laws of Utah, 1919, relating to the registration of pharmacies, drug stores and places of business where drugs are sold, and adding new sections requiring pharmacies and drug stores at all times to be in charge of registered pharmacists and permitting places of business located more than three miles from a registered pharmacy or drug store to sell certain drugs and poisons in original packages and making it unlawful to sell drugs, medicines or poisons except at places authorized in this act," begs leave to report that it has again considered the same and recommends that it be not passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 135 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

February, 26, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 24, by Committee on Revision and

Printing Substitute for S. B.'s 8, 9, 10, 12, 13 and 14, entitled, "An Act to amend sections 5583, 5584, 4490, 5599, 5606 and 5607, Compiled Laws of Utah 1917, as amended by Chapter 118, of the Laws of Utah 1921, relating to state lands and the state land commissioner" and the same is herewith returned to your honorable body to be transmitted to his excellency, the governor.

Respectfully,

E. L. CROPPER,
Chief Clerk.

S. B. No. 24 was transmitted to the Governor for his action.

On motion of Senator Irvine the Senate adjourned.

FIFTY-FIRST DAY

MORNING SESSION

STATE SENATE,
The Capitol.
Salt Lake City, Utah, Feb. 27, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. Nineteen members present. Senator Adams absent.

Prayer by the Chaplain.

The Journal of the Fiftieth Day was read and approved.

COMMUNICATIONS FROM THE GOVERNOR

State of Utah,
Executive Office.
Salt Lake City, Utah., Feb. 26, 1923.

To the Senate:

Herewith is transmitted Supplement No. 2 to the Executive budget.

In explanation of the request for $30,000.00 for the purpose of construction work on the Wendover Highway, it will be noted that the proviso vests authority in the

Governor to draw upon such funds. It is contemplated that these funds shall not be used except to meet a contingency in connection with the building of this highway and that the expenditure shall not be a hardship upon the State in the present financial stringency.

Respectfully,

CHARLES R. MABEY,
Governor.

Communication filed.

Budget Supplement was referred to the Committee on Appropriations.

EXECUTIVE BUDGET

Supplement No. 2

To the State Welfare Commission:
For contingent expenses $1,000.00
To the State Road Commission:
For construction of Wendover Highway $30,000.00
(To be expended only upon authority of the Governor.)

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. B. No. 108, by Mr. McKell, entitled "An act providing for the cancellation of state warrants not presented to the state treasurer for payment within a period of two years from date of issue," begs leave to report that it has considered the same favorably, and returns it to you with the recommendation that it be passed.

Respectfully,

J. W. PETERS,
Chairman.

Report filed.

H. B. No. 108 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. C. M. No. 2, by Mr. Wheatley, entitled,

"Memoralizing the Utah Delegation in Congress to use their efforts to secure action at this session of Congress upon Senate Joint Resolution No. 269 providing for the distribution of surplus war materials," begs leave to report that it has considered the same favorably and returns it to you with the recommendation that it be passed.

Respectfully

J. W. PETERS,

Report filed. Chairman.

H. C. M. No. 2 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 127, by Mr. Candland, entitled, "An act creating a State Board of Supplies and Purchase, defining its powers and duties, etc.," begs leave to report that it has considered the same unfavorably, and recommends that it be not passed.

Respectfully,

J. W. PETERS,

Report filed. Chairman.

S. B. No. 127 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 178, by Mr. Irvine by request, entitled "An act providing for the welfare of pregnant girls committed to the State Industrial School and of children born to them while under the control of said school," begs leave to report that it has considered the same favorably and recommends that it be passed with the following amendments:

Strike all of Section 3.

On page 2, line 2, change figure 4 to 3.

Respectfully,

J. W. PETERS,

Report filed. Chairman.

S. B. No. 178 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. J. R. No. 3, by Mrs. Kinney, entitled, "To provide for a special joint committee to examine the sumptuary laws of the state, to report and recommend the elimination thereof to the Fifteenth Legislature of the State of Utah, not later than March 3, 1923," begs leave to report that it has considered the same unfavorably, and recommends that it be not passed.

Respectfully

J. W. PETERS,

Chairman.

Report filed.

S. J. R. No. 3 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 168, by Mr. Peters, entitled, "An act providing for two sets of judges of election in election districts where at the general election next preceding there were more than one hundred votes cast for the office of Governor, etc.", begs leave to report that it has considered the same favorably, and recommends that it be passed with the following amendments:

On page 1, line 5, strike the word "one" and substitute in lieu thereof "two."

On page 2, line 8, after the word "applies" insert "twenty."

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 168 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. C. R. No. 2, by Mrs. Dunyon, entitled, "Resolution for the annual display of the American flag on

Mother's day, the second Sunday in May," begs leave to report that it has considered the same favorably, and returns it to you with the recommendation that it be passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. C. R. No. 2 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Agriculture to which was referred H. B. No. 122, by Mr. Finlinson, entitled, "An act providing for the levying of a tax for the indemnification of condemned and slaughtered tubercular cattle," returns the same herewith and recommends that it be passed.

Respectfully,
WM. H. SMART,
Chairman.

Report filed.

H. B. No. 122 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Agriculture to which was referred S. B. No. 131, by Mr. Funk, entitled, "An act to amend Section 177, of Chapter 2, Session Laws of Utah, 1921, relating to Livestock," returns the same herewith and recommends that it be passed with the following amendments:

Strike the figure "3" in line 9, of page 1, and insert in lieu thereof "25."

Page 1, line 10, strike the figure "1½" and substitute therefor "10."

Respectfully,
WM. H. SMART,
Chairman.

Report filed.

S. B. No. 131 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Agriculture to which was referred H. B. No. 40, by Mr. White, entitled, "An act repealing Chapter 47, Laws of Utah, 1919, and Chapter 6, Laws of Utah, 1919, Special Session, relating to fish and game," returns the same herewith and recommends that it be passed.

Respectfully,

WM. H. SMART,

Chairman.

Report filed.

H. B. No. 40 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Education, to which was referred S. B. No. 136, by Mr. Dixon, entitled "An act to provide for the transfer of school Funds from one district to another," returns the same herewith and recommends that it be passed.

Respectfully,

A. B. IRVINE,

Chairman.

Report filed.

S. B. No. 136 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended, H. B. No. 140, by Mr. Callister, entitled, "An act amending Section 4798, of the Compiled Laws of Utah, 1917, and adding to Chapter 5 of Title 91 of said Compiled Laws of Utah, 1917, a new Section to be known as 4838X, both relating to the powers of the public utilities commission," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication fieled.

H. B. No. 140 was read the first time and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the house, H. B. No. 146, by Mr. Callister, entitled "An act to amend Sections 4834, 4835 and 4836, Compiled Laws of Utah, 1917, and adding to be known as Section 4834X, all relating to writs of reviews and appeals from the public utilities commission to the district court and to the supreme court," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication fieled.

H. B. No. 146 was read the first time and referred to the Committee on Public Affairs.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 92 was read the third time and placed on its final passage.

Senator Dixon moved to amend the bill as follows:

Strike the amendment inserted Feb. 26th, on page 2, line 4, after the word "schedule."

The motion was defeated.

S. B. No. 92 then passed on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Irvine, Standish and Tebbs.

S. B. No. 92 was transmitted to the House for its action.

UNFINISHED BUSINESS

Consideration of S. B. No. 58 on second reading.

Senator Warnick moved to amend the bill as follows:

Page 4, line 3, change "10" to "50."

Amendment to the amendment moved by Senator Candland changing "50" to "10% of the".

The amendment to the amendment carried.

Senator Dixon moved to amend the bill as follows:

Line 12, page 4, change "ten" to "twenty."

The motion was defeated.

S. B. No. 58 was then ordered read the third time on the following roll call: Ayes, 13; nays, 5; absent, 2.

Those voting in the affirmative were: Senators Candland, Fuller, Funk, Hirschi, Irvine, Jenkins, Kinney, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Cottrell, Dixon, Jenson, McConkie and Ryan.

Absent and not voting: Senators Adams and Tebbs.

S. B. No. 58 was placed on the third reading calendar.

S. B. No. 59 was read the second time.

S. B. No. 59 was then ordered read the third time on the following roll call: Ayes, 9; nays, 5; absent, 6.

Those voting in the affirmative were: Senators Candland, Fuller, Jenkins, Kinney, Peters, Smart, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Cottrell, Dixon, Jenson, McConkie and Ryan.

Absent and not voting: Senators Adams, Funk, Hirschi, Irvine, Standish and Tebbs.

S. B. No. 59 was placed on the third readnig calendar.

On motion of Senator Cottrell further action on Senate Bills 60, 61, 62, 63, 66, 77 and 126, was deferred until after final action on S. B. No. 58.

H. B. No. 88 was read the third time and placed on its final passage.

H. B. No. 88 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Warnick and Mr. President.

Absent and not voting: Senators Adams, Candland, Jenkins, Standish, Tebbs and Winder.

H. B. No. 88 was returned to the House for its further action.

S. B. No. 95 was read the third time and placed on its final passage.

S. B. No. 95 then passed on the following roll call: Ayes, 14; nays, 1; absent, 5.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish and Mr. President.

Those voting in the negative were: Senator Warnick.

Absent and not voting: Senators Adams, Funk, Jenkins, Tebbs and Winder.

S. B. No. 95 was transmitted to the House for its action.

S. B. No. 181 was read the third time and placed on its final passage.

On motion of Senator Peters the bill was amended as follows:

Strike "of the" in line 3, page 1.

On motion of Senator Irvine further consideration of S. B. No. 181 was deferred until 3 p. m.

On motion of Senator Standish S. B. No. 108 was made special order for Wed., Feb. 28th at 3 p. m.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 75 was read the second time.

H. B. No. 75 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams and Tebbs.

H. B. No. 75 was placed on the third reading calendar.

On motion of Senator Dixon the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p. m.

Roll call. All members present.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 182 by Mr. Jenson, by request, entitled, "An act amending Chapter 8, Title 100, Compiled Laws of Utah, 1917, relating to State Historical Society, by adding new section to be known as Section 5357X," without change.

Respectfully,
PERRY B. FULLER,
Chairman.

S. B. No. 182 was ordered printed and referred to the Committee on Education.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Revision and Printing report back S. B. No. 175, by Mr. Cottrell, entitled, "An act to amend Sections 3972, 3974, 3980 and 3981, of the Compiled Laws of Utah, 1917, and to amend Section 3974, Compiled Laws of Utah, 1917, as amended by Section 3974, Compiled Laws of Utah, 1919, providing for making application for license of motor vehicles and motorcycles, filing of bonds, issuance of licenses, number

plates, loss of plates, transfer of ownership, change of residence, chauffeur's bonds and licenses," without change.

Respectfully,

PERRY B. FULLER,
Chairman.

On motion of Senator Fuller the bill was ordered not printed and was referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Health and Labor to which was referred the report of committee on Public Health Activities, submitted to Governor Chas. R. Mabey, by L. G. Kelly, B. W. Black, M. D., and Carl A. Badger, begs leave to report that after due and careful consideration of all matters contained therein they recommend that no further action be taken on the same at this Session of the Legislature, except such as is contained in S. B. No. 165.

Respectfully,

H. N. STANDISH,
Chairman.

On motion of Senator Standish the report was adopted.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred H. B. No. 30, by Mr. McKell, entitled, "An act prohibiting rebates of premiums paid on policies of insurance and bonds," begs leave to report that it has carefully considered the same and returns it herewith and recommends that it be passed.

Respectfully,

HARRISON E. JENKINS,
Chairman.

Report filed.

H. B. No. 30 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Education, to which was referred H. B. No. 97, by Mr. Leatham, entitled, "An act to amend Section 4600, of the Compiled Laws of Utah, 1917, relative to the election of members of the Board of Education for county school districts," begs leave to report that it has considered the same carefully and a majority of the committee are in favor of the bill and recommend that it be passed.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

H. B. No. 97 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Education, to which was referred H. B. No. 78, by Mr. Pettit, entitled, "An act amending Section 8128, Compiled Laws of Utah, 1917, governing amusements on Sunday," begs leave to report that it has carefully considered the same and recommends that it be not passed.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

H. B. No. 78 was placed on the second reading calendar.

Mr. President:

Salt Lake City, Utah, Feb. 27, 1923.

Your Committee on Education, to which was referred H. C. R. No. 3, by Mr. Constantine, entitled, "A resolution memorializing Congress to pass the Towner-Sterling act," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

H. C. R. No. 3 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Education to which was referred S. B. No. 172, by Mr. McConkie, by request, entitled, "Americanization Schools. An act amending Chapter 93, Laws of Utah, 1919, amended by Chapter 108, Laws of Utah, 1921," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

S. B. No. 172 was placed on the second reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. B. No. 99, by Mr. Goggin, entitled, "An act amending Sections 3220 and 3221, Title 51, of the Compiled Laws of Utah, 1917, and providing for coroners to be appointed by the mayors of all cities of the first and second class in Utah, etc.", begs leave to report that it ha considered the same unfavorably and recommends that it be not passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 99 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open session, H. B. No. 88, by Mrs. Lyman, entitled, "An act accepting the provisions of an act of Congress entitled,

"An act for the promotion of the welfare and hygiene of maternity and infancy, and other purposes,' approved November 23rd, 1921, designating the bureau of child hygiene as the state agency with which the federal bureau shall cooperate," and the same is herewith transmitted to your honorable body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 88 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the House, H. B. No. 148, by Mr. Callister, entitled, "An act adding a new section to Chapter 4 of Title 91, Compiled Laws of Utah, 1917, to be known as Section 4819-X, prescribing certain powers and duties of the public utilities commission, etc.", and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 148 was read the first time and referred to the Committee on Public Affairs.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the House, H. B. No. 177, by Mr. Cannon, entitled, "An act to amend Chapter five of Title 91, Compiled Laws of Utah, 1917, by adding new sections thereto to be known as Sections 4851X, etc., relating to municipal public utilities, contracts for public lighting, lighting streets, and the sale of light and power by counties, cities, towns, villages, or other municipalities within this state," and the same is

herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 177 was read the first time and referred to the Committee on Public Affairs.

COMMUNICATIONS FROM THE GOVERNOR

Executive Office.
State of Utah,

Salt Lake City, Utah, Feb. 23, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 6, by Mr. Peters, entitled, "An act to amend Section 6107, Compiled Laws of Utah, 1917, relating to county treasurer's settlement with cities, towns and schools for taxes.

Respectfully yours,
CHARLES R. MABEY,
Governor.

The House was notified of the Governor's action.

On motion of Senator Irvine S. B.'s Nos. 132 and 133 were advanced to the head of the second reading calendar.

S. B. No. 132 was read the second time.

On motion of Senator Irvine the bill was amended as follows:

Add to the Title the words "relating to survival of actions and providing for the survival of tort actions."

S. B. No. 132 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams and Tebbs.

S. B. No. 132 was placed on the third reading calendar.

S. B. No. 133 was read the second time.

On motion of Senator Jenkins the bill was amended as follows:

Strike "of the" in line 1, page 1, and insert parenthesis after "court" in line 13, page 1.

S. B. No. 133 was then ordered read the third time on the following roll call: "Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Dixon and Tebbs.

S. B. No. 133 was placed on the third reading calendar.

On motion of Senator Jenkins S. B. No. 167 was advanced on the calendar and read the second time.

On motion of Senator Jenkins the bill was amended as follows:

Line 12, page 2, change last word "or" to "are."

Strike "for" in line 2, page 1.

S. B. No. 167 was ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Winder.

Absent and not voting: Senators Adams, Tebbs and Mr. President.

S. B. No. 167 was placed on the third reading calendar.

On motion of Senator Candland S. B. No. 127 was advanced on the second reading calendar. and made special order for Friday, March 2, at 2 p. m.

On motion of Senator Dixon S. B. No. 174 was advanced on the calendar and read the second time.

S. B. No. 174 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, McConkie, Ryan, Smart, Standish and Mr. President.

Absent and not voting: Senators Kinney, Peters, Tebbs, Warnick and Winder.

S. B. No. 174 was placed on the third reading calendar.

On motion of Senator Hirschi, S. B. No. 84 was advanced to the head of the second reading calendar.

S. B. No. 84 was read the second time.

S. B. No. 84 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs and Mr. President.

Absent and not voting: Senators Warnick and Winder.

S. B. No. 84 was placed on the third reading calendar.

H. B. No. 58 was read the second time.

On motion of Senator Irvine the bill was amended as follows:

Strike all of Section 4 and change 5 to 4 and 6 to 5.

Senator Jenkins moved to amend the bill as follows:

Strike word "competent" and substitute words "public, duly registered with the State Department of Registration," also strike House amendment defining word "competent."

Amendment to the amendment moved by Senator McConkie, to strike matter offered in lieu of word "competent" and reinstate word "competent."

Amendment to the amendment carried.

H. B. No. 58 was then ordered read the third time on the following roll call: Ayes, 12; nays, 3; absent, 5.

Those voting in the affirmative were: Senators Candland, Cottrell, Fuller, Irvine, Jenson, Kinney, Mc-

Conkie, Smart, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senators Dixon, Funk and Peters.

Absent and not voting: Senators Adams, Hirschi, Jenkins, Ryan and Winder.

H. B. No. 58 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 232, by Mr. McKell, entitled, "An act to amend Section 3970, Compiled Laws of Utah, 1917, relating to the time for registration of motor vehicles and motorcycles," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

On motion of Senator Peters the rules were suspended and H. B. No. 232 was read the first and second times.

H. B. No. 232 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Adams, Funk, Hirschi, Irvine and Winder.

H. B. No. 232 was placed on the third reading calendar.

S. B. No. 116 was read the second time.

S. B. No. 116 was then ordered read the third time on the following roll call: Ayes, 14; nays, 4; absent, 2.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Irvine, Jenkins, Kinney,

McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Those voting in the negative were: Senators Candland, Hirschi, Tebbs and Winder.

Absent and not voting: Senators Funk and Jenson.

S. B. No. 116 was placed on the third reading calendar.

Consideration of S. B. No. 181 on third reading.

On motion of Senator Candland the bill was amended as follows:

Line 8, page 1, after the word "Utah" add "Provided that the state shall reserve from such lease a sufficient amount of ground to provide suitable public camping grounds."

S. B. No. 181 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Funk and Irvine.

S. B. No. 181 was transmitted to the House for its action.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 106 was read the second time.

S. B. No. 106 was ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Funk, Irvine and Winder.

S. B. No. 106 was placed on the third reading calendar.

S. B. No. 103 was read the second time.

On motion of Senator Dixon the bill was amended as follows:

After word "shall" in line 5, insert "notify the officers of said political subdivision and in case they fail to make the proper tax levy for the current year he shall" and strike word "begin" in line 5.

S. B. No. 103 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Tebbs and Winder.

S. B. No. 103 was placed on the third reading calendar.

S. B. No. 104 was read the second time.

On motion of Senator Irvine the bill was amended as follows:

Add to the Title "and repealing Section 5200, Compiled Laws of Utah, 1917.....

On motion of Senator Jenkins the bill was amended as follows:

Line 9, change "shall" to "may."

S. B. No. 104 was then ordered read the third time on the following roll call: Ayes, 15; nays, 2; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, Peters, Ryan, Stanish, Warnick and Mr. President.

Those voting in the negative were: Senators Hirschi and McConkie.

Absent and not voting: Senators Smart, Tebbs and Winder.

S. B. No. 104 was placed on the third reading calendar.

S. B. No. 117 was read the second time.

The committee report and the amendments recommended therein were adopted.

S. B. No. 117 was then ordered read the third time on the following roll call: Ayes, 15; nays, 1; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Standish, Warnick and Mr. President.

Those voting in the negative were: Senator Hirschi.

Absent and not voting: Senators Irvine, Smart, Tebbs and Winder.

S. B. No. 117 was placed on the third reading calendar.

Salt Lake City, Utah, Feb. 27, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 175, by Mr. Cottrell, entitled, "An act to amend Sections 3972, 3974, 3980, and 3981, of the Compiled Laws of Utah, 1917, and to amend Section 3974, Laws of Utah, 1917, as amended by Section 3974, Laws of Utah, 1919, providing for making application for license of motor vehicles and motorcycles, filing of bonds, issuance of licenses, number plates, loss of plates, transfer of ownership, change of residence, chauffeur's bonds and licenses," begs leave to report that it has considered same unfavorably and recommends that it be not passed.

Respectfully,

J. W. PETERS,

Chairman.

On motion of Senator Peters the committee report was adopted and the bill rejected.

On motion of Senator Fuller the Senate adjourned.

FIFTY-SECOND DAY

MORNING SESSION

STATE SENATE,

The Capitol.

Salt Lake City, Utah, Feb. 28, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. All members present.

Prayer by the Chaplain.

The Journal of the Fifty-first Day was read and approved.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 75 was read the third time and placed on its final passage.

H. B. No. 75 then passed on the following roll call: Ayes, 13; nays, 0; absent, 7.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Jenkins, Jenson, Peters, Ryan, Smart, Warnick, Winder and Mr. President.

Absent and not voting: Senators Funk, Hirschi, Irvine, Kinney, McConkie, Standish and Tebbs.

H. B. No. 75 was returned to the House for its further action.

S. B. No. 132 was read the third time and placed on its final passage.

S. B. No. 132 then passed on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Warnick, Winder and Mr. President.

Absent and not voting: Senators Funk, Kinney, Standish and Tebbs.

S. B. No. 132 was transmitted to the House for its action.

S. B. No. 133 was read the third time and placed on its final passage.

S. B. No. 133 then passed on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Warnick, Winder and Mr. President.

Absent and not voting: Senators Funk, Kinney, Standish and Tebbs.

S. B. No. 133 was transmitted to the House.

S. B. No. 167 was read the third time and placed on its final passage.

S. B. No. 167 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Warnick, Winder and Mr. President.

Absent and not voting: Senators Kinney, Standish, and Tebbs.

S. B. No. 167 was transmitted to the House for its action.

S. B. No. 174 was read the third time and placed on its final passage.

S. B. No. 174 then passed on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Warnick and Mr. President.

Absent and not voting: Senators Kinney, Standish, Tebbs and Winder.

S. B. No. 174 was transmitted to the House for its action.

S. B. No. 84 was read the third time and placed on its final passage.

Senator Jenkins moved to amend the bill as follows:

Change "$181,000.00" in the Title and the bill to "$231,000.00."

On motion of Senator Funk S. B.'s 84 and 85 were made Special order for Thursday, March 1, at 10:10 a. m.

H. B. No. 58 was read the third time and placed on its final passage.

H. B. No. 58 then passed on the following roll call: Ayes, 16; nays, 2; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senators Cottrell and Funk.

Absent and not voting: Senators Peters and Winder.

H. B. No. 58 was returned to the House for its further action.

H. B. No. 232 was read the third time and placed on its final passage.

H. B. No. 232 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Candland and Winder.

H. B. No. 232 was returned to the House for its further action.

S. B. No. 116 was read the third time and placed on its final passage.

S. B. No. 116 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Candland, Tebbs and Winder.

S. B. No. 116 was transmitted to the House for its action.

S. B. No. 106 was read the third time and placed on its final passage.

S. B. No. 106 then passed on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine,

Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish and Warnick.

Absent and not voting: Senators Candland, Tebbs Winder and Mr. President.

S. B. No. 106 was transmitted to the House for its action.

S. B. No. 103 was read the third time and placed on its final passage.

S. B. No. 103 then passed on the following roll call: Ayes, 16; nays, 1; absent, 3.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish and Warnick.

Those voting in the negative were: Senator Candland.

Absent and not voting: Senators Tebbs, Winder and Mr. President.

S. B. No. 103 was transmitted to the House for its action.

S. B. No. 104 was read the third time and placed on its final passage.

Senator Funk moved to amend the bill as follows:

Line 9, change "may" to "shall."

The motion was defeated.

S. B. No. 104 then passed on the following roll call: Ayes, 16; nays, 3; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland Cottrell, Dixon, Fuller, Irvine, Jenkins, Jenson, Kinney, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Funk, Hirschi and McConkie.

Absent and not voting: Senator Tebbs.

S. B. No. 104 was transmitted to the House for its action.

S. B. No. 117 was read the third time and placed on its final passage.

S. B. No. 117 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Winder and Mr. President.

Absent and not voting: Senators Irvine, Tebbs and Warnick.

S. B. No. 117 was transmitted to the House for its action.

SPECIAL ORDER

Consideration of S. B. No. 83.

S. B. No. 83 was then rejected on the following roll call: "Ayes, 3; nays, 15; absent, 2.

Those voting in the affirmative were: Senators Candland, Funk and Hirschi.

Those voting in the negative were: Senators Adams, Cottrell, Dixon, Fuller, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Winder and Mr. President.

Absent and not voting: Senators Tebbs and Warnick.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 101 was read the second time.

On motion of Senator Irvine the bill was amended as follows:

Strike parenthesis in line 12, page 2, and substitute therefore the words "and provided further that the salary or compensation of any public officer shall not be decreased during his term of office.

H. B. No. 101 was then ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senator Winder.

H. B. No. 101 was placed on the third reading calendar.

S. B. No. 154 was read the second time.

S. B. No. 154 was then ordered read the third time ont he following roll call: Ayes, 11; nays, 7; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Hirschi, Jenkins, McConkie, Ryan, Smart, Standish and Warnick.

Those voting in the negative were: Senators Irvine, Jenson, Kinney, Peters, Tebbs, Winder and Mr. President.

Absent and not voting: Senators Dixon and Funk.

S. B. No. 154 was placed on the third reading calendar.

S. B. No. 162 was read the second time.

S. B. No. 162 was ordered read the third time on the following roll call: Ayes, 16; nays, 0; absent, 4

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Funk, Irvine and Tebbs.

S. B. No. 162 was placed on the third reading calendar.

On motion of Senator Jenkins S. B. No. 108 was recommitted.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Utah, Feb. 28, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 120, by Mr. Jenson, entitled, "An act amending Section 892, of Title 19, Chapter 1, of the Compiled Laws of Utah, 1917, relating to corporations organized not for pecuniary profit," returns the same herewith and recommends that it be passed.

Respectfully,

DAVID JENSON,

Chairman.

Report filed.

S. B. No. 120 was placed on the second reading calendar.

Salt Lake City, Utah, Utah, Feb. 28, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 79, by Mr. Naylor, entitled, "An act to amend Sections 1, 2, 4 and 6, of Chapter 42, Session Laws of Utah, 1919, relating to voting of absent electors," returns the same herewith and recommends that it be passed with the following amendments:

In line 3 of the Title, after the word "absent," insert "and physically disabled."

Line 8, page 1, after the word "election," insert "or who is physically unable to go to the polls."

Line 11, page 1, after the word "provided," insert the following: "or who is physically unable to go to the polls."

Line 22, page 1, after the word "election," insert "or expecting to be unable to go to the polls because of physical disability on the day for holding such election."

Line 5, page 2, after the word "absent," insert "or physically disabled.

Line 18, page 2, after the word "residence," insert "or physically unable to go to the polls.

Respectfully,

DAVID JENSON,

Report filed. Chairman.

H. B. No. 79 was placed on the second reading calendar.

Salt Lake City, Utah, Utah, Feb. 28, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 89, by Mr. Wilkins, entitled, "An act amending Section 548, of Title 16, Chapter 2, Compiled Laws of Utah, 1917, relating to vacancies in city council and how filled," returns the same herewith and recommends that it be not passed.

Respectfully,

DAVID JENSON,

Report filed. Chairman.

H. B. No. 89 was placed on the second reading calendar.

Salt Lake City, Utah, Utah, Feb. 28, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 97, by Mr. Winder, enittled, "An act authorizing County Commissioners to appoint one or more probation officers, empowering courts to place certain classes of offenders on probation, and to suspend sentence under certain conditions, and for other purposes," returns the same herewith and recommends that it be not passed.

Respectfully,

DAVID JENSON,

Chairman.

Report filed.

S. B. No. 97 was placed on the second reading calendar.

H. B. No. 111 was read the second time.

The committee report and the amendments recommended therein were adopted.

H. B. No. 111 was then ordered read the third time on the following roll call: Ayes, 14; nays, 1; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Jenkins, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Those voting in the negative were: Senators Kinney.

Absent and not voting: Senators Funk, Irvine, Jenson, Tebbs and Winder.

H. B. No. 111 was placed on the third reading calendar.

H. B. No. 49 was read the second time.

H. B. No. 49 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Jenkins, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Funk, Irvine, Jenson, Tebbs and Winder.

H. B. No. 49 was placed on the third reading calendar.

H. B. No. 52 was read the second time.

The committee report and the amendments recommended therein were adopted.

H. B. No. 52 was then ordered read the third time on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Funk, Irvine, Tebbs and Winder.

H. B. No. 52 was placed on the third reading calendar.

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

The committee report and the amendments recommended therein were adopted.

S. B. No. 56 was then ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senator Winder.

S. B. No. 56 was placed on the third reading calendar.

S. B. No. 102 was read the second time.

On motion of Senator Jenkins the Senate recessed until 1:30 p. m.

AFTERNOON SESSION.

The Senate reconvened at 1:30 p. m.

Roll call. All members present.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, Utah, Feb. 28, 1923.

Mr. President:

A majority of your Committee on Public Health and Labor, to which was referred H. B. No. 104, by Mr. Gog-

gin, entitled, "An act amending Section 1932, Title 24, Compiled Laws of Utah, 1917, relating to Baking Powder," beg leave to report that after due and careful consideration of the same we return it herewith and recommend that it be passed.

Respectfully,

H. N. STANDISH,

Chairman.

Report filed.

H. B. No. 104 was placed on the second reading calendar.

Salt Lake City, Utah, Utah, Feb. 28, 1923.

Mr. President:

Your Committee on Appropriations, to which was referred S. B. No. 118, by Mr. Irvine, entitled, "An act providing for a fund for disabled and retired employees of the state prison; also providing for its administration, allowance and payment," begs leave to report that it has considered the same and a majority of the Committee are in favor of the bill and recommend that it be passed.

Respectfully

H. C. TEBBS,

Chairman.

Report filed.

S. B. No. 118 was placed on the second reading calendar.

Salt Lake City, Utah, Utah, Feb. 28, 1923.

Mr. President:

Your Committee on Appropriations, to which was referred S. B. No. 123, by Mr. McConkie, entitled "An act appropriating fifteen thousand dollars for road building from Bluff, Utah, to the oil fields in San Juan County, Utah, and providing for the expenditure thereof under the direction and supervision of the County Commissioners," begs leave to report that it has considered the same and the majority of the committee favor the bill and recommend that it be passed.

Respectfully,

H. C. TEBBS,

Chairman.

Report filed.

S. B. No. 123 was placed on the second reading calendar.

Consideration of S. B. No. 102.

On motion of Senator Irvine the bill was amended as follows:

Page 2, line 4, change "5" to "7".

S. B. No. 102 was then rejected on the following roll call: Ayes, 7; nays, 9; absent, 4.

Those voting in the affirmative were: Senators Candland, Fuller, Irvine, Jenkins, Kinney, Smart and Standish.

Those voting in the negative were: Senators Cottrell, Dixon, Funk, Hirschi, Jenson, Peters, Ryan, Winder and Mr. President.

Absent and not voting: Senators Adams, McConkie, Tebbs and Warnick.

S. B. No. 107 was read the second time.

The committee report and the amendment recommended therein was adopted.

S. B. No. 107 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators McConkie and Winder.

S. B. No. 107 was placed on the third reading calendar.

S. B. No. 177 was read the second time.

S. B. No. 177 was then ordered read the third time on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

On motion of Senator McConkie the rules were suspended and S. B. No. 177 was read the third time and placed on its final passage.

S. B. No. 177 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 177 was transmitted to the House for its action.

S. B. No. 119 was read the second time.

S. B. No. 119 was then ordered read the third time on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 119 was placed on the third reading calendar.

On motion of Senator Hirschi the rules were suspended and S. B. No. 119 was read the third time and placed on its final passage.

S. B. No. 119 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 119 was transmitted to the House for its action.

H. B. No. 74 was read the second time.

On motion of Senator Jenkins the bill was amended as follows: Immediately following the enacting clause add

"Section 1. Sections 7, 9 and 10, Chapter 23, of the Session Laws of Utah, 1921, are hereby amended to read as follows:"

On motion of Senator Peters the bill was amended as follows:

Strike word "immediately" on line 20.

H. B. No. 74 was then ordered read the third time on the following roll call: Ayes, 12; nays, 4; absent, 4.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Jenkins, Jenson, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Those voting in the negative were: Senators Adams, Funk, Hirschi and Tebbs.

Absent and not voting: Senators Irvine, Kinney, McConkie and Winder.

H. B. No. 74 was placed on the third reading calendar.

SPECIAL ORDER

Consideration of S. B. No. 75.

On motion of Senator Jenson the bill was amended as follows:

Strike title and in lieu thereof insert the following: "An act to amend Chapter three, Title 106, Compiled Laws of Utah, 1917, relating to taxation and assessment of property by adding one independent Section, to be known as 5866X, providing for the exemption from taxation of property moving in interstate commerce."

On page 1, line 2, strike "four" and insert "an."

On page 1, line 3, strike "s" in first word "sections" place a period after "5866X," and strike balance of line.

Page 1, line 4, strike all of line.

Page 1, line 5, strike everything after "5866X" and the balance of the bill, and insert in lieu thereof the following: "All property consigned to a consignee in the State of Utah, from without the State to be re-forwarded to a point without the State and which is entitled under the tariffs, rules and regulations approved by the Interstate Commerce Commission, to be re-forwarded at through rates from the point of origin to the point of destination, if not detained within the State of Utah for a period of more than ninety (90) days, shall be deemed to be property moving in interstate commerce, and no con-

signee shall be required to list for taxation any such property consigned to him so moving in interstate commerce."

S. B. No. 75 was then ordered read the third time on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Standish, Tebbs and Mr. President.

Absent and not voting: Senators Candland, Kinney, Warnick and Winder.

S. B. No. 75 was placed on the third reading calendar.

S. B. No. 115 was read the second time.

S. B. No. 115 was then ordered read the third time on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Adams, Candland, Dixon, Kinney, Tebbs and Winder.

S. B. No. 115 was placed on the third reading calendar.

S. B. No. 74 was read the second time.

On motion of Senator Dixon the bill was amended as follows:

Insert "accredited representatives of the press" after "witnesses," in line 7.

S. B. No. 74 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi,, Irvine, Jenkins, Jenson, McConkie, Ryan, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Adams, Kinney, Peters, Tebbs and Winder.

S. B. No. 74 was placed on the third reading calendar.

On motion of Senator Fuller S. B. No. 159 was made special order for Friday, March 2, at 10:10 a. m.

S. B. No. 129 was read the second time.

On motion of Senator Jenson the enacting clause was stricken and the bill was rejected.

H. B. No. 121 was read the second time.

On motion of Senator Jenkins the bill was amended as follows:

At the beginning of line 13, insert "Section 2.'

H. B. No. 121 was then ordered read the third time on the following roll call: Ayes, 16; nays, 2; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, McConkie, Peters, Ryan, Smart, Standish, Tebbs and Mr. President.

Those voting in the negative were: Senators Hirschi and Tebbs.

Absent and not voting: Senators Kinney and Winder.

H. B. No. 121 was placed on the third reading calendar.

S. B. No. 137 was read the second time.

On motion of Senator Jenkins the bill was amended as follows:

Strike "or corrosive sublimate" in the title and in Section 1.

S. B. No. 137 was then ordered read the third time on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 137 was placed on the third reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Utah, Feb. 28, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed, in open

session, H. B. No. 232, by Mr. McKell, entitled, "An act to amend Section 3970, Compiled Laws of Utah, 1917, relating to the time for registration of motor vehicles and motorcycles," and the same is herewith transmitted to your honorable body for the signature of the President of the Senate.

E. L. CROPPER,
Chief Clerk.

H. B. No. 232 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Consideration of S. B. No. 58.

On motion of Senator Winder the bill was amended as follows:

Strike the Title and Sections 1 to 7, inclusive, and substitute the following:

"An act relating to the filing of statements by Boards of Town Trustees, City Councils, City Commissions and Board of County Commissioners showing tax levies fixed by such bodies; providing for the examination of such levies by the State Board of Equalization and assessment; and for the notification of County Attorneys in Counties where it appears that any levy has been made in excess of the amount permitted by law.

"Be it enacted by the Legislature of the State of Utah:

"Section 1. All board of town trustees, city councils, commissions and boards of county commissioners are hereby required to file a statement with the state board of equalization and assessment on or before the second Monday in August of each year, showing the amount and purpose of each levy fixed by such board of town trustees, city council, city commission or board of county commissioners.

"Section 2. The state board of equalization and assessment shall carefully examine such statements and if it appears that any board of town trustees, city council, city commission or board of county commissioners have fixed a levy in excess of the maximum amount provided by low for such purpose or purposes, the board shall

thereupon notify the county attorney of the county in which it appears that such excess levy or levies have been fixed.

"Section 3. The county attorney of the county so notified shall immediately bring suit in a court of proper jurisdiction against the board of town trustees, city council, city commission or board of county commissioners levying such excessive levy to set aside such levy as being illegal. Any necessary expenses incurred by the county attorney in the prosecution of such action shall be borne by the county in which the suit was brought.

"Section 4. This act shall take effect upon approval.

S. B. No. 58 was passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Winder.

Absent and not voting: Senators Ryan and Mr. President.

S. B. No. 59 was read the third time and placed on its final passage.

On motion of Senator Winder the bill was amended as follows:

Page 1, line 18, after the word "board" strike balance of page and down to first period on page 2; change comma after word "education" in line 8, page 2, to a period; strike "provided" and all underscored matter in section, and substitute therefor the following: "Provided that the tax on all taxable property of the said district for the support and maintenance of schools, the purchase of school sites, and the erection of school buildings shall not exceed in any one year 12 mills on the dollar upon all taxable property of said districts in districts whose assessed valuation of taxable property is less than $2000 for each child of school age resident in the district; shall not exceed 11 mills on the dollar in districts whose assessed valuation of taxable property is from

$2000 to $2500 for each child of school age resident in the district; shall not exceed 10 mills on the dollar in districts whose assessed valuation of taxable property is from $2500 to $3000 for each child of school age resident in the district; shall not exceed 8.5 mills on the dollar in districts whose assessed valuation of taxable property is from $3000 to $4000 for each child of school age resident in the district; shall; not exceed 7.5 mills on the dollar in districts whose assessed valuation of taxable property is from $4000 to $5000 for each child of school age resident in the district; and shall not exceed 7 mills on the dollar in districts whose assessed valuation of taxable property is more than $5000 for each child of school age resident in the district."

S. B. No. 59 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Ryan.

S. B. No. 59 was transmitted to the House for its action.

S. B. No. 60 was read the second time.

On motion of Senator Winder the bill was amended as follows:

Strike last word in line 2, page 2, changing semicolon preceding same to period, and lines 3 to 21 inclusive. After word "roll" in line 20, page 1, insert the following "Provided that the tax for the support and maintenance of such schools shall not exceed 10.5 mills on the dollar upon all taxable property of said city whose assessed valuation of taxable property is less than $3000 for each child of school age resident in the district; shall not exceed 10 mills on the dollar in cities whose assessed valuation of taxable property is from $3000 to $4000 for each child of school age reistered in the district; shall not exceed 8.5 mills on the dollar in cities whose assessed valuation of taxable property is from $4000 to $5000 for

each child of school age resident in the district; and shall not exceed 7.5 mills on the dollar in cities whose assessed valuation of taxable property is more than $5000 for each child of school age resident in the district."

Senator Peters moved for reconsideration of the vote by which S. B. No. 58 was passed.

The motion carried.

Unanimous consent was received for the introduction of the following bill which was read the first time:

S. B. No. 183 (Sub. for 58) by Mr. Winder. "An act relating to the filing of statements by Boards of Trustees, City Councils, City Commissions and Boards of County Commissioners, showing tax levies fixed by such bodies; providing for the examination of such [illegible] by the State Board of Equalization and Assessment; and for the notification of County Attorneys in Counties where it appears that any levy has been made in excess of the amount permitted by law," was ordered printed.

On motion of Senator Winder the rules were suspended and S. B. No. 183 was read the second and third times and placed on final passage.

S. B. No. 183 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Fuller and Irvine.

S. B. No. 183 was transmitted to the House for concurrent action.

S. B. No. 60 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Fuller, Irvine and Tebbs.

S. B. No. 60 was placed on the third reading calendar.

On motion of Senator Winder the enacting clauses in Senate Bills 58, 61, 62, 63, 66, 77 and 126 were stricken.

Senator Warnick gave notice of motion for reconsideration of final vote on S. B. No. 59.

S. B. No. 55 was read the second time.

S. B. No. 55 was then ordered read the third time on the following roll call: Ayes, 16; nays, 1; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Hirschi.

Absent and not voting: Senators Funk, Irvine and Tebbs.

S. B. No. 55 was placed on the third reading calendar.

S. B. No. 169 was read the second time.

On motion of Senator Candland the enacting clause was stricken and the bill rejected.

S. B. No. 165 was read the second time.

The committee report and the amendments recommended therein were adopted.

S. B. No. 165 was ordered read the third time on the following roll call: Ayes, 19; nays 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder, and Mr. President.

Absent and not voting: Senator Irvine.

S. B. No. 165 was placed on the third reading calendar.

S. B. No. 166 was read the second time.

On motion of Senator Winder the enacting clause was stricken and the bill rejected.

S. B. No. 176 was read the second time.

On motion of Senator Winder the enacting clause was stricken and the bill rejected.

S. B. No. 134 was read the second time.

S. B. No. 134 was ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Jenkins.

S. B. No. 134 was placed on the third reading calendar.

H. B. No. 59 was read the second time.

H. B. No. 59 was then ordered read the third time on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senator Winder.

H. B. No. 59 was placed on the third reading calnedar.

S. B. No. 105 was read the second time.

On motion of Senator Cottrell the bill was amended as follows:

Correct spelling of word "unlawful" in line 1.

On motion of Senator Jenson the bill was amended as follows:

Line 5, starting with "using" strike down to and including "pounds" in line 8 and substitute therefor "violating the provisions of this act."

Senator Candland moved to amend the bill as follows:

Change "three" to "four" in line 3.

The motion was defeated.

S. B. No. 105 was then ordered read the third time on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryans, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Candland.

Absent and not voting: Senator Adams.

S. B. No. 105 was placed on the third reading calendar.

COMMUNICATIONS FROM THE GOVERNOR

February 28, 1923.

State of Utah,
Exectuive Office,
To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 24, by Committee on Revision and Printing, being substitute for S. B. 8, 9, 10, 12, 13 and 14, entitled, "An act to amend, Sections 5583, 5584, 5590, 5599, 5606 and 5607, Compiled Laws of Utah, 1917, as amended by Chapter 118 of the Laws of Utah, 1921, relating to State lands and the State Land Commissioner."

Respectfully,
CHARLES R. MABEY,
Governor.

Communication filed.

February 28, 1923.

State of Utah,
Exectuive Office,
To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 29, by Mr. Irvine, "An act concerning aeronautics and to make uniform the law with reference thereto."

Respectfully,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action on the above two bills.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, Utah, Feb. 28, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed, as amended by the House, H. B. No. 67, by Mr. Atwood, entitled, "An act to amend

Section 1926, Chapter 2, Title 24, Compiled Law of Utah, 1917, etc.," and the same is herwith transmitted to your honorable body for your action.

Respectfully

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 67 was read the first time and referred to Committee on Agriculture.

On motion of Senator Jenson H. B. No. 23 was recommitted.

On motion of Senator Fuller the Senate adjourned.

FIFTY-THIRD DAY

STATE SENATE.
The Capitol.
Salt Lake City, Utah, March 1, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll Call. All members present.

Prayer by the Chaplain.

The Journal of the Fifty-Second Day was read and approved.

REPORTS OF STANDING COMMITTEES

Your Judiciary Committee, to which was referred H. B. No. 23, by Mr. Constantine, entitled, "An act revising and amending Section 8975 of Chapter 33, Title 120, Compiled Laws of Utah, 1917, relating to the order of trial in criminal procedure," returns the same herewith and recommends that it be passed with the following amendments.

Line 23 of page 1, after the word "state" insert "if he desires to argue the case."

Line 1, page 2, strike out "must" and insert "may."

Respectfully,
DAVID JENSON,
Chairman.

Report filed:

H. B. No. 23 was placed on the second reading calendar.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 69, by Mr. Jenson ,entitled, "An act amending Sections 33, 45, 52 and 77, Chapter 67, Laws of Utah, 1919, pertaining to adjudications and to applications for water and fees of the State Engineer's office," returns the same herewith and recommends that it be passed with the following amendment:

Strike out all of lines 17, 18, 19 and 20, on page 1.

Respectfully,

DAVID JENSON,

Report filed. Chairman.

S. B. No. 69 was placed on the second reading calendar.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 110, by Mr. Irvine (by request), entitled, "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto," returns the same herewith and recommends that it be passed.

Respectfully,

DAVID JENSON,

Report filed. Chairman.

S. B. No. 110 was placed on the second reading calendar.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 7, by Mr. Jenson, entitled, "An act concerning declaratory judgments and decrees and to make uniform the law relating thereto," returns the same herewith and recommends that it be passed.

Respectfully,

DAVID JENSON,

Report filed. Chairman.

S. B. No. 7 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 75, by Mr. Mozley, entitled, "An act relating to the placing of any form of advertising along public highways, or any part of the public domain excepting as provided herein and providing for the removal of such form or forms of advertising now in place, penalties for violation thereof, etc.," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

H. B. No. 75 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, H. B. No. 58, by Mr. McKell, entitled, "An act providing for the auditing of accounts of cities, counties and school districts," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

H. B. No. 58 was signed by the President in the presence of the Senate and was returned to the House for its further action.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 101 was read the third time and placed on its final passage.

H. B. No. 101 then passed on the following roll call: Ayes, 18; nay, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Peters and Standish.

H. B. No. 101 was returned to the House for its further action.

SPECIAL ORDER

Consideration of S. B. No. 84 on third reading.

The motion of Senator Jenkins of Feb. 28 th was defeated.

S. B. No. 84 then passed on the following roll call: Ayes, 19; nays, 1; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Cottrell.

S. B. No. 84 was transmitted to the House for its action.

S. B. No. 154 was read the third time and placed on its final passage.

S. B. No. 154 then passed on the following roll call Ayes, 14; nays, 6; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrfell, Dixon, Fuller, Funk, Jenson, Kinney, McConkie, Peters, Ryan, Standish, Warnick and Winder.

Those voting in the negative were: Senators Irvine, Hirschi, Jenkins, Smart, Tebbs and Mr. President.

S. B. No. 154 was transmitted to the House for its action.

S. B. No. 162 was read the third time and placed on its final passage.

S. B. No. 162 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Peters and Ryan.

S. B. No. 162 was transmitted to the House for its action.

H. B. No. 111 was read the third time and placed on its final passage.

H. B. No. 111 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Peters.

H. B. No. 111 was returned to the House for its further action.

H. B. No. 49 was read the third time and placed on its final passage.

H. B. No. 49 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Fuller and Peters.

H. B. No. 49 was transmitted to the House for its further action.

H. B. No. 52 was read the third time and placed on its final passage.

H. B. No. 52 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Fuller.

H. B. No. 52 was transmitted to the House for its further action.

S. B. No. 56 was read the third time and placed on its final apssage.

S. B. No. 56 was passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 56 was transmitted to the House for its action.

S. B. No. 107 was read the third time and placed on its final passage.

S. B. No. 107 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 107 was transmitted to the House for its action.

H. B. No. 74 was read the third time and placed on its final passage.

H. B. No. 74 then passed on the following roll call: Ayes, 18; nays, 2; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Hirschi and Tebbs.

H. B. No. 74 was returned to the House for its further action.

S. B. No. 75 was read the third time and placed on its final passage.

Senator Warnick moved to amend the bill as follows:

Page 3, line 28, change "90" to "30."

The motion was defeated.

S. B. No. 75 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 75 was transmitted to the House for its action.

S. B. No. 115 was read the third time and placed on its final passage.

On motion of Senator Jenson the bill was amended as follows: Line 1 before "any" insert "8153X."

S. B. No. 115 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 115 was transmitted to the House for its action.

S. B. No. 74 was read the third time and placed on its final passage.

S. B. No. 74 then passed on the following roll call: Ayes, 20; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

S. B. No. 74 was transmitted to the House for its action.

H. B. No. 121 was read the third time and placed on its final passage.

H. B. No. 121 then passed on the following roll call: Ayes, 13, Nays, 5; absent, 2.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Kinney, Mc-

Conkie, Peters, Ryan, Smart, Standish, Warnick and Mr. President.

Those voting in the negative were: Senators Adams, Hirschi, Jenkins, Tebbs and Winder.

Absent and not voting: Senators Irvine and Jenson.

H. B. No. 121 was returned to the House for its action.

S. B. No. 137 was read the third time and placed on its final passage.

S. B. No. 137 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Irvine.

S. B. No. 137 was transmitted to the House for its action.

On motion of Senator Winder S. B. No. 60 was made special order for Friday, March 2, at 10:30 a. m.

S. B. No. 55 was read the third time and placed on its final passage.

S. B. No. 55 then passed on the following roll call: Ayes, 18; nays, 2; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Hirschi and Tebbs.

S. B. No. 55 was transmitted to the House for its action.

S. B. No. 165 was read the third time and placed on final passage.

S. B. No. 165 then passed on the following roll call: Ayes, 18; nays,, 0; absent, 2.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine,

Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams and Jenkins.

S. B. No. 165 was transmitted to the House for its action.

S. B. No. 134 was read the third time and placed on its final passage.

S. B. No. 134 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not votnig: Senator Adams, Peters and Winder.

S. B. No. 134 was transmitted to the House for its action.

H. B. No. 59 was read the third time and placed on its final passage.

H. B. No. 59 then passed on the following roll call: Ayes, 18; nays, 1; excused, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Jenkins.

Excused from voting: Senator Irvine.

H. B. No. 59 was returned to the House for its further action.

S. B. No. 105 was read the third time and placed on its final passage.

On motion of Senator Funk S. B. No. 105 was made special order for Friday, March 2, at 2:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 39 was read the second time.

On motion of Senator Irvine the Senate recessed until 2 p. m.

AFTERNOON SESSION

The Senate reconvened at 2 p. m.

Roll call. All members present.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your Committee on Public Affairs to which was recommitted, S. B. No. 108, by Mr. Standish, entitled, "An act making unlawful the bartering, selling or offering for sale cigarettes or cigarette papers in the state of Utah, etc.", begs leave to report that it has considered the same and returns herewith S. B. No. 108, and recommends that the substitute bill be passed.

Respectfully,

J. W. PETERS.

Chairman.

Report filed.

By unanimous consent the following bill was read the first time and ordered printed.

S. B. No. 184, Substitute for S. B. No. 108, by Public Affairs Committee, "An act amending Sections 1, 2 and 4 and re-enacting Sections 3 and 5, Chapter 145, Laws of Utah, 1921, so as to make in unlawful to barter, sell or offer for sale cigarettes or cigarette papers in the State of Utah, without a permit; providing for the granting, issuance and revocation of permits therefor, fixing the license fees for such permits and requiring a bond as a condition to the issuance thereof; providing for a stamp tax and stamps on all cigarettes, cigarette papers and wrappers and tubes sold in the State of Utah; declaring unlawful the making, altering, forging or counterfeiting of any such license or stamp, or having possession thereof, knowing the same to be forged, counterfeited, spurious or altered; prohibiting the furnishing of cigarettes or cigarette papers or wrappers to miners; declaring to be a nuisance any building or place used for the sale or keeping for sale of cigarettes, or cigarette papers or wrappers in violation of the provisions of this act; pro-

hibiting the advertising of cigarettes, cigarette papers, cigars, chewing tobacco or smoking tobacco; prohibiting smoking in certain public places and forbidding proprietors knowinly to permit minors to smoke tobacco in their places of business; and providing penalties for the enforcement of the provisions of this act."

S. B. No. 184 was placed on the second reading calendar.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your committee on Appropriations to which was referred S. B. No. 125, by Mr. Irvine, entitled, "An act to amend Section 9405, Compiled Laws of Utah, 1917, relating to the extradition of fugitives from this state and the payment of the expenses for such extradition," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

H. C. TEBBS,

Report filed. Chairman.

S. B. No. 125 was placed on the second reading calendar.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your committee on Appropriations to which was referred S. B. No. 22, by Mr. Dixon, entitled, "An act for relief of veterans and widows of the Black Hawk Indian wars of Utah," begs leave to report that it has considered the same unfavorably, and recommends that it be not passed.

Respectfully,

H. C. TEBBS,

Report filed. Chairman.

S. B. No. 22 was placed on the second reading calendar.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your committee on Appropriations to which was referred "Mr. George F. Summerhays" claim against the

State of Utah," begs leave to report that it has considered the same favorably, and recommends that it be passed.

Respectfully,
H. C. TEBBS,
Chairman.

Report filed.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your committee on Appropriations to which was referred "A Memorial," from the Daughters of Utah Pioneers, begs leave to report that it has considered the same, and returns it herewith without recommendation.

Respectfully,
H. C. TEBBS,
Chairman.

Report filed.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your committee on Appropriations to which was referred S. B. No. 85, by Mr. Hirschi, entitled, "An act to appropriate $50,000 from the Motor Vehicle Registration fund to the State Road Commission to be used as a contingent fund," begs leave to report that it has considered the same favorably, and recommends that it be passed.

Respectfully,
H. C. TEBBS,
Chairman.

Report filed.

S. B. No. 85 was placed on the second reading calendar.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your committee on Appropriations to which was referred S. B. No. 89, by Mr. Jenson, entitled, "An act appropriating eighty-five thousand dollars for the erection and completion of an armory building at Ogden, Utah, and providing for the expenditure thereof under the direction and supervision of the State Armory Board," begs leave to report that it has considered the same unfavorably and recommends that it be not passed.

Respectfully,
H. C. TEBBS,
Chairman.

Report filed.

S. B. No. 89 was placed on the second reading calendar.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

Your committee on Appropriations to which was referred S. B. No. 113, by Mr. Ryan, entitled, "An act creating a commission to erect a monument comemorating the heroism of the early settlers in the Territory of Utah, who made the trip from the Missouri River to Salt Lake City by handcarts," begs leave to report that it has considered the same unfavorably and returns it herewith with the recommendation that it be not passed.

Respectfully,

H. C. TEBBS,

Chairman.

Report filed.

S. B. No. 113 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your Honorable Body the House has this day passed as amended by the House, S. B. No. 79, by Mr. Peters, entitled, "An act requiring distributors of and dealers in, motor vehicle fuels to obtain a license therefor, and levying a tax of two and one-half cents per gallon on the sale or use of motor vehicle fuels; providing for the regulation of the sales of such fuels and the collection of said tax, and for the crediting of proper amounts of the same to a fund for the payment of interest and sinking fund charges on state road bonds and to the state highway maintenance fund; defining terms; and prescribeing penalties," and same is herewith transmitted to your Honorable Body for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

On motion of Senator Peters the Senate concurred in the House amendments.

S. B. No. 79 then passed on the following roll call. Ayes 18, Nays 0, Absent 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Hirschi and Jenkins.

S. B. No. 79 was referred to the Committee on Enrolling and Engrossing.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, H. B. No. 101, by House Committee on Appropriations entitled, "An act to amend Section 5691, Compiled Laws of Utah, 1917, relating to the biennial budget submited to the Legislature of the State," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 101 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended H. B. No. 231, by Mr. Finlinson, entitled, "An act to amend Section 2855, Chapter 62, Session Laws of Utah, 1921, relating to the designation of state roads," and the same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 231 was read first time and referred to Committee on Public Affairs.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended H. B. No. 171, by Mr. Constantine, entitled, "An act to amend Section 5983, Compiled Laws of Utah, 1917, as amended by Chapter 114, Session Laws 1919, as amended by Chapter 136, Session Laws 1921, relating to state Board of Equalization and Assessment," and the same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 171 was read first time and refered to Committee on Public Affairs.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended H. B. No. 206, by Mr. White, entitled, "An act to amend Section 4 of Chapter 127, Session Laws 1921, providing for the termination of the term of office of the Director of Finance and Purchase, relating to the appointment, term of office, and salary of Director of Finance and Purchase," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 206 was read first time and referred to Committee on Public Affairs.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended H. B. No. 203, by Mr. Stookey, entitled, "An act to amend Sections 3061 and 3064, Laws of Utah, 1917, providing

for the termination of terms of office of the members of the Industrial Commission and relating to the appointment, term of office, and salaries of Industrial Commission," and same is herewth transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 203 was read first time and referred to Committee on Public Affairs.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your Honorable Body the Governor has this day approved and filed with the office of the Secretary of State, H. B. No. 232, by Mr. McKell, entitled, "An act to amend Section 3970, Compiled Laws of Utah, 1917, relating to the time for registration of motor vehicles and motorcycles.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended H. B. No. 65, by Mr. Cannon, entitled, "An act to amend Section 848, of Title 18, Compiled Laws of Utah, 1917, as amended by Chapter 15, Session Laws of Utah, 1919, relating to cold storage of foods," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 65 was read first time and referred to Committee on Public Health and Labor.

Salt Lake City, Utah, March 1, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended H. B. No. 150, by Mr. Judd, entitled, "An act prohibiting the use of vehicles having tires of two inches or less, carrying loads of 2,500 pounds or more, and vehicles having tires of more than two inches in width, but less than three inches, and carrying loads in excess of 3,500 pounds upon the public highways of the State of Utah," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 150 was read first time and referred to Committee on Public Affairs.

S. B. No. 157 was withdrawn by Senator McConkie.

On motion of Senator Kinney the final vote on S. B. No. 162 was reconsidered.

On motion of Senator Kinney the bill was amended as follows:

In the Title and in Section 1, insert after "1917" "as amended by Chapter 12, Special Session Laws of Utah, 1919," also strike Section 3960 and Substitue:

3960. It shall be the duty of the County Commissioners of each county in the State and they are hereby authorized and empowered to provide annually, funds in an amount sufficient to meet the purposes of this law, but not exceeding in any one year the sum of $10,000.00; provided, that in the counties containing a population of 100,000 or more the amount of such funds shall be $50,000.00, annually, such funds to be expended for the partial support of widowed mothers who are dependent upon their own efforts for the maintenance of their children. No part of the funds above provided for shall be expended for administration or purposes

other than the partial support of widowed mothers. If the County Commissioners of any county shall fail to provide such funds, it is hereby made the duty of the district attorney of the district within which such county is included to bring an action in the district court to obtain a writ of mandate to require such commission to provide such funds; if the district attorney shall fail after a request is made, for a period of thirty days to bring such action then any citizen of the county may bring such action.

S. B. No. 162 then passed on the followng roll call. Ayes 19, Nays 0, Absent 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Winder and Mr. President.

Absent and not voting: Senator Warnick.

S. B. No. 162 was transmitted to the House for its action.

Consideration of H. B. No. 39.

On recommendation of Committee on Agriculture the bill was amended as follows:

Page 2, line 3, after "commissioner" insert "whose term of office shall be for 4 years and until his successor is appointed and qualified."

Senator Candland moved to amend the Bill as follows;

Page 4, line 28, after "fund," insert "except that 25% thereof shall be paid into the State Treasury."

On substitute motion of Senator Tebbs the bill was amended as follows:

Page 4, line 30, after "Examiner's" insert "except, that the net moneys received from the sale of beaver hides and for trappers licenses, as hereinafter provided, shall be covered into the State Treasury and become a part of the State Gernal Fund."

The Committee on Agriculture moved to amend the Bill as follows:

Page 6, line 9, change "3600" to "3000.00.

Amendment to the amendment moved by Senator Jenkins to change "$3000" to "$4000."

Amendment to the amendment was defeated.

The motion was defeated.

On motion of Senator Smart the bill was amended as follows:

Page 6, lines 21 and 22, strike "skunk" and "or rabbit,' and insert "or" before 'civet-cat."

H. B. No. 39 was then ordered read the third time on the following roll call: Ayes 16, Nays 0, Absent 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Tebbs, Winder and Mr. President.

Absent and not voting: Senators Dixon, Peters, Ryan and Warnick.

H. B. No. 39 was placed on the third reading Caldar.

H. C. R. No. 4 was read the second time.

H. C. R. No. 4 was then ordered read the third time on the following roll call: Ayes 16, Nays 0, Absent 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Winder and Mr. President.

Absent and not voting: Dixon, Irvine, Jenkins and Warnick.

H. C. R. No. 4 was placed on the third reading Calendar.

S. B. No. 122 was read the second time.

The Committee report and the amendments recommended therein were adopted.

Senator Cottrell moved to amend the Bill as follows:

Line 6 change "5%" to "15%."

The motion was defeated.

Senator Hirschi moved to amend the Bill as follows:

Line 10 change "50%" to 25%."

Amendment to the amendment moved by Senator Irvine as follows: Change "25%" in Line 10 and "15%" in Line 8 to "5%".

Amendment to the amendment was defeated.

The motion was defeated.

Senator Hirschi moved to strike the enacting clause.

The motion was defeated.

S. B. No. 122 was then ordered read for the third time on the following roll call. Ayes 15, Nays 4, Absent 1.

Those voting in the affirmative were: Senators Adams, Candland, Fuller, Funk, Hirschi, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Tebbs, Winder and Mr. President.

Those voting in the negative were: Senators Cottrell, Irvine, Jenkins and Warnick.

Absent and not voting: Senator Dixon.

S. B. No. 122 was placed on the third reading Calendar.

On motion of Senator McConkie S. B. No. 171 was made special order for Friday, March 2, at 2:30 p. m.

S. B. No. 161 was read the second time.

The Committee report and the amendments recommended therein were adopted.

S. B. No. 161 was then ordered read the third time on the following roll call: Ayes 15, Nays 0, Absent 5.

Those voting in the affirmative were: Senators Adams, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Winder and Mr. President.

Absent and not voting: Senators Candland, Dixon, Ryan, Tebbs and Warnick.

S. B. No. 161 was placed on the third reading Calendar.

H. B. No. 50 was read the second time.

On motion of Senator Tebbs the Senate adjourned.

FIFTY-FOURTH DAY

MORNING SESSION

STATE SENATE.
The Capitol.
Salt Lake City, Utah, March 2, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. All members present.

Prayer by the Caplain.

The Journal of the Fifty-third day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, March 2, 1923.

Mr. President:

Your Committee on Education to which was referred S. B. No. 182, by Mr. Jensen, entitled, "An Act amending Chapter 8, Title 100, Compiled Laws of Utah, 1917, relating to State Historical Society, by adding new section to be known as Section 5357X," begs to report that it has carefully considered the same and returns it herewith and recommends that it be passed.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

S. B. No. 182 was placed on the second reading calendar.

Salt Lake City, Utah, March 2, 1923.

Mr. President:

Your committee on Engrossing and Enrolling to which was referred S. B. No. 79, by Mr. Peters, entitled, "An Act requiring distributors of and dealers in, motor vehicle fuels to obtain license therefore, and levying a tax of two and one-half cents per gallon on the sale or use of motor vehicle fuels, providing for the regulation of the sales of such fuels and the colection of said tax, and for the crediting of proper amounts of the same

to a fund for the payment of interest and sinking fund charges on state road bonds and to the state highway maintenance fund; defining terms; and prescribing penalties," begs leave to report that it has had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 79 was signed by the President in the presence of the Senate and was transmitted to the house for the signature of the Speaker.

SPECIAL ORDER

On motion of Senator Fuller action on S. B. No. 159 was deferred until Saturday Mar. 3 at 2:30.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 180 was read the second time.

S. B. No. 180 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; Absent,5.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Warnick and Mr. President.

Absent and not voting: Senators, Dixon, Funk, Standish, Tebbs and Winder.

S. B. No. 180 was placed on the third reading calendar.

S. B. No. 170 was read the second time.

S. B. No. 170 was then ordered read the third time on the follow roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Warnick and Mr. President.

Absent and not voting: Senators Dixon, Peters, Standish, Tebbs and Winder.

S. B. No. 170 was placed on the third reading calendar.

S. B. No. 135 was read the second time.

On motion of Senator Irvine the bill was amended as follows:

In the Title, strike, in Lines 3 and 4, the words "and places of business where drugs are sold." Place period after "pharmacists" in Line 7 and strike balance of Title.

In the bill after word "pharmacy" strike comma and insert "or," and strike " or place of business in which drugs are sold" in Lines 4 and 5, Page 1, Lines 8 and 9, Page 2, Lines 14 and 15, Page 2.

In Line 20, Page 2, change comma after "pharmacy" to "or" and place period after "store" and strike balance of Line.

In Line 23, Page 2, change comma after "compounded" to "and" and place period after "dispensed' 'and strike "or sold."

Strike the matter in Section 8 on Page 3 and substitute "This act shall take effect upon approval."

S. B. 135 was then ordered read the third time on the following roll call: Ayes, 15; nays, 1; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Ryan, Smart, Warnick and Mr. President.

Those voting in the negative were: Senator McConkie.

Absent and not voting: Senators Funk, Standish, Tebbs and Winder.

S. B. No. 135 was placed on the third reading calendar.

Unanimous consent was received for the introduction of the following bill:

S. B. No. 185, by Mr. Winder, " An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the state, to facilitate the extermination of mosquitos, flies and other insects; and to provide for the assessment, levy, colection and disbursement of taxes therein," was read the first time and referred to Committee on Revision and Printing.

S. B. No. 178 was read the second time.

The amendments recommended in the Committee report were adopted.

S. B. No. 178 was then ordered read the third time on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Warnick and Mr. President.

Absent and not voting: Senators Dixon, Standish, Tebbs and Winder.

S. B. No. 178 was placed on the third reading calendar.

S. J. R. No. 3 was read the second time.

On motion of Senator Kinney the Resolution was amended as follows:

In the Title change "Fifteenth" to "Sixteenth" and change "March 3, 1923" to "Jan. 10, 1925." Make last named change also in Line 20, Page 1.

On motion of Senator Hirschi the unfavorable Committee report was adopted and the Resolution rejected.

S. B. No. 168 was read the second time.

The amendments recommended in the Committee report were adopted.

On motion of Senator Peters the bill was amended as follows: In Line 4 of the Title change "one" to "two." In Line 5, Page 1, change "one" to "two." In Line 7, Page 1, change "shall" to "may." In Line 11, Page 3, change "be" to "is." Strike "that" and "for" in Line 10, Page 3.

S. B. 168 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Ryan and Tebbs.

S. B. No. 168 was placed on the third reading calendar.

S. B. No. 131 was read the second time.

The amendments recommended in the Committee report were adopted.

On motion of Senator Funk S. B. No. 131 was made special order for Monday, March 5, at 10:10 a. m.

S. B. No. 136 was read the second time.

On motion of Senator Dixon S. B. No. 136 was made special order for Saturday, March 3, at 10:10 a. m.

S. B. No. 172 was read the second time.

On motion of Senator McConkie the bill was amended as follows: Page 1, Line 5, strike "this act" and substitute "Chapter 93, Laws of Utah, 1919."

S. B. No. 172 was then ordered read the third time on the following roll call: Ayes, 9; nays, 6; absent, 3; excused, 2.

Those voting in the affirmative were: Senators Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, McConkie, Ryan.

Those voting in the negative were: Senators Candland, Kinney, Peters, Smart, Warnick and Mr. President.

Absent and not voting: Senators Adams, Hirschi and Tebbs.

Excused from voting: Senators Standish and Winder.

S. B. No. 172 was placed on the third reading calendar.

S. B. No. 120 was read the second time.

S. B. No. 120 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent 3.

Those voting in the affirmative were: Senators Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Candland and Tebbs.

S. B. No. 120 was placed on the third reading calendar.

Consideration of H. B. No. 50.

Amendments offered by committee were amended on motion of Senator Jenkins changing "member bank" wherever it appears to "state bank."

Amendments recommended in committee report were adopted.

H. B. No. 50 was then ordered read the third time on the following roll call: Ayes, 16; nays, 1; absent, 3.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Hirschi.

Absent and not voting: Senators Adams, McConkie and Tebbs.

H. B. No. 50 was placed on the third reading calendar.

S. B. No. 7 was read the second time.

S. B. No. 7 was thenordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, McConkie and Tebbs.

S. B. No. 7 was placed on the third reading calendar.

S. B. No. 110 was read the second time.

S. B. No. 110 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Ryan, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Irvine and Tebbs.

S. B. No. 110 was placed on the third reading calendar.

On motion of Senator Jenson, the Senate recessed until 2 p. m.

AFTERNOON SESSION

The Senate reconvened at 2 p. m.

Roll call. All members present.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, March 2, 1923.

Mr. President:

Your Committee on Revision and Printing to which

was referred S. B. No. 185, by Mr. Winder, entitled, "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the state, to facilitate the extermination of mosquitos, fliles and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," begs leave to report that it has considered the same and returns it herewith and recommends that it be not printed.

Respectfully,
PERRY B. FULLER,
Chairman.

On motion of Senator Funk the report was adopted.

S. B. No. 185 was referred to the Committee on Public Affairs.

On motion of Senator Winder printed bills furnished by the Salt Lake Chamber of Commerce were accepted for the Senate files.

Salt Lake City, Utah, March 2, 1923:

Mr. President:

Your Committee on Agriculture to which was referred S. B. No. 164, by Mr. Warnick, by request, entitled, "An act repealing Chapter 38, Laws of Utah, 1919, defining the term 'Agricultural Seeds', regulating the sale of the same within the state; providing for the labeling thereof; providing a penalty for violations, and spectifying the duties of enforcing officers," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully,
WM. H. SMART,
Chairman.

Report filed.

S. B. No. 164 was placed on the second reading calendar.

Salt Lake City, Utah, March 2, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 140, by Mr. Callister, entitled, "An act amending Section 4798 of the Compiled Laws of Utah, 1917, and adding to Chapter 5 of Title 91, etc.", begs leave to report that it has considered the same and re-

turns it herewith without recommendations.

Respectfully,

J. W. PETERS,

Report filed. Chairman.

H. B. No. 140 was placed on the second reading calendar.

Salt Lake City, Utah, March 2, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 206, by Mr. White, entitled, "An act to amend Section 4 of Chapter 127, Session Laws, 1921, providing for the termination of the term of office of the Director of Finance and Purchase and relating to the appointment, term of office, and salary of Director of Fnance," begs leave to report that it has carefully considered the same and returns it herewith and recommends that it be passed.

Respectfully,

J. W. PETERS,

Report filed. Chairman.

H. B. No. 206 was placed on the second reading calendar.

Salt Lake City, Utah, March 2, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 231, by Mr. Finlinson, entitled, "An act to amend Section 2855, Chapter 62, Session Laws of Utah, 1921, relating to the designation of State Roads," begs leave to report that it has carefully considered the same and returns it herewith and recommends that it be passed.

Respectfully,

J. W. PETERS,

Report filed. Chairman.

H. B. No. 231 was placed on the second reading calendar.

Salt Lake City, Utah, March 2, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 124, by Mr. Funk, entitled, "An act to amend Section 2852, Compiled Laws of Utah, 1917, as

amended by Chapter 61, Session Laws of Utah, 1921, relating to the powers and duties of the State Road Commission, and repealing Section 2850X, Session Laws of Utah, 1921, relating to the appointment, salary and term of office of a State Road Engineer" begs leave to report that is has carefully considered the same and returns it herewith without recommendation.

Respectfully,
J. W. PETERS,
Chairman.

S. B. No. 124 was placed on the second reading calendar.

Salt Lake City, Utah, March 2, 1923.

Mr. President:

Your Committee on Commerce and Industry, to which was referred S. B. No. 173, by Mr. Peters, entitled "A bill to amend Sections 1062, 1064, 1072, 1074, 1076, of Chapter 8, Title 19, of Compiled Laws of Utah, 1917, relating to co-operative banks for personal credits, and adding thereto a new section designated as Section 1082X of said Chapter and Compiled Laws," begs leave to report that it has considered the same unfavorably and recommends that it be not passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 173 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, March 2, 1923.

Mr. President:

I am instructed to inform your honorable body that the Governor has this day approved and filed with the office of the Secretary of State, H. B. No. 75, by Mr. Mozley, entitled, "An act relating to the placing of any form of advertising along public highways, or on any part of the public domain excepting as provided herein and providing for the removal of such form or forms, of advertising now in place, penalties for violation

thereof, etc.", H. B. No. 58, by Mr. McKell, entitled, "An act providing for the auditing of accounts of cities, counties and school districts," H. B. No. 88 by Mrs. Lyman, entitled, "An act accepting the provisions of an act of Congress entitled 'An act for the promotion of the welfare and hygiene of maternity and infancy, and other purposes."

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Salt Lake City, Utah, March 2, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session S. B. No. 79, by Mr. Peters, entitled "An act requiring distributors of and dealers in, motor vehicle fuels to obtain a license therefor, and levying a tax of two and one-half cents per gallon on the sale or use of motor vehicle fuels; providing for the regulation of the sales of such fuels and the collection of said tax, and for the crediting of proper amounts of the same to a fund for the payment of interest and sinking fund charges on state road bonds and to the State Highway maintenance fund; defining terms; and prescribing penalties," and the same is herewith transmitted for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 79 was transmitted to the Governor for his action.

Salt Lake City, Utah, March 2, 1923.

Mr. President:

I am instructed to niform you honorable body that the House has this day passed H. B. No. 70, by Mr. Jorgensen, entitled, "An act amending Section 435, Compiled Laws of Utah, 1917, as amended by Chapter 6, Laws of Utah, 1919, and Chapter 7, Laws of Utah, 1921, and repealing Sections, 436, 436X, 438 and 442, Compiled Laws of Utah, 1917, as amended by Chapter 6, Laws of Utah,

1919, and Chapter 7, Laws of Utah, 1921, relating to bounty on predatory animals and repealing all acts in conflict therewith," and same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 70 was read the first time and referred to the Committee on Agriculture.

Salt Lake City, Utah, March 2, 1923.

Mr. President:

I am instructed to in form your honorable body that the House has passed as amended H. B. No. 233 by House Appropriation Committee, entitled, "An act to provide revenue for the support of the government of the state, and for high school purposes for the fiscal years 1923 and 1924," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 233 was read the first time and referred to Committee on Public Affairs.

SPECIAL ORDER

S. B. No. 127 was read the second time.

S. B. No. 127 was then rejected on the following roll call: Ayes, 8; nays, 11; absent, 0; excused, 1.

Those voting in the affirmative were: Senators Candland, Funk, Hirschi, Kinney, McConkie, Standish, Warnick and Winder.

Those voting in the negative were: Senators Adams, Cottrell, Dixon, Fuller, Irvine, Jenkins, Jenson, Peters, Ryan, Smart and Mr. President.

Excused from voting: Senator Tebbs.

S. B. No. 105 was read the third time and placed on its final passage.

On motion of Senator Funk the bill was amended as follows: Line 4 after "Utah" add "without the consent of the Board of County Commissioners of the various counties."

Senator Jenkins moved to amend the bill as follows: Line 4 before the word "without" insert "nor use, conduct, or convey over said roads upon its own wheels, any vehicle, machine or engine, weighing in excess of fifteen hundred pounds, unless the wheels of the same are provided with smooth tires or protective cleats."

Further action on S. B. No. 105 was deferred pending printing of amendments.

S. B. No. 171 was read the second time.

The amendments recommended in the committe report were adopted.

On motion of Senator Jenkins the bill was amended as follows:

In line 6 change "nine hundred" to "seventy-five" and "annum" to "month."

Senator Peters moved to strike the enacting clause.

The motion was defeated.

S. B. No. 171 was then ordered read on the following roll call: Ayes, 19; nays, 1; absent, 0.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Peters.

S. B. No. 171 was placed on the third reading calendar.

S. B. No. 60 was read the third time and placed on its final passage.

Senator Winder moved to amend the bill as follows:

Page 1, line 6, after word "charge" insert "and for the purchase of school sites and the erection of school buildings."

In the amendment of Senator Winder of Feb. 28th change "10.5" to "12", "10" to "11.5," "8.5" to "10", and "7.5" to "9".

Amendment to the amendment moved by Senator Irvine to change "9" to "6.5 mills for maintenance and support and 2.5 mills to be used exclusively for the purchase of school sites and the erection of school buildings."

Amendment to the amendment carried.

The motion carried.

S. B. No. 60 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators McConkie, Ryan and Tebbs.

S. B. No. 60 was transmitted to the House for its action.

S. B. No. 97 was read the second time.

The unfavorable committee report was adopted and the bill rejected.

Consideration of S. B. No. 105 was resumed.

The amendment of Senator Jenkins which was pending was carried.

S. B. No. 105 then passed on the following roll call: Ayes, 16; nays, 2; absent, 2.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Winder and Mr. President.

Those voting in the negative were: Senators Adams and Warnick.

Absent and not voting: Senators Ryan and Tebbs.

S. B. No. 105 was transmitted to the House for its action.

S. B. No. 118 was read the second time.

On motion of Senator Irvine the bill was amended as follows:

Line 2, page 2, change "and" to "any." Line 13, page 3, change "two" to "sixty." Line 25, page 2, strike first "a" and substitute "in paragraph."

On motion of Senator Candland the bill was amended as follows:

Page 1, line 11, change "1" to "2."

On motion of Senator Jenkins the bill was amended as follows:

Change "Board of Pardons" to "Board of Corrections" wherever it appears in the bill.

S. B. No. 118 was then ordered read the third time on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Funk.

Absent and not voting: Senator Ryan.

S. B. No. 118 was placed on the third reading calendar.

S. B. No. 184 was read the second time.

On motion of Senator Peters the bill was amended as follows:

Line 18 of the Title after "wrappers" insert "or tobacco."

Page 2, line 4, after "be" insert "parenthesis."

Page 3, line 15, correct spelling of "obligor" in two places.

Page 4, line 9, change first word "or" in line to "of."

Page 5, line 15, after "and" insert "all necessary expenses."

Page 6, line 6, strike "of" after "state."

Page 6, line 14, change last "or" in line to "of".

Page 6, underline lines 15, 16 and 17.

Page 7, line 12, strike first word in line.

On motion of Senator Jenson the bill was amended as follows:

In the third from last line of Title strike "and"; change period at end of Title to semi-colon and add "and repealing all acts and parts of acts in conflict with this act."

Page 5, line 11, after "county attorney" insert "district attorney."

Page 6, line 2, after "enjoined," insert "from maintaining such nuisance."

Page 7 between lines 18 and 19 insert "Section 2. All acts and parts of acts in conflict herewith arehereby repealed."

Page 7, line 19, strike "II" and substitute "Section 3."

Senator Candland moved to amend the bill as follows:

Page 7, line 3, strike "barber shops."

The motion was defeated.

On motion of Senator Irvine the bill was amended as follows:

Page 6, line 12, after "merchandise" insert "other than the package containing the merchandise licensed to be sold in this act."

S. B. No. 184 was then ordered read the third time on the following roll call: Ayes, 16; nays, 2; absent, 1; excused, 1.

Those voting in the affirmative were: Senators Adams, Candland Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Winder and Mr. President.

Those voting in the negative: Senators Hirschi and Warnick.

Absent and not voting: Senator Ryan.

Excused from voting: Senator Tebbs.

S. B. No. 184 was placed on the third reading calendar.

S. B. No. 125 was read the second time.

S. B. No. 125 was then ordered read the third time on the following roll call: Ayes, 10; nays, 9; absent, 1.

Those voting in the affirmative were: Senators Candland, Cottrell, Fuller, Irvine, Jenkins, Peters, Smart, Standish, Tebbs and Winder.

Those voting in the negative were: Senators Adams, Dixon, Funk, Hirschi, Jenson, Kinney, McConkie, Warnick and Mr. President.

Absent and not voting: Senator Ryan.

S. B. No. 125 was placed on the third reading calendar.

On motion of Senator Fuller the Senate adjourned.

FIFTY-FIFTH DAY

STATE SENATE,
The Capitol.
Salt Lake City, Utah, March 3, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. Eighteen members present. Senators Cottrell and Ryan excused.

Prayer by the Chaplain.

The Journal of the Fifty-Fourth Day was read and approved.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, March 3, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 111, by Mrs. Kinney, entitled, "An act to amend Section 1790, Chapter 8, Compiled Laws of Utah, 1917, relating to powers of courts respecting conduct of proceedings, by adding thereto sub-section 10," returns the same herewith and recommends that it be not passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 111 was placed on the second reading calendar.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 130, by Mr. Jenson, entitled, "An act to amend Sections 945, 958, 1142, 1271 and 1274, Compiled Laws of

Utah, 1917, as amended by Chapter 17, Laws of Utah, 1919, relating to foreign and domestic corporations, and adding a new section to be known as Section 945X," returns the same herewith and recommends that it be passed with the following amendments:

Strike out after the period in line 12, page 2, all of the remainder of line 12; also strike all of lines 13, 14, 15, 16, 17 and 18.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 130 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 121 by Mr. Finlinson, entitled, "An act providing for the levying of a tax for the control of hog cholera," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 121 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 49, by Mr. Callister, entitled "An act to amend Section 8048, of Chapter 19, Title 119, Compiled Laws of Utah, 1917, relating to felonious assaults," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 49 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, H. B. No. 74, by Mr. Rowan, entitled, "An act to amend Sections 7, 9 and 10, Chapter 23, of the Session Laws of Utah, 1921, relating to the liquidation of banks," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

H. B. No. 74 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 52, by Mr. Callister, entitled, "An act to amend Chapter 17, of Title 119, Compiled Laws of Utah, 1917, relating to robbery by adding a new section to be known as Section 8044X," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

H. B. No. 52 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 59, by Committee on Irrigation and Reservoirs, entitled, "An act to repeal Chapter 10, Special Session Laws of Utah, 1919, relating to the invest-

ment of irrigation district bonds," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 59 was signed by the President in the presence of the senate and was returned to the House for its further action.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the Speaker of the House has this day signed in open session, H. B. No. 111, by Committee on Judiciary, entitled, "An act to amend Section 8046, of Chapter 18, Title 119, Compiled Laws of Utah, 1917, relating to attempts to kill," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 111 was signed by the President in the presence of the Senate and was returned to the House for its further action.

Salt Lake City, Utah, March 2, 1923.

To the Honorable Senate and Senate Employees:

Yourselves and partners are cordially invited to attend an entertainment and dance given by the Third House of Representatives, in the ball room of the Hotel Utah, Monday evening, March 5th, 1923, at 8 o'clock.

WM. W. SEEGMILLER,
Speaker of the House of Representatives.
JAMES JUDD,
Speaker of the Third House of the
House of Representatives.

The Secretary was instructed to notify the House that the invitation was accepted with thanks.

SPECIAL ORDER

S. B. No. 136 was read the second time.

On motion of Senator Dixon the bill was amended as follows:

Line 4, strike the word "leave."

Line 4, after the word "who" insert the following: "are transferred by mutual arrangement between the school boards affected from."

Line 5, after the word "district" insert: "provided, however, in case of a disagreement between the school boards concerned the State Superintendent of Public Instruction shall have power to make final decision."

S. B. No. 136 was then ordered read the third time on the following roll call: Ayes, 13; nays, 0; absent, 7.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Hirschi, Jenkins, Jenson, Kinney, Peters, Smart, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Fuller, Irvine, McConkie, Ryan, Standish and Winder.

S. B. No. 136 was placed on the third reading calendar.

H. B. No. 40 was read the second time under suspension of the rules.

H. B. No. 40 was then ordered read the third time on the following roll call: Ayes, 13; anys, 0; absent, 7.

Those voting in the affirmative were: Senators Adams, Candland, Funk, Hirschi, Jenkins, Jenson, Kinney, Peters, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Dixon, Fuller, Irvine, McConkie, Ryan and Standish.

H. B. No. 40 was placed on the third reading calendar.

H. B. No. 39 was read the third time and placed on its final passage.

H. B. No. 39 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Hirschi, Jenkins Jenson, Kinney, Peters, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Fuller, Irvine, McConkie, Ryan and Standish.

H. B. No. 39 was returned to the House for its further action.

Under suspension of the rules H. B. No. 40 was read the third time and placed on its final passage.

H. B. No. 40 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Hirschi, Jenkins Jenson, Kinney, Peters, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Fuller, Irvine, McConkie, Ryan and Standish.

H. B. No. 40 was returned to the House for its further action.

H. C. R. No. 4 was read the third time and placed on its final passage.

H. C. R. No. 4 then passed on the following roll call: Ayas, 13; nays, 0; absent, 7.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Hirschi, Jenkins, Jenson, Kinney, Peters, Smart, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Fuller, Irvine, McConkie, Ryan, Standish and Tebbs.

H. C. R. No. 4 was returned to the House for its further action.

S. B. No. 122 was read the third time and placed on its final passage.

Senator Warnick moved to amend the bill as follows:

In line 10 change "50%" to "25%."

The motion was defeated.

S. B. No. 122 then passed on the following roll call: Ayes, 14; nays, 2; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Tebbs, Winder and Mr. President.

Those voting in the negative were: Senators Hirschi and Warnick.

Absent and not voting: Senators Cottrell, Fuller, McConkie and Ryan.

S. B. No. 122 was transmitted to the House for its action.

S. B. No. 180 was read the third time and placed on its final passage.

S. B. No. 180 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Tebbs, Warnick, Winder, and Mr. President.

Absent and not voting: Senators Cottrell, McConkie and Ryan.

S. B. No. 180 was transmitted to the House for its action.

S. B. No. 170 was read the third time and placed on its final passage.

S. B. No. 170 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Cenators Cottrell, McConkie and Ryan.

S. B. No. 170 was transmitted to the House for its action.

S. B. No. 135 was read the third time and placed on its final passage.

On motion of Senator Peters the bill was amended as follows:

Page 1, line 1, insert "Section 1" before "Sections."

S. B. No. 135 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Smart, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, McConkie, Peters, Ryan, Standish and Winder.

S. B. No. 135 was transmitted to the House for its action.

S. B. No. 178 was read the third time and placed on its final passage.

S. B. No. 178 then passed on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, McConkie, Ryan and Winder.

S. B. No. 178 was transmitted to the House for its action.

S. B. No. 168 was read the third time and placed on its final passage.

On motion of Senator Peters the bill was amended as follows:

In line 4 of the Title and Line 5, page 1, change "two" to "one."

Further action on bill deferred until 2:30.

S. B. No. 172 was read the third time and placed on its final passage.

On motion of Senator McConkie the bill was amended as follows:

Page 1, line 7, change "60" to "25" and in line 8 change "sixty" to "twenty-five."

S. B. No. 172 then passed on the following roll call: Ayes, 11; nays, 6; absent, 3.

Those voting in the affirmative were: Senators Adams, Dixon, Fuller, Irvine, Jenkins, Jenson, McConkie, Peters, Smart, Warnick and Mr. President.

Those voting in the negative were: Senators Candland, Funk, Hirschi, Kinney, Standish and Tebbs.

Absent and not voting: Senators Cottrell, Ryan and Winder.

S. B. No. 172 was transmitted to the House for its action.

S. B. No. 120 was read the third time and placed on its final passage.

S. B. No. 120 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Ryan and Winder.

S. B. No. 120 was transmitted to the House for its action.

H. B. No. 50 was read the third time and placed on its final passage.

On motion of Senator McConkie the bill was amended as follows:

Add to Section 1020X4 the following: "and provided that any such officer, director, employee or attorney may act as the agent for any fire, life or other insurance company authorized by the authorities of the state by soliciting and selling insurance and collecting premiums on policies issued by such company; and may receive for services so rendered such fees or commissions as may be agreed upon between the said association and the insurance company for which it may act as agent; Provided, however, that no such bank shall in any case guarantee or assume the payment of any premium on insurance policies issued through its agency by its principal. And provided further that the bank shall not guarantee the truth of any statement made by an assured in filing his application for insurance."

Senator Hirschi moved to amend the bill as follows:

Place period after "faith" in line 30, page 3 and strike balance of section.

Amendment to the amendment offered by Senator Smart to add after "purchase," line 2, page 4, "provided that this time may be extended not to exceed two years by the State Bank Commissioner."

Further action deferred pending printing of amendments.

S. B. No. 7 was read the third time and placed on its final passage.

S. B. No. 7 then passed on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Funk, Kinney, Ryan and Winder.

S. B. No. 7 was transmitted to the House for its action.

S. B. No. 110 was read the third time and placed on its final passage.

S. B. No. 110 then passed on the following roll call: Ayes 14, nays 0; absent, 6.

Those voting in the affirmative were: Senators Candland, Dixon, Hirschi, Irvine, Jenkins, Jenson, Kinnew, McConkie, Peters, Smart. Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Adams, Cottrell, Fuller, Funk, Ryan and Winder.

S. B. No. 110 was transmitted to the House for its action.

S. B. No. 171 was read the third time and placed on its final passage.

S. B. No. 171 then passed on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Adams, Cottrell, Ryan and Winder.

S. B. No. 171 was transmitted to the House for its action.

S. B. No. 118 was read the third time and placed on its final passage.

S. B. No. 118 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Ryan and Winder.

S. B. No. 118 was transmitted to the House for its action.

S. B. No. 184 was read the third time and placed on its final passage.

On motion of Senator Jenkins the Senate recessed until 2 p. m.

AFTERNOON SESSION

The Senate reconvened at 2 p. m.

Roll call. Nineteen members present. Senator Ryan excused.

A communication was read from Senator Reed Smoot acknowledging receipt of S. M. No. 1 and explaining that it was too late for action at this session of Congress.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, March 3, 1923.

Mr. President:

Your Committee on Agriculture, to which was referred H. B. No. 70, by Mr. Jorgensen, entitled, "An act amending Section 435, Compiled Laws of Utah, 1917, as amended by Chapter 6, Laws of Utah, 1919, and Chapter 7, Laws of Utah, 1921, and repealing Sections 436, 436X, 438 and 442, Compiled Laws of Utah, 1917, as amended by Chapter 6, Laws of Utah, 1919, and Chapter 7 Laws of Utah, 1921, relating to bounty on predatory animals and repealing all sections in conflict therewith," returns the same herewith and recommends that it be passed.

Respectfully,

WM. H. SMART,

Report filed. Chairman.

H. B. No. 70 was placed on the second reading cal-

Salt Lake City, Utah, March 3, 1923.

Mr. President:

Your Committee on Public Health and Labor to whom was referred H. B. No. 65, by Mr. Cannon, entitled, "An act to amend Section 848, of Title 18, Compiled Laws of Utah, 1917, as amended by Chapter 15, Session Laws of Utah, 1919, relating to cold storage of foods," beg leave to report that they have given the same due and careful consideration, and return it herewith with the recommendation that it be passed.

Respectfully,

H. N. STANDISH,

Chairman.

Report filed.

H. B. No. 65 was placed on the second reading calendar.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred S. B. No. 185, by Mr. Winder, entitled, "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the state, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," has considered the same and recommends that it be passed.

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

S. B. No. 185 was placed on the second reading calendar.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 94, by Mr. McConkie, entitled, "An act to amend Section 5075 (2051), Compiled Laws of Utah, 1917, relating to mileage of district judges and attorneys," returns the same herewith and recommends that it be passed with the following amendments:

Line 3, between the words "District" and "attorneys" insert parenthesis.

Line 4, insert parenthesis between the words "receive" and "in."

Underline all of line 3 beginning with the word "attorneys."

Underline all of line 4 with the exception of the words "shall receive."

Underline all of lines 5, 6, 7, 8, 9, 10, 11 and 12.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 94 was placed on the second reading calendar.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

Your Committee on agriculture, to which was referred H. B. No. 114, by Mr. Leatham, entitled, "An act to amend Section 2898, of Title 43, Compiled Laws of Utah, 1917, relating to exemptions of homesteads," returns the same herewith and recommends that it be passed.

Respectfully,
WM. H. SMART,
Chairman.

Report filed.

H. B. No. 114 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended H. B. No. 205, by Mr. White, entitled, "An act to amend Section 173, Chapter 2, Session Laws of Utah, 1921, providing for the termination of the office of the Commissioner of Agriculture, and relating to the appointment, term of office, and salary of Commissioner of Agriculture," and the

same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 205 was read the first time and referred to the Committee on Public Affairs.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 168, by Mr. Atwood and Mr. Crook, entitled, "An act to amend Sections 1317 and 1318, Compiled Laws of Utah, 1917, relating to the boundary lines of Utah and Wasatch counties," and the same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 168 was read the first time and referred to the Committee on Judiciary.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended H. B. No. 149, by Mr. N. C. Christensen, entitled, "An act to increase the number of Dirict Judges in and for the Fourth Judicial district in the State of Utah," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 149 was read the first time and referred to the Committee on Judiciary.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended H. B. No. 100

by Committee on Banking, entitled, "An act amending Section 1105, Compiled Laws tf Utah, 1917, and adding a new Section to be known as Section 1100X relating to the organization and supervision of building and loan associatios," and same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 100 was read the first time and referred to the Committee on Commerce and Industry.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed as amended H. B. No. 214, by Mr. Crouch, entitled "An act to amend Sections 170, 171 and 174, Compiled Laws of Utah, 1917, as amended by Chapter 2, Session Laws of Utah, 1921, relating to the State Board of Agriculture and the organization thereof," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 214 was read the first time and referred the Committee on Public Affairs.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 84, by Mr. Callister, entitled, "An act relating to the sale in bulk of merchandise, furniture, fixtures or equipment of stores, hotels, barber shops, or any place of business wherein the furniture, fixtures and equipment sold in bulk are used in carrying on said business, and repealing Title 97, Sections 5103, 5104, 5106, 5107, Compiled Laws of Utah,

1917," and same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 84 was read the first time and referred to the Committee on Judiciary.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 151 by Mr. Finlinson, entitled "An act repealing Chapter 2, Laws of Utah, 1919, relating to licensing livestock for grazing," and same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 151 was read the first time and referred to the Committee on Agriculture.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 153, by Mr. Finlinson, entitled, "An act to amend Section 172 of Chapter 2, Session Laws of Utah, 1921, relating to the powers of the Board of Agriculture," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 153 was read the first time and referred to the Committee on Agriculture.

Salt Lake City, Utah, March 3, 1923.

Mr. President:

I am instructed to inform your honorable body that the House has this day passed H. B. No. 182, by Mr.

Jorgensen, entitled, "An act to amend Section 1, Chapter 16, Special Session Laws of Utah, 1919, as amended by Chapter 119, Laws of Utah, 1921, relating to the sale of the Piute Irrigation project, the sale of State lands adjacent thereto and the sale and assignment of State certificates of sale covering lands upon which water from the said project has been used, is now used or may be used," and the same is herewith transmitted to your honorable body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 182 was read the first time and referred to the Committee on Public Affairs.

Consideration of S. B. No. 184.

Senator Standish moved to amend the bill as follows:

Page 2, line 29, change "$100.00" to "$50.00."

Page 2, line 30, change "$75.00" to "$35.00."

Page 3, strike lines 1 and 2, and substitute "in all other cases $25.00."

The motion was defeated.

On motion of Senator Peters the bill was amended as follows:

Page 6, line 14, after the word "these" add "except that a dealer in tobacco and cigars may have a sign on the front of his place of business stating that he is dealing in such articles."

Senator Standish moved to amend the bill as follows:

Strike all of Section 2 and substitute the following: "Section 2. It shall be a misdemeanor for any person, company or corporation to display on any street sign, placard, bill board or street car any advertisement of cigarettes or cigarette papers or tobacco in any form."

The motion was defeated.

On motion of Senator Peters the bill was amended as follows:

Page 6, lines 16 and 17, strike "store or" and "or elsewhere."

Senator Irvine moved to amend the bill as follows:

Page 6, line 17, after "Utah" add "Provided, however, that nothing in this section contained shall be construed so as to prohibit the display of tobacco and the advertisements thereof other than cigarettes and the advertisements thereof in store windows."

The motion was defeated.

Senator Standish moved to amend the bill as follows:

Page 7, line 2, strike "motor and other passenger vehicles employed as common carriers."

The motion was defeated.

On motion of Senator Standish the bill was amended as follows:

Page 7, line 3, strike "barber shops."

On motion of Senator Jenson the bill was amended as follows:

Page 7, line 5, after "designate" insert "the same as a public smoking room."

Page 7, line 6, after "sign" insert "at or near the entrance," and strike balance of line 6, lines 7 and 8, and all of line 9, except the last word.

On motion of Senator Peters the bill was amended as follows:

Strike the emergency clause.

On motion of Senator Tebbs the vote by which the amendment offered by Senator Irvine in line 17, of page 6, was defeated, was reconsidered.

The amendment carried.

S. B. No. 184 then passed on the following roll call: Ayes, 18; nays, 0; absent, 1; excused, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Smart Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senator Ryan.

Excused from voting: Senator Kinney.

S. B. No. 184 was transmitted to the House for its action.

S. B. No. 125 was read the third time and placed on its final passage.

S. B. No. 125 then passed on the following roll call: Ayes, 15; nays, 3; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, Peters, Smart, Standish, Tebbs, Winder and Mr. President.

Those voting in the negative were: Senators Hirschi, McConkie and Warnick.

Absent and not voting: Senators Jenson and Ryan.

S. B. No. 125 was transmitted to the House for its action.

S. B. No. 159 was withdrawn by the author.

Further consideration of S. B. No. 168 was deferred until Monday, March 5th, at 2:30 p. m.

S. B. No. 161 was read the third time and placed on its final passage.

S. B. No. 161 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent an dnot voting: Senators Jenson, Ryan and Standish.

S. B. No. 161 was transmitted to the House for its action.

S. B. No. 69 was read the second time.

The amendments recommended in the committee report were adopted.

S. B. No. 69 was then ordered read the third time on the following roll call: Ayes, 13; nays, 0; absent, 7.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Irvine, Jenson, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Candland, Funk, Hirschi, Jenkins, Kinney, Ryan and Winder.

S. B. No. 69 was placed on the third reading calendar.

S. B. No. 182 was read the second time.

S. B. No. 182 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller Funk, Hirschi, Jenson, Kinney, McConkie, Ryan, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Irvine, Jenkins and Peters.

S. B. No. 182 was placed on the third reading calendar.

On motion of Senator Winder the rules were suspended and S. B. No. 185 was read the second time.

On motion of Senator Winder the bill was amended as follows:

Line 1 insert "the State of' before "Utah."

Strike last word in line 32.

Change "also" to "or" in line 33.

Line 62 strike "or city and county."

Line 70 after "municipal" insert "corporation shall not be altered unless the municipal"

Line 127 after second word "and" insert "the manner of calling the same and shall establish rules for its proceedings; special"

Strike last six words in line 222 and first nine words in line 223.

Line 231 strike "or city and county."

Line 237 change "of" to "to."

Line 272 change "not" to "no."

Line 284 change "work" to "word."

S. B. No. 185 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Dixon, Ryan and Tebbs.

S. B. No. 185 was placed on the third reading calendar.

On motion of Senator McConkie the rules were suspended and S. B. No. 94 was read the second time.

The amendments recommended in the committee report were adopted.

On motion of Senator Jenson the bill was amended as follows:

Line 7, strike "city or town in which they reside" and substitute "district for which elected or appointed."

S. B. No. 94 was then ordered read the third time on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Dixon, Irvine, Ryan and Winder.

S. B. No. 94 was placed on the third reading calendar.

S. B. No. 164 was read the second time.

Further action on the bill was deferred until Monday, March 5.

S. B. No. 124 was read the second time.

S. B. No. 124 was then ordered read the third time on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Dixon, Irvine, Ryan and Winder.

S. B. No. 124 was placed on the third reading calendar.

S. B. No. 173 was read the second time.

On motion of Senator Peters the enacting clause was stricken and the bill rejected.

On motion of Senator Peters the Senate adjourned.

FIFTY-SEVENTH DAY

MORNING SESSION

STATE SENATE,
The Capitol.
Salt Lake City, Utah, March 5, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. Nineteen members present. Senator Ryan excused.

Prayer by the Chaplain.

The Journal of the Fifty-Fifth Day was read and approved.

SPECIAL ORDER

S. B. No. 131 was withdrawn by Senator Funk.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 136 was read the third time and placed on its final pasage.

S. B. No. 136 then passed on the following roll call. Ayes, 13; nays, 0; absent, 7.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Tebbs, Warnick and Mr. President.

Absent and not voting, Senators Cottrell, Fuller, Hirschi, Irvine, Ryan, Standish and Winder.

S. B. No. 136 was transmitted to the House for its action.

S. B. No. 69 was read the third time and placed on its final passage.

S. B. No. 69 then passed on the folowing roll call: Ayes, 13; nays, 0; absent, 7.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Fuller, Hirschi, Irvine, Ryan, Standish and Winder.

S. B. No. 69 was transmitted to the House for its action.

S. B. No. 182 was read the third time and placed on its final passage.

S. B. 182 then passed on the following roll call. Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Fuller, Irvine, Ryan and Winder.

S. B. No. 182 was transmitted to the House for its action.

S. B. No. 185 was read the third time and placed on its final passage.

S. B. No. 185 then passed on the following roll call. Ayes, 17; nays, 0; absent 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Irvine, Ryan and Winder.

S. B. No. 185 was transmitted to the House for its action.

S. B. No. 94 was read the third time and placed on its final passage.

Senator McConkie moved to amend the bill as follows: Strike in Lines 5 and 6 "not exceeding three dollars per day."

The motion was defeated.

On motion of Senator McConkie the bill was amended as follows: Line 6, change "three" to "four."

Senator McConkie moved to amend the bill as follows: Line 7, strike amendment made March 3 and reinstate the original reading. The motion was defeated.

On motion of Senator McConkie the bill was amended as follows: Line 8 after "business" add "provided they shall receive actual traveling expenses while on duty within their district.'

On motion of Senator McConkie the bill was amended as follows: Line 8 after "district" insert "Provided further, the district attorney in the 7th Judicial District shall receive his actual lodging and subsistence expenses while on duty within his district and while absent from the city or town in which he resides."

S. B. No. 94 then passed on the following roll call: 14 ayes, 1 nay, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs.

Those voting in the negative were: Senator Warnick.

Absent and not voting: Senators Hirschi, Irvine, Ryan, Winder and Mr. President.

S. B. No. 94 was transmitted to the House for its action.

S. B. No. 124 was read the third time and placed on its final passage.

On motion of Senator Peters the bill was amended as follows: In Line 5 of the Title and Page 4, Line 28, before "Laws," insert "Chapter 61."

S. B. No. 124 then passed on the following roll call: 15 ayes, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick.

Absent and not voting: Senators Hirschi, Irvine, Ryan, Winder and Mr. President.

S. B. No. 124 was transmitted to the House for its action.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Kinney the enacting clause of S. B. 111 was stricken and the bill rejected.

S. B. No. 130 was read the second time.

The amendment recommended in the committee report was adopted.

On motion of Senator Jenson the bill was amended as follows: Line 2 of Title change "1919" to "1917." Page 1, Line 20, start "within" with capital. Page 3, Line 29, strike "5" in "November." Page 7, Line 4, correct spelling of word "tax." Page 2, Line 9, change "the" to "be."

On motion of Senator Irvine the bill was amended as follows: Page 2, Line 12, after period add "The penalty provided in this section shall be in addition to the penalty provided in Section 947, Compiled Laws of Utah, 1917."

S. B. No. 130 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Tebbs, Warnick, Winder.

Absent and not voting: Senators, Peters, Ryan and Mr. President.

S. B. No. 130 was placed on the third reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 50 was read the third time and placed on its final passage.

On motion of Senator Candland the bill was amended as follows: Strike all of Section 985X1 and substitute:

Section 985X1. No state bank shall accept as collateral or be the purchaser of its own capital stock, except in cases where the taking of such collateral or such purchase, shall be necessary to prevent loss upon a debt previously contracted in good faith. After ownership has

passed to the bank as herein provided, such stock shall be sold by the bank within twelve months from the date of acquirement or ownership; provided, however, that the pledgee shall have six months time in which to redeem said collateral; provided further, that in no case shall the stock so held be in excess of 10 per cent of the capital and surplus of such bank.

On motion of Senator Hirschi the bill was amended as follows: Page 4, Line 8, change second word "or" to "of."

Senator Hirschi moved to amend the bill as follows: Strike last sentence in Section 1001. The motion was defeated.

Senator Tebbs moved to amend the bill as follows: Page 2, strike Lines 5 to 15, inclusive. The motion was defeated.

H. B. No. 50 then passed on the following roll call: 16 ayes, 2 nays, 2 absent.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick, Winder.

Those voting in the negative were: Senators Hirschi and Tebbs.

Absent and not voting: Senators Ryan and Mr. President.

H. B. No. 50 was returned to the House for its further action.

On motion of Senator Candland the Senate recessed until 2 p. m.

AFTERNOON SESSION

The Senate reconvened at 2 p. m.

Roll call. Eighteen members present. Senators Cottrell and Ryan excused.

REPORTS OF STANDING COMMITTEES

March 5, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 61, by Mr. Hollenbeck, entitled, "An Act

amending Section 6018, Compiled Laws of Utah, of 1917, and the amendment thereto, being Chapter 121 of the Laws of Utah of 1919, relating to the sale of property for delinquent taxes," returns the same herewith without recommendation.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 61 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Judiciary Committee, to which was referred S. B. No. 2, by Mr. Jenkins, entitled, "An Act providing for a definite sentence in all criminal cases, and repealing Sections 9062, 9063 and 9064, inclusive, of the Compiled Laws of Utah, 1917," returns the same herewith and recommends that it be not passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

S. B. No. 2 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Agriculture, to which was referred H. B. No. 153, by Mr. Finlinson, entitled, "An Act to amend Section 172 of Chapter 2, Session Laws of Utah, 1921, relating to the powers of the Board of Agriculture, begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
W. D. CANDLAND,
Vice-Chairman.

Report filed.

H. B. No. 153 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Agriculture, to which was referred H. B. No. 151, by Mr. Finlinson, entitled, "An Act

repealing Chapter 2, Laws of Utah, 1919, relating to licensing livestock for grazing," begs to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
W. D. CANDLAND,
Vice-Chairman.

Report filed.

H. B. No. 151 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Commerce and Industry, to which was referred H. B. No. 100, by Committee on Banking, entitled, "An Act amending Section 1105, Compiled Laws of Utah, 1917, and adding a new section to be known as Section 1100X relating to the organization and supervision of building and loan associations," begs leave to report that it has considered the same and returns it herewith with the recommendation that it be passed with the following amendment:

Page 1, line 19, change the semi-colon to a period and strike all of the under-scored matter following line 19, all of line 20, all of line 21, and all of line 22.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

H. B. No. 100 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Commerce and Industry, to which was referred S. B. No. 163, by Mr. Hirschi, entitled, "An Act to amend Sections 5867, 5868 and 5871, Compiled Laws of Utah, 1917, relating to the taxation of shares of stock of banks, banking, loan, trust and guaranty associations and investment banks and brokerage companies; providing for reports by the cashier or other accounting officer of such banks, associations or companies; providing for deductions, and providing that such

banks, associations or companies shall pay the tax levied upon such shares of stock, begs leave to report that it has considered the same, and returns it herewith with the recommendation that it be not passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

S. B. No. 163 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Commerce and Industry, to which was referred S. B. No. 109, by Mr. Irvine, entitled, "An Act to amend Section 1271, Compiled Laws of Utah, 1917, as amended by Chapter 17, Session Laws of Utah, 1919, relating to the annual license tax of foreign and domestic corporations," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully,
HARRISON E. JENKINS,
Chairman.

S. B. No. 109 was withdrawn by Senator Irvine.

March 5, 1923.

Mr. President:

Your Committee on Agriculture, to which was referred H. B. No. 67, by Atwood, entitled, "An Act to amend Section 1926, Chapter 2, Title 24, Compiled Laws of Utah, 1917, as amended by Chapter 40, Session Laws of Utah, 1919, adding new sections to be known as Sections 1943X, 1943X1, 1943X2, 1943X3 and 1943X4, relating to dairying and foods," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully,
W. D. CANDLAND,
Vice-Chairman.

Report filed.

H. B. No. 67 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

You Committee on Appropriations, to which was referred S. B. No. 156, by Mr. McConkie, entitled, "An Act appropriating $595.03 to reimburse San Juan County for money spent under contract with the State to eradicate rodents on state lands," begs leave to report that it has considered the same and a majority of the Committee are in favor of the bill and recommend that it be passed.

Respectfully,

H. C. TEBBS,
Chairman.

Report filed.

S. B. No. 156 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 179, by Mr. Peters, entitled, "An Act providing for the adoption of the commission-manager form of government by cities as an alternative to the plan now in effect, by the vote of the citizens, as provided herein, and providing a form of government thereunder," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully,

J. W. PETERS,
Chairman.

Report filed.

S. B. No. 179 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred S. B. No. 93, by Mr. Peters, entitled, "An Act adding a new section to Chapter 4 of Title 91, Compiled Laws of Utah, 1917, to be known as Section 4819X, prescribing certain powers and duties of the Public Utilities Commission with respect to automobile corporations as the same are defined in paragraph 13 of Section 4782, Compiled Laws of Utah, 1917, providing for licensing such automobile corporations and imposing a mileage

tax on such corporations, etc.," begs leave to report that it has considered the same unfavorably and recommends that it be not passed.

Respectfully,
J. W. PETERS,
Chairman.

On motion of Senator Peters the report was adopted and the bill rejected.

March 5, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. B. No. 150, by Mr. Judd, entitled, "An Act prohibiting the use of vehicles having tires of two inches or less, carrying loads of 2,500 pounds or more, and vehicles having tires of more than two inches in width, but less than three inches, and carrying loads in excess of 3,500 pounds, upon the public highways of the State of Utah," begs leave to report that it has considered the same and returns it herewith without recommendation.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 150 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. B. No. 205, by Mr. White, entitled, "An Act to amend Section 173, Chapter 2, Session Laws of Utah, 1921, providing for the termination of the term of office of the Commissioner of Agriculture, and relating to the appointment, term of office, and salary of Commissioner of Agriculture," begs leave to report that it has considered the same and returns it herewith with the recommendation that it be not passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 205 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. B. No. 214, by Mr. Crouch, entitled, "An Act to amend Sections 170, 171, and 174, Compiled Laws of Utah, 1917, as amended by Chapter 2, Session Laws of Utah, 1921, relating to the State Board of Agriculture and the organization thereof," begs leave to report that it has considered the same unfavorably and recommends that it be not passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 214 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. B. No. 171, by Mr. Constantine, entitled, "An Act to amend Section 5983, Compiled Laws of Utah, 1917, as amended by Chapter 114, Session Laws, 1919, as amended by Chapter 136, Session Laws 1921, relating to State Board of Equalization, and assessment," begs leave to report that it has considered the same unfavorably and recommends that it be not passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 171 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. B. No. 177, by Mr. Cannon, entitled, "An Act to amend Chapter five of Title 91, Compiled Laws of Utah, 1917, by adding new sections thereto to be known as Sections 4851X, 4851X1 and 4851X2, relating to municipal public utilities, contracts for public lighting, lighting streets, and the sale of light and power by counties, cities, towns, villages, or other municipalities with-

in this State," begs leave to report that it has considered the same unfavorably and recommends that it be not passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 117 was placed on the second reading calendar.

March 5, 1923.

Mr. President:

Your Committee on Public Affairs, to which was referred H. B. No. 109, by Mr. Stark, entitled, "An Act providing the manner of creating a new county out of more than one existing county, begs leave to report that it has considered the same and a majority of the Committee are not in favor of the bill and recommend that it be not passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 109 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed H. B. No. 139, by Mr. Christensen, entitled, "An Act to provide for the dissolution of drainage districts; the winding and closing up of the affairs of the district; payment of the obligations of the district; costs of dissolution; and the sale and disposition of the property of the district when the district is dissolved," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 139 was read first time and referred to Committee on Agriculture.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed H. B. No. 174, by Mr. Openshaw, entitled, "An Act to restore to Carmela Maione and Giovanni Maione money escheated to the state and to make an appropriation to pay the same," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 174 was read first time and referred to Committee on Appropriations.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended H. B. No. 94, Substitute for H. B. No. 37, by Mr. Jorgensen, entitled, "An Act amending Section 1313, Compiled Laws of Utah, 1917, as amended by Chapter 33, of the Laws of Utah, 1921, and Section 1308, Compiled Laws of Utah, 1917, relating to the boundary lines of Sevier and Piute Counties," and same is herewith transmitted for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H.B. No. 94 was read the first time and referred to Committee on Public Affairs.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has passed as amended H. B. No. 72, entitled, "An Act making appropriations for the support of the state government for the period beginning April 1, 1923, and ending March 31, 1925," and the same is transmitted herewith for the action of the Senate.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 72 was read first time and referred to Committee on Appropriations.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed H. B. No. 210, by Mr. Finlinson, entitled, "An Act authorizing the levy of a tax not to exceed one-tenth of a mill on the Dollar for the purpose of creating an Agricultural Inspection Fund; and providing for the disposition of said fund," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 210 was read first time and referred to Committee on Agriculture.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended H. B. No. 216, by Mr. Finlinson, entitled, "An Act adding a new section to Chapter 8 of Title 90, Compiled Laws of Utah, 1917, to be known as Section 4587, prescribing certain powers to all boards of education of school districts, to permit the use of school houses for general purposes other than school purposes," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 216 was read first time and referred to Committee on Public Affairs.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended, H. B. No. 184, by Mr. Callister, entitled, "An Act to require municipalities and political subdivisions of the State of Utah to

keep complete and accurate accounts of all public work and construction and of the cost thereof, done for or on behalf of such municipalities and political subdivisions, and providing for the dissemination of information relating thereto," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 184 was read first time and referred to Committee on Judiciary.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended, H. B. No. 183, by Mr. Jorgensen, entitled, "An Act appropriating an additional $50,000.00 to be paid into 'The revolving fund for the survey of public lands in the State of Utah,'" and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 183 was read first time and referred to Committee on Appropriations.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has passed as amended H. B. No. 142, by Mr. Crouch, entitled, "An Act to suspend sentence under certain conditions," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 142 was read first time and referred to Committee on Judiciary.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 40, by Mr. White, entitled, "An Act repealing Chapter 47, Laws of Utah, 1919, and Chapter 6, Laws of Utah, 1919, special session, relating to fish and game,' and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 40 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. C. R. No. 4, by Mrs. Dunyon, and same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. C. R. No. 4 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, H. B. No. 39, by Mr. White, entitled, "An Act providing for the appointment of a fish and game commissioner, chief deputy, and other deputies and assistants; creating a fish and game fund; prescribing duties, powers, and salaries of commissioner, deputies, and other assistants; providing bonds for commissioner and deputies; providing a license to hunt, fish, and trap, and to market cat fish, and to operate private ponds; the ap-

pointment of license agents; regulating the draining of canals an dwaterways; providing for screens and fishways; prohibiting the pollution of state waters, etc." and same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 39 was signed by the President in the presence of the Senate and was returned to the House for its further action.

On motion of Senator Winder S. B. No. 60 was recalled from the House and the vote by which same passed was reconsidered.

On motion of Senator Winder the bill was amended as follows: In Line 2, after "schools" printed amendment insert, "and the purchase of school sites and the erection of school buildings." Strike amendment of Senator Irvine of March 2 and reinstate "9" in the printed slip.

S. B. No. 60 then passed on the following roll call: 16 ayes, 0 nays, 4 absent.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Cottrell, Hirschi and Ryan.

S. B. No. 60 was transmitted to the House for its action.

S. B. No. 54 was withdrawn by Senator McConkie.

S. B. No. 168 was withdrawn by Senator Peters.

SPECIAL ORDER

On motion of Senator Funk the rules were suspended and S. B. No. 164 was read the second and third time and placed on its final passage.

S. B. No. 164 was then rejected on the following roll call: Ayes, 3; nays, 13; absent, 3; excused, 1.

Those voting in the affirmative were: Senators Kinney, Warnick and Winder.

Those voting in the negative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Jenkins,, Jenson, McConkie, Peters, Smart, Standish and Mr. President.

Absent and not voting: Senators Cottrell, Ryan and Tebbs.

Excused from voting: Senator Irvine.

On motion of Senator McConkie the rules were suspended and S. B. No. 123 was read the second time.

S. B. No. 123 was then ordered read the third time on the following roll call: Ayes, 14; nays, 4; absent, 2.

Those voting in the affirmative were: Senators Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Candland, Irvine and Peters.

Absent and not voting: Senators Cottrell and Ryan.

S. B. No. 123 was placed on the third reading calendar.

On motion of Senator McConkie S. B. No. 123 was read the third time and placed on its final passage.

S. B. No. 123 then passed on the following roll call: 14 ayes, 4 nays, 2 absent.

Those voting in the affirmative were: Senators Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Candland, Irvine and Peters.

Absent and not voting: Senators Cottrell and Ryan.

S. B. No. 123 was transmitted to the House for its action.

On motion of Senator Jenkins the rules were suspended and the following bill was read the first and second time and ordered not printed:

S. B. No. 186, by Mr. Jenkins, An Act to amend Section 5447, Chapter 12, Compiled Laws of Utah, 1917, de-

fining the powers of the Board of Corrections, authorizing the selection of a new site for the state prison; platting and preparing for sale the present state prison property, and estimating and planning the erection and construction of buildings and improvements on the new site.

S. B. No. 186 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Warnick, Winder.

Absent and not voting: Senators Cottrell, McConkie, Ryan, Tebbs and Mr. President.

S. B. No. 186 was placed on the third reading calendar.

On motion of Senator Dixon, the rules were suspended and S. B. No. 186 was read the third time and placed on its final passage.

S. B. No. 186 then passed on the following roll call: 15 ayes, 0 nays, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Smart, Standish, Tebbs, Warnick and Winder.

Absent and not voting: Senators Cottrell, McConkie, Peters, Ryan and Mr. President.

S. B. No. 186 was transmitted to the House for its action.

On motion of Senator Hirschi the rules were suspended and S. B. No. 85 was read the second time.

On motion of Senator Hirschi the bill was amended as follows: Strike in Line 3 the last five words. Line 4 strike "contingent expenses" and substitute "the general administrative expenses of the commission."

S. B. No. 85 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Cottrell, Jenkins, Ryan, Smart, Winder.

S. B. No. 85 was placed on the third reading calendar.

On motion of Senator Hirschi the rules were suspended and S. B. No. 85 was read the third time and placed on its final passage.

S. B. No. 85 then passed on the following roll call: 15 ayes, 0 nays, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Jenkins, Ryan, Smart and Winder.

S. B. No. 85 was transmitted to the House for its action.

On motion of Senator Dixon the rules were suspended and S. B. No. 22 was read the second time.

On motion of Senator Dixon the bill was amended as follows: Strike "Black Hawk" in the Title. Lines 2 and 3 strike "Black Hawk," add "s" to war." Line 9 after "of" insert "any." Lines 9 and 10 strike "the Salt Lake" and "Black Hawk" and insert before "War" the word "Indian."

S. B. No. 22 was then rejected on the following roll call: Ayes 7, nays 8, absent 5.

Those voting in the affirmative were: Senators Dixon, Fuller, Hirschi, Jenson, Kinney, Warnick and Mr. President.

Those voting in the negative were: Senators Adams, Funk, Irvine, Jenkins, Peters, Smart, Standish and Tebbs.

Absent and not voting: Senators Candland, Cottrell, McConkie, Ryan and Winder.

S. B. No. 130 was read the third time and placed on its final passage.

On motion of Senator Adams the bill was amended as follows: Page 4, Line 19, change "90" to "100." Page 4, Line 20, change "100" to "120." Page 4, Line 22,

change "110" to "150. Page 4, Line 23, change "120" to "175." Page 4, Line 24, change "125" to "200." Page 4, Line 26, change "150" to "250." Page 4, Line 27, change "175" to "300." Page 4, Line 29, change "200" to "400." Page 4, Line 30, change "225" to "500." Page 4, line 31, change "250" to "750."

S. B. No. 130 then passed on the following roll call: 14 ayes, 0 nays, 6 absent.

Those voting in the affirmative were: Senators Adams, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Candland, Cotterll, McConkie, Peters, Ryan and Winder.

S. B. No. 130 was transmitted to the House for its action.

Under suspension of the rules S. B. No. 89 was read the second time:

S. B. No. 89 was then rejected on the following roll call: Ayes 3, nays 11, absent 6.

Those voting in the affirmative were: Senators Jenson, Smart and Mr. President.

Those voting in the negative were: Senators Adams, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Kinney, Standish, Tebbs and Warnick.

Absent and not voting: Senators Candland, Cottrell, McConkie, Peters, Ryan and Winder.

CONSIDERATION OF BILLS ON SECOND READING UNDER SUSPENSION OF THE RULES.

S. B. No. 113 was read the second time.

S. B. No. 113 was then rejected on the following roll call: Ayes 2, nays 14, absent 4.

Those voting in the affirmative were: Senators Fuller and Smart.

Those voting in the negative were: Senators Adams, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Candland, Cottrell, Peters and Ryan.

On motion of Senator Jenson the final vote on S. B. No. 130 was reconsidered.

On motion of Senator Jenson the bill was amended as follows: Line 4 of the Title after "corporations" insert "and providing for certain license taxes on certain corporations," also add to the bill "Section 4. This act shall take effect upon approval."

S. B. No. 130 then passed on the following roll call: 16 ayes, 0 nays, 4 absent.

Those voting in the affirmative were: Senators Adams, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Candland, Cottrell, Peters and Ryan.

S. B. No. 130 was transmitted to the House for its action.

S. B. No. 2 was read the second time.

S. B. No. 2 was then rejected on the following roll call: Ayes 5, nays 11, absent 4.

Those voting in the affirmative were: Senators Hirschi, Jenkins, Standish, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Dixon, Fuller, Funk, Irvine, Jenson, Kinney, Peters, Smart, Tebbs and Warnick.

Absent and not voting: Senators Candland, Cottrell, McConkie and Ryan.

S. B. No. 163 was withdrawn by Senator Hirschi.

The report of the Senate Committee appointed as provided in S. J. R. No. 1 was received and the Committee released.

S. B. No. 179 was withdrawn by Senator Peters.

S. B. No. 156 was read the second time.

S. B. No. 156 was then ordered read the third time on the following roll call: Ayes 11, nays 1, absent 8.

Those voting in the affirmative were: Senators Fuller, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senator Hirschi.

Absent and not voting: Senators Adams, Candland, Cottrell, Dixon, Funk, Irvine, Ryan and Winder.

S. B. No. 156 was placed on the third reading calendar.

On motion of Senator McConkie the rules were suspended and S. B. No. 156 was read the third time and placed on its final passage.

S. B. No. 156 then passed on the following roll call: 12 ayes, 1 nay, 7 absent.

Those voting in the affirmative were: Senators Dixon, Fuller, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Voting in the negative: Senator Hirschi.

Absent and not voting: Senators Adams, Candland, Cottrell, Funk, Irvine, Ryan and Winder.

S. B. No. 156 was transmitted to the House for its action.

On motion of Senator Peters the Senate adjourned.

FIFTY EIGHTH DAY

MORNING SESSION

STATE SENATE,
The Capitol.
Salt Lake City, Utah, March 6, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. Eighteen members present. Senators Ryan and Cottrell excused.

Prayer by the Chaplain.

The Journal of the Fifty-seventh Day was read and approved.

REPORTS OF STANDING COMMITTEES

February 28, 1923.

Mr. President:

Your Joint Committee on Appropriations, to which was referred H. B. No. 72, by Mr. Jorgensen, "An Act

making appropriations for the support of the State Government for the period beginning April 1, 1923, and ending March 31, 1925, also Supplement No. 1 and Supplement No. 2 to the Executive Budget, reports the same favorably and recommends that the bill be passed.

Respectfully submitted,
H. C. TEBBS,
S. M. JORGENSEN,
Chairmen.

H. B. No. 72 was placed on second reading calendar.

COMMUNICATIONS FROM THE HOUSE

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed H. B. No. 164, by Mr. Stark, entitled, "An Act relating to the use of state armories by organizations of war veterans," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 164 was read first time and referred to Committee on Public Affairs.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed H. B. No. 165, by Mr. Stark, entitled, "An Act relating to the recording of military records and to the furnishing of certified copies thereof," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 165 was read first time and referred to Committee on Public Affairs.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed H. B. No. 169, by Mr. Pembroke, entitled, "An Act to amend Sections 8351 and 8352, of Chapter 50, Title 119, Compiled Laws of Utah, 1917, relating to fraudulent advertising," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 169 was read first time and referred to Committee on Judiciary.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended, H. B. No. 186, by Mr. Openshaw, entitled, "An Act to amend Section 5535, Laws of Utah, 1917, pertaining to the state school of education and the maintaining of scholarships therein," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 186 was read first time and referred to Committee on Education.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed H. B. No. 207, by Mr. Stookey, entitled, "An Act to prohibit interference with the employment in lawful occupations; to be known as 'the right to work' act," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 207 was read first time and referred to Committee on Commerce and Industry.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Governor has this day approved and filed with the Secretary of State, H. B. Numbers 111, by Committee on Judiciary, entitled, "An Act to amend Section 8046, of Chapter 18, Title 119, Compiled Laws of Utah, 1917, relating to 'Attempts to Kill,' " H. B. 49, by Mr. Callister, entitled, "An Act to amend Section 4808, of Chapter 19, Title 119, Compiled Laws of Utah, 1917, relating to felonious assaults," H. B. 59, by Committee on Irrigation and Reservoirs, entitled, "An Act to repeal Chapter 10, Special Session Laws of Utah, 1919, relating to the investment of irrigation district bonds," H. B. 74, by Mr. Rowan, entitled, "An Act to amend Sections 7, 9 and 10, Chapter 23, of the Session Laws of Utah, 1921, relating to the liquidation of banks," "H. B. No. 121, by Mr. Finlinson, entitled, "An Act providing for the levying of a tax for the control of hog cholera," and H. B. No. 52, by Mr. Callister, entitled, "An Act to amend Chapter 17, of Title 119, Compiled Laws of Utah, 1917, relating to robbery, by adding a new section to be known as Section 8044X."

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

On motion of Senator Jenkins the rules were suspended and H. B. No. 72 was made special order for 2:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 108 was read the second time.

On motion of Senator Candland the bill was amended as follows: Strike Section 2.

H. B. No. 108 was then ordered read the third time on the following roll call: Ayes 14, nays 0, absent 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Fuller, Kinney, Ryan, Tebbs and Winder.

H. B. No. 108 was placed on the third reading calendar.

On motion of Senator Peters the rules were suspended and H. B. No. 108 was read the third time and placed on its final passage.

H. B. No. 108 then passed on the following roll call: 14 ayes, 0 nays, 6 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick.

Absent and not voting: Senators Cottrell, Fuller, Ryan, Tebbs, Winder and Mr. President.

H. B. No. 108 was returned to the House for its further action.

H. C. M. No. 2 was read the second time.

On motion of Senator Peters the bill was amended as follows: Line 4 of Title change "269" to "261." Also in bill.

H. C. M. No. 2 was then ordered read the third time on the following roll call: Ayes 14, nays 0, absent 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish and Warnick.

Absent and not voting: Senators Cottrell, Fuller, Ryan, Tebbs, Winder and Mr. President.

H. C. M. No. 2 was placed on the third reading calendar.

On motion of Senator Peters the rules were suspended and H. C. M. No. 2 was read the third time and placed on its final passage.

H. C. M. No. 2 then passed on the following roll call: 15 ayes, 0 nays, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs and Warnick.

Absent and not voting: Senators Cottrell, Fuller, Ryan, Winder and Mr. President.

H. C. M. No. 2 was returned to the House for its further action.

H. C. R. No. 2 was read the second time.

H. C. R. No. 2 was then ordered read the third time on the following roll call: Ayes 9, nays 6, absent 5.

Those voting in the affirmative were: Senators Candland, Dixon, Funk, Hirschi, Kinney, McConkie, Standish, Tebbs and Warnick.

Those voting in the negative were: Senators Adams, Irvine, Jenkins, Jenson, Peters, Smart.

Absent and not voting: Senators Cottrell, Fuller, Ryan, Winder and Mr. President.

H. C. R. No. 2 was placed on the third reading calendar.

H. B. No. 122 was read the second time.

H. B. No. 122 was then ordered read the third time on the following roll call: Ayes 11, nays 3, absent 6.

Those voting in the affirmative were: Senators Candland, Dixon, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart and Warnick.

Those voting in the negative were: Senators Adams, Hirschi, Tebbs.

Absent and not voting: Senators Cottrell, Fuller, Ryan, Standish, Winder and Mr. President.

H. B. No. 122 was placed on the third reading calendar.

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

On motion of Senator Jenkins the bill was amended as follows: Page 1, Line 17, change "section" to "act." Add to Section 2: "Nothing in this act shall be construed as prohibiting any authorized agent of any company duly licensed to transact such business in this State from exchanging business with the authorized agent of

any other company licensed to transact an insurance and bonding business in this state."

H. B. No. 30 was the ordered read the third time on the following roll call: Ayes 10, nays 4, absent 6.

Those voting in the affirmative were: Senators Dixon, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish and Warnick.

Those voting in the negative were: Senators Candland, Funk, Hirschi, Tebbs.

Absent and not voting: Senators Adams, Cottrell, Fuller, Ryan, Winder and Mr. President.

H. B. No. 30 was placed on the third reading calendar.

H. B. No. 97 was read the second time.

H. B. No. 97 was then rejected on the following roll call: Ayes 2, nays 13, absent 5.

Those voting in the affirmative were: Senators Candland, Jenkins.

Those voting in the negative were: Senators Adams, Dixon, Fuller, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs and Warnick.

Absent and not voting: Senators Cottrell, Funk, Ryan, Winder and Mr. President.

H. B. No. 97 was returned to the House.

H. B. No. 104 was read the second time.

Senator Jenkins moved to amend the Bill as follows:

Line 14 strike "Compounds of aluminum" and substitute "sodium aluminum sulphate."

The motion was defeated.

On motion of Senator Hirschi the bill was amended as follows:

Line 7 after "deliver" insert "or have in his possession with intent to sell, exchange or deliver."

H. B. No. 104 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent 3.

Those voting in the affirmative were: Senators Adams, Candland, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Dixon and Ryan.

H. B. No. 104 was placed on the third reading calendar.

H. C. M. No. 3 was read the second time.

H. C. M. No. 3 was then ordered read the third time on the following roll call: Ayes, 12; nays, 5; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Jenson, Kinney, McConkie, Peters, Smart, Warnick and Mr. President.

Those voting in the negative were: Senators Hirschi, Jenkins, Standish, Tebbs and Winder.

Absent and not voting: Senators Cottrell, Irvine and Ryan.

H. C. M. No. 3 was placed on the third reading calendar.

H. B. 99 was read the second time.

The unfavorable committee report was adopted and the bill rejected.

H. B. No. 99 was returned to the House.

H. B. No. 79 was read the second time.

The amendments recommended in the committee report were adopted.

H. B. No. 79 was then ordered read the third time on the following roll call. Ayes, 13; nays, 5; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Fuller, Hirschi, Irvine, Jenkins, Jenson, McConkie, Smart, Standish, Tebbs, Warnick and Winder.

Those voting in the negative were: Senators Dixon, Funk, Kinney, Peters and Mr. President.

Absent and not voting: Senators Cottrell and Ryan.

H. B. No. 79 was placed on the third reading calendar.

H. B. 78 was read the second time.

The unfavorable committee report was adopted on H. B. No. 78 and the bill rejected.

H. B. No. 78 was returned to the House.

H. B. No. 23 was read the second time.

The committee report amendments were adopted.

H. B. No. 23 was then ordered read the third time on the following roll call: Ayes, 14; nays, 4; absent, 2.

Those voting in the affirmative were: Senators Candland, Dixon, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Fuller, Funk and Tebbs.

Absent and not voting: Senators Cottrell and Ryan.

H. B. No. 23 was placed on the third reading calendar.

H. B. No. 140 was read the second time.

On motion of Senator Dixon the enacting clause was stricken and the bill rejected.

H. B. No. 140 was returned to the House.

On motion of Senator Irvine the Senate recessed until 2:00 P. M.

AFTERNOON SESSION

The Senate reconvened at 2 p. m.

Roll call. Eighteen members present. Senators Cottrell and Ryan excused.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, March 6 1923.

Your Committee on Public Affairs to which was referred H. B. No. 182, by Mr. Jorgensen, entitled, "An act to amend Section 1, Chapter 16, Special Session Laws of Utah, 1919, as amended by Chapter 119, Laws of Utah, 1921, relating to the sale of Piute Irrigation Project, the sale of state lands adjacent thereto and the sale and assignment of state certificates of sale covering lands upon which water from the said project has been used, is now used or may be used," begs leave to report that it has considered same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,

Chairman.

Report filed.

H. B. No. 182 was placed on the second reading calendar.

Salt Lake City, Utah, March 6, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 164, by Mr. Stark, entitled, "An act relating to the use of State Armories by organizations of war veterans," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,

Report filed. Chairman.

H. B. No. 164 was placed on the second reading calendar.

Salt Lake City, Utah, March 6, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 94, Substitute for H. B. No. 37, by Mr. Jorgensen, entitled, "An act amending Section 1313, Compiled Laws of Utah, 1917, as amended by Chapter 33, of the Laws of Utah,1921, and Section 1308, Compiled Laws of Utah, 1917, relating to the boundary lines of Sevier and Piute Counties," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,

Report filed. Chairman.

H. B. No. 94 was placed on the second reading cal-

Salt Lake City, Utah, March 6, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 165, by Mr. Stark, entitled, "An act relating to the recording of military records and to the furnishing of certified copies thereof," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,

J. W. PETERS,

Report filed. Chairman.

H. B. No. 165 was placed on the second reading calendar.

Salt Lake City, Utah, March 6, 1923.

Mr. President:

Your Committee on Agriculture, to which was referred H. B. No. 139, by Mr. N. C. Christensen, entitled, "An act to provide for the dissolution of drainage districts; the winding and closing up of the affairs of the district; payment of the obligations of the district; costs of dissolution; and the sale and disposition of the property of the district when the district is dissolved," returns the same herewith and recommends that it be passed.

Respectfully,

W. D. CANDLAND,

Vice-Chairman.

Report filed.

H. B. No. 139 was placed on the second reading calendar.

Salt Lake City, Utah, March 6, 1923.

Mr. President:

Your Committee on Agriculture, to which was referred H. B. No. 210, by Mr. Finlinson, entitled, "An act authorizing the levy of a tax not to exceed one-tenth of a mill on the dollar for the purpose of creating an agricultural inspection fund; and providing for the disposition of said fund," returns the same herewith and recommends that it be passed.

Respectfully,

W. D. CANDLAND,

Vice-Chairman.

Report filed.

H. B. No. 210 was placed on the second reading calendar.

Salt Lake City, Utah, March 6, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred H. B. No. 207, by Mr. Stookey, entitled, "An act to prohibit interference with employment in lawful occupations; to be known as 'The right to work'

act," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

H B. No. 207 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended by the House, S. B. No. 81, by Mr. Peters, entitled, "An Act to amend Section 3973, Compiled Laws of Utah, 1917, as amended by Chapter 82, Laws of Utah, 1921, relating to motor vehicles and licenses and fees therefor, and providing for a refund of a part of license fees paid in certain cases," and same is herewith returned for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Peters the Senate concurred in the House amendment.

S. B. No. 81 then passed on the following roll call: 17 ayes, 0 nays, 3 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Irvine and Ryan.

S. B. No. 81 referred to the Committee on Enrolling and Engrossing.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended by the House S. B. No. 82, by Mr. Peters, entitled, "An Act amending Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, relating to traffic

regulations on state highway," and same is herewith transmitted for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Peters the Senate concurred in the House amendment.

S. B. No. 82 then passed on the following roll call: 18 ayes, 0 nays, 2 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell and Ryan.

S. B. No. 82 was referred to the Committee on Enrolling and Engrossing.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended, H. B. No. 230, by Mrs. Graham, entitled, "An Act providing for the welfare of pregnant girls committed to the State Industrial School and of children born to them while under the control of said school," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 230 was read first time and referred to Committee on Public Affairs.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed H. B. No. 189, by Mr. Crouch, entitled, "An Act to appropriate seven hundred fifty dollars ($750.00) for the preparation and revision of certain maps and plats to be used for assessment purposes in Morgan County," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 189 was read first time and referred to Committee on Appropriations.

March 5, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended, H. B. No. 137, by Mr. Fletcher, entitled, "An Act to provide for the licensing and bonding of warehouses," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 137 was read first time and referred to Committee on Commerce and Industry.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended, H. B. No. 129, by Mr. Mozley, entitled, "An Act making it unlawful to be addicted to the use of opium, coco leaves, or any compound, manufacture, salt, derivative or preparation thereof; and providing a penalty therefor," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 129 was read first time and referred to Committee on Public Health and Labor.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 50, by Mr. Iverson, entitled, "An Act amending Section 984 as amended by Chapter 18, Session Laws, 1919, etc.," and same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 50 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has reconsidered the vote by which S. B. No. 81 was passed by the House and amended the same by reducing the amount of license fees by 25 per cent on all trucks enumerated in lines 9 to 21 inclusive, on Page 2, and requests the return of said Bill to the House.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The Bill was returned to the House.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended by the House S. B. No. 25, by Mr. Standish, entitled, "An Act amending Section 4, 10, 11 and 16 of Chapter 91, Laws of Utah, 1921, relating to the treatment of human ailments, and repealing Section Five of said Chapter, and providing that if any part of the act is held to be invalid such decision shall not affect any other part of the act," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The Senate refused to concur in the House amendments.

Senators Standish, Tebbs and Peters were appointed conference committee to meet with House Committee to consider said bill.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended by the House S. B. No. 81, by Peters, entitled, "An Act to amend Section 3973, Compiled Laws of Utah, 1917, as amended

by Chapter 82, Laws of Utah, 1921, relating to Motor Vehicles and licenses and fees therefor, and providing for a refund of a part of license fees paid in certain cases," and same is herewith returned for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Action deferred.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day concurred in the Senate amendments to H. B. No. 108.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 100, by Mr. Standish, entitled, "An Act amending Sections 3 and 5 of Chapter 130, Laws of Utah ,1921, creating the Department of Registration and adding two additional sections to be numbered 11 and 12 providing for the revocation of licenses for non-payment of annual renewal fee," and same is herewith returned for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Standish the Senate concurred in the House amendment.

S. B. No. 100 then passed on the following roll call: 17 ayes, 0 nays, 3 absent.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Cottrell and Ryan.

S. B. No. 100 was referred to the Committee on Enrolling and Engrossing.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 73, as amended by the House, entitled, "An Act to amend Section 3096, Compiled Laws of Utah, 1917, providing for the administration of the state insurance fund," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Jenkins the Senate concurred in the House amendment.

S. B. No. 73 then passed on the following roll call: 17 ayes, 0 nays, 3 absent.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Adams, Cottrell and Ryan.

S. B. No. 73 was referred to the Committee on Enrolling and Engrossing.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. C. M. No. 4, by Mr. Candland, entitled, "Tax exemption securities," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. C. M. No. 4 was referred to the Committee on Enrolling and Engrossing.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day rejected S. B. No. 99, by Mr. Peters, and same is herewith returned to your Honorable Body.

Respectfully,
E. L. CROPPER
Chief Clerk.

Communication filed.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 32, entitled, "An Act to amend Sections 1, 3, 4 and 5, Chapter 56, Laws of Utah, 1921, relating to the continuance of the Welfare Commission," and same is herewith returned to your Honorable Body for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 32 was referred to the Committee on Enrolling and Engrossing.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 80, by Mr. Peters, entitled, "An Act to Amend Section 3971, Section 3974, and Section 3991, Compiled Laws of Utah, 1917, all as amended by Chapter 81, Laws of Utah, 1921, and Sections 3971X1, 3974X, 3974X5 and 3974X23 of Chapter 81, Laws of Utah, 1921 and to repeal Sections 3974X1, 3974X2, 3974X3, 3974X4, 3974X9, 3974X10, 3974X11, 3974X12, 3974X17, 3974X18, 3974X19, 3974X20, 3974X21, 3974X22 of Chapter 81, Laws of Utah, 1921, relatig to Motor Vehivles," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

On motion of Senator Peters the Senate concurred in the House amendments.

S. B. No. 80 then passed on the following roll call: 16 ayes, 0 nays, 4 absent.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Cottrell, Ryan and Smart.

S. B. No. 80 was referred to the Committee on Enrolling and Engrossing.

March 6, 1923.

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 89, by Mr. Wilkins, entitled, "An Act amending Section 548, of Title 16, Chapter 2, Compiled Laws of Utah, 1917, relating to vacancies in city council and how filled," beg leave to report that it has considered the same and returns it herewith and recommends that it be not passed.

Respectfully,

DAVID JENSON,
Chairman.

The report was adopted and the bill rejected.

H. B. No. 89 was returned to the House.

Report filed.

Salt Lake City, Utah, March 6, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 82, by Mr. Peters, entitled, "An act amending Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, relating to traffic regulations on state highways," desires to report that it has a copy of said bill carefully engrossed and herewith transmit same for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 82 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SPECIAL ORDER

H. B. No. 72 was read the second time.

Senator Dixon moved to amend the bill as follows:

Change "$4,800.00" to "$6,000," salary of secretary to Governor.

The motion was defeated.

Sentator Peters moved to amend the bill as follows:

Strike salary of chief deputy to secretary of state "$4,800.00."

Page 1, line 14, change "$10,500.00" to "$16,500.00."

The motion carried.

Senator Jenkins moved to amend the bill as follows:

Page 1, line 18 strike "$33,400" and substitute "$35,000."

The motion was defeated.

On motion of Senator Tebbs the bill was amended as follows:

Page 2, line 4, change "$1,000" to "$2,000."

On motion of Senator Jenkins the bill was amended as follows:

Page 1, line 23, change "$16,000" to "$17,440."

On motion of Senator Tebbs the bill was amended as follows:

Page 3, line 19, change "$60,000" to "$70,000."

Senator Dixon moved to amend the bill as follows:

Page 3, line 25, change "$2,000" to "$2,615."

Page 3, line 26 change "$600" to "$1,200."

The motion was defeated.

On motion of Senator Jenkins the bill was amended as follows:

Page 4, line 24, change "$11,400" to "$13,500."

Page 4, line 26, change "$800" to "$1200."

Senator Irvine moved to amend the bill as follows:

Page 4, line 29, change "$26,076" to "$30,840."

The motion was defeated.

On motion of Senator Irvine the bill was amended as follows:

Page 4, line 31, change $1,450 to $2,000.

Senator Peters moved to amend the bill as follows:

Page 5, line 23, change $53,000 to $40,000.

Senator Tebbs moved to amend the amendment as follows:

Change $40,000 to $45,000.

The amendment to the amendment was carried.

The motion carried.

On motion of Senator Dixon the bill was amended as follows:

Between lines 21 and 22 insert "For construction and development of a water system, $25,000."

On motion of Senator Irvine the bill was amended as follows:

Page 8, lines 11 and 12, restore original matter in printed bill.

Senator Candland moved to amend the bill as follows

Page 8, line 7, change $40,000 to $30,000.

The motion was defeated.

Senator Irvine moved to amend the bill as follows:

Page 8, line 10, change $10,000 to $20,000.

The motion was deafeted.

On motion of Senator Peters the bill was amended as follows:

Restore line 15, page 8, as in printed bill.

Senator Jenkins moved to amend the bill as follows:

Page 5, line 20, change $90,000 to $75,000 and

Page 5, line 21, change $90,000 to $95,000.

The motion was defeated.

H. B. No. 72 was then ordered read the third time on the following roll call. Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Cottrell, Ryan and Standish.

H. B. No. 72 was placed on the third reading calendar.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session S. B. No. 82, by Mr. Peters, entitled, "An Act amending Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, relating to traffic regulations an State Highways," and same is here-

withreturned to your Honorable Body for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 82 was transmitted to the Governor for his action.

On motion of Senator Peters the Senate adjourned.

FIFTY-NINTH DAY

MORNING SESSION

STATE SENATE,
The Capitol.
Salt Lake City, Utah, March 7, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. Eighteen members present. Senators Ryan and Cottrell excused.

Prayer by the Chaplain.

The Journal of the Fifty-Eighth Day was read and approved.

REPORTS OF STANDING COMMITTEES

Mr. President:

Your Committee on Appropriations to which was referred H. B. No. 183, by Mr. Jorgensen, entitled, "An Act appropriating an additional $50,000.00 to be paid into "The revolving fund for the survey of public lands in the State of Utah," begs leave to report that it has considered the same, and the majority of the committee are in favor of the bill and recommends that it be passed.

Respectfully,
H. C. TEBBS,
Chairman.

Report filed.

H. B. No. 183 was placed on the second reading calendar.

Mr. President:

Your Committee on Appropriations to which was referred H. B. No. 189, by Crouch, entitled, "An Act to

appropriate seven hundred fifty dollars ($750.00) for the preparation and revision of certain maps and plats to be used for assessment purposes in Morgan County," begs leave to report that it has considered the same, and the majority of the committee are in favor of the bill and recommends that it be passed.

Respectfully,

H. C. TEBBS,
Chairman.

Report filed.

H. B. No. 189 was placed on the second reading calendar.

March 6, 1923.

Mr. President:

Your Committee on Appropriations to which was referred H. B. No. 174, by Mr. Openshaw, entitled, "An Act to restore to Carmela Maione and Giovanni Maione money escheated to the state and to make an appropriation to pay the same, begs leave to report that it has considered the same, and the majority of the committee are in favor of same, and recommend that it be passed.

Respectfully,

H. C. TEBBS,
Chairman.

H. B. No. 174 was placed on the second reading calendar.

March 6, 1923.

Mr. President:

Your Judiciary Committee to which was referred H. B. No. 142, by Mr. Crouch, entitled, "An Act to suspend sentence under certain conditions," returns the same herewith and recommends that it be passed."

DAVID JENSON,
Chairman.

Report filed.

H. B. No. 142 was placed on the second reading calendar.

March 6, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 168, by Mr. Atwood, Mr. Crook, entitled, "An Act to amend Sections 1317 and 1318, Compiled Laws of

Utah, 1917, relating to the boundary lines of Utah and Wasatch Counties," returns the same herewith and recommends that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 168 was placed on the second reading calendar.

March 6, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 149, by Mr. Christensen, entitled, "An Act to increase the number of District Judges in and for the Fourth Judicial District in the State of Utah," returns the same herewith and recommends that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 149 was placed on the second reading calendar.

March 6, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 84, by Mr. Callister, entitled, "An Act relating to the sale in bulk of merchandise, furniture, fixtures or equipment of stores, hotels, restaurants, barber shops, or any place of business wherein the furniture, fixtures or equipment is sold in bulk are used in carrying on said business, and repealing Title 97, Sections 5103, 5104, 5105, 5106, 5107, Compiled Laws of Utah, 1917," returns the same herewith and recommends that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 84 was placed on the second reading calendar.

March 6, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 184, by Mr. Callister, entitled, "An Act to require municipalities and political subdivisions of the state of Utah to keep complete and accurate accounts of all

public work and constructon and of the cost thereof, done for or on behalf of such municipalities and political subdivisions, and providing for the dissemination of information relating thereto," returns the same herewith and recommends that it be passed.

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 184 was placed on the second reading calendar.

March 7, 1923.

Mr. President:

Your Judiciary Committee, to which was referred H. B. No. 169, by Mr. Pembroke, entitled, "An Act to amend Sections 8351 and 8352, of Chapter 50, Title 119, Compiled Laws of Utah, 1917, relating to fraudulent advertising," returns the same herewith and recommends that it be passed with the following amendment:

Line 20, Page 2, after the word "merchandise" insert the following: "or fabric as all wool which is composed partly or entirely of cotton or other vegetable substitute for wool, or who shall advertie or sell any clothing or fabric as *virgin wool*, composed wholly or in part of reworked wool or shoddy, or"

Respectfully,
DAVID JENSON,
Chairman.

Report filed.

H. B. No. 169 was placed on the second reading calendar.

March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling, to which was referred S. B. No. 32, by Mrs. Kinney, entitled, "An Act to amend Sections 1, 3, 4 and 5 of Chapter 56, Laws of Utah, 1921, relating to the continuance of the Welfare Commission," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 32 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling desires to report that S. B. No. 100, by Mr. Standish, entitled, "An Act amending Sections 3 and 5 of Chapter 130, Laws of Utah, 1921, creating the department of registration and adding two additional sections to be numbered 11 and 12, providing for revocation of licenses for nonpayment of annual renewal fees," has been carefully engrossed and enrolled and the same is returned herewith for your signature.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 100 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. C. M. No. 4, by Mr. Candland, entitled, "Tax exemption securities. A memorial to the Congress of the United States, favoring the elimination of tax exemption securities," has this day had said Memorial properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. C. M. No. 4 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 73, by Mr. Winder, entitled, "An Act to amend Section 3096, Compiled Laws of Utah, 1917, providing for the administration of the state insur-

ance fund," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

S. B. No. 73 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 98, by Mr. Warnick, entitled, "An Act to amend Section 6015, Compiled Laws of Utah, 1917, as amended by Chapter 119, Laws of Utah, 1919, relating to the time when taxes become deliquent," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

S. B. No. 98 was referred to the Committee on Enrolling and Engrossing.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session S. C. M. No. 4, by Mr. Candland, entitled, "Tax exemption securities," and same is herewith returned to your Honorable Body for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

S. C. M. No. 4 was transmitted to the Governor for his action.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 181, by Mr. Tebbs, entitled, "An Act authorizing the state land commissioner to lease the whole or any part of section 36,

Township 36 South, Range 4 West, Salt Lake Meridian," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 181 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 48, by Mr. Funk, entitled, "An Act amending Section 3, Compiled Laws of Utah, 1917, as amended by Chapter 1, Laws of Utah, 1921, relating to certified public accountants," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 48 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 91, substitute for S. B. No. 16, by Committee on Agriculture, entitled, "An Act to amend Sections 2044, 2047 and 2065, Chapter 47, Laws of Utah, 1921, relating to the organization and government of drainage districts; to the distribution and control of water for drainage purposes; and authorizing any drainage district to appropriate, use, purchase, sell, and convey water and water-rights, and repealig all laws and parts of laws in conflict with this act, and same is herewith returned to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 91 was referred to the Committee on Enrolling and Engrossing.

CONSIDERATION OF BILLS ON THIRD READING

H. C. R. No. 2 was read the third time and placed on its final passage.

H. C. R. No. 2 then passed on the following roll call: 11 ayes, 4 nays, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Jenson, Kinney, McConkie, Smart, Warnick and Mr. President.

Those voting in the negative were: Senators Irvine, Jenkins, Peters and Standish.

Absent and not voting: Senators Cottrell, Funk, Ryan, Tebbs and Winder.

H. C. R. No. 2 was returned to the House for its further action.

H. B. No. 122 was read the third time and placed on its final passage.

H. B. No. 122 then passed on the following roll call: 14 ayes, 1 nays, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Irvine, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Tebbs, Warnick, and Mr. President.

Those voting in the negative were: Senator Hirschi.

Absent and not voting: Senators Cottrell, Funk, Peters, Ryan and Winder.

H. B. No. 122 was returned to the House for its further action.

H. B. No. 104 was read the third time and placed on its final passage.

Senator Jenkins moved to amend the Bill as follows: Strike "Compounds of aluminum" in Line 14 and substitute "sodium aluminum sulphate." The motion was defeated.

H. B. No. 104 then passed on the following roll call: 15 ayes, 1 nay, 4 absent.

Those voting in the affirmative were: Senators Adams, Candland, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senator Jenkins.

Absent and not voting: Senators Cottrell, Dixon, Ryan and Winder.

H. B. No. 104 was returned to the House for its further action.

H. B. No. 30 was read the third time and placed on its final passage.

H. B. No. 30 then passed on the following roll call: 14 ayes, 2 nays, 3 absent, 1 excused.

Those voting in the affirmative were: Senators Adams, Dixon, Fuller, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senators Candland and Funk.

Absent and not voting: Senators Cottrell, Ryan and Winder.

Excused from voting: Senator Hirschi.

H. B. No. 30 was returned to the House for its further action.

H. B. No. 79 was read the third time and placed on its final passage.

H. B. No. 79 then passed on the following roll call: 12 ayes, 3 nays, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Fuller, Irvine, Jenson, Kinney, McConkie, Smart, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Dixon, Funk and Jenkins.

Absent and not voting: Senators Cottrell, Hirschi, Peters, Ryan and Winder.

H. B. No. 79 was returned to the House for its further action.

H. B. No. 23 was read the third time and placed on its final passage.

H. B. No. 23 then passed on the following roll call: 15 ayes, 0 nays, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Peters,

Ryan, Tebbs and Winder.

H. B. No. 23 was returned to the House for its further action.

H. C. R. No. 3 was read the third time and placed on its final passage.

H. C. R. No. 3 then passed on the following roll call: 17 ayes, 0 nays, 3 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Ryan and Winder.

H. C. R. No. 3 was returned to the House for its further action.

H. B. No. 72 was real the third time and placed on its final passage.

On motion of Senator Tebbs the bill was amended as follows:

Page 8, between lines 17 and 18, insert "claim of George F. Summerhays $1,253.70."

On motion of Senator Jenson the bill was amended as follows:

Page 6, line 5, change "$2,600" to "$3,600."

On motion of Senator Peters the bill was amended as follows:

Page 1, between lines 16 and 17 the following:

"For necessary clerical assistance and contingent expenses in the enforcement of the gasoline sales tax law, to be paid out of the funds collected under said law, or so much thereof as may be necessary, $10,000."

On motion of Senator Peters the bill was amended as follows:

Page 4, line 3, change "30,000" to "35,000."

On motion of Senator Dixon the bill was amended as follows:

Page 3, line 25, change "$2,000" to "$2,616.25."

Page 3, line 26, change "$600" to "$1,200."

On motion of Senator Tebbs the bill was amended as follows:

Page 5, line 20, change "$90,000" to "$75,000."

On motion of Senator Tebbs the bil was amended as follows:

Page 5, line 21, change $90,000'' to ''$95,00.''

On motion of Senator Peters the bill was amended as follows:

Page 5, line 23, change ''$45,000'' to ''$40,000.''

On motion of Senator Peters the bill was amended as follows:

Page 5, between lines 6 and 7, insert ''For construction of the Wendover highway, $30,000, to be expended only upon authority of the Governor.''

On motion of Senator Irvine the bill was amended as follows:

Page 8, line 10, change ''$10,000'' to ''$35,000.''

Page 8, line 7, change ''$40,000'' to ''$35,000.''

On motion of Senator Peters the Senate concurred in the House amendments to S. B. No. 81.

S. B. No. 81 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, McConkie, Peters, Smart, Standish, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Dixon, Kinney, Ryan, Tebbs and Winder.

S. B. No. 81 was referred to the Committee on Enrolling and Engrossing.

On motion of Senator Jenkins the Senate recessed until 1:30 p. m.

AFTERNOON SESSION.

The Senate reconvened at 1:30 p. m.

Roll call. Eighteen members present. Two excused.

REPORTS OF STANDING COMMITTEES

March 7, 1923.

Mr. President:

Your Committee on Commerce and Industry to which was referred H. B. No. 137, by Mr. Fletcher, entitled, ''An Act to provide for the licensing and bonding of

warehouses," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
HARRISON E. JENKINS,
Chairman.

Report filed.

H. B. No. 137 was placed on the second reading calendar.

March 7, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 216, by Mr. Finlinson, entitled, "An Act adding a new section to Chapter 8 of Title 90, Compiled Laws of Utah, 1917, to be known as Section 4587, prescribing certain powers to all boards of education of school districts, to permit the use of public school houses for general purposes other than school purposes," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 216 was placed on the second reading calendar.

March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 48, by Mr. Funk, entitled, "An Act amending Section 3, Compiled Laws of Utah, 1917, as amended by Chapter 1, Laws of Utah, 1921, relating to Certified Public Accountants," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 48 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1923.

Mr. President:

Your Committee on Education to which was referred H. B. No. 186, by Mr. Openshaw, entitled, "An Act to

amend Section 5535, Laws of Utah, 1917, pertaining to the State School of Education and the maintaining of scholarships therein," begs leave to report that it has considered the same favorably and recommends that it be passed.

Respectfully,
A. B. IRVINE,
Chairman.

Report filed.

H. B. No. 186 was placed on the second reading calendar.

March 7, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 230, by Mrs. Graham, entitled, "An Act providing for the welfare of pregnant girls committed to the State Industrial School and of children born to them while under the control of the said School," begs leave to report that it has considered the same and returns it herewith and recommends that it be passed.

J. W. PETERS,
Chairman.

Report filed.

H. B. No. 230 was placed on the second reading calendar.

March 7, 1923.

Mr. President:

Your Committee on Public Health and Labor to which was referred H. B. No. 129, by Mozley, entitled, "An Act making it unlawful to be addicted to the use of opium, coca leaves, or any compound, manufacture, salt, derivative or preparation thereof; and providing a penalty therefor," begs leave to report that after due and careful consideration recommends that it be not passed.

Respectfully,
H. N. STANDISH,
Chairman.

Report filed.

H. B. No. 129 was placed on the second reading calendar.

March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 181, by Mr. Tebbs, entitled, "An Act authorizing the State Land Commissioner to

lease the whole or any part of Section 36, Township 36 South, Range 4 West, Salt Lake Meridian," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 181 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1923.

Mr. President:

Your Committee on Public Affairs to which was referred H. B. No. 233, by House Appropriation Committee, entitled, "An Act to provide revenue for the support of the government of the State, and for high school purposes for the fiscal years 1923 and 1924," begs leave to report that it has considered the same favorably and recommends that it be passed with the following amendment:

Line 3, change $1,944,561.55 to $2,058,954.71.

Respectfully,
J. W. PETERS,
Chairman.

Report filed.

H. B. No. 233 was placed on the second reading calendar.

March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 80, by Mr. Peters, entitled, "An Act to amend Section 3971, Section 3974 and Section 3991, Compiled Laws of Utah, 1917, all as amended by Chapter 81, Laws of Utah, 1921, and Sections 3971X1 3974X, 3974X5, and 3974X23, Chapter 81, Laws of Utah, 1921, and to repeal Sections 3974X1, 3974X2, 3974X3, 3974X4, 3974X9, 3974X10, 3974X11, 3974X12, 3974X17, 3974X18, 3974X19, 3974X20, 3974X21, 3974X22 of Chapter 81, Laws of Utah, 1921, relating to motor vehicles," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 80 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 165, by Mr. Winder, entitled, "An Act to repeal Section 1, Chapter 85, Laws of Utah, 1919, relating to health Education," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 165 was referred to the Committe on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. C. M. No. 2 by Mr. Wheately, entitled, "Memoralizing the Utah Delegation in Congress to use their efforts to secure action at this session of Congress upon Senate Joint Resolution No. 261 providing for the distribution of Surplus War Material," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. C. M. No. 2 was signed by the President in the presence of the Senate and was returned to the House.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 108, by Mr. McKell, entitled, "An Act providing for the cancellation of State Warrants not presented to the state treasurer for payment within a period

of two years from date of issue," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 108 was signed by the President in the presence of the Senate and was returned to the House.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 185, by Mr. Winder, entitled, "An Act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the state, to facilitate the extermination of mosquitos, flies and other insects; and to provide for the assessment levy, collection and disbursement of taxes therein," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 185 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended by the House, S. B. No. 117, by Mr. Jenkins, entitled, "An Act Amending Section 3114, of Title 49, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921, relating to the Indurstrial Commission, the State Insurance Fund, and Workmen's Compensation," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Jenkins the Senate concurred in the House amendments.

S. B. No. 117 then passed on the following roll call: 18 ayes, 0 nays, 2 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell and Ryan.

S. B. No. 117 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day rejected S. B. No. 186, by Mr. Jenkins, entitled, "An Act to amend section 5447, Chapter 12, Compiled Laws of Utah, 1917, Defining the powers of the Board of Corrections, etc.," and same is herewith returned to your Honorable Body.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session S. B. No. 181, by Mr. Tebbs, entitled, "An Act authorizing the state land commissioner to lease the whole or any part of Section 36, Township 36 South, Range 4 West, Salt Lake Meridian," and same is returned herewith for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 181 was transmitted to the Governor for his action.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session S. B. No. 73, by Winder, entitled, "An Act to amend Section 3096, Compiled Laws of Utah, 1917, pro-

viding for the administration of the State Insurance Fund," S. B. No. 48, by Mr. Funk, entitled, "An Act amending Section 3, Compiled Laws of Utah, 1917, as amended by Chapter 1, Laws of Utah, 1921, relating to certified public accountants," S. B. No. 32, by Mrs. Kinney, entitled, "An Act to amend Sections 1, 3, 4 and 5 of Chapter 56, Laws of Utah, 1921, relating to the continuance of the welfare commission," and S. B. No. 100, entitled, "An Act amending Sections 3 and 5 of Chapter 130, Laws of Utah, 1921, creating the Department of Registration and adding two additional sections to be numbered 11 and 12, providing for the revocation of licenses for nonpayment of annual renewal fees." and same are herewith transmitted to your Honorable Body for transmision to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Said bills were transmitted to the Governor for his action.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 56, by Mrs. Kinney ,entitled, "An Act to regulate the placing out of children by persons other than the parents or relatives of such children, prescribing certain records to be kept and conditions to be observed by persons authorized by law to secure homes for children, regulating the bringing into the state of children for the purpose of placing out, requiring persons placing children to secure a license from State Board of Health and prescribing certain powers of the State Board of Health and making violations of this act a misdemeanor," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 56 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that

the Governor has this day approved and filed with the office of the Secretary of State, H. B. No. 40, by Mr. White, entitled, "An Act repealing Chapter 47, Laws of Utah, 1919, and Chapter 6, Laws of Utah, 1919, Special Session, relating to fish and game," and H. B. No. 39, by Mr. White, entitled, "An Act providing for the appointment of a fish and game commissioner, chief deputy, and other deputies and assistants, etc."

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 133, by Mr. Irvine, entitled, "An Act to amend Section 6848, Compiled Laws of Utah, 1917, relating to judgment on dismissal or nonsuit," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 133 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, H. B. No. 104, by Mr. Goggin, entitled, "An Act amending Section 1932, Title 24, Compiled Laws of Utah, 1917, relating to baking powder," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 104 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that

the House has this day stricken the enacting clause on S. B. No. 122, by Mr. Adams ,entitled, "An Act making it mandatory on county commissioners to appropriate a definite proportion of money raised for road purposes by general or special taxes upon property, etc.," and same is herewith returned to your Honorable Body.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day stricken the enacting clause on S. B. No. 171, by Mr. McConkie, entitled, "An Act to Amend Section 5765, Compiled Laws of Utah, 1917, relating to powers of District Attorneys to employ clerk," and same is herewith returned to your Honorable Body.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, H. B. No. 79, by Mr. Naylor, entitled, "An Act to amend Sections 1, 2, 4 and 6, of Chapter 42, Session Laws of Utah, 1919, relating to voting of absent electors," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

H. B. No. 79 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. C. R. No. 2, by Mrs. Dunyon, entitled, "Resolution for the annual display of the American Flag on

Mother's Day, the second Sunday in May," and same is herewith transmitted to your Honorable Body for the Signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. C. R. No. 2 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 6, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 30, by Mr. McKell, entitled, "An Act prohibiting rebates of premiums paid on policies of insurance and bonds," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 30 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 122, by Mr. Finlinson, entitled, "An Act providing for the levying of a tax for the indemnification of condemned and slaughtered tubercular cattle," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 122 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, H. B. No. 23, by Mr. Constantine, entitled, "An

Act revising and amending Section 8975, of Chapter 33, Title 120, Compiled Laws of Utah, 1917, relating to the order of trial in criminal proceedure," and same is herewith transmitted to your Honorable Body for the Signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 23 was signed by the President in the presence of the Senate and was returned to the House for its further action.

COMMUNICATION FROM THE GOVERNOR

March 6, 1923.

To the Senate:

I have the honor to submit for your consideration and confirmation the following list of appointments made to the positions specified:

State Board of Education: J. C. Swenson, Provo; R. D. Young, Richfield. To fill the regular terms of six years, serving until 1929.

Board of Trustees, School for Deaf and Blind; Dr. L. L. Daines, Salt Lake City. To fill the regular term of six years, serving until 1929. W. H. Reeder, Jr., Ogden. To fill an unexpired term of six years, vice J. E. Carver, resigned, serving until 1927.

Board of Trustees—State Industrial School: Frank J. Stevens. Ogden, Walter N. Farr, Ogden; John K. Hardy, Salt Lake City. To fill the regular terms of four years, serving until 1927.

State Board of Health: C. J. Ullrich, Salt Lake City; Dr. Joseph Morrell, Ogden. To fill unexpired terms of seven years, serving until 1928. Carl Hopkins, Ogden. To fill the regular term of seven years, serving until 1930.

State Fair Board: L. S. Cardon, Logan; Mrs. Georgina Marriott, Ogden; George S. McAllister, Salt Lake City; George Abbott, Tremonton. To fill regular terms of four years, serving until 1927. John N. Davis, Vernal, To fill an unexpired term of four years, vice Enos Bennion, deceased, serving until 1925. A. G. MacKenzie, Salt Lake City,. To fill an unexpired term of four years, vice H. W. Lunt, resigned, serving until 1925.

Utah Art Institute: Carl Scott, Salt Lake City; Miss Mabel Frazer, Salt Lake City; J. Leo Fairbanks, Salt Lake City; Mrs. Alice Merrill Horne, Salt Lake City. To fill regular terms of two years, serving until 1925.

Industrial Commission: Nephi L. Morris, Salt Lake City. To fill the regular term of six years, serving until March 9, 1929.

State Board of Equalization: Lorenzo Pett, Brigham City. To fill the regular term of four years, serving until 1927.

Committee on Uniformity of Legislation: C. R. Hollingsworth, Ogden; W. H. Leary, Salt Lake City; W. H. Folland, Salt Lake City. To fill regular terms of two years, serving until 1925.

State Road Commission: Preston G. Peterson, Provo. To fill the regular term of six years, serving until December 1st, 1927. H. W. Lunt, Cedar City. To fill the regular term of four years, serving until December 1st, 1925. Henry H. Blood, Kaysville. To fill the regular term of two years, serving until December 1st, 1923.

State of Utah Mormon Battalion Monument Commission: James H. Douglas, Ogden; J. H. Hart, Salt Lake City; Maybelle T. Davis, Salt Lake City; B. H. Roberts, Salt Lake City; Wesley E. King, Salt Lake City; Glen Miller, Salt Lake City; Mary J. Clawson, Salt Lake City. To fill unexpired terms of four years, serving until 1925.

Fish and Game Commissioner: D. H. Madsen, Salt Lake City. To fill the regular term of four years, effective March 7, 1923, to serve until March 7, 1927.

Respectfully yours,
CHARLES R. MABEY,
Governor.

On motion of Senator Peters the rules were suspended and the Senate went into Executive Session to consider the Governor's appointments recommended in comminication read this date.

The Executive Sesion having adjourned the regular session was resumed.

The question "Will the Senate advise and consent to the nominations of the Governor," was put and unanimously carried.

Consideration of H. B. No. 72.

On motion of Senator Irvine the bill was amended as follows:

Page 5, between lines 10 and 11. insert "Contingent fund—Recorder of Decisions—$500.00."

On motion of Senator Tebbs the bill was amended as follows:

Page 5, line 8, change "$67,300" to "$68,300."

H. B. No. 72 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Funk and Ryan.

H. B. No. 72 was returned to the House for its further action.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 206 was read the second time.

On motion of Senator Jenkins the bill was amended as follows:

Line 5 change "second Monday in February" to "March 31."

In the Title and Section 1, after "Laws" insert "of Utah."

H. B. No. 206 was then ordered read the third time on the folowing roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams. Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell and Ryan.

H. B. No. 206 was placed on the third reading calendar.

On motion of Senator Peters the rules were suspended and H. B. No. 206 was read the third time and placed on its final passage.

H .B. No. 206 then passed on the folowing roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller ,Funk, Hirschi Irvine, Jenkins, Jenson, Kinney McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell and Ryan.

H. B. No. 206 was returned to the House for its further action.

H. B. No. 231 was read the second time.

Senator Candland moved to amend the bill as follows

Page 2, line 27, after "Ephraim" insert "and from Mt. Pleasant to Moroni."

The motion was defeated.

H. B. No. 231 was then ordered read the third time on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Candland, Dixon, Fuller. Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Adams, Cottrell Ryan and Tebbs.

H. B. No. 231 was placed on the third reading calendar.

H. B. No. 70 was read the second time.

H. B. No. 70 was then ordered read the third time on the following roll call: Ayes, 15; nays, 3; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, Peters, Standish, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Jenkins, McConkie and Smart.

Absent and not voting: Senators Cottrell and Ryan.

H. B. No. 70 was placed on the third reading calendar.

H. B. No. 65 was read the second time.

Senator Jenkins moved to amend the bill as follows:

Line 5, change "thirty" to "seventy-five."

The motion was defeated.

H. B. No. 65 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Irvine and Ryan.

H. B. No. 65 was placed on the third reading calendar.

On motion of Senator Kinney the rules were suspended and H. B. No. 65 was read the third time and placed on its final passage.

H. B. No. 65 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Irvine and Ryan.

H. B. No. 65 was returned to the House for its further action.

On motion of Senator Peters the rules were suspended and H. B. No. 233 was read the second time.

The amendment recommended in the Committee report was adopted.

Senator Winder moved to amend the bill as follows:

"Section 4. School tax levy. There is hereby directed to be raised for the support of district schools for each of the fiscal years 1923 and 1924, a sum which together with any other state funds available for district school purposes, will equal $25.00 for each person of school age in the state as shown by the last preceeding school census and for the purpose of raising the same there is hereby levied for each of said years an ad valorem tax of 4.7 mill on each dollar of valuation of all taxable property in the state, or such portion of such tax as the state board of equalization and assessment

may find necessary to raise the sum above set forth for each of said years.

The motion was defeated.

H. B. No. 233 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell and Ryan.

H. B. No. 233 was placed on the third reading calendar.

H. B. No. 114 was read the second time.

H. B. No. 114 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Funk and Ryan.

H. B. No. 114 was placed on the third reading calendar.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 206, by Mr. White, entitled, "An Act to amend Section 4, of Chapter 127, Session Laws of Utah, 1921, providing for the termination of the term of office of the director of finance and purchase, etc.," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

H. B. No. 206 was signed by the President in the presence of the Senate and was returned to the House for its further action.

On motion of Senator McConkie all bills with favorable committee report were advanced to the head of the calendar, those without recommendation second and unfavorably reported bills moved to the bottom.

By unanimous consent H. B. No. 214 was read the second time.

On motion of Senator Irvine the enacting clause was stricken and the bill rejected.

H. B. No. 153 was read the second time.

On motion of Senator Irvine the enacting clause was stricken and the bill was rejected.

On motion of Senator Peters the Senate recessed until 5:30 p. m.

EVENING SESSION

The Senate reconvened at 5:30 p. m.
Roll call. Eighteen members present. Two excused.

REPORTS OF STANDING COMMITTEES

Salt Lake City, Utah, March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 117, by Mr. Jenkins, entitled, "An act amending Section 3114 of Title 49, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921, relating to the Industrial Commission, the State Insurance fund and workmen's compensation," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. N. 117 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B .No. 98 by Mr. Warnick, en-

titled, "An act to amend Section 6015, Compiled Laws of Utah, 1917, relating to the time when taxes become delinquent," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

S .B No. 98 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 185, by Mr. Winder, entitled, "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the state, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

S. B. No. 185 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 91 by the Committee on Agriculture, entitled, "An act to amend Sections 2044, 2047 and 2065, Chapter 47, Laws of Utah, 1921, relating to the organization and government of drainage districts; to the distribution and control of water for drainage purposes; and authorizing any drainage district to appropriate, use, purchase, sell and convey water and water rights, and repealing all laws and parts of laws in con-

flict with this act," returns the same herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

S. B. No. 91 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 133, by Mr. Irvine, entitled "An act to amend Section 6848, Compiled Laws of Utah, relating to judgment on dismissal or nonsuit," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

S. B. No. 133 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 81, by Mr. Peters, entitled "An act to amend Section 3973. Compiled Laws of Utah, 1917, as amended by Chapter 82, Laws of Utah, 1921, relating to motor vehicles and licenses and fees therefor, and providing for a refund of a part of license fees paid in certain cases," begs leave to report that it has had said bill carefully engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

S. B. No. 81 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Salt Lake City, Utah, March 6, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 165, by Mr. Winder, entitled, "An act to repeal Section 1, Chapter 85, Laws of Utah, 1919, relating to Health Education," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

S. B. No. 165 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 65, by Mr. Cannon, entitled, "An Act to amend Section 848, of Title 18, Compiled Laws of Utah, 1917, as amended by Chapter 15, Session Laws of Utah, 1919, relating to cold storage foods." and same is herewith transmitted to your Honorable Body for the Signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

H. B. No. 65 was signed by the President in the presence of the Senate and was returned to the House.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session S. B. No. 80, by Mr. Peters, entitled, "An Act to amend Section 3971, Section 3974 and Section 3991, Compiled Laws of Utah, 1917, all as amended by Chapter 81, Laws of Utah, 1921, and Sections 3971X1, 3974X, 3974X5, and 3974X23, Chapter 81, Laws of Utah, 1921, and to repeal Sections 3974X1, 3974X2, 3974X3, 3974X4, 3974X9,

3974,X10, 3974X11, 3974X12, 3974X17, 3974X18, 3974X19, 3974X20, 3974X21, 3974X22 of Chapter 81, Laws of Utah, 1921, relating to motor vehicles," and same is herewith retured to your Honorable Body for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 80 was transmitted to the Governor for his action.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended by the House, S. B. No. 59, by Mr. Winder, entitled, "An Act to amend Section 4624, Compiled Laws of Utah, 1917, relating to the levying and collecting of taxes for school purposes in County School Districts of the first class and providing for certain limitations upon the amount of such taxes to be levied," and same is herewith transmitted to your Honorable Body for your action.

county schooldistrits, of the first class and providing for

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Winder the Senate concurred in the House amendment.

S. B. No. 59 then passed on the following roll call: 16 ayes, 0 nays, 4 absent.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Ryan and Standish.

S. B. No. 59 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 183, substitute for No. 58, by Mr. Winder, entitled, "An Act relating to the filing of statements by Board of Town Trustees, City Councils, City Commissioners, and boards of county com-

missioners, showing tax levies fixed by such bodies, providing for the examination of such levies by the state board of equalization and assessment; and for the notification of county attorneys in counties where it appears that any levy has been made in excess of the amount permitted by law," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 183 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 123, by Mr. McConkie, entitled, "An Act appropriating Fifteen Thousand Dollars for road building from Bluff, Utah, to the oil fields in San Juan County, Utah, and providing for the expenditure thereof under the direction and supervision of the County Commissioners," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 123 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 60, by Mr. Winder, entitled, "An Act to amend Section 4704, Compiled Laws of Utah, 1917, relating to the powers of Boards of Education in cities of the first and second class, to levy taxes and providing for certain limitation upon the amount of such taxes to be levied," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 60 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 94, by Mr. McConkie, entitled, "An Act to amend Section 5075, (2051) Compiled Laws of Utah, 1917, relating to mileage of District Judges and Attorneys," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 94 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 90, by Mr. Jenson, entitled, "An Act regulating manufacture of bedding, the use of sanitary material; providing for tagging and labeling, and providing punishment for failure to comply with this act," and same is herewth transmtted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 90 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 75, by Mr. Jenson, entitled, "An Act to amend Chapter Three, Title 106, Compiled Laws of Utah, 1917, relating to taxation and assessment, of property by adding one independent section, to be known as 5866X, providing for the exemption from taxation of property moving in interstate commerce," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 75 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 85, by Mr. Hirschi, entitled, "An Act to appropriate $50,000.00 from the motor vehicle registration fund to the State Road Commission to be used as a contingent fund," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 85 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 84, by Mr. Hirschi, entitled, "An Act to appropriate $181,000.00 of the amount in the motor vehicle registration fund to the State Road Commission to be used as a revolving fund," and same is herewith returned to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 84 was referred to the Committee on Enrolling and Engrossing.

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 107, by Mrs. Kinney, entitled, "An Act amending Section 5528, Compiled Laws of Utah, 1917, for the purpose of authorizing the Board of Regents of the University of Utah to assist the faculty and other teachers of the University in purchasing old age annuities," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 107 was referred to the Committee on Enrolling and Engrossing.

REPORTS OF SPECIAL COMMITTEES

Salt Lake City, March 7, 1923.

Mr. President:

Your Committee on Conference to whom was referred S. B. No. 25, in which the Senate declined to concur in the House amendments, begs leave to report that they have been in conference with a like Committee from the House and have agreed as follows: Strike House amendment line 7, page 3, wherein was changed 1907 to 1923 and reinstate the original figures, 1907;

Line 13, page 3, insert 1923 in lieu of 1919;

Line 24, page 3, insert 1923 in lieu of 1919;

Line 2, page 4, strike numerals 1917 and insert 1919.

Respectfully submitted,

H. N. STANDISH,
H. C. TEBBS,
J. W. PETERS,
Managers for the Senate.
AMY BROWN LYMAN,
JOSEPH T. FINLINSON,
E. R. CALLISTER,
Managers for the House.

On motion of Senator Standish the report was adopted.

S. B. No. 25 then passed on the following roll call: Ayas, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Ryan and Tebbs.

The House was notified of the Senate's action.

H. B. No. 151 was read the second time.

H. B. No. 151 was ordered read the third time on the following roll call: Ayes, 13; nays, 0; absent, 7.

Those voting in the affirmative were: Senators Adams, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Warnick, Winder and Mr. President.

Absent and not voting: Senators Candland, Cottrell, Hirschi, Irvine, Ryan, Standish and Tebbs.

H. B. No. 151 was placed on the third reading calendar.

H. B. No. 61 was read the second time.

On motion of Senator McConkie the enacting clause was stricken and the bill rejected.

H. B. No. 61 was returned to the House.

H. B. No. 100 was read the secod time.

The amendment recommended in the committee report was adopted.

On motion of Senator Jenkins the bill was amended as follows:

Page 2, line 5, change "four times" to "one time."

Page 1, line 9, after first word "associations" place period ond stricke balance of section.

H. B. No. 100 was then ordered read the third time on the following roll call: Ayes, 13; nays, 0; absent, 7.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Warnick and Winder.

Absent and not voting: Senators Cottrell, Funk, Hirschi, Ryan, Standish, Tebbs and Mr. President.

H. B. No. 100 was placed on the third reading calendar.

On motion of Senator Peters the rules were suspended and H. B. No. 100 was read the third time and placed on its final passage.

H. B. No. 100 then passed on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Ryan, Standish and Tebbs.

H. B. No. 100 was transmitted to the House for its further action.

H. B. No. 67 was read the second time.

On motion of Senator Jenkins the enacting clause was stricken and the bill rejected.

H .B. No. 205 was read the second time.

On motion of Senator Peters the unfavorable committee report was adopted and the bill rejected.

H. B. No. 171 unfavorable committee report was adopted and the bill rejected.

H. B. No. 177 unfavorable committee report was adopted and the bill rejected.

H. B. No. 109 unfavorable committee report was adopted and the bill rejected.

Above rejected bills were returned to the House.

On motion of Senator Fuller the rules were suspended and H. B. No. 231 was read the third time and placed on its final passage.

Senator Irvine moved to amend the bill as follows:

Page 4, add to the bill "(V) From Salt Lake City easterly up Emigration Canyon to the point where the old road leaves Emigration Canyon to pass over Little Mountain."

The motion was defeated.

H. B. No. 231 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi and Ryan.

H. B. No. 231 as returned to the House for its further action.

H. B. No. 182 was read the second time.

H. B. No. 182 was then ordered read the third time on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Fuller, Funk, Irvine, Jenkins, Kinney, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Dixon, Hirschi, Jenson, McConkie and Ryan.

H. B. No. 182 was placed on the third reading calendar.

On motion of Senator Peters the rules were suspended and H. B. No. 182 was read the third and placed on its final passage.

H. B. No. 182 then passed on the following roll call: Ayes, 16; nay, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Sentaors Cottrell, Hirschi, Jenson and Ryan.

H. B. No. 182 was returned to the House for its further action.

H. B. No. 164 was read the second time.

H. B. No. 164 was then ordered read the third time on the following roll call: Ayes, 14, nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Kinney, Ryan and Tebbs.

H. B. No. 164 was placed on the third reading calendar.

On motion of Senator Fuller the rules were suspended and H. B. No. 164 was read the third time and placed on its final passage.

H. B. No. 164 then passed on the following roll call: Ayas, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Ryan and Warnick.

H. B. No. 164 was returned to the House for its further action.

H. B. No. 94 was read the second time.

On motion of Senator Irvine the enacting clause was stricken and the bill rejected.

H. B. No. 94 was returned the House.

On motion of Senator Peters the rules were suspended and H. B. No. 165 was read the second and third times and placed on final passage.

H. B. No. 165 then passed on the following roll call: Ayas, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Ryan and Winder.

H. B. No. 165 was returned to the House for its further action.

H. B. No. 139 was read the second time.

H. B. No. 139 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Ryan and Winder.

H. B. No. 139 was placed on the third reading calendar.

H. B. No. 207 was read the second time.

H. B. No. 207 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Ryan and Winder.

H. B. No. 207 was placed on the third reading calendar.

On motion of Senator Dixon the rules were suspended and H. B. No. 207 was read the third time and placed on its final passage.

H .B. No. 207 then passed on the following roll call: Ayas, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Ryan and Winder.

H. B. No. 207 was returned to the House for its further action.

H. B. No. 210 was read the second time.

On motion of Senator Funk the enacting clause of H. B. No. 210 was stricken and the bill rejected.

H. B. No. 210 was returned to the House.

H. B. No. 183 was read the second time.

H. B. No. 183 was then ordered read the third time on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, McConkie, Ryan and Winder.

H. B. No. 183 was placed on the third reading calendar.

On motion of Senator Peters the rules were suspended and H. B. No. 183 was read the third time and placed on its final passage.

H. B. No. 183 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, McConkie, Ryan and Winder.

H. B. No. 183 was returned to the House for its further action.

H. B. No. 189 was read the second time.

H. B. No. 189 was then ordered read the third time on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Ryan and Winder.

H. B. No. 189 was placed on the thid reading calendar.

On motion of Senator Tebbs the rules were suspended and H. B. No. 189 was read the third time and placed on its final passage.

H. B. No. 189 then passed on the following roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Ryan and Winder.

H. B. No. 189 was returned to the House for its further action.

On motion of Senator Tebbs the rules were suspended and H. B. No. 174 was read the second and third times and placed on final passage.

H. B. No. 174 then passed on the following roll call: Ayes, 16; nays, 0; absetn, 4.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson and Ryan.

H. B. No. 174 was returned to the House for its further action.

On motion of Senator Dixon, the rules were suspended and H. B. No. 142 was read the second and third times and placed on final passage.

H. B. No. 142 then passed on the folowing roll call: Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Ryan and Standish.

H. B. No. 142 was returned to the House for its further action.

Action on H. B. No. 168 was deferred until Mar. 8.

H. B. No. 149 was read the second time.

H. B. No. 149 was then ordered read the third time on the following roll call: Ayes, 10; nays, 4; absent, 6.

Those voting in the affirmative were: Senators Dixon, Fuller, Funk, Irvine, McConkie, Peters, Smart, Warnick, Winder and Mr. President.

Those voting in the negative were: Senators Adams, Candland, Jenkins and Tebbs.

Absent and voting: Senators Cottrell, Hirschi, Jenson, Kinney, Ryan and Standish.

H. B. No. 149 was placed on the third reading calendar.

H. B. No. 84 was read the second time.

H. B. No. 84 was then ordered read the third time on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Peters, Ryan and Standish.

H. B. No. 84 was placed on the third reading calendar.

On motion of Senator Jenkins the rules were suspended and H. B. No. 84 was read the third time and placed on its final passage.

H. B. No. 84 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Smart, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Cottrell, Hirschi, Jenson, Peters, Ryan and Standish.

H. B. No. 84 was returned to the House for its further action.

COMMUNICATIONS FROM THE GOVERNOR

March 7, 1923.

To the Senate:

I have the honor to submit for your consideration and confirmation the following list of appointments made to the positions specified.

Board of Trustees—Agricultural College of Utah—A. R. McIntyre, Ogden; Lorenzo N. Stohl, Salt Lake City; Angus T. Wright, Ogden; Hamilton Gardner, Salt Lake City; Roy Bullen, Logan; to fill regular terms of four years, serving until 1927.

Board of Regents—University of Utah—Waldemar Van Cott, Salt Lake City; Mrs. Lafayette Hanchett, Salt Lake City; D. H. Christensen, Salt Lake City; Dr. Clarence Snow, Salt Lake City; to fill regular terms of four years, serving until 1927. Richard R. Lyman, Salt Lake City; to fill an unexpired term of four years, vice David O. McKay, resigned, serving until 1925. Rev. John E. Carver, Ogden; to fill an unexpired term of four years, vice Wm. W. Riter, deceased, serving until 1925. L. R. Anderson, Manti; to fill an unexpired term of four years, serving until 1925.

State Board of Health—Valeria B. Young, Salt Lake City; to fill an unexpired term of six years, vice Dr. Clarence Snow, resigned, serving until 1927.

Respectfully yours,

CHARLES R. MABEY,
Governor.

On motion of Senator Peters the rules were suspended and the Senate went into Executive Session to consider the last named Governor's appointments.

The Executive Session having adjourned the regular session was resumed.

The question "Will the Senate advise and consent to the said nominations" was put and unanimously carried.

On motion of Senator Candland the Senate adjourned

SIXTIETH DAY

MORNING SESSION

STATE SENATE,
The Capitol.
Salt Lake City, Utah, March 8, 1923.

The Senate was called to order at 10:00 a. m. by President McKay.

Roll call. Nineteen members present. Senator Ryan excused.

Prayer by the Chaplain.

The Journal of the Fifty-Ninth Day was read and approved.

REPORTS OF STANDING COMMITTEES

March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 56, by Mrs. Kinney, entitled, "An Act to regulate the placing out of children by persons other than the parents or relatives of such children, prescribing certain records to be kept and conditions to be observed by persons authorized by Law to secure homes for children, regulating the bringing into the state of children for the purpose of placing out, requiring persons placing children to secure a license from the State Board of Health and prescribing certain powers and duties of the State Board of Health and making violations of this act a misdemeanor," has this day had said bill engrossed and returns it here with for the signature of the President.

Respectfully,
M S. WINDER,
Chairman.

S. B. No. 56 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling, to which was referred S. B. No. 123, by Mr. McConkie, entitled, "An Act appropriating fifteen thousand dollars for road building from Bluff, Utah, to the oil fields in San Juan County, Utah, and providing for the expenditure thereof under the direction and supervision of the County Commissioners," desires to report that the same has been carefully engrossed and enrolled and it is returned herewith for the signature of the President.

Respectfully,
M S. WINDER,
Chairman.

S. B. No. 123 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 7, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House refused to concur in the Senate Amendments to H. B. No. 72 and appointed representatives Jorgensen, Finlinson and Stark as a conference committee.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The President appointed Senators Tebbs, Peters and Jenkins Conference Committee on said bill.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House cannot act on the conference report on S. B. No. 25 which provides for additional amendments not heretofore considered by the House and therefor asks for the return of said bill for the consideration of the House.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 25 was transmitted to the House.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has ruled that the Conference Committee Report on S. B. No. 25, is out of order under Joint Rule 28, as said Committee considered matters and suggested amendments not in dispute.

Respectfully,
E. L. CROPPER,
Chief Clerk.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, S. B. No. 56, by Mrs. Kinney, entitled, "An act to regulate the placng out of chldren by persons other than the parents or relatives of such children; prescribing certain records to be kept and conditions to be observed by persons authorized by law to secure homes for children for the purpose of placing out, requiring persons placing children to secure a license from the State Board of Health and prescribing certain powers and duties of the State Board of Health and making violations of this act a misdemeanor. S. B. No. 123, by Mr. McConkie, entitled, "An act appropriating fifteen thousand dollars for road building from Bluff, Utah, to the oil fields in San Juan County, Utah, and providing for the expenditure thereof under the direction and supervision of the County Commissioners." S. B. No. 98, by Mr. Warnick, "An act to amend Section 6015, Compiled Laws of Utah, 1917, as amended by Chapter 119, Laws of Utah, 1919, relatng to the time when taxes become delinquent." S. B. No. 117, by Mr. Jenkins, entitled, "An act amending Section 3114 of Title 49, Compiled Laws of Utah, 1921, relating to the Industrial Commission, the State Insurance Fund and Workmen's Compensation." S. B. No. 185, by Mr. Winder, entitled, "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the state, to facilitate the extermination of mosquitos, flies and oher insects; and to provide for the assessment, levy, collection and disbursement of taxes therein." S. B. No. 91, by Committee on

Agriculture, entitled, "An act to amend sections 2044, 2047 and 2065, Chapter 47, Laws of Utah, 1921, relating to the organizaton and government of drainage districts; to the distribution and control of water for drainage purposes; and authorizing any drainage district to appropriate, use, purchase, sell, and convey water and water rights, and repealing all laws and parts of laws in conflict with this act." S. B. No. 81, by Mr. Peters, entitled, "An act to amend Section 3973, Compiled Laws of Utah, 1917, as amended by Chapter 82, Laws of Utah, 1921, relating to motor vehicles and licenses and fees therefor, and providing for a refund of a part of license fees paid in certain cases." S. B. No. 133, by Mr. Irvine, entitled, "An act to amend Section 6848, Compiled Laws of Utah, 1917, relating to judgment on dismissal or nonsuit." S. B. No. 165, by Mr. Winder, "An act to repeal Chapter 85, of Session Laws of Utah, 1919,relating to Health Educaton," and same are herewith returned to your Honorable Body for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The above bills were transmitted to the Governor for his action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day rejected S. B. No. 87, by Mr. Irvine, entitled, "An Act to amend Section 4, Chapter 28, Laws of Utah, 1919, relating to the appointment of County Purchasing Agents and defining their duties," and same is herewith transmitted to your Honorable Body.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day rejected S. B. No. 88, by Mr. Irvine, entitled, "An Act to amend section 1506, Compiled

Laws of Utah, 1917, relating to duties of Sheriffs," and same is herewith returned to your Honorable Body.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 100, by Committee on Banking, entitled, "An Act amending Section 1105, Compiled Laws of Utah, 1917, and adding a new section to be known as Section 1100X, relating to the organization and supervision of building and loan association," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 100 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Governor has this day approved and filed with the office of the Secretary of State, H. C. R. No. 4, by Mrs. Dunyon, H. B. No. 50, by Mr. Iverson, entitled, "An Act amending Section 984, as amended by Chapter 18, Session Laws, 1919, and Sections 1001, 1006, Compiled Laws of Utah, 1917, and adding new sections to be known as 972X, 972X1, etc.," and H. B. No. 101, by House Committee on Appropriations, entitled, "An Act to amend Section 5691, Compiled Laws of Utah, 1917, Relating to the Biennial Budget submitted to the Legislature of the State."

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

COMMUNICATION FROM THE GOVERNOR

March 8, 1923.

To the Senate:

Supplementing my list of appointments, I have the honor to request your consideration and confirmation of the appointment of Herman Harms, of Salt Lake City, to the position of State Chemist, to fill the regular term of four years, effective March 15th, 1923.

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

S. B. Nos. 53 and 67 were withdrawn by the authors.

H. B. No. 70 was read the third time and placed on its final passage.

Senator McConkie moved to amend the bill as follows: Reinstate Lines 19 and 20, Page 1, and Lines 1 and 2, Page 2, changing the second "$15.00" in Line 1, Page 2, to "$100.00."

The motion was defeated.

H. B. No. 70 then passed on the following roll call: 14 ayes, 2 nays, 4 absent.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senators Adams and Jenkins.

Absent and not voting: Senators Peters, Ryan, Smart and Winder.

H. B. No. 70 was returned to the House for its further action.

On motion of Senator Irvine the rules were suspended and the votes which killed H. B. Nos. 153 and 210 were reconsidered. The House was requested to return said bills.

H. B. No. 114 was read the third time and placed on its final passage.

H. B. No. 114 then passed on the following roll call: 15 ayes, 0 nays, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Jenson,

Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Dixon, Irvine, Jenkins, Ryan and Winder.

H. B. No. 114 was returned to the House for its further action.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 150 was read the second time.

On motion of Senator Smart the bill was amended as follows: Line 6, after "pounds" add "without the consent of the County Commissioners of the County in which the vehicle will be used."

On motion of Senator Candland the bill was amended as follows: Strike all of Section 3.

H. B. No. 150 was then ordered read the third time on the following roll call: Ayes 16, nays 0, absent 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, and Warnick.

Absent and not voting: Senators Irvine, Ryan, Winder and Mr. President.

H. B. No. 150 was placed on the third reading calendar.

On motion of Senator Hirschi the rules were suspended and H. B. No. 150 was read the third time and placed on its final passage.

H. B. No. 150 then passed on the following roll call: 16 ayes, 0 nays, 4 absent.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick.

Absent and not voting: Senators Irvine, Ryan, Winder and Mr. President.

H. B. No. 150 was returned to the House for its further action.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 151 was read the third time and placed on its final passage.

H. B. No. 151 then passed on the following roll call: 13 ayes, 0 nays, 7 absent.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, Peters, Smart, Tebbs, Warnick.

Absent and not voting: Senators Hirschi, Irvine, McConkie, Ryan, Standish, Winder and Mr. President.

H. B. No. 151 was returned to the House for its further action.

H. B. No. 139 was read the third time and placed on its final passage.

H. B. No. 139 then passed on the following roll call: 15 ayes, 0 nays, 5 absent.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs and Warnick.

Absent and not voting: Senators Hirschi, Irvine, Ryan, Winder and Mr. President.

H. B. No. 139 was returned to the House for its further action.

H. B. No. 149 was read the third time and placed on its final passage.

H. B. No. 149 then passed on the following roll call: 18 ayes, 0 nays, 2 absent.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Ryan and Winder.

H. B. No. 149 was returned to the House for its further action.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 184 was read the second time.

On motion of Senator Jenson the bill was amended as follows: Page 2, Line 28, strike "in the same manner as hereinbefore set forth," and substitute "in such county, city, town, school district or other political subdivision." Page 2, Line 30, strike last four words and substitute "in which event no further publication or posting shall be required " Page 2, Line 26, strike "village."

On motion of Senator Cottrell the bill was amended as follows: Page 3, correct Section 5 to read, "This act shall take effect upon approval.

H. B. No. 184 was then ordered read the third time on the following roll call: Ayes 16, nays 0, absent 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Dixon, Kinney, McConkie and Ryan.

H. B. No. 184 was placed on the third reading calendar.

On motion of Senator Peters the rules were suspended and H. B. No. 184 was read the third time and placed on its final passage.

H. B. 184 then passed on the following roll call. Ayes, 15; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators Dixon, Jenkins, McConkie, Ryan and Winder.

H. B. No. 184 was returned to the House for its further action.

On motion of Senator Tebbs the Senate recessed until 1:30 P. M.

AFTERNOON SESSION.

The Senate reconvened at 1:30 p. m.

Roll call. Nineteen members present. One excused.

REPORTS OF STANDING COMMITTEES

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 75, by Mr. Jenson, entitled, "An Act to amend Chapter three, Title 106, Compiled Laws of Utah, 1917, relating to taxation and assessment of property by adding one independent section, to be known as 5866X, providing for the exemption from taxation of property moving in interstate commerce," has

this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 75 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 84, by Mr. Hirschi, entitled, "An act to appropriate $181,000.00 of the amount in the motor vehicle registration fund to the State Road Commission to be used as a revolving fund," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 84 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 107, by Mrs. Kinney, entitled, "An Act amending Section 5528, Compiled Laws of Utah, 1917, for the purpose of authorizing the Board of Regents of the University of Utah to assist the Faculty and other teachers of the University in purchasing old age annuities," begs leave to report that it has had said bill carefully engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 107 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 85, by Mr. Hirschi, entitled,

"An act to appropriate $50,000.00 from the motor vehicle registration fund to the State Road Commission to be used as a contingent fund," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 85 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 94, by Mr. McConkie, entitled, "An Act to amend Section 5075 (2051), Compiled Laws of Utah, 1917, relating to mileage of District Judges and Attorneys," desires to report that the same has been carefully enrolled and engrossed and is returned herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 94 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 59, by Mr. Winder, entitled, "An Act to amend Section 4624, Compiled Laws of Utah, 1917, relating to the levying and collecting of taxes for school purposes in county school districts of the first class and providing for certain limitations upon the amount of such taxes to be levied," begs leave to report that it has had the same carefully engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 59 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 60, by Mr. Winder, entitled, "An Act to amend Section 4704, Compiled Laws of Utah, 1917, relating to the powers of boards of education in cities of the first and second class to levy taxes, and providing for certain limitations upon the amount of such taxes to be levied," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 60 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Joint Conference Committee on Appropriations, to which was referred H. B. No. 72, desire to report that the following items have been carefully considered and make recommendations submitted below:

Secretary of State: Page 1, line 14, other salaries and wages, strike "$16,500.00" and insert in lieu thereof "15,300.00."

Page 1, between lines 16 and 17. Gasoline tax, strike "$10,000.00" and insert "$7,500.00."

Page 5, between lines 3 and 4. Wendover Project, strike "$30,000.00," and insert "$25,000.00."

Page 8, line 10. State Engineer's Revolving Fund, strike "$35,000.00," and insert "$20,000.00."

Respectfully,

H. C. TEBBS,
S. M. JORGENSEN,
J. W. PETERS,
HARRISON E. JENKINS,
JOSEPH T. FINLINSON.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 90, by Mr. Jenson, entitled, "An Act regulating manufacture of bedding, the use of

sanitary material; providing for tagging and labeling, and providing punishment for failure to comply with this act," has this day had said bill properly engrossed and returns is herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 90 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 183, Sub. for 58, by Mr. Winder, entitled, "An Act relating to the filing of statements by board of town trustees, city councils, city commissioners and boards of county commissioners, showing tax levies fixed by such bodies; providing for the examination of such levies by the state board of equalization and assessment; and for the notification of county attorneys in counties where it appears that any levy has been made in excess of the amount permitted by law," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 183 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM HOUSE

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body, that the House concurs in the Conference Committee amendments to H. B. No. 72, by Mr. Jorgensen, entitled, "An Act making appropriations for the support of the State Government for the period beginning April 1, 1923, and ending March 31, 1925," and same has been passed by the

House and is herewith transmitted to your Honorable Body for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Tebbs the Senate concurred in the Conference Committee amendments.

H. B. No. 72 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Winder and Mr. President.

Absent and not voting: Senators Irvine, Ryan and Warnick.

H. B. No. 72 was returned to the House for its further action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House herewith returns H. B. No. 153, and H. B. No. 210, by Mr. Finlinson, for your consideration.

Respectfully,
E. L. CROPPER,
Chief Clerk.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day rejected S. B. No. 167, by Mr. Peters, entitled, "An Act amending Section 860X as added to Title 19, Compiled Laws of Utah, 1917, by Chapter 22, Laws of Utah, 1921, relating to corporations," and same is herewith returned to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that under suspension of rules the House has adopted the con-

ference report and passed S. B. No. 25 by Mr. Standish and returns the same for the further action of the Senate.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 25 was referred to the Committee on Enrolling and Engrossing.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 139, by Mr. N. C. Christensen, entitled, "An Act to provide for the Dissolution of drainage districts; the winding and closing up of the affairs of the district, etc.," H. B. No. 149, by Mr. N. C. Christensen, entitled, "An Act to increase the number of District Judges in and for the Fourth Judicial District in the State of Utah," H. B. No. 151, by Mr. Finlinson, entitled, "An Act repealing Chapter 2, Laws of Utah, 1919, relating to licensing livestock for grazing," and H. B. No. 150, by Mr. Judd. entitled, "An Act prohibiting the use of vehicles having tires of two inches or less, etc.," and same are herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The above bills were signed by the President in the presence of the Senate and returned to the House for its further action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended by the House S. B. No. 70, by Mr. Dixon, entitled, "An Act to amend Sections 666 and 666X Chapter 13 session Laws of Utah, 1921, providing for a Civil Service Commission in cities of the first class," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Dixon the Senate concurred in the House amendments.

S. B. No. 70 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Jenkins and Ryan.

S. B. No. 70 was referred to the Committee on Enrolling and Engrossing.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day rejected S. B. No. 69, by Mr. Jenson, entitled, "An Act amending Section 33, 45, 52 and 77, Chapter 67, Laws of Utah, 1919, relating to Adjudications, etc.," and same is herewith returned to your Honorable Body.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, S. B. No. 107, by Mrs. Kinney, entitled, "An act amending Section 5528, Compiled Laws of Utah, 1917, for the purpose of authorizing the Board of Regents of the University of Utah to assist the Faculty and other teachers of the University in purchasing old age annuities." S. B. No. 85, by Mr. Hirschi, entitled "An act to appropriate $50,000.00 from the motor vehicle regstration fund to the State Road Commission to be used as a contingent fund," S. B. No. 84, by Mr. Hirschi, entitled, 'An act to appropriate $181,000.00 of the amount in the motor vehicle registration fund to the State Road Commission to be used as a revolving fund," S. B. No. 75, by Mr. Jenson, entitled, "An act to amend Chapter Title 106, Compiled Laws of Utah, 1917, relating to taxation and assessment of property by adding one independent section, to be known

as 5866X, providing for the exemption from taxation of property moving in insterstate commerce." S. B. No. 94, by Mr. McConkie, entitled, "An act to amend Section 5075 (2051,) Compiled Laws of Utah, 1917, relating to mileage of District Judges and Attorneys." S. B. No. 60, by Mr. Winder, entitled, 'An act to amend Section 4704, Compiled Laws of Utah, 1917, relating to the powers of boards of education in cities of the first and second class to levy taxes, and providing for certain limitations upon the amount of such taxes to be levied,"and S. B. No. 59, by Mr. Winder, entitled, "An act to amend Section 4624, Compiled Laws of Utah, 1917, relating to the levying and collection of taxes for school purposes in county school districts of the first class and providing for certain limitation upon the amount of taxes to be levied,' and same are herewith transmitted to your Honorable Body for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

The above bills were transmitted to the Governor for his action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B.'s numbers 231 by Mr. Finlinson, entitled, "An Act to amend Section 2855, Chapter 62, Session Laws of Utah, 1921, relating to designation of State Roads," H. B. No. 84, by Mr. Callister, entitled, "An Act relating to the sale in bulk of Merchandise, Furniture, etc.," H. B. No. 142, by Mr. Crouch, entitled, "An Act to suspend sentence under certain conditions," H. B. No. 174, by Mr. Openshaw, entitled, "An Act to restore to Carmela Maione and Giovanni Maione Money escheated, etc.," H. B. No. 183, by Mr. Jorgensen, entitled, "An Act appropriating and additional $50,000.00 to be paid into the revolving fund for the survey of public lands in the State of Utah," H. B. No. 189, by Mr. Crouch, entitled, "An Act to appropriate seven hundred fifty Dollars for the preparation and revision of certain Maps, etc.," H. B. No. 207, by Mr. Stookey, entitled, "An Act to prohibit interference with employment in lawful occupations, etc.," No. 182, by Mr.

Jorgenson, entitled, "An Act to amend Section 1, Chapter 16, Special session Laws of Utah, 1919, etc.," H. B. No. 70, by Mr. Jorgensen, entitled, "An Act amending Section 435, Compiled Laws of Utah, 1917, as amended by Chapter 6, Laws of Utah, 1919, and Chapter 7, Laws of Utah, 1921, etc.," H. B. No. 114, by Mr. Leatham, entitled, "An Act to amend Section 2898, of title 43, Compiled Laws of Utah, 1917, relating to exemptions of homesteads," H. B. No. 164, by Mr. Stark, entitled, "An Act relating to the use of State Armories by organizations of War Veterans," and H. B. No. 165, by Mr. Stark, entitled "An Act relating to the Recording of military records and to the furnishing of certified copies thereof," and same are herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The above bills were signed by the President in the presence of the Senate and returned to the House for its further action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed, as amended by the House, S. B. No. 184, Substitute for S. B. No. 108, by Public Affairs Committee entitled, "An act amending Sections 1, 2 and 4 re-enacting Sections 3 and 5, Chapter 145, Laws of Utah, 1921, so as to make it unlawful to barter, sell or offer for sale cigarettes or cigarette papers in the State of Utah without permit; providing for the granting, issuance and revocation of permits therefor, fixing fees for such permits and requiring a bond as a condition to the issuance thereof; providing for a stamp tax and stamps on all cigarettes, cigarette papers and wrappers and tubes sold in the State of Utah; declaring unlawful the making, altering, forging or counterfeiting of any such license or stamp, or having possession thereof, konwing the same to be forged, counterfeited, spurious or altered; prohibiting the furnishing of cigarettes or cigarette papers or wrappers or tobacco to minors; declaring to be a nuisance any building or place used for

the sale of cigarettes, or cigarette papers or wrappers in violation of the provisions of this act; prohibiting the advertising of cigarettes, cigarette papers, cigars, chewing tobacco or smoking tobacco; except as provided herein; prohibiting smoking in certain public places and forbidding proprietors knowingly to permit minors to smoke tobacco in their places of business; providing penalties for the violations of the provisions of this act, and repealing all acts or parts of acts in conflict with the provisions of this act," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Peters the Senate concurred in the House amendments.

S. B. No. 184 then passed on the following roll call: Ayes, 15, nays, 1; absent, 4.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, McConkie, Peters, Smart, Standish,, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Kinney.

Absent and not voting: Senators Adams, Hirschi, Ryan, and Tebbs.

S. B. No. 184 was referred to the Committee on Enrolling and Engrossing.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 177, by Mr. McConkie, by request, entitled "An act to amend Section 8289, Chapter 45, Title 119, Compiled Laws of Utah, 1917, relating to grand larceny," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 177 was referred to the Committee on Enrolling and Engrossing.

COMMUNICATIONS FROM THE GOVERNOR

March 8, 1923.

To the Senate:

I have this day appointed Thomas E. McKay, of Huntsville to membership on the Utilities Commission, to fill the regular term of six years, effective March 15th, 1923. The appointment is submitted for your consideration and confirmation.

Respectfully yours,
CHARLES R. MABEY,
Governor.

On motion of Senator Peters the rules were suspended and the question "Will the Senate advise and consent to the nomination" being put, was unanimously carried.

After the following speech of presentation, Senator Kinney presented to President McKay, on behalf of the members of the Senate, a handsome gold watch.

Mr. President:

It is my pleasant privilege, and delightful duty, to bring to you the greetings of the members of this Chamber, and to say to you in their behalf, that we esteen it an honor to have been associated with you, "Our President."

We appreciate more than we can tell the privilege of serving with you. We have rejoiced in your promptness, your fairness, your candor, your wisdom, and your broad vision. We love and honor and respect you for your upright character, your absolute integrity, your good judgment.

On behalf of the members of the Senate of this Fifteenth State Legislature, I bring to you this simple offering, a new Pandora's box. May you find therein the gift of Fortunatus. It is filled full and running over with hope and love and best wishes for you. In addition to these, if you will lift the cover, you will find therein, nineteen jewels, representing the nineteen members of this Senate; a multitude of wheels, some large, some small, all working harmoniously together, each one necessary to the accomplishment of the whole. May these say to you that we too, each fulfilling his part, have la-

bored conscienciously for the welfare of our beloved State, and that the work of each was necessary for the completing of the task. May the whiteness of the face remind you of the purity of our purpose; the black numerals, of the many stumbling blocks over which you have helped us, in our deliberations. May the hands, ever pointing the way onward, typidfy the pathway, that under you guidance, we have ever striven to follow. May the burnished case speak to you of the pure gold of our affection which neither Time nor Eternity can corrode; and may its form, which is round, say to you that there is no end to our loyoalty, our love, or our regard for you. The chain is the symbol of the "cord that binds" us to you. May the whole remind you of the saying of Theocrotes" great grace goes with a little gift, and all the offering of friends, are precious."

And now, Mr. President, knowing of the new duties which are before you, we want to say to you, in the words of the immortal Lincoln, that we know that you will administer the duties of the office, "with malice towards none with charity for all, with firmness to do right, as God gives you to see the right, and that you will march on to accomplish the work that is before you."

President McKay responded with a few most appropriate remarks, thanking the members ofr their courtesy and respect.

COMMUNICATION FROM THE GOVERNOR

To the Senate: March 8, 1923.

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 79, by Mr. Peters, entitled, "An Act requiring distributors of and dealers in, motor vehicle fuels to obtain a license therefor, and levying a tax of two and one-half cents per gallon on the sale or use of motor vehicle fuels; providing for the regulation of the sales of such fuels and the collection of said tax, and for the crediting of proper amounts of the same to a fund for the payment of interest and sinking fund charges on state road bonds and to the state highway maintenance fund; defining terms; and prescribing penalties."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

On motion of Senator Irvine the Secretary was instructed to communicate with Pantages Theatre and the newspapers and hotels of Salt Lake and Ogden which have extended courtesies to the assembly and its members, thanking them for the same.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 169 was read the second time.

The amendment recommended in the committee report was adopted.

H. B. No. 169 was then ordered read the third time on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Winder.

Absent and not voting: Ryan and Mr. President.

H. B. No. 169 was placed on the third reading calendar.

On motion of Senator Jenkins the rules were suspended and H. B. No. 169 was read the third time and placed on its final passage.

H. B. 169 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick and Winder.

Absent and not voting: Senators Ryan and Mr. President.

H. B. 169 was returned to the House for its further action.

On motion of Senator Adams the Secretary, Minute Clerk and Docket Clerk were appointed Committee on Journal Revision.

H. B. No. 137 was read the second time.

H. B. No. 137 was then ordered read the third time on the following roll call: Ayes, 13; nays, 0; absent, 7;

Those voting in the affirmative were: Senators

Adams, Cottrell, Dixon, Fuller, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs and Warnick.

Absent and not voting: Candland, Funk, Hirschi, Irvine, Ryan, Winder and Mr. President.

H. B. No. 137 was placed on the third reading calendar.

On motion of Senator Jenkins the Rules were suspended and H. B. No. 137 was read the third time and placed on its final passage.

H. B. No. 137 then passed on the following roll call: Ayes, 14; nays, 0; absent, 6.

Those voting in the affirmative were: Senators Adams, Candland, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs and Warnick.

Absent and not voting: Senators Cottrell, Hirschi, Irvine, Ryan, Winder and Mr. President.

H. B. No. 137 was returned to the House for its further action.

COMMUNICATIONS FROM THE GOVERNOR

To the Senate: March 8, 1923.

I am returning herewith S. B. No. 100, with recommendations. This bill was prepared in the Department of Registration. Through an inadvertence in copying Section 3 of the law into the bill, the following paragraphs were omitted:

"All of the foregoing persons to be so designated shall receive $5.00 per diem for his services, provided, however, that each shall also receive the necessary traveling and hotel expenses actually incurred in the discharge of his duties.

"The action or report in writing of a majority of the persons designated for any given trade, occupation or profession, shall be sufficient authority upon which the director of registration may act.

"In making the designation of persons to act for the several professions, trades and occupation, the director shall give due consideration to recommendations by members or respective professions, trades and occupations and by organizations therein, and th enames of all persons so designated shall be submitted to the governor for confirmation or rejection; if confirmed, they shall serve until removed by the director.

"Whenever the director is satisfied that substantial justice has not been done either in an examination or in the revocation of or refusal to renew a license, certificate or authority, he may order re-examination or rehearings by the same or other examiners."

Some of these provisions are vital to the operation of the law, and I would recommend that they be inserted in the bill, at the end of Section 3.

Respectfully yours,
CHALES R. MABEY,
Governor.

On motion of Senator Standish the rules were suspended and the final vote on S. B. No. 100 was reconsidered.

On motion of Senator Standish the amendments recomemended in the Governor's communication were adopted.

S. B. No. 100 then passed on the following roll call: Ayes, 16; nays, 0; absent, 4.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs and Warnick.

Absent and not voting: Senators Irvine, Ryan, Winder and Mr. President.

S. B. No. 100 was transmitted to the House for its action.

H. B. No. 216 was read the second time.

H. B. No. 216 was then ordered read the third time on the following roll call: Ayes, 14; nays, 1; absent, 5.

Those voting in the affirmative were: Senators Candland, Cottrell, Dixon, Fuller, Funk, Jenkins, Jenson, Kinney, McConkie, Smart, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senators Hirschi,

Absent and not voting: Senators Adams, Irvine, Peters, Ryan and Winder.

H. B. No. 216 was placed on the third reading calendar.

On motion of Senator Tebbs the rules were suspended and H. B. No. 216 was read the third time and placed on its final passage.

H. B. No. 216 then passed on the following roll call: Ayes, 16; nays, 1; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senators Hirschi.

Absent and not voting: Senators McConkie, Ryan and Winder.

H. B. No. 216 was returned to the House for its further action.

H. B. No. 186 was read the second time.

H. B. No. 186 was then ordered read the third time on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Tebbs, Warnick and Mr. President.

Absent and not voting: Senators McConkie, Ryan and Winder.

H. B. No. 186 was placed on the third reading calendar.

On motion of Senator Peters the rules were suspended and H. B. No. 186 was read the third time and placed on its final passage.

H. B. No. 186 then passed on the following roll call: Ayes, 19; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Ryan.

H. B. No. 186 was returned to the House for its further action.

On motion of Senator Peters the rules were suspended and H. B. No. 230 was read the second and third time and placed on final passage.

H. B. No. 230 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators

Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Ryan and Tebbs.

H. B. No. 230 was returned to the House for its further action.

On motion of Senator Jenkins the enacting clause of H. B. No. 129 was stricken and the bill rejected.

H .B. No. 129 was returned to the House.

H. B. No. 168 was read the second time.

On motion of Senator Dixon the enacting clause was stricken and the bill rejected.

H.B .No. 168 was returned to the House.

On motion of Senator Irvine the rules were suspended and H. B. No. 153 was read the second and third times and placed on final passage.

On motion of Senator Jenkins the bill was amended as follows:

Page 3, line 13, strike "three thousand copies of."

Page 3, line 26, before "this" insert "paragraph 12 of."

H. B. No. 153 was then passed on the following roll call: Ayes, 18; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Tebbs, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Standish.

Absent and not voting: Senator Ryan.

H. B. No. 153 was returned to the House for its further action.

On motion of Senator Irvine the rules were suspended and H. B. No. 210 was read the second and third times and was placedl on final passage.

H. B. No. 210 then passed on the following roll call: Ayes, 17; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Irvine, Jenkins, Kinney, McConkie, Peters, Smart, Standish, Tebbs, Warnick, Winder and Mr. President.

Absent and not voting: Senators Hirschi, Jenson and Ryan.

H. B. No. 210 was returned to the House for its further action.

On motion of Senator Peters the enacting clauses in all bills now in committee were stricken.

H. B. No. 233 was read the third time and placed on its final passage.

Senator Winder moved to amend the Bill as follows:

Following Section 3 insert the following:

"Section 4. School tax levy. There is hereby directed to be raised for the support of district schools for each of the fiscal years 1923 and 1924, a sum which together with any other state funds available for district schools purposes, will equal $25.00 for each person of school age in the state as shown by the last preceeding school census and for the purpose of raising the same there is hereby levied for each of said years an ad valorem tax of 4.5 mills on each dollar of valuation of all taxable property in the state, or such portion of such tax as the state board of equalization and assessment may find necessary to raise the sum above set forth for each of said years.

The motion was defeated.

H. B. No. 233 then passed on the following roll call: Ayes, 16; nays, 1; absent, 3.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart Standish, Tebbs, Warnick and Mr. President.

Those voting in the negative were: Senator Winder.

Absent and not voting: Senators Candland, Funk and Ryan.

A telegram was read from San Juan County residents in approval of the Senate's action in passing S. B. No. 123.

On motion of Senator Jenkins the Senate went into Executive Session to consider the appointment of the Governor made this morning session.

The Executive Session having adjourned the Senate resumed its regular session.

The question "Will the Senate advise and consent to the nomination of Herman Hornis as State Chemist" was put and carried.

On motion of Senator Peters the Secretary was instructed to communicate to Senator Ryan the regrets of the members that he has been unable to be present these last few days and to convey their hopes for the speedy return to health of his family.

On motion of Senator Jenkins the Senate recessed until 7 p. m.

REPORTS OF STANDING COMMITTEES

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S B. No. 70, by Mr. Dixon, entitled, "An Act to amend Sections 666 and 666X1, Chapter 13, Session Laws of Utah, 1921, providing for a civil service commission in cities of the first class," begs leave to report that it has had said bill carefully engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 70 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Mr. President: March 8, 1923.

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 25, by Mr. Standish, entitled, "An Act amending Sections 4, 10, 11 and 16 of Chapter 91, Laws of Utah, 1921, relating to the treatment of human ailments, and repealing Section Five of said Chapter, and providing that if any part of the act is held to be invalid such decision shall not affect any other part of the act," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 25 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

EVENING SESSION

The Senate reconvened at 7 p. m.

Roll call. Nineteen members present. One excused.

COMMUNICATIONS FROM THE HOUSE

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 55, by Mrs. Kinney entitled, "An Act authorizing cities, towns, counties and School districts to acquire, maintain and operate playgrounds, athletic fields, gymnasiums, public baths, swimming pools, camps, indoor recreation centers and other recreation facilities," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

S. B. No. 55 was referred to the Committee on Enrolling and Engrossing.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended, H. B. No. 152, by Mr. Finlinson, entitled, "An Act to amend Sections 1896, 1897, 1898, 1899, 1899X1, etc.," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

On motion of Senator Jenkins the rules were suspended and H. B. No. 152 was read the first time and placed on the second reading calendar.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 184, by Mr. Callister, entitled, "An Act to require municipalities and political subdivisions of the State of Utah, to keep complete and accurate accounts of

all public work, etc.," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 184 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed S. B. No. 116, by Mrs. Kinney, entitled, "An Act creating a commission to provide a statue of Indian Chief Washakie," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER.
Chief Clerk.

S. B. No. 116 was referred to Commitee on Enrolling and Engrossing.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House concurred in the Amendments to S. B. No. 100, by Mr. Standish, entitled, "An Act amending Section 3 and 5 of Chapter 130, Laws of Utah, 1921, creating the Department of Registration and adding two additional sections to be numbered 11 and 12 providing for the revocation of licenses for non-payment of annual renewal fees," and same has been passed by the House and is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 100 was referred to the Committee no Enrolling and Engrossing.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open

session S. B. No. 70, by Mr. Dixon entitled, "An Act to amend Sections 666 and 666X1, Chapter 13, Session Laws of Utah, 1921, providing for a civil service commission in cities of the first class," and S. B. No. 25, by Mr. Standish, entitled, "An Act amending Sections 4, 10, 11 and 16, of Chapter 91, Laws of Utah, 1921, relating to the treatment of human ailments, and repealing Section Five of said Chapter, and providing that if any part of the act is held to be invalid such decision shall not affect any other part of the act."

Respectfully,
E. L. CROPPER,
Chief Clerk.

The above bill were transmitted to the Governor his action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, S. B. No. 183, substitute for S. B. No. 58, by Mr. Winder, entitled, "An act relating to the filing of statements by board of town trustees, city councils, city commissioners and boards of county commissioners, showing tax levies fixed by such bodies; providing for the examination of such levies by the state board of equalization and assessment; and for the notification of county attorneys in counties where it appears that any levy has been made in excess of the amount permitted by law." S. B. No. 90, by Mr. Jenson, entitled, "An act regulating manufacture of bedding, the use of sanitary material; providing for tagging and labeling, and providing for failure to comply with this act," and same is herewith returned to your Honorable Body for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The above bills were stransmitted to the Governor for his action.

Mr. President: March 8, 1923.

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open ses-

sion H. B. No. 210, by Mr. Finlinson, entitled, "An Act authorizing the levy of a tax not to exceed one-tenth of a mill on the Dollar for the purpose of creating an Agricultural Inspection Fund; and providing for the disposition of said fund," and H. B. No. 233, by House Appropriation Committee, entitled, "An Act to provide revenue for the support of the government of the State, and for High School purposes for the fiscal years 1923 and 1924, and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The above bills were signed by the President in the presence of the Senate and returned to the House for its further action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended by the House S. B. No. 124, by Mr. Funk entitled, "An Act to amend Section 2852, Compiled Laws of Utah, 1917, as amended by Chapter 61, Laws of Utah, 1921, relating to the powers and duties of the State Road Commission, and repealing Section 2850X of Chapter 61, Laws of Utah, 1921, relating to the appointment salary and term of office of a State Road Engineer," and same is herewith returned for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Funk the Senate concurred in the House amendments.

S. B. No. 124 then passed on the following roll call: Ayes, 18; nays, 0; absent, 2.

Those voting in the affirmative were: Senators Adams, Candland Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators Ryan and Tebbs.

S. B. No. 124 was referred to the Committee on Enrolling and Engrossing.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day rejected S. B.'s numbers, 180, by Mr. Jenson, No. 119, by Mr. Hirschi, No. 156, by Mr. McConkie, No. 103, Mr. Irvine, No. 104, Mr. Irvine, No. 72, Mr. Irvine, No. 37, Mr. Jenkins, No. 68, Mr. Jenson, No. 136, Mr. Dixon, No. 161, Mr. Irvine, No. 172, Mr. McConkie, No. 118, Mr. Irvine, No. 178, Mr. Irvine, No. 170, Mr. McConkie, No. 134, Mr. Irvine, No. 137, Mr. Dixon, No. 115, Mr. Cotterell, No. 74, Mr. Dixon, No. 154, Mr. Jenkins, No. 105, Mr. Funk, No. 92, Mr. Peters, No. 65, Mr. Jenkins, No. 135, Mr. Irvine, No. 95, Mr. Ryan, No. 106, Mr. Hirschi, No. 132, Mr. Irvine, No. 174, Mr. Dixon, No. 125, Mr. Irvine, and same are herewith returned to your Honorable Body.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day rejected S. B. No. 44, by Mr. Dixon, entitled, "An Act to amend Sections 2, 6, 14 and 16, of Chapter 110, Session Laws of Utah, 1921, etc.," and same is herewith returned to your Honorable Body.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Governor has this day approved and filed with the Secretary of State, H. B. No. 100, by Committee on Banking entitled, "An Act amending Section 1105, Compiled Laws of Utah, 1917, and adding a new section to be known as Section 1100X, relating to the organization and supervision of building and Loan association,"

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day passed as amended S.B.No.130, by Mr. Jenson entitled, "An Act to amend Sections 945, 958, 1142, 1271, and 1274, Compiled Laws of Utah, 1917, as amended by Chapter 17, Laws of Utah, 1919, relating to foreign and domestic corporations, and providing license taxes from certain corporations, and adding a new section to be known as Section 945X," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

On motion of Senator Jenson the Senate concurred in the House amendments.

S. B. No. 130 then passed on the following roll call: Ayes, 15; nays, 1; absent, 4.

Those voting in the affirmative were: Senators Adams, Cottrell, Dixon, Fuller, Funk, Hirschi, Jenkins, Jenson, McConkie, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Those voting in the negative were: Senator Irvine.

Absent and not voting: Senators Candland, Kinney, Ryan and Tebbs.

S. B. No. 130 was referred to the Committee on Enrolling and Engrossing.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House has this day rejected S. B.'s numbers, 78, by Mr. Tebbs, entitled, "An Act amending Section 5464, Chapter 12, Title 100, Compiled Laws of Utah, 1917 relating to the State Prison," S. B. No. 120, by Mr. Jenson, S. B. No. 15, by Mr. Peters, S. B. No. 110, by Mr. Irvine, S. B. No. 7, by Mr. Jenson, S. B. No. 162 by Mrs. Kinney, and S. B. No. 182, by Mr. Jenson.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 177, by Mr. McConkie, by request, entitled, "An Act to amend Section 8289, Chapter 45, Title 119, Compiled Laws of Utah, 1917, relating to grand larceny," begs leave to report that it has this day had said bill carefully engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 177 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 100, by Mr. Standish, entitled, "An Act amending Sections 3 and 5 of Chapter 130, Laws of Utah, 1921, creating the Department of Registration and adding two additional section to be numbered 11 and 12 providing for the revocation of licenses for nonpayment of annual renewal fees," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 100 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 55, by Mrs. Kinney, entitled, "An Act authorizing cities, towns, counties and school districts to acquire, maintain and operate playgrounds, athletic fields, gymnasiums, public baths, swimming pools, camps, indoor recreation centers and other recreation facilities," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 55 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 116, by Mrs. Kinney, entitled, "An Act creating a commission to provide a statue of Indian Chief Washakie," begs leave to report that it has had said bill carefully engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,
Chairman.

S. B. No. 116 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 184, Substitute for S. B. No. 108, by Public Affairs Committee, entitled, "An Act amending Sections 1, 2 and 4 re-enacting Sections 3 and 5, Chapter 145, Laws of Utah, 1921, so as to make it unlawful to barter, sell or offer for sale cigarettes or cigarette papers in the State of Utah without a permit, providing for the granting, issuance and revocation of permits therefor, fixing the license fees for such permits and requiring a bond as a condition to the issuance thereof, providing for a stamp tax and stamps on all cigarettes, cigarette papers and wrappers and tubes sold in the State of Utah; declaring unlawful the making, altering, forging or counterfeiting of any such license or stamp, or having possession thereof, knowing the same to be forged, counterfeited, spurious or altered; prohibiting the furnishing of cigarettes or cigarette papers or wrappers or tobacco to minors; declaring to be a nuisance any building or place used for the sale or keeping for sale of cigarettes, or cigarette papers or wrappers in violation of the provisions of this act; prohibiting the advertising of cigarettes, cigarette papers, cigars, chewing tobacco or smoking tobacco; except as provided herein; prohibiting smoking in certain public places and forbidding pro-

prietors knowingly to permit minors to smoke tobacco in their places of business; providing penalties for the violations of the provisions of this act, and repealing all acts or parts of acts in conflict with the provisions of this act," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 184 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 124, by Mr. Funk, entitled, "An Act to amend Section 2852, Compiled Laws of Utah, 1917, as amended by Chapter 61, Laws of Utah, 1921, relating to the powers and duties of the State Road Commission, and repealing Section 2850X of Chapter 61 Laws of Utah, 1921, relating to the appointment salary and term of office of a State Road Engineer," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No. 124 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATION FROM THE GOVERNOR

March 8, 1923.

To the Senate:

Supplementing my list of appointments, I have the honor to request your consideration and comfirmation of the appointment of J. T. Hammond, of Woods Cross, to the position of Director of Registration, to fill the regular term of four years, effective April Ist, 1923.

Respectfully yours,
CHARLES R. MABEY,
Governor.

On motion of Senator Peters the rules were suspended and the question "Will the Senate advise and con- and the question "Will the Senate advise and consent to the nomination" was put and carried unaninmously.

By unanimous vote the Senate members expressed their appreciation of the work of the representatives of the press.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 152 was read the second time.

On motion of Senator Jenkins the bill was amended as follows: Page 1, Line 3, Page 8, Line 2 and in Lines 4 and 7 of the Title change "5" to"2."

H. B. No. 152 was then ordered read the third time on the following roll call: Ayes 15, nays 0, absent 4, excused 1.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Warnick, Winder and Mr. President.

Absent and not voting: Senators Fuller, McConkie, Tebbs and Ryan.

Excused from voting: Senator Standish.

H. B. No. 152 was placed on the third reading calendar.

On motion of Senator Jenkins the rules were suspended and H. B. No. 152 was read the third time and placed on its final passage.

H. B. No. 152 then passed on the following roll call: 17 ayes, 0 nays, 3 absent.

Those voting in the affirmative were: Senators Adams, Candland, Cottrell, Dixon, Fuller, Funk, Hirschi, Irvine, Jenkins, Jenson, Kinney, Peters, Smart, Standish, Warnick, Winder and Mr. President.

Absent and not voting: Senators McConkie, Ryan and Tebbs.

H. B. No. 152 was returned to the House for its further action.

On motion of Senator Peters a Committee of three was appointed to wait upon the Governor and advise him

that the Senate is ready to adjourn and to inquire as to his further wishes.

The President appointed Senators Peters, Kinney and Candland as such committee.

Chairman Peters reported that the Committee had waited on the Governor and been advised that he would communicate his wishes by letter.

The Senate expressed its appreciation of the efficient and faithful services of Secretary Cummings and his corps of assistants.

COMMUNICATIONS FROM THE HOUSE

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, S. B. No. 55, by Mrs. Kinney, entitled, "An Act authorizing cities, towns, counties and school districts to acquire, maintain and operate play grounds, athletic fields, gymnasiums, public baths, swimming pools, camps, indoor recreation centers and other recreation facilities," and same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 55 was transmitted to the Governor for his action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 72, by Mr. Jorgensen, entitled, "An Act making appropriations for the support of the state government, etc.," and same is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 72 was signed by the President in the presence of the Senate and was returned to the House for its further action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the House asks for a recall of S. B. No. 167.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 167 was returned to the House.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Governor has this day approved and filed in the office of the Secretary of State, H. C. M. No. 2, by Mr. Wheately, entitled, "Memoralizing the Utah delegation in Congress to use their efforts to secure action at this session of Congress upon Senate Joint Resolution No. 261 providing for the distribution of surplus war material."

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Governor has this day approved H. B. No. 108, by Mr. McKell, entitled, "An Act providing for the cancellation of State Warants not presented to the state treasurer for payment within a period of two years from date of issue," and H. C. R. No. 2, by Mrs. Dunyon, entitled, "Resolution for the annual display of the American Flag on Mother's day, the second Sunday in May," and same have been filed in the office of the Secretary of State.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session S. B. No. 116, by Mrs. Kinney, entitled, "An Act creating a commission to provide a statue of Indian Chief

Washakie," and same is herewith returned to your Honorable Body for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 116 was transmitted to the Governor for his action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that under suspension of the Rules the House has this day passed S. B. No. 167, by Mr. Peters, entitled, "An Act amending Section 860X as added to Title 19, Compiled Laws of Utah, 1917, by Chapter 22, Laws of Utah, 1921, relating to corporations," and same is herewith transmitted to your Honorable Body for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 167 was referred to the Committee on Enrolling and Engrossing.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 230, by Mrs. Graham, H. B. 186, by Mr. Openshaw, H. B. No. 153, by Mr. Finlinson, H. B. No. 137, by Mr. Fletcher, H. B. No. 169, by Mr. Pembroke, and H. B. No. 216, by Mr. Finlinson, and same are herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The above bills were signed by the President in the presence of the Senate and returned to the House for its further action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that H. C. M. No. 3, by Mr. Constantine, entitled, "A resolution memorializing Congress to pass the Towner-Sterling

Act," has been signed by the Speaker of the House in open session and is herewith transmitted to your Honorable Body for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

H. C. M. No. 3 was signed by the President in the presence of the Senate and was transmitted to the House for its further action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session, S. B. No. 184, Substitute for S. B. No. 108, by Public Affairs Committee entitled, " An Act amending Sections 1, 2 and 4 re-enacting Section 3 and 5, Chapter 145, Laws of Utah, 1921, so as to make t unlawful to barter, sell or offer for sale cigarettes or cigarette papers in the State of Utah without permit; providing for the granting issuance and revocaion of permits therefor, fixing fees for such permits and requiing a bond as a condition to the issuance thereof; providing for a stamp tax and stamps on all cigarettes, cigarette papers and wrappers and tubes sold in the State of Utah; declaring unlawful the making, altering, forging or counterfeiting of any such license or stamps, or having possession thereof, knowing the same to be forged, counterfeited, spurious or altered; prohibiting the furnishing of cigarettes or cigarette papers or wrappers or tobacco to minors; declaring to be a nuisance any building or place used for the sale or keeping for sale of cigarettes, or cigarette papers or wrappers in violation of the provisions of this act; prohibting the advertising of cigarettes, cigarette papers, cigars, chewing tobacco or smoking tobacco; except as provided herein; prohibiting smoking in certain public places and forbidding proprietors knowingly to permit mnors to smoke tobacco in their places of business; providing penalties for the violations of the provisions of this act, and repealing all acts or parts of acts in conflict with the provisions of this act," and same is herewith

returned to Your Honorable Body for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

S. B. No. 184 was transmitted to the Governor for his action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session S. B.'s numbers 177 by McConkie, entitled ,"An Act to amend Section 8289, Chapter 45, Title, 119, Compiled Laws of Utah, 1917, relating to Grand Larceny," and S. B. No. 100, by Mr. Standish, entitled, "An Act amending Sections 3 and 5 of Chapter 130, Laws of Utah, 1921, creatng the Department of Regsitration, and adding two additional sections to be numbered 11 and 12 providing for the revocation of licenses for non-payment of annual renewal fees," and same are herewith returned to your Honorable Body for transmission to the Goversor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

The above bills were transmitted to the Governor for his action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session H. B. No. 152, and the same is herewith transmitted for the Signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

H. B. No. 152 was signed by the President in the presence of the Senate and was returned to the House for its further action.

COMMUNICATIONS FROM THE GOVERNOR

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 80, by Mr. Peters, entitled, "An Act to amend Section 3971, Section 3974 and Section 3991, Compiled Laws of Utah, 1917, all as amended by Chapter 81, Laws of Utah, 1921, and Sections 3971X1, 3974X, 3974X5, and 3974X23, Chapter 81, Laws of Utah, 1921, and to repeal Sections 3974X1, 3974X2, 3974X3, 3974X4, 3974X9, 3974X10, 3974X11, 3974X12, 3974X17, 3974X18, 3974X19, 3974X20, 3974X21, 3974X22 of Chapter 81, Laws of Utah, 1921, relating to motor vehicles."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 82, by Mr. Peters, entitled, "An Act amending Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, relating to traffic regulations on state highways."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 123, by Mr. McConkie, entitled, "An Act appropriating fifteen thousand dollars for road building from Bluff, Utah, to the oil fields in San Juan County, Utah, and providing for the expenditure thereof under the direction and supervision of the County Commissioners."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 48, by Mr. Funk, entitled, "An Act amending Section 3, Compiled Laws of Utah, 1917, as amended by Chapter 1, Laws of Utah, 1921, relating to Certified Public Accountants."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. C. M. No. 4, by Mr. Candland, entitled, "Tax exemption securities. A Memorial to the Congress of the United States, favoring the elimination of tax exemption securities."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 32, by Mrs. Kinney, entitled, "An Act to amend Sections 1, 3, 4 and 5 of Chapter 56, Laws of Utah, 1921, relating to the continuance of the Welfare Commission."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 60, by Mr. Win-

der, entitled, "An Act to amend Section 4704, Compiled Laws of Utah, 1917, relating to the powers of boards of education in cities of the first and second class to levy taxes, and providing for certain limitations upon the amount of such taxes to be levied."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 59, by Mr. Winder, entitled, "An Act to amend Section 4624, Compiled Laws of Utah, 1917, relating to the levying and collecting of taxes for school purposes in county school districts of the first class and providing for certain limitations upon the amount of such taxes to be levied."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 73, by Mr. Winder, entitled, "An Act to amend Section 3096, Compiled Laws of Utah, 1917, providing for the administration of the state insurance fund."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 81, by Mr. Peters, entitled, "An Act to amend Section 3973, Compiled Laws of Utah, 1917, as amended by Chapter 82, Laws of Utah,

1921, relating to motor vehicles and licenses and fees therefor, and providing for a refund of a part of license fees paid in certain cases."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State S. B. No. 91, by Committee on Agriculture, entitled, "An Act to amend sections 2044, 2047 and 2065, Chapter 47, Laws of Utah, 1921, relating to the organization and government of drainage districts; to the distribution and control of water for drainage purposes; and authorizing any drainage district to appropriate, use, purchase, sell, and convey water and water rights, and repealing all laws and parts of laws in conflict with this act."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 107, by Mrs. Kinney, entitled, "An Act amending Section 5528, Compiled Laws of Utah, 1917, for the purpose of authorizing the Board of Regents of the University of Utah to assist the Faculty and other teachers of the University in purchasing old age annuities."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 133, by Mr. Irvine, entitled, "An Act to amend Section 6848, Compiled

Laws of Utah, 1917, relating to judgment on dismissal or nonsuit."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 183, Sub. for 58, by Mr. Winder, entitled, "An Act relating to the filing of statements by board of town trustees, city councils, city commissioners and boards of county commissioners, showing tax levies fixed by such bodies; providing for the examination of such levies by the state board of equalization and assessment; and for the notification of county attorneys in counties where it appears that any levy has been made in excess of the amount permitted by law."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 90, by Mr. Jenson, entitled, "An Act regulating the manufacture of bedding, the use of sanitary material; providing for tagging and labeling, and providing punishment for failure to comply with this act."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 70, by Mr. Dixon, entitled, "An Act to amend Sections 666 and 666X1,

Chapter 13, Session Laws of Utah, 1921, providing for a civil service commission in cities of the first class."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Senate:

I have this day approved and transmitted to the office of the Secretary of State, S. B. No. 25, by Mr. Standish, entitled, "An Act amending Sections 4, 10, 11 and 16 of Chapter 91, Laws of Utah, 1921, relating to the treatment of human ailments, and repealing Section Five of said Chapter, and providing that if any part of the act is held to be invalid such decision shall not affect any other part of the act."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

REPORTS OF STANDING COMMITTEES

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 167, by Mr. Peters, entitled, "An Act amending Section 860X as added to Title 19, Compiled Laws of Utah, 1917, by Chapter 22, Laws of Utah, 1921, relating to corporations," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,
M. S. WINDER,
Chairman.

S. B. No .167 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1923.

Mr. President:

Your Committee on Engrossing and Enrolling to which was referred S. B. No. 130, by Mr. Jenson, entitled, "An Act to amend Sections 945, 958, 1142, 1271 and 1274, Compiled Laws of Utah, 1917, as amended by Chapter 17, Laws of Utah, 1919, relating to foreign and domestic corporations, and providing license taxes from certain corporations, and adding a new section to be known as Section 945X," has this day had said bill properly engrossed and returns it herewith for the signature of the President.

Respectfully,

M. S. WINDER,

Chairman.

S. B. No. 130 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open sesFsion S. B. No. 167, by Mr. Peters, entitled, "An Act amending Section 860X as added to Ttle 19, Compiled Laws of Utah, 1917, by Chapter 22, Laws of Utah, 1921, reltaing to corporations," and S. B. No. 124, by Mr. Funk, entitled, "An Act to amend Section 2852, Compiled Laws of Utah, 1917, as amended by Chapter 61, Laws of Utah, 1921, relating to the powers and duties of the State Road Commission, and repealing Section 2850X of Chapter 61 Laws of Utah, 1921, relating to the apointment salary and term of office of a State Road Engineer," and same are herewith returned to your Honorable Body for transmisson to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

The above bills were transmitted to the Governor for his action.

March 8, 1923.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker of the House has this day signed in open session S. B. No. 130, by Mr. Jenson, entitled, "An Act to amend Sections 945, 958, 1142, 1271 and 1274, Compiled Laws of Utah, 1917, as amended by Chapter 17, Laws of Utah, 1919, relating to foreign and domestic corporations, and providing license taxes from certain corporations, and adding a new section to be known as Section 945X," and same is herewith transmitted to your Honorbale Body for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

S. B. No. 130 was transmitted to the Governor for his action.

COMMUNICATIONS FROM THE GOVERNOR

March 8, 1923.

To the Senate:

I have this day approved and stransmitted to the office of the Secretary of State, S. B. No. 184, Substitute for S. B. No. 108, by Public Affairs Committee entitled, "An Act amending Sections 1, 2 and 4 re-enacting Section 3 and 5, Chapter 145, Laws of Utah, 1921, so as to make it unlawful to barter, sell or offer for sale cigarettes or cigarette papers in the State of Utah without a permit; providing for the granting, issuance and revocation of permits therefor, fixing the license fees for such permits and requiring a bond as a condition to the issuance thereof; providing for a stamp tax and stamps on all cigarettes, cigaretete papers and wrappers and tubes sold n the State of Utah; declaring unlawful the making, altering, forging or counterfeiting of any such license or stamp, or having possession thereof, knowing the same to be forged, counterfeited, spurious or altered; prohibiting the furnishing of cigarettes or cigarette papers or wrappers or tobacco to minors; declaring to be a nuisance any building or place used for the sale or keeping for sale of cigarettes, or cigarette papers or wrappers in violation of the provisions of this act; prohibiting the advertising of cigarettes, cigarette papers, cigars, chewing tobacco or smok-

ing tobacco; except as provided herein; prohibiting smoking in certain public places and forbidding proprietors knowingly to permit minors to smoke tobacco in their places of business; providing penalties for the violations of the provisions of this act, and repealing all acts or parts of acts in conflict with the provisions of this act."

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The House was notified of the Governor's action.

March 8, 1923.

To the Legislature:

Be advised that I have no further communications for this, the Fifteenth Session of the State Legislature.

The net results of your labors reflect much credit upon you, and I am sure will command the hearty commendations of the citizens.

In the course of your service, I have had occasion to come in close contact with many of you, and I take this means of acknowledging my personal as well as my official appreciation for this association and for your accomplishments. My best wishes go with you in your return to your respective constituencies.

Respectfully yours,
CHARLES R. MABEY,
Governor.

Communication filed.

The Senate was waited on by a Committee from the House and was advised by said committee that the House stands ready to adjourn.

On motion of Senator Candland the Senate adjourned sine die.

SUPPLEMENTAL

After the adjournment of the Fifteenth Session of the Legislature of the State of Utah, action was taken by the Governor on Senate Bills as follows:

Approved S. B. No. 55, by Mrs. Kinney.
Approved S. B. No. 56, by Mrs. Kinney.
Approved S. B. No. 75, by Mr. Jenson.
Approved S. B. No. 84, by Mr. Hirschi.
Approved S. B. No. 85, by Mr. Hirschi.
Approved S. B. No. 94, by Mr. McConkie.
Aprpoved S. B. No. 98, by Mr. Warnick.
Aprpoved S. B. No. 100, by Mr. Standish.
Approved S. B. No. 116, by Mrs. Kinney.
Approved S. B. No. 117, by Mr. Jenkins.
Approved S. B. No. 124, by Mr. Funk.
Approved S. B. No. 130, by Mr. Jenson.
Approved S. B. No. 165, by Mr. Winder.
Approved S. B. No. 167, by Mr. Peters.
Approved S. B. No. 177, by Mr. McConkie.
Approved S. B. No. 181, by Mr. Tebbs.
Approved S. B. No. 185, by Mr. Winder.

CERTIFICATION

I, H. L. Cummings, Secretary of the State Senate of the State of Utah, do hereby certify that the within is a full, true and correct record of the proceedings of the Senate of the Fifteenth Regular Session of the Legislature of the State of Utah, held at Salt Lake City, Utah, commencing on the 8th day of January, A. D. 1923, and ending on the 8th day of March, A. D. 1923.

H. L. CUMMINGS,
Secretary.

SENATE BILLS

Number	AUTHOR AND SUBJECT.	Introduced and Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Signed by President Senate	Action of Governor	Other References
1	Tebbs—Contingent Exp. Legislature	7	7	7	58	73	75	
2	Jenkins—Definite Sentence	38	545					545
3	Candland—Mutual Co-op. Asociation	38	125	135	275	289	304	255
4	Peters—Colorado River Compact	60	82	125	161	165	168	83, 103, 124
5	Tebbs—Receipts for Taxes	60	88					
6	Peters—County Treasurers and Taxes	60	88	94	378	385	439	118, 363
7	Jenson—Declaratory Judgments	60	493	512				643
8	Candland—Issuance of Patents	70						90
9	Candland—Sale of Jublic Lands	70						90
10	Candland—Relinquishment of Filing List	70						90
11	Candland—Fees—Land Commissioner	70	89	94	113	119	121	
12	Candland—Certification—Land Commissioner	70						90
13	Candland—Investment of Funds	71						90
14	Candland—Payment of Money	71						90
15	Peters—Zoning Districts	71	397	408				643
16	Candland—Drainage Districts	76						219, 228
17	Dixon—District Judges	81	224	232				190, 199, 232
18	Tebbs—Care of Public Funds	82	250					251
19	Hirschi—Width of Tires	87	113	117	147	152	161	
20	Warnick—Delinquent Taxes	87	104	136				112, 136, 148, 149
21	Dixon—Public Lighting	88	104	112				113
22	Dixon—Relief of Veterans	88	543					543

SENATE BILLS—Continued

Number	AUTHOR AND SUBJECT.	Introduced and Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Signed by President Senate	Action of Governor	Other References
23	Peters—Assessment of Bank Stock	88	118	273				125, 145, 174, 200, 211 222, 273
24	Committee on Revision and Printing—State Lands	90	167	174	419	424	467	174, 182, 401, 409
25	Standish—Treatment—Human Ailments	93	300	381	637	639	658	375, 242, 560, 270, 335, 365, 602, 612
26	Candland—Transient Live Stock	93						133
27	Dixon—Tuberculosis Research	93	137	192				144, 166, 347
28	Jenkins—Registration of Males	93	145	164	225	231	240	
29	Irvine—Aeronautics	93	204	211	386	395	467	371
30	Committee on Public Affairs—Notice to Taxpayers	93	103 165	111	140	146	152	
31	Adams—Dealers in Eggs	102	137 250	174				137, 174
32	Kinney—Welfare Commission	102	151	259	571	584	654	151, 181
33	Jenkins—Insurance	110	182	201				201, 193, 248, 175, 259, 385 272,
34	Jenson—Assessing and Collecting Taxes	111	264	273				273
35	Kinney—Malfeasance of Public Officials	111	203					203
36	Jenkins—Salaries—County Officers	117	145	164				164
37	Jenkins—Insurance Agents	117	185	193				175, 641
38	Kinney—Control—Industrial School	122	415					277, 415
39	Commission on Com. Industry—Savings Banks	123	137	144	304	315	328	

SENATE BILLS—Continued

Number	AUTHOR AND SUBJECT.	Introduced and Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Signed by President Senate	Action of Governor	Other References
40	Jenkins—County Officers	123	151	166				166
41	Jenson—Nomination—Candidates	123	211	223				361
42	McConkie—Killing Animals	123	202	210	344	347	406	333
43	McConkie—Maiming Animals	123	203	211	356	362	406	
44	Dixon—Amend Sec. 2, 6, 14, 16	123	354	374				271, 641
45	Committee on Agriculture—Transient Live Stock		166					
		133	151	174	235	243	246	151
46	Committee on Commerce and Industry—Promissory Notes	133	174	181				348
47	Funk—Embalming	134	201	210	356	362	406	
48	Funk—Public Accountants	134	175	181	578	584	654	
49	Funk—Architects	134	175	181				302
50	Peters—Department of Finance and Purchase	134	212					212, 233
51	Jenson—Pensions—Police Departments	134	214	223				224, 232
52	Kinney—Control—State Mental Hospital	134	212	223				364
53	Tebbs—Chiropractors	138	300					242, 270, 335, 381, 616
54	McConkie—Conditional Sales	139						540
			465					
55	Kinney—Recreation Centers	144	263	475	645	648		263, 279
56	Kinney—Placing of Children	144	454	473	611	613		
57	Jenkins—Admission for Treatment	150	202	210	370	384	406	
58	Winder—State Board of Review	150	419	461				432, 461, 464, 465
59	Winder—Levying of Taxes—School Districts	150	432	462	621	626	655	598

SENATE BILLS—Continued

Number	AUTHOR AND SUBJECT.	Introduced and Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Signed by President Senate	Action of Governor	Other References
60	Winder—Powers of Boards of Education	150	463	499	622	626	654	432, 464, 475, 540
61	Winder—Taxes—Expositions Purposes	150						432, 465
62	Winder—Annual Tax Levies—Cities	150						432, 465
63	Winder—Taxes—Indigent Poor Relief	151						432, 465
64	Winder—Animals on Range	151						
65	Jenkins—Name—State Mental Hospital	151	233	242				641
66	Winder—Taxes—Hospital—Infimaries	151						432, 465
67	Adams—Osteopathy	163	300					242, 270, 335, 382, 616
68	Jenson—Voluntary Associations	164	398	413				641
69	Jenson—Water Fees—State Engineer	164	521	524				
70	Dixon—Civil Service Commission	164	263	350	637	639	657	264, 338, 625
71	McConkie—Hours—County Seats	173	243	248				371
72	Irvine—Tuition Fees—State School	173	244	249				641
73	Winder—State Insurance Fund	173	273	279	571	583	655	562
74	Dixon—Exclusion from Certain Trials	180	459	474				641
75	Jenson—Taxation and Assessment of Property	191	273	473	620	625		273, 337, 397, 458
76	Funk—Rates of Public Utilities	191	355	408				355, 397, 408
77	Winder—Limitation of Levy's by Town Trustees	191						432, 465
78	Tebbs—Relating to State Prison	191	264	335				273, 301, 642
79	Peters—Tax Levy on Gasoline	191	291	372	489	497	630	481
80	Peters—Relating to Motor Vehicles	192	351	373	581	597	653	563
81	Peters—Relating to Motor Vehicle License	192	351	373	596	614	656	557, 560, 577

SENATE BILLS—Continued

Number	AUTHOR AND SUBJECT.	Introduced and Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Signed by President Senate	Action of Governor	Other References
82	Peters—Traffic Regulations on State Highways	192	351	373	564	566	653	558
83	Funk—Relating to Justices Supreme Court	200	398					413, 450
84	Hirschi—Revolving Fund State Road Commission	200	441	447	620	625		447, 471
85	Hirschi—Contingent Fund—State Road Commission	201	542	543	621	625		447
86	Jenkins—Establishment of Branch Banks	209						276
87	Irvine—Appointment County Purchasing Agents	213	282	297				614
88	Irvine—Relating to Duties of Sheriffs	213	282	298				614
89	Jenson—Appropriation—Armory Building, Ogden	219	544					544
90	Jenson—Manufacture of Bedding	219	281	297	623	639	657	
91	Commission on Agriculture—Drainage Districts	228						
92	Peters—Powers Public Utilities Commission	219	274	350	596	613	656	274, 337, 350, 360
		219	415	431				641
93	Powers—Powers of Public Utilities Commission	220						414, 533
94	McConkie—Mileage District Judges	231	523	525	621	625		
95	Ryan—Cattle on Public Range	241	417	433				641
96	Ryan—Possession of Animals	242						352
97	Winder—Appointment of Probation Officers	247	500					500
98	Warnick—Delinquent Taxes	247	291	299	595	613		
99	Peters—Registration Motor Vehicles	247	351	374				
					644	652		334, 633, 638
100	Standish—Departments of Registration	259	300	334	571	584		335, 364, 381, 561, 270, 324,
101	Kinney—Retirement—Faculty, University of Utah	271						

Number	AUTHOR AND SUBJECT.	Introduced and Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Signed by President Senate	Action of Governor	Other References
102	Jenkins—Trustees Agricultural College	271	454					456
103	Irvine—Sinking Fund Levies	271	443	449				641
104	Irvine—Investment of Sinking Fund	271	444	449				641
105	Funk—Limiting Load on Public Highways	271	466	476				476, 498, 500, 641
106	Hirschi—Incorporation of Towns	276	443	448				641
107	Kinney Old Age Annuities	277	456	473	620	625	656	
108	Standish—Sale of Cigarettes	277						433, 451
109	Irvine—Foreign and Domestic Corporations	278						
110	Irvine—Breaches of Judiciary Obligations	278	493	512				643
111	Kinney—Powers of Courts	278						527
112	Hirschi—Creating Public Utitlities Commission	278	400					395, 400
113	Ryan—Erecting Monument to Early Settlers	278	544				544	
114	Kinney—Providing Change of Venue	278						382
115	Cotrell—Definintion of a Lottery	279	459	474				641
116	Kinney—Statue Indian Chief Washakie	279	442	448	645	649		
117	Jenkins—State Insurance Fund	279	444	449	594	613		582
118	Irvine—Disabled Employees—State Prison	279	500	513				641
119	Hirschi—Remission of Taxes	295	457	457				641
120	Jenson—Corporations not Pecuniary Profit	295	492	511				643
121	Jenson—Teaching Constitution in Public Schools	296						311
122	Adams—Money Used in Corporate Limits of Cities	296	486	508				586
123	McConkie—Appropriation Road Bluff to Oil Fields	296	541	541	612	613	653	

SENATE BILLS—Continued

Number	AUTHOR AND SUBJECT.	Introduced and Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Signed by President Senate	Action of Governor	Other References
124	Funk—Duties State Road Commission	296	523	526	646	659		631
125	Irvine—Extradition of Fugitive	296						432, 465
126	Winder—County Com. Levy Taxes	296	502	521				641
127	Candland—State Board of Supplies and Purchase	297	498					440, 498
128	Irvine—Delinquent Taxes	297						382
129	Jenson—Fees—Secretary of State	316	460					460
130	Jenson—Foreign and Domestic Corporations	316	527	543	659	660		542
131	Funk—Livestock	316	491					492, 524
132	Irvine—Survival of Actions	317	439	446				439, 641
133	Irvine—Judgment on Dismissal	317	440	446	596	614	656	439
134	Irvine—Licensing Registered Pharm....acists	317	465	476				641
135	Irvine—Registration of Pharmaceis	317	489	509				413, 641
			506					
136	Transfer of School Funds	317	492	524				492, 641
137	Dixon—Denatured Alcohol	317	460	475				641
138	Funk—Issuance of Bench Warrants	317						334
139	Funk—Preparation and Filing of Information	318						334
140	Funk—Duties of Atorney General	318						334
141	Funk—Duties of Atorney General	318						334
142	Funk—Dismissal Action	318						334
143	Funk—Collection of Inheritance Taxes	318						334
144	Funk—Examinations of Alleged Insane	318						334

SENATE BILLS—Continued

Number	AUTHOR AND SUBJECT.	Introduced and Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Signed by President Senate	Action of Governor	Other References
145	Funk—Mileage, District Judges and Atorneys	319						344
146	Funk—Affecting Public Utitlities	319						344
147	Funk—Legal Advisors State Road Commission	319						344
148	Funk—Deputy District Atorneys	319						344
149	Funk—Office of District Atorney	319						344
150	Funk—Definition of Subpoena	319						344
151	Funk—Advising General Juries	319						344
152	Funk—Sale Intoxicating Liquors	320						334
153	Funk—Duties Presecuting Atorneys	320						334
154	Jenkins—Withdrawal Band Deposits	320	451	471				641
155	Jenkins—Compulsory Vaccination	320						
156	McConkie—Appropriation San Juan County	320	545	546				641
157	McConkie—Tax Levies	320						414, 484
158	McConkie—State Park Commissioner	321						
159	Fuller—To Designate aState Road	321						459, 498, 521
160	Irvine—Control of Coal and Coal Mines	321						
161	Irvine—Issuance and Service of Summons	321	487	521				641
162	Kinney—Dependent Mothers	322	451	471				484, 643
163	Hirschi—Taxation of Bank Stock	322						545
164	Warnick—Agricultural Seeds	322	523	540				523, 540
165	Winder—Health Education	322	465	475	597	614		
166	Winder—Barbers and Barber Schools	322	465					465

SENATE BILLS—Continued

Number	AUTHOR AND SUBJECT.	Introduced and Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Signed by President Senate	Action of Governor	Other References
167	Peters—Corporations	322	440	447	658	659		623, 649, 650
168	Peters—Judges of Election	323	491	510				540
169	Candland—Moneys Paid to Banks	323	465					465
170	McConkie—Absence of Will	323	489	509				641
171	McConkie—Powers of District Attorney	323	499	512				487, 586
172	McConkie—Americanization of Schools	323	492	510				641
173	Peters—Cooperative Banks	324	523					523
174	Dixon—Powers State Road Commission	324	440	447				641
175	Cotrell—License Motor Vehicles	324						445
176	Winder—Prostitution	324	465					465
177	McConkie—Grand Larceny	334	456	456	644	652		
178	Irvine—State Industrial School	360	490	510				641
179	Peters—Commission Manager	396						545
180	Jenson—Garnishment	396	489	509				641
181	Tebbs—State Land Commisioner	407	418	433	580	583		448
182	Jenson—State Historical Society	417	522	525				643
183	Winder—Filing Statements, Trustees, etc.	464	464	464	623	639	657	
184	Public Affairs Committee—Sale of Cigarettes	477	501	513	546	651	660	519, 520, 628
185	Winder—Mosquito Abatement	490	522	525	595	613		
186	Jenkins—Site for State Prison	541	541	542				541, 583

SENATE RESOLUTIONS

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Signed by Speaker	Action of Governor	Other References
1	Jenson—Death—Abbot R. Heywood	36	37	37	58			
2	Peters—Death—Anna Smart	224	233					
3	Committee on Public Health—Clean Town Campaign	258						
4	Hirschi—Zion National Park	409	409	409				409

SENATE JOINT RESOLUTIONS

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President Senate	Signed by Speaker	Action of Governor	Other References
1	Winder—Committe to Investigate Crime Wave	81	104 81	112	197		205	205, 229, 545
3	Kinney—Committee to Examine Sumptuary Laws	417	491					491

SENATE CONCURRENT RESOLUTIONS

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by Pres. of Senate	Signed by Speaker	Action of Governor	Other References
1	Candland—Governor Messenger	6	7	7	70	73	75	
2	Jenkins—Amend—Sec. 9, Art. 9	122						424
3	Warnick—Amend—Sec. 2-3, Art. 13	209	397	402				291, 402

SENATE CONCURRENT MEMORIALS

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Signed by Speaker	Action of Governor	Other References
1	Irvine—Appoint—Immigration Commisioner	76	103	112				162
2	Jenkins—Silver Mining Industry	84	94	95	170	176	178	
3	Dixon—Relief—Settlers—Reclamation Projects	180	203	231	292	302	326	211
4	Candland—Tax Exemption Securities	220	355	375	571	572	654	
5	Ryan—To Enact H. B. 10861	279						352
6	Tebbs—Road Building—Grand Canyon	518	518	518				418

SENATE PETITIONS

1—City Council of St. George, Utah 75
2—Citizens of St. George, Utah 78
3—Curtis Allison and 250 Citizens 114
4—Daughters of Utah Pioneers 153
5—Utah State Welfare Commission 220
6—Citizens of Iron County 245
7—Park City Municipal Corporation 245
8—Citizens of Beaver County 259
9—Citizens of Garfield County 259
10—Bee Hive Girls Organization 263
11—Citizens of Weber County 275
12—Citizens of Utah—50,000 Signatures 298
13—James Ballantyne and Others, Ogden, Utah 265
14—Citizens of Duchesne County 295

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Gov. C. R. Mabey—State Appointments	588
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Gov. C. R. Mabey—Appoint—Herman Harnes	616
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Gov. C. R. Mabey—Appoint—Jas. T. Hammond	646
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SENATE CLAIMS

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President Senate	Signed by Speaker	Signed by Governor	Other References
1	Geo. T. Summerhays	180						180

HOUSE BILLS

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
1	Constantine—District Attorney's Clerk						
2	Atwood—Organization of Associations	105	126	135	204	243	138, 172
3	Hollenbeck—Bridge—Upalco, Duchesne County						
4	Hollenbeck—Sale for Delinquent Taxes						
5	Hollenbeck—Public Utilities Commission						
6	Hollenbeck—Irrigation District Bonds						
7	Hollenbeck—School Districts						
8	Hollenbeck—Equalization of Taxes	138	273				274
9	Hollenbeck—Assignment of Certificates						
10	Hollenbeck—Plans and Specifications, School Buildings						
11	Hollenbeck—Public Utilities Commission						
12	Constantine—Ambulance Chasing						
13	Constantine—Salaries—District Attorneys						
14	Constantine—Crime Against Nature	101	262	263	271	346	
15	Constantine—Deputy District Atorneys						
16	Holliday—Wide Tire Wagons—Use of						
17	Shelley—Rate for Legal Printing						
18	Constantine—Election—Members—Board of Education						
19	Constantine—Spec. Verdicts and Findings						
20	Bailey—Water and Water Rights	221	283	299	332	410	
21	Openshaw—Loan and Trust Associations	183	283	299	332	395	
22	Jacobs—Measurements and Weights						

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
23	Constantine—Order of Trial—Criminal	303	533	575	588		468
24	Bailey—Water Rights						
25	Pettit—Mine Boss	122	201	222	257	301	210, 230, 246
26	Constantine—County and District Attorney's						
27	Openshaw—Practice of Nepotism						
28	Mozley—Teaching of Constitution of U. S.	105	127	136	146	162	
29	Iverson—Duties—Banking Corporations						
30	McKell—Rebates of Premium	364	551	575	587		
31	Wood—School Elections and Census						
32	Jacobs—Operation of Motor Vehicles						
33	Lyman—Construction of Waterworks						
34	Finlinson—Care of State Funds	168	291	350	361	410	251, 291, 335
35	Bagnall—Tax Sale Redemption	110	149	166			166
36	Hollenbeck—Public Utilitites						
37	Jorgensen—Boundry Line Sevier and Piute County						
38	Naylor—Voting of Absent Electors						
39	White—Fish and Game	255	476	507	540	585	485
40	White—Fish and Game	221	507	508	539	585	
41	Naylor—Dist. Atorneys Clerk	127	282	298			299
42	Cannon—Foreign and Domestic Corporations						
43	Cannon—Fraud—Sale Securities						
44	Christensen, N. C.—Sale of Property—Delinquent Taxes						

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
45	Shelley—Use of School Buildings	173	283				283
46	Bailey—Marking and Counting of Ballots						
47	Iverson—State Fire Marshal						
48	Dunyon—Vaccination						
49	Callister—Felonious Assaults	127	453	472	505	549	282
50	Iverson—Banking Corporations	333	487	511	560	615	492, 527
51	Callister—Attempts to Kill		454				
52	Callister—Robbery	128	282	475	505	549	282
53	Iverson—State Insurance Fund						
54	Rowan—Liquidation of Banks						
55	Graham—Delinquent Children	205	415				415
56	Pettit—Salary of Mine Inspector						
57	Callister—Appointment of Deputies	163	203	242			211, 242
58	McKell—Auditing of Accounts	303	441	447	470	497	
59	Com. on Irrigation and Reservoirs—Irrigation Dist. Bonds	209	466	476	506	549	
60	Wilkins—Delinquent Taxes						
61	Hollenbeck—Sale of Property	315	603				603
62	Atwood—Boundary Lines, Utah and Wasatch Counties						
63	Judd—Assessing Metal Mines						
64	Goggin—Old Age Pensions						
65	Cannon—Cold Storage of Foods	483	592	592	597		592

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
66	Lyman—Waterworks, Reservoirs, etc.	183	242	248	256	301	
67	Atwood—Dairying and Foods	468	603				603
68	Fletcher—Powers Co. Commissioners						
69	Constantine—Fraud in Securities						
70	Jorgensen—Bounty—Predartory Animals	498	582	616	627		
71	Baldwin—Powers—Boards of Education						
72	Jorgensen—Appropriations—State Government	537	564	576	648		549, 590, 612, 622
73	Finlinson—Conservation Districts	222	239	248	257	277	
74	Rowan—Liquidation of Banks	295	457	473	505	549	
75	Mozley—Stationary Advertising	301	433	446	470	496	
76	Wilkins—Registration—Engineers						
77	Brewer—Exemption Property in Interstate Commerce						
78	Pettit—Amusements on Sunday	349	553				553
79	Naylor—Absent Voters	295	553	575	587		
80	Christensen, N. C.— Costs Against Estates						
81	Christensen, N. C.—Inheritance Tax Appraisers						
82	Christensen, N. C.—Safe Deposits Companies						
83	Callister—Corporations						
84	Callister—Sale in Bulk	518	609	609	627		609
85	Stark—Tax and Lein						
86	Stark—Tax Levy Drainage Dist.						
87	Stark—Trespassing Railroad Property						

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
88	Lyman—Maternity Hygiene	303	416	432	438	497	
89	Wilkins—Vacancy—City Councils	316	553				564
90	Wilkins—Municipal Officers						
91	White—Maintenance of Roads						
92	White—Regulation of Loads						
93	Callister—Operating Rooms—Moving Picture House	294	416				416
94	Jorgensen—Boundary Lines—Sevier and Piute County	536	605				605
95	Browning—Bonded Indebtedness						
96	Browning—Civil Service						
97	Leatham—School Board Elections	349	552				552
98	Stookey—Fencing of Tracks						
99	Goggin—Coroners, Cities	412	553				553
100	Committee on Banking—Building and Loan Associations	517	603	603	615	642	603
101	Committee on Appropriations—Biennial Budget	270	450	470	481	615	
102	Mozley—Sale of Securities						
103	Openshaw—Industrial Loan Companies						
104	Goggin—Baking Powder	413	552	574	585		
105	Hansen—Powers—Board of Correction						
106	Finlinson—Public Highways						
107	Pettit—Drugless Pherapeutics						
108	McKell—State Warrants	412	549	550	582	649	561
109	Stark—New Counties	396					604

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
110	Callister—Poisonous Beverage						
111	Committee on Judiciary—Attempts to Kill	316	453	472	506	549	
112	McKell—State Memorial—Utah Soldiers						
113	Leatham—Distribution of Estates						
114	Leatham—Exemptions of Homesteads	372	593	616	627		
115	Leatham—Property Exempt from Execution						
116	Leatham—Wills and Succession						
117	White—Volunteers of Civil War						
118	Bailey—Summons by Publication						
119	Constantine—Barratry						
120	Constantine—Estrays and Grazing						
121	Finlinson—Control of Hog Cholera	372	460	474	504	549	
122	Finlinson—Tubercular Cattle	411	551	574	588		
123	Lyman—School of Medicine						
124	Holliday—Compensation—Elective Officers						
125	Butterfield—Location—County Offices						
126	Fletcher—State Road—Echo Canyon, Utah						
127	Mozley—State Road—Wayne and San Juan County						
128	Jacobs—Farm and Home Demonstrations						
129	Mozley—Use of Opium	559	635				636
130	Crouch—Criminal Identification						
131	Jacobs—Canneries						

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
132	McKell—Abstractors						
133	McKell—Bids for Construction						
134	McKell—Buildings and Bridges						
135	McKell—Construction—Public Schools						
136	McKell—Public Improvements						
137	Fletcher—Bonding of Warehouses	559	631	632	650		
138	Christensen, N. C.—Marks and Brands						
139	Christensen, N. C.—Drainage Districts	535	606	618	624		
140	Callister—Public Utilities	431	554				554
141	Fletcher—Delinquent Taxes						
142	Crouch—Probation Officers	538	608	608	627		608
143	Fletcher—Payment of Taxes						
144	Anderson—Practice of Chiropody						
145	Iverson—Lein and Taxes—Property						
146	Callister—Writs of Review—Public Utilities	431					
147	Callister—Release of Mortgages						
149	Callister—Automobile Corporations	438					
149	Callister—Automobile Corporations	516	609	618	624		
150	Judd—Use of Vehicles	484	617	617	624		
151	Finlinson—Livestock Grazing	518	602	617	624		
152	Finlinson—Crops and Pests	638	647	647	652		
153	Finlinson—Board of Agriculture	518	594	635	650		594, 623

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
154	Cannon—Property Exemption						
155	Fletcher—Sale of Property for Taxes						
156	Fletcher—Sale of Real Estate for Taxes						
157	Fletcher—Collection of Taxes						
158	Fletcher—County Treasurer's Reports						
159	Fletcher—County Treasurer's Settlements						
160	Fletcher—County Treasurer's Settlements						
161	Dunyon—Compulsory Vaccination						
162	Dunyon—Compulsory School Attendance						
163	Stark—Legal Hollidays						
164	Stark—Use of State Armories	547	605	605	627		
165	Stark—Military Records	547	605	605	627		605
166	Stark—Insigna—Societies						
167	Stark—Teachers Certificates						
168	Atwood-Crook—Boundary Lines—Utah and Wasatch Cos.	516	635				608, 635
169	Pembroke—Fraudlent Advertising	548	631	631	650		
170	McCaskell—Salting of Mines						
171	Constantine—Board of Equalization	482					604
172	Constantine—Public Utilities Commission						
173	Stookey—Publications of Notice						
174	Openshaw—Claim—Carmela Maione	536	608	608	627		608
175	Cannon—Public Utilities Commission						

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
176	Cannon—Powers, Public Utilities Commission						
177	Cannon—Municipal Public Utilities	439					604
178	McCaskell—Employers of Labor						
179	Brewer—School of Deaf						
180	Callister—Fraudulent Conveyances						
181	Hansen—Board of Corrections						
182	Jorgensen—Piute Irrigation Projects	519	604	604	627		604
183	Jorgensen—Revolving Fund—Public Lands	538	607	607	627		607
184	Callister—Accounts—Public Works	538	618	619	638		
185	McKell—Disposal—Personal Property						
186	Openshaw—School Scholarship	548	634	634	650		
187	Wheatley—State Road Engineer						
188	Constantine—Appeals—Supreme Court						
189	Crouch—Maps and Plats—Assessments	559	607	608	627		
190	Crook—Economic Poisons						
191	White—Agriculture Seeds						
192	Petitt—Compensation, National Guard						
193	White—Reimburse Beaver County—Criminal Costs						
194	Jones—Committee on Investigation						
195	Jones—State Tree						
196	Jones—State Librarian						
197	Atwood—Powers—Public Utilities Commission						

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
198	Jorgensen—Supt. of State Capitol						
199	Baldwin—Check—Weighman						
200	Baldwin—Deputy Sherriffs						
201	Baldwin—Assistants—County Officers						
202	Mozley—Offices—County Seats						
203	Stookey—Salaries—Indutrial Commission	483					
204	Graham—Convict Road Camp Fund						
205	White—Salary—Commissioner Agriculture	516	603				604
206	White—Salary—Director of Finance	482	590	591	593		
207	Stookey—"Right to Work Act"	549	606	606	627		606
208	Johnson—Brand Inspection						
209	Christensen, N. C.—Noxious Weeds						
210	Finlinson—Agriculture Inspection Fund	537	607	635	640		607, 623
211	Canstantine—Use of Pistols, etc.						
212	Brewer—Property in Interstate Commerce						
213	Bagnall—Chattel Mortgages						
214	Crouch—State Board of Agriculture	517	594				594
215	Mozley—False Weights and Measures						
216	Finlinson—Use of Public School Buildings	537	633	633	650		
217	Lyman—Inspection—Hotels, etc.						
218	Naylor—Purity—Vaccine Virus						
219	Mozley—Civil Service—Cities						

HOUSE BILLS—Continued.

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
220	Graham—Board of Supplies and Purchase						
221	Finlinson—Sureties on Official Bonds						
222	Shelley—Malfeasance						
223	Shelley—Powers of Courts						
224	Callister—Warehouse Receipts						
225	Callister—Sale of Goods						
226	Crouch—Attachments						
227	Constantine—Race Horse Commissioner						
228	Cannon—Fornication						
229	Baldwin—Primary Elections						
230	Graham—Welfare—Pregnant Girls	558	634	634	650		
231	Finlinson—Designating State Roads	481	591	604	627		
232	McKell—Registration Motor Vehicles	442	442	448	461	483	
233	Commitee on Appropriations—Revenue—State Government	498	593	636	640		

HOUSE CONCURRENT RESOLUTIONS

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by Speaker	Action of Governor	Other References
1	Wilkins—Vacancy—Legislature						
2	Dunyon—Flag—Mothers' Day	412	551	574	587	649	
3	Constantine—Sterling-Towner Act	400					
4	Dunyon—International Mining Exposition	411	486	508	539	615	
5	Baldwin—Complete Railway Equipment						

HOUSE CONCURRENT MEMORIALS

Number	AUTHOR AND SUBJECT.	Read First Time	Read Second Time	Read Third Time	Signed by President	Action of Governor	Other References
1	Dunyon—Silver Coinage and Reserves	96	175	176	193	220	
2	Wheatley—Surplus War Materials	411	550	550	581	649	
3	Constantine—Sterling-Towner Act	400	553	576	651		