GAH1.15/1864-1866



Class 328, 788 Author 671 &

# UNIVERSITY OF COLORADO LIBRARY CIRCULATING BOOK

Accession No. 188152

5A-A4 4:3-5

GOVERNMENT DOCUMENTS
LIMITED CIRCULATION

RECEIVED

SEP 0 9 1993

COLORAUU STATE LIBHARY

State Publications Library

# C. F. A. 8, 1 Com

## HOUSE JOURNAL

## LEGISLATIVE ASSEMBLY

OF THE

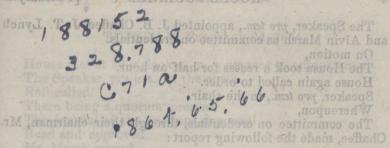
## TERRITORY OF COLORADO.

THIRD SESSION.

BEGUN AT GOLDEN CITY, ON THE 1ST DAY OF FEBRUARY, 1864. Adjourned to Denver on the 4th day of February.

DENVER:

Byers & Dailey, Printers, Rocky Mountain News Office 1864.



## HOUSE JOURNAL

lst District, D. A. Chevant To

## LEGISLATIVE ASSEMBLY OF COLORADO

## THIRD SESSION. M. C. White, J. T. Lynch.

### MONDAY, FEBRUARY 1st, 1864.

At the third session of the Legislative Assembly of the Ter-

ritory of Colorado,

The House of Representatives met at Golden City, the seat of government of said Territory, on Monday, the 1st day of February, A. D. 1864, pursuant to law.

There were present the following gentlemen, members elect,

to wit:

Messrs. D. A. Chever, J. A. Koontz, J. H. Eames, David Ripley, James Kelley, L. D. Judd, J. B. Chaffee, Alvin Marsh, E. F. Holland, J. E. Leeper, M. C. White, J. T. Lynch, Henry H. Henson, Joel Wood, J. McCannon, Pablo Ortega, Victor Garcia, N. W. Welton, L. D. Webster, and A. Z. Sheldon; in all twenty members.

The House was called to order by Wm. Train Muir, clerk of the House of the second session of the Legislative Assembly of

the Territory of Colorado.

On motion of Mr. Chaffee, on has growing I and to emital M. C. White was appointed Speaker, pro tem.

Also,

On motion of Mr. Chaffee, delimants and saved so ed?

A. Z. Sheldon was appointed Clerk, pro tem.
On motion of Mr. Chaffee,

The Speaker, pro tem., appointed J. B. Chaffee, J. T. Lynch and Alvin Marsh as committee on credentials.

On motion,

The House took a recess for half an hour.

House again called to order. Speaker, pro tem., in the chair. Whereupon,

The committee on credentials, through their chairman, Mr. Chaffee, made the following report:

Mr. Speaker: Your committee appointed on credentials would beg leave to make the following report of the names of members elected and present, and entitled to be sworn in as members of this Legislative Assembly:

1st District, D. A. Chever,

2d "J. A. Koontz, J. H. Eames.

3d "David Ripley.
4th "James Kelley.
5th "L. D. Judd.

6th "J. B. Chaffee, Alvin Marsh.
7th "E. F. Holland, J. E. Leeper.
8th "M. C. White, J. T. Lynch.

9th " Henry H. Henson.

10th "Joel Wood, J. McCannon. 11th "Pablo Ortega, V. Garcia.

12th " N. W. Welton. 13th " L. D. Webster. 14th " A. Z. Sheldon.

> J. B. CHAFFEE, Ch'n, A. MARSH, JOHN T. LYNCH.

On motion of J. A. Koontz,
The report was received and
Adopted.
On motion of Mr. Chaffee,
The following resolution was adopted:

Resolved, That the Judges of the Supreme Court, members of the Executive Department, Attorney General, the Colonel commanding this district, ex-members of the previous Legislature of this Territory, and newspaper reporters, be invited to seats on the floor of this House.

The oath was then administered to the members of the House, by the Hon. Stephen S. Harding, Chief Justice of the Supreme Court of the Territory of Colorado.

The House then adjourned until 10 o'clock a. m. to-morrow.

ch

Ir.

als

of 25

ers

nel ris-

to

ise,

me

·Wc

## The Speaker having taken the chair, after making some TUESDAY, FEBRUARY 2d, 1864.

House met at 10 o'clock a. m., pursuent to adjournment. The Speaker, pro tem., in the chair. Roll called.

There being a quorum present, senoll and to anotheredish

The journal of the previous day was

Read and approved. Mr. Marsh moved

That the House do now proceed to elect a Speaker. Carried.

Mr. Judd moved

When the state of the state of

That the vote be taken by calling the roll. Lost.

Mr. Lynch moved

Mr. Lynch moved

Mr. Lynch moved

Mr. Lynch moved

The vote be taken by ballot, which was and mountain. Carried.

J. B. Chaffee was nominated by Mr. Henson.

Moved, by Mr. Lynch, That the first ballot be an informal one.

Carried.

Messrs. Marsh and Koontz were appointed tellers.

The first informal ballot resulted as follows:

J. B. Chaffee received 9 votes,
E. F. Holland received 4 votes,
M. C. White received 3 votes,
H. H. Henson received 1 vote,
James Kelley received 1 vote,
Blank received 2 votes.

Blank received 2 votes.

Whole number of votes, 20. On motion of Mr. Marsh, Add Determined request lake

The House proceeded to a formal ballot, which resulted as

Whole number of votes cast, 20.

Necessary to a choice, 11.

Necessary to a choice, 11.

J. B. Chaffee, 14; E. F. Holland, 3; A. Marsh, 1; H. H.

Henson, 1; J. Kelley, 1.

Mr. Chaffee having received a majority of all the votes cast, was declared duby elected permanent Speaker of this House.

Mr. Ripley moved

That the election of Speaker be considered unanimous.

Carried.

Mr. Ripley moved

A committee of two be appointed to conduct the Speaker elect to the chair.

Messrs. Ripley and Lynch were appointed such committee.

The Speaker having taken the chair, after making some appropriate remarks announced the next regular order of business the election of a chief clerk.

On motion of Mr. Marsh,

A vote of thanks was tendered by the House to the Speaker pro tem., for the able manner in which he had presided over the deliberations of the House during its organization.

On motion of Mr. Lynch,

The House then proceeded to an informal ballot for chief clerk.

B. B. Stiles was nominated by Mr. Marsh.

The vote resulted as follows: Whole number of votes, 20. B. B. Stiles received 15 votes, L. L. Robinson received 1 vote. John Walker received 3 votes, J. McMillon received 1 vote. solled ad noting of stowed T

Moved by Mr. Ripley,

That the House do now proceed to the first formal ballot for chief clerk.

Carried.

The first formal ballot resulted as follows:

Whole number of votes, 19. Necessary to a choice, 10.

B. B. Stiles received 18 votes, John Walker received 1 vote, and,

On motion of Mr. Ripley,

On motion of Mr. Ripley,
The election of B. B. Stiles was made unanimous.
Mr. Stiles came forward and took the oath required.

On motion of Mr. White,

The House proceeded to an informal ballot for assistant clerk.

Mr. Leeper nominated L. L. Robinson. Mr. Judd nominated John Walker.

The first informal ballot resulted as follows:

Whole number of votes east, 20.

Necessary tor a choice, 11.
L. L. Robinson received 16 votes,
John Walker received 4 votes, and

On motion,

The House proceeded to a formal ballot, which resulted as follows:

Whole number of votes, 20. L. L. Robinson received 16 votes.

John Walker received 4 votes,

Mr. Ripley moved the election of Mr. Robinson be made unanimous.

Carried.

Mr. Robinson came forward and took the oath required.

On motion of Mr. Judd,

The House proceeded to an informal ballot for sergeant-atarms.

Mr. Koontz nominated R. Sopris, and baswoll M. J.

Moved that the first vote be an informal one. Carried.

The first informal ballot resulted as follows:

Whole number of votes cast, 20.

Necessary to a choice, 11.

R. Soprig received 19 votes

R. Sopris received 19 votes, J. K. Howard received 1 vote.

Mr. Koontz moved that the House proceed to a formal ballot for sergeant-at-arms.

Carried.

The first formal ballot was as follows:

R. Sopris received 18 votes, J. K. Howard received 2 votes.

J. K. Howard received 2 votes.
R. Sopris having received a majority of all the votes cast, was declared duly elected, and,

On motion,

The election of R. Sopris was declared unanimous, and he

took the required oath.

A verbal communication was received by a committee from the Council, that that body had effected an organization, and had adjourned until 2 o'clock p. m. to-morrow, at which time they would be ready to receive any communications from the House.

Communication received ov II beviewer street O.D. von

J. B. Stansell, member elect from the 9th district, appeared upon the floor of the House, and

Upon a favorable report from the committee on credentials,

On motion of Mr. Henson,

Was sworn in, and took his seat as a member of the House. Mr. Koontz moved that the House do now proceed to the election of a foreman.

Mr. Chever nominated C. A. Dickman.

Mr. Holland nominated Mr. Bishop, and

Mr. Koontz nominated Mr. Howard.

Mr. Ripley moved the ballot be an informal one, which motion was carried, and the vote resulted as follows:

Whole number of votes, 21. II solono a of visasoos in Necessary to a choice, 11.

J. K. Howard received 14 votes, barrages roved 32 1 C. A. Dickman received 5 votes, Bus setor 8 And S.

T G. Bishop received 2 votes.

On motion,
The House proceeded to the first formal ballot, as follows:

Whole number of votes, 21. Necessary to a choice, 11.

J. K. Howard received 14 votes, C. A. Dickman received 7 votes.

On motion,

The election of Mr. Howard was made unanimous. Mr. Howard came forward and took the required oath.

Mr. Henson moved that the House do now proceed to a formal ballot for messenger.

Carried.

Mr. Lynch nominated master C. A. Dickman, and Mr. Kelley nominated master R. T. Hutchinson. The ballot resulted as follows:

Whole number of votes, 21.

Necessary to a choice, 11.

Master Hutchinson received 12 votes, Master Dickman received 8 votes.

Master Hutchinson having a majority of all the votes cast, was declared duly elected, and took the oath required.

Mr. Henson moved that the House proceed to a formal ballot for chaplain.

Carried.

Mr. Henson nominated Rev. Mr. Potter.
Mr. White nominated Rev. G. C. Betts.

The ballot resulted as follows: Whole number of votes cast, 21. Rev. G. C. Betts received 11 votes, Rev. Mr. Potter received 5 votes,

L. D Dennis received 1 vote, J. B. Wolff received 1 vote,

Blank, 3 votes.

Rev. G. C. Betts having received a majority of all the votes cast, was declared duly elected.

Mr. Henson moved that the House proceed by formal ballot

to the election of an engrossing clerk.

Carried.

Mr. Koontz nominated John Walker, and Mr. Leeper nominated J. R. Devor. The vote resulted as follows:
Whole number of votes, 21.
Necessary to a choice, 11.
John Walker received 17 votes,
L. R. Devor received 1 vote.

J. R. Devor received 1 vote,

Blank, 3 votes, and On motion, The election was made unanimous, and

Mr. Walker came forward and took the oath of office.

On motion of Mr. Henson,

The House proceeded by formal ballot to the election of an enrolling clerk.

J. Lake and C. C. Carpenter were nominated, and

The ballot resulted as follows: Whole number of votes, 21.

C. C. Corpenter received 18 votes, and angua becognite in the

John Walker received 1 vote,
J. Lake received 1 vote.

C. C. Carpenter having received a majority of all the votes east, was declared duly elected, and took the oath required.

Mr. Chever moved that the House do now proceed to the election of a second messenger, and nominated master C. A. Dickman.

Mr. Judd moved that the ballot be a formal one.

Carried.

The ballot resulted as follows:

Whole number of votes, 21.

Master Dickman received 20 votes,

John Lake received 1 vote.

Master Dickman having received a majority of all the votes cast, was declared duly elected, and took the oath required.

Mr. Stansell moved the House do now adjourn until 2 o'clock p. m. to-morrow. Carried.

## WEDNESDAY, FEBRUARY, 3rd, 1864.

House met at 2 o'clock p. m., pursuant to adjournment.

The Speaker in the chair. Roll of the House called.

Quorum present.

Rev. Geo. C. Betts, Chaplain.

Elect of the House appeared and took the required oath.

Prayer by the Chaplain.

Journal of the preceding day read and approved.

Mr. White moved that a committee of three be appointed to notify the Council that the House is now organized and ready to proceed to business.

Messrs. White, Koontz and Leeper were appointed such committee.

Mr. Marsh moved that a committee of three be appointed to

wait on the Governor and inform him that this House is now organized and ready to receive any communication which he may be pleased to make.

Carried.

Messrs. Marsh, Stansell and Webster were appointed such committee.

The committee appointed to notify the Council of the organization of this House, reported that they had discharged the duties imposed upon them.

The committee appointed to notify the Governor reported

that they had discharged the duties of their appointment.

Mr. White moved that a committee of three be appointed to wait upon the Council and invite them to meet with this House in joint convention at 3 o'clock p. m., to hear the message of the Governor.

Carried.

Messrs. White, Lynch and Henson were appointed such committee.

Mr. Holland moved that ladies be invited to seats within the bar of this House,

Which said metion was carried.

Mr. Koontz moved that the rules of order of the last House be adopted for the government of this House until further ordered.

Carried.

Mr. Marsh moved that a committee of three be appointed on rules and joint rules for the government of this body during this session.

Carried.

Messrs. Marsh, Chever and Welton were appointed such committee.

The Secretary of the Council appeared with the following communication:

Council Chamber, Feb'y. 3, 1864.

MR. SPEAKER: I am instructed to inform your honorable body that the Council have appointed Messrs. Whitsett and Van Deren as a committee to wait upon His Excellency, the Governor, and respectfully ask your honorable body to appoint a like committee on the part of the House for the same purpose.

The Council have accepted the invitation of the House to meet in joint session at 3 o'clock p. m.

Very respectfully, C. B. HAYNES,

Secretary of the Council.

Mr. Stansell moved that a committee of three be appointed to act in conjunction with the Council committee to wait on the Governor and inform him that the Council and House are now in joint convention and ready to hear any communication he may be pleased to make.

Carried.

Messrs. Stansell, Judd and Sheldon were appointed such committee.

Mr. White moved

That Mr. E. B. Smith be employed by this House as Spanish interpreter.

Mr. Leeper moved ati

To amend the motion by authorizing the sergeant-at-arms to employ an interpreter,

Which amendment was accepted, and

The motion so amended was

Carried.

The committee appointed to wait upon the Council and invite them to meet the House in joint assembly to hear the message of the Governor returned, and

The sergeant-at-arms announced the presence of the Council,

and

They were admitted to seats upon the floor of the House.
The two Houses then went into joint convention, the Hon.
Charles W. Mather, President of the Council, in the Chair.

Mr. Stansell moved

That a joint committee of three be appointed to wait upon the Governor and escort him to this House.

Carried.

The President appointed Messrs. Stansell, Jones and Judd such committee.

The committee then retired and soon thereafter returned into the hall with His Excellency, John Evans, Governor of the Territory of Colorado, who was conducted to the Speaker's chair and delivered to the joint assembly the following message:

### GOVERNOR'S MESSAGE.

Gentlemen of the Legislative Assembly of the Territory of Colorado:

It is an occasion for profound gratitude to God, that we are permitted to enter upon the duties of the third annual session of your honorable body under such favorable auspices as those that now surround us to-day.

Since your last meeting, our national arms have gained the vantage ground over the rebellion, and the power and integrity of our general government has been maintained; domestic peace throughout our territorial limits has been preserved; general good health has prevailed; our mines have produced more and more abundantly; our agriculture has given certain yield and profitable return; trade and commerce have been prospered, and, in fact, the general tide of our prosperity has continued to swell with a steadily increasing rapidity, and a regularly accumulating volume.

#### TERRITORIAL FINANCE.

The financial condition of the Territory, as shown by the report of the Territorial Auditor and Treasurer herewith submitted, showing our Territory free from public debt, must be very gratifying to every citizen of blorado.

With the continuance of that strict economy in regard to public expenditures which has restored the Territorial credit to soundness, and a careful adjustment of the sources of revenue to the necessary demands of an economical administration, it is hoped that the credit of the Treasury may never again be allowed to depreciate; the best economy being found in maintaining a sound credit under all circumstances.

The inauguration of a government upon economical principles has a higher virtue than the simple diminution of the burthens imposed upon the people for its support. To a certain extent, economy and integrity in public expenditures have come to be associated together, as parts of the idea of good government. And as precedents are powerful in their influence upon the management of affairs of State, it is no small source of congratulation to the future of Colorado, that at this early day her finances have been reduced to a compact and safe system of economical administration.

The recommendations of the Auditor, with a view to harmonizing the different parts of the revenue law, are commended to your careful consideration.

#### PUBLIC SCHOOLS.

For the condition of the "Public Schools" of the Territory, I respectfully refer to the accompanying report of the superintendent.

It is very desirable that there should early be founded, upon a firm basis, a broad and liberal system of public instruction, that shall meet the just demands of every citizen whose child is to be educated, and that shall, at the same time, provide for the education of every youth in the Territory. As an enlightened people form the only firm basis for a permanent liberal government, it is eminently proper and necessary for such government to provide for popular education.

And as the basis for carrying on public schools without irregularity or imposing onerous burthens, is to be found in a

liberal school fund, it is hoped that your special and earnest attention may be directed to the means of securing such a boon for the people of the great permanent State, that will sooner or later supplant our present temporary government.

As the usual grant of school lands by the general government will be comparatively valueless for such a purpose in Colorado, it is important that the means of supplying the deficiency should be secured at an early day.

To meet this indication, the last session of your honorable body enacted a law providing for the reservation of one claim on each quartz lode that might be discovered after its passage, for the purpose of creating a school fund.

The wisdom of such a measure, if properly carried out, securing, as it will, such large public benefits, without making any demand or tax upon any of our citizens, is too apparent to need any comment at this time.

But to render the law permanently effective, and to secure to the Territory absolute title to such claims, it will require the sanction of Congress. I would, therefore, respectfully suggest the propriety of your memorializing Congress for an approval and confirmation of its provisions.

As to the operation of the school law, and the amendments required to render it more perfect, I respectfully call your attention to the suggestions of the superintendent, on these points.

#### TERRITORIAL CABINET AND LIBRARY.

The condition of the Territorial library and cabinet, will be found fully represented in the report of the librarian herewith submitted.

The importance of securing a collection of geological and minerological specimens that shall fully represent the mineral characteristics of our country is plain. Such a collection would be the means of giving to the scientific enquirer a knowledge of the country in a day, that otherwise might take months to acquire.

What may be deemed necessary to facilitate the rapid collection of such a cabinet, is respectfully commended to your consideration.

## to animumour ent lo another MILITIA.

The report of the Adjutant General, when presented, will give a full statement of the condition of the militia. Its organization under the law of last session, has been carried forward as rapidly as has been found practicable. Eight companies, in different parts of the Territory, have been organized, armed, and equipped, which have rendered efficient service in maintaining the peace, and by giving a consciousness of secu-

rity to the remote settlements. An abundant supply of arms and ammunition are provided for further extension of its organization, and to meet any emergency that may arise.

Our remoteness from the centres of military operations in the States, would render the prompt arrival of additional troops from the army of the United States impracticable, in case of Indian hostilities, and therefore our dependence for re-inforcements would necessarily be upon the militia, whose readiness to respond to such a call, and whose reliability cannot be doubted. Measures have been taken to procure from Washington all necessary authority and assistance in such an emergency, should it arise.

Any legislation that may tend to perfect and strengthen the organization of our militia, will be of great benefit to the Territory, and will also add to the military strength of the nation. I therefore commend the subject to your careful consideration.

#### SOLDIERS' VOTE.

The soldiers sent to the army of the United States by Colorado, have won a high reputation for gallantry, bravery, and undaunted courage on the field of battle. Having honored the Territory from which they went forth, our people justly regard them with sentiments of gratitude and pride.

If there is one citizen more worthy of the rights and privileges of our government than another, it is certainly that one who has forsaken home, and its comforts, to go forth in the face of privation and danger, to defend and to serve that government.

I therefore, earnestly recommend that you make plain and definite provisions, whereby our brave soldiers, both at home and in the field, may vote at all our elections, in the future, both for territorial and county officers.

#### INDIAN AFFAIRS.

A treaty with the Tabeguache band of Utah Indians, was made on the 7th of October last, by which, when ratified, the Indian title to all of the settled portions of the mountains of Colorado, and most of the San Louis Valley, will be extinguished; and the right to mine in any part of the country of said Indians, not included in the said cession, is granted to the people, with perpetual covenants of peace and friendship.

It is hoped that all questions affecting the Indian title to such parts of the Territory as are susceptible of settlement, will be definitely and permanently settled at at early day.

18

n

S

#### GENERAL INCORPORATION LAW.

The "General Incorporation Law" of last session is thought to be defective in some of its features, and too limited in its scope, not directly providing even for the most important interest of the Territory, in the organization of companies for purposes of mining.

To save special legislation, and to afford equal privileges and protection to all, it is recommended that the provisions of the law be extended to include all lawful pursuits; and that its defects, so far as they may have been ascertained, be obviated.

There may be particular instances where special privileges may be necessary to secure the means to accomplish important public improvements, yet such cases will be found to be rare, and such grants should be made with great caution; for the great fundamental principle, and cardinal doctrine of our political system of "equal rights and privileges to all," upon which must be based all correct legislation, remains the same.

I cannot, therefore, be too earnest in my recommendation, that each of our legislative acts may be carefully tested by the standard of its popular benefits, equality of rights, and exactness of justice.

#### MINING INTERESTS.

The improvement in the modes of saving gold from the ores of our mines, that have been made during the past year, have given a new impulse to our mining operations. By these new processes, ores that paid but \$25 per ton by the old process, are readily made to yield \$100 per ton, while many varieties produce much more largely, and this without greatly increasing the expenses. It may fairly be estimated, therefore, that most of our mines have been quadrupled in their value during the past year by the improvements made in the processes of saving gold.

Prospecting has also been carried on successfully during the past year, some of the richest mines in the country having been discovered and opened within that period; and from the attention that is being directed to the subject, we have reason to expect the results of prospecting in our Territory the coming year will be of the most important character. That there are yet undiscovered, within Colorado, extensive and rich mines, is a general belief, founded upon the similarity of vast districts of unprospected and almost unexplored country, to those regions that are now the most productive of the precious metals. The quartz gold mines of Colorado already tested, are found to be in better defined ledges, occuring more closely together, extending over a wider district of country, surrounded

by better facilities for working, and yield much richer ores than have been found in any other country in the world. These facts are becoming known to capitalists, and we may expect a very large increase in the machinery and appliances devoted to the development of mines during the coming year.

Mining is the most important interest of the Territory. Any legislation therefore that may be calculated to foster and protect it, to encourage its more rapid development, or to render more secure the rights and privileges of miners, shall receive my hearty approval, and have my earnest co-operation in carrying it into execution.

#### AGRICULTURE.

While the mining interests of Colorado are of the greatest importance and promise, her agriculture offers very strong inducements to enterprise and labor.

It is estimated that not over one half of the supplies of provisions for the Territory are yet produced from our own soil, and the increase in our population will probably maintain this relation between supply and demand for years to come.

The arable lands of Colorado, except for purposes of grazing, are limited exactly by the quantity of water that may be found applicable to purposes of irrigation, for all the lands of the Territory are found to be fertile and highly productive when irrigated. The numerous streams coming down from the mountans to the plains have their flood tide from the melting snows, at the period of the year when irrigation is most demanded for the production of crops, which will increase the amount of arable lands of the Territory beyond what has been generally estimated.

The extent of fertile uplands susceptible of irrigation at a small expense, lying open to pre-emption, in the midst of the settled portions of the Territory, offer inducements to parties to combine, under the general law for irrigation, and improve them. No better field for successful enterprise is open within my knowledge. In all parts of the Territory there are opportunities for such colonies to pre-empt or settle under the Homestead Law, thousands of acres of lands that are, with the slight expense of improvements, more valuable than any farming lands in the western States. This is proved by the profitable character of our agriculture.

To illustrate, I will draw a comparison between the profits of farming in Illinois and Colorado.

One man will attend by his own labor, in Colorado, ten acres of corn and fifteen acres of wheat, which, at the average prices since the country has been settled, and those ruling the present year, would yield as follows, viz:

10 acres corn, 40 bushels per acre—400 b.@\$3 \$1,200 15 acres wheat, 30 bushels per acre—450 b.@\$3 1,350 Corn fodder from 10 acres,@\$10 per acre, Wheat straw from 15 acres—20 tons, at \$10

leet I ... Total me rol sentres great mon o \$2,850.

In Illinois, one man will cultivate thirty acres of corn and fifteen acres of wheat, which, at the general average of crops and prices, would yield as follows, viz:

30 acres corn, 60 bsh'ls per acre—1,800 b.@20 cts. \$360.00 15 acres wheat, 15 bsh'ls per acre—225 b.@75 cts. 168.75 Straw and fodder, (estimated), 100.00

Total \$628.75.

Profits in Colorado over those in Illinois on the annual labor of one man,

All other products of the farm yield as liberal a return in

Colorado as those above cited.

Ten acres in Colorado will produce as large a return for its cultivation as one hundred and sixty acres in Iowa or Illinois, when you have deducted the additional expenses of production and marketing, in the latter case.

According to these figures, ten acres of land properly irrigated, in Colorado, are actually worth more than one hundred and

sixty acres under cultivation in Iowa or Illinois.

And this must continue to be the case so long as the consumption exceeds the production, or until some cheaper mode of transportation across the plains is provided.

The pastoral agriculture of the Territory has greatly increased in the extent and rapidity of its development the past year, and its great profits will maintain this increase for years to come.

Any legislation that may have a tendency to increase the attention paid to agriculture in the Territory, whereby the price of living may be cheapened, will have a tendency to encourage the mining interest and foster the general prosperity.

#### max more sedenced of EMIGRATION. 10-09 Mr. 1290 of

The great impediment to the more rapid development and greater prosperity of these interests is found in the scarcity of capital and labor.

The fact that such rich mines lie dormant when they might be made to pay enormous profits on capital invested in their development—and that such opportunities for profitable farming are left idle, while thousands toil from year to year for a bare subsistence, call for an effort on your part to diffuse information in this behalf.

V

If reliable lines of transportation from New York and New Orleans, by emigrant cars, steamboats, and trains on the plains were established, which might be done without much expense by securing the co-operation of existing companies, and emigrants could be assured of the cost and time required in moving to Colorado from those great centres for emigration, I feel confident that a very large tide of capital and labor might be directed to our Territory.

I would therefore recommend such legislation as you may

deem necessary to secure this result.

#### PACIFIC RAILROAD.

The great national enterprise of connecting the Atlantic with the Pacific States by railroad across the continent, seems likely to be commenced in good faith at an early day; and for the good of our common country it is to be hoped that its completion will soon afford the means of an intimate fraternal intercourse, active commercial relations and proper military protection and defense, between these remote parts of our country, to bind them together with indissoluble bands.

Occupying an intermediate point between the settlements of the Western and Pacific States, and an important position on what is believed to be the most feasible route for said road, it is to be expected that the people of Colorado will take an active

and deep interest in its location and early completion.

The route is yet a matter to be determined, and it is confidently hoped that Colorado may be favored with a location

through her entire extent from east to west.

On this point, however, our Territory is not to be regarded in the light of a supplicant for the favor, for she has quite as many benefits to confer as to receive, in consideration of such location.

I would therefore recommend your honorable body to offer every proper inducement to influence the location of the road through your settlements; and should they fail to secure it, I would recommend that the entire energies of the Territory be brought to bear, in co-operation with the branches from Kansas City and Atchison for their extension to the heart of our Territory.

Their Congressional grants will enable these branches to build a line to within 250 miles of your Capitol, and the construction of the remaining portion of the road over a favorable route can doubtless be secured at no distant day.

The extension of those branches as suggested, would doubtless be aided by land grants from Congress, with which, and the growing importance of the trade of Colorado and New Mexico,

the work of its completion would be a matter of comparatively

easy accomplishment of roll and intraggraph of sagrand

In whatever way it may be deemed best to labor for the important object of a direct railroad connection with the States, L.would assure you of my earnest co-operation.

#### DIRECT ROAD TO SALT LAKE.

Among the most important enterprises to the Territory is the early completion of the wagon road, now in process of construction via the head waters of South Clear Creek, the hot sulphur springs in the Middle Park, and the valleys of Bear River, the Uintah and the Timpanogas Rivers, to Provo in Utah Territory.

It is estimated that this line will shorten the road from here to Provo over one hundred miles, passing through a succession, almost continuous, of fertile valleys and a well timbered and watered country the entire route.

Its completion at an early day will secure the transfer to it of the overland mail line, and the immense tide of emigration and travel to Utah and the country of the Pacific coast, the diversion of which, to a line running through the entire extent of our Territory from east to west, will bring to our doors a vast amount of trade, and direct hither a large increase to our population.

Any encouragement that you can properly offer to the early construction and proper maintainence of this important national highway, will redound to the general prosperity of the Territory and more certainly bring to the knowledge of the Union Pacific Railroad Company the great advantages of this route for the location of their line.

## CAPITOL BUILDINGS AND PENITENTIARY.

The course pursued by the General Government towards other Territories, in making appropriations for the erection of Capitol and penitentiary buildings for them, would inspire confidence in making an appeal for these objects for Colorado Territory.

The urgent necessity to the ends of justice for a prison, and the fact that the expenses imposed upon the General Government by the long route of transportation of her prisoners to the States from the Rocky Mountain country generally, or the worse alternative of keeping them idle and at great expense, with imperfect security against their escape, would seem to make it a National as well as a Territorial benefit for Congress to provide for a penitentiary in Colorado at once.

I would respectfully suggest the propriety of your memorializing Congress for appropriations for both Capitol and Penitentiary builings.

### RIGHTS OF WATER FOR IRRIGATION.

As the quantity of water applicable to purposes of irrigation on the several streams of the Territory is likely to be all claimed for use in course of time, and the question of priority of right to the water during seasons of drouth is likely to be one of great difficulty and embarrassment, I would commend to your careful consideration the propriety of a law that shall define the rights to be acquired hereafter in the course of the settlement of the country, to the water applicable to irrigation.

A just and equitable enactment of the kind, at this early day, may save much difficulty and litigation hereafter.

### PRINTING THE LAWS IN SPANISH.

A portion of our citizens, who are Mexicans, comprising most of the inhabitants of those counties originally belonging to New Mexico, have been unable to understand or properly enforce our laws, because they have not been printed in the only language which they speak.

An appeal of the Secretary of the Territory, to the Treasury Department at Washington, for authority to print our laws in Spanish, having been denied for want of Congressional authority; and an earnest effort on the part of our Delegate in Congress, Hon. H. P. Bennett, to secure the necessary Congress sional action for the purpose, having failed, the alternative seems to be presented you of providing for printing the laws in Spanish at the Territorial expense, or of leaving those citizens uninformed as to the nature and requirements of the laws they are expected both to enforce and to obey.

In justice to a worthy portion of our people, whose disposition to perform the part of good citizens cannot be doubted, I therefore most earnestly recommend that an appropriation be made for the publication of our laws in the Spanish language.

### FEDERAL RELATIONS.

During the eighteen months that have elapsed since the close of your last session, our country has passed through a terrible ordeal, which has tested to the utmost the ability of our General Government to maintain itself.

The most wicked and powerful rebellion that has ever occurred in any country in the world, has passed the zenith of its power and is fast declining to an utter and disgraceful overthrow.

It is believed that no other nation, either of the past or present time, could have maintained its own integrity and put forth

efforts adequate to subdue such a formidable and united power as the present rebellion.

The spectacle here presented establishes the fact that the strongest as well as the freest and the best government that can be devised by man, is that which is founded in the represented will of an intelligent and virtuous people.

While this conflict has cost us rivers of blood and mountains of treasure—while it has brought sorrow to almost every hearth-stone, and filled our country with mourning,—while the maimed and the decrepid from the carnage of the battle-field meet us at every turn to testify of its horrors; the patriot and the christian can see through the dispelling smoke of the conflict, through the parting of the clouds of darkness that overcast our sky, the dawning of the light of that higher civilization which is to be the priceless purchase of the war.

Nor will the results of our national triumph and purification be less marked and beneficial upon our temporal prosperity. All over the countries of the old world has the fame of our land and the spirit of freedom been diffused among the people, and hundreds of thousands of strong arms and stout hearts but await this purification of our political system to fly to our shores.

Our prowess on land and sea will command the respect of the world, while the pure patriotism and devoted loyalty of our people, inspired by a higher appreciation of the worth of a good government, because they know how much it cost to maintain it, will unite to put down disorder and preserve the peace, until life and property shall be more secure than in any other country in the world.

In view of the bright promise of the future—in view of the great interests of humanity that are involved, and the terrible consequences of failure in this war, let us then rally to the support of our national government in this time of her great peril, and with united hearts and the pure devotion of a consecrated patriotism, let us implore the blessings of Almighty God upon our country.

JOHN EVANS.

After hearing which the President declared the joint convention dissolved.

The Speaker then called the House to order.

Mr. Webster moved that the House do now adjourn until 10 o'oclock a. m. to-morrow.

Motion lost.

Mr Judd moved that the House adjourn until 2 o'clock p. m. to-morrow.

Motion lost.

Mr. Maish moved that a committee of three be appointed to produce the printing of 2,000 copies of the Governor's message in English, and 1,000 copies in the Spanish language.

Mr. Chever moved to amend by striking out 2,000 and insert-

ing 1,000; and by striking out 1,000 and inserting 500.

Amendment lost.

Original motion carried.

Mr. White offered the following resolutions:

Resolved, by the House of Representatives, the Council concurring, That when this House adjourns this afternoon, they adjourn to meet at Denver, on Monday, February 8th, 1864, at 10 o'clock a. m.

Resolved, That the vote on adjournment be by ballot.

Mr. Kelley moved to amend the last resolution by striking out "by ballot," and inserting "by ayes and nays."

Amendment adopted.

Mr. Stansell moved to amend the first resolution by inserting after the word "adjourn," the words "on Friday next."

The question recurring on the amendment, The ayes and navs being called, there were,

Ayes—Messrs. Chever, Eames, Koontz, Sheldon, Stansell, and White—6.

Nays—Messrs. Holland, Henson, Judd, Kelley, Leeper, Lynch, Marsh, McCannon, Ripley, Webster, Welton and Wood—12.

Excused—Messrs. Garcia and Ortega—2.

So the amendment was lost.

Mr. Marsh moved to lay the resolutions on the table.

The ayes and nays being called, there were

Ayes—Messrs. Eames, Henson, Judd, Kelley, Marsh, Ortega, Ripley, Webster, Welton. Garcia and Leeper—11.

Nays-Messrs. Chever, Holland, Koontz, Lynch, McCannon,

Sheldon, Stansell and White-9.

Ayes, 11; nays, 9.

So the resolutions were laid on the table.

Mr. Holland moved that the House proceed to draw for choice of seats.

Mr. Marsh moved the following amendment, to wit: That the members keep the seats they now occupy.

Motion, as amended, adopted.

Mr. Marsh moved to adjourn until 10 o'clock a, m. to-morrow.

Lost.

Mr. Webster moved to adjourn until 2 o'clock p. m. tomorrow.

let. That the call of the roll shall be second in the .tsoL of

On motion of Mr. Koontz,

The House adjourned until 10 o'clock a. m. to-morrow.

## THURSDAY, FEBRUARY 4th, 1864.

House met at 10 o'clock a. m., pursuant to adjournment. The Speaker in the chair.

Roll called.

Quorum present.

Journal of the preceding day read and approved.

Mr. Marsh, from the committee on credentials, reported as follows:

To the Speaker and the House of Representatives of Colorado:

Your committee on credentials beg leave to submit to your honorable body the following additional report:

That we have examined the credentials of the following members, who are absent from this House, and find them entitled to seats in the same, to wit:

Hon. B. J. McComas, from the 13th district,

Hon. John Kip, from the 6th district,

Hon. O. A. Patterson and Hon. John A. Nye, from the 1st district, and

Hon. Samuel Mallory, from the 6th district.

Having no other business before them, your committee ask to be discharged from further duties on the same.

A. MARSH, Majority of said committee,

Mr. Koontz moved that the report of the committe be received and the committee discharged.

Mr. White moved that the report and the names of the members placed by the clerk upon the roll be adopted.

Mr. Marsh, from special committee on rules and joint rules, reported as follows: Military of theirs as Message, India Wilton

To the Honorable House of Representatives:

Your committe on rules and joint rules beg leave to report the joint rules of the Council and House of Representatives of the second session for adoption,

H

to

a

T

it

81

lu

Ea

p

a

a

8

p

t

n

·t

Also, the House rules of the second session with the following amendments, viz:

1st. That the call of the roll shall be second in the order of

the day.

2nd. That a committee on Indian affairs be added to the list of standing committees.

A. MARSH, Ch'n. D. A. CHEVER, N. W. WELTON.

Report accepted.

Mr. Stansell moved that the report be adopted.

Carried.

Mr. White moved that two hundred copies of the rules reported by the committee be printed for the use of the House. Carried.

Mr. Kelley gave notice that he would, on to-morrow or some subsequent day, introduce a bill for an act to authorize Probate

Judges to do certain things.

Mr. Marsh gave notice that on to-morrow, or some subsequent day, he would introduce an act entitled an "act regulating proceedings in attachment in the District Court."

The Speaker announced the following standing committees:

Judiciary—Messrs. Marsh, Henson, Ripley, Wood and Sheldon.

Ways and Means-Messrs. White, Koontz, Holland, Kelley and Garcia.

Elections and Apportionments—Messrs. Holland, Judd, Chever, Stansell and Webster.

Incorporations—Messrs. Stansell, Eames, Leeper, McCannon and Welton.

Federal Relations—Messrs. Lynch, Ripley, Sheldon, Marsh and Celley.

Mines and Minerals—Messrs. Leeper, Lynch, Henson, Wood and Judd.

Agriculture and Manufactures—Messrs. Eames, Kelley, Webster, Ortega and Koontz.

Territorial Affairs—Messrs. Chever, Stansell, White, Garcia and Webster.

Counties and County Lines—Messrs. Sheldon, Ripley, Wood, Koontz and Ortega.

Military Affairs—Messrs. Judd, Welton, Holland, Lynch and Garcia.

Education—Messrs. Ripley, Chever, Wood, Kelly and Ortega. Roads and Bridges—Messrs. Webster, McCannon, Stensell, Leeper and Koontz. e

Printing—Messrs. Kelley, Judd, Lynch, Holland and Ortega.
Rules and Joint Rules—Messrs. Henson, Chever, Marsh, Welton and Ripley.

Engrossment—Messrs. Koontz, White and Eames. Enrollment—Messrs. Chever, Lynch and Holland.

Indian Relations—Messrs. Webster, Ripley, Garcia, Koontz and Kelley.

Mr. Stansell offered the following joint resolution:

Resolved by the House of Representatives, the Council concurring, That when this Legislative Assembly adjourn this afternoon, it stand adjourned to meet in Denver City on Monday, the 8th inst., at 2 o'clock p. m., which was

Read the first and second time and considered engressed.

Mr. White moved that the rules be suspended and the resolutions read the third time.

Carried.

Resolutions read the third time and being placed upon its

passage the ayes and noes having been called were:

Ayes—Chever, Eames, Garcia, Henson, Koontz, Leeper, Lynch, McCannon, Ortega, Ripley, Sheldon, Stansell and White—13.

Noes-Holland, Judd, Kelley, Marsh, Webster, Welton, Wood and Mr. Speaker-8.

Ayes 13, noes 8.

So the resolution passed, and ordered to be enrolled.

The Sergeant-at-arms announced a communication from the Hon. Secretary of the Territory, which was received and read as follows:

SECRETARY'S OFFICE, C. T., February 3rd, A. D., 1864.

To the Honorable, the Speaker of the House of Representatives:

SIR:—I beg leave to call your attention to the following extract from instructions sent me by the Treasury Department:

"This Department claims and exercises the right, under existing laws, to regulate the price and quantity of Territorial printing. The limits of the annual appropriation, aside from any other consideration, would not admit of any indefinite action in this respect by the Assembly; you will, therefore, suggest to the presiding officer of each House that, memorials, petitions and documents having no necessary connection with the duties of legislation or the dissemination of useful information among the people will be excluded and not printed at the expense of the United States."

The proprietors of the Commonwealth have been employed by me to do the incidental printing of the session, and will do such printing as your committee on printing, with a proper

regard to the above instructions, may order.

I am also authorized by the Department to furnish each member of the Legislature with one newspaper during the session. The members will oblige me by giving their names to the Clerk, with the name of the paper published in our Territory which they desire.

I am also instructed by the Department to pay the postage of members during the session. Letters and papers which they desire to mail, they will please frank and place in the hands of

the Sergeant at-arms.

The Department have declined paying an interpreter for our Mexican members, and if one be employed it must be at the expense of the Territory.

With great respect,
Your obedient servant,
SAM'L. H. ELBERT,

Secretary of Colorado Territory.

The Speaker called Mr. Ripley to the chair.

Mr. Chaffee gave notice that on to-morrow, or some subsequent day, he would ask leave to introduce

A bill to repeal an act to provide for stay of proceedings on

Foreign indebtedness.

The Speaker resumed the chair.

Mr. White gave notice that he would, on to-morrow or some subsequent day of the session, introduce

A bill entitled an act to secure the title to actual and bona

fide owners of lodes and lode mining claims.

Mr. Koontz gave notice that he would, on to-morrow or some subsequent day, introduce

A bill for the protection of farms against the tresspassing of

stock.

Mr. Stansell gave notice that, on to-morrow or some subsequent day, he would introduce

A bill to legalize the records of Musquito and other mining

districts in Park county up to a given date.

Mr. Sheldon gave notice that, on to-morrow or some subsequent day, he would introduce

A bill for the protection of sheep.

Mr. Webster gave notice that he would, on to-morrow or some subsequent day, introduce

A bill for a general fence law.

Mr. Leeper gave notice that he would, on to-morrow or some subsequent day, introduce

A bill to further protect and legalize the local laws of the several mining districts of this Territory.

Mr. Holland asked that the communication from the Secre-

tary of the Territory be again read, which was done.

Mr. Holland moved that so much of the communication from the Secretary as refers to printing, be referred to the committee on public printing.

: li-Carried, mort spassed methodog on materna tathing relies This

Mr. Stansell offered the following resolution:

Resolved, That this House employ an interpreter at the expense of the Territory for the convenience of the House and the members from the eleventh district, which resolution was instructed to inform the Household

Mr. Henson gave notice that he would, on to-morrow or some subsequent day, introduce a bill for the protection of ranch-

men in Park county.

Mr. Leeper gave notice that he would, on to-morrow or some subsequent day, introduce you at teem of bearnoins basis if

A bill to facilitate the prospecting for mineral lodes in the Territory of Colorado.

Mr. Webster gave notice that he would, on to-morrow or

some subsequent day, introduce

A bill to legalize the records of Fremont county.

Mr. Judd gave notice that he would, on to-morrow or some subsequent day, introduce

A bill to aid and encourage emigration to this Territory.

Mr. Koontz gave notice that he would, on to-morrow or some subsequent day, introduce

A bill prohibiting gambling within Colorado Territory.

Mr. Welton moved that a special committee of three be appointed by the Speaker to present the name of some suitable person or persons to this House for the appointment of interprefer land to stoy a busize on shall sift tad izens of Golden City for the kind and hospitable beirra

The Speaker appointed Messrs. Welton, Chever and Garcia ch committee. such committee.

Mr. Sheldon gave notice that he would, on to-morrow or

some subsequent day, introduce A bill defining the manner of subdividing sections under

the United States surveys in this Territory. The Vertical States surveys in this Territory.

Mr. Welton gave notice that he would, on to-morrow or some subsequent day, introduce a bill for the protection of farmers and ranchmen against the herding of sheep on or near occupied grounds.

Mr. Holland moved that this House do now adjourn until 2 o'clock p. m.

Carried, was exercised was exercised, was exercised, being the Carried, being the Carried

#### AFTERNOON SESSION.

House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair.
Roll of the House called.

Quorum present.

The Sergeant-at-arms announced a message from the Coucil:

Council Chamber, Feb'y. 4, 1864.

MR. SPEAKER: I am instructed to inform the House that the Council have concurred in the following joint resolution:

Resolved by the House of Representatives, the Council concurring, That when this Legislative Assembly adjourn this afternoon, it stand adjourned to meet in Denver City, on Monday, the 8th inst., at 2 o'clock p. m.

Very respectfully, C. B. HAYNES, Sec'y. of the Council.

Mr. White offered the following resolution:

Resolved, That the Sergeant-at-arms be authorized to furnish conveyances for all the members of the House of Representatives who desire to go to Denver, to be done without expense to the Territory, which resolution was adopted.

Mr. Marsh offered the following resolution:

Resolved, That this House do extend a vote of thanks to the citizens of Golden City for the kind and hospitable manner in which the members thereof have been treated during their stay among them; and that this resolution be spread upon the journal of the House, which resolution was adopted unanimously.

Mr. Chever, from committee on enrollment, reported that they had examined

House joint resolution No. 1 and found the same correctly enrolled.

Report accepted.

Mr. Ripley asked to be excused from attendance upon the sessions of this House during next week, and,

On motion of Mr. White, Mr. Ripley was excused.

The Sergeant-at-arms announced a communication from His Excellency, the Governor, which was received and read as House Bill No. 1; entitled "an act to enable I're follows:

To the Honorable, the House of Representatives of the Territory of Colorado:) out to say the different parts of the Colorado sage to the several appropriate committees of this House.

GENTLEMEN: I have the honor to inform you that I have this day approved and signed House joint resolution No. 1. Respectfully, your

Obedient servant,

JOHN EVANS,

Governor C. T.

Mr. Stansell moved that this House do now adjourn. Carried.

The speaker appointed Meers, Tries, Stansel and Thea

# MONDAY, FEBRUARY 8th, 1864.

House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair. A The Special appointed Message

Prayer by the chaplain.

Roll called.

Absent-Messrs. Kipp, McComas, Mallory, Nye, Patterson and Ripley.

Quorum present.

Mr. Chever, from special committee to recommend some suitable person to the House for interpreter, reported as follows:

MR. SPEAKER: Your select committee, appointed to present the name of an interpreter for election in this House, respectfully recommend that Mr. E. P. Parker be elected to fill that office. N. W. WELTON, Ch'n.

Report received.

Mr. White gave notice that, on to-morrow or some subsequent day, he would introduce resolutions endorsing the Administration of Abraham Lincoln and recommending his re-election in 1864 as President of the United States.

Mr. Marsh gave notice that, on to-morrow or some subsequent day, he would introduce a bill to secure a lien to mechan-"I House bill No. 2. entitled dan act to facilita

ics and others.

An act to amend an act entitled "an act concerng judgments and executions. .sonit vines and countries and executions.

F

Mr. Kelley according to previous notice, asked leave to intro-

House Bill No. 1, entitled "an act to enable Probate Judges to do certain things," which was read the first time by its title.

Mr. Marsh moved that a committee of three be appointed to analyze and assign the different parts of the Governor's message to the several appropriate committees of this House.

Messrs. Marsh, Lynch and Koontz were appointed such committee.

Mr. Lynch moved that a committee of three be appointed to procure a flag at the expense of the Territory, or otherwise, as this House may determine, to be raised over this hall with public honors, on to-morrow evening, immediately after adjournment.

Carried.

The speaker appointed Messrs. Lynch, Stansell and Judd such committee.

Mr. White moved that that portion of the Governor's message relating to the Pacific Railroad be referred to a special committee of three.

Carried.

The Speaker appointed Messrs. White, Lynch and Marsh such committee.

Mr. Lynch moved that that portion of the Governor's message referring to emigration, be referred to a special committee of three.

Carried.

The Speaker appointed Messrs. Lynch, Judd and Webster such committee.

Mr. Stansell gave notice that, on to-morrow or some subsequent day, he would ask leave to introduce a bill amendatory of the general incorporation act.

Mr. Leeper moved that a committee of three be appointed to obtain the services of an interpreter for the time being.

The Speaker appointed Messrs. Leeper, Welton and Garcia such committee.

Mr. Sheldon gave notice that on to-morrow, or some subsequent day, he would introduce a bill concerning immigration. Mr. Sheldon, in accordance with previous notice, asked leave

House bill No. 2, entitled "an act to facilitate the sub-divisions of sections under United States surveys in Colorado Territory, which was

Read first and second time by its title, and referred to committee on counties and county lines.

0-

es

e.

to

S-

n-

to

as

11-

h

96

ia

e- !

10

18

1"

Mr. Webster gave notice that, on to-morrow or some subsequent day, he would introduce a bill to legalize the assessment

of property in Fremont county.

Mr. Lynch gaze notice that, on to-morrow or some subsequent day, he would introduce a bill for the incorporation of the Swan River Fluming Company, in Summit county, and Territory of Colorado.

Mr. Holland called for the second reading of

House bill No. 1, which was

Read by its title and referred to committee on judiciary.

Mr. Leeper, from special committee to procure an interpreter, reported that they had secured the services of Mr. E. P. Parker. Mr. Chever moved that the House do now proceed to elect

an interpreter pro tem. \_\_noted Washest Renobled a sperio

Carried. discharged the days as Agned the . Cl - was as and

Mr. Leeper nominated Mr. E. P. Parker, and the votes being

taken were, for Mr. Parker:

Aves-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Ortega, Sheldon, Stansell, White, Webster, Welton, Woods and Mr. Speaker.

So Mr. Parker was declared duly elected interpreter pro tem. and came forward and was sworn into office by the Speaker.

Mr. Judd gave notice that, on to-morrow or some subsequent day, he would ask leave to introduce a bill to incorporate the

town of Black Hawk Point, Gilpin county, C. T.

Mr. Welton gave notice that, on to-morrow or some subsequent day, he would introduce a bill for a charter of the town Absent Mesers. Garcia, Kipp McComas, Mallooldan to

Mr. Webster asked leave, in pursuance to previous notice, to

introduce

House bill No. 3, entitled "an act to legalize the records of Fremont county," which was

Read a first and second time by its title, and referred to committee on Territorial affairs.

Mr. Holland offered the following resolution: 33 Thomas A co. I

Resolved, That the Honorable, the Secretary of the Territory, be respectfully requested to communicate to the House an abstract of the vote polled in the several districts and counties for members of the Legislative Assembly and county officers, at the last general election, at as early date as may be convenient, which resolution was

Mr. Marsh asked leave, in pursuance to previous notice, to Introduce

p:

e]

H. B. No. 4, entitled an act to amend an act entitled "an act regulating the mode of proceedings in attachment in certain cases," which was

Read a first and second time by its title and referred to the

committee on judiciary.

Mr. Stansell moved that in House rule No. 38, the word "nine" in second line be stricken out and the word "ten" be inserted in lieu thereof.

The ayes and nees being called, were: Ayes—19, noes—1, as follows:

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Ortega, Sheldon, Stansell, Webster, Welton, Woods and Mr. Speaker—19.

Noes—Mr. White—1. So the motion prevailed. On motion of Mr. White,

The House adjourned until 10 o'clock a. m. to-morrow.

## TUESDAY, FEBRUARY 9th, 1864.

House met at 10 o'clock a.m., pursuant to adjournment. The Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Garcia, Kipp, McComas, Mallory, Nye, Ripley and Patterson.

Quorum present.

The journal of the preceding day read and approved.

Mr. Garcia appeared and took his seat.

Mr. Judd presented a communication from the Hon. Charles Lee Armour, as follows:

CENTRAL CITY, Feb'y 8th, 1864.

To the Honorable, the House of Representatives of Colorado Territory:

I respectfully recommend the enactment of a law creating the office of inspector of weights and measures—one for each county—to be appointed by the Governor or County Commissioners. n

I also recommend the amending of the 122nd section of the practice act, by striking out the words "in writing," in division eleven.

CHARLES LEE ARMOUR, no estimate

Sedua semon to Mortom of Associate Justice of the Market

ton as belitan Hidis sombortal of evi Supreme Court of C. T.

Mr. Holland moved that the first section of the communication from Judge Armour be referred to the committee on Territorial affairs, and the second to the judiciary committee.

Mr. Marsh, from special committee on the Governor's mes-

sage, made the followwing report: 10000 and 10100 ba

MR. SPEAKER: The undersigned special committee, to whom was referred the Governor's message, beg leave to report that they have discharged the duties assigned them, and beg leave to recommend that,

So much of said message as relates to Territorial finances, be

referred to the committee on ways and means.

So much as refers to schools, to the committee on education. So much as refers to the military, be referred to the committee on military affairs.

That part requesting this body to make plain and definite provisions, whereby our brave soldiers at home and in the field

may vote, be referred to the committee on judiciary.

So much as refers to Indian affairs be referred to the committee on Indian affairs.

So much as refers to incorporations, to be referred to the committee on incorporations.

So much as refers to mining interest, to be referred to the

committee on mines and minerals.

So much as refers to agriculture, to the committee on agriculture.

So much as refers to Salt Lake Road, to be referred to the committee on roads and bridges.

So much as refers to Capitol building and Penitentiary, to be

refered to the committee on Territorial affairs.

So much as refers to water for irrigation, to be referred to the committee on agriculture.

Respectfully submitted,

A. MARSH, Ch'n.

Mr. Marsh offered the following resolution:

Resolved, That the committee on judiciary be authorized to employ the services of the Enrolling Clerk while not engaged in his regular duties, which resolution was

Adopted.

Mr. Marsh asked leave, previous notice having been given, to introduce

H. B. No. 5, entitled an act to amend an act entitled "an an act concerning judgments and executions," which was

Read the first and second time by its title, and referred to

committee on judiciary.

Mr. Marsh gave notice that, on to-morrow or some subsequent day, he will ask leave to introduce a bill entitled an act to amend an act entitled "an act concerning jurors."

Mr. Holland moved that the report of the select committee

on the Governor's message be adopted.

Carried.

And so the matters were referred.

Mr. Marsh, in accordance with previous notice, asked leave to introduce

H. B. No. 6, entitled "an act creating a lien in favor of mechanics and others, in certain cases," which was

Read the first time by its title.

Mr. Webster, pursuant to previous notice, asked leave to introduce

H. B. No. 7, entitled "an act to legalize a certain assessment of property in Fremont county."

Read first time by its title.

Mr. Marsh called for the second reading of

H. B. No. 6, which was

Read second time by its title and referred to the committee on judiciary.

Mr. Webster called for the second reading of

H. B. No. 7, which was

Read a second time by its title and referred to the committee on Territorial affairs.

The Sergeant-at-arms announced a communication from the Council, which was received and

Read as follows:

Council Chamber, Feb'y. 9, 1864.

MR. SPEAKER: I am instructed to inform the House that the

Council has passed

C. B. No. 1, a bill for an act to amend an act entitled "an act concerning practice in civil cases," herewith transmitted, and the concurrence of your Honorable body is respectfully requested therein.

Very respectfully, C. BRUCE HAYNES, Secretary of Council.

Mr. Marsh moved that the House do now take up and consider

an

to

ct

ee

re

0

it

C. B. No. 1. Chaffee and the appearance of the notion of Carried.

C. B. No. 1 was then taken up, seffed .. TM to notion uo

Read the first and second time by its title and reterred to the committee on judiciary.

Mr Koontz asked leave of absence until to-morrow evening.

On motion of Mr. Leeper,
Mr. Koontz was excused.

Mr. White offered the following resolution:

Resolved, That His Excellency, the Governor of the Territory, Hon. Samuel H. Elbert, Secretary, Colonel J. M. Chivington, commanding the district, and the Honorable, the members of the Council, be invited to attend at the raising of the United States flag over the House of Representatives, this afternoon, at 4 o'clock, which resolution was Adopted.

Adopted.

Mr. Holland moved that the reports of the Auditor and Treasurer of the Territory be referred to the committee on ways and means.

Carried.
Mr. Stansell moved that a committee of three be appointed to wait upon His Excellency, Governor Evans, the Honorable Samuel H. Elbert, Colonel Chivington, and also the Council, to invite them to be present at the raising of the United States flag this p. m., at 4 o'clock, in accordance with the resolution just passed.

Carried

The Speaker appointed Messrs. Stansell, Judd and Sheldon as such committee.

Mr. Marsh, from committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred C. B. No. 1. beg leave to report that they have examined the provisions of the law, and recommend its passage.

Report accepted. Trans welled were and a sou bag says all

Mr. Stansell moved that the House do now go into committee of the whole, and consider and consider with the House do now go into committee of the whole, and consider and cons

C. B. No. 1. Carried.

The House then went into committee of the whole, Mr. Stansell in the chair,

Whereupon, the committee took into consideration

C. B. No. 1, which was Read by sections, and,

On motion of Mr. Chaffee,

Its passage recommended to the House.

On motion of Mr. Chaffee,

The committee of the whole then arose.

The Speaker resumed the chair.

Mr. Stansell, chairman of the committee of the whole, reported as follows:

Mr. Speaker: I am instructed by the committee of the whole to make the following report:

That they have had

C. B. No. 1 under consideration, and recommend its passage without amendment.

J. B. STANSELL, Ch'n.

Mr. Chever moved that the report of the committee be adopted.

Carried.

Mr. Chever moved that the rules be suspended and

C. B. No. 1 be taken up and

Read the third time.

Carried.

The ayes and noes being called were:

Ayes—Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Ortega, Sheldon, Stansell, White, Welton, Webster, Wood and Mr. Speaker—20.

Ayes—20. Noes—0.

Absent—Kipp, McComas, Mallory, Nye, Patterson and Ripley—6.

So the rules were suspended.

Mr. Marsh moved that C. B. No. 1 be considered,

Read the third time and placed upon its final passage.

Carried.

The ayes and noes being called were:

Ayes—Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, McCannon, Ortega, Sheldon, Stansell, White, Welton, Webster, Woods and Mr. Speaker—20.

Absent-Kipp, McComas, Mallory, Nye, Patterson and

Ripley.

Ayes—20. Noes—0. Absent—6. 9.

e

So the bill passed and title agreed to. M. dan A-Jacob A

Mr. Garcia moved that the rules of the House be translated into Spanish and printed.

Carried.

Mr. Sheldon offered the following resolution:

Resolved, That the committee on printing be instructed to make arrangements, at the expense of the Territory, for the printing of bills for the use of this House, when such printing shall be ordered. A subouted analysis A fo or 1000

Carried.

On motion of Mr. Koontz,

The House adjourned until 2 o'clock p. m. saw offit and odder

# AFTERNOON SESSION. OF OWN ON A MAD THE STORY OF THE STORY

House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair.

Roll called.

Absent—Messrs. Kipp, Koontz, McComas, Mallory, Nye, Patterson, Ripley and Stansell.

Mr. Stansell appeared and tohk his seat.

Mr. Stansell, from the committee to wait on the Governor and others, reported verbally:

That they had discharged the duties assigned them.

Report accepted, and MANSSATE YAGENIGHWAS TO THE Committee discharged.

Mr. White having given previous notice, asked leave to

House joint resolutions No. 2, which were edited toward

Read 1st and 2nd time and considered engrossed and read 3rd time. Many segments Massine Many

Mr. Stansell moved that the rules be suspended and the resolutions read the third time and placed upon their final passage. Carried. hovorage for bear vely residence and to harmous

The ayes and noes being called, were:

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Kelley, Lynch, Leeper, Marsh, McCannon, Ortega, Sheldon, Stansell, White, Webster, Welton and Wood-18.

Noes-Mr. Speaker-1!

Absent-Messrs. Kipp, Koontz, McComas, Mallory, Nye, Patterson and Ripley. and I no estimates morting

So the rules were suspended and the resolutions placed on their final passage.

The ayes and noes having been called, were:

Aves-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Kelley, Lynch, Leeper, Ortega, Stansell, White, Welton, Wood and Mr. Speaker-15.

Noes-Marsh, McCannon, Sheldon and Webster-4.

Absent—Kipp, McComas, Nye, Mallory, Patterson and Ripley.

Ayes—15. Noes—4. Absent—7.

So the resolution passed.

Mr. Webster moved to amend the title to House joint resolutions No. 2, so as to read "joint resolution endorsing the course of Abraham Lincoln, as President of the United States, and nominating him for re-election."

Lost.

So the title was agreed to.

Mr. Marsh gave notice that, on to-morrow or some subsequent day, he would introduce a bill entitled an act concerning Justices of the Peace and Constables.

Also.

An act to repeal an act entitled "an act relating to forcible entry and detainer, and unlawful detainer."

On motion of Mr. Marsh

The House adjourned until 10 o'clock a. m., to-morrow.

## WEDNESDAY, FEBRUARY 10th, 1864.

House met at 10 o'clock a. m., pursuant to adjournment.

The speaker in the chair. Prayer by the Chaplain.

Roll called.
Absent—Messrs. Kipp, Koontz, McComas, Mallory, Nye, Patterson, Ripley.

Quorum present.

Journal of the preceding day read and approved.

Mr. Marsh from judiciary committee, reported as follows:
Mr. Speaker: Your committee to whom was referred
House Bill Nos. 5 and 6, beg leave to report that they have examined the provisions of the same, and recommend the passage thereof.

Report accepted.

Mr. Sheldon from committee on Counties and County Lines,

reported as follows:

MR. SPEAKER: The committee on Counties and County Lines, to whom was referred House Bill, No. 2, having had said bill under consideration, do respectfully recommend its passage.

A. L. SHELDON, Chin.

Report accepted.

Mr. Sheldon gave notice that to-morrow or on some subse-

quent day he would introduce a bill amending sections 2 and 4 of an Act entitled An Act, to define County boundaries, and to locate County seats in Colorado Territory.

Mr. Welton gave notice that he would on to-morrow or some subsequent day introduce a bill for an act for the protection of

farmers, in certain locations.

Mr. Lynch gave notice that he would on to-morrow or some

subsequent day introduce a bill for a general Sabbath law.

Mr. Sheldon gave notice that on to-morrow or some subsequent day he would introduce a bill entitled "An act authorizing the Board of Directors of school district No. 1 in the County of Jefferson, to levy a tax.

Mr. Henson gave notice that on to-morrow or some subsequent day he would introduce a bill for the incorporation of the

Platte City Ditch Company, for mining purposes.

Mr. Sheldon, offered the following resolution:

Resolved, That the Sergeant-at-Arms obtain for the use of the House, and more particularly for the use of the Committee on Counties and County Lines, one of Gov. Gilpin's colored maps of the Territory.

Which resolution was adopted.

Mr. Henson, moved that the words "First reading of Bills and Resolutions from the Council" shall be made No. 10 in the order of the day, under rule No. 33 in the rules of the House.

Carried.

Mr. Sheldon, moved that House Bill No. 2 be taken up and considered.

Carried.

House Bill No. 2 was then taken up, read by sections for consideration, and on motion of Mr. Leeper, ordered engrossed for a third reading.

Mr. Ortega gave notice that on to-morrow or some subsequent day, he would ask leave to introduce a bill entitled an

act to incorporate the Dona Emelia Town Company.

Mr. Lynch, gave notice that on to-morrow or some subsequent day he would introduce a bill to regulate Marriages in this Territory.

Mr. Leeper, gave notice that on to-morrow or some subsequent day he would introduce a bill concerning crimes and punishment in this Territory.

Mr. Marsh moved that House bills Nos. 5 and 6 be taken up and read for consideration.

Carried.

House bill No. 5 was then taken up and considered, and on motion of Mr. Marsh, ordered engrossed for a third reading. House bill No. 6 was then taken up and considered, and on

motion of Mr. Stansell, ordered printed.

On motion of Mr. White, the House adjourned until 10 o'clock a. m., to-morrow.

## THURSDAY, FEBRUARY 11th, 1864.

House met pursuant to adjournment, 10 o'clock, a. m., The Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent.-Messrs. Eames, Kipp, McComas, McCannon, Mallory, Nye, Patterson, Ripley, Welton.

Quorum present.

The Journal of the preceeding day, read and approved. Mr. Chever, from Committee on Territorial affairs submitted the following reports.

Mr. SPEAKER: The committee on Territorial affairs to whom was referred the communication of Judge Charles Lee Armour, recommending the enactment of a law creating the office of Inspector of Weights and Measures, respectfully report that they have had the subject under consideration, and will at some subsequent day report a bill for such a law.

D. A. CHEVER, Ch'n.

MR. SPEAKER: The committee on Territorial affairs to whom was referred House Bill No. 3 a bill for an "act to legalize the records of Fremont County," and House Bill No. 7, a bill for an "act to legalize a certain assessment of property in Fremont county," report the same back to the House and recommend their passage.

D. A. CHEVER, Ch'n.

Reports accepted.

Mr. Koontz from the committee on engrossment, reported verbally.

That they had examined House Bills Nos. 2 and 5 and find the same correctly engrossed.

Report accepted.

Mr. Sheldon asked leave in accordance with previous notice to introduce House Bill No. 8 entitled an act authorizing the Board of Directors of School District, No. 1 in the County of Jefferson to levy a tax.

Which was read a first and second time by its title, and re-

ferred to committee on Education.

Mr. Sheldon, in pursuance to previous notice, asked leave to

introduce House Bill No. 9, entitled an "act to amend an act entitled an act to define County Boundaries and locate County Seats in Colorado Territory," which was read the 1st. and 2d. time by its title.

Mr. Garcia moved that H. B. No. 9 be referred to a special

committee of three.

Carried.

The Speaker appointed Messrs. Garcia, Sheldon and Web-

ster, such committee.

House bill No. 3 was then taken up for consideration, and on motion of Mr. Webster, was ordered engrossed for a third reading. Mr. Eames appeared and took his seat.

H. B. No. 7, was then taken up for consideration and on motion of Mr. Webster, was ordered engrossed for a 3rd reading. Mr. Sheldon moved that H. B. No. 2 be taken up, read a 3d. time and placed upon its final passage.

Carried.

r,

ot

at

at

a

n

d

H. B. No. 3 was then taken up, read the third time and placed upon its final passage and the vote having been taken were. Aves-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelly, Lynch, Leeper, Marsh, Ortega, Sheldon, Stansell, White, Webster, Woods, Mr. Speaker-18.

Noes. -0. Noil entitled an set concerning roads and Light ... Mr. Garcia, moved that this house do now moved that this

H. P. Parker, Interpreter of this So the bill passed and title agreed to. Mr. Welton appeared and took his seat.

H. B. No. 5, was then taken up, read and placed upon its final passage.

The ayes and noes having been called were,

The ayes and noes having been called were, Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, Ortega, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker.

Ayes-19. Noes-0.

Mr. Kocutz from committee on So the bill passed and title agreed to.

Mr. Koontz, from the committee on Engrossment reported verbally.

That they had examined H. B. No. 3 and found the same correctly engrossed.

Report accepted.

Mr. Webster moved that H. B. No. 3 be read the third time and placed upon its final passage.

Carried. Stansell, White, Webster, H. B. No. 3, was then read a third time. The ayes and nays, being called were,

Aves-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Ortega, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker.

Ayes-19. Noes-0.

So the bill passed, and title agreed to.

Mr. Sheldon, having given previous notice, asked leave to introduce

House Joint Resolution No. 3, in relation to Territorial Boundaries, which was read a first and second time by the title and referred to the Committee on Territorial affairs.

On motion of Mr. Marsh, the House adjourned until 2 o'clock

p. m.,

#### AFTERNOON SESSION.

House met at 2 o'clock p. m., pursuant to adjournment. Roll of the House called.

Absent-Messrs. Kipp, Koontz, Marsh, McComas, Mallory, Nve, Judd, Patterson, Ripley.

Quorum present.

Mr. Webster gave notice that on to morrow or some other day he would ask leave to introduce

A bill entitled an act concerning roads and highways.

Mr. Garcia, moved that this house do now proceed to elect E. P. Parker, Interpreter of this House for the session. Carried.

Whereupon the ayes and noes being called,

Were for Mr. Parker.

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Kelley, Lynch, Leeper, McCannon, Ortega, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker, 17-Noes-0. Ayes—17.

Noes-0.

So Mr. Parker was declared duly elected.

Mr. Kocntz from committee on engrossment reported verbally that they had examined H. B. No. 7, and found the same correctly engrossed.

Report accepted.

H. B. No. 7, ordered read the third time, and the question recuring upon its final passage.

The ayes and noes being called were,

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, McCannon, Ortega, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker, 18-\_Noes 0.

Ayes-18.

Noes—0.
So the bill passed and the title agreed to.
Mr. Holland gave notice that on to-merrow or some subsequent day, he would introduce

A bill for an act, to amend an act, entitled "an act regulating

elections."

t

Mr. Garcia, from special committee to whom was referred, Reported as follows:

MR. SPEAKER: Your committee to whom was referred

H. B. No. 9, entitled an act to amend an act, entitled "an act to define County Boundaries and to locate County seats, in Colorado Territory, beg leave to report that they have examined the same and recommend its passage.

V. GARCIA, Ch'n.

Report accepted. The Sergeant-at-arms announced a message from the Governor by the hands of his private Secretary, Mr. Clark, which was received and read as follows:

# EXECUTIVE DEPARTMENT COLORADO TER.,

To the Honorable—The House of Representatives of the Territory of Colorado:

GENTLEMEN: -I have the honor of sending to you the accompanying communication which has just been handed to me by the Hon. Secretary of the Territory.

Very respectfully, your obedient serv't,

JNO. EVANS,

Governor of Colorado Territory.

GRASS RANCH, COLORADO TER., Huerfano Co. January 26th, 1864.

To the Honorable Samuel H. Elbert. and south around the samuel H.

DEAR SIR :- Circumstances over which I have no control and a serious illness, renders it imperative in me to send in my resignation as a member elect to the House of Representatives, from District No. twelve.

Very Respectfully.

Mr. Sheldon moved that H. B. No. 9 be taken up and read reconsideration for consideration grown as ton de heliting of .e.M. a. H.

Carried.

H. B. No. 9, was read and considered, and on motion of Mr. Sheldon, ordered Engrossed for a third reading.

On motion of Mr. Kelley, the House adjourned until 10

o'clock, a. m., to-morrow.

## FRIDAY, FEBRUARY 12th, 1864.

House met at 10 o'clock, a. m., pursuant to adjournment. The Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Messrs. Eames, Kipp, McComas, McCannon, Mallory, Nye, Patterson, Ripley.

Quorum present.

The Journal of the preceding day read and approved.

Mr. McCannon appeared and took his seat.

Mr. Kountz, from Committee on Engrossment, reported H. B. Nos. 4 and 9 correctly engrossed.

Report accepted.

Mr. Chever, from Committee on Territorial Affairs, reported as follows:

Mr. Speaker:—The Committee on Territorial Affairs, to whom was referred H. J. R. No. 3, entitled, "House Joint Resolutions relative to Territorial boundaries," respectfully report the same back to the House, amended, by striking out in the second section all between the words "oppose" and "all," and by striking ont the 3d section and substituting the following—"That the Sectetary of the Territory be requested to transmit a copy of the foregoing resolutions to our Delegate in Congress,"—and with the amendments recommend its passage.

D. A. CHEVER, Chr'n.

Report accepted.

Mr. Lynch moved that the name of B. J. McComas be stricken

from the Rolls of the House.

Mr. Webster moved to amend as follows: That the resignation of B. J. McComas be accepted, and his name be erased from the Roll of the House.

Amendment carried.

The question then recurring upon motion as amended, was carried.

Mr. Leeper asked leave, in pursuance to previous notice, to introduce

H. B. N.o. 10, entitled an act to encourage prospecting for Mines and Minerals,

Which was read a first and second time by its title.

Mr. Kountz, having given previous notice, asked leave to introduce

H. B. No. 11, entitled, "An act to suppress Gambling and Gambling Houses," which was read a first and second time by its title.

Mr. Ortega, in accordance with previous notice, asked leave

r.

0

t

1-

n

0

H. B. No. 12, entitled, "An act to incorporate the Dona Emelia Town Company," which was read a first and second time by its title, and referred to the Committee of the Whole.

Mr. Lynch moved that

H. B. No. 10 be ordered printed.

Carried.

Mr. White moved that

H. B. No. 11 be ordered printed, and referred to its appropriate committee.

Carried.

Mr. White moved that the House do now resolve itself into Committee of the Whole on general orders.

The House then went into Committee of the Whole—

Mr. White in the chair.

The Committee took up and considered

H. B. No. 12.

The Committee then arose.

The Speaker resumed the chair. Mr. White, chairman of the Committee of the Whole, reported as follows:

MR. SPEAKER:—The Committee of the Whole, on general file, having had under consideration

H. B. No. 12, entitled "An act to incorporate the Dona Emelia

Town Company,"

Beg leave to report, that they have duly considered the provisions of the same, and report it back with the following amendments:

Add to the last section-"Not inconsistent with the laws of

the United States in relation to Town Sites;"

And recommend its passage.

M. C. WHITE, Chr'n.

Mr. Chever moved that the report of the Committee of the Whole be adopted. Home at .o. M. A. J. M. Dra. At .o. M.

Carried.

Mr. Sheldon moved that

H. B. No. 12 be engrossed for a third reading.

Mr. Sheldon, in accordance with previous notice, asked leave to introduce

H. B. No. 13, entitled, "An act for the protection of Sheep," Which was read a first and second time by its title, and referred to Committee of the Whole.

Mr. Holland moved that

H. B. No. 3 be taken up, and read for consideration. Carried.

Mr. Stansell moved that the report of the committee on Territorial Affairs, on

H. B. No. 3, be adopted.

Carried.

Mr. Welton gave notice that on to-morrow or subsequent day, he would ask leave to introduce a bill for an act concerning Marks and Brands.

Mr. Judd gave notice that on to-morrow or some subsequent day, he would ask leave to introduce a bill for an act for the protection of Mining Claims set apart for the benefit of schools.

Mr. Marsh gave notice, that on to-morrow or some subsequent day, he would ask leave to introduce a bill to amend an act entitled "An act to establish the Common School system."

Mr. Judd asked leave, in pursuance to previous notice, to introduce House Joint Pream ble and Resolutions No. 4, entitled, "Preamble and Resolutions relating to Immigration," which was read a first and second time by its title.

Mr. Lynch moved that they be referred to the committee on

Territorial Affairs.

Mr. Holland moved to amend, by referring to a special committee of three.

Mr. Holland withdrew his motion.

Original motion carried.

On motion of Mr. Marsh the House adjourned until 2 o'clock p. m.

## AFTERNOON SESSION.

House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair.

Roll called.

Absent—Messrs. Kipp, Mallory, Nye, Patterson Ripley, Stansell and White.

Mr. Kountz, from the committee on Engrossment, reported H. B. No. 12, and H. J. R. No. 3 correctly engrossed. Report accepted.

Messrs. Stansell and White appeared in their seats.

Mr. Marsh moved that this House do now resolve itself into Committee of the Whole on the general file.

2.

t

n

The House then went into Committee of the Whole for the consideration of month of softman on Y : Marana .aM

H. B. No. 4, beg leave to report that they have to No. 4. H.

Mr. Chever in the chair. Mooor bus omes oil to anoisivery

The Sergeant at-arms announced a communication from the Council, was received. Which was received. Which was received.

last line of said section the following would the main action Council Chambers Hade

Mr. Speaker: I am instructed to inform your Honorable body that the Council have passed

C. B. No. 5,

An act to amend an act, entitled, "An Act regulating the mode of proceedings in replevin; "bot was bloomed was hear Also Council Substitute to savind y gomintant to abgod out

H. J. R. No. 2:

Resolutions approving of the Administration of Abraham Lincoln, President of the United States. Also, C. B. No. 3, read a magnet of date and dead dead

An act to locate the county seat of Summit County, and legalize certain acts therein named, herewith transmitted;

And the concurrence of your Honorable body is respectfully U.B. TOT EL. J. H.S. asked therein.

Very respectfully, 301 a 8 0 draved bades conton sporeng of C. B. HAYNES, Sec'y of Council.

The Committee of the Whole then arose. On motion of Mr. Marsh, the House adjourned until 10 o'clock a. m. to-morrow.

# SATURDAY, FEBRUARY 13th, 1864.

House met pursuant to adjournment, at 10 o'clock a. m. The Speaker in the chair.

Prayer by the Chaplain. The the builder of the H. H.

Roll called.

Absent-Messrs. Kipp, Mallory, Nye, Patterson, Webster.

Quorum present.

Journal of the preceding day read and approved.

Mr. Leeper presented the petition of citizens of Clear Creek County, asking that the county seat of Clear Creek County be located at Empire City.

Petition received.

Mr. Webster appeared in his seat.

Mr. Marsh, from Committee on Judiciary, reported as follows:

Mr. Speaker: Your committee, to whom was referred

H. B. No. 4, beg leave to report that they have examined the provisions of the same, and recommend its passage, with the following section as a substitute for section one of said act:

SEC. 1.—That section "eight" of said act be amended as follows: Insert immediately after the word "quashed," on the last line of said section, the following—"but the main action shall not for that reason abate or be dismissed."

Respectfully submitted,

A. MARSH, Chr'n Judiciary Committee.

Mr. Henson gave notice, that on to-morrow or some subsequent day, he would ask leave to introduce a bill to dissolve the bonds of matrimony between W. D. Donaldson and Ruth Donaldson.

Mr. Mc Cannon gave notice, that on to-morrow or some subsequent day, he would introduce a bill to repeal so much of the Cash Creek Park Ditch Company's Charter as relates to Clear Creek.

The following bills were read the first and second times by their titles:

C. S. for H. J. R's. No. 2.

C. B's. Nos. 3 and 5.

Mr. Lynch, in pursuance to previous notice, asked leave to introduce

H. B. No. 14, entitled, an act to incorporate the Swan River and Delaware Flats Fluming Company, which was

Read a first and second time by its title,

And referred to Committee on Incorporations.

Mr. Welton asked leave, in accordance with previous notice, to introduce

H. B- No. 15, entitled, an act concerning Marks and Brands; which was

Read a first and second time by its title.

Mr. Lynch, in pursuance to previous notice, asked leave to introduce

H. B. No. 16, entitled, an act relating to Marriages, which was

Read a first and second time by its title.

H. J. R. No. 3 was then read the third time.

The question recurring upon its final passage, The ayes and noes having been called, were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Kountz, Kelley, Lynch, Leeper, Marsh, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker, —19.

Noes-Mr. McCannon-1. ditch nurposes, for convering, water to

Aves 19, noes 1.

Ayes 19, noes 1.
So the Bill passed, and title agreed to.

H. B. No. 9,

e

n

Read the third time, and the question recurring upon its final passage, the

Ayes and noes being called, were,

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Kelley, Leeper, Lynch, Marsh, McCannon, Ortega, Ripley, Sheldon, Stansell, White, Welton, Webster, Woods, Mr. Speaker-20.

Noes—Mr. Kountz—1.

Ayes 20, noes 1. So the bill passed, and title agreed to.

H. B. No. 12 read the third time.

The question recurring upon its final passage, and

The ayes and noes having been called, were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Kountz, Kelley, Lynch, Marsh, McCannon, Ortega, Ripley, Sheldon, Stansell, White, Welton, Webster, Woods, Mr. Speaker—20. Noes-Mr. Leeper-1.

Ayes 20, noes 1.

So the bill passed, and title agreed to.

Mr. Leeper moved that the petition of the citizens of Clear Creek County be referred to committee on Counties and County lines.

Petition referred accordingly.

Mr. Judd gave notice, that on to-morrow or some subsequent day, he would ask leave to intoduce a bill prohibiting ranchmen from monopolizing or controlling Timber, within their preemption, in mining districts.

Mr. Ortega gave notice, that on to-morrow or some subsequent day, he would ask leave to introduce a bill for an act to

Prevent one convict from defending another.

Mr. Chever, chairman of the Committee of the Whole, re-Ported as follows:

Mr. Speker: The Committee of the Whole have had under consideration

H. B. No. 6, a bill for an act creating a lien in favor of me-

chanics, in certain cases—

And report, that they have considered the same by sections, from one to eleven inclusive, and have adopted the same, amended as follows, to wit: By inserting in section one, first line, the Words "persons or," between the words "or" and "Company;" also, by inserting in same section, third line, after the word

"building," the words "or on any flume used for mining or ditch purposes, for conveying water to or from mining districts or mining claims;" also, by inserting the above sentence or clause after the words "building," in 6th and 7th line, and by striking out the word "forty," in the 9th line, and substituting the word "ten"; and striking out the word "two" in 12th line, and substituting the word "one."

Also, amended section 2, by striking out in 9th line the word

"ninety," and substituting the word "thirty."

Also, amended section 6, by inserting the words, "owner or propetors," after the word "employer," in 2d and 4th lines. Also, amended Section 7, by striking out the word "may,"

in the first line, and substituting the word "shall:"

Also, amended Section 8, by inserting the words "flume or ditch," after the word "claims" in the 2d and 4th lines;

Also, amended Section 9, by striking out the word "two," in 2d line, and substituting the word "one".

D. A. CHEVER, Chr'n.

Report received.

Mr. Marsh moved that the House do now go into Committee of the Whole, for the further consideration of

H. B. No. 6.

Carried.

The House then went into Committee of the Whole,

Mr. Kelley in the chair.

After some time spent therein, the committee arose, and reported through their chairman as follows:

Mr. Speaker: The Committee of the Whole have had under consideration

H. B. No. 6, a bill for "an act creating a lien in favor of Mechanics, in certain cases,"

And report that they have considered the same by sections, from Section 12 to Section 24 inclusive, and adopted the same, amended as follows, to wit:

Section 12 by inserting the word "nearest" before the words "District Court," in the 2d line of said section, and striking out the word "County," in said line, and insert "District;"

Also, by striking out the word "in," in the fourth line Sec-

tion 15;

Also, by striking out the word "was," in the 3d line of the 16th section, and inserting the word "were;"

Also, by striking out the word "determined," in the first line of Section 17, and inserting in lieu thereof, the word "return;" Also, by striking out the word "due," in the first line of Sec-

tion 22, and inserting therein the word "just"

JAMES KELLEY, Chr'n.

or ts

or

Dy

ig

e,

r

r

r

Mr. Kountz moved to adjourn until 2 o'clock p. m.

Mr. Chever moved to amend, by saying 10 o'clock a. m., on Monday next.

Amendment accepted by Mr. Kountz.

Motion lost.

Mr. Marsh moved to adjourn until 2 o'clock p. m. House adjourned.

# of the Whole for the further censideration of the Whole for the further care dentition of the AFTERNOON SESSION.

House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair. Mr. Henson in the chairs simm

Mr. Harali newed that the House do now ou into Countifu.

Roll called.

Absent-Messrs. Kipp, Mallory, Nye, Patterson.

Quorum present.

The Speaker read the following communication to the House:

HON. J. B. CHAFFEE,

Speaker of the House of Representatives.

SIR:—You are respectfully requested to invite the members of the House to attend a meeting of the friends of the Bible cause, at the Presbyterian Church in this city, at 7½ o'clock, next Very respectfully yours, Sabbath evening.

JOHN CREE,

Agent of the American Bible Society for Colorado and New

Mr. Lynch moved that the Communication just read be spread upon the Journal of the House.

Carried.

Mr. Ripley moved that C. B's. Nos. 3 and 5, and

C. S. for H. J. R. No. 2,

Be referred to their appropriate committees.

Carried.

The Bills were referred, as follows:

C. B. No. 5 to Judiciary Committee.

S. for H. J. R. No. 2 to Committee on Federal Relations. C. B. No. 3 to committee on Counties and County Lines.

The Speaker called Mr. Ripley to the chair..

Mr. Chaffee, in pursuance to previous notice, asked leave to introduce

H. B. No. 17, entitled an act repealing "an act to provide for stay of proceedings on foreign indebtedness," approved Nov. 5, A. D. 1861.

Mr. Chaffee gave notice that on to-morrow or some subsequent day, he would ask leave to introduce a bill to incorporate the city of Central, in Gilpin County.

The Speaker in the chair.

Mr. Marsh moved that the House do now go into Committee of the Whole for the further censideration of

H. B. No. 6.

Carried.

The House then went into Committee of the Whole.

Mr. Henson in the chair.

After some time spent therein the Commtttee arose.

The Speaker in the chair.

The chairman of the Commilte of the Whole reported as follows:

MR. SPEAKER: The Committee of the Whole have had under consideration

H. B. No. 6, a bill for "an act creating a lien in favor of Me-

chanics in certain cases," and

Report that they have considered the same by sections, from Section 25 to Section 31, inclusive, and adopted the same,

amended as follows, to wit:

That Section "30" be stricken out, substituting in lieu thereof, "that an act creating a lien in favor of Mechanics, in certain cases, approved November 9, 1861, and an act amendatory to an act, entitled 'an act granting a lien in favor of Mechanics in certain cases, approved August 15th, 1862', be, and the same are hereby repealed."

Also, by striking out Section 31 of said bill;

And report the bill back to the House without recommendation.

H. HENSON, Chr'n.

Report accepted
On motion of Mr. Judd, the House adjourned until 10 o'clock
a. m., on Monday next.

r

e

## MONDAY, FEBRUARY, 15th, 1864.

House met at 10 o'clock a. m., pursuant to adjournment.

The Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent-Messrs. Kipp, Mallory, Nye, Patterson, White.

Quorum present.

Journal of the preceding day read and approved.

Mr. White appeared in his seat.

Mr. Chever, from committee on Territorial affairs.

Reported as follows:

Mr. Speaker:-The committee on Territorial affairs, to whom was referred that portion of the Governors Message relating to Capitol and Penitentiary Building, beg leave to report the following,

Joint memorial and resolutions, for the consideration of the

House.

Report received.

H. J. memorial and resolution No. 1

Entitled memorial asking appropriation for Capitol and Penitentiary Building read first and second time by its title.

Mr. Lynch from committee on Federal Relations.

Reported as follows:

MR. SPEAKER: Your committee to whom was referred the Substitute from the Council to H. J. R. No. 2 indorsing the administration of Abraham Lincoln, have had the same under consideration and would report the same back without amendments, and recommend its passage.

JOHN T. LYNCH, Ch'n.

Report accepted. Mr. Sheldon, from committee on Counties and County lines, Reported as follows:

Mr. Speaker:—Your committee to whom was referred C. B.

No. 3, beg leave to report.

That they have had said bill under consideration, and that they recommend its passage, with the following amendment to-

That after the word "Official" in the fifth line of section two from the hottom, the word "acts" be inserted.

A. Z. SHELDON, Ch'n.

Report received.

Mr. Koontz moved that the report be adopted.

Carried

Mr. Ripley, from committee on Education, Reported as follows:

MR. SPEAKER: - Your committee to whom was referred,

H. B. No. 8, after careful examination of the same, return it to the House, and recommend its passage with the following amendments, add after the word "system" in last line "approved Nov. 7th, 1861."

DAVID REPLEY, Ch'n.

Report received.

Mr. Stansell, from committee on Incorporations, reported as follows:

Mr. Speaker:—Your committee, on Incorporations to whom was referred,

H. B. No. 14, have had the same under consideration, and ask leave to report the same back to the House and recommend its passage, with the following amendments to-wit:

In the fourth line of section five, strike out the word, 'stream'

and insert 'Swan River' in lieu thereof.

Also in section 6, after the word 'to' insert,

"Conflict with prior rights," and after the word running, eighth

line in same Section, insert the word "tailings."

Also in second line of section thirteen, after the word "flume" strike out the words "in the month" and insert "on or before the first."

J. B. STANSELL, Ch'n.

Mr. Webster, in pursuance to previous notice asked leave to introduce,

H. B. No. 18, entitled an act concerning Roads and Highways, which was read first and second times by its title.

H. B. No. 17, and

H. J. M. No. 1, read first and second time by their titles.
Mr. Henson, according to previous notice, asked leave to introduce,

H. B. No. 19, entitled an act to Incorporate the Platte City Ditch Company, which was read first and second time by its title.

Mr. Lynch moved that

Council Bill No. 3, be read the third time and placed upon its final passage.

Carried.

Council Bill No. 3, read the third time, and the question being upon its final passage, the ayes and noes having been called, were.

Ayes—Messrs. Chever, Eames, Garcia, Henson, Judd, Koontz, Kelley, Leeper, Marsh, McCannon, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods; 19.

Noes-Messrs. Holland, Mr. Speaker, 2.

Ayes—19. Noes—2.

So the bill passee and title agreed to.

Mr. Lynch moved that

H. B. No. 10, be made the special order of the day for next Friday, at 2 o'clock, p. m.,

Carried.

S

m

n

or

ty

its

on

H. B. No. 14, be read third time, and put upon its final passage.

Motion to withdraw. Mr. White moved that

H. B. No. 14, be engrossed for third reading.

Carried.

Mr. White moved to reconsider the motion to engross.

The question recuring upon the motion to engross was at her

Mr. White moved that the report of the committee on H. B. No. 14, be adopted.

Carried

Mr. Ripley moved that the report of the committee on

H. B. No. 8, be adopted, and the bill placed upon its final passage.

Mr. Ripley withdrew his motion.

Mr. Stansell moved that

H. B. No. 14, be placed on general file for consideration in committee of the whole.

Carried.

Mr. Holland moved that

H. B. No. 8. be taken up for consideration. Sovieson mogest

H. B. No. 8, read and considered.

Mr. Holland moved that the report of the committee on

H. B. No. 8, be adopted, and the bill ordered engrossed for a third reading as amended.

Carried.

Mr. Marsh moved that the report of the committee on

H. B. No. 4, be adopted, and the bill ordered engrossed for a third reading as amended.

Carried.

p

p

Mr. White moved that the report of the committee on Council substitute for

H. J. R. No. 2, be adopted, and bill be read a third time and placed upon its final passage.

Carried.

Council substitute for H. J. R. No. 2, read a third time.

The question being upon its final passage, the ayes and noes

having been called were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, Ortega, Ripley, Sheldon, Stansell, White, Welton, Webster, Woods, Mr. Speaker, 20—Noes—0.

Ayes—20. Noes—0.

So the bill passed, and title agreed to.

Mr. Koontz moved that the House do now go into committee of the whole, for the consideration of H. B. No. 11.

Carried.

The House then went into committee of the whole.

Mr. Judd in the chair.

After sometime spent therein, the committee arose.

The Speaker in the chair.

Mr. Judd chairmam of the committee of the whole, submitted the following report.

Mr. Speaker:—The committee of the whole having had under consideration

H. B. No. 11, an act to surpress Gambling and Gambling-houses, report that they have considered the same by sections from section 1 to section 5, inconclusive and adopted the same with the following amendments, to-wit:

That after the word "House" in the first line of section two

the words,

"Shop tent, or other place" be inserted. Respectfully,

LEON D. JUDD, Ch'n.

45

Report received.
On motion of Mr. Kelley, the House adjourned until 2 o'clock
p. m.,

#### AFTERNOON SESSION.

House met at 2 o'clock, p. m., pursuant to adjournment. The Speaker in the chair.

Roll called. Trade to bue " seemteblist out at dought a who

Absent—Messrs. Kipp, McCannon, Mallory, Nye, Patterson, White. Quorum present.

Mr. Chever submitted the following resolution.

Resolved, That his Excellency, Gov. Evans, be requested to furnish to the House, a copy of any correspondence he may have had with the Governor and Legislature of New Mexico in regard to the injustice done to the 1st. Regt. Col. Vol. by the Legislative Assembly of New Mexico, in ascribing to the California troops the credit of saving that Territory to the Federal Union, which was adopted.

Mr. Koontz, from the committee on Engrossment, reported

H. B. Nos. 4 and 8, correctly engrossed.

Report received.

Mr. Holland moved that

H. B. No. 8, be read the third time and placed upon its final passage. Carried.

H. B. No. 8, was read third time.

The question being upon its final passage, the ayes and noes

having been called, were,

Ayes—Messrs. Chever, Eames, Garcia, Holland. Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Ortega, Ripley, Sheldon, Stansell, Webster, Welton, Woods, 18.

Noes-Mr. Speaker, 1.

Ayes—18. Noes—1.

So the bill passed, and title agreed to.

Mr. Marsh moved that

H. B. No. 4, be read a third time, and placed upon its final

Passage. Carried. Jose to sail lan

H. B. No. read a third time the question being upon its final passage, the ayes and noes having been called, were, Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, Ortega, Ripley, Sheldon, Stansell, Webster, Welton, Woods, Mr. Speaker, 19.

Ayes—19. Noes—0.

So the bill passed and title agreed to.

Mr. White appeared in his seat.

The Sergeant-at Arms, announced a communication from the Council, which was received and read.

Council Chamber, Feb'y. 15, 1864.

Mr. Speaker:—I am instructed to inform the House that the Council has passed the following Bills.

C. B. No. 4, an act amendatory of an act to incorporate "St.

John's Church in the wilderness," and for other purposes.

Also, C. B. No. 6.

An act to enable the Pacific Telegraph Company to construct lines of Telegraph in this Territory, and protect the same.

Also, C. J. R. No. 1, herewith transmitted, and the concurrence of your honorable body, is respectfully requested therein. C. B. HAYNES.

Secretary of Council.

Mr. Stansell moved that this House do now resolve itself into committee of the whole, on the general file.

The House then went into committee of the whole,

Mr. Webster, in the chair.

After sometime spent therein, the committee arose.

The Speaker in the chair.

The committee of the whole, through their chairman, submitted the following report.

MR. SPEAKER :- The committee of the whole, have had under

consideration.

H. B. No. 11, a bill for an act suppressing Gambling and Gambling-houses and report that they have considered the same by sections, from Section 6 to Section 9 inclusive, and adopted the same with the following amendments to-wit: by striking out the word,

"Probable" in the first and second lines in section 6, also by striking out the word "May" in the twelfth line of said section

and inserting therein, the word "shall."

Also by striking out in the first line of section 7, the words "one-half of" and also by striking out after the word "to", in the first line of said section, the words "the officers or persons making the complaint, and the remainder."

Also by striking out section eight of said act.

Also by striking out all after the word "after" in the 9th section of said act, and insert the words "its passage" in lieu thereof,

And report the bill back to the House, and recommend its passage with the amendments.

And your committee further report, that they have had under consideration,

H. B. No. 13,

A bill for an act for the protection of sheep, and that they have considered the same by sections, and adopted the same, and report back said bill to the House and recommend its passage.

And your committee further report that they have had under

consideration.

H. B. No. 14, a bill for an act to incorporate the Swan River and Delaware Flats fluming company, and have considered the same by sections, and adopted the same with the following amendments to-wit,

Strike out the word "exclusive" in the second line of the

fourth section.

Also by adding to section 7, the following proviso, "provided said time shall not exceed three days at any time during the

mining season."

Also by striking out the word "laws" in section 10 and inserting therein, the words "by-laws," and report the bill back to the House with a recommendation that it pass with the above amendments.

WEBSTER, Ch'n.

Report received and on motion of Mr. Koontz, was adopted Mr. Koontz moved that,

H. B. No. 11, be ordered engrossed as amended.

Carried.

Mr. Webster moved that

H. B. No. 18, be referred to its appropriate committee, and it was so referred.

On motion of Mr. Kelley, the House adjourned until 10

o'clock, a. m. to-morrow.

## TUESDAY, FEBRUARY 16th, 1864.

The House met at 10 o'clock a.m., pursuant to adjournment. The Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent.-Messrs. Eames, Garcia, Kipp, McCannon, Mallory, Ortega, Patterson and Sheldon.

Quorum present.

Journal of the preceding day, read and approved.

Mr. Ripley stated the cause of the absence of Mr. Sheldon, and asked that he be excused. It add bear asked

On motion of Mr. Holland, sove ed ages and and

Mr. Sheldon was excused for one day.

Messrs. McCannon, Garcia and Ortega appeared in their

On motion of Mr. Ripley,

t

Mr. John A. Nye, member from the second district, came forward and was sworn in by the Speaker.

Mr. White, from the committee of ways and means, submitted the following report:

MR. SPEAKER: Your committee of ways and means, to whom was referred the Auditor's and Treasurer's reports, beg leave to report, that they have had had the same under consideration.

That on to-morrow, or some subsequent day, they will introduce a bill amendatory of the revenue law—one of the features of said amendment requiring the clerks of each county to make annual returns to the Territorial Auditor, showing the condition of the Territorial revenue in his county.

M. C. WHITE, Ch'n.

Report received.

Mr. Henson gave notice that, on to-morrow or some subsequent day, he would ask leave to introduce a bill giving county commissioners certain powers.

Mr. Koontz, from the committee on engrossment, reported H. B. No. 11 correctly engrossed.

Report received.

Mr. Stansell moved that the clerk of this House be requested to prepare and keep a daily calendar for the use and convenience of members.

Carried.

The following bills were read 1st and 2nd time by their title: C. J. R No. 1, and Council bills Nos, 4 and 6.

Mr. Ortega asked leave, in pursuance to previous notice, to introduce

H. B, No. 20, entitled "an act providing that one convicted person cannot defend another, which was

Read a 1st and 2nd time by its title, and,

On motion of Mr. Garcia, was

Referred to the committee on judiciary.

Mr. Koontz moved that

H B. No. 11 be taken up and read the third time and put upon its final passage.

Carried.

H. B. No. 11 was read the third time, and the question being

upon its final passage, the ayes and noes were:

Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Stansell, White, Webster, Welton and Wood

Noes-Mr. Speaker-1.

16.

ne

it-

m

7e

n.

0-28 e

i -

Ayes-19.

Noes-1. To for a rations no mon add a careage and the

So the bill passed and title agreed to.

Mr. Lynch moved that H. B. No. 14 be taken up and read the third time.

Motion withdrawn.

Mr. White moved that the rules be suspended for the purpose of increasing the number on standing committees by addition of new members.

Mr. White moved that the Hon. John A. Nye, be added to the committee on Ways and Means.

Mr. Chever, moved that Mr. Nye, be added to the committee on Territorial affairs. To besserges berebro ed & .o.V.

Mr. Stansell moved that Mr. Nye be added to the committee on Incorporations.

Mr. Lynch, moved that Mr. Nye, be added to the committee on Fedural Relations.

Carried.

Mr. Lynch moved that

H. B. No. 14, be ordered engrossed for a third reading.

Mr. Koontz. gave notice that on to-morrow or some subsequent day, he would introduce a bill for an "act providing for the collection of taxes from non-resident stock-owners.

Mr. Stansell moved that the House do now resolve itself into

the committee of the whole on general file.

The House then went into committee of the whole.

Mr. Stansell in the chair.

After sometime spent therein, the Committee arose.

Average server Topicon Teneral Control of Teneral Carlo

The Speaker in the chair.

On motion of Mr. White, the House adjourned until 2 o'clock P. m., resemble has kin norm would concerp out bes been

## AFTERNOON SESSION.

Noes-Messrs, Holland, Ripley, Webster 25.co und House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair. AyesHIV best out of the Roll called.

Absent-Messrs. Kipp, Mallory, Nye, Patterson. Sheldon.

Fe

C

pa

H

t]

Mr. Chever from Committee on Territorial Affairs reported as follows:

Mr. Speaker: The com. on Ter. affairs to whom was referred that portion of the Gov's Message relating to Imigration, report the following J. R. for the consideration of the House.

D. A. CHEVER, Ch'n.

Report received. Mr. Chever, offered,

H. J. R. No. 5, entitled, H. J. R. No. 5, authorizing the appointment of agents for the encouragement of imigration, which was read first time by its title.

Mr. Koontz, from the committee on engrossment reported H. B. Nos. 14 and 17 correctly engrossed.

Report received.
Mr. Marsh moved that

H. B. No. 6, be ordered engrossed for a third reading.

Mr. Stansell moved that the vote on the engrossment of H. B. No. 6 be reconsidered.

Carried.

The question recuring upon the original motion. Motion lost.

Mr. Stansell moved that the report of the committee of the whole on

H. B. No. 6 be adopted.

Carried.

Mr. Marsh moved that

H. B. No. 6, be ordered engrossed as amended for a third reading.

Carried.

Mr. Lynch moved that

H. B. No. 14, be read the third time, and put upon its final passage.

Carried.

H. B. No. 14, entitled "an act to incorporate the Swan River and Delaware Flats fluming Company," was taken up and read, and the question being upon its final passage the ayes and noes were,

Ayes—Messrs. Chever, Eames, Garcia, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, McCannon, Ortega, Stansell, White, Welton, Woods, Mr. Speaker, 17.

Noes-Messrs. Holland, Ripley, Webster, 3.

Excused, Mr. Nye.

Ayes—17. Noes—3.

So the bill passed and title agreed to.

Council Chamber, Feb'y 16, 1864.

The Sergeant-at-Arms announced a communication from the Council which was received and read as follows:

MR. SPEAKER:—I am instructed to inform the House of the passage by the Council of

C. B. No. 8, entitled an act to change the County seat of Huerfano County and relocate its County seat.

Also that they have concurred in and passed,

H. B. No. 5, an act to amend an act entitled "an act concerning judgments and executions with the following amendments. Strike out all of section one, after the word "six" in the third line from the bottom of said section.

And strike out all of section two after the word "section" in the third line from the bottom of said section.

And add Section 5.

"That section 34, of said act be, and the same is hereby amended as follows:

Strike out the word "three" in the second line from the bottom of the fourth sub-division of said section, and insert the word "one" in lieu thereof.

And add section 6.

If any debtor be engaged in removing his or her property from this Territory, such property shall not be exempt from levy and sale under execution or attachment,

Provided, That nothing in this act contained shall be held to authorize the levying upon and selling the neccessary wearing apparel or beds and bedding of any debtor, or of the family of any debtor under any execution or attachment.

And the concurrence of your Honorable body is respectfully

asked therein.

Very Respectfully,

C. B. HAYNES, Secretary of the Council.

Mr. Stansell, chairman of the committee of the whole, reported as follows:

Mr. Speaker: - The committee of the whole have had under consideration,

H. B. No. 15, entitled "an act concerning marks and brands," and report the same back to the house with the following amendments, and recommend the same to be referred to the committee on agriculture.

Amend second section by striking out the words "Horses, mules, cattle, sheep or hogs," where the same shall occur in said section, and insert therein, Neat cattle, horses, mares,

geldings, mules, jacks, hogs or sheep."

on, ted

ap-

16.

ted

red

re-

· H.

the

ird

nal

ver and yes

dd, ga, Also, amend by adding to said section,

"That he who brands his stock with the brand of another, with the consent of the owner, shall be excused from paying the aforesaid fines.

Also, amend by inserting after the words, "Justice of the Peace," whenever the same occur in said section.

The words "or Courts."

The committee also report back,

H. B. No. 16, an act in relation to marriages, and recommend that the same be ordered printed.

I am further instructed to report that the committee have

had under consideration,

H. B. No. 17.

"An act to repeal an act entitled an act to provide for stay of proceedings on Foreign Indebtedness, and report the same back to the House with the recommendation that it be engrossed tor a third reading.

J. B. STANSELL, Ch'n.

Report received.

And on motion of Mr. Koontz, was adopted.

Mr. Webster, asked leave, previous notice having been given to introduce,

H. B. No. 21, entitled an act concerning fences, which on motion of Mr. Holland, was read the first time by its title.

H. B. No. 15, with amendments, referred to the committee on agriculture.

H. B. No. 16, ordered to be printed.

H. B. No. 17, ordered engrossed for third reading.

Mr. Leeper, gave notice that on to-morrow or some subsequent day he would ask leave to introduce a bill for an act to

re-locate the County seat of Clear Creek County.

Mr. Kelley, gave notice that on to-morrow or some subsequent day he would ask leave to introduce a bill for an act to increase the capital stock and extend the privileges of the Jefferson County Irrigating Ditch Company.

Mr. Henson moved that,

H. B. No. 19, be referred to committee on Agriculture.

And it was so referred.

Mr. Marsh moved that the amendments to,

H. B. No. 5, proposed by the Council be referred to the committee on Judiciary.

Carried.

The bill was referred accordingly.

Mr. Lynch, gave notice that on to-morrow or some subsequent day, he would ask leave to introduce a bill to amend,

"An act" entitled "an act concerning Lode claims.

6.

g

1e

d

e

Mr. Lynch moved that the House do now go into committee of the whole on general file.

Carried.

The House then went into committee of the whole.

Mr. Lynch in the chair.

The committee soon after arose and,

The Speaker in the chair,

The committee through their chairman, reported as follows: Mr. Speaker:—The committee of the whole having had

under consideration,

H. J. M. No. 1, entitled memorial relating to Capitol Buildings and Penitentiary, and have amended the same by striking out the word "State" and report the memorial back to the House and recommend its passage.

J. T. LYNCH, Ch'n.

Report received.

And on motion of Mr. Stansell, was adopted.

Mr. Leeper moved that,

H. J. M. No. 1, be engrossed as amended for third reading.

On motion of Mr. Chever,

H. J. R. No. 5, was read second time by its title.

On motion of Mr. Stansell,

Council Bills, Nos. 4 and 6 were referred to committee on Incorporations C. J. R. No. 1, to committee on Territorial affairs,

H. J. R. No. 5, read for information.

The Speaker read the petition of F. J. Ebert, asking payment for maps drawn for the Territory by order of Gov. Gilpin.

Mr. Chever moved that the petition be referred to a special

committee of three.

Mr. Holland moved to amend by adding "that the committee have power to send for persons and papers, amendment accepted.

Motion as amended,

Carried.

The Speaker appointed Messrs. Chever, Holland and White, such committee.

On motion of Mr. White, the House adjourned until 10 o'clock a. m., to-morrow.

## WEDNESDAY, FEBRUARY 17th, 1864.

House met pursuant to adjournment, at 10 o'clock a. m. The Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent-Messrs. Kipp, Kelley, Mallory, Patterson.

Quorum present.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

Council Chamber, February 17, 1864.

MR. SPEAKER. I have the honor to inform the House that the Council has concurred in House amendments to

C. B. No. 3, an Act to locate the County Seat of Summit County, and legalize certain acts therein named.

Very respectfully, C. B. HAYNES, Sec'y of Council.

Mr. Stansell presented the petition of the citizens of Park County, asking for the legalization of the Mining Districts Records in Park County,

Which was read.

Mr. Kountz, from the committee on Engrossment, reported H. J. M. No. 1, and H. B. No. 6, correctly engrossed.

Report received.

Mr. Eames submitted the following report:

MR. SPEAKER: Your committee on Agriculture have had H. B. No. 15 under consideration,

And beg leave to report the same back, with accompanying substitute for the same,

And recommend its passage.

J. H. EAMES, Ch'n.

Mr. Stansell, from committee on Incorporations, Reported as follows:

MR. SPEAKER: I am ins.ructed by the Committee on Incor-

porations, to whom was referred

C. B. No. 6, an act to enable the Pacific Telegraph Company to construct lines of telegraph in this Territory, and protect the same,

To report, that they have had the same under consideration, and have amended the bill, by striking out section five,

And recommend the passage of the bill as amended.

I am also instructed to report

C. B. No. 4 back to the House without amendment, and Recommend its passage.

J. B. STANSELL, Ch'n.

Report received.

Mr. Webster submitted the following report:

Mr. Speaker: The committee on Roads and Bridges respectfully report, that they have considered

H. B. No. 18, and

Report the same back to the House, with the following amendment, to wit: Strike out the second section and insert

the following in place thereof:

SEC. 2.—The Board of Commissioners shall divide their counties into suitable Road Districts, conforming as nearly as may be to the election precincts, and appoint an overseer for each district, to serve until the next general election, when, and annually thereafter, such overseers shall be elected in the same manner as other precinct officers;

And, with the amendment, recommend that it be printed.

Yours respectfully,

S. D. WEBSTER, Ch'n.

Report received.

Mr. Welton submitted the following report:

MR. SPEAKER: The undersigned, a minority of the commit-

tee on Incorporations, to whom was referred

C. B. No. 6, "An act to enable the Pacific Telegraph Company to construct lines of telegraph in this Territory, and protect the same,"

Beg leave to report, that we have had the same under consideration, and recommend its passage without any amendments.

N. W. WELTON, Minority of Committee.

Mr. Marsh, from Judiciary Committee, reported as follows:

MR. Speaker: Your committee to whom was referred H. B. No. 1,

Having had the same under consideration, Would report it back without recommendation.

A. MARSH, Ch'n.

Council Amendments to H. B. No. 5 read, and

8

On motion of Mr. Leeper, the bill with amendments, was Referred to Committee on Judiciary.

Notice was given, that on to-morrow or some subsequent day, the following bills would be introduced by Mr. Judd:

A bill to incorporate the Black Hawk Gas Company.

A bill to incorporate the Central and Idaho Wagon Road Company.

By Mr. Marsh:

A bill to extend the jurisdiction of Justices of the Peace and Probate Courts, in oertain cases.

By Mr. Nye:

For the chartering of the Occidental Gas Light Company of the City of Denver.

By Mr. McCannon:

A Joint Resalution requesting Fitz John Porter to leave the Territory of Colorado within thirty days.

By Mr. Holland:

A bill to incorporate the Denver City Gas Company.

By Mr. Sheldon:

A bill to enable the School Superintendent of El Paso County to apply the School Fund of said county to the use of schools in the several school districts therein.

By Mr. Welton:

To incorporate the Denver Gas-light Company.

C. B. No. 8, "An act to change the boundaries of Huerfano County, and re-locate its county seat,"

Read 1st and 2d time by its title.

Mr. Judd, in pursuance to previous notice, asked leave to introduce

H. B. No. 22, entitled, "An act to Incorporate the City of Black Hawk," which was

Read 1st and 2d time by its title, and

Referred to Committee on Incorporations.

Mr. Leeper, in accordance with previous notice, asked leave to introduce

H. B. No. 23, entitled, "An act to establish and perpetuate titles to Lode claims, and other purposes," which was

Read a 1st and 2d time by its title, and Ordered to be printed.

Mr. Henson, having given previous notice, asked leave to introduce

H. B. No. 24, entitled, "An act to amend an act, entitled 'an act to authorize the appointment of County Commissioners in certain cases," which was

Read a 1st and 2d time by its title.

Mr. Sheldon, having given previous notice, asked teave to introduce

H. B. No. 25, entitled, an act regulating Irrigation, which was Read a 1st and 2d time by its title, and

Referred to the committee on Judiciary.

Mr. Sheldon moved that

H. B. No. 13 be ordered engrossed for a third reading. Carried.

Mr. Chever moved that make and the law on the same and th

H. J. M. No. 1 be laid on the table.

Carried.

H. B. No. 6, entitled, "An act creating a lien in favor of Mechanics in certain cases," was then taken up,

Read the 3d time, and the question being upon its final pas-

sage, the ayes and noes were,

Ayes-Messrs. Chever, Henson, Judd, Lynch, Leeper, Marsh, Nye, Ripley, Sheldon, White, Webster, Woods-12.

Noes-Messrs. Eames, Garcia, Holland, Kountz, McCannon, Ortega, Stansell, Welton, Mr. Speaker-9.

Ayes 12, noes 9.

So the bill passed, and title agreed to.

H. B. No 13, entitled ac act repealing an act providing for stay of proceeding in foreign indebtedness, approved November 5, 1862, was taken up and

Read the third time, and the question being upon its final

passage, the ayes and noes were,

· Ayes—Garcia, Judd, Nye, Ortega, Stansell, Mr. Speaker—6. Noes-Messrs. Chever, Eames, Holland, Henson, Kountz, Leeper, Lynch, Marsh, Ripley, Sheldon, White, Welton, Webster, Woods—15.

Ayes 6, noes 15.

So the bill was rejected.

. Mr. Stansell, in pursuance to previous notice, asked leave to introduce

H. B. No. 26, entitled, "An act to amend an act, entitled 'an act to enable road, ditch, manufacturing, and other Companies, to become bodies corporate;" which was

Read a 1st and 2d time by its title, and

Referred to the committee on Incorporations. The Speaker called Mr. Ripley to the chair.

Mr. Chaffee, having given previous notice, asked leave to introduce

H. B. No. 27, entitled, an act to incorporate the City of Central, which was

Read 1st and 2d time, and an all han some by odd basis

Referred to Committee on Incorporations.

The Speaker resumed the chair.

Mr. Kountz, according to previous notice, asked leave to introduce

Fe

Ko

She

Co

Co

Co

Mi

pec

int

fro

fin:

Sag

Ju

Rip

Co

1

H. B. No. 28, entitled, an act to collect taxes from nonresident Stock owners, which was

Read a 1st and 2d time by its title, and

Ordered to be printed.

Mr. Webster moved that the report of the Committee on H. B. No. 18 be adopted.

Carried.

Mr. Chever moved that the title to all bills be given in the Calender.

Mr. Stansell moved that the majority report of the committee on C. B. No. 6 be adopted.

Carried.

Mr. Stansell moved that the report of the committee on C. B. No. 4 be adopted.

Carried.

Carried.
On motion of Mr. Marsh, the House adjourned until 2 o'clock, p. m.,

### AFTERNOON SESSION.

House met pursuant to adjournment, at 2 o'clock p. m. The Speaker in the chair.

Roll called.

Absent—Messrs. Kipp, Kelley, Mallory, Patterson, White. Quorum present.

Mr. White appeared in his seat.

C. B. No. 8 read for information, and,

On motion of Mr. Webster, was

Referred to a Special committee of three.

The Speaker appointed Messrs. Webster, Sheldon, and Garcia such committee.

Mr. Kountz moved that Mr. Welton be added to the committee.

Carried.

Mr. Welton's name was added to the committee.

Mr. Kountz, from committee on Engrossment, reported H. B. No. 13 correctly engrossed.

Report accepted.

Mr. Sheldon moved that

H. B. No. 13 be read a third time, and put upon its final passage.

Carried.

H. B. No. 13, entitled, "An act for the protection of Sheep,"
Read the 3d time, and the question being upon its final passage, the ayes and nocs were,

on-

the

on

ite.

ar-

m-

128-

28

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Kountz, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker. Ayes 20; Noes none.

So the bill passed, and title agreed to.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

COUNCIL CHAMBER, February 17, 1864. Mr. Speaker: I am instructed to inform the House that the Council has passed C. B. No. 9, an "Act to locate the County Seat of Costilla

Also, C. B. No. 10, an act to incorporate the "Old Rosey Mining, Fluming, Ground Sluicing and Hydraulicing Company," And the concurrence of your Honorable body therein is res-Pectfully asked.

Very respectfully,
C. B. HAYNES,
Sec'y of the Council.

Mr. Kountz, in pursuance to previous notice, asked leave to Introduce

H. B. No. 29, entitled, "An act for the protection of Farmers from the depredations of Stock," which was

Read a 1st and 2d time by its title, and

Read a 1st and 2d time by its title, and On motion of Mr. Kountz, was ordered printed.

Mr. Leeper moved that

C. B. No. 4 be taken up, read a third time, and put upon its final passage.

Carried.

C. B. No. 4 was then taken up,

Read the 3d time, and the question being upon its final pas-

sage, the ayes and noes were,

Ayes Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Kountz, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods-20. Nays—Mr. Speaker—1

Ayes 20, Noes 1.

So the bill passed, and title agreed to.

Mr. Marsh moved that the House do now resolve itself into Committee of the Whole on the general file.

The House then went into Committee of the Whole,

M. Leeper in the chair.

After some time the Committee arose, and The Speaker in the chair.

The Committee, through their chairman, reported as follows:

Mr. Speaker: I am instructed by the Committee of the Whole, to report that they have had

H. J. R. No. 5 under consideration, and beg leave to Report it back to the House without amendment, and Recommend its passage.

J. A. LEEPER, Ch'n.

The Sergeant-at-arms announced a communication from His Excellency, Governor Evans, which was

Received and read, with the accompanying documents, as follows:

EXECUTIVE DEPARTMENT, DENVER, C. T., February 17, 1864.

To the Honorable—The House of Representatives of the Territory of Colorado:

Gentlemen:—In response to your Resolution of the 15th instant, I have the honor to transmit the accompanying Communications, marked "A," "B," "C," "D," relating to the expulsion of the Rebels from New Mexico.

Very respectfully, your obedient serv't,

JNO. EVANS, Governor of Colorado Territory.

Mr. Chever moved that the entire Correspondence just read be spread upon the Journal of the House, and the matter be referred to a Special Committee of five.

Carried.

### JOINT RESOLUTIONS.

WHEREAS—During the late Texas invasion, while the Rebel hordes threatened our Territory, the gallant soldiers of California, and of our sister Territory Colorado, came to our assistance, and uniting with our patriotic and true-hearted sons, drove the invaders from the land, and

Whereas,—We deem it an act of justice that we should express to them our thanks, for having by forced marches, in an almost unprecedented space of time, reached New Mexico, and perilled their lives in defence of our homes and firesides, there-

fore,

Be it Resolved by the Legislative Assembly of the Territory of New Mexico—

That we tender our thanks, and the thanks of the People of

New Mexico, to the brave California and Colorado troops, for their timely aid and assistance in driving the traitors and rebels from our soil.

Resolved—That we regard the rapid march of Brigadier General James II. Carleton with the California troops across the great desert as one of the most remarkable achievements of the age; that we have the utmost confidence in the military capacity and generalship of Brigadier General Carleton; and we recommend and respectfully ask the President of the United States his appointment as Major General of Volunteers.

Resolved—That His Excellency, the Acting Governor, is hereby requested to forward a copy of the foregoing Resolutions to His Excellency, the President of the United States, and to the

Governors of California and Colorado.

T. M. GALLEGOS,
Speaker of the House of Representatives.
FRANCISCO SALASAR,
Vice-President Legislative Council.

Approved, January 28, 1863.

W. F. M. ARNY,
Acting Governor New Mexico.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, DENVER, November 12, 1863.

To His Excellency the Governor, and the Honorable Legislative As sembly of the Territory of New Mexico:

Gentlemen—I have had the honor of receiving a copy of "Joint Resolutions," relating to the invasion of your Territory by Rebel Texan soldiers, passed by the Legislative Assembly of New Mexico, and approved January 28th, 1863—forwarded by His Excellency, Acting Governor Arny, as therein directed.

Nothing but a clear conviction that injustice was done, doubtless unintentionally, to those whose reputation it is my duty as well as my pleasure to defend, would induce me to deviate from

the usual acknowledgment in such cases.

The Resolutions, while couched in the language of praise and gratitude to our Colorado troops, give them a secondary place

to those not actually engaged in the campaign.

While I understand that the California troops are gallant and brave, I do not understand that they took any part in driving the rebels from your soil, as they did not arrive until after their expulsion from your Territory. I appeal to facts:

expulsion from your Territory. I appeal to facts:
On the 21st day of February, 1862, the sanguinary battle of Val Verde near Fort Craig was fought, between the entire invading rebel force under Sibley, and the U.S. forces under Colonel, now Brigadier General Canby, then, and until after the re-

10

tı

i

conquest, Commander of the Department of New Mexico. Here an independent company of Colorado Volunteers, under the command of the brave Captain now Lieut. Colonel Dodd, gallantly fought side by side with the troops of New Mexico and the regular army, and with the lamented McRae and his brave men, a number of them fell on the field.

Immediately after this engagement, which resulted disastrously to our cause, leaving Col. Canby in their rear, the Rebel force marched upon and took possession of your Capital, and subsequently they proceeded towards Fort Union, for the purpose of conquering and taking possession of the remaining por-

tion of the Territory.

On the 22d day of February, the day after the battle of Val Verde, in response to a call for aid from Col. Canby, the First Regiment of Colorado Volunteers, two independent companies having preceded them, under command of Colonel, now Brig. General Slough, marched for New Mexico; poorly clad, and with but little transportation or subsistence, they made the most rapid march for infantry, on record, on the three successive days before their arrival at Fort Union, averaging 45 miles per day.

On the 26th day of March they met and attacked the enemy

in superior force and position, at Apache Canon.

On the 28th, two days afterwards, the battle of Glorietta or

Pigeon's Ranch was fought.

Here, while Col. Slough engaged the enemy in front with the main body of the Colorado troops, Major now Colonel Chivington, with a small detachment, by detour, passed to the rear of the enemy, and successfully attacked and burned their transportation, baggage, and subsistence. This so crippled the enemy that they gave up the contest, and commenced their retreat.

At Paralto, on the 15th of April, a partial engagement with the retreating foe occurred, in which the Colorado troops again

bore an active and honorable part.

From this time no more fighting occurred.

The Colorado and other troops, by order of Col. Canby, pursued the retreating rebels, and on the 29th of June spies officially reported to Col. Chivington, commanding the Southern District of New Mexico, that their rear-guard had retired from the Mesilla Valley, going in the direction of San Antonio, Texas. This really closed the contest, and has left New Mexico ever since, under the undisputed authority of our flag.

On the 9th of June Col. Canby wrote from Department Head Quarters at Santa Fe, to Fort Craig, that he had "no information, official or unofficial, that California troops are coming to

tnis country."

On the 16th of the same month, a month after the last engagement, in another communication he says, he "cannot think that any large force would have been sent from California with-

out being advised of it."

The first official information of the approach of the California troops was received in a letter sent by express, at Fort Craig, in July, from Lieut. Col. Eyer, under date of Cow Springs, June 30th, (the day after the rebels were reported to have left the Mesilla Valley,) in which he says—"I have the honor to report my arrival at this place with a squadron of cavalry, consisting of one hundred and thirty men, rank and file. I am acting under orders of Brigadier General James H. Carleton, "commanding column from California," now at Tucson, dated June 17, 1863," &c.

The Resolutions, entirely ignoring the fact of any battle hav-

ing been fought, read as follows, viz:

### "JOINT RESOLUTION."

WHEREAS—During the late Texas invasion, while the Rebel hordes threatened our Territory, the gallant soldiers of California, and of our sister Territory, Colorado, came to our assistance, and uniting with our patriotic and true-hearted sons, drove the invaders from the land, and

WHEREAS,—We deem it an act of justice that we should express to them our thanks, for having by forced marches, in an almost unprecedented space of time, reached New Mexico, and perilled their lives in defence of our homes and firesides, there-

fore.

Be it Resolved by the Legislative Assembly of the Territory of New

Merico-

That we tender our thanks, and the thanks of the People of New Mexico to the brave California and Colorado troops for their timely aid and assistance, in driving the traitors and rebels

from our soil.

Resolved, That we regard the rapid march of Brigadier James H. Carleton with the California troops across the Great Descrt, as one of the most remarkable achievements of the age: that we have the utmost confidence in the military capacity and generalship of Brigadier General Carleton; and we recommend and respectfully ask of the President of the United States his appointment as Major General of Volunteers.

Resolved, That His Excellency, the Acting Governor, is hereby requested to forward a copy of the foregoing Resolutions to His Excellency, the President of the United States, and to the

Governors of California and Colorado.

 $\{\widetilde{L}.\widetilde{s}.\}$ 

F. M. GALLEGHOS,
Speaker of House of Representatives.
FRANCISCO SALASAR,
Vice-President of Legislative Council.

Approved, Jan'y 28, 1863. W. F. M. ARNY, Acting Governor New Mexico.

While there could be no objection to complimentary resolutious to the California troops alone, for their worth and valor, it is manifestly unjust to those who perilled their lives on the field of battle, so to word such resolutions as to convey the impression that the laurels belong to them for your deliverance.

A sense of duty to my Territory—of justice to her brave and patriotic soldiers, and of regard for the memory of our slain in your defence, forbid that I should receive these retolutions

without returning this protest.

I have the honor to be, very respectfully, Your obedient servant.

> JOHN EVANS, Governor of Colorado Territory.

EXECUTIVE DEPARTMENT, SANTA FE, N. M., February 7th, 1864.

SIR:-By the mail which leaves here to-morrow, you will recerve from the Secretary of the Territory a series of Resolutions, which were passed unanimously by the Legislature lately adjourned in this city, with respect to the services rendered by the Volunteers of the Territory of Colorado, in the expulsion of the Texan forces from the limits of New Mexico, which I hope will be satisfactory to yourself, to the officers and soldiers that hastened to our rescue, and to the people of your Territory. I am quite sure that it never was the intention of the people, or of the Legislature of New Mexico, to do injustice to the brave and patriotic volunteers of Colorado, in anything that was ex pressed in the Resolutions of last winter. We hold in grateful recollection the timely aid shat was rendered to us in the day of our greatest trial. We will never forget the blood that was shed by the Volunteers of Colorado in our cause, and we hold ourselves in readiness to shed the same, or a larger amount, in the cause of Colorado, whenever danger may menace her frontiers.

With the highest consideration and respect,

I remain very truly, your obedient servant,

HENRY CONNELLY,

Governor New Mexico.

To His Excellency, John Evans, Governor C. T., Denver City.

1-

d

### RESOLUTIONS.

WHEREAS,—This Legislature has been informed by His Excellency, the Governor of the Territory of Colorado, that he, and the people of the aforeraid Territory, believe that they have received unintentional injustice by certain Resolutions passed by the last Legislature of this Territory, making mention of the invasion of this Territory by the Texan forces, and the part which the Colorado Volunteers took in the expulsion of the same from this Territory, therefore, good to be the

Be it Resolved by the Legislative Assembly of the Territory, That it was not, nor has it been the intention of the people of the Territory of New Mexico to do the least injustice to the valor and the sacrifices of our neighboring Territory of Colorado, nor to place in secondary position to aught, her valiant and patriotic

soldiers in the defence of this Territory.

That we have not remained insensible or indifferent to the blood that flowed in our defense, and the invaluable services lent to the Territory in the hour of our danger; and we, the Representatives of the people of New Mexico take pleasure in expressing our thanks and gratitude to the brave Colorado Volunteers, assuring them on the part of our constituents a reciprocal service in helping our neighbors, when called, to our last

Resolved further, That a copy of this Preamble and Resolutions be forwarded by the Honorable Secretary of the Territory to the Governor of the Territory of Colorado.

Signed:

VICENTE GARCIA, Speaker of the House of Representatives. Butters of Language of D. ARCHUBETA,

President of the Council.

Approved, February 3d, 1864 to anied soon bus sorts and HENRY CONNOLLY, 1 and RIES A POYA Governor of New Uexico.

I, W. F. M. Arny, Secretary of the Territory of New Uexico, hereby certify that the foregoing is a true and correct copy of the original now on file in my office.

In testimony whereof, I have hereunto set my hand and official seal, this, 6th day of February, A. D. 1864.

W. F. M. ARNY,

Secretary of Territory of New Mexico. The Speaker appointed Messrs. Chever, Ripley, Lynch, Garcia and Marsh as such committee. The bas basy as w

Mr. Koontz moved that the report of the Committee on Agriculture, on H. B. No. 15, be adopted. o mon governous

Carried.

Mr. Chever moved that

C. B's. Nos. 9 and 10 be read a 1st and 2d time, by their titles, and

Referred to the appropriate committees.

Carried.

C. B. No. 9 read 1st and 2d time by its title, and

Referred to the committee on Counties and County Lines.

C. B. No. 10 read 1st and 2d time by its title, and referred to committee on Incorporations.

Mr. Welton moved that

C. S. for H. B. No. 15 be read 1st and 2d time by its title, and referred to its appropriate committee.

Carried.

C. S. for H. B. No. 15 read 1st and 2d time by its title, and Referred to the Committee on Agriculture.

On motion of Mr. Judd, the House adjourned until 10 o'clock a. m., to-morrow.

### THURSDAY, FEBRUARY 18th, 1864.

The House met at 10 o'clock a.m., pursuant to adjournment. The Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent.—Messrs. Kipp, Mallory, Patterson.

Quorum present.

Journal of the preceding day, read.

Mr. Chever moved that that portion of the journal referring to Fitz John Porter, be expunged.

The ayes and noes being called for were,

Ayes—Messrs. Chever, Eames, Garcia, Henson, Judd, Ortega, Ripley, Webster, Welton, Mr. Speaker, 10.

Noes-Messrs. Koontz, Kelley, Lynch, Leeper, Marsh, Mc-Cannon, Nye, Sheldon, Stansell, White, Woods, 12.

Ayes—10. Noes—12. Motion Lost.

So the journal stands approved.

Mr. White presented a remonstrance from the citizens of Mountain City and Gregory Point, against being included in the Incorporation of Central City.

Which was read, and on motion of Mr. Marsh, was referred to the committee on Incorporation.

Mr. Chever, from committee on Territorial Affairs, reported as follows:

MR. SPEAKER: - The committee on Territorial Affairs to whom was referred, amos edit of bemeler be

C. J. R. No. 1, report the same back to the House amended by striking out the word "Banner" and substituting the word "Flag," and with this amendment recommend its passage. D. A. CHEVER, Ch'n. H

Report received.

Mr. Eames, from the committee on Agriculturel reported as Mr. Sheldon, pursuant to previously medical real less swolden

MR. SPEAKER: - Your committee on Agriculture to whom substitute for,

H. B. No. 15, was referred, beg leave to report the same back and recommend its passage. J. H. EAMES, Ch'n.

Report received.

k

Mr. Marsh, from committee on Judiciary reported as follows:

Mr. Speaker:—Your committee to whom was referred, H. B. No. 5, with Council Amendments, beg leave to report that they have had the same under consideration and recommend the concurrence of the House in the Council amendments. Respectfully Submitted,

A. MARSH, Ch'n.

Report received.

H. B. No. 5, entitled "an act concerning judgments and executions," was read with amendment proposed by Council.

Mr. Marsh moved that the House concur in the Council

amendment to.

H. B. No. 5. Carried.

Mr. Holland, in pursuance to previous notice, asked leave to introduce,

H. B. No. 30, entitled "an act to incorporate the Denver Gas Light Company," which was read the first and second time by its title, and referred to the committee on Incorporation.

Mr. Kelley, in accordance with previous notice, asked leave to introduce H. B. No. 31, entitled "an act to increase the capital stock, and extend the privileges of the Jefferson County Irrigating Ditch Company, which was read a first and second time by its title, and referred to the committee on incorporations.

Mr. Judd, having given previous notice asked leave to intro-

duce,

H. B. No. 32, entitled "an act to incorporate the Black Hawk City Gas Company" which was read a first and second

time by its title and referred to the committee on Incorporations.

Mr. Welton, having given previous notice, asked leave to

introduce,

H. B. No. 32, entitled "an act to incorporate the Denver City and Araria Gas Light Company," which was read a first and second time by its title, and referred to the committee on Incorporations.

Mr. Sheldon, pursuant to previous notice asked leave to in-

troduce,

H. B. No. 34, entitled an act to enable the Superintendent of Common Schools, of El Paso County, to apply the school fund of said County, to the use of schools in the several districts thereof; which was read a first and second time by its title, and referred to the committee on Education.

Mr. Holland moved that,

C. B. No. 6, be referred to the committee of the whole.

Carried.

Mr. Marsh, moved to lay H. B. No. 1 on the table.

Carried.

Mr. White, from select Committee, reported as follows:

Mr. Speaker:—The Chairman of the committee, to whom was referred that portion of the Governors Message relating to

the Pacific Railroad, respectfully reports.

That the committee unites with his Excellency in his recommendations to offer proper inducements to influence the location of the road through the settlements of this Territory that we acknowledge with pride the truth that Colorado Territory is "not lo be regarded in the light of a supplicant for the favor of having the road through our Territory, and that she "hasas many benefits to confer as to receive."

That the recommendation of the Governor in his Message relating thereto, are worthy of careful consideration. That we, recommend that a committee of three be appointed to confer with His Excellency, Governor Evans, in relation to such recommendations, and to report suitable resolutions to this House for their consideration.

M. C. WHITE, Ch'n.

Report received.

And on motion of Mr. Sheldon, was adopted.

In accordance with the report. The Speaker appointed,

Messrs. White, Judd and Henson, such committee.

Mr. White moved that the House do now resolve itself into committee of the whole on the general file.

And on motion of Mr. Leeper, was adopted.

Carried.

0

er

st

1-

d

1-

2-

r

S

re

e-

se

to

Carried.

The House then went into committee of the whole.

Mr. Sheldon in the chair.

After sometime spent therein, the committee arose.

The Speaker in the chair.

The Speaker received, and read a communication from the committee of arrangements for the celebration of Washington's birth-day, extending an invitation to the members of the House.

Communication received.

On motion of Mr. Koontz, the House adjourned until 2 o'clock, p. m., abrow owitted edited bevom velgil all

and neewtod "bus" by AFTERNOON SESSION. But 2 notices to easil House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair.

Roll called.
Absent—Messrs. Eames, Kipp, McCannon, Mallory, Patterson, White.

Quorum present. gother a contragated by our don't AM

Mr. Sheldon, chairman of the committee of the whole reported as follows: "burn brow sitt that havens stucoal all

Mr. Speaker:—I am instructed by the committee of the whole to make the following report,

Having had,

Having had, C. J. R. No. 1, under consideration,

Adopted the same, and recommend its passage by the House with the following amendments to-wit.

Strike out the word "Banner" and insert the word "Flag." Also, strike out the last resolution and insert the following as a substitute.

Resolved, That a copy of these resolutions be sent to Col. J. M. Chivington, Commanding this District, with the request that the same be read to his command, and that the Secetary of the Territory be requested to forward a copy of the same to Col. J. H. Ford, to be read in like manner, and also, that a copy be furnished to the different Newspapers in this Territory for publication.

Also, C. B. No. 6. now ent two-plats of bevoir event all And after sometime spent therein, the House arose without any recommendation.

A. Z. SHELDON, Ch'n.

And on motion of Mr. Leeper, was adopted.

Mr. Holland, moved that,

H. B. No. 24, be taken up for consideration.

Carried.

H. B. No. 24, was then read and considered, and on motion of Mr. Holland, was ordered engrossed for a third reading.

Mr. Lynch, moved that,

H. B. No. 16, be taken up for consideration.

Carried.

H. B. No. 16, entitled "an act relating to Marriages" then taken up and considered.

Mr. Ripley moved that the last two words "and relations" in

the second section be stricken out.

Carried.

Mr. Webster moved to strike out the word "cousins" in third line of section 2, and transpose the word "and" between the words "Aunts" and "Nephew."

Motion Lost.

Mr. Chever moved to insert the word "and" between the words "Aunts" and "Nephews" and add the words "of first degree" after the words "cousins" in third line, section 2.

Carried.

Mr. Lynch moved that section 2 be adopted.

Mr. Koontz moved that the word "and" be striken out and insert the word "or" in sixth line of section two.

Mr. Chever moved that the word "knowingly" be inserted between the words "shall" and "contract" in the first line, and before the word "solemnize" in the second line of section three. Carried.

Mr. Nye moved a substitute for section three, motion lost. Mr. Lynch moved to amend section 4 by adding,

Provided, That nothing in this section shall be construed so as to allow bigamy in this Territory.

Mr. Holland moved that the words "and places" in last line of section 4 be striken out.

Carried.

Mr. Webster moved that the words "or Polygamy" be inserted after the word "bigamy" in section 4.

Mr. Chever moved to strike out the word "every" and insert "any." Also, the word "and" and insert "or" in section 5.

Mr. Chever moved to insert the word "knowingly" between the words "shall" and violate in the second, sixth and seventh

8.

on

as

in

rd he

he

rst

1d

e.

80

11-

rt

th

'Ma Springel-Your committee, to whom was referre lines of section 6. A section of the section of the

Carried. At a beam are por bear a seroff to a beat to a beat to

Mr. McCannon, appeared and took his seat.

Mr. Chever moved to insert the word "such" between the words "every" and "officer" in fifth line of section 7.

Mr. Lynch moved that the bill under consideration be referred to a special committee of three. swolld as betroger

The Speaker appointed Messrs. Lynch, Garcia and Welton,

Such committee.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

Council Chamber, Feb'v. 18, 1864.

MR. SPEAKER:-I am instructed to inform the House that the Council has passed C. B. No. 7, an act for the collection of debts in certain cases, and for the benefit of insolvent debtors herewith transmitted, and the concurrence of your Honorable body therein, is respectfully requested.

Very respectfully,

C. B. HAYNES,

Sec'y of the Council.

Mr. Judd gave notice that on to-morrow or some subsequent day, he would ask leave to introduce a bill securing to James Miller, of Gilpin County, certain rights.

On motion of Mr. Kelley, the House adjourned until 10

o'clock to-morrow. The actual action, because is though Both or Deficient need

## FRIDAY, FEBRUARY 19th, 1864.

House met pursuant to adjournment, at 10 o'clock a. m. The Speaker in the chair.
Prayer by the Chaplain.
Roll called.

Absent-Messrs. Chever, McCannon, Kipp, Mallory, Patterson, White. Quorum present.

Journal of the preceding day read and approved.

Messrs. Chever, White and McCannon appeared in their seats. Mr. Ripley, from the Committee on Education, submitted the following Report:

Mr. Speaker,—Your committee, to whom was referred H. B. No. 34, having carefully examined the same,

Report it back to the House, and recommend the passage thereof without amendment.

DAVID RIPLEY, Ch'n.

Report received.

Mr. Sheldon, from committee on County and County Lines, reported as follows:

Mr. Speaker,—Your committee to whom was referred C. B. No. 9, beg leave to report, that they have had such bill under consideration, and do respectfully Recommend its passage.

A. Z. SHELDON, Ch'n.

Report received.

Mr. Kountz, from the committee on Engrossment, reported H. B. No. 24 correctly engrossed.

Report received.

Mr. Kountz moved that the report of the committee on Education be adopted.

Motion lost.

Mr. Stansell moved that the free use of this Hall be tendered to the venerable J. L. Thompson, on Wednesday evening next, for the purpose of delivering his lecture on Geology.

Carried.

Mr. Chever moved the adoption of the following resolution:

Rssolved,—That from and after this date, no bill of a private nature shall be introduced into this House, unless sufficient printed copies thereof for the use of the members shall have been furnished to the Sergeant-at-arms.

Motion lost.

Mr. White gave notice, that on to-morrow the committee of Ways and Means will introduce a bill, entitled "An act to amend an act, to organize and establish the Treasury Department."

C. B. No. 7, "An act for the collection of Debts, in certain cases, and for the benefit of insolvent debtors."

Read 1st and 2d time by its title, and

On motion of Mr. Kelley, ordered printed.

Mr. White, previous notice having been given, asked leave to introduce

H. P. No. 35, entitled, "An act to amend an act, entitled an act to provide for the Collection of Revenue," which was Read a 1st and 2d time by its title, and

9.

S.

ct,

te

ve

of nd On motion of Mr. White, ordered printed.

Mr. Welton, in pursuance to previous notice, asked leave to introduce

H. B. No. 36, entitled "An act for the protection of Farmers in certain localities," which was

Read a 1st and 2d time by its title.

Mr. Judd, in pursuance to previous notice, asked leave to introduce

H. B. No. 37, entitled, "An act protecting James Miller, of Gilpin County, in certain rights," which was

Read a 1st and 2d time by its title.

H. B. No. 34 was then read for consideration, and

On motion of Mr. Sheldon, was

Ordered engrossed for a third reading.

Mr. Marsh, from the committee on Judiciary, reported as follows:

Mr. Speaker,—Your committee, to whom was referred

C. B. No. 5, beg leave to report, that they have had the same under consideration, and recommend the passage thereof, with the following amendments:

Add at the end of Section 6, the following:-"Or shall recover a judgment for the value of the property, or so much thereof as

he may prove himself entitled, at his election."

Add at the end of Section 11, the following:—"And when the case has been commenced in the Justice of the Peace or Probate Courts, and it shall appear upon the return of the writ that the defendant has not been personally served, and no ap-Pearance be entered for him, the Justice or Probate Court shall continue the case ten days, and immediately cause a notice to be printed in three of the most public places in the neighborhood of said Justice, (or near as may be,) as in cases of attachment against non-resident defendants before Justices of the Peace. Respectfully submitted, MARSH Ch'n.

A. MARSH, Ch'n.

Report Received. 100 Todayan ent tand beyon 10 10 11

Mr. Lynch, from Select Committee, made the following report:

Mr. Speaker,—Your Committee to whom was referred H. B. No. 16, have, according to order, had the same under consideration, and have directed me to

Report the same back to the House with the following amendments, to wit:

Insert after the word children, in the 5th line of Section 2:— "Provided that nothing in this Section shall be construed so as to prevent the people living in that portion of the Territory acquired from New Mexico from marrying according to the customs of that country."

Also, strike out in Section 8 and second line, the words-"and shall be allowed for each entry of the same, fifty cents,

to be paid by the parties to the marriage."

J. T. LYNCH, Ch'n.

Report received.

Mr. Holland moved that

C. J. R. No. 1 be taken up for consideration.

Carried.

C. J. R. No. 1, was then read and considered, and on motion of Mr. Holland was

Read a third time, and the question being upon its final pas-

sage, the ayes and noes were,

Aves-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker—22.

Ayes, 22; Noes, none. So the bill passed. Mr. Lynch moved that

H. B. No. 16, with the repart of the committee thereon, be taken up for consideration.

Carried.

H. B. No. 16 was then taken up, and considered.

Mr. Lynch moved the adoption of the following enacting clause: Be it enacted by the Council and House of Representatives of Colorado Territory.

Carried.

Mr. Ripley moved to adopt the following additional section: "All fins and penalties accruing under this act, shall be paid into the County Treasury for the use of Common Schools, in which the offence was committed.

Carried.

Mr. Chever moved that the further consideration of the bill be deferred until to-morrow afternoon.

Motion withdrawn.

Mr. Lynch moved that the amendments proposed by the Select Committee be adopted.

Carried.

Mr. Chever renewed his motion to defer,

Mr. Marsh moved that this House do now resolve itself into Committee of the Whole.

Carried.

The Sergeant-at-Arms announced a communication from the Council which was received and read as follows:

MR. SPEAKER: I have the honor to inform the House that the Council has passed

C. B. No. 16, an act to Incorporate the Beaver Creek Ditch

and Fluming Company, in Park County, C. T.

C. B. No. 17, a bill for an act to exclude Traitors and Alien Enemies from courts of justice in this Territory, in civil cases. Also, of their concurrence in and passage of

H. J. R. No. 3, "relating to Territorial Boundaries."

H. B. No. 9, a bill for an act to amend an act, entitled, "An act to define County Boundaries and to locate County Seats in Colorado Territory."

H. B. No. 12, an act to incorporate the Dona Emelia Town

Company herewith transmitted;

And the concurrence of your Honorable Body therein is respectfully asked.

Very respectfully, C. B. HAYNES, Sec'y of Council.

The House then went into Committee of the Whole.

Mr. Marsh in the chair.

After sometime spent therein, the Committee arose.

The Speaker in the chair.

Mr. Marsh, chairman of the Committee of the Whole, asked leave to report this afternoon.

Granted.

IS-

e,

n,

he

ng

en-

n: aid in

Se-

nto

On motion of Mr. Stansell, the House adjourned until 2 o'clock, p. m.,

# AFTERNOON SESSION.

The House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair.

Roll called.

Absent-Messrs. Judd, Kipp, Mallory, Patterson, Ripley.

Mr. Ripley appeared in his seat.

Mr. Marsh submitted the following Report:

Mr. Speaker—The chairman of the Committee of the Whole, having had under consideration

0

b

0

bo

H. B. No. 15, an act concerning Marks and Brands, Beg leave to report as follows:

That Sections 1, 2, 3 and 4 were severally read and adopted. That the following additional section was added thereto:

"All fines and penalties incurred by the provisions of this act, shall be paid into the County Treasury, for the use of common schools of the Territory."

That proposed Section "Six," together with amendments sub-

mitted herewith, were, on motion, laid on the table.

Respectfully submitted.

A. MARSH, Ch'n.

Report received.

H. B. No. 10 being the special order of the day, was taken up and considered.

Mr. Stansell moved to strike out the words "twenty-five," in 5th line of Section 1, and insert in lieu thereof, the word "fifty."

Motion withdrawn.

Mr. Stansell moved to amend, by striking out the words "twenty-five feet radius around," in 5th line of Section 1, and insert in lieu thereof, the words "fifty feet in width, and five hundred feet in length, in such direction as he or they may designate from such stake."

Mr. Leeper moved to substitute as follows: Strike out all between the word "within" in 5th line, and the word "so" in 6th line and insert the following,—"one hundred feet each way from said stake, on the line of the crevice, by fifty feet in width."

Amendment accepted.

Carried.

Mr. Woods moved to strike out the word "five," in 7th line of Section 1, and insert "two."

Mr. Henson moved to amend the amendment, by striking out

"two," and inserting "one."

Mr. Henson moved to strike out the word "five," in the 2d line of Section 3, and insert the word "three."

Carried.

Motion as amended carried.

Mr. Sheldon moved to insert the word "having," between the words "stake" and "inscribe, in 3d line of Section 3.

Carried.

Mr. Holland moved to amend Section 4, by striking out all between the word "claim" in 2d line, and "that" in 3d line, and insert—"until he shall give satisfactory evidence to the Recorder by the oral or written testimony of two witnesses."

Mr. White moved to amend the amendment, by inserting between the words "located" and "that," in 3d line of Section 4, the words, "within ten days after the discovery thereof."

The amendment as amended was then adopted.

Mr. Marsh moved to reconsider the vote on the amendment to the amendment. of common Schools in El Paso County to apply

Carried.oned larges of all of sloods to oan sit of viguos bisa lo The question recurring upon the amendment to the amendment. The motion was lost, med noiseon and but a back as

Mr. White moved as a substitute to the amendment, as follows: Insert between the words "located" and "that," in 3d line of Section 4, the words, "shall within twenty days after the discovery thereof."

The motion as amended was then adopted. Mr. Holland moved to strike out Section 4. hoses and and on Motion lost. Assemble a designment smrs to second of

Mr. Henson moved to strike out Section 5.

Motion lost.

Mr. Marsh moved to amend Section 7, by inserting the words "from the discovery," between the words "direction" and "he," in 4th line.

Carried and to Man and to suppress Carried and Ilid a 11 .ou . H . H Mr. Sheldon moved to amend, by striking out the words "School purposes," in 4th line of Section 7, and inserting the words, "benefit of the Territorial School fund.

Carried.

Mr. Lynch moved to add the following section:

SEC. —. It shall be the duties of the District Recorders in each of the organized Counties of this Territory within thirty days from the passage of this act, to file in the County Clerk's office of their respectice counties all books and papers, and other warrants of title relating in any manner to Lode claims; all records made in District Recorder's books after the said thirty days, bhall be and are hereby declared void.

Any District Recorder failing to comply with the provisions of this act, shall be fined not less than fifty, nor more than five hundred dollars—said fine to be collected before any Court hav-

ing competent jurisdiction.

Mr. Leeper moved te amend the proposed section, by striking out the words "thirty," and insert "sixty" in lieu thereof.

Amendment accepted.

Mr. Leeper moved that the further consideration of the bill be deferred until Wednesday next, at 2 o'clock p. m. Carried.

Mr. Koontz, from committee on Engrossment, reported H. B No. 34 correctly engrossed.

Report received.

Mr. Sheldon moved that the rules be suspended, and H. B. No. 34 read a third time, and putupon its final passage.

ed. ct, on

ib-

19.

y, ,,

up

rds 1, nd ay

be-3th ray h.

ine

all nd

be-4, Carried.

H. B. No. 34, entitled, "An act to enable the Superintendent of common Schools in El Paso County to apply the school fund of said county to the use of schools in the several School Districts thereof," was taken up,

Read a third time, and the question being upon its final pas-

srge, the aves and noes were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Keontz, Kelley, Leeper, Lynch, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Mr. Speaker—20.

Noes, none.

Ayes, 20- noes 0.

So the bill passed. Title agreed to.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

Council Chamber, Feb'y 19, 1864.

MR. SPEAKER: I am instructed to inform the House that the Council has concurred in and passed

H. B. No. 11, a bill for an act to suppress Gambling and Gambling Houses, with the following amendments, to-wit:

By adding to Section 5, the following:—"And if any such marshall, sheriff, policeman, constable, or Justice of the Peace, shall know of such gambling house being kept, and shall neglect or refuse to inform the proper officers, so that the keeper or keepers thereof shall not be dealt with by law, such offices shall be declared vacant by the County Commissioners, and other officers shall be appointed by them, to serve until the next election.

And substitute the following for Section 7:

SEC. 7.—One half of the fines collected under this act, shall go to the officer or person making the complaint, and the remainder to the County, to be used for the support of common schools."

Also, H. B. No. 1—bill for "an act authorizing the Board of Directors of School District number one, in Jefferson County,

to levy a tax."

Also, has passed

C. B. No. 10, an act concerning Forcible Entry and Detainer, and unlawful detain:

And the concurrence of your Honorable Body is respectfully requested therein. Very respectfully,

C. B. HAYNES, Sec'y of Council.

C. B. No. 5 was then read for consideration.

Mr. Holland moved that the bill be ordered printed.

Motion withdrawn.

Mr. Marsh moved the adoption of the amendments proposed by the committee on Judiciary. Ist need as well as

Carried. Carried as a collection of the House of the Carried.

Mr. Holland moved that the bill be ordered printed. Motion lost.

Mr. Marsh moved that standlag rale No. 38 be smended by

On motion of Mr. McCannon the House adjourned until 10 o'clock, a. m., to morrow.

### SATURDAY, FEBRUARY 20th, 1864.

House met at 10 o'clock a. m., pursuant to adjournment. The Speaker in the chair. Prayer by the Chaplain. On the damage of the prayer by the Chaplain.

Roll called.

Absent-Messrs. Eames, Judd, Kipp, Mallory, Patterson, White.

Quorum present.

Journal of the preceding day read and approved. Messrs. Judd and White appeared in their seats. Mr. Chever from the committee on enrollment reported,

C. B. Nos. 1, 3, and 4, and Council substitute to,

H. J. R. No. 2, correctly enrolled.

Report received.

Mr. Marsh from committee on judiciary reported as follows:

MR. SPEAKER: - Your committee to whom was referred, H. B. No. 25, having had the same under consideration beg leave to report

That they would recommend the passage thereof, with the

following amendments.

That section two be amended by adding the following.

Provided, That in all cases where any ditch, dyke, cutting or flume shall intersect, traverse or cross any high-way or p ublic road, it shall be the duty of the person or persons, owning such ditch, dyke, edtting or flume, to bridge the same in such manner as that such road shall not be empaired thereby.

That there shall be added the following section:

Sec. 21st. That all forfeitures provided under the provisions of this act, may be recovered before any Court having competent jurisdiction.

Sec. 22. This act shall take effect and be in force from and

after the passage thereof.

Report submitted.

A. MARSH, Ch'n.

Report received.

Amendments proposed by Council to,

H. B. No. 11, was then taken up and considered.

Mr. Holland moved that the House do disagree to the Council amendment to section five.

Carried.

Mr. Lynch moved that the House do concur in Council amendment to section 7.

Carried.

Mr. Marsh moved that standing rule, No. 38, be amended by striking out the word "ten" and insert "nine," so that the reguar hours of daily meeting of this House hereafter shall be nine o'clock a. m.,

The ayes and noes having been ordered were,

Ayes-Messrs. Garcia, Holland, Henson, Judd, Koontz, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, White, Webster, Welton, Woods, 16.

Noes-Messrs. Chever, Kellog, McCannon, Stansell, Mr. Speaker, 5.

Ayes—16.

Noes-5.

So the motion prevailed.

Notice that the following bills would be introduced, was given, by Mr. Leeper.

A bill explanatory to an act entitled "an act concerning Lode

claims.

By. Mr. Judd,

A bill for the Denver and Pacific Waggon Road Company, C. B's Nos. 16, 17 and 18, were read a first and second time by their titles.

Mr. Marsh moved that,

H. B. No. 25, be taken up for consideration.

House bill No. 25, was read by sections for consideration. Mr. Koontz moved that the bill be ordered printed.

M. Sheldon moved to amend by adding with the amendments recommended by the Committee.

Amendment accepted. Motion as amended adopted.

C. B. No. 5, an act to amend an act, entitled an act regulating the mode of proceeding in replevin, was then taken up; and on motion of Mr. Marsh, was read third time and placed

The ayes and noes having been called were,

Ayes-Messrs. Chever, Garcia, Henson, Judd, Koontz, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, White, Webster, Mr. Speaker, 15.

20.

un-

acil

by

gu-

tz,

ite,

Mr.

vas

de

IV,

ne

d-

ap, Noes-Messrs. Holland, Kelley, McCannon, Welton, 4.

Noes—4.

So the bill passed and title agreed to.

Mr. Lynch moved that

C. B. No. 9, be taken up for consideration.

Carried.

C. B. No- 9, an act to locate the County seat of Costilla County, was taken up and considered,

And on motion of Mr. Ripley, was read a third time and

placed upon its final passage.

The ayes and noes having been called were,

Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, White, Webster, Welton, Woods, Mr. Speaker, 19.

Noes-Mr. McCannon, 1.

Ayes—19. Noes—1.

So the bill passed and title agreed to.

Mr. Chever, presented the petition of F. J. Stanton, asking compensation for compiling and indexing the statutes of the first session of the Legislature of Colorado Territory, which was received and read, and on motion of Mr. Marsh, amended by Mr. Ripley, was referred to a special committee of three with power to send for persons and papers.

The Speaker appointed Messrs. Marsh, Ripley and Nye such

committee.

H. B. No. 24, an act to amend an act entitled an act to authorize the appointment of County Commissioners in certain cases, was read a third time, and the question being upon its

final passage, the ayes and noes were,

Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker, 21.

Ayes—21. Noes—0.

So the bill passed and title amended by substituting the word "special" for the word "certain" and then agreed to.

Mr. Welton moved to take up,

H. B. No. 15. noil es soll off report of the noison

Motion withdrawn.

Mr. White in pursuance to previous notice asked leave to introduce.

H. B. No. 38, an act to amend an act authorizing the establishing of the Treasury department.

Which was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Marsh moved that the House do now go into committee

of the Whole on,

Carried.

The House then went into committee of the Whole.

Mr. Koontz in the Chair.

After a short time spent therein the committee arose.

The Speaker in the Chair.

The Chairman of the committee of the Whole reported as follows:

MR. SPEAKER:—The committee of the whole have had under consideration,

H. B. No. 15, and report the same back to the House with a recommendation that it pass.

J. A. KOONTZ, Ch'n.

Report received.

Mr. Webster moved that,

H. B. No. 15, be read for consideration.

Carried.

H. B. No. 15, was then read and considered.

Mr. Henson, moved to insert the word "Jack" before the word "Asses" whenever the word occurs in the bill.

Motion lost.

Mr. Garcia moved that the bill be indefinitely postponed. The aves and noes being ordered were.

Ayes—Messrs. Garcia, Kelley, Stansell, Mr. Speaker, 4. Noes—Messrs. Chever, Holland, Henson, Judd, Koontz, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, White, Webster, Welton, Woods, 17.

Ayes—4. Noes—17.

So the motion was lost.

Mr. Garcia moved to adjourn until 2 o'clock, p. m.,—Lost.

Mr. Webster moved that,

H. B. No. 15, be ordered engrossed for a third reading.

On motion of Mr. Chever, the House adjourned until 2 o'clock p. m.,

### AFTERNOON SESSION.

The House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the Chair.

Mr. Stansell, moved that the House take a recess of fifteen minutes belowed Modern of to nothing most of T - 18371398 316

At the expiration of the time the Speaker called the House

Roll called.

Absent-Messrs. Eames, Kipp, Lynch, Mallory, Patterson.

Quorum present.

Mr. Leeper gave notice that on to-morrow or some subsequent day he would ask leave to introduce a bill to Incorporate the Rocky Mountain Prospecting Company.

Mr. Stansell gave notice that he would on Monday or some subsequent day introduce a bill to re-locate the Capital of Colorado Territory.

Mr. Marsh moved that, and days to Translation and the state of the sta

H. B. No. 16, be read for consideration.

Carried.

H. B. No. 16, was then read and considered.

Mr. Ripley moved to defer the further consideration of the bill.

Mr. Chever moved to amend so as to make it the special order of the day, for Thursday next at 2 o'clock p. m.,

Amendment accepted.

Motion as amended, adopted.

Mr. Stansell moved that, notion and bebied actinged off

C. B. No. 6, be taken up and read a third time, and put upon its final passage.

Carried.

Mr. Holland raised a point of order on a question of facts. Which was sustained by the Chair, and calender ordered named hereing union sign from some of T amended.

Mr. Holland moved that, signed governo street A

C. B. No. 17, be taken up for consideration.

Carried.

C. B. No. 17, was taken up, and read for consideration.

And on motion of Mr. Holland, was referred to the committee on judiciary.

Mr. Stansell moved that this House do now resolve itself into committee of the whole on, C. B. No. 6. serv modw of asitimmon and Yang against all

Carried. as also at latings of the analysis of the and It lower and

The House then went into committee of the Whole.

the

v 20.

d re-

ittee

d as

inder

ith a

Shel-

lock

Mr. Judd in the chair.

After a short time spent therein, the committee arose and,

The Speaker in the chair,

The Chairman of the committee of the Whole, reported as follows:

Mr. Speaker: - The committee of the whole have had under consideration.

C. B. No. 6, and report back the same without recommen-

dation.

L. D. JUDD, Ch'n.

Report received.

Mr. Holland moved that,

C. B. No. 6, be read for information.

Carried.

C. B. No. 6, was then taken up and read.

Mr. Holland moved the adoption of the following additional section.

Section. 5. Any Telegraph Company to be entitled to the

benefits of this act,

Shall establish an office at, or in any city through or near which their line runs, when the inhabitants of such city shall request them to do so.

Mr. Webster moved a substitute as follows:

That the said Company shall be requested to keep open an office for the transmission of messages at the Capitol of the Territory.

Provided their line passes through the same. The Speaker decided the motion out of order.

The question being upon Mr. Holland's motion, was lost.

Mr. Henson moved to adjourn until 10 o'clock a.m., on Tuesday next. Lost.

Mr. Stansell moved that the rules be suspended and, C. B. No. 6, read a third time and put upon its final passage. The ayes and noes being ordered were.

Ayes—Messrs. Chever, Garcia, Leeper, McCannon, Nye, Sheldon, Stansell, White, Woods, Mr. Speaker, 10.

Noes-Messrs. Holland, Henson, Kelley, Ortega, Ripley, Webster, Welton, 7.

So the rules were not suspended.

Mr. Stansell, from the committee on Incorporations reported as follows:

Mr. Speaker: - Your committee to whom was referred. H. B. No. 31, an act to increase the capital stock, and extend the privileges of the Jefferson County Irrigating, Ditching

20.

28

al

ar all

n

1e

d

Company, have had the same under consideration and ask leave to report the same back to the House, with the following amendments to-wit:

After the word "exceed" in the fourth line, strike out the

word "one' and insert the word "three". or you or winned

Also, after the word "exceed" in eighth line, strike out the word "there" and insert the word "are." and in regged all

Also by adding section 4, as follows:

Sec. 4. That said Company shall at no time be permitted to divert the whole of the water in said Clear Creek from its original channel, nor shall they at any time divert the water of said Clear Creek, from its original channel to the damage or detriment of Farmers, Ranchmen, or others along the line of said creek whose rights are prior to those granted by the provisions of this act." guibbe id busms of beyon revend .AM

And with these amendments recommend its passage. To the sail be been of the stansell, Ch'n. 13. B. STANSELL, Ch'n. 13.

Report received. At House was to doubt been of received

Mr. White moved that the report be adopted.—Lost. Too biss On motion of Mr. McCannon, the House adjourned until 10 o'clock, a. m., on Tuesday next. no easter linde resuper dyna Carried, and sidt to entition at low Hade, leadler to Jeelgen

### TUESDAY, FEBRUARY 23rd, 1864.

Mr. Kogutzimovedikhat the mendadents recommended by

Mr. Kelley moved that the bill as amended be ordered en-House met at 10 o'clock a. m., pursuant to adjournment. The Speaker in the chair.

Prayer by the Chaplain.

Roll called out the more letoers and besister of Charles H. H.

Absent-Messrs. Eames, Kipp, Mallory, Nye, Patterson. Quorum present.

Journal of the preceeding day read. Strong Strong Street

Mr. Sheldon moved to expunge from the Journal the notice given by himself on Saturday, in regard to the invasion of Patriotic Ladies.

Carried.

The Journal as corrected, was then approved.

Mr. Nye appeared in his seat.

Notice that on to-morrow, or some subsequent day the following bills would be introduced was then given. wom bond and

By Mr. Welton, mon Islanda a of

A bill to incorporate the Excelsior Ditch Company. Deliver O

By Mr. Stansell, A bill to re-assign the Territory into Judicial Districts, and Provide for the holding of Courts therein.

By Mr. Holland,

A bill prohibiting County Treasurers, and other County and Territorial Officers, from speculating in County Scrip.

By Mr. Marsh,

A bill to authorize the County Commissioners of Gilpin County, to pay persons certain claims for serving as Jurors in the District Court.

Mr. Leeper in pursuance to previous notice, asked leave to

introduce,

H. B. No. 39, an act "explanatory to an act concerning Lode Claims." which was read a first and second time by its title.

Mr. Kelley moved that, H. B. No. 31, be taken up and read for consideration.

Carried.

H. B. No. 31, was then read for consideration.

Mr. Chever moved to amend by adding to section 3 as follows.

"Provided, That if any owner or lessee of any land adjacent or convenient to said ditch, or any branch thereof, shall apply to said company, for water for the purpose of Irrigating such ground, and said company having it in their power to grant such request, shall refuse or neglect to furnish the same, such neglect or refusal, shall work a forfeiture of this charter.

Mr. Koontz, moved that the amendments recommended by the Committee on Incorporations, be adopted.

Mr. Kelley moved that the bill as amended be ordered engrossed for a third reading.

Carried.

Mr. Koontz moved that,

H. B. No. 29, be referred to a special committee of three. Carried.

The Speaker appointed,

Messrs. Koontz, Garcia and Webster such committee.

Mr. Koontz moved that,

II. B. No. 36, be referred to Committee on Agriculture. Carried.

Mr. Webster moved that House substitute for,

C. B. No. 8, be recommended to the Committee on Counties and County Lines.

Carried.

Mr. Judd moved that,

H. B. No. 37, be referred to a special committee.

Carried.

The Speaker appointed.

Messrs. Judd, Marsh, and Ripley, such committee.

23.

nd

in in

to

de

ad

01-

or

to

ch

nt

ch

y

1-

Mr. Koontz, from Committee on Engrossment reported,
H. B. No. 15 correctly engrossed H. B. No. 15, correctly engrossed.

Report received.

Mr. Stansell moved that,

C. B. No. 6, be taken up, read a third time and put upon its final passage. er moved to alread so traff bevom should him

Carried.

C. B. No. 6, was then read a third time.

Mr. Ripley moved the adoption of an additional section as follows:

"Sec. 5. That all fines incurred by the provisions of this act, shall be paid into the County Treasurers Office in the county where the offense shall have been committed for the use of Common schools.

Carried.

Mr. Welton moved that the further consideration of the bill be indefinitely postponed.

The ayes and noes being called for, and ordered were,

Ayes-Messrs. Garcia, Holland, Henson, Kelley, Lynch, Ortega, Webster, Welton, Woods, 9. o all most stid

Noes-Messrs. Chever, Judd, Koontz, Leeper, Marsh, Mc-Cannon, Nye, Ripley, Sheldon, Stansell, White, Mr. Speaker 12. Ayes—9. Podasolo Trantagad a Alausaarl

Noes—12. And yearders and saveau

So the motion was lost.

Mr. Welton moved that the bill be made the order of the day for next Saturday.

Carried.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

· dead for some box some to soit and Council Chamber, The rewards of they said ve ventott A may Feb'y. 20, 1864. from and all legal questions that might seried in different parts of the

MR. SPEAKER:—I am instructed to inform the House that the Council has passed the following bills, and the concurrence of your honorable body is respectfully requested therein.

C. B. No. 2, an act providing for an appropriation for prin-

ting the laws in the Spanish language.

C. B. No. 13, an act to Incorporate the Denver Manufacturing and Milling Company.

C. B. No. 21, an act to amend an act, entitled an act concern-

ing Injunctions, approved Nov. 5th, 1861.

C. B. No. 14, an act to incorporate the Denver Artesian Well Company.

Herewith transmitted.

And also that the Council has concurred in House amendments to C. J. R. No. 1.

Very respectfully,

C. B. HAYNES, Sec'y of the Council.

Mr. Koontz, moved that,

H. B. No. 15, be read a third time and placed upon its final passage.

Carried.

H. B. No. 15, was then taken up and read a 3rd time, and the question being upon its final passage the ayes and noes were

Ayes—Messrs. Chever, Holland, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, McCannon, Ripley, Sheldon, White, Webster, Welton, Woods, 15.

Noes-Messrs. Garcia, Henson, Nye, Ortega, Stansell, Mr. Speaker, 6. Total and the second seco

Ayes—15.

Noes-6.

So the bill passed and title agreed to.

Mr. White from the committee on ways and means, presented the following communication, which was received and read.

> TREASURER'S DEPARTMENT COLORADO TERRITORY, DENVER, CITY, February, 20th, 1864.

Hon. M. C. White, Chairman Com. of Ways and Means.

SIR :- I desire to call your attention to an item in my report under the head of "indebtedness of the Territory" of \$100 due

Attorney Gen. Brown, for Legal services.

I have often found it necessary to ask for legal advice in matters pertaining to the duties of my office, and found it to be most proper to employ an Attorney by the year, to answer any and all legal questions that might arise in different parts of the Territory. Hence I took the responsibility of engaging Gen. Brown for one year from March 1st, 1863. He has rendered services which I am able to say, and show has resulted in great good to the Territory financially.

I would therefore suggest that the Auditor be authorized by resolution or otherwise, to pay this indebtedness by issuing a

warrant for the same upon the general contingent fund. I have the honor to be respectfully,

M. M. DELANO. Auditor of Colorado.

23.

nd-

nal

nd ere eeeb-

Ir.

ntid.

ort

in be ny he 11. ed at

Dy a

Mr. Lynch moved that, H. B. No. 23 be taken up for consideration. itsee to onit death Carried.

H. B. No. 23, was then read for consideration.

Mr. Holland moved to strike out section 1 of the bill.

Mr. Marsh moved that the further consideration of the bill be deferred until to-morrow at 10 o'clock, a. m.,

Mr. Leeper moved to amend so as to make it the special order of the day for Thursday next, at 10 o'clock, a. m.,

Amendment accepted. There there bear box xiz notices to sail Motion as amended adopted. Mr. Holland moved that, saggs strook bus stid W .srssa M

C. B. No. 16, be taken up for consideration nd luserting in " while brow off thew out Carried.

C. B. No. 16, was then read and considered, and ordered placed on general file.

Mr. Lynch moved that, a brow and resembles and more than

C. B. No. 18, be referred to committee on judiciary. Mr. Wood moved to strike out the word "October boow .AM

Mr. Leeper moved that, organ tream bus not goings to enil

H. B. No. 18, be taken up for consideration. Mr. Kelley moved to strike out the word Stwo." . Carried.

H. B. No. No. 18, was then read and considered.

Mr. Marsh moved to strike out section 13. Mr. Ripley moved to amend by adding a proviso to section 13 as follows: insert the following in hen thereof:

Provided, That this section shall not apply to roads in the width-other roads shall not exceed thirty teet in williams.

Carried.

The question then being upon striking out the section as amended, was lost.

Mr. Kelley moved to strike out all of the first line of section one after the word "Highways."

On motion of Mr. Holland, the House adjourned until 2 o'clock, p. m., d nestron noises of section fourteen b, m. of but his and the words "court having competent jurisdictioned be

### AFTERNOON SESSION. OPTER HOLD at befreen

House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair. Bridt of "redoteO" brow out two Roll called.

Absent-Messrs. Kipp, Koontz, Marsh, Mallory, Patterson, White, Welton. Quorum present. tangiro edi noque guiruser dollesan edi.

The consideration of,

H. B. No. 18, was then resumed.

The question being upon the motion to strike out all of the

first line of section 1 after the word Highways.

Carried.

Mr. Chever, appeared in his seat.

Mr. Leeper moved to strike out the words "twenty-one" in 4th and 5th, lines of section 5 and insert "eighteen" in lieu thereof.

Carried.

Mr. Sheldon moved to strike out the word "may," in fifth line of section six, and insert "shall" in lieu thereof.

Carried.

Messrs. White and Koontz appeared in their seats.

Mr. Leeper moved to fill the blank in second line of section five with the word "fifty."

Carried.

Mr. Lynch moved to strike out the word "six" in fourh line of section ten and insert the word "ten."

Carried.

Mr. Wood moved to strike out the word "October," in third line of section ten and insert "September."

Lost.

Mr. Kelley moved to strike out the word "two," in seventh line of section twelve, and insert "three."

Carried.

Mr. Webster moved to strike out section "thirteen" and insert the following in lieu thereof:

"Territory and county roads shall not exceed sixty feet in width—other roads shall not exceed thirty feet in width.

Lost.

Mr. Ripley moved to amend section fourteen by adding the words "and be liable to the party injured thereby."

Carried.

Mr. Henson moved that the words "Justice of the Peace," in the third and fourth lines of section fourteen be stricken out and the words "court having competent jurisdiction" be inserted in lieu thereof.

Carried.

Mr. Stansell moved to reconsider the vote on motion to strike out the word "October," in third line of section ten, and inserting the word "September."

Carried.

The question recurring upon the original motion was Carried.

Mr. Leeper moved to reconsider the vote on the motion to fill the blank in section five with the word "fifty."

Lost.

23.

eu

fth

on

rd

10

ith

nd in

he

2," ut be

ke rt-

to

Mr. Ripley moved that the bill be engrossed as amended for a third reading, repro ed Hid eds that beyon smooth AM.

Mr. Koontz, from special committee, reported as follows:

MR. SPEAKER: Your select committee, to whom was referred H. B. No. 29, an act for the protection of farmers from the depredations of stock, beg leave to report the same back to the House with the following amendments, to wit: by striking out of the first line of section one all between the words "that" and "cattle" and inserting "all" instead thereof.

gave notice that he would, on to-morrow ,oslAne By striking out all between "sheep" and "be" in the second line of said section and inserting in lieu thereof "which shall hereafter be within the boundaries of Arapahoe, Douglas and Weld counties shall," also, section six, by striking out in second line "the counties of" and substituting "any counties not named in section one of this act" and recommend the passage of the same with the above amendments,

.4381 A. KOONTZ, Ch'n.

Report received.

The sergeant-at-arms announced a communication from the Council, which was received and read as follows:

> Council Chamber, February 23, 1864.

Mr. SPEAKER: I am instructed to inform the House that the Council has passed the following bills:

C. B. No. 19, an act to enable soldiers in the United States Service to acquire and hold claims.

C. B. No. 20, an act to legalize and confirm the entry of the town site of Golden City. To see many sale most Asyado all H. B's Nos. 3, 5, 8, 9 and 12 correctly enrolled.

Also, Council substitute for

H. B. No. 7, (herewith returned) an act to legalize assessments of property for revenue purposes, in certain cases, herewith transmitted, and the concurrence of your Honorable body 18 respectfully requested therein.

Very respectfully, C. B. HAYNES, Secretary of Council.

Mr. Judd moved that the report of the committee on walland H. B No. 29 be adopted. This north possess revised to discome Carried. Hossiering to thing bias as guionommo) -: tiw ot swol

Mr. Koontz moved that the bill be ordered engrossed as amended for a third reading.

Carried.

Mr. Leeper, in accordance with previous notice, asked leave to introduce H. B. No. 40, entitled an act to incorporate the Rocky Mountain Exploring, Prospecting and Mining Company. Mr. Stansell, having given previous notice, asked leave to

introduce

H. B. No. 41, entitled an act to re-locate the Capitol of Colo-

rado Territory.

Mr. Lynch gave notice that he would, on to-morrow or some subsequent day, introduce a bill to incorporate the Central City and Montgomery Wagon Road Company.
On motion of Mr. Stansell,

The House adjourned until to-morrow, at 10 o'clock a. m.

### WEDNESDAY, FEBRUARY 24th, 1864.

House met pursuant to adjournment, at 10 o'clock a. m.

The Speaker in the chair. Prayer by the Chaplain.

Roll called.

bemen lemes vinos yn Acommend the passess of the

Absent-Messrs. Kipp, Mallory, Patterson, Ripley. Journal of the preceding day read and approved.

On motion of Mr. Sheldon, Mr. Ripley was excused for the

Mr. Leeper presented a petition from citizens of Clear Creek County, asking for the removal of the county seat from Idaho to Empire, which was received and read,

And referred to the committee on County and County Lines. Mr. Chever, from the committee on Enrollment, reported

H. B's Nos. 3, 5, 8, 9 and 12 correctly enrolled.

Report received.

Mr. Sheldon, from committee on Counties and County Lines, reported as follows:

Mr. Speaker-Your Committee, to whom was referred

H. S. for C. B. No. 8, having had the same mnder consideration, recommend its passage, with the following amendment, to wit:

"Provided. That if the line last mentioned in this Section, shall, when surveyed, intersect the Arkansas river above the mouth of Beaver Creek, then said boundary line shall be as follows, to wit: - Commencing at said point of intersection, thence down and along the centre of said river, to a point intersected ed as

v 24.

leave e the oany. re to

some

n.

eek aho

rant,

Colo-

City

the

ies.

ies,

on, he

ice ed

by the first meridian section line below the mouth of said Beaver Creek; thence north on said first section line to the township line between townships seventeen (17) and eighteen (18); thence west on said township line, to the range line between ranges sixty-eight (68) and sixty-nine (69); thence north on said range line to the place of beginning.

A. Z. SHELDON, Ch'n.

Report received a latigas odd. season to a set to a latigas et la latiga

Mr. Marsh, from committee on Judiciary, reported as follows:

Mr. Speaker-Your committee, to whom was referred C. B. No. 17, a bill entitled, "An act to exclede Traitors and Alien Enemies from Courth of Justice in this Territory, in civil Judd, Koontz, Kelley, Hynell, Leeper, Marsh, McCannon, Y, sess

Beg leave to report, that they have had the same under conleration, and Recommend the passage thereof.

A. MARSH, Ch'n. A

Report received.

Report received.

Mr. Ortega moved that the committee on Judiciary be requested to report on H. B. No. 20.

Carried.

Mr. Marsh, from committee on Judiciary, gave notice that he Would report on the bill to-morrow morning.

Notice that the following bills would be introduced, was given:

By Mr. Sheldon: the same back, and recommend belseger

An act to revise an act, entitled, an act to incorporate the Ute Pass Wagon road Company, approved August 8, 1862.

By Mr. Eames: Road Company.

By Mr. Koontz: Sales Mr. Koontz:

A bill for the location of a Territorial Road from Denver City via Pueblo, to the south line of Colorado Territory.

Mr. Koontz, from the committee on Engrossment, reported H B. Nos. 18, 29 and 31 correctly engrossed.

Report received.

C. B's, Nos. 2, 7, 13, 14, 19, 20 and 21, were read a 1st and 2d time by their titles, and referred as follows:

Nos. 19, 20 and 21, to the committee on Judiciary.

Nos. 13 and 14 to the committee on Judiciary.
No. 2 to committee on Ways and Means.
Mr. Webster moved, that

C. S. for H. B. No. 7 be referred to a Special Committee.

Carried.

The Speaker appointed Messrs. Webster, White and Koontz as such committee.

H. B's. Nos. 40 and 41, were read a 1st and 2d time by their titles, and

Referred to the committee on Incorporations. H. S. for C. B. No. 8, and C. B. No. 17.

Ordered placed on general file.

H. B. No. 31, an act to increase the capital stock, and extend the privileges of the Jefferson County Irrigating Ditch Company, was

Read a third time, and the question being upon its final pas-

sage, the ayes and noes were,

Aves-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega Sheldon, Stans ell, White, Webster, Welton, Woods, Mr. Speaker-22.

Noes-none.

Ayes, 22; noes, none.

So the bill passed, and title agreed to.

H. B. No. 18, an act concerning Roads and Highways, was Read a 3d time, and put upon its final passage.

Mr. Garcia moved to add the following Section:

"This act shall not affect the Counties of Conejos and Costilla." Motion lost.

Mr. Holland moved to adopt an additional Section, as follows: "All acts and parts of acts conflicting with this act, are he reby repealed."

Carried.

The question being upon its final passage, the ayes and noes were,

Ayes—Messrs. Chever, Eames, Holland, Henson, Judd, Koontz, Kelley, Leeper, Marsh, McCannon, Nye, Sheldon, Stansell, White, Webster, Woods, Mr. Speaker—18.

Noes-Messrs. Garcia, Ortega, Welton-3.

Ayes, 18; noes, 3.

So the bill passed, and title agreed to.

H. B. No. 29, an act for the protection of Farmers from the depredations of Stock, was

Read a 3d time, and the question being upon its final passage,

the ayes and noes were,

Ayes-Messrs. Chever, Garcia, Holland, Judd, Koontz, Lynch, Leeper, Marsh, McCannon, Nye, Sheldon, Stansell, White, Welton, Webster, Woods—16.

Noes-Messrs. Eames, Henson, Kelley, Ortega, Mr. Speaker, -5. Ayes, 16; noes, 5.

24.

neir

end m-

ason,

ye, ds,

8:

es d,

n,

10

So the bill passed.

Mr. Koontz moved to amend the title, by inserting between the words "Farmers" and "from," the words, "in Arrapahoe, Douglas and Weld Counties."

Carried.

The title as amended agreed to.

Mr. Sheldon moved that

H. B. No. 25 be taken up for consideration.

Carried.

The chairman of the committee on Printing stated, that

H. B. No. 25 was then in the hands of the printer.

H. B. No. 39 was referred to the committee on Mines and Minerals.

Mr. Welton moved to take up

H. S. to C. B. No. 8 for consideration.

Carried.

H. S. for C. B. No. 8 was read and considered.

Mr. Welton moved that the amendments proposed by the Committee on the bill be adopted. and add at rayloge and

Mr. Webster moved that the bill be ordered engrossed, for a third reading. To heiner the special order for the hou deried or

Mr. White, from Special Committee, reported as follows:

Mr. Speaker—The Committee to whom was referred H. B. No. 38, an act to amend an act to organize and establish the Treasury Department,

Beg leave to report the same back, and recommend its passage. M. C. WHITE, Ch'n.

Report received.

Mr. Marsh moved that C. B. No. 17 be taken up for consideration.

Carried.

C. B. No. 17 was read and considered.

Mr. Judd moved to amend No. 17 in the Rules of the House, by striking out all after the word "day," in 3d line,

The aves and noes being ordered and called, were,

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Sheldon, White, Webster, Welton, Woods, Mr. Speaker

Noes-none. Ayes, 19; noes, none.

So the motion prevailed. Mr. Marsh moved that

C. B. No. 17 be considered, read a 3d time, and placed upon its final passage.

Carried.

Carried.
C. B. No. 17 was then considered read a third time.

And the question being upon its final passage,

The ayes and noes were,

Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Sheldon, White, Webster, Welton, Woods, Mr. Speaker H. B. Noes-none-religion for consider enough of C. I.

Ayes, 19; Noes, none.

So the bill passed, and title agreed to.

On motion of Mr. Sheldon, the House adjourned until 2 bo'clock, p. m. sottimmoo' adt of bounder saw Co to No. H.

### AFTERNOON SESSION.

Mr. Welton moved to take up. 3

E. S. for C. B. No. 8 was road and considered. and The House met pursuant to adjournment, or notle W .M The Speaker in the chair, beggobs ed Hid ent no settimmo. Roll called.

Absent-Messrs, Kipp, Mallory, Patterson and Ripley. Quorum present.

H. B. No. 10 being the special order for the hour, was taken up and considered, er estimmod laised mort stin W all

Mr, Leeper moved that the bill with its amendments be laid Ma. SPEAKER-The Committee to whom wasldst ent noque

-dat Carried, sunsyro of the me has me on the me . Mb. oW. He He

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

COUNCIL CHAMBER, Feb'y 24, 1864. Mr. Speaker: I am instructed to inform the House of the passage by the Council of

C. B. No. 11, an act explanatory of the charter of the Clear Creek and Guy Gulch Wagon Road Company, and your concurrence therein is respectfully asked.

Also, that the Council has receded from from their amendment to section 5, in

H. B. No. 11, an act to suppress gambling and gambling houses, herewith returned. Very respectfully,

C. B. HAYNES, Sec'y of Council,

Mr. Holland moved that C. B. No. 17 be considered, read a 3d time, and placed upon-

H. B. No. 25 be taken up for consideration.

Carried.

H. B. No. 25 was then taken up, and read for consideration. Mr. Chever moved to amend, by inserting after the word "river," in 5th line of section 1,5" or ditch leading water under a charter, and for the purposes of irrigation, from any stream of water, creek or river." how manade with managery monnay

Motion lost.

Mr. Sheldon moved to amend by striking out the word "under," in the first line of section 21, and by striking out the word "heard," and inserting the word "recovered."

Carried at biso odl atmogras Mr. Marsh moved to amend Section 13, by adding thereto as follows: "And the Board of County Commissioners of the proper county shall appoint any person or persons to fill any vacancy or vacancies, by reason of such refusal or neglect to serve on the part of such Commissioners until the next election for officers."

Carried.
Mr. Sheldon moved that the bill be ordered engrossed as amended, for a third reading. some amended are sold - soy!

Carried.
Mr. McCannon presented the resignation of Mr. Howard, which was received and read, as follows:

To the Honorable—The Speaker and Members of the House of Representatives:

Circumstances compel me to resign the office of fireman of your House, which you were so condescending as to bestow; I therefore offer this, my resignation, and beg you will accept B. No. 35 be taken ap and read for considerations.

Very respectfully,

and bas berebienco bas been as J. K. HOWARD.

of Mr. Sheldon, was made the special order of Mr. Woods moved that the resignation of Mr. Howard be accepted.

Carried.

Mr. Stansell moved that the use of this Hall be extended to Mr. J. R. Thompson, for the purpose of delivering his lecture on Geology, on to-morrow evening.

Carried.

Ordered ourrossed for a Sd reading, as bear of Mr. Marsh asked leave, in pursuance to previous notice, to introduce to moitemble and rol an no

H. B. No. 42, an act to authorize the County Commissioners of Gilpin County to pay certain jurors fees, which was Read a 1st and 3d time by its title, of forom since 2. 1M

Fe

WO

WO

a. ]

fo

h

pa

al

81

And referred to the committee on Judiciary.

Mr. White moved to amend Rule 13 of the rules of the House by striking out all after the word "chair."

The ayes and noes being ordered, were

Ayes—Messrs. Eames, Garcia, Judd, Koontz, Marsh, Ortega, Shelton, White, Welton—9.

Noes—Messrs. Chever, Helland, Kelley, Lynch, Leeper, McCannon, Nye, Stansell, Webster, Woods, Mr. Speaker—11.

Ayes, 9; noes, 11. So the motion was lost.

Mr. Nye, previous notice having been given, asked leave to introduce

H. B. No. 43, an act to incorporate the Occidental Gas-Light

Company, of the City of Denver, which was Read a 1st and 2d time by its title, and

Referred to the committee on Incorporations.

Mr. Woods moved that the House do now proceed to elect a fireman.

Carried.

Mr. McCannon nominated Mr. Robert Short.

The ayes and noes being ordered, were for Mr. Short,

Ayes—Messrs. Eames, Garcia, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, McCannon, Nye, Ortega, Sheldon, Webster, Welton, Woods, Mr. Speaker—16.

Noes-Messrs. Chever, Holland, Henson, Stansell, White-5.

Ayes, 16; noes, 5.

So Mr. Short was declared duly elected, and came forward, and was sworn in by the Speaker.

Mr. Koontz, from committee on Engrossment, reported

II. S. to C. B. No. 8 correctly engrossed.

Mr. Webster moved that

H. B. No. 35 be taken up, and read for consideration. Carried.

H. B. No. 35 was then read and considered, and

On motion of Mr. Sheldon, was made the special order of the day for Friday next, at 2 o'clock p. m.

Mr. White moved that

H. B. No. 38 be read for consideration.

Carried.

H. B. No. 28 was read and considered, and

On motion of Mr. White, was Ordered engrossed for a 3d reading.

Mr. Koontz moved that

H. B. No. 28 be taken up for consideration. Carried.

H. B. No. 28 was then read and considered.

Mr. Koontz moved to amend Section 6, by striking out the

House

rv 24.

rtega,

r, Mc

ve to

ect a

eper, ster,

ard,

of of

he

words "the Territory," in 2d and 3d lines, and inserting the words—"said County."

Carried.

On motion of Mr. White, the House adjourned until 10 o'clock a. m. to morrow.

## THURSDAY, FEBRUARY 25th, 1864.

The House met at 10 o'clock a.m., pursuant to adjournment. The Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Messrs. Kipp, Mallory and Patterson. Journal of the preceding day read and approved.

Mr. Marsh, from the committee on judiciary, submitted the following report:

Mr. Speaker: Your committee, to whom was referred H. B's. Nos. 42, 40 and 20, and C. B's. Nos. 18, 20 and 21, having had the same under consideration, and recommend the passage of

H. B's. Nos. 40 and 42, and C. B's. Nos. 20 and 21 without

amendment.

Your committee would further recommend the passage of substitute to

H. B. No. 20, submitted herewith, and

Also,

That the following section be added to C. B. No. 18:

Sec. 19. In all cases of a tenancy from year to year between persons in this Territory, three month's notice to quit shall be deemed sufficient to terminate the same.

A six months tenancy may be terminated by a notice of one month; and a ten day's notice to quit shall be sufficient to terminate a monthly tenancy.

Sec. 20. This act shall take effect and be in force from and after its passage.

Respectfully submitted,
A. MARSH, Ch'n.

Report received.

Mr. Koontz, from committee on engrossment, reported H. B's. Nos. 25 and 38 correctly engrossed.

Report received.

Mr. Stansell, from committee on incorporations, reported as follows:

Mr. Speaker: Your committee to whom was referred C. B.

Fel

for

tha

for

Six

ser

the

Co

Wi

th

er

No. 14, an act to incorporate the Denver Artesian Well Company, ask leave to report the same back to the House without amendment and recommend its passage.

J. B. STANSELL, Ch'n.

Report received Mr. Leeper from the committee on mines and minerals made the following report:

Mr. Speaker: - Your committee to whom was referred.

H. B. No. 39, "an act entitled an act concerning Lode claims would respectfully report that they have had the same under consideration, and hereby report the same back to the House and recommend its passage, with the following additional section:

Sec.—. That section 1 of said act be amended by striking out the word "surface" in the 4th line, and inserting the word "horrizontal" in lieu thereof.

All of which is respectfully submitted.

J. E. LEEPER, Ch'n.

Report received.

Mr. Chever from special committee submitted the following report:

MR. SPEAKER: Your special committee to whom was referred the Petition of F. J. Ebert, asking compensation for a map of Colorado Territory, made by him and used by the Legislature of this and previous sessions, report,

That they have had before them, all the witnesses necessary to throughly understand the same and find that the allegations

therein contained are true.

That the said maps was made by the said Ebert, under the orders of Governor Gilpin, for the use of the Legislative Assemblies or the military authorities of the Territory; that it was indispensable to the first Legislative Assembly, enabling them in the utter absence of any other reliable map to divide this Territory into Counties and Judicial Districts; and your committee believe from all the information they have been able to procure, and which they deem sufficient, that the said F. J. Ebert was one hundred and one days in completing said map, and that the labor performed thereon, was worth five hundred and five dollars, [the sum which the petitioner claims for the same but your committee also find that at the time the said map was ready for the joint committee of the first Legislative Assembly, and was used by them for the establishment of County lines, the said Ebert had labored sixty days thereon, and that the balance of time spent by him on said map, was

for the purpose of preparing the same for lithographing, and that they do not think the Territory is justly chargeable there-

Your committee accordingly report that F. J. Ebert worked sixty days upon said map for use of this Territory, that his services were worth five dollars per day, and that they believe the sum of three hundred dollars is justly due him from the Territory.

D. A. CHEVER Ch'n. into judicial Districts and to provide the fligholding of

Report received.

Mr. Judd from special committee reported as follows: Mr. Speaker:—The committee to whom was referred,

H. B. No. 37 "an act to secure unto James Miller of Gilpin County, certain rights" report the same back to the House Without amendment and recommend its passage.

LEON D. JUDD Ch'n.

Mr. Webster, from select committee, to whom was referred Council substitute for,

H. B. No. 7, have examined the same and report it back to the House with the recommendation that it be passed. Respectfully submitted.

S, D. WEBSTER, Ch'n.

Report received.

C. B. No. 11, was read first and second time by its title. The Sergeant-at-Arms announced a message from the Governor, which was received and read as follows:

EXECUTIVE DEPARTMENT, DENVER, C. T., February 24, 1864.

To the Hon. Jerome B. Chaffee, Speaker of the House of Representatives:

Sir:—I have the honor to inform the House that I have signed and approved the following Joint Resolutions and Laws, viz. Joint Resolutions, Management of the state o

Relative to Territorial Boundaries.

An act to authorize the Board of Directors of School District No. 1 in the County of Jefferson, to levy a tax.

An act to amend an act entitled an act concerning judgments and executions.

An act to incorporate the Dona Emelia Town Company. An act to amend an act entitled an act to define County

ms

nes

25.

m-

out

ler ise ec-

ut

rd

1g

of re

15 e

e

re

SP

boundaries, and to locate County Seats in Colorado Territory.

I have the honor to be, very respectfully,

Your obedient servant,

JOHN EVANS, Governor of Colorado Territory.

Mr. Stansell in pursuance to previous notice, asked leave to

introduce,

H. B. No. 44, "an act to divide the Territory of Colorado into judicial Districts and to provide for the holding of Courts in the same, which was read a first and second time by its title.

Mr. Eames having given previous notice asked leave to in-

troduce.

H. B. No. 45, "an act to Incorperate the Ralston Creek and Black Hawk Wagon Road Company," which was read a first and second time by its title.

Mr. McCannon in accordance with previous notice, asked

leave to introduce,

H. B. No. 46, an act to repeal that part of the Cash Creek Park Ditch Company's charter, which includes Clear Creek. Which was read a first and second time by its title.

Mr. Marsh moved that substitute to H. B. No. 20, be ordered

engrossed for a third reading.

Carried.

Mr. Judd asked leave of absence for one day, which was granted.

The sergeant-at-arms announced a communication from the

Council, which was received and read as follows:

Council Chamber, February 24, 1864.

Mr. Speaker —I am instructed to inform the House of the passage by the Council of C. B. No. 22, "an act to incorporate the Denver Seminary."

And the concurrence of your honorable body therein is res-

pectfully requested.

Also, that they have concurred in, and passed,

H. B. No. 4, "an act to amend an act entitled an act regulating the mode of proceedings in attachment in certain cases" with the following amendments thereto viz.

Amend Sec. 1, so as to read as follows:

"That section 8. of an act entitled "an act regulating the mode of proceedings in attachment in the District Courts, approved Oct. 29th, 1861, shall be, and the same is hereby amended as follows:

Add immediately after the word "quashed" in the last line of

25.

ry.

to

10

ts

n-

nd

st

ed

ek

ed

18

1e

1e

e

te /

said section the following "And the property attached shall be released from such attachment, and restored to the possession of the defendant, and the garnishee, if any shall be discharged, but the writ of attachment in cases commenced by attachment shall, nevertheless stand as a summons, and the cause shall proceed to trial and judgment as if originally commenced by summons.

In all cases of attachment in aid of a suit at law, quashing the attachment, shall not effect the suit otherwise than to discharge

the property attached and the garnishees.

Also, amend section 2 by adding thereto the following:

"Or that the defendant is a foreign corporation.

H. B. No. 14, an act to incorporate the Swan River and Delaware Flats fluming company" with the following amendments.

Strike out the figure "six" in fourth line from the bottom of section 13, and insert instead thereof, the figure "eight" so that

it shall read 1868.

I am also, instructed to inform your honorable body that the Council disagrees to House amendments to section 6 of C. B.

An act to amend "an act entitled an act regulating the mode of proceeding in Replevin" and concur in your amendment to section 11 of the same.

Very respectfully, C. B. HAYNES,
Secretary of the Council.

Mr. Marsh moved that C. B. No. 18, be read for consideration.

C. B. No. 18, was then read and considered.

Mr. Marsh moved that the bill be ordered engrossed for a not have some and to insertification of the third reading.

Motion withdrawn.

Mr. Webster moved that the bill be referred to the committee on judiciary.

Motion withdrawn.

The bill was ordered on general file. Mr. Marsh moved that H. B. No. 42.

Be read for consideration. Yoes - Messra, Barnes, or olland, Mr.

Carried.

H. B. No. 42, was then read and considered.

Mr. Marsh moved that the bill be ordered engressed for a third reading.

Carried.

Mr. Leeper moved that,

H. B. No. 39, be read for consideration.

Carried.

F

Le

ton

0'(

M

d

re

tv

a

i

1

H. B. No. 39, was read and considered.

Mr. Holland moved that,

The amendments proposed by the committee be adopted. Carried.

House substitute for,

C. B. No. 8, was read a third time, and the question being

upon its final passage, the ayes and noes were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Stansell, White, Webster, Welton, Woods, Mr. Speaker, 19.

Noes-Mr. Sheldon, 1.

Ayes—19. Noes—1.

So the bill passed and the title agreed to.

Mr. Sheldon moved that

H. B. No. 25 be considered, read a 3d time, and placed upon its final passage.

Carried.

H. B. No. 25 was considered read.

Mr. Ripley moved the adoption of the following additional

section:

SEC. 22. That the County of Boulder, in the Territory of Colorado, be and the same is hereby exempted from the provisions of this act, and that the act repealed by this act, be and remain in full force and effect in and for the said County of Boulder, as fully and effectually as if the said act was not hereby repealed.

Mr. Kelley moved to amend, by inserting the words "and Jefferson," after the word "Boulder," when it occurs in the

proposed section.

Amendment accepted.

Mr. Garcia moved to insert the word "Conejos," after word "Jefferson."

Lost.

The question recurring upon the adoption of the Section as amended,

The ayes and noes being ordered, were,

Ayes-Messrs. Chever, Garcia, Henson, Kelley, Ortega, Rip

ley, Welton—7.

Noes—Messrs. Eames, Holland, Koontz, Lynch, Leeper, Marsh, Nye. Sheldon, Stansell, White, Webster, Woods, Mr. Speaker—13.

Ayes, 7; noes 13.

So the motion was lost.

The question then being upon the final passage of the bill, The ayes and noes were,

Ayes Messrs. Eames, Holland, Henson, Koontz, Lynch,

25.

ed.

ng

on, ey,

on

nal

of

ro-

nd

of

by

nd

he

rd

ip-

er,

ch

Leeper, Marsh, Nye, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker—13.

Noes-Messrs. Chever, Garcia, Kelley, Ortega, Ripley-5.

Ayes, 13; noes, 5.

So the bill passed, and title agreed to.

On motion of Mr. Holland, the House adjourned until 2 o'clock, p. m.,

#### AFTERNOON SESSION.

The House met pursuant to adjournment, at 2 o'clock, p. m. The Speaker in the chair.

Roll called.

Absent—Messrs. Eames, Judd, Kipp, Koontz, McCannon, Mallory, Nye, Patterson.

Quorum present.

H. B. No. 38 was placed upon its third reading.

Mr. Sheldon moved that it be re-committed to the committee on Ways and Means,

Carried,

Mr. Holland moved that the consideration of

H. B. No. 23, which was made the special order of the day, deferred until Wednesday next, at 2 o'clock, p. m.

Carried,

H, B. No. 16 being the special order of the hour, was then

read and considered,

Mr, Chever moved to amend Section 2, by inserting after the word "void," in 4th line, the following—"and all marriages between negroes or mulattoes of either sex and white persons, are also declared absolutely void,"

Carried,

Mr, Chever moved to amend Section 3, by inserting in the 2d line, after the word "marriages," the words, "or shall knowingly issue a marriage license for such marriage."

Motion lost,

Mr. Marsh moved to amend Section 3, by inserting after the word "fine," in 3d line, the following—"of not less than fitty nor more than five hundred dollars;" and insert after the word "imprisonment," in 3d line of same section—"of not less than three months, nor more than two years,"

Carried,

Messrs. Koontz and McCannon appeared in their seats.
Mr. Ripley moved to amend, by adding to Section 11, as follows: "that persons solemnizing such marriage shall be entitled to receive for their services the sum of two dollars in addition

to the fee to be paid said recorder," Motion withdrawn,

Fe

de

an

to

cat

2 t

q"

an

citi

age

01

rea

Co

fina

Ly

We

61

A

(

Mr, Holland moved to strike out all after word "section," in 2d line of Section 3, to the word "if," in the 3d line,

Mr, Holland moved that the bill be ordered engrossed, as amended, for a 3d reading,

Carried.

Mr. Chever, from committee on Enrollment, reported

C. B's, Nos. 9 and 17 correctly enrolled.

Report received.

Mr. Koontz, from the committee on Engrossment, reported H. B's Nos. 20 and 42 correctly engrossed.

Report received.

Mr. Chever moved that

H. J. M. No. 1 be taken from the table.

Mr. Chever moved that

H. J. M. No. 1 be referred to the committee on Territorial

Notice that on to-morrow or some subsequent day the following bills would be introduced:

By Mr. Chever:

A bill for an act amendatory of an act to incorporate the Cash Creek Fluming Company.

By. Mr. Webster:

A bill for an act to amend an act, entitled an act regulating Elections.

By Mr. Woods:

A bill to incorporate the Cash Creek and Lake County Gold Mining Company.

By Mr. Marsh: A bill for an act to legalize the acts of the Superintendent of Public Schools.

Mr. Leeper asked leave to introduce

H. B. No. 47, an act to enable Robert Steel to sell and convey certain mining claims, which was

Read a 1st and 2d time by its title, and Referred to the committee on Judiciary.

Mr. Stansell moved that the House do now resolve itself into Committee of the Whole on H. B. No. 26.

Carried.

The House then went into Committee of the Whole.

Mr. Woods in the chair.

After some spent therein, the Committee arose.

The Speaker in the chair, The Committee of the Whole through their chairman, reported as follows:

Mr. SPEAKER:—The Committee of the Whole, hav had under consideration

H. B. No. 26. an act to amend an act to anable Road, Ditch

and other Companies to become bodies corporate, and

Report that they have considered the same from section one to section - inclusive, and recommend the following amendments, to wit:

Amend Section 1, by striking out all after the word "certifi-

cate," in the eleventh line in the printed bill.

Also, insert after the word "holding," in 10th line of Section

2 the words, "by conveying by deed, or otherwise."

Also, in Section 5, 9th line, after the word "proxy," insert, "provided one half the stock is represented."

Also, strike out the word "may," in 13th line of said section,

and insert "shall," in lieu thereof.

Also, strike out in 3d line of said section, the words, "and citizens of the United States;"

And your committee report progress, and ask leave to sit

JOEL WOODS, Ch'n.

Report received.

Mr. Kelley moved to adjourn until 10 o'clock a. m. to-morrow.

Mr. Ripley moved to amend by making it 9 a. m.

in

ted

the

t of

011-

nto

re-

The question recurring upon the original motion, motion lost. Mr. Holland moved to take up the next bill on general file.

H. B. No. 37 was then read and considered.

Mr. Marsh moved to defer the further consideration of the bill. Motion withdrawn.

Mr. Marsh moved that the bill be considered engrossed, and read a third time by its title, and put upon its final passage. Carried.

H. B. No. 37, an act to secure to James Miller, of Gilpin County, certain privileges, was

Read a 8d time by its title, and the question being upon its

final passage, the ayes and noes were,

Ayes-Messrs. Chever, Garcia, Holland, Henson, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, Webster, Welton, Woods—16.

Noes—Mr. Speaker—1.

Ayes, 16; noes, 1.

So the bill passed, and title agreed to.

Mr. Marsh moved to take up the next bill on general file. Carried. Trongs Lode, Junity these dar marth to the

Fe

W

cil

M

Co

of

the

1

W.a

to

ha

in

lin

Sn

the

the

be

am

tio

the

wes

C. B. No. 21 was then read and considered.

Mr. Sheldon moved that the bill be read a 3d time, and put upon its final passage.

Carried.

Mr. Marsh moved that the reading of the bill be dispensed with.

Carried.

C. B. No. 21, an act to amend an act, entitled "an act concerning Injunctions," approved November 5th, 1861,

Was then placed upon its final passage, and The ayes and noes being called, were,

Ayes—Messrs. Chever, Garcia, Henson, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, Webster, Woods, Mr. Speaker—15.

Noes-Messrs. Holland, Kelley, Welton-3.

Ayes, 15; noes, 3.

So the bill passed, and title agreed to.

Mr. Stansell moved that the next bill on general file be taken up. Carried.

H. B. No. 40 was then taken up and considered.

Mr. Leeper vmoed that the further consideration of the bill be deferred.

Carried.

Mr. Holland moved to adjourn until 9 o'clock a. m., to-morrow. Lost.

Mr. Marsh moved to take up the next bill on general file. Carried.

C. B. No. 20 was then taken up and considered.

Mr. Stansell moved that the bill be considered read a third time, and pluced upon its final passage.

Carried.

C. B. No. 20, an act to legalize and confirm the entry of the town site of Golden City,

Was then considered read a 3d time, and placed upon its final passage.

The ayes and noes having been called, were,

Ayes—Messrs. Chever, Garcia, Holland, Henson, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, Welton, Woods, Mr. Speaker—16.

Noes-None.

Ayes, 16; noes, 0.

So the bill passed, and title agreed to.

On motion of Mr. Holland, the House adjourned until 9 o'clock, a. m., to-morrow.

# FRIDAY, FEBRUARY 26th, 1864.

House met at 10 o'clock a. m., pursuant to adjournment. The Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent-Messrs. Eames, Kipp, Koontz, Mallory, Patterson, White, Welton, Woods.

Quorum present.

Journal of the preceding day read and approved.

Amendments proposed by Council to.

H. B. No. 4, were taken up and considered,

And on motion of Mr. Marsh, the House concurred in council amendments.

Amendments proposed by the Council to,

H. B. No. 14, were read and considered and on motion of Mr. Lynch,

The House concurred in the Council amendments.

House amendments to Council Bill No. 5, to which the Council disagreed, was taken up and considered, and on motion of Mr. Marsh was laid over until to-morrow.

Mr. Stansell from the committee on incorporations submitted

the following report.

Mr. Speaker-I am instructed by the committee to whom was referred,

H. B. No. 22, an act to incorporate the City of Black Hawk to report that they have had the same under consideration and have amended said bill by striking out all after "commencing" in third line of section second, to the word "thence" in tenth

line, and insert the following in lieu thereof, viz. "Two hundred feet directly west of the northwest corner of Smith and Parmlee's Bank, thence running in a direct line to the dividing stake between claims Nos. 17 and 18 southwest on the Gregory Lode, thence due south to the top of the divide between Gregory and Lake Gulches,"

And with this amendment recommend the passage of the bill. Also, your Committee have had under consideration,

H. B. No. 27, an act to incorporate the city of Central.

And ask leave to report the same back with the following amendment and recommend its passage.

Strike out all after the word "south" in the fifth line of section two, to the word "Gulches," in the tenth line, and insert the following in lieu thereof, viz.

"Of the dividing stake between claims Nos. 17 and 18 south-West on the Gregory Lode, running thence due north to the said dividing stake, between claims Nos. 17 and 18, southwest

ut

25.

on-

er, ds,

en

ill

0-

10

n,

9

FE

K

S

0

t

of

V

6

8

t

on the Gregory Lode, thence north-easterly to a point two hundred feet directly west of the north-west corner of Smith and Parmlee's Bank, thence running in a direct line to a point five rods above the stamp mill of Messrs. Hale & Co. in Chase Gulch, to the top of the divide between Gregory and Chase Gulches.

J. B. STANSELL, Ch'p.

Report received.

On motion of Mr. Webster,

C. B. No. 11, was referred to the committee on incorporations.

C. B. No. 22, was read a first and second time by its title and

referred to the committee on incorporations.

Mr. Chever having given previous notice asked leave to introduce H. B. No. 48, an act to legalize the acts of the Superintendent of Public Schools, which was read a first and second time by its title, and referred to the committeee on judiciary.

Mr. Chever in pursuance to previous notice asked leave to

introduce,

H. B. No. 49, "an act concerning weights and measures, Which was read a first and second time by its title and referred to the committee on judiciary.

Mr. Marsh in accordance with previous notice, asked leave

to introduce.

H. B. No. 50, an act to increase the jurisdiction of justices of the peace and probate courts.

Which was read a first and second time by its title and referred to the committee on judiciary.

Messrs, Koontz, Woods, Welton and White appeared in their

seats.

H. B. No. 20, "an act to prevent Felons from defending persons in the courts in this Territory," was then read a third time and the question being upon its final passage the ayes and noes were,

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Welton, Woods, Mr. Speaker-20.

Noes-none. Ayes-20.

So the bill passed and title agreed to.

H. B. No. 42, an act to authorize the County Commissioners

of Gilpin County, to pay certain jurors fees.

Was read a third time and the question being upon its final passage the ayes and noes were,

nnd

ve se

se

2 -

to

r-

id.

to

ve

es

r-

ir

e

S

11

Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, Nye, Ortega, Ripley, Stansell, Sheldon, White, Welton, Woods, Mr. Speaker,

Ayes-20. Noes-0.

Noes—0.
So the bill passed and title agreed to.

Mr. Stansell, moved that, H. B. No. 44, be taken up for consideration.

Carried.

H. B. No. 44, was then read and considered, and on motion of Mr. Stansell, was referred to the Committee on judiciary.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

fornia troops, was received by the Cotto slody Council Chamber, Feb'y. 25, 1864.

One troops after their victorious car MR. SPEAKER: I am instructed to inform the House that the Council has concurred in and passed,

H. B. No. 13, "an act for the protection of sheep" with the

following amendments to-wit: work stadt boyon stid W all

Add section 4, "No herd or flock of sheep numbering more than twenty shall be kept or pastured for more than one week, within the limits of Denver or Golden City, or any Town or Village in either of the Counties of Costilla or Huerfano or either or any of them or within two miles of either of said cities, towns or villages.

And any owner or keeper of Sheep, or other persons who shall violate the provisions of this section, shall be fined for the use of the county in which such violation shall take place, the sum of twenty-five dollars, for each and every day that any such herd shall be kept or pastured in violation hereof, to be recovered by action instituted by any person who shall feel himself aggrieved, in the name of the people of the Territory of Colorado, and in any court of competent jurisdiction."

Also, amend title by adding after the word "sheep" the following, "and to prohibit pasturing the same in certain locali-

ties."

H. B. No. 2, a bill defining the manner of sub-dividing sections, as established by United States Surveyor in Colorado Territory with the following amendment.

Add to section 1,

"Provided, That all fractional quarter sections shall be so divided as to give to occupants of any part thereof, the quantity of land which shall be held to appertain to such part at any United States Land Office in this Territory.

F

th

re

po

G

rel

to

th

fire

for

cla

COL

fro

dic

gre

ca

of

of

the

tha

the

pa

ge:

ac

Fo

ser

CO

de

tha

fu]

and

db

th

And also, H. J. R. No. 5,

Autorizing the annointment of agents for the encouragement of Imigration, without amendment.

And also, that the Council has passed,

C. B. No. 23, a bill for "an act to authorize Clerks of Courts of Record, Probate, Judges and Justices of the Peace, to issue subpoenas to witnesses to appear before the Register and Receiver of the Land Office" and the concurrence of your honorable body is respectfully requested therein.

Very respectfully,

C. B. HAYNES, Sec'y of the Council.

Mr. Stansell moved that the House do now resolve itself into committee of the whole on,

H. B. No. 26.

Carried.

The House then went into committee of the whole.

Mr. Ripley in the chair.

After sometime spent therein the committee arose.

The Speaker in the chair.

Mr. White moved that when a message in writing is sent to this House by the Council, that it be received and sent up to the Speaker, to be read by him or the clerk.

Carried.

On motion of Mr. White, the House adjourned until ? o'clock p. m.,

#### AFTERNOON SESSION.

House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair.

Roll called.

Absent—Messrs. Eames, Kipp, Koontz, Kelley, Marsh, Mallory, Nye, Patterson.

Quorum present.

H. B. No. 35, being the special order for the hour, was taken

up and considered.

Mr. Sheldon moved to amend section 1 by striking out the word "3" in the third line, and inserting "5" in lieu thereof, and by striking out the word "1" in fourth line and inserting "2". Carried.

Mr. Kelley appeared in his seat.

Mr. Webster moved to strike out the third section.

Motion Lost.

Messrs. Koontz and Nye appeared in their seats.

Mr. Webster moved to strike out section 4.

Motion lost.

Mr. Sheldon moved that the bill be ordered engrossed for a third reading. Carried.

Mr. Chever from special committee submitted the following

report.

26.

nt

ts

ue le-

or-

to

to

ck

11-

911

he

ng

Mr. Speaker:—Your select committee, to whom the correspondence between, His Excellency Governor Evans and the Governor of New Mexico, with the accompanying documents relative to the New Mexican campaign was referred, beg leave to report that the subject, being one which has painfully interested the soldiers and people of this Territory, has received our careful consideration.

The action of the New Mexican Legislature, in ascribing the first consideration for the services then rendered, to the California troops, was received by the Colorado soldiers and by all classes of our citizens with deep regret and astonishment.

Our troops after their victorious campaign resulting in the complete expulsion of the Texans from New Mexico. received from the people of that Territory, the most kindly treatment, dictated, without doubt, by a sentiment of gratitude for the

great services performed,

Our citizens deprived of participation in the honors of that campaign, rejoiced in the glory won by our troops in the cause of our sister Territory, and appropriated to themselves a portion of the gratitude which they believed would be extended to them.

It was under such circumstances, and with such anticipations that they received the action of the New Mexican Legislature giving to the soldiers of California the greater meed of praise.

The consise and able letter of his Excellency Gov. Evans to the Governor of New Mexico, detailing the history of the campaign and showing conclusively that the Colorado troops, together with the "regulars" and New Mexican Volunteers alone accomplished the task of freeing the soil of New Mexico from Foreign invasion, and that to the Colorado troops belongs chiefly the honor and the glory; and the response of the Assembly of New Mexico, have been before us, and while your committee accept with pleasure their assurance of gratitude for the services of our troops in their behalf, and their emphatic denial of any intent to do them injustice in their resolution of thanks. Your committee regret that the Legislature did not fully meet the issue presented in the letter of our Governor, and give the first place of merit to the troops of Colorado.

Your committee accordingly advise that this report be placed upon the Journal of this House, together with the correspondence upon the subject, as being due both to ourselves and to

the truth of History.

bety

ere

pas

the

Sh

Sp

of

Your Committee recommend that copies of this report and of the correspondence, be sent to the Secretary of the Territory for transmissal to the President of the United States, the Gov. ernor of California and to the Governor of New Mexico; and that the thanks of this House, be tendered to his Excellency Gov. Evans, for his able and conclusive plea for justice to our troops, and for the interest he has shown in defending the honor of our Territory.

They also recommend that a copy of the correspondence above alluded to, and of this report, be sent to the Honorable the Council of this Territory, and that the Secretary of this Territory, be requested to have the same printed for distribu-

tion to the soldiers of Colorado.

D. A. CHEVER, Ch'n. DAVID RIPLEY, A. MARSH.

Report received.

Mr. Webster moved that the report be adopted.

Mr. Holland moved that the select committee appointed bu the petition of F. J. Ebert, be discharged from further duties on the same.

Carried.

Mr. Koontz from the committee on engrossment reported, H. B. No. 16, correctly engrossed.

Report received.

The committee of the whole, this forenoon through their chairman reported as follows:

MR. SPEAKER: The committee of the whole have had under

H. B. No. 26, an act to amend an act to enable Road, Ditch Manufacturing and other companies to become bodies cor

And have considered the same, from section 12 to section 34, and recommend the following amendments to-wit.

That section 12, be so amended as to read "sections" after

the word "following" in sixth line.

Also, strike out the word "Company" in the ninth line of section 15, and insert the word "Companies" in lieu thereof. Also, strike out all of the first line, and the first two words

of the second line of section 17. Also, strike out in fifth line of section 24, the word "3" and

insert "6."

Also, s'rike out in seventh line of same section the word "g"

and

tory

FOVand

ncy our

nor

ence

ble

this bu-

ed,

reir

ch

01-

·d8

Also, in third line of section 18, strike out the words "knowing" it to be false."

Also, insert the words "the County Commissioners or" between the words "by" and "the" in 7th line of section 30. Also, strike out the word "gathered" in 10th line of section and insert the wood "collected."

Also, in the 2d line of section 32, strike ont the word "gatherer," and insert the word "Collector,"

And report progress and ask leave to sit again.

DAVID RIPLEY, Ch'n.

Mr. Holland moved that,

H. B. No. 16, be read a third time and put upon its final passage. Mr. Holland presented the petition of citizens of Clerical

Mr. Stansell moved that the bill be considered read.

Carried.

H. B. No. 16, an act relating to marriages, was considered read a third time and the question being upon its final passage

the ayes and noes were,
Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd,
Roontz, Kelley, Leeper, McCannon, Nye, Ortega, Ripley,
Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker, 20, noes—0. Ayes 20. Ottato moon to ostimino ) all satakage ale

Noes-0.

So the bill passed and title agreed to.

Mr. Marsh, appeared in his seat. Outside the available and the

Mr. White moved that the House do now go into committee whole. of whole. Also, that we have had imide allowing that oslA

Carried.

The House then went into committee of the whole. Mr. White in the chair. nothersbisnos reban vacamo del

After sometime spent therein the committee arose.

The Speaker in the chair.

o'clock, a. m., to-morrow.

Mr. Ripley moved that the House do now adjourn until 10

Mr. Ripley moved to amend,

So as to make the hour 9 o'clock. Amendment lost.

The question being open the original motion was, of value of Carried.
So the House adjourned.

F

a

P

tr

th

p

re

n

d

a

tl

80

re

11

## SATURDAY, FEBRUARY 27th, 1864.

The House met at 10 o'clock a.m., pursuant to adjournment. The Speaker in the chair.

Roll called.

Absent—Messrs. Eames, Kipp, Kelley, Mallory, Nye, Patterson.

Quorum present.

Journal of the preceding day read and approved.

Mr. Ripley moved that Doc. Kelley be excused for to-day.

Carried.

Mr. Holland presented the petition of citizens of Clear Creek County, asking that lode claims be exempted from taxation, which was received and read.

Also, a remonstrance from citizens of Clear Creek County,

against the removal of the county seat,

Which was received and read,

And referred to the committee on Counties and County Lines. Mr. Stansell, from the committee on Incorporations, submitted the following Reports:

MR. SRPEAKER: The Committee on Incorporations, to whom

was referred

C. B. No. 22, "An act to incorporate the Colorado Fluming Company, have had the same under consideration, and ask leave to report the same back without amendment,

And recommend its passage. Also, that we have had

H. B. No. 43, "Ac act to incorporate the Occidental Gaslight Company" under consideration, and ask leave to report the same back without amendment,

And recommend its passage.

Also, H. B. No. 30, "An act to incorporate the Denver City Gas-light Company," and ask leave to report the same back,

with the following amendments, viz:

Add to Section 5—"Provided, that the said Company shall at no time issue the bonds or certificates of indebtedness of the Company to an amount exceeding fifty per cent. of the capital stock of said company."

Also, add the following:

SEC. 9. The said Company shall commence operations within six months from the passage of this act, and shall be prepared to furnish gas to the City and inhabitants of Denver within eighteen months thereafter, or forfeit all the privileges obtained by and under this act.

J. B. STANSELL, Ch'n.

27.

nt.

at-

ek on, ty,

es. nit-

ng ive

om

asort ity

ek, all he tal

nin ed in ned

Report received. The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

COUNCIL CHAMBER, Feb y 26, 1864.

MR. SPEAKER: I am instructed to inform the House that the Council has passed

C. B. No. 26, "a bill for an act to amend an act, entitled, "an

act to establish and regulate Territorial Roads;"

And also C. B. No. 28, "An act concerning Bills of Exchange, Prommissory Notes, and negotiable instruments"-herewith

And your Honorable body is respectfully requested to concur



Very respectfully, C. B. HAYNES, Sec'y of Council.

Mr. White, from the committee on Ways and Means, reported as follows:

MR. SPEAKER: The committee on Ways and Means, to whom was referred

H. B. No. 38, have had the same under consideration, and report the same back with the following amendment, and recom-

mend its passage:

SEC. 8. The Auditor shall receive a salary of eight hundred dollars, and the Treasurer a salary of six hundred dollars per annum, which shall be paid quarterly out of the Territorial Treasury.

Respectfully submitted, M. C. WHITE, Ch'n.

Report received. Mr. Welton, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your committee to whom was referred H. B. No. 36, beg leave to report the same back, with the

following amendment to Section 1 of said bill, to-wit:

Add to said section-"Provided that this section shall not be so construed as to prevent the herding of such stock as may be required for the use of the owners of such plantations or farming ranches within the limits therein defined;"

And would recommed its passage.

N. W. WELTON, Ch'n.

Report received. Somboth but eldnitogou bus solo M grossi

[F

lis

ce

tic

K

W

86

d

an

to

B

8

b

2

a

Mr. Chever, from committee on Enrollment, reported H. B's. Nos. 4, 11, 14, and H. J. R. No 5 correctly enrolled. Report received.

Mr. Koontz, from the committee on Engrossment, reported H. B. No. 35, correctly engrossed.

Report received.

Mr. Marsh, from committee on Judiciary, submitted the following report:

Mr. Speaker: Your Committee to whom was referred C. B. No. 18, and H. B. No. 48,

Beg leave to report that they have had the same under consideration, and recommend the passage thereof.

Respectfully submitted,

A. MARSH, Ch'n.

Report received.

C. A. to H. B. No. 2 was then read and considered. Mr. Sheldon moved that the House do concur in Council

amendment. Carried.

C. A. to H. B. No. 13 was read and considered.

Mr. Judd moved that the word "Denver" be struck out of Council Amendment, san wollol edt aliw slead emas edt troger

Mr. Sheldon moved to amend the Council Amendment, by

adding the following thereto:

Provided, that this act shall not be coustrued to prevent the owner of such sheep from herding or pasturing the same on the land of such owner.

Carried.

Mr. Garcia gave notice, that on to-morrow or some subsequent day, he would ask leave to introduce a bill for an act amendatory of an act granting an exclusive right to Joseph M. Jaynes and Joseph N. Garcia, to maintain a ferry across the Rio Grande at Paso del Puerto,

Mr. Stansell gave notice, that he would on to-morrow of some subsequent day, ask leave to introduce a bill to incorpo-

rate the Golden City Gas-light Company, Supposes an wolfor

C. B. No. 23, "An act to authorize clerks of Courts of Record, Probate Judges, and Justices of the Peace to issue subpænas to wittesses to appear before the Register and Receiver of the Land Office," was

Read a 1st and 2d time by its title, and Referred to the committee on Judiciary.

C. B. No. 26, an act concerning Bills of Exchange and Promissory Notes, and negotiable Indebtedness, was one more

led.

rted

fol-

con-

ecil

t of

by

the

the

ent

da-

nes

nde

01

po-

rd,

nas

the

Read a 1st and 2d time by its title, and

Referred to the committee on Judiciary. "Barnoo yas extract

C. B. No. 27, an act to amend an act, entitled an act to establish and regulate Territorial roads, was

Referred to committee on Roads and Bridges.

Mr. Stansell, having given previous notice, asked leave to Introduce

H. B. No. 51, "An act to legalize the records, laws and proceedings of certain mining Districts in Park County," which was Read a 1st and 2d time by its title, and

Referred to the committee on Territorial Affairs. and insert "resident"

Mr. Nye appeared in his seat.

H. B. No. 25, an act to amend an act providing for the collection of Revenue," was

Read a 3d time, and the question being upon its final passage,
The ayes and noes were,
Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd,
Koontz, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, White, Welton, Woods, Mr. Speaker-17.

Noes-Messrs. McCannon, Stansell, Webster-3.

Ayes, 17; noes, 3.

So the bill passed, and the title agreed to. Devisor trough The chairman of the Committee of the Whole, (afternoon session yesterday,) submitted the following report:

MR. SPEAKER: The Committee of the Whole have had un-

der consideration H. B. No. 26, an act to amend an act, to enable Road, Ditch, and other Companies to become bodies corporate, and have considered the same from Section 34 to Section 48, and beg leave to recommend the following amendments, to wit:

Strike out all of Section 38 after the 4th line, and insert as follows: "that the banks on both sides of the stream where the said bridge or ferry is to be built or established, is owned by said Company, or that they have obtained in writing the consent of the owners of the banks where the said bridge is to be built, to erect the said bridge, or establish the said ferry as aforesaid, or that the banks at such places are a public highway."

Also, strike out in 2d and 8th line of Section 44, the word

"thirty," and insert the word "ninety" in lieu thereof.

Also, strike out the word "one," in 6th line of section 44, and insert "two" in lieu thereof. Also, strike out all in 7th line of word (nequire)" line after the word "require." Also, add the following section:

Also, add the following section: Sec. 48.—"I thing in this act shall be so construed as to au-

thorize any company organized under the same to issue notes or bills for circulation as money."

Also, by adding section 49, as follows:

"Sec. 49.—That any company organized under and by virtue of the provisions of an act, entitled an act to enable road, ditch and other companies to become bodies corporate, approved August 15th, 1862, may surrender their certificates to the Secretary of the Territory by the certificate of the President of said Company, filed in the office of said Secretary, and become a body corporate and politic under the provisions of this act, by complying with all and singular the provisions thereof.

Also, strike out the word "citizen," in 3d line of Section 5,

and insert "resident" in lieu thereof.

Also, insert in the 6th line of section 35, between the words "by" and "the," the words "County Commissionrs, or" Also, by inserting the words, "not to exceed twenty per cent in any one month," after the word "proper," in 3d line of section 8:

And report the same back to the House, with a recommendation that it be referred to a special committee without instruc-

tions.

M. C. WHITE, Ch'n.

Report received.

Mr. Koontz moved that the report of the Committee be adopted,

Mr. Ripley arose to a point of order, which the chair decided

was not well taken.

Mr. Stansell moved as a substitute to Mr. Koont'z motion, that H. B. No. 26, with the amendments proposed by the Committee of the Whole be referred to a special committee.

Carried.

The Speaker appointed Messrs. Stansell, Marsh and Holland

such committee

C, B, No. 5 was then taken up, and amendment by the House to Section 6, in which the Council disagreed, was read and considered,

Mr. Marsh moved that the House do recede from their amend-

ment. Carried,

C. B. No. 6 being the special order of the day, was taken up. Mr. Webster moved to defer the further consideration of the bill until two weeks from to-day.

The ayes and noes being ordered and called, were,

Ayes-Messrs. Garcia, Holland, Henson, Lynch, Ripley,

Webster, Welton-7.

Noes—Messrs. Chever, Koontz, Leeper, Marsh, McCannon, Nye, Ortega, Sheldon, Stansell, White, Woods, Mr. Speaker 13. Ayes, 7; noes, 13.

So the motion was lost.

Mr. Holland moved to lay the bill on the table.

27.

or

tue tch

lu-

ary m-

dy m-

rds

50,

ny

:

dauc-

be

ed

11,

m-

se

10

Y,

119

Mr. Welton moved to refer to a special committee.

Mr. Holland moved that the further consideration of the bill be deferred until next Saturday.

Mr. Sheldon moved that the bill be read a 3d time and put upon its final passage. Carried. sier saw modw of settlemoo mo Y sankage all

Mr. Stansell moved that the bill be considered read.

Motion withdrawn.

C. B. No. 6, an act to enable the Pacific Telegraph Company to construct lines of telegraph in this Territory, and protect the same, was then read a 3d time.

Mr. Holland moved that the House do now adjourn until 2

O'clock p. m. Table do table grando ed to odabl ta ba A Motion lost.

The question being upon the final passage of the bill,

The ayes and noes were,

Ayes-Messrs. Chever, Judd, Koontz, Leeper, Marsh, Mc-Cannon, Nye, Ortega, Stansell, White, Woods, Mr. Speaker-12. Noes-Messrs. Garcia, Holland, Henson, Lynch, Ripley, Webster, Welton-7.

Ayes, 12; noes, 7. Lies to 64 notices to Ma the gardinte val

So the bill passed, and title agreed to.

On motion of Mr. Leeper, the House adjourned until 2 o'clock p. m. ottoes atter section after section of the order of the o Section 15 ... It shall be the daty of the Deputy Clerk of the

## District Courts, in such counties as are hereby attached thorher AFTERNOON SESSION, The state of sold and sold an

such court, civil or criminal, now or beneather pending in said The House met pursuant to adjournment, at 2 o'clock, p. m. The Speaker in the chair, Roll called,

Absent-Messrs. Eames, Holland, Kipp, Kelley, Mallory, Patterson and Webster.
Quorum present.

C. B. No. 22, an act to incorporate the Colorado Seminary was taken up and considered.

Mr. Ripley moved that the bill be read a third time and put upon its final passage. Carried.

Mr. Stansell moved that the bill be considered read the third with hereafter in the same manner as it originally comme. smit in said first judicial District; and all causes, civil of bear in

n

The question being upon the final passage of the bill, the

ayes and noes were : alt on the bill and of beyon bastloll a Ayes—Messrs. Chever, Garcia, Henson, Judd, Koontz, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Woods, and Mr. Speaker-18. Mr. Holland moved that the further consideration :0-keoNil

So the bill passed and title agreed to a tron long begrelen ad

Messrs. Holland and Welton appeared in their seats.

Mr. Marsh, from the committee on judiciary, reported as upon its final passa,

Mr. Speaker: Your committee, to whom was referred

H. B. No. 44, having had the same under consideration, beg leave to report that they would recommend the passage thereof with the following amendments, to wit: of the us do

Amend the fifth section by inserting after the words "city of Denver," "in" the county of Arapahoe; and also add at the

end of said section the following: It that boyon busholl all "And at Idaho or the County Seat of Clear Creek county, commencing on the first Tuesday in October, in each year.

Amend section 6 by inserting after the word "Pueblo," in the 7th line, "in the county of Pueblo," and after the word "Laurette," in the 9th line, insert "in the county of Park."

Amend section 8 by striking out all of section after the word "Arapahoe," in the 7th line of said section. Arapahoe," in the 7th line of said section.

By striking out all of section 15 of said act som : SI sovA So the bill passed, and title agreed to. \*

By adding the following additional sections to be inserted in

the order herein arranged immediately atter section 14. Jools's

Section 15. It shall be the duty of the Deputy Clerk of the District Courts, in such counties as are hereby attached to other counties for judicial purposes, to endorse the original papers in such court, civil or criminal, now or hereafter pending in said counties, together with a certified copy of all entries made in such cause, in an envelope sealed up, and by him directed to the Clerk of the District Court of the District, and in the county to which his said county may be attached for judicial purposes, and upon the receipt of such papers by the Clerk of such District Court, it shall be his duty to open and file the same; and thereupon said cause shall be proceeded with in all respects as if originally commenced in the county in which said Court is held. I a bear of flid sell that beyon volgist

Section 16. All the business in the second judicial District now pending in the District Court, is hereby transferred to the first judicial District, as fixed by this act, and shall be proceeded with hereafter in the same manner as if originally commenced in said first judicial District; and all causes, civil or criminal, 74

10

Z,

1-

8.

S

g

of

16.8

y,0

r.

d

rd)

10 er

to

10

al

of

he

ah

ct

he

ed

al

now pending in the third judicial District, is hereby transferred to the second judicial District, as provided by this act, and shall be proceeded with in the same manner as if originally commenced in the said second judicial District.vom offil W ... M

Section 17.—The District Court of the United States, in the third judicial District, shall be held at least three times in each year, at Fort Garland, in said District, at such time as the Judge of said Court may fix, provided said time do not conflict with any term of said Court, the time of which is fixed by this act.

Respectfully submitted, bebrom A. MARSHICKIN.

Mr. Marsh moved that section seventeen, as recommended Report received.

Mr. Stansell, from the committee on incorporations, reported Mr. Stansell moved that the bill, as amended,: swollof as

engrossed for a third reading. MR. SPEAKER: The committee on incorporations, to whom Mr. Garcia moved that the bill be recommit beirrefer aswell

H. B. No. 46, an act to rescind that part of the Cash Creek Park Ditch Company's charter that includes Clear Creek, have had the same under consideration, and ask leave to report the same back without amendment, and recommend its passage.

J. B. STANSELL, Chin. H. B. No. 28 be taken up for consideration.

Report received.

Mr. Lynch moved that

H. B. No. 28 was then H. B. No. 44, be taken up for consideration too bug been Mr. Koontz moved to amend section ten by strikibairraO the

Mr. Welton moved that it be indefinitely postponed. shrow Motion lost.

Mr. Webster moved that the bill be ordered printed. "County," in 12th line of section three, and alltsolmoitoMace

of the section, and insert the samenant law 44 to No. Haty

School and Road Funds, respectively, beredieno bas looded Mr. Welton moved to amend section three by striking out the words "Park and Lake" and inserting "Costilla and Cone-Mr. Sheldon moved to strike out section nine and insertsol

Motion lost.

Mr. Marsh moved that the amendment proposed by the committee on judiciary to section five be adopted as ried to real Carried.

Mr. Marsh moved that the amendment proposed by the committee to section six be adopted. To reawo desired done

Mr. Garcia moved to amend section seven by striking out the hame of "Charles Lee Armour" and inserting "Judge Braddriven or moved, and shall pay to the County Treasurt

Mr. Marsh moved that the amendment of the committee to section eight be adopted.

Carried.

Mr. White moved to strike out section fifteen of the act.

Mr. Ripley moved to adopt the section recommended by the committee in lieu thereof.

Mr. McCannon moved to adopt section sixteen as recommended by the committee.

Carried. Mr. Marsh moved that section seventeen, as recommended

by the committee, be adopted. Mr. Stansell moved that the bill, as amended, be ordered

engrossed for a third reading. Motion withdrawn.

Mr. Garcia moved that the bill be recommitted to a select committee.

Motion lost.

Motion to engross renewed.

Carried.

Mr. Koontz moved that

H. B. No. 28 be taken up for consideration.

H. B. No. 28 was then Read and considered.

Mr. Koontz moved to amend section ten by striking out the words "one dollar" and inserting the words "fifty cents."

Carried.

Mr. Webster moved to amend by striking out the word "County," in 12th line of section three, and all of the balance of the section, and insert "the same to the Territorial County School and Road Funds, respectively, in the same proportion as other taxes.

Carried.

Mr. Sheldon moved to strike out section nine and insert the

Whenever any non-resident owner or owners of animals, his, her, or their agent shall drive or move said stock out of the county in which the same were kept and herded, according to the provisions of this act, into another county of this Territory, such non-resident owner or owners, his, her, or their agent, shall file a certified copy of the certificate filed, with the name of the county where such stock was kept and herded, with the Recorder of the county into which the said animals may be driven or moved, and shall pay to the County Treasurer, as the

F

pr

pr

th

thi

du

Sec

To S Boo

ger

1 as 1

Was ( the

provided in the preceding section, one half of the amoun pro rata per animal, hereinbefore specified.

Motion lost.

Mr. Lynch moved to strike out in fifth line of section "seven" the word "seven," and insert "five."

Carried.

Mr. Lynch moved to strike out section ten.

Mr. Lynch moved that the bill be made the special order of the day for Monday next, at 2 o'clock p. m. Mr. Leeper moved that

Mr. Leeper moved that H. B. No. 39 be taken up for consideration.

H. B. No. 39 was then Read and considered.

Mr. Lynch moved that the bill be ordered engrossed for a third reading.

Carried.

Mr. Welton asked leave, without previous notice, to to intro-

H. B. No. 52, an act relating to fencing.

Leave granted.

The Sergeant-at-arms announced a communication from the Secretary of the Territory, which was received and Read as follows: .... a shop of him bearing he sended suff

OFFICE OF THE SECRETARY OF COLORADO TERRITOY, Denver, Feb'y 24, 1864.

To the Honorable J. B. Chaffee, Speaker of the House of Representatives : 10'0 C 38 Anoguronoibe objects on James and Bed T.

SIR: In compliance with a resolution of your Honorable Body, I herewith transmit an abstract of the vote at the last Seneral election. Very respectfully, Vaccated Landland A

Your obedient servant, bersegge reges I bie velled and SAM'L. H. ELBERT, Sec'y. of Colorado.

Mr. Webster, from committee on roads and bridges, reported as follows:

MR. SPEAKER: The committee on roads and bridges, to whom Was referred

C. B. No. 27, respectfully report that they have considered the same and recommend its passage. S. D. WEBSTER, Ch'n.

II. By Nos. 47 and 49, ha 18 had the separate vome O bins

to

27.

m-

he

red

led

ect

the

ord nce nty ion

the his,

the r to ory, ent, me

the be . 28

Mr. Lynch moved to take up H. B. No. 40 for consideration.

Carried.

H. B. No. 40 was

Read and considered.

Mr. Ripley moved to lay the bill on the table.

Carried.

Mr. Welton moved to take up H. B. No. 36 for consideration.

Carried.

H. B. No. 36 was then Read and considered.

Mr. Welton moved that the bill be ordered engrossed for a third reading.

Carried.

Mr. Marsh moved that

H. B. No. 22 be read for consideration.

Mr. Holland moved a call of the House.

Carried.

Mr. Marsh moved that further proceedings under the call be now dispensed with.

Carried.

H. B. No. 22 was taken up and pending the reading thereof. On motion of Mr. McCannon,

The House adjourned until 9 o'clock a. m., Monday next.

## MONDAY, FEBRUARY 29th, 1864.

The House met pursuant to adjournment, at 9 o'clock, a, m. The Speaker in the chair.

Roll called.

Absent-Messrs. Chever, Eames, Kipp, Koontz, Kelley, Leeper, Mallory, Patterson, White, Welton.

Journal of the preceding day read and approved.

Messrs. Chever, White, Welton, Kelley and Leeper appeared in their seats.

Mr. Ripley presented the petition of 188 citizens of Boulder, Weld and Larimer counties, asking that a certain portion of Arapahoe, Weld and Larimer counties be added to Boulder County; which was received, read, and referred to the committee on County and County Lines.

Mr. Holland presented a remonstrance from citizens of Clear Creek County against the removal of the county seat, which was, received, read, and referred to the committee on County

and County Lines.

Mr. Stansell, from the committee on Incorporations, submitted the following reports, to wit: abases another died to ease

MR. SPEAKER: The committee on Incorporations, to whom was referred

H. B. No. 33, "An act to incorporate the Denver City and Auraria Gas-light Company," have had the same under consideration, and ask leave to report the same back to the House, with the following amendments, viz:

After the name of "Rice," in first line of first section, insert

the name of "James Broadwell."

Also, add the following provision to section 6, viz:

"Provided, that the said Company shall at no time issue the bonds or certificates of indebtedness of the Company to an amount exceeding fifty per cent of the capital stock of said company."

Also, that the committee have had

H. B. No. 41, "an act entitled an act to re-locate the Capital of Colorado Territory" under consideration, and ask leave to Report the same back to the House without amendment, and Recommend its passage.

J. B. STANSELL, Ch'n.

Reports received.

Mr. Stansell, from Special Committee, reported as follows:

Mr. Speaker: The Special Committee, to whom was referred H. B. No. 26, "An act to amend an act to enable Road, Ditch and other Companies to become bodies corporate," have had the same under consideration, and ask leave to

Report the same back to the House, with the following

amendments, and recommend its passage—viz:

Insert the word "unpaid" atter the word "of," in the 5th line of the 12th section, Also, by striking out sections 21 and 27. J. B. STANSELL, Ch'n.

Report received.

Mr. Welton presented the following minority report:

Mr. Speaker: The undersigned, a minority of the Committee on Incorporations, have had H. B. No. 33 under consideration, and beg leave to report the same back with the recommendments, and recommend its passage.

N. W. WELTON.

Mr. Marsh, from the committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee, to whom was referred H. B's Nos. 47 and 49, having had the same under consider-

9.

11 of.

ed

ee-

er, of er it-

ar ch

ty

re

a

86

to

in

SI

OI

W

of

to

in

La

ation, beg leave to report that they would recommend the passage of both without amendment.

Respectfully submitted,

A. MARSH, Ch'n.

Report received.

Mr. Marsh, from Select Committee, reported as follows:

MR. SPEAKER: Your Committee to whom was referred the petition of Frederick J. Stanton, for compensation for services in copying Session laws of the Territory for 1861, and preparing index and marginal notes thereto, having had the same under consideration, beg leave to report as follows:

That the Committee feel satisfied from the evidence furnished them by the said Fred. J. Stanton, that the account, together with the certificate of Lewis Ledyard Weld, late Secretary of the Territory, submitted herewith, and made a part of this report,

is just and correct.

Your Committee though, are of the opinion that said account having been contracted by an officer of the Federal Government, and that the annual appropriations from the Federal Government to meet the contingent expenses of the Legislative Assembly of the Territory are designed to cover the items set forth in said account, and that the Terrritory is in no wise legally bound to pay the same; yet your Committee are of the opinion that the copying of said laws, and preparing index and marginal notes to the same, was attended with great labor, and at the time and in the manner of preparing the same was of an immediate and direct benefit to this Territory; -would therefore recommend, that as Mr. Stanton has failed, after repeated efforts, to obtain relief from the General Government, it is only just and proper that the balance (\$315 50,) due him upon said account, or so much thereof as this House may think fair and reasonable for the labor performed, should be paid by the Territory.

## [COPY.]

The United States, on account of the expenses of the Legislative Assembly of the Territory of Colorado,

To Fred. J. Stanton, Dr.:

1861.

Dec. 7.—To copying Territorial Laws for the Printer, 1125 folios, at 10 cents,

" services in preparing Index and Marginal Notes to Territorial Laws, 3 months and 11 days, at \$4 00 per day,

376 00

San ones out had remained to hear the san \$488 50

Deduct, by cash received from L. L. Weld, late Secretary, for which see vouchers to be forwarded.

\$175 00

\$313 50

I do hereby certify that this account is due and owing to F. J. Stanton, for work and labor done as set forth, and that the said services were requisite and necessary at the time, and that Mr. Stanton was employed by me while I was Secretary of Colorado Territory.

LOUIS LEDYARD WELD, Late Secretary of Colorado Territory.

Respectfully submitted,
A. MARSH, Ch'n of Select Com.

Report received.

Mr. McCannon moved that the communication from the Secretary relative to the vote of the Territory of Colorado at the last general election, be referred to the Committee on Elections and Apportionment.

Carried.

Mr. Garcia moved that a Special Committee be appointed to see the Public Printer, and find out whether or not he is going to have the Governor's Message and Rules of the House printed in the Spanish Language.

Carried.

The Speaker appointed Messrs. Garcia, Leeper and White such committee.

Mr. McCannon gave notice that he would on Monday next, or on some subsequent day, offer a Joint Resolution, tendering the thanks of this Legislative Assembly and the People of the Territory to Mr. J. G. Nicolay for the very able manner in which he has set forth the interests of Colorado Territory, in his report to the Hon. W. F. Dale, Commissioner of Indian Affairs.

Mr. Chever gave notice, that on to-morrow or some subsequent day, he would introduce a bill for an act to authorize Francis Smith to build a bridge across the South Platte River.

Mr. Holland moved that the reports of the Superintendents of Common Schools and the Territorial Librarian, be referred to the committee on Education.

Carried.

Mr. Woods, in pursuance to previous notice, asked leave to introduce

H. B. No. 53, "An act to incorporate the Cash Creek and Lake County Gold Mining Company," which was

Read a 1st and 2d time by its title, and

Referred to the committee on Incorporations.

the

29.

as-

ng ler led

the ort,

novlsrth lly

arat an re-

aly aid nd er-

As-

50

50

af

Se

W

an

b

to

Mr. Marsh, without previous notice, asked leave to introduce H. B. No. 54, an act to amend an "Act to incorporate the Apex and Gregory Wagon Road Company."

Leave granted, and bill read a 1st and 2d time by its title, and

Referred to the committee on Incorporations.

H. B. No. 52 was read a 1st and 2d time by its title, and

Referred to the committee on Incorporations.

Mr. Kelley, without previous notice, asked leave to introduce H. B. No. 55, an act to improve Bear Creek, in the County of Jefferson.

Leave granted, and bill read a 1st and 2d time by its title, and

Referred to the committee on Incorporations.

Mr. Stansell moved that

H. B. No. 26 be taken up for consideration.

Motion withdrawn.

Mr. Chever asked leave, without previous notice, to introduce H. J. R. No. 6, to compensate F. J. Stanton for services on publication of the Statutes of the Legislative Assembly.

Leave granted, and Resolution read a 1st and 2d time by its title

And referred to the committee on Territorial Affairs.

Mr. White, from the committee on Engrossment, reported H. B's. Nos. 36, 39 and 44 correctly engrossed.

Report received.

Mr. Eames appeared in his seat.

Mr. Marsh moved that

H. B. No. 44 be read a 3d time, and put upon its final passage. Carried.

Mr. Marsh moved that the bill be considered read.

Carried

H. B. No. 44, an act to divide the Territory of Colorado into Judicial Districts, and to provide for the holding of Courts therein, was read by its title, and the question being upon its final passage, the ayes and noes were,

Ayes—Messrs. Chever, Eames, Holland, Henson, Judd, Lynch, Leeper, Marsh, McCannon, Nye, Ripley, Sheldon, Stansell,

White. Woods-15.

Noes—Messrs. Garcia, Kelley, Ortega, Webster, Welton, Mr. Speaker—6.

Ayes, 15; noes, 6.

So the bill passed, and title agreed to.

Mr. Henson moved that

C. B. No. 16 be read for consideration.

Carried.

C. B. No. 16 was read and considered.

Mr. Sheldon moved that the bill be considered read a 3d time, and put upon its final passage.

Carried.

dnce the

v 29.

and

luce inty

and

uce on

itle

ge.

ido rts its

ch, 11, Ir.

Mr. Stansell moved that the bill be laid over until to-morrow afternoon. Carried.

Mr. Leeper moved that the below said mr. I : ANALAGE AM

H. B. No. 26 be taken up for consideration.

Carried leged bases per will be a respect to the control of the co Mr. Sheldon moved that the amendments proposed by the Special Committee on H. B. No. 26, be read and considered. Carried of Mo. 25, un ast granting to Brancis Smith the beirra

Amendments read and considered. append a matriam bus toors

Mr. Lynch moved to amend, by striking out in 3d line of Section 12, the words "an amount equal to the," and insert the Word "the." Carried por dos as a .O. A. H of due O

The question being upon the adoption of the amendment as

amended, was-Carried.

Mr. Sheldon moved to amend, by substituting for Section 12,

H. B. No. 15, an act concerning marks and bra: gniwollof adt SEC. 12. That heither the stockholders jointly nor severally, nor the body corporate under the provisions of this act, shall be liable for any indebtedness whatever.

Motion lost.

The question then being upon striking out section No. 21, as recommended by the Committee, was

to construct lines of telegraph in this Territory anteol notome

Mr. White moved to strike out Section 22.

Motion lost.

Mr. Stansell moved to strike out Section 27. Stansell moved to strike out Section 27. Carried. goods to ambetorg adt set tos me Alto M. H. ..

Mr. Stansell moved to fill the blank in Section one of the bill by inserting "fifty," and the boogson was V

Carried. A BRANT AH AL O and

Mr. Stansell moved that the bill with the amendments, be ordered engrossed for a 3d reading.

Carried. To moved that the bill be dad beyon datable allow

Mr. Marsh moved that gu nodes of \$4 bas \$8 .soll at al .H

H. B. No. 30 be taken up for consideration. source at bask

Mr. Nye moved to amend, by substituting H. B. No. 43. Motion lost.

The question recurring upon the original motion, Motion prevailed. depot Alid out that bas bagouteog wag ad

H. B. No. 30 was read and considered.

Mr. Stansell moved that the further consideration of the bill be deferred, and that it be referred with H. B's No. 33 and 43, to a special committee, with instructions to report the best bill of the three back to the House. Moon to be been been all and and an all and a second a second and a second an

Motion withdrawn.

The sergeant-at-arms announced a communication from the Council, which was received and read as follows:

p:

d

CC

Council Chamber,

MR. SPEAKER: I am instructed to inform the House that the Council has passed the following bills, and the concurrence of your Honorable Body is respectfully requested therein, to wit:

C. B. No. 24, an act to incorporate the Colorado Territorial

Agricultural Society.

C. B. No. 25, an act granting to Francis Smith the right to erect and maintain a bridge across the waters of the South Platte river.

C. B. No. 29, an act concerning licences.

C. Sub. to H. B. No. 6, an act creating a lien in favor of mechanics and others, in certain cases herewith transmitted.

And also.

That they have concurred in and passed without amendment

H. B. No. 15, an act concerning marks and brands.

H. B. No. 24, an act to amend an act entitled "an act to authorize the apportionment of County Commissioners in special cases.

And also,

That the Council has concurred in House amendments to

C. B. No. 6, an act to enable the Pacific Telegraph Company to construct lines of telegraph in this Territory and protect the same.

They have also concurred in

House amendent to Council amendment to

H. B. No. 13, an act for the protection of sheep, herewith transmitted.

Very respectfully, C. B. HAYNES,

Secretary of the Council.

Mr. Marsh moved that

H. B.'s Nos. 33 and 43 be taken up and

Read in connection with

H. B. No. 30.

Carried.

Mr. Stansell moved that the further consideration of the bill be now postponed, and that the bill, together with

II. B.'s Nos. 33 and 43 be referred to the committee of the

whole.

Carried.

Mr. White moved that

H. B. No. 38 be read for consideration.

Carrried.

H. B. No. 33 was then

Read and considered.

Mr. Sheldon moved to amend the amendment proposed by the committee by striking out \$800 and inserting \$700; and by striking out \$600 and inserting \$500.

Motion withdrawn.

The question being upon the adoption of the amendment, as proposed by the committee, the amendment was

Adopted.

Mr. Chever moved to strike out the word "one," in section three, and insert the word "three."

Lost.

29.

he

of

it:

ial

to

tte

or d.

nt

to e-

1.y 10

e

Mr. Sheldon moved that the bill be ordered engrossed, as amended for a third reading.

Mr. Garcia moved that the committee on ways and means be requested to report on C. B. No. 2.

Mr. Chever moved to amend by asking the committee to report at their earliest convenience. Carried,
Motion as amended.

Mr. Sheldon, without previous notice, asked leave to intro-

H. J. R. No. 7, to pay F. J. Ebert for constructing maps for the Territory.

Leave was granted, and resolution

Read a first and second time by its title, and referred to the committee on ways and means. Mr. Sheldon moved that

H. B. No. 48 be read for consideration.

Carried.

H. B. No. 48 was read and considered.

Mr. White moved that the bill be considered engrossed for a third reading.

Mr. Marsh moved that the bill be considered read a third time and put upon its final passage.

H. B. No. 48, an act to legalize the acts of the Superintendent of Public Schools" was read by its title, and the question being upon its final passage, the ayes and noes were,

Ayes-Messrs. Chever, Eames, Garcia, Henson, Judd, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Shelden, White, Webster, Woods, Mr. Speaker, 18.

Noes-Messrs. Holland, Stansell, Welton, 3.

Ayes—18. Noes-3.

So the bill passed.

Mr. Marsh moved that the title be amended, so as to read "an act to confirm the appointment of Wm. S. Walker as Superintendent of Public Schools, and for other purposes.

Title as amended agreed to. Mr. Marsh moved that,

C. B. No. 19, be read a third time by its title and put upon its final passage.

Carried.

C. B. No. 19, "an act to enable soldiers in the United States service, to acquire and hold mining claims," was read a third time by its title, and the question being upon its final passage, the ayes and noes were,

Aves-Messrs. Chever, Garcia, Holland, Henson, Judd, Kelley, Leeper, Lynch, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, White, Webster, Welton, Woods, Mr. Speaker, 19.

Noes none. Ayes—19. Noes-0,

So the bill passed.

Mr, Holland moved to amend the title by inserting the words "and other" between the words "mining" and "claims."

Carried.

Title as amended agreed to. Mr. Webster moved that,

C. S. for H. B. No. 7, be read for consideration.

Carried.

C. S. for H. B. No. 7, read and considered.

Mr. Webster moved that, the bill be read a third time by its title, and put upon its final passage.

Carried.

C. S. for H. B. No. 7, "an act to legalize assessments of property for revenue in certain cases.

Was read a third time by its title and the question being

upon its final passage the ayes and noes were,

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Kelley, Lynch, Leeper, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, 18.

Noes—Messrs. Marsh, McCannon, Mr. Speaker, 3.

Ayes—18.

Noes-3.

So the bill passed and title agreed to.

Mr. Leeper moved that,

H. B. No. 39, be read a third time and put upon its final passage.

Carried.

S

H. B. No. 39, "an act explanatory of an act concerning Lode claims" was read a third time, and the question being upon its final passage the ayes and noes were.

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Kelley, Leeper, Lynch, Marsh, Nye, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr-Speaker, 18.

Noes-Messrs. McCannon, Ortega, Mr. Speaker, 3.

Ayes—18.

Noes-3. At to notities salt tadt beyont buslloH .M.

So the bill passed.

Mr. Leeper, moved to amend the title by inserting the words "amendatory and" before the words "explanatory." Carried.

Title as amended agreed to.

Mr. Stansell moved that, and more submored abyord and

H. B. No. 46, be taken up and read for consideration. Carried.

H. B. No. 46, was read and considered.

Mr. Woods moved that it be considered engrossed and read a third time and put upon its final passage. Carried.

H. B. No. 46, "an act to repeal that part of the Cash Creek Park Ditch Company's Charter, that includes Clear Creek" Was read a third time and the question being upon its final

passage, the ayes and noes were:

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Stansell, White, Webster, Welton, Woods and Mr. Speaker-20. bnommooor bus thembuoms toodilw espoll edi-

Noes-None,

Excused—Mr. Sheldon. evergeni of the as de do by H. H.

of Jefferson, under consideration, and ask leave. 20.

same back to the House without amendment, senor seoN ad So the bill passed and title agreed to.

On motion of Mr. McCannon, the House adjourned until 2 o'clock p. m.

#### AFTERNOON SESSION.

Dorff B. Wo, 6 he taken up and read a first and second time and

The House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair. and referred to the committee of Roll called.

Absent-Messrs, Kipp, Koontz, Mallory, Patterson, Sheldon, Stansell, White and Welton. Quorum present.

T

re

re

it

On motion of Mr. Holland,

Mr. Koontz was excused for the day.

H. B. No. 28 being the special order for the hour, was taken up, and,

On motion of Mr. Holland, Was deferred until to-morrow.

Messrs. Sheldon, Stansell, White and Welton appeared in

their seats.

Mr. Holland moved that the petition of M. P. Parker, B. F. Darrah and others, relating to the further appropriation of mining claims for school purposes, be referred to the committee on education.

Carried.

And it was so referred.

Mr. Chever, from the committee on enrollment, reported

C. B.'s Nos. 5, 6, 20 and 21 correctly enrolled.

Report received.

Mr. Webster moved that the committee on agriculture be requested to report on

H. B. No. 21. Carried.

Mr. Stansell, from the committee on incorporations, submitted the following reports:

MR. SPEAKER: The committee on incorporations, to whom

was referred

H. B. No. 34, an act amendatory of an act to incorporate the Apex and Gregory Wagon Road Company have had the same under consideration, and ask leave to report the same back to the House without amendment and recommend its passage.

Also, have had

H. B. No. 55, an act to improve Bear Creek, in the county of Jefferson, under consideration, and ask leave to report the same back to the House without amendment, and recommend that it do not pass.

J. B. STANSELL, Ch'n.

Mr. White moved that C. Sub. for

H. B. No. 6 be taken up and read a first and second time and referred to its apprepriate committee.

Carried. C. Sub. for

H.B. No. 6 was then read a first and second time by its title and referred to the committee on judiciary.

Mr. White moved that C. B.'s Nos. 24, 25 and 29 be read and referred.

Carried.

29.

ken

. F. nineon

lin

be

ted

om

the me to

nty he nd

nd

tle ad

C. B. No. 24 was read a first and second time by its title and referred to the committee on agriculture.

C. B. No. 25 was read a first and second time by its title and

referred to the committee on incorporations.

C. B. No. 29 was read a first and second time by its title and referred to the committee on judiciary.

Mr. Marsh moved that

C. B. No. 18 be read a third time by its title and put upon its final passage.

Carried.

C. B. No. 18, an act concerning forcible entry and detainer, and unlawful detainer," was then read a third time by its title, and the question being upon its final passage, the

Ayes and roes were: Aves-Messrs. Chever, Eames, Garcia, Henson, Judd, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Woods and Mr. Speaker-18.

Noes-Messrs. Holland and Kelley-2.

Ayes—18. Noes-2.

So the bill passed and title agreed to,

Mr. Marsh moved that

C. B. No. 7 be taken up for consideration.

Carried.

C. B. No. 7 was then read and considered.

Mr. Judd moved that the bill be indefinitely postponed. The ayes and noes being called for and ordered, were:

Ayes-Messrs, Chever, Eames, Garcia, Holland, Henson, Judd, Kelley, Lynch, Leeper, McCannon, Ortega, Ripley, White, Webster and Woods-15.

Noes-Messrs. Marsh, Nye, Sheldon, Stansell, Welton and Mr. Speaker—6,

Aves—15,

So the bill was indefinitely postponed,

Mr. Stansell moved the adoption of the following resolution:

Stangalbarose for boint of o Resolved, That the Secretary of the Territory be requested to furnish this House with a statement of the amounts allowed by the General Government to the different clerks and officers of this House for their services.

Mr. Chever, from the committee on Territorial affairs, submitted the following report:

MR. SPEAKER: The committee on Territorial Affairs, to whom was referred

Mar

B

P

RA

J

8e]]

Wit

0

J

H.

B

N

1

0

bac

inse

"se

zen

and

the

pre

tot

the

ey 1

by

and Ty:

tha

Wit

edi

also

ern an

7

8

ed

H. J. R. No. 6, joint resolution for compensation for services on publication of the statutes of the Legislative Assembly, teport the same back amended, by striking out the word "is" in fifth line from the bottom and substituting the words "shall be," and with this amendment recommend its passage.

D. A. CHEVER, Ch'n.

Report received.

Mr. Judd moved that the House do now resolve itself into committee of the whole on the general file.

Carried.

The House then went into committee of the whole.

Mr, Judd in the chair.

After some time spent therein,

The committee arose.

The Speaker in the chair.

Mr. White, from the committee on ways and means, reported as follows:

MR. SPEAKER: Your committee, to whom was referred H. J. R. No. 7, have had the same under consideration, and beg leave to report the same back without amendment, and recommend its passage.

M. C. WHITE, Ch'n.

Mr. Marsh moved that H. J. R. No. 5 be taken up for consideration.

Carried.

H. J. R. No. 5 was then read and considered.

Mr. Sheldon moved that the bill be ordered engrossed for a third reading.

Carried.

Mr. Marsh moved that

H. B. No. 47 be taken up for consideration.

Mr. Stansell arose to a point of order—that the bill was now in the hands of the committee of the whole, and could not be taken up by the House.

The Speaker decided the point well taken.

Mr. Stansell moved that the House do now adjourn until 10 o'clock a. m. to-morrow.

Mr. Ripley moved to amend by making the hour 9 o'clock. Motion lost.

The original motion prevailed, and The House adjourned.

#### TUESDAY, MARCH, 1st. 1864.

House met pursuant to adjournment, at 10 o'clock a. m. The Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent-Messrs. Kipp, Koontz, Mallory, Patterson,

Journal of the preceding day, read pending which Mr. Stansell moved that the further reading of the Journal be dispensed With. Carried.

Journal approved.

Mr. Chever, from the committee on Eurollment reported, H. Bs, Nos. 2, 13, 15 and 24 correctly enrolled.

Report received.

Mr. White from the committee on Ways and Means reported as follows: sage without amendmen

Mr. Speaker:—Your committee to whom was referred

C. B No. 2,

Have had the same under consideration, and report the same back with the following amendments to-wit:

Strike out the word "seven" in the first line of section 1, and Insert the word "five" in lieu thereof, and strike out the word "seven" in the last line of section 4 and insert the word "five."

Your committee believing that it is due to our Spanish citi-Zens that the laws be printed in their language, in order to enable them to become acquainted with their duties as citizens, and also that by so doing, more revenue can be derived from them, than will be expended in such printing, and also that the Present move of the Delegate to Congresss from New Mexico to take away a valuable portion of our Territory is urged on by the Spanish citizens of our Territory, from the fact that we have up to this time refused to appropriate a small sum of monby to the printing of our laws in Spanish, and believing that by such appropriation it will save us from internal dissentions and strife, and that we should not by implication, represent the Tyrant "Callegula," who placed his laws in such a position that they could not be read by his subjects, yet punished them with as much rigor as though they were conversant with his editcs.

Therefore, recommend that the bill as amended pass, and also recommend an appropriation for the printing of the Governor's message in Spanish in accordance with the vote had at an earlier day of this session, thereon.

Respectfully Submitted,

Chairman Com. Ways and Means. recommend its passage, viz:

orted

rvices mbly,

1 "is

'shall

'n.

into

and and

con-

or a

OW be

10

ek.

M

lin

ti

ri

S

th

a

Report received.

Mr. Eames from the committee on Agriculture reported as follows.

Mr. Speaker: Your committee to whom was referred, H. B. No. 52, having had the same under consideration, recommend its passage with the following amendments, to-wit:

Make section 1st read as follows:

Section 1. That section two of said act be amended by striking out, all after the word "until" in the 4th, line of said section, and inserting in lieu thereof, "the fifteenth day of November."

Make sections 1 and 2 of said bill read 2 and 3.

Also have had, C. B. 24, under consideration, and beg leave to report the same back to the House, and recommend its passage without amendment.

J, H. EAMES, Ch'n.

Report received.

Mr. Ripley, from the committee on County and County lines submitted the following report.

Mr. Speaker: Your committee to whom was referred the petition, and remonstrance of sundry citizens of Clear Creek County, in regard to the removal of the County seat of said County, have had the same under consideration, and after a careful examination of the same, in view of the vast preponderance in favor of the Petitioners, in favor of the removal of said county seat.

Your committee would recommend the passage of a bill herewith submitted for the relocation of the County seat of

said County of Clear Creek.

All of which is respectfully submitted.

DAVID RIPLEY, Ch'n Protem, C. C. & C. L.

Report received.

Mr. Stansell from the Committee on Incorporations submitted the following reports.

Mr. Speaker:—The committee on Incorporations to whom

was referred,

H. B. No. 53, an act to incorporate, Cash Creek, and Lake County Gold mining Company, have had the same under consideration, and ask leave to report the same back to the House with the following amendment and recommend its passage, viz:

, 1st.

tion, wit:

d by said No-

eave pas-

ines

the eek said ra on-

bill of

ed

ke

nse Z:

Insert the word 'legally' after the word "now" in twenty-first line of first section,

Also strike out all after the word "claims" in 4th line of section 4 to the word "excavate" in 6th line of same section.

Also, C. B. No. 25, an act granting to Francis Smith, the right to erect and maintain a bridge across the waters of the South Platte River, and ask leave to report the same back to the House with the following amendments viz.

Strike out the words "and fifty cents" in 12th line of section 2. Also C. B. No. 13, an act to incorporate the Denver manu-

facturing and milling Company. That not share a good a drive

And ask leave to report the same back to the House with the following amendment viz:

After the figure "5" in 8th line of section 2 insert "running at right angles with F street.

J. B. STANSELL, Ch'n,

Report received.

Mr. Garcia, from special committee, to whom was referred the business of calling upon the Printer for the purpose of finding out when they would print the Governor's message and the rules of the House in Spanish, respectfully submit the following report.

That they have called upon Mr. Gibson, and find that no appropriation has been made for either the printing or translation of same, and would suggest that the committee on ways and means, be instructed to employ suitable persons to do the samo, and that an appropriation be made for payment out of the Territorial funds.

V. J. GARCIA, Ch'n.

28, being the special order of the day

Report received. Mr. Ripley without previous notice asked leave to introduce, H. B. No. 56, "an act to re-locate the County seat of Clear Creek County.

Leave granted, and bill read a first and second time by its

title, and referred to the committee on judiciary.

H. B. No. 36, an act for the protection of farmers in certain cases" was then read a third time, and the question being upon its final passage the ayes and noes were,

Ayes-Messrs. Chever, Eames, Garcia, Holland, Judd, Lynch, Leeper, Marsh, McCannon Nye, Ortega, Sheldon, Webster,

Welton, Wocds, 15. Noes-Messrs. Henson, Kelley, Ripley, White Mr. Speaker, 5. Excused Mr. Stansell,

Ayes—15. Noes-5.

20 Tanking all aboo W

So the bill passed and title agreed to.

Mr. Judd, from the committe of the whole (yesterday afternoon) submitted the following report.

MR. SPEAKER: The committee of the whole have had under consideration.

C. B. No. 14, an act to incorporate the Denver Artesian well Company, and report the same back to the House, without recommendation.

Also, C. B. No. 27 and report the same back to the House

with a recommendation that it do pass.

Also, H. Bs. Nos. 30-33 and 43, and report the same back to the House, with the recommendation that these bills be referred to a select committee, with instructions that they report one bill which shall be of the greatest advantage to the citizens of Denver.

> Respectfully Submitted. LEON D. JUDD, Ch'n.

Report received.

Mr. McCannon moved that the report of the committee be adopted, and that the three bills be referred to a select committee of five, with instructions to report back one bill in accordance with the report of the committee.

Carried.

The Speaker appointed Messrs. McCannon, Lynch, Stansell,

Nye and Judd, such committee.

Mr. Holland moved that the amendments proposed by the committee on incorporations be referred to the same committee.

H. B. No. 28, being the special order of the day was taken up, and on motion of Mr. Sheldon, was laid on the table.

Mr, Henson moved that,

C. B. No. 16, be taken up for consideration.

Carried.

C. B. No. 16, was then read and considered.

Mr. Henson moved that the bill be considered read a third time, and that it be read by its title and put upon its final pas-

C. B. No. 16, "an act to incorporate the Beaver Creek Ditch and Fluming Company, in Park County, was read a third time by its title, and the question being upon its final passage the ayes and noes were,

Ayes-Messrs. Garcia, Holland, Henson, Judd, Kelley, Lynch

Leeper, Marsh, Sheldon, Stansell, White, Welton, 12.

Noes-Messrs. Chever, McCannon, Ortega, Ripley, Webster, Woods, Mr. Speaker, 7.

Marc

Ay No So Mr

comn Ca Th

 $M_1$ Af Th Ti

H. Re 01 o'clo

M

T T R A

ton. the

M Who H out

all A A the 1066

A of ] spe his

of t

1.

r-

er

e

Ayes—12.

Noes-7. So the bill passed and title agreed to.

Mr. Stansell moved that the House do now resolve itself into committee of the whole on the general file.

Carried.

The House then went into committee of the whole.

Mr. Stansell in the Chair.

After some time spent therein the committee arose.

The Speaker in the chair.

Time was granted the Chairman to prepare his report.

Mr. White, from the committee on engrossment reported. H. B. No. 26, and 38, and H. J. R. No. 7, correctly engrossed. Report received.

On motion of Mr. Sheldon the House adjourned, until 2 o'clock, p. m.,

# tadt senott odt mrotui or betsmisur ma I : assayer att

The House met pursuant to adjournment, at 2 o'clock, p. m. The Speaker in the chair,

Roll called,

Absent-Messrs. Eames, Kipp, Mallory, Patterson and Welton.
Quorum present.

The committee of the Whole through their chairman made the following report.

MR. SPEAKER: I am instructed by the committee of the whole, to report that they have had under consideration,

H. B. No. 47, and report the same back to the House, without amendment, and recommend its passage.

Also, H. B. No. 49, and amended the same, by striking out all of section I before the word "that" in sixth line.

And also, the words "as the same are" in the seventh line. Also, by inserting the following, after the word "shall" in the eleventh line of section 3.

"Be the standard weight of a bushel of each of such articles."

Also, by inserting after the word "inspection" in second line of 12th section, the following "in any county where such inspector shall have been appointed, and is in the performance of his duties" and with these amendments recommend the passage of the bill.

J. B. STANSELL, Ch'n.

M

OVE

186

pec

ens

and

the

per

an

291

"d

in

an

Co

se

al

a

H

88

a

Report received.

Mr. Leeper gave notice that on to-morrow or some future day, he would ask leave to introduce a bill to exempt voluntary debts from collection by law in this Territory,

Mr. Welton, appeared in his seat.

Mr. Garcia, moved that the House do now resolve itself into committee of the whole, on the general file.

Carried.

The House then went into committee of the whole.

Mr. Koontz in the chair.

After sometime spent therein the committee arose.

The Speaker in the Chair.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

Council Chamber, March 1st. 1864.

Mr. Speaker: I am instructed to inform the House that the Council has passed,

C. B. No. 39, an act to exclude Traitors and Alien enemies from Courts of Justice in this Territory in civil cases.

Also, a bill for an act to opperate a Ferry on the Arkansas River.

And your honorable body is respectfully requested to con-

Also that they have concurred in House amendment to C. B. No. 18, "an act concerning forceible entry, and detainer, and unlawful detainer."

Also, that the Council has passed,

H. B. No. 31, an act to increase the Capital Stock, and extend the privileges of the Jefferson County Ditch Company, with the following amendments thereto, to-wit.

Strike out in section 3rd. in the 4th and 5th lines the words "it in their power to grant such request" and insert sufficient water in their said ditch, not designed to be used for the purpose of irrigating the soil instead thereof.

Also, add the following "section 5, this act may be modified altered or repealed by any subsequent Legislature of this Territory.

Also H. B. No. 34, an act to enable the Superintendent of Common Schools for El Paso County, to apply the School fund of said County, to the use of schools in the several districts thereof."

With the following amendments, to-wit:

Add section 2 "That the Superintendent of schools in the county of Park, shall be, and he is hereby authorized to pay

1.

ture

tary

into

the

rat

es

28

n-

K-

over the school fund derived from the assessment of the year 1863, in like manner as provided in section 1 of this act respecting the Superintendent of El Paso County.

They have also amended the title, so as to read, "an act to enable the Superintendent of Common Schools of El Paso, and Park Counties, to apply the School fund of said Counties to

the use of schools in the several Districts thereof.

Also, H. B. No. 20, "an act to prevent felons from defending persons in the Courts of this Territory.

Amended as follows:

In section 1, 3rd line, strike out the words "defend another"

and insert the word "practice" instead thereof.

They have also amended the title, by striking out the words "defending persons" therein and inserting the word "Practicing" in place thereof.

And the concurrence of your Honorable body is respectfully

requested therein.

The Council has also concurred in, and passed without amendment,

H. B. No. 42, an act, entitled an act, to authorize the County Commissioners of Gilpin County, to pay certain jurors fees.

Also, H. B. No. 37, an act to secure unto James Miller of

Gilpin County, certain rights herewith transmitted.

They have also concurred in House amendment to the title of, C. B. No. 19, an act to enable soldiers in the United States service to acquire and hold mining and other claims.

Very respectfully,
C. B. HAYNES,
Sec'y of Council.

The committee of the whole through their chairman reported as follows:

Mr. Speaker: I am instructed by the committee of the

whole to report that they have had,

C. B. No 2, under consideration, being an act providing for an appropriation for printing the laws in the Spanish language and after consideration thereon report the same back to the House and recommend its passage without amendment.

Also, have had,

CB. No 13, under consideration,

And amend the same by adding to section 2, "provided the said corporation shall first obtain the right to erect their mill and manufactory, from the city of Denver

And with this amendment, report the same back to the House

without any recommendation.

J. A. KOONTZ, Ch'n.

Mr. Ripley moved to take up, C B No 24, for consideration.

Carried.

C. B. No 24, was then read and considered.

Mr. White moved that the bill be read a third time, and put upon its final passage.

Carried.

Mr Henson moved that the bill be read the third time by its title.

Carried.

C. B. No. 24, an act to Incorporate the Colorado Territorial Agricultural Society, was read a third time by its title, and the question being upon its final passage, the ayes and noes were,

Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, 19.

Noes—Messrs. McCannon, Mr. Speaker, 2.

Ayes—19. Noes—2.

So the bill passed and title agreed to.

Mr. McCannon, in pursuance to previous notice, asked leave to introduce H. J. R. No. 8, a resolution requesting Fitz John Porter, to leave the Territory of Colorado, within thirty days.

Mr. Chever objected thereto, And called for the ayes and noes, which being ordered and

called were,

Ayes—Messrs. McCannon, Nye, Sheldon, Stansell, White,

Webter, Woods, 7.

Noes-Messrs. Chever, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Marsh, Ortega, Ripley, Welton, Mr. Speaker, 12

Ayes—7. Noes—12.

So leave was not granted. Mr. Chever moved that,

H. J. R. No. 6, be read for consideration.

Carried.

H. J. R. No. 6, was then read and considered.

Mr. Chever moved that the amendment proposed by the committee be adopted.

Carried.

Mr. Chever moved that the bill be engrossed for a third reading

Carried.

Mr. Stansell moved that, H. B. No. 26, be read a third time by its title, and put upon its final passage. Koley 19

M

M

ate

up

sag bei

KeW

Sp

to

me (

am

to (

am (

sec.

out

its

ial nd

es

1d,

ey,

e

n

S.

n

be Carried. ed "no" brow, ed bus deembroom longoo lo H. B. No. 26, an act to amend an act, to enable Road, Ditch, Manufacturing and other Companies, to become bodies corporate" was read a third time by its title, and the question being upon its final passage the ayes and noes were,

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Lynch, Leeper, Marsh, McCaunon, Nye, Ortega, Ripley, Stansell, White, Wsbster, Welton, Woods, Mr. Speaker, 19. Noes-Mr. Sheldon, 1.

Ayes—19.

Mr. Koonte, from the Committee on engross So the bill passed and title agreed to.

Mr. Holland moved that,

H. B. No. 38, be read a third time and put upon its final passage. Carried.

H. B. No. 38, was then read a third time, and the question being upon its final passage, the ayes and noes were,

Ayes—Messrs. Chever, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Ripley, Sheldon, Stansell, White, Webster, Welton, 14.

Noes-Messrs. Marsh, McCannon, Nye, Ortega, Woods, Mr. Speaker, 6. Ayes-14. Monagon Minn, Minn, Modennon, Mandan Jased Amer

Noes-6.

So the bill passed and title agreed to.

Mr. Sheldon moved to take up and consider C. Amendment to H. B.No 34. And soft of soft and sent bevom detell . The Carried.

H. B. No. 34, read and considered.

Mr. Sheldon moved that the House do concur in the amendment. Carried. A second to write T adj at second to a second to

Mr. Sheldon moved that the House do concur in the Council amendment to the title. son has says and opassed forth sit noqu

Mr. Kelley moved to take up and consider, C. Amendment to H. B. No. 31.

Carried.

Council amendment to H. B. No. 31, read and considered. Mr. Chever moved that the House do concur in Council amendment to section 3.

Carried.

Mr. Chever moved that the House do disagreed to C. A. to section 5. Motion Lost.

Mr. Holland moved that the word, "repeal" be stricken out

M

bo

t

to

(

of Council amendment, and the word "or" be transposed between the words "modify" and "alter."

Mr. Holland moved that the House do concur in amendment as amended.

Carried.

Mr. McCannon gave notice that he would on to-morrow or some subsequent day, ask leave to introduce a resolution inviting rebels, traitors and all classess of villains to Colorado Territory,

Mr. Koontz, from the Committee on engrossment, reported,

H. J. R. No. 6, correctly engrossed.

Report received.

Council amendment to H. B. No. 20, was read and considred. Mr. Marsh moved that the House do concur in Council amendments to the bill. Carried.

Mr. Chever moved that. C. B. No. 39, be taken up.

C. B. No. 39, was then taken up, and read a first and second time by its title.

Mr. Judd moved a call of the House.

Carried.

Roll ordered called.

Absent-Messrs. Eames, Kipp, McCannon, Mallory Patterson. Mr. Leeper moved that further proceedings, under the call be dispensed with.

Carried.

Mr. Marsh moved that the rules of the House be suspended and C. B. No. 39, be read a third time, and put upon its final passage. Carried.

Mr. Lynch moved that the bill be read the 3d. time by its title.

Carried.

C. B. No. 39, "an act to exclude traitors and alien enemies from Courts of Justice, in the Territory of Colorado, in civil cases," was read a third time by its title, and the question being upon its final passage the ayes and noes were,

Ayes-Messrs, Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr.

Speaker, 20.

Ayes-20, Noes-0.

So the bill passed and title agreed to.

Mr. Kelley moved that the House do now adjourn until 9 o'clock, a. m., to-morrow.

Mr. Stanselll moved to amend by making it 10 o'clock, a. m., Amendment accepted.

Motion prevailed, and the House adjourned.

osed

vit-

Ter-

ted,

ncil

ond

on.

call

nal

tle.

ies

ivil

ing

dd,

ey,

Mr.

#### Mr. Marsh, from the committee on Judiciary, squaitted the WEDNESDAY, March 2d, 1864.

House met pursuant to adjournment, at 10 o'clock a. m. The Speaker in the chair.
Roll called.

Absent-Messrs. Kipp, Mallory, Patterson.

Quorum present.

Journal of the preceding day read; pending the reading of Which Mr. Marsh moved that the further reading of the Journal be dispensed with. Motion lost. The said to said take at the said from ent the saidte

Reading of the Journal resumed and approved.

Mr. Ripley presented the petition of sundry citizens of Central City and the City of Black Hawk, in regard to the boundaries specified in the bills before this House to charter said cities.

Also, a petition of sundry citizens of Boulder County in re-

gard to fences.

Petitions received.

Mr. Stantell, from the committee on Incorporations, submitted the following report, viz:

Mr. SPEAKER: The Committee on Incorporations, to whom

C. B. No. 11 and H. B. No. 45, have had the same under

consideration, and ask leave to

Report the same back to the House without amendment, and Recommend that they be placed on general file, and go before the Committee of the whole House.

Also, C. B. No. 10, an act to incorporate the Old Rosey Mining, Fluming, Ground-sluicing and Hydraulicing Company, and have considered the same, and ask leave to

Report the same back with the following amendments, and.

Recommend its passage, viz:

Strike out the word "exclusive," in 2d line of Section 2. Also, strike out the same word in 14th line of same section.

Also, add the following after Section 7:

SEC. 8. That nothing contained in this act shall be so considstrued as to give the said Company the right to injure or interfere with the right now existing of others.

Also, strike out "one year," in 3d line of Section 8, and insert

"six months" in lieu thereof,

And also add to said Section 8, the following, viz: "and shall prosecute the same to completion within three years; and a failure so to do shall work a forfeiture of this charter.

J, B. STANSELL, Ch'n.

Report received.

M

tı

r

Si

in

a

Mr. Marsh, from the committee on Judiciary, submitted the following report:

Mr. Speaker; Your Committee to whom was referred C. B. No. 26, having had the same under consideration, beg leave to report that they would

Recommend the passage of the same, with the following

amendments, viz:

Insert after the word "payable," in the 13th line of Section 3 of said bill, the following—"in the manner expressed in said notes, bonds, due-bills, and other instruments of writing."

Strike out the word "note," in 1st line of Section 4.

Add "Section 14. Nothing in this act shall be construed to make contracts or instruments in writing containing mutual covenants, negotiable, by either assignment or delivery thereof."

Also, have had H. B. No, 56 under consideration, and

Beg leave to report the same back without recommendation.
Respectfully submitted,

A. MARSH, Ch'n.

Report received.

Mr. McCannon, from Select Committee, reported as follows:

Mr. Speaker: Your Special Committee to whom was referred H. B's. Nos. 30, 33 and 43, have had the same under consideration, together with the amendments proposed by the committee on Incorporations, and would respectfully report back H. B. No. 43, and recommend its passage.

JOHN McCANNON, Ch'n.

Report received.

Mr. Leeper moved that

H. B. No. 56 be referred to the Committee of the Whole. Carried.

Mr. Welton moved that

H. B. No. 33 be referred to the Committee of the Whole. Motion lost.

C. B. No. 31, a bill for an act to operate a ferry on the Arkansas River, was

Read a 1st and 2d time by its title, and

Referred to the committee on Incorporations.

Mr. Judd asked leave, in pursuance to previous notice, to introduce

H. B. No. 57, an act to incorporate the Denver and Pacific Wagon Road Company," which was

Read a 1st and 2d time by its title, and

Referred to the Committee of the whole House.

the

99

19 3

id

to

al

Also, without previous notice,

H. B. No. 58, "an act to incorporatu the Black Hawk Mining Company."

Leave granted, and bill read a 1st and 2d time by its title, and Referred to the committee of the whole House.

Mr. Webster having given previous notice, asked leave to in-

H. B. No. 59, "an act to amend an act regulating Eelections." Also, H. B. No. 60, an act to amend an act to enable citizens of the Territory in the military service of the United States to Vote," which were

Read a 1st and 2d time by their titles, and

Referred to the committee of the whole House. Mr. Nye, without previous notice, asked leave to introduce H. B. No. 61, an act to legalize the acts of the Board of Directors of Sehool District No. 5, in Arapahoe County, in certain cases.

Leave granted, and bill read a 1st and 2d time by its title, and Referred to the committee of the whole House.

Mr. Marsh moved that

H. B. No. 54 be taken up for consideration. Carried.

C. B. No. 54 was read and considered.

Mr. Marsh moved that the bill be ordered engrossed for a 3d reading. Motion lost.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

COUNCIL CHAMBER, March 1, 1864. MR. SPEAKER: I am instructed to inform the House that the

Council has concurred in and passed

H. B. No. 44, "an act to divide the Territory of Colorado into Judicial Districts, and to provide for holding of Courts in the same," with the following amendments thereto, to wit:

In last line of Section 6 strike out the word "April," and in-

sert instead thereof the word "July."

In Sectiod 7, strike out the word "Conejos," in 5th line, and insert in lieu thereof the word "Sevillita." Also, insert in the blank that occurs in the same section, the words "San Louis;" and add the following:

"Provided, that the next term of Court in Conejos County shall be held on the first Monday in April next, by the Hon. Allen A. Bradford."

Section 8. Strike out in 3d and 4th lines the words "Larimer and Boulder," and between the words ", Weld" and "Douglas" insert the word "and."

M

of

pi

er

a

F

0

Also, add the following:

"Sec. 26. The County of Larimer is hereby attached to the County of Boulder for Judicial purposes, and there shall be held one term of Court in each year, commencing on the first Tuesday in October in each year, at Boulder City, in the County of Boulder:"

To which amendments your Honorable Body is respectfully

requested to concur.

Very respectfully,

C. B. HAYNES, Sec'y of the Council.

Mr. Chever moved to take up H. J. R. No. 6 for consideration.

Motion witdrawn.

The bill was engrossed yesterday.

H. J. R. No. 6, an act to pay F. J. Stanton for services in copying laws, and making marginal Notes and Index," was

Read a 3d time, and the question being upon its final passage,

The ayes and noes were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Judd, Kooutz, Kelley, Lynch, Marsh, McCannon, Ortega, Ripley, Sheldon, Webster, Woods—15.

Noes-Messrs. Henson, Leeper, Nye, Stansell, White, Mr.

Speaker-6.

Ayes, 15; noes, 6.

So the bill passed, and title agreed to.

H. J. R. No. 7, "to pay F. J. Ebert for constructing maps for the Territory of Colorado," was

Read a 3d time, and the question being upon its final pas sage,

The ayes and noes were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Judd, Kelley, Lynch, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr., Speaker—18.

Noes-Messrs. Henson, Koontz, Leeper, Marsh-4.

Ayes, 18; noes, 4.

So the bill passed, and title agreed to.

Mr. Judd moved that the House do now go into Committee of the Whole.

Motion withdrawn.

Mr. Stansell moved to take up

H. B. No. 44, and consider amendments proposed by Council. Carried.

Mr. Ripley moved that the House do concur in Council Amendments to

H. B. No. 44, and the ayes and noes being ordered and called, were,

the neld

h 2.

v of

ully

in

ge, dd, ey,

Ir.

or

re, el-

ee

1. il

Ayes - Messrs. Chever, Eames, Garcia, Henson, Judd, Koontz, Lynch, Leeyer, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods—18.

Noes-Messrs. Holland, Kelley, Mr. Speaker-3.

Ayes, 18; noes, 3.

So the amendment were concurred in.

r. Judd moved that the House do now go into Committee of the Whole on general file.

Carried.

The House then went into Committee of the Whole, Mr. White in the chair,

After some time spent therein, the Committee arose.

The Speaker in the chair.

The chairman of the Committee of the Whole asked time to prepare his report.

Leave granted. Drove odd two salints of bovom, soused and

The Sergeant-at-arms announced a message from the Governor, by the hands of his private Secretary, which was received and read, as follows:

#### EXECUTIVE DEPARTMENT, DENVER, C. T., March 2d, 1864.

To the Hon. Jerome B. Chaffee, Speaker of the House of Repre-

SIR: -I have the honor to inform the House that I have approved and signed the following Joint Resolution and Bills:

Joint Resolution authorizing the appointment of Agents for

the encouragement of Immigration.

An act to incorporate the Swan River and Delaware Flats Fluming Company.

An act to amend an act, entitled an act regulating the mode of proceeding in Attachment in the District Court.

An act concerning Marks and Brands.

An act to define the manner of sub-dividing sections as established by United States survey, in Colorado Territory.

An act to suppress Gambling, and Gambling Houses.

I have the honor to be, very respectfully, Your obedient servant,

JOHN EVANS,
Governor of Colorado.

On motion of Mr. Koontz, the House adjourned until 2 o'clock p. m.

3d line of Section 1.

18

re

fi

to

86

m

in

K

SI

er

#### AFTERNOON SESSION.

The House met pursuant to adjournment, at 2 o'clock, p. m. The Speaker in the chair.

Roll called.

Absent-Messrs. Kipp, Mallory, Patterson.

Quorum present.

H. B. No. 23 being the special order for the hour, was taken up for consideration.

The pending motion when the bill was last under consideration being to strike out the 1st and 2d sections.

Motion withdrawn.

Mr. McCannon moved to strike out Sections 1 and 2.

Motion lost.

Mr. Leeper moved to strike out the word "two," in 1st line of Section 1, and insert "one" in lieu thereof.

Mr. Henson moved to amend the amendment, by striking out the word "one," and insert "five."

Motion lost. Original motion withdrawn.

Mr. Marsh moved to strike out the words "have been," in 4th line of section 1, and insert the word "be," in lieu thereof. Carried.

Mr. Lynch moved to insert after the word "whatsoever," in 3d line of section 1, the words, "except against the United States." Carried.

Mr. Holland moved to strike out the words "two years," in the last line of section 1.

Lost

The Sergeant-at arms announced a communication from the Council, which was received and read, as follows:

Mr. Speaker: I am instructed to inform the House of the passage by the Council of

C. B. No. 28, a bill for an act concerning Probate Courts and

Justices of the Peace in certain cases.

Also, C. B. No. 31, "an act to incorporate the Pueblo and Fountaine-qui-Bouille Ditch Company"—herewith transmitted; And the concurrence of your Honorable Body is respectfully

requested therein.

Very respectfully,

C. B. HAYNES, Secretary of the Council.

Mr. Koontz moved to strike out the words "in all cases," in 3d line of Section 1, Carried.

h 2.

ken

era-

line ing

in

eof. in

in he

he

ly

Mr. Henson moved to strike out the words "twenty-five," in last line of Section 1, and insert "fifty,"

Motion lost.

Mr, Lynch moved to insert the word "mining," between the Words "local" and "Districts," in 3d line.

Mr. Stansell moved to amend, by striking out the 3d section,

Mr, Holland moved to strike out the 4th section.

Carried.

Mr, Stansell moved that section two be stricken out,

Motion lost,

Mr. Kelley moved that the bill be ordered engrossed for a 3d

Mr, Henson moved that the bill be laid on the table, and ried

Carried.

Mr. Gercia moved that

Mr. Gercia moved that C. B. No. 2 be taken up for consideration. Carried.

C. B. No. 2 was then read and considered.

Mr. Koontz moved to amend, by adding an additional section, as follows:

SEC. 2. That the Secretary of the Territory be also empowered to pay from this appropriation for translating and printing five hundred copies of the Governor's Message in Spanish, and for any and all other miscellaneous printing done during this

session of the Legislative Assembly, not allowed by the Department. Carried.

Mr. Judd moved that the bill be read a third time by its title, And put upon its final passage. Carried.

C. B. No. 2, "An act providing for an appropriation for printing the laws in the Spanish language,', was
Read a 3d time by its title,
And the question being upon its final passage,

The ayes and noes were,

Ayes—Messrs. Eames, Garcia, Holland, Henson, Judd, Sheldon Stancell White White Walter Warsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speak-

Noes-Messrs. Chever, McCannon-2.

Ayes, 20; noes, 2.
So the bill passed. Mr. Holland moved to amend the title by adding the words, "and other purposes," Carried.

Title as amended agreed to.

Mr. Stansell moved to take up

H. B. No. 43 for consideration. Carried.

H. B. No. 43 was read and considered.

Mr. Leeper moved that the further consideration of the bill be deferred.

Motion lost.

Mr. Stansell moved that the bill be ordered engrossed for a 3d reading.

Mr. Welton moved to lay the bill upon the table. Lost. The question being upon ordering the bill engrossed, was Carried.

Mr. White, from the Committee of the Whole, (this fore-noon,) submitted the following report:

Mr. Speaker: The committee of the whole House, through their chairman, report that they have considered

C. B. No. 25, from Section 1 to Section 6, inclusive, and report the same back to the House with the following amendments, to wit:

Insert the words, "or persons," after the word "person," in 5th line from the bottom of Section 4;

And with the above amendment, recommend its passage.
Also, H. B. No. 55, amended, by striking out all after the enacting. Also, strike out enacting clause; and report the same back, and recommend indefinite postponement of the bill.

Also, H. B. No. 54, amended, by striking out "twenty," in 1st line of Section 1, and insert "three;" and report the same back to the House, with recommendation that it pass as amended.

Also, H. B. No. 53. Section 1 amended, by inserting "legally" after the word "now," in line 21. Also, strike out the word "Incompatible," in next to last line of Section 2, and insert "conflicting."

Also, strike out Section, 3 of said act;

And report the same back to the Hoese, with the recommendation that it be referred to a select committee.

Respectfully submitted,

M. C. WHITE, Ch'n.

Report received.

Mr. Lynch moved to take up H. B. No. 33. Motion lost.

Mr. Stansell, without previous notice, asked leave to introduce H. B. No. 62, an act to amend an act, entitled an act to incorporate the Tarryall rnd Arkansas River Road Company, Leave granted,

Mr. Eames, from committee on Agriculture, reported as fol-

Mr. Speaker: Your Committee, to whom was referred H. B. No. 21, beg leave to report the same back to the House. J. H. EAMES, Ch'n.

Mr. Nve, in pursuance to previous notice, asked leave to introduce

H. B. No. 63, an act to amend an act, to incorporate the Cash Creek Fluming Company.

Mr. Nye moved that

C. B. No. 11 be taken up for consideration.

Carried.

Mr. Stansell moved that the further consideration of the bill be deferred, and that the bill be referred to the Committee of the Whole. Carried,

Mr. Marsh moved that

C, B. No. 26 be taken up for consideration. Carried.

C. B. No. 26 read and considered.

Mr. Leeper moved that the bill be ordered printed.

Carried.

Mr. McCannon moved to adjourn until 10 o'clock a. m., tomorrow, Motion lost.

Mr. Eames moved to adjourn until 9 o'clock, a. m. to morrow. Motion lost, same line in said section.

Mr. Stansell moved to take up

H. B. No. 41. Lost,

Mr. Lynch moved to take up

H. B. No. 49, Carried,

Mr. White moved that the bill be considered read,

Carried.

Mr. Lynch moved that the bill be ordered engrossed for a 3d reading, Carried,

Mr. Marsh moved to adjourn until 9 o'clock, a. m., to-morrow, Mr. Kelley moved to amend, by making the hour 10 a.m. Carried.

The House adjourned until 10 o'clock a, m, to-morrow.

### THURSDAY, March 3, 1864.

The House met at 10 o'clock a. m., pursuant to adjournment The Speaker in the chair.

Prayer by the Rev. Mr. Vincent.

Roll called.

Absent-Messrs. Kipp, Mallory and Patterson.

Quorum present.

Journal of the preceding day read and approved.

Mr. Chever, from the committee on enrollment, reported sand 122 had meconiment grambus as

bill

or a

re-

1gh

rend-

' ill the

the in me

25 ralord sert

en-

166 or-

ol-

M

CC

87

de

. J.

86

Ci

0

12

to

H. B. No. 44 correctly enrolled. Report received.

Mr. Marsh, from the committee on judiciary, submitted the following reports:

Mr. Speaker: Your committee to whom was referred

C. B. No. 29, having had the same under consideration, beg leave to report that they would recommend the passage thereof with the following amendment, viz:
Insert after the word "peddling," on the third line from the

bottom of section four, the following:

"Any article the produce of this Territory."

Have considered Council substitute for

H. B. No. 6, and beg leave to report that they would recommend the passage thereof with the following amendments, to wit:

Insert after the word "due," on the second line of section two, "or that may become due, provided the same becomes due within one year.'

Strike out the word "or," in the 20th line of said section, and insert "or mining district," after the word "town," on the

same line in said section.

Insert after the word "due," on the 4th line from the bottom of said section, "or to become due."

Add the following additional section:

SEC. 30. Any person or persons performing manual labor upon any land, lode, tunnel, claim or ditch, for, or on account of the owner, agent or assign thereof, may, upon complying with the provisions of this act, avail themselves of the benefit of the lien herein provided for, which lien shall be enforced and the rights and duties of the respective parties shall be the same as provided for in the provisions of this act.

Respectfully submitted.

A. MARSH, Ch'n.

Report received.

Mr. Koontz, from the committee on engrossment, reported H. B.'s Nos. 43 and 49 correctly engrossed.

Report received.

Mr. Stansell, from the committee on incorporations, reported as follows:

Mr. Speaker: The committee on incorporations, to whom

C. B. No. 31, a bill for an act to operate a ferry on the Arkansas river, have had the same under consideration, and ask leave to report the same back to the House with the following amendment, and recommend its passage, viz:

d the

, beg

rch 3.

ereof the

coms, to

tion due ion,

the tom

oor int ng efit eed

he

m

ed

K

Strike out the words "one dollar," in the 16th line of section two, and insert "fifty cents" in lieu thereof.

J. B. STANSELL, Ch'n.

Messys, Koontz, Kelley, Tynel, McChinon, Wells Report received.

Mr. Woods moved that the report of the chairman of the committee of the whole, on

H. B. No. 53, recommending that the bill be referred to a special committee be adopted.

Carried. Is mobile O edi otatogropai of les an & . of . a. II The Speaker appointed Messrs. Woods, McCannon and Shel-

don such committee. C. B- No. 28, a bill for an act concerning Probate Courts and Justices of the Peace, in certain cases, was read a first and second time by its title, and referred to the committee on judiciary.

C. B. No. 32, an act to incorporate the Arkansas, Pueblo and Fountain-qui-Bouille Ditch Company was read a first and second time by its title, and referred to the committee of the whole.

Mr. Koontz, in pursuance to previous notice, asked leave to introduce

H. B. No. 64, an act to amend "an act to establish and regulate Territorial roads," which was

Read a first and second time by its title.

Mr. Lynch, in accordance with previous notice, asked leave

H. B. No. 65, an act to incorporate the Central City and Montgomery Wagon Road Company," which was read a first and second time by its title.

Mr. Judd, having given previous notice, asked leave to intro-

H. B. No. 66, an act defining the right of ranch claim owners in mining districts, which was

Read a first and second time by its title.

H. B.'s Nos. 62 and 63 were read a first and second time by their titles. To a ob osnoth sed and boson goldination

On motion of Mr. Judd,

H. B.'s Nos. 62, 63, 64, 65 and 66 were referred to the committee of the whole House.

H. B. No. 49, an act concerning weights and measures was taken up for a third reading.

Mr. White moved that the bill be considered read. Carried.

Bill considered read, and the question being upon its final passage,

The ayes and noes were: 15 6 2 firms be studied a senoth add

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Welton and Woods—16.

Noes-Messrs. Koontz, Kelley, Lynch, McCannon, Webster

and Mr. Speaker-6.

Ayes—16. Noes—6.

So the bill passed and title agreed to.

H. B. No. 43, an act to incorporate the Occidental Gas Light Company was read a third time.

Mr. Sheldon moved to amend by the adoption of the following additional section:

SEC. 11. If, within two years from the date of the passage of this act, no contract shall have been made by the Council of the city of Denver, with the directors of the body hereinbefore incorporated to supply gas for the use of the said city of Denver, as provided by this act; and if the said company shall have failed to commence in good faith, the construction of the necessary works to supply gas, under the provisions of this act, to the said city of Denver, then this act shall be void and without effect.

Carried.

The question then being upon the final passage of the bill, The ayes and noes were:

Ayes—Messrs. Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Sheldon, Stansell, White and Woods—17.

Noes-Messrs. Chever, Ripley, Webster, Welton and Mr. Speaker-5,

Ayes—17.

Noes-5.

So the bill passed and title agreed to.

Mr. Ripley moved that the House do now resolve itself into a committee of the whole on

H. B. No. 59.

Carried.

The House then went into committee of the whole,

Mr. Chever in the chair.

After some time spent therein, the committee arose, The Speaker in the chair.

On motion of Mr. McCannon,

The House adjourned until 2 o'clock p. m.

h 3.

son,

sell,

ster

ght

OW-

age

lof ore

of all

ect,

th-

ill,

ld,

ye,

Ir.

to

## AFTERNOON SESSION. O mon 88 .OM 81 .H

The House met at 2 o'clock p. m., pursuant to adjournment The Speaker in the chair.

Absent—Messrs. Kipp, Mallory and Patterson.

Quorum present.

The Sergeant-at-Arms announced a communication from the Secretary of the Territory, which was received and read as follows:

> OFFICE OF THE SECRETARY OF ) Colorado Territor, Denver, March 3, 1864.

To the Honorable J. B. Chaffee, Speaker of the House of Repre-

Sir: In compliance with your resolution of the 1st inst., I have the honor to transmit the following statement:

I am authorized to pay for each House: One Clerk, at - \$3 00 per day.

One Assistant Clerk, " " "
One Sergeant-at-Arms, " "
One Messenger. " "

One Messenger, " "
One Fireman, " "
One Chaplain, \$1 50 "

Your obedient servant, and and SAM'L. H. ELBERT, Secretary of Colorado.

Mr. Leeper moved the adoption of the following resolution:

Resolved, That no new bills of a private nature shall be received by this House during the present session, after Saturday, the 5th inst.

Carried.

Mr. Chever, from the committee of the whole, reported as Mr. Judd moved that the House do now resolve itself into

Mr. Speaker: The committee of the whole have had under consideration

H. B. No. 57, a bill for an act to amend "a n act regulating elections, and report the same back to the House without amendment and recommend its passage.

They have also considered

H. B. No. 59, a bill for an act to incorporate the Denver and Pacific Wagon Road Company without taking a ction thereon.
D. A. CHE VER, Ch'n. Mr. Welton asked leave to withdraw

H. B. No. 33 from the House, and

On motion of Mr. Leeper,

Leave was granted and bill withdrawn.

Mr. Judd, without previous notice, asked leave to introduce H. B. No. 67, an act to incorporate the Colorado Gold Mining Company of Philadelphia.

Leave granted.

Mr. Lynch, without previous notice, asked leave to introduce H. J. R. No. 9, relating to State Government.

Leave granted.

Mr. Lynch moved that

H. J. R. No. 9 be read a first and second time,

Carried.

H. J. R. No. 9 was then read a first and second time.

Mr. Lynch moved that the rules be suspended and the resolution be read a third time and put upon its final passage.

Mr, Holland moved that the bill be laid on the table, and the

Ayes and noes being ordered and called were:

Ayes—Messrs. Holland, Kelley, McCannon, Ripley, Webster and Woods—6.

Noes-Messrs. Chever, Eames, Garcia, Henson, Judd, Koontz, Lynch, Leeper, Marsh, Nye, Ortega, Stansell, White, Welton and Mr. Speaker—15.

Ayes—6. Noes—15.

So the motion was lost.

The question being upon the suspension of the rules, and the

ayes and noes being ordered and called were:

Ayes—Messrs. Chever, Eames, Henson, Judd, Koontz, Lynch, Leeper, Marsh, Nye, Ripley, Sheldon, Stansell, White and Mr. Speaker—14.

Noes-Messrs. Garcia, Holland, Kelley, McCannon, Ortega,

Webster, Welton and Woods-8.

Ayes—14. Noes—8.

So the motion was lost.

Mr. Judd moved that the House do now resolve itself into a committee of the whole on

H. B. No. 57. Carried.

The House then went into committee of the whole.

Mr. Chever in the chair.

After some time spent therein, the committee arose,

The Speaker in the chair.

The chairman of the committee of the whole asked time to prepare his report, which was granted.

ice

ng

ce

0-

ne

er

Z,

e

The Sergeant-at-Arms announced a communication from the Council, which was

Received and read as follows:

COUNCIL CHAMBER, March 3rd, 1864.

Mr. Speaker: I am instructed to inform the House of the passage, by the Council, of the following bills, to wit:

C. B. No. 38, an act further to amend "an act concerning

practice in civil cases."

C. B. No. 36, an act to incorporate the Boulder Valley and Black Hawk Wagon Road Company.

C. B. No. 30, a bill for an act to amend "an act concerning

jurors, approved Nov. 5, 1861,"

And the concurrence of your Honorable body therein is respectfully requested.

They have concurred in and passed without amendment H. B. No. 46, an act to amend "an act to incorporate the Cash Creek Park Ditch Company."

All of said bills are herewith transmitted.

Very Respectfully, C. B. HAYNES,

Secretary of the Council. Mr. Holland, from the committee on ways and merans, without previous notice, asked leave to introduce

H. B. No. 69, an act to provide for the payment of the clerks

and other officers of the Legislative Assembly.

Leave granted.

On motion of Mr. Chever, The House adjourned until 10 o'clock a. m. to-mor row

our recommittee recommend, that the bill he pessed will the

## FRIDAY, March, 4th, 1864.

House met pursuant to adjournment, at 10 o'clock a. m. The Speaker in the chair.

Prayer by the Chaplain.

Absent-Messrs. Kipp, Mallery, Patterson.

Quorum present.

Journal of the preceding day read and approved.

Mr. Chever from the committee on enrollment reported, C. Bs. Nos. 19 and 22, and H. B. Nos. 7, 20, 34 and 4.2, correctly enrolled.

Report received.

Mr. Chever from the committee on Territorial Affairs, reported as follows:

Mr. Speaker: The committee on Territorial Affairs to whom was referred,

H. B. No. 51, together with the Petition of citizens of Park County, have had the same under consideration and submit the

following report.

The bill provides that the Records, Laws and procedings of Buckskin Joe, Montgomery, Independent and Musqueto mining districts, in the said County of Park, be taken as prima facia evidence in the matters concerned in such records or proceedings.

The Records, Laws and proceedings of Buckskin Joe mining district, as filed in the office of the County Clerk of said Park County, said books and records having been kept in the office

of the Recorder of said County, by said Recorder.

The records of Montgomery mining district, to be taken as

prima facia evidence up to June 16th, 1862.

The Records of Independent mining district up to June 24th, 1862, and Mosqueto mining district up to January 1st. 1862.

All Lodes discovered in districts above named since the dates named, have been generally pre-empted by the original pre-emptors in the districts, and evidence of such fact recorded in the office of the Recorder of said county, and this bill further provides that such pre-emptors as have not filed their declaration of claims owned by them, by virtue of certificates issued by said District Records, can file such declaration within three months from the passage of this act.

The bill further provides that the original Books, Records etc., of said district, be deposited in the office of the County Clerk of said County, and the Clerk authorized to make true

and correct copies thereof up to the dates named.

Your committee recommend that the bill be passed with the following amendment to-wit:

By inserting the word "evidence" after the word "legal" in section 1, fifth line.

Also, by inserting the same word after the word "legal" in 6th line of section 2.

And fifth line of section 3, and 5th line of section 4. D. A. CHEVER, Ch'n.

fairs,

s to

Park the

s of minrima

proning Park ffice

as

4th, the

inal ded her ra-

ned ree

rds nty rue

the

in in due erew Executive Department, Colorado Territory, W. Denver, March, 4th, 1864.

To the Honorable—The Council and House of Representatives of the Legislative Assembly of Colorado Territory.

GENTLEMEN: - Having received for confideration a bill entitled "an act to divide the Territory of Colorado into Judicial Districts, and to provide for the holding of Courts in the same," and deeming it of great moment that provision shall be made, which will secure to the people, the full benefits intended in the establishment of our Courts, I have for that purpose deemed it proper respectfully to suggest the passage of a supplementary act, which shall remedy what seem to be defects in the provisfrom any question of Constitutionali ions of the bill.

In a communication to the last session of your Honorable body, returning a similar bill, in reference to a section thereof authorizing the Judges to fix the time and place of holding Courts, I remarked that, "agreeably to my understanding of the Organic Act, this contravenes that provision which says." "The said Territory shall be divided into three Judicial Districts and a District Court shall be held in each of said Districts by one of the Justices of the Supreme Court at such time and place as may be prescribed by law."

The object of this provision of the Organic Act, evidently is, to secure regularity in the proceedings of the Courts, and that the public shall have standing notice, not to be varied by any contingencies, of the time and place of holding Courts. The time and place of holding the District Courts, being required to be fixed by law, I judge a power of the kind given the judges in this section, both inexpedient, and in violation of the letter and spirit of the Organic Act."

The Organic Act, which is the only authority for the establishment of our Courts in section 9—the same section creating them, imposes the above conditions thereon, and also provides that "the first six days of said Courts or so much thereof as shall be necessary" "shall be appropriated to the trial of causes arising under the Constitution and Laws of the United States, and of course thereafter other causes shall be heard. Now if the same term of Court is to transact United States and Territorial business which is clearly intended by the language of this section, I cannot perceive how it could be necessary that the time and place for holding one part of it, should be fixed by law and the other be left to the discretion of the Judge.

Nor can I perceive the propriety of regarding a law of Congress passed in 1856, long before the Courts of this Territory

were established or authorized, as over-riding the conditions and provisions of the very law by which our Courts were subsequently created. The evident intention of the provisions of the law of 1856, (page 49 statutes at large,) was to restrict the expenses of holding Courts, which object is by no means in conflict with that important and wise provision of the Organic Act, requiring that suitors in our sparely settled Territory, may have permanent notice of the time and place of holding Courts. That jurors, witnesses and parties to suits in Courts who have to incur great expense and make long and tedious journeys to attend thereon, should be subject to the pleasure of the judge as to the time and place of holding Court, and be liable to get no notice of his appointment, were sufficient reason for fixing the time and place for holding Court by law, aside from any question of Constitutionality.

I therefore hope that a provision may be made by supplementary act fixing the time and place by law for holding the Courts in the Territory. And as the people in some parts of the Territory have had good grounds for complaint because their Courts have not been held. I deem it highly important that some provision shall be adopted if possible to secure all

the Courts to be held as provided for by law,

The bill before me proposes giving the Judges a docket fee and I suggest that its reception might be considered upon a faithful compliance on their part, with the requirements to hold Courts, at the specified times and places in their respective

districts.

The provision of the bill before me placing Gilpin and Araphoe Counties, which are the most populous in the Territory in the same district, I regard hs unwise for it will prevent the residence of the Judge in one or the other of these Counties and thereby cause inconvenience to the people, especially in the matter of injunctions. And if you should not deem it expedient to change the District, I would respectfully suggest that Probate Judges be authorized to grant injunctions.

I would also suggest the propriety of providing for a term of the Court, that shall attend to United States business, to be held alternately in the mountains and on the plains, in the first

and second Districts.

I have the honor to be, very respectfully,

Your obedient servant,

JOHN EVANS, Governor of Colorado.

Mr. Leeper moved that,

H. B. No. 23, an act to establish and perpetuate titles to Lode claims, and for other purposes" be taken from the table and

ch 4.

itions sub-

ns of

t the

s in

ranic

tory,

ding

nrts

ious

e of

e lia-

ason

side

plethe

of

use ant

all

fee

1 a

old

ve

ip-

in

esnd he

eat

of

e

st

referred to the committee on judiciary.

C. Bs. Nos. 30, 36 and 38 were read a first and second time by their titles, and Nos. 30 and 38 referred to the committee on Judiciary, and No. 36 to committee on Incorporations.

Mr. Marsh without previous notice, asked leave to introduce. H. B. No. 69, an act supplementary to an act entitled an act to divide the Territory of Colorado into Judicial Districts, and provide for the holding of Courts therein."

Leave granted and bill read a first and second time by its

title.

Mr. Sheldon having given previous notice, asked leave to in-No. 54. an act amendatory of an act to incorp. sanbort

H. B. No. 70, an act to revise and amend, an act entitled an

act, to Incorporate the Ute Pass Wagon Road Company.

Which was read a first and second time by its title, and

referred to committee on Incorporations.

H. B. Nos. 68 and 69, read a first and second time by their tles.
Mr. Stansell moved that, Tollo M. Tovod M. Teso M.—ESO M. titles.

H. B. No. 69, be read a third time and put upon its final Passage

Carried.

H. B. No. 69, was then read a third time, and the question being upon its final passage the ayes and noes were,

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, McCannon, Nye, Ortega, Ripley, Stansell, Sheldon, White, Webster, Welton, Woods, Mr. Speaker, 22.

Ayes—22. So the bill passed and title agreed to.

H. B. No. 64, an act to amend an act to establish and regulate Territorial roads.

Was read a third time and the question being upon its final

passage, the ayes and noes were.

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker, 21. Noes-Mr. McCannon, 1. 191 serods hade guagmo ) edi bas

Ayes, 21; noes, 1.

So the bill passed and title agreed to.

Mr. Judd moved that,

H. B. No. 57, be considered engrossed and read a third time and put upon its final passage.

N

Po

18

0

Mr. Koontz moved to amend the motion by having the bill ordered engrossed for a third reading.

The question being upon the motion as amended, Carried.

Mr. Welton moved that,

H. B. No. 52, be ordered engrossed for a third reading. Carried. Mr. Marsh moved that, "all stands to annulad and not shipped

H. B. No. 54, be considered engrossed and read a third time and put upon its final passage.

de Sheldon beving given previous notice, asked leberra no

H. B. No. 54, an act amendatory of an act to incorporate the Apex and Gregory wagon road Company, was read a third time, and the question being upon its final passage, the ayes and noes were, do out buons has truly a hear

Aves-Messrs. Eames, Garcia, Holland, Henson, Judd, Koontz, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Stansell, White, Webster, Welton, Woods, 18.

Noes-Messrs. Chever, Kelley, Mr. Speaker, 3.

Mr. Sheldon excused. a omit built a bron of the A. M. H. H.

Ayes—18, Noes-3.

So the bill passed and title agreed to.

Mr. Chever from the committee of the whole, yesterday submitted the following report.

MR. SPEAKER:-The committee of the whole have had under consideration.

H. B. No. 57, a bill for an act to incorporate the Denver and Pacific wagon road Company, and amended the same as follows

Strike out the words "ninety-nine" in section 2, and substi-

tute the word "fifty."

By striking out in 4th section, 5th line, the word 'June' and substituting the word October,' by adding to section 16, the

following. basiloll "The rates of toll as specified in this act, shall be reduced to one-half the present rates ten years after the road shall have been completed according to the provisions of this Charter, and the Company shall thereafter be allowed to collect only at this rate.

By inserting after the word road, in 3d line of section 18, the

following "after any such judgment."

By adding of additional section, reading as follows:

"Nothing hereinbefore contained shall be so construed as to prevent other road companies constructing roads from other

e bill

Points in this Territory, from connecting any road or roads of such Companies with the road authorized by this act. By adding additional Section as follows: 2 on ebuloni of an oa

A failure on the part of the company to comply with any provisions of this charter, shall work a forfeiture thereof.

By adding additional section, as follows.

Whenever after twenty years the Territory or State of Colorado, shall propose to purchase said road for the purpose of making the said road free for travel it shall be binding on the Owners of said road to sell the same upon a payment of a price sufficient to pay the cost of building the same.

And with these amendments, report the bill back to the

House, and recommend its passage. O score altron sould not Also, considered, of the low sould have been altron

H. B. No. 27, and amended the same by substituting the following in place of Section two, and report the same back and Olear Creek, and across the divide betw.geasage.viel and Chase Gulch to the point of beginning; shall be and the

SEC. 2. All that Territory embraced in the following limits,

Commencing on the top of the divide, between Gregory and Chase Gulch, at a point on the western boundary line of the City of Blackhawk, where said line crosses said divide, thence westerly along the divide between Gregory and Chase Gulches and Eureka Gulch and Quartz Valley, to a point due North from the Rocky Mountain Brewery, at the head of Eureka Guleh, thence in a direct line, southeasterly to a point of rocks on the north side of Nevada Gulth, near Sheffus' Store, thence due south to the summit of South Nevada Mountain, thence easterly across Spring Gulch, and along the top of the divide, between Lake and Gregory Gulches, to a point where said line intersects the westerly boundary line of Black Hawk, thence northerly along said line to the place of begining; shall be, and the same is hereby declared to be within the limits of the City of Central.

Also, considered,

H. B. No. 22, and amended the same by substituting the following in place of section 2, and report the same back and recommend its passage, to-wit: " lond on as all rioger of even

SEC. 2. All that Territory embraced in the following limits, to-wit. Report received.

Commencing at a point five rods above the stamp mill of J. A. Hale & Co. in Chase Gulch, thence southerly in a direct line to the east line of Smith & 'armlee's claims, on the extension of the Gregory Lode, thence easterly across said Lode, thence southerly along said Lode, so as to exclude the property of

the

time

ayes idd, Rip-

ub-

der WS

sti-

he to ve

er, at

to er

Briggs & Brother, Smith & Parmlee, to the east line of No. 1, on the Gregory Lode, thence westerly across said Lode to a point, so as to include the Brick store and Dwelling, owned by D. D. Belden, thence southerly along said Lode, so as to include, claims Nos. 1, 2, 3, 4, and 5, with all the property attached to said claims, thence easterly across said Lode on the east line of No. 6, thence southerly along said Lode, so as to exclude all property to No. 16 on said Lode, thence westerly across said Lode to the east line of No. 18, on said Lode, thence across said Lode in a southerly direction to the top of the divide between Gregory and Lake Gulches, thence easterly on said divide to a point due south of the stamp mill of W. H. Dickinson thence north across Clear Creek to the top of the divide on north side of said creek, thence westerly following the dividing ridge, to a point on the divide due north of the stamp mill of Sensenderfer & Buckmiller, thence southerly across North Clear Creek, and across the divide between North Clear Creek and Chase Gulch to the point of beginning; shall be and the same is hereby declared to be within the limits of Black Hawk.

Also, have considered,

H. B. No. 61, and report the same back without amendment, and recommend its passage.

Also, have considered,

H. B. No. 60, and amend the same by adding the following

as an additional section.

"This act shall take effect and be in force on and after its passage," and with this amendment recommend its passage.

Also have considered,

H. B. No. 64, and report the same back without amendment

and recommend its passage.

D. A. CHEVER, Ch'n.

Report received.

Mr. Marsh from the committee on judiciary reported as follows:

Mr. Speaker:—Your committee to whom was referred, C. B. No. 23, having had the same under consideration, beg leave to report the same back without recommendation.

Respectfully submitted,

A. MARSH, Ch'n.

Report received.

Mr. Stansell moved to reconsider the vote on the question to order, H. B. No. 57 engrossed.

Carried.

The question recuring upon the motion to engross was, Lost. 1, on oint, ). D.

ch 4.

lude, ed to

said cross besaid

kine on ling of

orth eek the wk.

ent,

ing its

ent

d.

n

Mr. Stansell moved that the amendments proposed by the committee of the whole be adopted.

Mr. Stansell moved that the bill as amended be ordered en-Chever moved to amend, by adding an additions. beseng

Mr. Welton moved that the vote on motion to order H. B. No. 52 engrossed, be reconsidered. odd vasquoo biss

diverting the water of said South Platte river, for theiring of The question being upon the motion to engross.

water for irrigation or other purposes. Mr. Welton moved that the amendments proposed by the committee of the Whole to the bill be adopted. Carried. sale gassag laud its final passageled lime, and pat final passageled lime, and pat upon its final passageled lime.

Mr. Welton moved that the bill as amended be ordered engrossed. Carried bisnoo ed flid edt tadt bevom etid

Mr. Marsh moved that

H. B. No. 22 be considered engrossed, and read a 3d time by its title, and put upon its final passage. It soon bus says

H. B. No. 22, an act to incorporate the city of Black Hawk, Was read a 3d time by its title, and well-stand blank

And the question being upon its final passage, and Walles The ayes and noes were, and deam angent seemed

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Leeper, Lynch, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker-19. Council, which was

Noes-Messrs. Holland, Kelley, McCannon-3. hoving Ayes, 19; noes, 3.

So the bill passed, and title agreed to.

Mr. Judd moved that H. B. No. 27 be considered engrossed, and read a 3d time, and put upon its final passage.and house Carriedo tas us basins of tos in 101 ffic rick

Mr. Ripley moved that the bill be considered read.

the concurrence of your Honorable Body therein beirra H. B. No. 27, an act to incorporate the City of Central, was Placed upon its final passage, borrsono avad your osla

And the ayes and noes being called, were, Hot strombinens

Ayes-Messrs. Eames, Garcia, Henson, Judd, Koontz, Lynch, Leeper, Marsh, Nye, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker-17.

Noes—Messrs. Holland, Kelley, McCannon—3.

Ayes, 17; noes, 3,

Mr. Stansell moved that So the bill passed, and title agreed to. 11 de 12 de 13 de 14 de 15 de 1

Mr. Webster moved that

C. B. No. 13 be taken up for consideration. by the committee on Territorial affairs, be adopted, beirra

of C. B. No. 13 read and considered. If he was the same and

Mr. Chever moved that the amendments proposed by the committee of the Whole to the bill be adopted.

. go Carried. od hobnome an Hid

Mr. Chever moved to amend, by adding an additional section,

as follows:

"Provided, that nothing in this act contained, shall vest in said company the right to prevent any person or persons from diverting the water of said South Platte river, for the purpose of irrigating the soil, or for supplying the city of Denver with water for irrigation or other purposes.

Mr. Welton moved that the amendments pro

Mr. Welton moved that the bill be considered engrossed, and read a 3d time, and put upon its final passage.

Mr. White moved that the bill be considered read. Carried.

The question being upon the final passage of the bill,

The ayes and noes were,
Ayes—Messrs, Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, McCannon, Nye, Ortega, Stansell, White, Webster, Welton, Woods—17.

Noes-Messrs. Leeper, Marsh, Ripley, Sheldon, Mr. Speaker, 5.

Ayes, 17; noes, 5.

So the bill passed, and title agreed to.

The Sergeant-at-Arms announced a communication from the Council, which was

Received and read as follows:

COUNCIL CHAMBER, March 4, 1864.

MR. SPEAKER: I am instructed to inform the House that the Council has passed and end our rug on south he a been back

C. B. No. 35, a bill for an act to amend an act, entitled, "an act to incorporate the City of Denver, herewith transmitted; and the concurrence of your Honorable Body therein is respectfully requested.

Also, they have concurred in House amendments to Council

amendments to H. B. No. 31.

don't smooth black a Very Respectfully, a smooth - south

Leoner, ,SHAYNES, Toller, Shellon, Stansell, Weter Web-Secretary of the Council.

Mr. Stansell moved that

H. B. No. 51 be taken up for consideration.

Carried. Mr. Stansell moved that the amendments proposed to the bill by the committee on Territorial affairs, be adopted, from a Carried.

y the

ch, 4.

ction,

st in from rpose with

ssed,

ison, Stan-

er, 5.

n the

tthe

and ect-

bill

Mr. Hollane moved that the report of the committee on Territorial Affairs be adopted. Carried,

Mr. Stansell moved that the bill as amended be ordered en-

grossed for a 3d reading; pending which,

On motion of Mr. McCannon, the House adjourned until 2 An act for the protection of Sheep, and to prohil, m.q. Asols'o

Very respectfully

### .obstolod to Ton AFTERNOON SESSION.

The House met, pursuant to adjournment, at 2 o'clock p. m The Speaker in the chair of bag beviseer saw doing dienuo

Roll called.

Absent-Messrs. Chever, Kipp, McCannon, Mallory, Nye and Patterson. passage by the Council of

Quorum present.

The consideration of H. B. No. 51 was resumed, and the motion pending being upon the order to engross, Carried.

Mr. Marsh moved that I have a borrown and yed to self.

C; B. No. 11 be taken up for consideration. Walker as Soperintendent

Carried.

C. B. No. 11 was read and considered.

Mr. Marsh moved that the bill be read a 3d time by its title, and put upon its final passage.

Carried.

Messrs. Chever and Nye appeared in their seats.

C. B. No. 11, "an act explanatory of the Clear Creek and Guy

Gulch Wagon Road Company," was

Read a 3d time by its title, and the question being upon its

final passage, the ayes and noes were,

Ayes- Messrs. Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, Nye, Ortega, Ripley, Sheldon, White, Webster, Welton—17.
Noes—Messrs. Chever, Stansell, Woods, Mr. Speaker—4

Ayes, 17; noes, 4.

So the bill passed, and title agreed to. and to agree of to

The Sergeant-at-arms announced a message from the Governor, by the hands of his private Secretary, which was received and read, as follows: buoms thousand bea No. 69, an act supplementary to an

Dus addition Executive Department, Denver, C. T., March 4th, 1864.

To the Hon. Jerome B. Chaffee, Speaker of the House of Representatives: 24

SIR: I have the honor to inform the House that I have this day approved and signed the following bills, certified to have originated therein, viz:

An act to amend an act, entitled an act to authorize the appointment of County Commissioners in special cases.

An act for the protection of Sheep, and to prohibit pasturing the same in certain localities.

Very respectfully.

JOHN EVANS, Governor of Colorado.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

MR. SPEAKER: I am instructed to inform the House of the

passage by the Council of

C. B. No. 41, an act to enlarge the powers of the County Commissioners of Arapahoe County; and your concurrence therein is respectfully requested.

Also, they have concurred in and passed

H. B. No. 48, an act to confirm the appointment of W. S. Walker as Superintendent of Public Schools, and for other pur-

poses, with the following amendments, to wit:

Add to section 1- Provided, that this act shall apply to the official acts of the said Walker heretofore had and done, and shall not be held or construed to continue the said Walker in

SEC. 3.—That the Governor, by and with the advice and consent of the Legislative Council, shall, during the present session of the Legislative Session, and biennially thereafter, appoint a Superintendent of Common Schools for this Territory, who shall hold his office for the term of two years, and until his successor shall be appointed and qualified, and who shall perform such duties and receive such salary as is now or may hereafter be provided by law; Provided, that the term of office of the first appointed shall be held to have commenced on the day of the passage of this act:

To which amendment your Honorable Body is respectfully

asked to concur.

Also, they have passed, without amendment,

H. B. No. 69, an act supplementary to an act, entitled an act to divide the Territory of Colorado into Judicial Districts, and provide for the holding of Courts therein.

Also, that the Council concurs to House Amendments to

C. B. No. 2, and Do not concur in s day rigi-

ch 4.

e ap-

ring

the

the

nty nce

S.

urthe ind in

nd . ent apy, lis

erreof ay ly

ct d to

H. S. to C. B. No. 8, an act to change the boundaries of Huerfano County, and re-locate its county seat-herewith returned. Very respectfully, 18 a bash

Sec'y of Council.

ever Eames Carefull dlands Henson Kelley. Mr. Chever, from the committee on Enrollment, reported C. B's. Nos. 16 and 39 correctly enrolled. Report received, managed of state of hon Lagrage Meson pon

Mr. Stansell moved to take up C. B. No. 10 for consideration. Carried.

Mr. Marsh moved that the bill be laid on the table.

Motion lost.

Mr. Judd moved that the bill be indefinitely postponed.

Mr. Marsh moved that the committee on Incorporations be requested to report on H. B. No. 32, instanter. velled .....

Motion lost, Mr. Koontz moved to take up Mr. Koontz moved to take up Mr. Roontz moved to take up Mr. Carried.

H. B. No. 59 was read and considered. Mr. White moved to amend, as follows, viz:

Strike out all after the 2d line, in section 28, and insert in lieu thereof the following: "Any sum not exceeding five hundred dollars, nor less than one hundred dollars, or by imprisonment in the county jail, for a term not exceeding six months, nor less than three months, to be adjudged as other penalties Mr. Webster moved to smend, by striking act moved with the smend of the smend of the striking act.

Carried.
Mr. Webster moved to amend, as follows:

That section 31 be so amended in the 7th line, as to read "six days" instead of "four days;" and that there be added to the

section the following, to wit:

"Provided, that informality in the delivery of poll books as directed by this section, shall not invalidate the vote of any precinct, when said poll books shall have been delivered previous to the transmission by the clerk of the abstract of the return to the Secretary of the Territory."

That section 32 be so amended, as to read "tenth" day in-

stead of "seventh" day.

Mr. Marsh moved to take up H. B. No. 47 for consideration.

II. B. No. 47 was read for consideration

Mr. Marsh moved that the bill be considered engrossed, and read a 3d time by its title, and put upon its final passage. Mr. Lynch objected, and moved that Mr. Jandd Lbeirra red

o vote. Carried.

H. B. No. 47, "an act to authorize R. W. Steel to sell and convey certain mining claims," was

Read a 3d time by its title, and

The question being upon its final passage,

The ayes and noes were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Kelley, Lynch, Leeper, Marsh, Nye, Ripley, Sheldon, Stansell, White, Welton, Woods, Mr. Speaker—17.

Noes-Messrs. Judd, Koontz, McCannon, Ortega, Webster,

-5. Ayes, 17; noes, 5.

So the bill passed, and title agreed to.

Mr. Stansell moved to take up H. B, No. 41 for consideration. Carried.

H. B. No. 41 read and considered.

Mr. Stansell moved that the bill be considered engrossed, and read a 3d time, and put upon its final passage.

Mr. Kelley moved that the bill be indefinitely postponed.

The ayes and noes being ordered and called, were,

Ayes-Messrs, Holland, Kelley, Lynch, Sheldon, Webster,

Welton, Woods-7.

Noes—Messrs. Chever, Eames, Garcia, Henson, Judd, Koontz, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Stansell, White, Mr. Speaker—15.

So the motion to postpone was lost.

Mr. Judd moved to amend the bill, by striking out the words "Denver City," in 1st section, and inserting "Black Hawk.

otion withdrawn.

Mr. Webster moved to amend, by striking out the words "Denver City" and inserting "on wheels,"

Mr. Ripley called for a division of the question.

The aves and noes being called for and ordered, were,

Ayes-Messrs. Holland, Kelley, Lynch, Sheldon, Webster,

Welton—6.

Noes—Messrs. Chever, Eames, Garcia, Henson, Judd, Koontz, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Stansell, White, Woods, Mr. Speaker—16.

Ayes, 6; noes, 16.

So the motion was lost.

Mr. Holland moved to lay the bill on the table.

Lost

The question then being upon considering the bill engrossed, The aves and noes being called for and ordered, were,

Ayes—Messrs. Chever, Eames, Garcia, Henson, Koontz, Leeper, Marsh, McCannon, Nye, Ripley. Stansell, White, Woods, Mr. Speaker—14.

Mr. Judd asked to be excused from voting.

Mr. Lynch objected, and moved that Mr. Judd be required o vote. Carried.

ch 4. land

elley, hite,

ster,

and

tion.

ter,

ntz,

rds

rds

ter, tZ,

d,

Zig

Mr. Judd voted, ave 215.ser odt tadt bevom dereM .TM

Noes-Messrs. Holland, Kelley, Lynch, Ortega, Webster, Welton-7. Ayes, 15; noes, 7.

Mr. Marsh, from the committee, beliavery morion of

Mr. Stansell moved that the bill be read a 3d time by its title. Carried.

H. B. No. 41, "An act to re-locate the Capital of Colorado," Was read a 3d time by its title, and the question being upon Its final passage, the ayes and noes were, over god nothership

Ayes-Messrs. Chever, Eames, Garcia, Henson, Judd, Koontz, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Stansell, White, Woods, Mr. Speaker—16.

Welton—6.
Ayes, 16; noes, 6.

So the bill passed, and title agreed to.

Mr. Ripley moved to take up and large and band : gaiwol H. B. No. 40. Carried.

The Sergeant-at arms announced a communication from the Council, which was received and read, as follows:

Council Chamber, 3 p. m., March 4, 1864. Mr. Speaker: I am instructed to inform your Honorable Body, that the Council, as a tribute of respect to the memory of Hon. J. B. Doyle, deceased, late a member of the Council, ad-Journed until 10 o'clock a. m., to-morrow. To shift but sale no Strike out after the we, very respectfully, we alt not a secure

C. B. HAYNES, ollot edt ,tdeie Secretary of the Council.

Mr. Nye moved, that as a tribute of respect to the memory of the Hon. J. B. Doyle, deceased, this House do now adjourn until 10 o'clock to-morrow.on add-deedmeyes noises bhA

Carried.

The House then adjourned. gaived also entitled the House then adjourned. H. B. No. 50 under consideration, pag leave to report the game back to the House with the recommendation that it do not pass.

## SATURDAY, March 5th, 1864.

The House met at 10 o'clock a. m., pursuant to adjournment, The Speaker in the chair, Prayer by the chaplain.

Roll called.

Absent Messrs, Kipp, Mallory and Patterson, az all H. B. No. 53, "an act to incorporate the thesengeninon ake

Mr. Marsh moved that the reading of the journal be dispensed with for to-day.

Carried.

Journal approved. Mr. Marsh, from the committee on judiciary, reported as follows: denie has been so that all had borom hazane so

Mr. Speaker: Your committee, to whom was referred C. B.'s Nos. 28, 30 and 35, having had the same under consideration, beg leave to report as follows:

Your committee would recommend the passage of

C. B.'s Nos. 30 and 38 without amendments They would further recommend the passage of C. B. No. 28, with the following amendments:

Include the counties of El Paso, Pueblo and Gilpin, with those named in the first section of said act

Insert after "1861," on the 7th line of section two, the fol-

lowing: "and the several amendatory acts thereto." Insert after the words "respectively," on the 6th line of section four of said act, the following:

"Except the county of Gilpin,"

Insert after the word "act," on the 3rd line of section five, the following: "Except the county of Gilpin."

Also, Insert "except the county of Gilpin" after the word "act," on the 3rd line of section seven.

Strike out after the word "act," on the 3rd line of section

eight, the following:

"Shall be as now provided by law for the transaction of business under this act.'

Insert "except the county of Gilpin" after the word act, on the 3rd line of section fifteen.

Add section seventeen—this act shall take effect and be in force from and after the passage thereof.

Your committee also having had

H. B. No. 50 under consideration, beg leave to report the same back to the House with the recommendation that it do not pass.

Respectfully submitted, A. MARSH, Ch'n.

Report received. Mr. Woods, from special committee, made the following report:

Mr. Speaker: The special committee to whom was referred H. B. No. 53, "an act to incorporate the Cash Creek and Lake

County Gold Mining Company" have had the same under consideration, and beg leave to report the same back to the House with the following substitute submitted herewith, and recom-mend its passage.

JOEL WOODS, Ch'n. ....

Report received and ob senoll sidt that beyom nobleds all all

Mr. Koontz, from the committee on engrossment, reported H. B.'s Nos. 51, 52, 57 and 59 correctly engrossed. Mr. Kelley offered the following resolution vellex . IM

Mr. Henson asked leave to withdraw

Herolied, That the committee on printiplina, That the committee on printiplina, That the committee

On motion of Mr. Stansell and to saigos berbund evil rebro

Leave was granted and bill withdrawn. as obstoled to rome

Mr. Stansell, from the committee on incorporations, reported as follows: B's Nos. 35 and 11 were read a first and second time by

Mr. Speaker: The committee on incorporation, to whom Webster, without previous notice, asked leberred was referred.

H. B. No. 32, "an act to incorporate the City of Black Hawk Gas Light Company" have had the same under consideration, and ask leave to report the same back to the House with the following amendments, and reccommend its passage, viz:

Add section five,

Provided, the said company shall at no time issue their bonds or certificates of indebtedness to an amount exceeding fifty per cent. of its capital stock.

Also, add the following additional section: ST. O. A. H.

SEC. 11. That the said company shall commence the erection of said gas works within one year from the passage of this act, and shall be so far advanced as to be prepared to furnish gas to consumers thereof within two years thereafter, and a failure to do so, or to comply with any of the provisions of this act shall work a forfeiture of the franchises herein granted.

Read first and second time by its title.

Have had under consideration of sommer unit velgist all II. B.'s Nos. 67 and 70, and ask leave to report the same back to the House without amendment, and recommend their tween Wm. D. Donaldson and Ruth Donaldson, which . agasasq

H. B. No. 19, an act to incorporate the Platte City Ditch Company, and ask leave to report the same back to the House without amendment or recommendation. Hid a dr. o.M. H. H.

J. B. STANSELL, Ch'n.

Report received. ... it is title and second time by its title. ... Mr. Chever, from committee on enrollment, reported H. B. No. 69 and C. B.'s Nos. 18 and 24 correctly enrolled.

1 5. dis-

con-

rith

fol-

ecve,

181on

in

he do

ng

ed ke

Report received.

Council amendments to

H. B. No. 48 read and considered.

Mr. Marsh moved that the House do concur in Council amendments to the bill.

Carried.

Mr. Sheldon moved that this House do insist upon

H. sub. for C. B. No. 8.

Carried.
Mr. Kelley offered the following resolution:

Resolved, That the committee on printing be authorized to order five hundred copies of the correspondence of the Governor of Colorado and the Governor of New Mexico printed.

Resolution adopted.

C. B,'s Nos. 35 and 41 were read a first and second time by their titles.

Mr. Webster, without previous notice, asked leave to intro-

H. B. No. 71, an act to amend an act entitled "an act to define county boundaries and locate County Seats in the Territory of Colorado,

Leave granted, and

Bill read a first and second time by its title.

Mr. Welton, in pursuance to previous notice, asked leave to

H. B. No. 72, an act to incorporate the Pueblo Town Company, which was

Read a first and second time by its title.

Also, without leave,

H. B. No. 73, an act to incorporate the Excelsior Ditch Com-Leave granted, and bill

Read first and second time by its title.

Mr. Ripley, in pursuance to previous notice, asked leave to introduce

H. B. No. 74, an act to dissolve the bonds of matrimony between Wm. D. Donaldson and Ruth Donaldson, which was

Read a first and second time by its title.

Mr. Holland having given previous notice, asked leave to Company, and lak leave to her

introduce H. B. No. 75, a bill for an act to prevent speculation in Territorial and County Scrip, which was

Read a first and second time by its title.

Mr. Judd having given previous notice, asked leave to intro-H. B. No. 02 and C. B.'s Nos. 18 and 31 correctly correspond

1, 5.

d to TOV-

by tro-

deory

e to om-

nm-

to be-

to

ro-

H. B. No. 76, an act to incorporate the Central City and Idaho Wagon Road Company, which was Read a first and second time by its title,

Mr. Lynch moved that H. J. R. No. 8 be taken up for consideration. Carried.

H. J. R. No. 8 read and considered.

Mr. Marsh moved that the bill be considered engrossed, and read a third time and put upon its final passage.

Mr. Webster moved to amend as follows:

Strike out in the preamble the words "desire" and "the."

Motion lost.

The question being upon the question to consider engrossed.

Mr. White moved that the bill be read by title. beirgs Carried. ar berebisnoo ad Hid ad that beyon shood all.

H. J. R. No. 8, in relation to State Government, was Read a third time by its title, and gur mied noiseup en'T

The question being upon its final passage,

The ayes and noes were:
Ayes—Messrs. Chever, Eames, Henson, Judd, Koontz,
Lynch, Leeper, Marsh, Nye, Ripley, Sheldon, Stansell, White, Webster, Woods and Mr. Speaker-16,

Noes-Messrs. Garcia, Holland, Kelley, McCannon, Ortega

and Welton-6.

Ayes—16. Noes-6. Noes-6.

So the bill passed and title agreed to. beyon reved all

On motion of Mr. Judd,
The House adjourned until 2 o'clock p. m.

## C. B. No. 14, an accommodate the Denver Artesian Well AFTERNOON SESSION.

The House met pursuant to adjournment, at 2 o'clock, p. m. The Speaker in the chair.

Roll called, Synsamy land fort moon puled noiseup sull

Absent-Messrs. Eames, Kipp, Mallory, Patterson. Quorum present.

Mr. Marsh moved that

C. B. No. 28 be taken up for consideration. Carried. 1226502 . 114 bas nonacon, book . 2526M-250M

C. B. No. 28 read and considered with amendments reported by the committee.

Mr. Koontz moved to amend the amendment proposed by inserting Douglas, Clear Creek, Fremont and Jefferson counties. Carried,

25

Ma

re

thi

K

ga

an

be

D

te

88

R

le

The question then being upon the adoption of the amendment proposed by the committee to section one,

The motion prevailed.

Mr. Marsh moved that the report of the committee on the bill be adopted.

Carried.

Mr. Chever moved the adoption of the following additional section:

That section 10 and 11 of an act amendatory to an act concerning Justices of the Peace and Constables, approved August 15th, 1862 be, and the same are hereby repealed.

Motion lost.

Mr. Kelley moved that the bill be read a third time and put upon its final passage.

Carried.

Mr. Koontz moved that the bill be considered read.

Carried.

The question being upon the final passage of the bill, the

ayes and noes were:

Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton and Woods—20.

Noes—Mr. Speaker—1,

Ayes—20.

Noes—1.

So the bill passed and title agreed to.

Mr. Chever moved that

C. B. No. 14 be taken up and considered.

Carried.

C. B. No. 14, an act to incorporate the Denver Artesian Well Company, taken up and considered.

Mr. Chever moved that the bill be considered read a third

time and put upon its final passage. \*

Carried.

The question being upon the final passage of the bill, the

ayes and noes were:

Ayes—Messrs. Chever, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster. Welton and Woods—18.

Noes-Messrs. Judd, McCannon and Mr. Speaker-3.

Ayes—18. Noes—3.

So the bill passed and title agreed to.

Mr. Webster moved to take up

H. B. No. 60 for consideration.

Carried.

nend-

ch 5.

the

ional

congust

put

the

idd, ega, ods

rell ird

he

tz, n,

H. B. No. 60 read and considered,

Mr. Webster moved that the bill be considered engrossed and read a third time for final passage.

Mr. Ripley moved that the bill be considered read.

Carried. H. B. No. 60, an act to amend "an act to enable citizens of

this Territory in the military service of the United States to Vote" being upon its final passage, the ayes and noes were:

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods and Mr. Speaker—21.

Ayes--21, Noes-0.

So the bill passed and title agreed to.

Mr, Lynch moved to take up H. B. No. 61 for consideration. Carried.

H. B. No. 61 read and considered.

Mr. Lynch moved that the bill be considered engrossed, and be read a third time for final passage.

Carried,

H. B. No. 61, an act to legalize the acts of the Board of Directors of School District No. 5, in Arapahoe County, in certain cases, was

Read a third time, and the question being upon its final pas-

sage, the ayes and noes were:

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods and Mr. Speaker—21,

Noes-0. Ayes-21, Noes-0.

So the bill passed and title agreed to.

Mr. Sheldon moved to take up H. B. No. 70 for consideration.

Carried.

H. B. No 70 read and considered.

Mr. Stansell moved that the bill be considered engrossed and read a third time and put upon its final passage.

H. B. No, 70, an act to revive and amend "an act to incorporate the Ute Pass Wagon Road Company" was

Read a third time, and the question being upon its final passage, the ayes and noes were:

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, Webster and Woods-18.

Noes—Messrs. White, Welton and Mr. Speaker—3.

Aves-18. Noes-3.

So the bill passed and title agreed to.

Mr. Judd moved to take up H. B. No. 32 for consideration.

Carried.

H. B. No. 32 read and considered.

Mr. Stansell moved that the further consideration of the bill be deferred until Monday next, at 2 o'clock p. m.

The Sergeant-at-Arms announced a message from the Governor by his private Secretary, which was received and read as follows, viz:

> EXECUTIVE DEPARTMENT, C. T., March 5th. 1864.

To the Honorable J. B. Chaffee, Speaker of the House of Representatives:

SIR: I have the honor to inform the House that I have this day approved and signed the following bills, certified to have originated therein, viz:

An act to divide the Territory of Colorado into Judicial Districts and to provide for the holding of courts in the same.

An act supplementary to an act entitled "an act to divide the Territory of Colorado into Judicial Districts, and to provide for the holding of courts in the same.

Very respectfully, your obedient servant, lead and

JOHN EVANS. Governor of Colorado.

Mr. Chever moved to take up a sub frame book and the soft of C. B. No. 25 for consideration. Carried.

C. B. No. 25 read and considered. Mr. Chever moved that the amendments proposed by the committee to the bill be adopted,

Carried.

Mr. Ripley moved to amend by adding the following additional section:

SEC. -. That said company shall not obstruct any ford along the line of said river within the limits of their corporate limits. Carried.

Judd, Orte-

Fov-

das

pre-

his

ave

is-

he

de

e

ch 5.

Mr. Chever moved that the bill be read a third time by its title and put upon its final passage, ms ton me Sc o/ S H

Carried.

C. B. No. 25, "an act granting to Francis Smith the right to erect and maintain a bridge across the South Platte River," was Read a third time by its title, and the question being upon its final passage, the aves and noes were:

Aves-Messrs. Chever, Garcia, Holland, Henson, Judd, Marsh, Ortega, Ripley, Sheldon, Stansell, White, Welton and

Woods-13.

Noes-Messrs. Koontz, Kelley, Lynch, Leeper, Webster and Mr. Speaker-6, So the bill passed, and title agreed to.

Aves—13.

H. B.No: 50 am act to amond an act entitled "an .6 soon"

So the bill passed and title agreed to.

The Sergeant-at-arms announced a communication from the Council, which was received and read as follows: 2018 and 2018 Ayos - Mossrey Chevery Garcias Holland, Henson, Undd.

OVI MORREDOM METAM ASMES TO COUNCIL CHAMBER, T March 5, 1864.

MR. SPEAKER: I am instructed to inform the House that the Council has passed

C. B. No, 43, a bill for an act to amend an act entitled "an act concerning Justices of the Peace and Constables," herewith transmitted, and your Honorable Body is respectfully requested to concur therein ole of firm amojbs of bevore velled .- M.

Very respectfully.

and Socioclo's Chipmidem vd C. B. HAYNES, stidy al Sec'y of the Council.

I motion carried, and the House adjourned; H. B. No. 57, an act to incorporate the Denver and Pacific Wagon Road Company, was then taken up for a third reading. Mr. Koontz moved that the bill be considered read a third time.

Carried.

The question then being upon the final passage of the bill,

the aves and noes were:

Ayes-Messrs, Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods and Mr. Speaker -20.

Noes-Mr. McCannon-1.

Ayes-20, svorgga bas beer valle gaile sen ast ho legree to

Mr. Holland prospended the relition of the bundent bralle H . M. So the bill passed and title agreed to.

Mr. Chever, from the committee on enrollment, reported H. B.'s Nos. 31, 37 and 46 correctly enrolled, soon going I

Report received.

H. B. No. 52, an act amendatory of an act entitled "an act relating to fencing," was

Read a third time, and the question being upon its final pas-

sage, the aves and noes were:

Aves-Messrs, Chever, Garcia, Holland, Henson, Judd, Koontz, Lynch, Leeper, Marsh, Nye, Ripley, Sheldon, White, Webster, Welton and Mr. Speaker-16.

Noes-Messrs. McCannon, Ortega, Stansell and Woods-4.

Excused-Mr. Kellev. A Mange Kanner Kalley, Lynch, Lenner,

Ayes—16. Noes-4.

So the bill passed, and title agreed to.

H. B. No. 59, an act to amend an act entitled "an act regulating elections," was

Read a third time, and the question being upon its final pas-

sage, the ayes and noes were:

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton and Woods—20. Woods-20.

Noes—Mr. Speaker—1. Ayes—20,

Noes—1.

So the bill passed and title agreed to.

Mr. Kelley moved to adjourn until 10 o'clock a. m., on Monday next.

Mr. White moved to amend by making it 9 o'clock.

Motion lost.

Original motion carried, and the House adjourned.

## ii: p. rom of an art to encomposite the traver and fan agon I een Cempany, a a<del>than i</del>sken np for a earl robell Altz koonts moved, that the bill be considered road a th MONDAY, MARCH 7, 1864.

The House met at 10 o'clock a.m., pursuant to adjournment. The Speaker in the chair.

Prayer by the chaplain.

Roll called.

Koones, Kolley Jeener, Manch, Nee, Optern. Absent-Messrs. Kipp, McCannon, Mallory, Nye, Patterson,

Quorum present.

Journal of the preceding day read and approved.

Mr. Holland presented the petition of one hundred and fifty citizens of Clear Creek county against the removal of the county

Petition received, read, and referred to the Committee of the Whole.

March 7.1

"an act

Mr. White, from the committee on Ways and Means, reported Mr. Webster moved to take up H. B. Not 21 for con: swollof es

nal pas-Judd,

White,

ods-4.

Mr. Speaker: Your committee, to whom was referred H. B. No. 75, have had the srme under consideration, and beg leave to report the same back to the House, and milita vd Recommend its passage without amendment.

M, C: WHITE, Ch'n.

In the 6th line strike out the word "less," and insert "more Mr. Marsh, from the committee on Judiciary, reported as follows:

regulaal pas-

Mr. Speaker: Your committee to whom was referred H. B. No. 23, "An act to perpetuate and establish titles to Lode Claims, and for other purposes," have had the same under consideration, and beg leave to report-

Judd,

"An act to establish the titles to Lode Claims, and establish the time of actions for the recovery of the possession thereof," As a substitute, submitfed herewith,

Orten and

And recommend the passage of the same.

Respectfully submitted. Respectfully submitted,

A. MARSH, Ch'n.

Mon-

Report received.om language and nonze point more and an arrangement of the contract of the con Mr. Holland, from the committee on Elections and Apportionment, reported as follows: Das ov/ nonsallow susself.

lev moved to strike ou MR. SPEAKER: The Committee on Elections and Apportionment, to which was referred the communication from the Secretary, giving an abstract of the vote at the last election, beg leave to report the same back, and recommend that it be spread upon the Journal of the House. The base

E. F. HOLLAND, Ch'n'

ient.

son,

Report received. Brown add the estimated beyon yeld a mile C. B. No, 43 read a 1st and 2d time by its title, and Referred to the committee on Judiciary,

Mr. Koontz, without previous notice, asked leave to introduce H. B. No. 78, an act to prevent unlicensed Practitioners in

medicine from practicing in this Territory.

Leave granted, and bill read a 1st and 2d time by its title. Mr. Marsh, without previous notice, asked leave to introduce H. B. No. 77, "An act to amend an act, entitled, an act to incorporate the Consolidated Ditch Company."

Mr. Webster objected,

Mr. Webster objected.

Mr. Stansell moved that leave be granted. Carried, by moved to amend the bill as a second the Carried.

inty the

fifty

Leave granted, and bill read a 1st and 2d time by its title. Mr. Webster moved to take up H. B. No. 21 for consideration.

H. B. No. 21 read and considered.

Mr. Webster moved to amend, as follows: Amend section 1, by striking out in the 3d line, the words "one and a half," and whereever they occur in said section.

In the 5th line strike out the words, "not less than."

In th 6th line strike out the word "less," and insert "more" in lieu thereof.

In the 7th line insert the word "three" between the words

"with" and "plank."

In the 10th line strike out the word "five," and insert "twelve" in lieu thereof.

Strike out all after the word "apart," in the 11th line;

And all of the 12 line.

Mr. Kelley moved to amend the amendment, as follows:

Strike out all of section 2, and insert the following-

"That any structure, hedge or ditch, in the nature of a fence, used for the purposes of an enclosure, which is such as good farmers keep, and, as shall on the testimony of good farmers, appear to be sufficient, shall be deemed a lawful fence.

Motion lost.

The question being upon the original motion to amend,

Carried.

Messrs. McCannon, Nye and Welton appeared in their seats. Mr. Kelley moved to strike out the words "two feet," in section 1, and insert the word "substantially" in lieu thereof.

Carried. Mr. Webster moved to amend section 3, as follows:

In the 4th line insert the words "and not otherwise," between the words "acts," and "may."

Motion lost.

Mr. Ripley moved to strike out the words "forty-eight hours" in section three, and insert "five days" in lieu thereof.

Mr. Kelley moved to strike out the word "six," in section 1, and insert the word "eight."

Mr. Garcia moved that "Conejos, Costilla and Huerfano" be inserted in the blank in section 12.

Mr. Ripley moved that "Weld County" be inserted in the blank in section 12.

Mr. Koontz moved to amend, by adding the counties "Doug" las and Arapahoe."

Amendment accepted.

le. ation.

ch, 7.

ion 1, " and

nore" vords

elve"

good ners,

eats. sec-

veen

ars" n 1,

, 60

ug-

the

Mr. Sheldon moved to amend, by adding "El Paso and Pueblo." Amendment accepted.

Mr. Stansell moved to amend, by adding "Park, Lake, and

Summit."

Amendment accepted.

Mr. Marsh moved to amend, by adding "Gilpin,"

Amendment accepted.
Mr. Holland moved to amend, by adding "Clear Creek." Amendment accepted.

The question being upon the motion as amended, being upon

Carried.

Mr. Kelley moved that the bill be ordered engrossed for a 3d reading. Carried.

Mr. Marsh, without previous notice, asked leave to introduce H. B. No. 79, an act to amend an act, entitled an act concern-Ing Justices of the Peace and Constables. Justin has A notices to

Leave granted, and bill received.

Mr. White gave notice, that on to-morrow or some subsequent day, he would ask leave to introduce a bill making appropriations for the fiscal year commencing January 1st, 1864, and ending December 31st, 1864, and for other purposes.

Mr. Marsh moved to take up

C. B. No. 38 for consideration.

hadarahisaoa baa baanaw khoo Naffelihat C. B. No. 38 read and considered.

M. Marsh moved that the bill be considered read the 3d time, and put upon its final passage.

Carried.

C. B. No. 38, "An act further to amend an act concerning.

The ayes and noes were, Ayes—Messrs. Chever, Eames, Garcia, Holland, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, White, Webster, Woods, Mr. Speaker-18.

Noes—Messrs. Henson, McCannon, Stansell—3. Excused—Mr. Welton. Ayes, 18; noes, 3.

So the bill passed, and title agreed to.

Mr, Ripley moved that

H. B. No. 40 be taken up from the table, and considered. Mr. Marsh moved to amend, by taking up C, B. No. 26. Original motion—Carried. Motion lost.

H. B. No. 40 taken up and considered. Tall . STEEP M - STOWN

Mr. Ripley moved to amend the bill as follows: So the bill passed, and title 182 eed to.

Add after the name of "B. Keith," in section 1, the name of "Allen A. Bradford."

Strike out all of section 4, after the words "as right of discovery."

Add additional section, as follows:

"Nothing in section 5 shall be so construed, as to prevent any person or persons, or Company, from prospecting in any new District organized under the provisions of section 5, and being entitled to all the rights and privileges allowed by the laws of the United States and of this Territory.

Mr. Holland moved to amend the amendment by striking out

all of section 5.

Amendment accepted.

Motion as amended—Carried.

Mr. Leeper moved to strike out the word "two," in 2d line of section 4, and insert "one" in lieu thereof.

Carried.

Mr. Koontz moved that the bill be ordered engrossed for a 3d reading. Carried.

Mr. Judd moved to take up H. B. No. 74 for consideration.

Carried.

Mr. White moved moved to lay the bill on the table.

Motion lost.

H. B. No. 74 was read and considered.

Mr. Kelley moved that the bill be referred to a committee of old bachelors.

Mr. Marsh moved that it be referred to a committee of doctors. Carried.

The Speaker appointed doctors Kelley and Holland such

Mr. Welton moved to take up H. B. No. 71.

H. B. No. 71 read and considered.

Mr. Welton moved that the bill be considered engrossed.

Read a 3d time, and put upon its final passage.

Carried.

H. B. No. 71, an act to amend an act, entitled, "An act to define County boundaries, and locate County Seats in Colorado Territory," was

Read a 3d time by its title, and the question being upon its

final passage, the ayes and noes were.

Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Stansell, Webster, Welton, Woods, Mr. Speaker—17. Noes—Messrs. Marsh, McCannon, White—3.

Ayes, 17: noes, 3.

So the bill passed, and title agreed to.

arch 7.

of dis-

ntany v new being ws of

d line

ig out

ra3d

ee of doc-

such

t to ado

its dd,

ey,

Mr. Koontz moved to take up C. B. No. 35 for consideration. On motion, leave was granted, and bill withdrawn.beira

\*C, B. No. 35 read and considered.

Mr. Nye moved that the bill be referred to the committee on Incorporations, themberenned have some spublic acide to ad

Mr. Stansell moved to amend, by referring the bill to the committee of the Whole, hard not a said and a said a

Motion lost. Market The string of the base gord noises

Original motion carried. of broms of beyon details of

On motion of Mr. Judd the House adjourned until 2 o'clock Mr. Koontz modetable made sew disbleme en acities ed Ted, modenated and bed and an indicated that the modes and the contract of the contract o

The House met at 2 o'clock p. m., pursuant to adjournment The Speaker in the chair. Roll called ads strom to dols nove alone Awall shell to vito

Absent-Messrs, Eames, Kipp, Mallory, Patterson,

Quorum present.

The Sergeant-at-arms announced a communication from the M. Judd moved that H. B. No. 67 be taken un fare considera-

Council Chamber, March 7, 1864.

MR. SPEAKER: I have the honor to inform the House that the Council has passed the following bills, to wit:

C. B. No. 47, an act prescribing rules and regulations for the execution of the trust arising under the act of Congress, entitled an act for the relief of citizens of towns upon lands of the United States, under certain circumstances.

C. B. No. 53, an act for re-copying the old records of Gilpin

County, Colorado Territory, John Stew soon Las soyn of

C, B. No. 46, an act to amend an act relating to County and County Officers, Ripley, Sarafford vines

Also, C. J. R. No 2, in relation to translation of Laws into

Spanish-herewith transmitted;

And the concurrence of your Honorable Body therein is respectfully requested.

Also, the Council concurs in House Amendments to

C. B. No. 25. de 83. N. A. H. tadt bevom norded 82. 116.

Very respectfully, C. B. HAYNES, and Sec'y of Council.

Mr. Koontz, from the committee on Engrossment, reported H. B. No. 21 correctly engrossed. Report received.

Mr. Judd asked leave to withdraw H. B. No. 30, and On motion, leave was granted, and bill withdrawn.

H. B. No. 32 being the special order of the hour, was taken up, read and considered.

The question being upon the amendment proposed by the committee, the amendment was adopted.

The question then being upon the adoption of the additional

section proposed by the committee-

Mr. Marsh moved to amend the proposed section, by striking out the word "one" in 3d line, and inserting the word "two." Carried.

The section as amended was then adopted,

Mr. Judd moved that the bill as amended be ordered engrossed for a 3d reading.

Mr. Nye moved to amend, by adding a section, as follows: That when this Company shall build or extend their works through or into the corporate limits of any other city than the city of Black Hawk, such extension or works shall be under the direction and with the consent of such Corporation.

Carried.

The question then being upon the order to engross,

M. Jadd moved that H. B. No. 67 be taken up for consideration. Carried.

H. B. No. 67 read and considered.

Mr. Nye moved that the bill be ordered engrossed.

Mr. Judd moved to amend, by considering the bill engrossed.

H. B. No. 67, "An act to incorporate the Colorado Gold Mining Company of Philadelphia," was

Read a 3d time, and the question being upon its final passage,

The ayes and noes were,

Ayes-Messrs. Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Woods—15.

Noes-Messrs. Chever, Leeper, McCannon, Webster, Welton, Mr. Speaker-5.

Ayes, 15; noes, 5.

So the bill passed, and title agreed to.

Mr. Sheldon moved that H, B. No. 28 be taken from the table and considered.

Carried.

H. B. No. 28 taken up and considered.

Mr. Sheldon moved to strike out section 10.

Carried.

Mr. Sheldon moved that the bill be ordered engrossed for a 3d reading. Carried.

taken

by the

tional

iking

two.

d en-

s:

orks the

rthe

iera-

sed.

ge,

itz,

ell,

el-

ta-

·a

Mr. Kelley moved to take up H. B. No. 55 for consideration. Carried.

Mr. Kelley moved that the bill be indefinitely postponed, Carried.org committee on the committee are some time committee are some time committee are some time committee are some time committee are some co

Mr. Koontz, without previous notice, asked leave to introduce H. B. No. 80, an act to amend an act, entitled, an act to provide for the increase and time of meeting of the Legislature, approved November 8th, 1861. sonns am A-ta-taspred ed l

Leave granted, andaw doinw. waterood etaving aid vd rome

On motion of Mr. Koontz, bill read a 1st and 2d time by its title.

Mr. Koontz moved that the rules of the House be suspended, and the bill read a 3d time, and put upon its final passage; And the ayes and noes being ordered and called, were,

Ayes—Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Nye, Ortega, Ripley, Sheldon, Stansell, Webster, Welton, Woods, Mr. Speaker—18.

Noes—Messrs. Marsh and White—2.23 Day beyond with Aves, 18; noes, 2.

Ayes, 18; noes, 2.

So the rules were suspended.

H. B. No. 80 was then read a 3d time, not normalist and lo

And the question being upon its final passage,

The ayes and noes were,

Ayes-Messrs. Garcia, Holland, Henson, Judd, Koo etz, Kelley, Lynch, Leeper, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker—18.

Noes—Messrs. Chever, Marsh—2.

Ayes, 18; noes, 2.

So the bill passed, and title agreed to.

Mr. Marsh moved that C. B. No. 30 be taken up and considered. Carried. o'clock a m. to-morrow.

C. B. No. 30 read and considered. Of beyon yelgid ...M

Mr. Marsh moved that the bill be read a 3d time, and put upon its final passage.

Carried on of me about of line becaucibe sauch adT

C. B. No. 30, an act to amend an act, entitled an act concerning Jurors, approved November 5, 1861, was

Read a 3d time, and the question being upon its final passage,

The ayes and noes were,

Ayes-Messrs. Garcia, Holland, Henson, Judd, Koontz, Kelley, Leeper, Lynch, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker 19. Ayes, 19; noes, 0. Kond company and bolles for the long and and bolles for the long and the long

Noes—none.

So the bill passed, and title agreed to I resolve to A Mr. Marsh moved that the House do now go into committee of the whole on the general file. Quorum present. Carried. the word "Central City" in the 4th section and The House then went into committee of the whole on the general file.

Mr. Ripley in the chair. of Hid and that beyon velled all the

After some time spent therein, the committee arose,

on The Speaker in the chair, on anoisson the divertime X told

The chairman of the committee of the whole asked time to

prepare his report, which was granted.

The Sergeant-at-Arms announced a message from the Governor by his private Secretary, which was received and read as of motion of Mr. Koonta, bill read a 1st and 2d tin: Room at

bedievers Executive Department, Colorado Territory, egereag land et noon benver, March, 7th, 1864.

To the Hon. Jerome B. Chaffee, Speaker of the House of Representatives:

Sir: I have the honor to inform the House that I have this day approved and signed the following bills, certified to have originated therein:

An act to increase the capital stock and extend the privileges

of the Jefferson County Irrigating Ditch Company.

An act to amend an act entitled "an act to incorporate the Cash Creek Park Ditch Company," approved August 14, 1862. An act securing unto James Miller, of Gilpin County, certain

> Very respectfully, your obedient servant, JOHN EVANS,

Governor of Colorado.

Mr. Kelley moved that the House do now adjourn until 10 o'clock a. m., to-morrow.

Mr. Ripley moved to amend by making the hour 9 o'clock ma. Marsh moved that the bill be read a 3d time and payon derel min

The House adjourned until 9 o'clock a, m. to-morrow. Of B. No. 30, an act to amend an act, entitled an act concern-

# egassaq fami ati noqu enied noiteeup edt has emit he a baed. TUESDAY, MARCH, 8th, 1864.

ing Jurors, approved November 5, 1861, was token

House met pursuant to adjournment, at 9 o'clock a. m. The Speaker in the chair. W .notle W .notle W .otle W ....

Prayer by the Chaplain.

Absent-Messrs. Holland, Kipp, Kelley, Mallory, Patterson, White of other of wor of sand of that the word of now go into co. with week

Quorum present.

The Journal of the preceding day read and approved.

Messrs. Holland, Kelley and White appeared in their seats. Mr. Chever from the committee on enrollment reported, A

C. B. No. 2, correctly enrolled. Sinod-is Daistano & bas old

Report received nemental amendment by to the House without amendment by the House without amendment by the House a Mr. Sheldon from the committee on County and County lines, made the following report: 20100 to as 102 .O. A. D. cala

MR. SPEAKER: Your committee to whom was referred the Petition of citizens of Weld and Larimer Counties, praying to be attached to Boulder County, beg leave to report that they have received information that in consequence of some recent Legislative action materially affecting the interests of those Counties, said petitioners have become divided in their statements regarding the objects therein prayed for, many of them feeling disposed to recall said petition as ton said in guidlo "

Your committee therefore recommend that the further con-

sideration of said petition be indefinitely postponed.

A.L. SHELDON, Ch'n. A bottom of sceneral, Eletoflowing, Entitle, the produce of

Report received.

this Territory." Mr. Stansell, from the committee on incorporations submitted the following report.

Mr. Speaker: The committee on incorporations to whom was referred, C. B. No. 36, an act to incorporate the Boulder Valley and Black Hawk Wagon Road Company, have had the same under consideration, and and ask leave to report the same back to the House with the following amendments and recommend its passage viz: Strike out section 9.

Also, strike out the words "one branch of" in 2d and 3d

line of section 10.

Also, strike out the word "three" in fourth line of section 10 and insert "two" in lieu thereof.

J. B. STANSELL, Ch'n.

Report received.

Mr. Ripley, chairman of the committee of the whole (yesterday afternoon,) submitted the following report.

MR. SPEAKER :- The committee of the whole have had under consideration,

H. B. No. 65, an act to incorporate the Central City and Montgomery Wagon Road Company, and beg leave to report the same back to the House amended as follows to-wit:

Strike out the word "five" and insert "ten" when it lelates

to years.

Strike out the word "Central City" in the 4th section and

insert "south bank of South Clear Creek," and recommend its

Holland, Kelley and White appeared in the spassage

Also, C. B. No. 32, an act to incorporate the Arkansas, Pueblo and Fountain-Qui-Bouille Ditch company, and report the same back to the House without amendment and recommend

its passage.
Also, C. B. No. 29, "an act concerning "licen ses" and report the same back to the House with the following amendments,

ur committee to whom was referr: tiw-ot

Amend section 4 so as to make retail Liquor licences "Fifty

Dollars" instead of "twenty-five." and replied of bedeette 9

Amend section 21, so as to make Bowling Alleys and Billiard Saloons pay "Ten Dollars" for alley or table instead of Counties, said petitioners have become divided

Also, add additional section. roll stood odd publicar strong

"Nothing in this act shall be so construed as to make it lawful for the before mentioned tribunals to grant licenses for the keeping of gambling or bawdy houses."

Also, insert after the word "peddling" in the 3d line from the bottom of section 4, the following, "any article, the produce of

this Territory."

And recommend its passage.

Also, H. B. No. 56, and report the same back to the House with the following amendment:

Strike out all after the enacting clause and insert.

"That an act establishing the mode of locating and changing County seats approved Nov. 7, 1861, be amended as follows viz: Strike out the word "inhabitants," and insert the words "loval voters" in the first line of section 3d of said act, and recommend its passage.

he has he are Respectfully Submitted, I the saints call

D. RIPLEY, Ch'n. Also, strike out the word "three" in fourth line of section 10

and insert "two" in lieuthereof, iten Report received.
C. J. R. No. 2, in relation to translating the laws into Spanish read a first and second time by its title. C. B. No. 44, "an act for the protection of Roads" was read a first and second time by its title and referred to the committee of the whole.

C. B. No. 46, an act in relation to Counties and County officers was read a first and second time by its title, and refer-

red to the Committee of the whole.

C. B. No. 49, an act prescribing rules and regulations for the execution of the trust arising under the act of Congress, entitled an act for the relief of citizens of Towns upon lands of the United States under certain circumstances,

Was read a first and second time by its title, and referred to

the committee of the whole. O lentral O' brow edt tuo salints

d its

ch, 8.

Puet the nend

eport ents,

Fifty Bil-

d of

lawthe

the e of

use ing

viz: rds nd

sh act ne

ie d le

0

ty

r-

C. B. No. 53, an act to provide for re-copying the old records of Gilpin County, was read a first and second time by its title and referred to the committee of the whole.

H. B. No. 79, read a first and second time by its title, and

referred to the committee of the whole.

H. B. No. 21, a bill for an act concerning fencing was taken up for a third reading.

Mr. Webster moved to amend by the following additional

section, to-wit:

The owner of any animal, that is unruly, and in the habit of breaking through or throwing down fence, if after being notified that such animal is unruly and in the habit of breaking through and throwing down fence as aforesaid, he shall allow such animal to run at large, shall be liable for all damages caused by such animal, and any, and all other animals that may be in company with such animals.

Mr. Judd moved that the bill be considered read a third time. Carried.

The question then being upon the final passage of the bill, the ayes and noes were,

Ayes-Messrs. Eames, Garcia, Holland, Lynch, Leeper, Nye, Ripley, Sheldon, Stansell, Webster, Welton, Woods, 12.

Noes-Messrs. Chever, Henson, Judd, Koontz, Ortega, Mr. Speaker, 6. "an act to incorporate the Black

Ayes, 12; noes, 6. Ayes, is an err noguring guied vungamos Mr. Webster moved to amend the title by substituting the following, viz:

"An act relating to lawful fences, partition fences, and the trespassing of animals, most most any average a

Title as amended agreed to,

Mr. Koontz from the committee on engrossment reported, H. Bs. Nos. 32 and 40 correctly Engrossed.

Report received.

Mr. Chever from the committee on Territorial affairs without previous notice asked leave to introduce,

H. J. M. No. 2, a memorial to Congress. Leave granted, and memorial received.

H. B. No. 77, be taken up for consideration. Carried.

H. B. No. 77, was read and considered.

Mr. Marsh moved that the bill be considered engrossed, and read a 3d time by its title, and put upon its final passage. Carried. Ages, the ages and noes were, 72, Henson, Judd, Kelley, Lynch, Ayes—Messrs. Eames, Garcia, Henson, Judd, Kelley, Lynch,

H. B. No. 77, an act to amend an act to incorporate the consolidated Ditch Company.

Was read a third time by its title, and the question being

upon its final passage, the ayes and noes were,

Aves-Messrs. Eames, Garcia, Holland, Henson, Judd, Leeper, Marsh, McCannon, Ortega, Ripley, Sheldon, Stansell, White, Woods, Mr. Speaker, 15.

Noes-Messrs. Chever, Nye, Lynch, Webster, Welton, 5.

Excused, Messrs. Koontz, Kelley.

Ayes—15.

Noes—5.

Noes-5.

So the bill passed and title argeed to.

Mr. Judd, moved that,

H. B. No. 58, be taken up for consideration. caused by such animal, and any, and all of

Carried.

H. B. No. 58, read and considered.

Mr. Holland moved to strike out the last clause of the last section.

Carried. Mr. Marsh moved that the bill be considered engrossed and put upon its final passage.

Mr. Stansell moved that the bill be considered read a third

H. B. No. 58, "an act to incorporate the Black Hawk mining company," being put upon its final passage the ayes and noes

Ayes— Messrs. Eames, Garcia, Holland, Judd, Kelley, Leeper, Lynch, Marsh, McCannon, Nye, Ripley, Sheldon, Stansell, White, Welton Woods,—15.

Noes-Messrs. Chever, Henson, Koontz, Leeper, Ortega, Webster, Mr. Speaker, 7. Ayes—15.
Noes—7.

So the bill passed and title agreed to.

Mr. Stansell moved that,

H. B. No. 53, be taken up for consideration.

H. B. No. 53 read and considered. Mr. Stansell moved that the bill be considered engrossed for a third reading.

Carried,

Mr. Stansell moved that the bill be considered read.

Carried. H. B No. 53, an act to incorporate the Cash Creek and Lake County Mining company, being then upon its final pas-

sage, the ayes and noes were, Ayes—Messrs. Eames, Garcia, Henson, Judd, Kelley, Lynch,

rch 8.

ate the

being

Judd,

insell,

5.

e last

land

third

ning noes

lley, don,

Teb-

Noes-I.

Marsh, Nye, Ripley, Sheldon, Stansell, Welton, Woods, 13. Noes-Messrs. Chever, Holland, Koontz, McCannon, Ortega, White, Webster, Mr. Speaker, 8. II. B. No. 75, an act to prevent speculation in 81 - sayA So the bill passed and title agreed to. Lagar ti noon gais! Mr. Lynch moved to take up H. B. No. 65, for consideration. H. B. No. 65 read and considered. The standard of the standard third reading. Motion lost. Mr. Marsh moved that the amendment proposed by the com mittee of the whole be adopted. Mr. Welton moved that, Mr. Holland moved to amend section 4 by inserting after the Carried. Word "locate" the words "from the two termini named." Carried. Carried.
Mr. Lynch moved that the bill as amended be ordered engrossed for a third reading transport of the ne 22 .o. 8 .O Carried. Mr. Koontz, moved that C. B. No. 41, be taken up for con-Carried. Carried.

C. B. No. 41, read and considered.

Mr. Holland moved that the bill be read a third time and put upon its final passage. Mr. Webster moved that the bill be considered read a third time. Carried.

H. B. No. 41, an act to enlarge the powers of the County Commissioners of Arrapahoe County" being upon its final pas-Mr. Marsh moved that, sage, the ayes and noes were, find only tank beyon detald ... House Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Roontz, Kelley, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, White, Welton, Woods, Mr. Speaker, 17. gaied noiseide of Excused Mr. Lynch. Ayes—17. dr to socitati guidrenos ota da. 17. on 18. H. Noes—0. So the bill passed, and title agreed to the bill passed, and title agreed to the bill passed, and title agreed to the bill passed. Mr. White moved that,
H. B. No. 75, be taken up for consideration. H. B. No. 75, read and considered monade and considered monade and considered monade and considered engrossed for the considered engressed e

nd 23-

a third reading.

for

ch,

Carried.

Mr. Chever moved that the bill be considered read.

Carried.

H. B. No. 75, an act to prevent speculation in Territorial and County scrip.

Being upon its final passage, the ayes and noes were, .

Ayes, Messrs. Chever, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Sheldon, White, Welton, Woods, Mr. Speaker, 16.

Noes-Messrs. Eames, McCannon, Ripley, 3.

Ayes—16, Noes—3.

So the bill passed and title agreed to.

Mr. Welton moved that,

C. B. No. 32, be taken up for consideration.

Carried.

Mr. Sheldon, moved that the bill be read a third time by its title, and put upon its final passage.

Carried.

C. B. No. 32, an act to incorporate the Arkansas, Pueblo and Fountain-qui-Bouille, Ditch Company.

Being upon its final passage, the ayes and noes were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, White, Welton, Woods, Mr. Speaker, 17.

Noes-Mr. Henson, 1.

Ayes—17. Noes—1.

So the bill passed and title agreed to.

Mr. Marsh moved that,

H. B. No. 79, be taken up for consideration.

Carried.

H. B. No. 79 read and considered.

Mr. Marsh moved that the bill be considered engrossed for a third reading.

Carried.

No objection being made the rules were considered suspended and.

H.B. No. 79, "an act concerning justices of the peace and constables," was read a third time, and the question being upon its final passage, the ayes and noes were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Welton, Woods, Mr. Speaker, 19.

Noe—Mr. McCannon, 1.

Ayes—19. Noes—1. h 8.

orial

Kel-

Wel-

its

and

tz,

on,

2

n-

So the bill passed, and title agred to.

Mr. Holland moved that,
H. B. No. 40, be read a third time and put upon its final passage.

Carried.

H. B. No. 40, an act to incorporate the Rocky Mountain Exploring, Prospecting and mining company.

Was read a third time, and the question being upon its final

Passage, the ayes and noes were,

Ayes—Messrs. Eames, Garcia, Holland, Henson, Kelley, Lynch, Leeper, Nye, Ortega, Ripley, Stansell, Welton, 12. Noes—Messrs. Chever, Koontz, Marsh, McCannon, Sheldon,

White, Webster. Mr. Speaker, 8.

Ayes 12. wal at atdrir ones oft avail Hade soger all done to

The Sergeant-at arms announced a communication from the Council, which was received and read, as follows:

Council Chamber, March 8, 1864.

MR. SPEAKER: I am instructed to inform the House that the

Council has passed the following bills to-wit:

C. B. No. 33, an act to amend an act entitled an act recon

C. B. No. 33, an act to amend an act entitled an act regulating the "fees of officers, jurors and witnesses" approved Nov. 8th, 1861.

8th, 1861. C. B. No. 45, "an act to enable citizens of this Territory in the military service of the United States to vote."

C. B. No. 37, a bill for "an act relating to the sufficency of the security on Official Bonds, and for other purposes."

And the concurrence of your Honorable Body is respectfully requested therein.

They have also concurred in, and passed,

H. J. R. No. 8, preamble and resolutions, relating to State Government.

Also, H. B. No. 35, an act to amend an act entitled an act, providing for the collection of the revenue, with the following amendments thereto, to-wit:

In section 1, second line from the bottom, strike out the word "five" and insert instead thereof, the word "two."

In section 9, eighth line from the top, strike out the word

"fifteenth" and insert the word "last."

Also, insert after the figures "1862," in fourth line of section 12, an act supplemental to an act providing for the collection of the revenue, approved Nov. 7th, 1861. Approved August 15, 1862.

Also, "an act to increase the revenue," approved August 15th, 1862, strike out the word "is" in last line of said section, and insert instead thereof, the word "are."

Also, H. B. No. 16, a bill for an act relating to marriages.

And have amended the same, as follows, to-wit:

Strike out all of section 3, after the word cause, in the 11th, line.

Also, add section 12, as follows:

All marriages which have been solemnized in this Territory-whether by any President or Judge of any mining district elect, ed under, and acting by the laws thereof, or by any Justice of the Peace or Clergyman, prior to the passage of this act, are hereby confirmed and made legal, and all children, the issues of such Marriages shall have the same rights in law and equity, as if such marriages had been sclemnized according to the provisions of this act." To which amendments you are respectfully requested to concur.

Also, the Council concur in House amendments to C. B.

No. 28.

Very Respectfully,
C. B. HAYNES,
Secretary of the Council.

Mr. White, previous notice having been given, asked leave to introduce,

H. B. No. 81, "an act making appropriations for the fiscal year, commencing January, 1st. 1864, and ending December. 31, 1864, which was read a first and second time by its title and referred to the committee on ways and means.

Mr. Nye, without previous notice, asked leave to introduce, H. B. No. 82, an act amendatory of an act, establishing the

Common School system.

Leave granted and bill read a first and second time by its title, and referred to the committee of the whole.

Mr. Leeper moved that,

H. B. No 23, be taken up for consideration.

Carried.

Mr. Marsh moved that, the substitute to the bill reported by the committee on judiciary, be read and considered. Carried.

H. S. for H. B. No. 23, read and considered.

Mr. Leeper, moved that the report of the committee on the bill be adopted.

Carried.

Mr. Marsh moved that the bill be ordered engrossed.

15th, , and

ch 8.

ages.

11th,

torylect, e of are sues

uity, proect-

B.

ave cal

er. ce,

ts

y

e

Mr, Holland moved to defer the further consideration of the Mye, Ortega, Stansell, White, Web. nooned agent of the Mill and the Mills afternoon.

Carried.

Mr. Welton moved that, H. B. No. 72, be taken up for consideration.

Carried.

H. B. No. 72, read and considered.

Mr. Welton asked leave to withdraw the bill from the House. Leave granted and bill withdrawn.

Mr. White moved that the House do concur in Council amendments to H. R. No. 35 a thomas work of The R. No. 35

Carried.

Mr. White moved that the House do concur in Council amendments to metridays from the passage of this act, cuch all be subject to a fine necknosing mirrou of m-

H. B. No. 16.

Mr Ripley moved that a large of pared to an All C. B. No. 36, with the amendments proposed by the committee of the whole, be read and considered.

Carried.

C. B. No. 36, with amendments, was taken up and considered

Mr. Marsh moved that the further consideration of the bill be deferred, and the bill be referred to the committee of the So the bill passed and title agreed to.

Motion lost.

Mr. Ripley moved that the amendments reported by the com-

mittee of the whole be adopted.

Mr. Marsh moved to amend the proposed amendment by striking out the word "two" and insert "one" in lieu thereof, in the 4th line of section ten.

Carried.

The question being upon the adoption of the amendment as The aves and noes being ordered and called were being

Carried.

Mr. Marsh moved that the bill be read a third time and put Noes-Messrs, Judd, Koontz, Lynch, egssage, and upon its final passage.

Carried.

Mr. Marsh moved that the bill be considered read a third Messrs. Chever and Webster asked to be excused.

C. B. No. 36, an act to incorporate the Boulder Valley and Black Hawk Wagon Road Company, being put upon its final Passage, the ayes and noes were:

Ayes—Messrs. Holland, Koontz, Kelley, Lynch, Marsh, Rip-

ley, Sheldon and Woods-8,

Noes-Messrs. Chever, Eames, Garcia, Leeper, McCannon, Nye, Ortega, Stansell, White. Webster, Welton and Mr. Speaker-13.

Ayes—8. Noes—13.

So the bill was rejected.

On motion,

The House adjourned until 2 o'clock p. m.

# AFTERNOON SESSION.

The House met, pursuant to adjournment, at 2 o'clock p. m The Speaker in the chair.

Roll called. Absent-Messrs. Eames, Kipp, Mallory, Patterson and Wel-

Quorum present.

H. B. No. 51 being the special order for the hour, was taken up, and the question being upon the final passage of the bill, The aves and noes were:

Ayes—Messrs. Chever, Garcia, Henson, Judd, Koontz, Lynch, McCannon, Ortega, Stansell and Woods—10.

Noes-Messrs. Holland, Kelley, Ripley, Sheldon, Webster and Mr. Speaker—6.

Ayes—10. Noes—6.

So the bill passed and title agreed to.

H. B. No. 23 being the special order for the House, was taken

Mr. Welton appeared in his seat.

Mr. Henson moved that the further consideration of the bill be deferred until to-morrow.

Lost.

Mr. Holland moved to strike out the first two sections of the bill, and

The ayes and noes being ordered and called, were:

Ayes-Messrs. Garcia, Holland, Henson, Kelley, Nye and Ortega.

Noes-Messrs. Judd, Koontz, Lynch, Leeper, Marsh McCannon, Ripley, Sheldon, Stansell, White, Welton, Woods and Mr. Speaker.

Messrs. Chever and Webster asked to be excused.

Mr. Leeper objected, and,

On motion,

They were required to vote.

Mr. Chever voted aye,

nnon, Mr.

ch, 8.

consideration, and ask leave to report it back to thesy Ause with the following amendments, and recommend. 11- 200 Ce.

So the motion was lost.

Mr. Holland moved to add to section one as follows: Provided, also, that actual notice be given to any person claiming a right on any road by record of the same in a District or County Also, after the word "otherwise," in the fifth line ibroom

bottom, in section twenty-three, and the follow taol noitoM Mr. Marsh moved to adopt the following additional section, scrip, or orders he may have redeemed or paid to be can; ziv

It shall be the duty of the Recorder last in office, of all the old mining districts in this Territory, or other persons with whom the original records of said Districts may be deposited, and in cases when the same have not heretofore been filed, to file the same with the County Recorders of their respective counties, within ninety days from the passage of this act, or on failure thereof, shall be subject to a fine not to exceed five hundred dollars, to be recovered before any court having jurisdiction thereof; one half of said fine, when collected, to go for the benefit of common schools of this Territory, and the other half to the informer; and when such records are filed, they, or a copy thereof duly certified to by the Recorder, as in other cases, shall be received as evidence in all the Courts of this Territory, subject to all just exceptions as to the credibility,

Mr. White moved to amend the proposed section by striking out the words "ninety days" and insert the word "four months" C. J. R. No. 2, in relation to translating the formal usil ni

Amendment accepted. Obesegessed land sti noqu gaied dai

The section as amended was then adopted. Data soys of T

Mr. Henson moved to strike out the word stwe" before Nye, Ortega, Ripley, Sheldon, Sta". svil 'tream bna , sraby Lost.

Mr. Henson moved that the bill be indefinitely postponed. White, Webster and Woods-8. Motion lost.

Mr. Holland moved to insert "Clear Creek" after the word "Lake," in section four. So the bill passed and title agreed to.

Mr. Marsh moved that the bill be ordered engrossed for a Welton, Marsh and Nye as such committee on ignibar bridte

Mr. Stansell, from the committee on incorporations, reported H. B. s Nos. 28 and 65 correctly engrossed. Lavo: swollol as

MR. SPEAKER: The committee on incorporations, to whom was referred

C. B. No. 35, a bill for an act to amend an act entitled "an act to incorporate the city of Denver" have had the same under

p. m

ken bill,

Wel-

ntz, ster

cen

ill he

ad

nd

consideration, and ask leave to report it back to the House with the following amendments, and recommend its passage, viz:

To the third clause of section three add the following words: The City of Denver shall have the exclusive right within the corporate limits of said city."

Also, after the word "otherwise," in the fifth line from the

bottom, in section twenty-three, add the following:

"And shall return monthly to the City Council all bonds scrip, or orders he may have redeemed or paid to be canceled by them." sollo nittal rebrosoft off

Also, add to section twenty-four "And provided further, That warrants drawn on the City Treasurer of said city, may be drawn in such sums, not less than twenty-five dollars, as the person entitled to such warrants may elect."

no to the still to opened out most a J. B. STANSELL, Ch'n, on the still begins of the still and a still begins of the still be

not Mr. Lynch moved that sould bina to deal one a togrant not

red C. J. R. No. 2 be read and considered. mano to the sed and

half to the morner; and when such records are filbeiras. or Mr. Garcia moved that the bill be read a third time and put upon its finall passage.

Torried. of to a suorige ve far il to the design warren Mr. Judd moved that the bill be considered read.

ad Carried of The wood on sasar him

C. J. R. No. 2, in relation to translating the laws into Spanish being upon its final passage, hood was the same and

The aves and noes were:

Aves Messrs. Garcia, Holland, Judd, Lynch, Leeper, Nye, Ortega, Ripley, Sheldon, Stansell, Welton and Mr. Speaker- 12.

Noes-Messrs. Chever, Koontz, Kelley, Marsh, McCannon,

White, Webster and Woods-8.

broAves -12.s "MeerO meelO" dream of bevom hashful with

Noes-8.

So the bill passed and title agreed to.

In accordance with the bill, the Speaker appointed Messrs. Welton, Marsh and Nye as such committee on the part of the

Mr. Koontz, from the committee on engrossment, reported H. B.'s Nos. 28 and 65 correctly engrossed.

Report received.

Mr. Marsh moved that the House do now go into committee on the general file.

O. H. No. 35, a bill for an act to amend an act of . o. 35 . The House then went into committee of the whole. House assage,

arch 8.

words: within

m the

onds. celed That

y be s the no

put

er. Ar.

an-

n,

8. ie

Mr. Koontz in the chair.

After some time spent therein the committee arose.

The Speaker in the chair.

Mr. Koontz, chairman of the committee of the whole, asked time to prepare his report, which was granted in along odT

The Sergeant-at-Arms announced a message from the Governor by his private Secretary, which was received and read as Quorum present. Mr. Koontz, from the committee on engrosement, reported

EXECUTIVE DEPARTMENT, C. T.,

March 8th, 1864.

To the Honorable J. B. Chaffee, Speaker of the House of Repre-Mr. SPRAKER: The committee of the whole Hou; sentatives.

SIR: I have the honor to inform the House that I have this day approved and signed the following bills, certified to have been originated therein, viz: uoll oar of load emas out troper of

An act to enable the superintendent of common schools for El Passo and Park counties to apply the school fund of said counties to the use of schools in the several districts thereof. 198

An act to legalize the assessment of property in certain cases, An act to authorize the County Commissioners of Gilpin County to pay certain juror's fees. als : "noisolbarni instagnos

An act to prevent felons from practicing in the Courts of Very respectfully, Your obedient servant, Your obedient servant,

to memora odrego ebivorg of JOHN EVANS, Sassag sti

recommend its passage with the following amendments, to with Mr. Chever, from the committee on enrollment, reported O. B. No. 14 correctly enrolled. Dan 'svie too skind 'asl Report received. it refers to the Interpretor.

Mr. Webster moved to reconsider the final vote on a colA C. B. No. 36, stallob owt to bested "yah and stallob sorthine Also, by striking out the words weix' and "threberred".

Mr. Webster moved to defer the final vote upon the bill unfil to-morrow. soup of Respectfully submitted, saw all

Carried. A. KOONTE MONTE CONTROL Mr. Nye moved to adjourn until 9 o'clock a. m. to-morrow. Mr. Ripley moved to amend by making it until 7 o'clock this Mr. Holland moved that the report of the commisgnineve

The House adjourned until 9 o'clock a. m., to-morro w.

## WEDNESDAY, MARCH 9th, 1864. and 19114

The House met at 9 o'clock a. m., pursuant to adjournment. The Speaker in the chair. which stones aid engang of emil

The Sergeant-at-Arms announced a message (:bellacalled.)

Absent-Messrs, Kipp, Kelley, Mallory, Patterson.

Quorum present.

Mr. Koontz, from the committee on engrossment, reported H. B. No. 23 correctly engrossed.

Report received.

Mr. Koontz, chairman of the committee of the whole, (yesterday afternoon) submitted the following report:

Mr. Speaker: The committee of the whole House have had

under consideration and the Honor the plan resideration under consideration C. B. No. 44, an act for the protection of roads, and beg leave to report the same back to the House with the following amend-

ments, to witcomen to deministiw ot stnem

Strike out in section two the words "one hundred" and in sert in lieu thereof "ten"; also, strike out in section three the words "twice the sum of"; also, further amend section two by striking "courts of record" and inserting "any court having competent jurisdiction"; also, by adding the following as an additional section:

"That fines accruing by the provisions of this act shall be paid into the County Treasury for the use of common schools of this Territory," and with the above amendments recommend

its passage.

Also, H. B. No. 68, an act to provide for the payment of the clerks and other officers of the Legislative Assembly, and recommend its passage with the following amendments, to wit:

Insert in proper place, "to each of the messengers, one dollar." Strike out "five" and insert "six" in section one, where it refers to the Interpretor.

Also, amend so as to make the pay of the Sergeant-at-Arms

"three dollars per day" instead of "two dollars per day."

Also, by striking out the words "six" and "three" where they refer to the pay of clerks and other officers of the Council, leaving it blank.

Respectfully submitted, J. A. KOONTZ,

.wortom-of .m .s 2000 0 Chin. of Com, Whole House. Mr. Ripley moved to amend by making it until 7 o'clock this

Mr. Holland moved that the report of the committee be adopted, excepting that portion relating to roads.

Mr. Chever moved the adoption of the following resolution:

ment.

rted

(yes-

e had

leave

iend-

d in-

the

OAby ving

s an

1 be

ools end

the

and vit:

lol-

ere

ms

ere zil,

50

1:

Resolved. That the enrolling and engrossing committees be authorized to employ assistant clerks if the services of the same shall be necessary. Carried.

Mr. Holland moved that the report of the committee on elections and apportionment be adopted, and the abstract of

votes be spread upon the journal of the House.

Mr. White moved that abstract of votes be referred to a special committee w Carried on berehm anied soon bas

The Speaker appointed Messrs. White, Lynch and Stansell

c. B. No. 33, an act to amend an act entitled "an act regulating the fees of officers, jurors and witnesses, approved Nov. 8th, 1861, was

Read a first and second time by its title, and referred to the

committee of the whole.

C. B. No. 37, an act relating to the sufficiency of official bonds and for other purposes, was read a first and second time by its title, and referred to the committee of the whole.

C. B. No. 45, an act to enable citizens of this Territory in

the military service of the United States to vote, was at to more

Read a first and second time by its title, too or on the und ui

Mr. White moved that the rules be suspended, and that

C. B. No. 45 be read a third time and put upon its final pas-Mr. Holland moved to smend the bill by H. Beirra, io. sage.

C. B, No. 45 was read a third time.

Mr. Ripley moved that the vote on the bill be deferred until Mr. Marsh moved to amend by saying, this afternoon.

regulations concerning lode claims, n.betqescatuemhaemAe

laws of this Territory or of the Congress of theirnen chortoMe, Mr. Nye, without previous notice, asked leave to introduce H. B. No. 83, an act amendatory of "an act to incorporate the Colorado and Pacific Wagon, Telegraph and Railroad Coming District laws, and be of uniform force and effect throughtag

Leave granted, and bill

Read a first and second time by its title, and referred to the committee on incorporations, most taken to bus winned bins ?

H. J. M. No. 2 read a first and second time by its title, and

referred to the committee on federal relations to a bus appoint

H. B. No. 23 was read a third time, and the question being lerk of said county, within three spassage land sti noqu

Mr. Stansell moved to amend by adding a section as follows. That section four, of this act shall not be deemed to extend to the records of the several Districts in Park County.

The ayes and noes being ordered and called were: -nAyes - Messrs, Chever, Eames, Garcia, Housen, Lycy Stans tains, impassable at any season of the year: 7shahoo Wibna llos

Noes-Messrs. Holland, Judd, Koontz, Lynch, Leeper. Marsh, Ortega, Ripley, Sheldon, White, Webster, Welton and Mr. Speaker-13. Aves 7. moo all lo troger officially beyon buelfold all

Noes 13, out bus spetoche of tagamotrones bus sacreels

So the motion was lost. I do formal salt asga harries and solo

Mr. Holland moved to strike out section five.

The ayes and noes being ordered and called, were:

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Lynch, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods and Mr. Speaker-16.

Noes-Messrs. Lynch, Marsh, McCaunon, Nye, and Or-

tega-5.

Aves 16. let hus elifetti vi emit berese hus trit a head Noes-5.

So the motion prevailed.

Mr. Marsh moved the adoption of the following addititional section:

SEC. —. That the old mining records referred to in section four, of this act, are taken to be the same as required to be filed in pursuance to section twelve, of an act entitled "an act concerning lode claims," approved Nov. 7th, 1861, and no others.

Carried. Mr. Holland moved to amend the bill by the adoption of

three additional sections, as follows:

SEC. -. That when the miners of any organized county in this Territory shall adopt, in mass convention, or convention of delegates from each election precinct therein, any rules or regulations concerning lode claims, not conflicting with the laws of this Territory or of the Congress of the United States, said mining laws shall be recorded in the office of the County Recorder, and shall thereafter become legal evidence in courts of this Territory, and take precedence, and annul all local mining District laws, and be of uniform force and effect throughout said county.

SEC. -. Said convention shall be holden at the County Seat of said County, and at least twenty day's notice of such meeting shall be given by posting notices in each of the mining districts therein, and a copy of such laws and proceedings, sworn to by the officers of said convention, shall be filed in the office of the County Clerk of said county, within three days after said meet-

SEC. —. That when the citizens of any unorganized county in this Territory, or the miners of any portion of an organized county of the same, at a distance of over twenty miles from the County Seat, or separated from the latter by a range of mountains, impassable at any season of the year, shall institute or arsh.

son,

eb-

Or-, 1118

al

on

ed n-

S.

of

11 n

1

e

ch 9.

adopt any local laws or regulations as above prescribed, such mining laws shall clearly define the boundaries of said new Mrus mining district, and all the original laws and record books of the same shall be filed in the office of the County Recorder, or if there be no Clerk or Recorder acting in the county, in the office of some adjoining county within ninety days from the

day of holding said convention, Mr. Webster moved that the further consideration of the bill be postponed, as "berbund ean" shrow out "to mus" shrow

Motion lost.

Mr. Sheldon called for a division of the question.

The question then being upon the adoption of section one of the proposed amendments, and the ayes and noes being ordered and called were:

Ayes-Messrs. Garcia, Holland, Henson, Lynch, McCannon,

Nye, Webster, Welton and Woods—9.
Noes—Messrs. Chever, Eames, Judd, Koontz, Leeper, Marsh, Ortega, Ripley, Sheldon, Stansell, White and Mr. Speaker-12. Add section 2. And if the person to whom such cayAnd

Noes 12, leads and smar out exist of existent leads borebnot ed So the motion was lost. Mr. Holland withdrew the amendments.

The question being upon the final passage of the bill, the ayes and noes were:

Ayes—Messrs. Judd, Lynch, Leeper, Marsh, Sheldon, Stan-

sell, White and Mr. Speaker—8.
Noes—Messrs. Chever, Eames, Garcia, Holland, Henson, Koontz, McCannon, Nye, Ortega, Ripley, Webster, Welton and Woods 13. Level to the payment of Fred . T. OV. A. L. H.

structing maps of the Territory of Colorado, with sersex ids

ai So the bill was rejected and sorth abrow out the exists The Sergeant-at-Arms announced a communication from the Council, which was too get are you are not should will be a council, which was too get a council, which was to get a council, which was too get a council, which

Received and read as follows: bessed evad year test of A To council act relating to contagious discases" in

Council Chamber, March 9, 1864.

MR. SPEAKER: I have the honor to inform the House that the Council have concurred in and passed without amendment H. B. No. 57, an act to incorporate the Denver and Pacific Wagon Road Company.

H. B. No. 22, an act to incorporate the City of Black Hawk. H. B. No. 49, an act concerning weights and measures.

That they have concurred in House amendments to oslAncil They have passed

Bill No. 13.

H. B. No. 27, "an act to incorporate the City of Central," with the following amendments, to wit: with the following amendments, to wit:

Insert after the word "years," in 2nd line of section two,

article four, the words "not being negroes or mulattoes."

H. B. No. 38, an act to amend "an act to organize and establish the Treasury Department" with the following amendments:

Strike out in fourth and fifth lines of section three, after the words "sum of," the words "one hundred," and insert instead thereof the words "three hundred;" and in fifth and sixth lines of section eight, between the words "of" and dollars" the words "eight hundred," and insert "one thousand" instead.

Also,

H. B. No. 59, an act to amend an act entitled "an act regulating elections," with the following amendments thereto, to wit:

Insert after the word "months," in the third line of section one, and in the second insert after the word "upwards" "not being a negro or mulatto."

Add section 2. And if the person to whom such oath shall be tendered shall refuse to take the same, he shall not be allowed

to vote at such election. H. J. R. No 6, for compensation to Fred, J. Stanton for services on publication of the statutes of the Legislative Assembly, and have amended the same by striking out the words "three hundred and thirteen dollars and fifty cents" and inserting the words "two hundred and fifty dollars" instead thereof. Also,

H. J. R. No. 7, for the payment of Fred. J. Ebert for constructing maps of the Territory of Colorado, with the following

amendments, to wit:

Strike out the words "three hundred" whenever it occurs in the bill, and insert the words "one hundred and fifty," and

To which amendments you are respectfully asked to concur-

Also, that they have passed: # wolfof an burn bus bevious !!

C, B. No. 57, "an act relating to contagious diseases" in imals. animals.

C, B. No. 56, an act to amend an act entitled "an act to establish the common school system.

Also, C. J. R. No. 3, joint resolution in relation to compensation to Samuel Howe, Sheriff of Arapahoe county, and your concurrence therein is respectfully requested.

That they have concurred in House amendments to Council Bill No. 13.

ntral,"

rch, 9.

n two,

estabments: ter the nstead h lines words

egulao wit: ection anot

shall owed n for

ssemvords sertreof.

conwing

rs in cur.

' in

ion on-

cil

And that the Council has appointed as committee to act with the committee appointed by the House on C. J. R. No. 2, in relation to translation of laws into Spanish, Messrs. Loveland Very respectfully, asset and another

C. B. HAYNES,

Sec'y of the Council.

H. B. No, 65, an act to incorporate the Central City and Montgomery Wagon Road Company, was beyon reved and Read a third time.

Mr. Ripley moved the adoption of the following additional

Section, viz:
That all fines accruing by the provisions of this act shall be paid into the County Treasury for the use of common schools of this Territory, except that part to be paid to the informer.

The question being upon the final passage of the bill, the

ayes and noes were:

Ayes—Messrs. Chever, Eames, Garcia, Henson, Judd, Koontz, Lynch, Leeper, Marsh, McCannon, Ortega, Ripley, Sheldon, Stansell, Welton and Woods—16.

Noes—Messrs. Nye, White, Webster and Mr. Speaker—4.

Ayes—16. Noes-4. The states of the same and sale of beyon bbut all

H. B. No. 68 for consideration So the bill passed and title agreed to.

H. B. No. 32, an act to incorporate the Black Hawk Gas Light Company, was taken up for a third reading.

Mr. Marsh moved that the bill be read the third time by its title.

Carried.

The bill was then read a third time by its title, and the question being upon its final passage,

The ayes and noes were:
Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Sheldon, Stansell, White, Webster, Welton and Woods-19.

Noes Messrs. Ripley and Mr. Speaker -2. on volgin all

So the bill passed and title agreed to ... shrow out "agbut" H. B. No, 28, an act for the collection of taxes from the nonresident stock owners, was then taken up for a third reading.

Mr. Sheldon moved that the bill be read a third time by its

ARTERNOON SESSION. BORNES OF THE ARTERNOON SESSION. The bill was read by its title, and the question being upon The House met at 2 o'clock p. m., pursuant togaskaq lanih ati

Aves-Messrs. Garcia, Holland, Henson, Judd, Koontz, Lynch, Marsh, Nye, Ortega, Sheldon, Stansell, White, Webster, Welton, Woods and Mr. Speaker-16.

Noes-Messrs. Chever, Eames, Leeper, McCannon and Rip-

lev-5.

Aves-16. Noes,-5.

So the bill passed and title agreed to.

C. B. No. 36 was then taken up.

Mr. Chever moved to defer further action on the bill until tomorrow.

The ayes and noes being called for and ordered, were:

Ayes—Messrs, Chever, Eames, Garcia, Henson, Koontz, Leeper, McCannon, Nye, Ripley, Stansell, Webster, Welton, Woods and Mr. Speaker-14.

Noes-Messrs Holland, Judd, Lynch, Marsh, Ortega, Shel-

don and White-7,

Aves-14. Nces-7.

So the motion prevailed.

Mr. Chever moved that the House do concur in Council amendments to H. B. No. 27.

Carried.

Mr. Judd moved to take up H. B. No. 68 for consideration.

H. B. No. 68 taken up and considered.

Mr. McCannon moved that the further consideration of the bill be deferred.

Motion lost.

Mr. Koontz moved that the bill be ordered engrossed as amended.

Carried.

Mr. Judd moved to take up C. B. No. 49 for consideration. Carried.

C. B. No. 49 read and considered.

Mr. Ripley moved to amend by inserting after the word "Judge" the words "other person or persons," whenever it occurs in this act relating to entry of town sites.

On motion of Mr. White,

The House adjourned until 2 o'clock p. m.

### AFTERNOON SESSION.

The House met at 2 o'clock p. m., pursuant to adjournment. The Speaker in the chair.

h 9.

ntz, reb-

to-

n,

el-

Roll called.

Absent—Messrs. Eames, Kipp, Kelley, Mallory, Patterson.

Quorum present.

The consideration of C. B. No. 49 resumed.

The question being upon the adoption of amendment proposed by Mr. Ripley, the ayes and noes being called for, and ordered were,

Ayes-Messrs. Garcia, Ripley, Webster, 3.

Noes-Messrs. Holland, Henson, Judd, Koontz, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Sheldon, Stansell, White, Woods, Mr. Speaker, 15.

Aves—3.

Ayes—3. Noes—15.

So the amendment was lost.

Mr. Sheldon moved to amend by adding the following to section 10, "Provided" that nothing in this section shall be so construed as to recognize the right of any persons who have virtually abandoned any land held as a townsite to any title Ayes-Messrs, Garcia, Holland, Henson, Judd. inerthe Lynch, Leeper, Marsh, McCannon, Nyo, Ortega, Liberara

Mr. Sheldon moved that the bill be read a third time by its title, and put upon its final passage.

C. B. No. 49, an act prescribing rules for the government of towns and cities entering land under the pre-emption laws of the United States," was read a third time by its title, and the question being upon its final passage, the ayes and noes were,

Ayes-Messrs. Chever, Garcia, Holland, Judd, Koontz, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Woods, Mr. Speaker, 19.

Ayes 19. 9 D on mariler vd finame of bevem blat. 7M

So the bill passed and title agreed to.

Mr. Chever from the Committee on enrollment, reported C. Bs. Nos. 25, 32, 38, 41 and C. J. R. No. 2, correctly enrolled. Report received. Report received.

Mr. Koontz from the Committee on engrossments reported, H. B. No. 68, correctly engrossed.

Report received. has not bolled anied soon has seen an C. B. No. 45, being the special order for the House, was then Lynch Leeper, Marsh, Nye, Ortega Rioley Stone, June and

Mr. Lynch moved that the bill be referred to a special Committee. Motion lost. mode W nound Dok sales

The question being upon the final passage of the bill, the ayes and noes were,

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd

TIM

11+19

664

th

1

Koontz, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, White, Welton, Woods, Mr. Speaker, 17. 18880 1 - Juped A Noes—Messrs. McCannon, Stansell, Webster, 3. Moes—17.
Noes—3.

So the bill passed and title agreed to.

Mr. Webster moved that C. B. No. 27, be taken up for con-Noce-Mesers. Holland, Henson, Johld, Koonellon,

Carried.
C. B. No. 27, read and considered.
Mr. Webster moved that the bill be read a third time for final passage.

Carried.

C. B. No. 27, an act to amend an act to establish and regulate Territorial Roads.

Was read a third time, and the question being upon its final

Ayes—Messrs. Garcia, Holland, Henson, Judd, Koontz, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, Webster, Welton, Woods, Mr. Speaker, 18.

Noes-Mr. White, 1. 93 georg fault sti noon and has salit

Ayes—18.

C. B. No. 49, an act prescribing rules for the greend to of

to So the Bill passed, I robon boat pairetos esiris bas samot

Mr. Webster moved to amend the title by adding "August 15th, 1862." Leve edd a see of leaf et a out pais doiseant Carried. "See of leaf et a out pais doiseant

Title as amended agreed to. 18181 199901 donvel shoot

Mr. Welton, moved to take up, Walles and mobiled a vol

H. B. No. 73, for consideration.

Mr. Judd, moved to amend by taking up C. B. No. 29. Lost.

Original motion carried. 20120 offit has been tild out of

H. B. No. 73, read and considered.

Mr, Ripley moved to amend by adding a section as follows: That all fines incurred by the provisions of this act shall be paid into the County Treasury, for the use of "Common Schools"

The ayes and noes being called for, and ordered were,

Ayes-Messrs. Garcia, Holland, Henson, Judd. Koontz Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Stansell, Sheldon. White, Webster, Woods, Mr. Speaker, 17.

ayes and noes were,

Noes-Messrs. McCannon, Welton, 2. 1801 maitald ... 1901 in

The question being upon the final passage of TrasayA Noes-2.

Aves - Mesers. Chover, Garcisbeliaverquoitom ent od udd

reldon,

arch 9.

r con-

final ontz, shel-

rust

s: be on

Mr. Sheldon moved to fill the blank in section 3, by inserting "twenty." day of July 1864:

Carried.

Mr. Koontz, moved to fill the blank in section 4, by inserting the words "not to exceed three dollars per annum. Mr. White moved that the House do concur ,beiras) oil

Mr. Sheldon moved that the bill be considered engrossed. Mr. Stansell moved to amend by ordering the bill engrossed. The question then being upon Co.berquestion then American

Motion as amended.

The aves and noes being called for, and ordered wheirs Mr. Nye moved that C. J. R. No. 2, be read a first and second time, and referred to a special committee.

Carried. 100 M. nosnell busholf H. sioned second time by its title, quest The Speaker appointed,

Messrs. Nye, Chever and Welton such committee.

Mr. Lynch moved that, me and of boargasib senoll od os

C: B. No. 26, be taken up for consideration. noisemp of T Carried we all a dered and noes being ordered, and called we being

C. B. No. 26, read and considered. 194010 MESSM - 297A

Mr. Sheldon moved to amend,

Section 3, by inserting after the word "payable" in the fifth line, the words "as therein specified." nobleds velgist agento Carried.

Mr. Sheldon moved to adopt the following additional section: "Section 14, That nothing in this act shall be construed to affect or impair an act entitled an act to provide for stay of proceedings in Foreign indebtedness, approved Nov. 5th, 1861."

Carried. Mr. Leeper moved to strike out all after the enacting clause, 

Section 1. That all voluntary debts, contracted within this Territory, after the 4th day of July, 1864, for property and value of any kind, shall be exempt from the operations of all laws for the collection of debts and no suits shall thereafter be entertained by any Court of this Territory, for the collection thereof.

Section 2. The term voluntary debts, as applied in this act, shall be held and taken to be all debts and obligations to pay money or value of any kind or character, growing out of a contract made or contracted directly by the free will and voluntary consent of both the contracting parties.

Section 3. This act shall not be so construed as to affect suits for the collection of debts, now commenced and pending.

Section 4. All laws and parts of laws intervening with and contrary to this act are hereby repealed, and declared void, so far as they apply to voluntary debts.

Me

in

DI

Section 5. This act shall be in force and effect after the 4th day of July 1864.

Motion lost.

Mr. Holland moved that the bill be indefinitely postnoned.

Mr. White moved that the House do concur in Council amendments to H. B. No. 38.

A division of the question was ordered.

The question then being upon Council amendment to section 3.

The ayes and noes being called for, and ordered were, Ayes—Messrs. Chever, Nye, Stansell, White, Welton, Mr. Speaker, 6.

Noes—Messrs. Garcia, Holland, Henson, Koontz, Lynch, Leeper, McCannon, Ortega, Ripley, Sheldon, Webster, Woods.

Ayes—6. Noes—12.

So the House disagreed to the amendment.

The question then being upon the amendment to section 8, and the ayes and noes being ordered, and called were.

Aves-Messrs Chever, Eames, Leeper, Nye, Stansell, White,

Welton. 7.

Noes-Messrs. Holland, Henson, Koontz, Lynch, McCannon, Ortega, Ripley, Sheldon, Webster, Woods, Mr. Speaker, 11. Aves—7.

Noes—11.

So the House disagreed to the amendment.

Mr. Chever moved that the House do concur in Council amendments to H. J. R. No. 6,

Carried.

Mr. White moved that the House do not concur in Council amendments to H. J. R. No. 7.

Carried.

Mr. Stansell, from the Committee on Incorporations made the following report.

Mr. Speaker the Committee on Incorporations, to whom was referred.

H. B. No. 83, an act amendatory of an act to Incorporate the 'Colorado and Pacific Wagon, Telegraph and Railroad Company' have had the same under consideration, and report the same back without amendment, and recommend its passage.

J. B. STANSELL, Ch'n.

Mr. Webster moved to take up, H. B. No. 56, for consideration. Carried.

e 4th

ch 9.

ned.

incil

sec-

Mr.

nch,

ods.

18,

ite,

on,

il

le

H. B. No. 56, read and considered. Mollow, votedo W. anid W. Mr. McCannon moved a call of the House. Carried.

The Speaker ordered a call of the roll.

The roll having been called.

Messrs. Eames, Judd, Kipp, Kelley, Mallory, Patterson. Were reported absent.

The Sergeant-at-Arms, was ordered to bring the absentees Into the House.

Mr. Stansell moved that Mr. Judd, be excused.

Mr. Nye moved that Mr. Kelley be excused,

Carried.

Mr. Stansell moved that Mr. Eames be excuse.

Mr. moved that further proceedings under the call be dis-Mr. Koentz moved to amend by rejecting the a .diw besned

The Sergeant-at Arms appeared with Mr. Eames, and reported Mr. Kelley not found.

Mr. Kelley not found. The Speaker under the rules assessed a fine of two dollars against Mr. Eames to be paid to the Sergeant-at-Arms.

Mr. Lynch moved that the report of the Committee on the bill be adopted on goied noiseaup ent bus emit bride a bearl

Mr. Stansell moved that the bill be considered engrossed. Mr. Webster moved that the bill be ordered engrossed. Carried.

Mr. Webster moved to take up H. B. No. 50.

Mr. White moved that the bill be indifinitely postponed.

Mr. White moved that C. B. No. 35, be taken up and consid-

C. B. No. 35, read and considered. Mr. White moved that the report of the Committee be adopt-

Mr. Nye moved that the bill be read a third time for final pas-

Mr. White moved that the bill be read a third time by its title. Carried.

C. B. No. 35, an act to amend an act to incorporate the City of Denver, was read a third time by its title, and the question being upon its final passage the ayes and noes were,

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Roontz, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Stansell,

White, Webster, Welton, Woods, 17. bas been at No. H. H.

Noes-McCannon, Sheldon, Vr. Speaker, 3. Omna John .....

Aves-17. Noes-3.

So the bill passed and title agreed to. meed guived flored!

Mr. Lynch without previous notice, asked leave to introduce H. B. No, 84, an act to regulate the recording of lode mining claims, in Colorado Territory.

Leave granted, and on motion of Mr. Lynch, the bill was read a first and second time.

Mr. Webster moved to take up, C. B. No. 44, for considera-Mr. Nye moved that Mr. Kelley be excused, tion. Carried.

C. B. No. 44, read and considered.

Mr. Webster moved that the report of the Committee on the bill be adopted, Mr. moved that further proceedings under the caberrals-

Mr. Koontz moved to amend by rejecting the amendments. Motion lost. -t Original motion carried w believed a ta-ta-greened of

Mr. Webster moved that the bill be ordered to a third the Spenker under the rules assessed a fine of two gardener against Mr. Rames to be paid to the Sergeont at Arms beirrs

C. B. No. 44, an act for the protection of roads was

Read a third time, and the question being upon its final passage. The ayes and noes were : I lid out that Levom Heaner and

Aves-Messrs. Garcia, Holland, Koontz, Nye, Ortega, Ripley, Sheldon, Welton, Webster, Woods and Mr. Speaker-11.

Noes-Messrs, Chever, Eames, Henson, Judd, Lynch, Leeper, McCannon, Stansell, White—9.

Ayes—11. Of Visitation and Hid salt tast beyon stid W. TM

Noes-9.

So the bill passed and title agreed to. It become stid W. . IM

Mr. Holland moved that the House do now resolve itself into a committee of the whole, on the general file.

The House then went into committee of the whole,

Mr. Holland in the chair.

After some time spent therein, the committee arose.

The Speaker in the chair.

Mr. Stansell moved that the use of this hall be tendered to the Territorial Convention, to meet to-morrow at 2 o'clock p. m. Carried.

Mr. Koontz, from the committee on engrossment, reported H. B.'s Nos. 56 and 73 correctly engrossed.

Report received. Report received. Koontz, Lynch, Leeper, Marsh, Nye, Ortega, Mipley, Stansell, uce

ing

vas

ra-

he

ts.

·do

10

Mr. Koontz moved to adjourn until 7 o'clock this evening. Lost. a rebroad regree of all his abroom has adood riedt elft. On motion of Mr. Chever, a control of the House adjourned until 9 o'clock, to morrow. Tost a rebros

## Mr. Holland, chairman of the committee of the Whole, terday afternoon.) submitted the following report: THURSDAY, MARCH 10, 1864. MR. SPEAKER: The chairman of the Committee of the Whole

The House met pursuant to adjournment, at 9 o'clock, a. m. The Speaker in the chair.
Roll called.
Absent—Messrs. Kipp, Mallory, Patterson.

Quorum present.

Journal of the preceding day read and approved.

Mr. Marsh, from the committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee to whom was referred C. B. No. 37, having had the same under consideration, beg leave to report, that they would recommend the passage thereof without amendment, Respectfully submitted business in them and the A. MARSH, Ch. n.

Report received. H.A.

Mr. Ripley, from the committee on Education, reported as follows:

Mr. Nye, from Special committee, reported as follows: Mr. Speaker: Your committee to whom was referred

H. B. No. 82, have had the same under consideration, and would recommend that the bill be so amended as to require the County Commissioners of each County of this Territory to allow a reasonable compensation to the School Superintendent of their respective counties as shall be: just, in proportion to the amount of services performed by said Superintendentiovisce

All of which is respectfully submitted do soring out that bas

forn'ADr, YELLEY, TOLING CINE: Also, that we are not advised

that the claimant can get his pay in any other manner than Report received noitules and Resolution bus obem

Mr. Ripley, from the committee on Mines and Minerals, reported verbally, that they have had , senoH sidt vd omes odt

H. B. No. 84 under consideration, and report the same back to the House with the following amendments, and recommend

Add to Section 1-"And it shall be the duty of all District or

Ma

8a

H

local Recorders in the organized counties of this Territory, to file their books and records in the County Recorder's office, on or before the first day of June, 1864."

Report received.

Mr. Holland, chairman of the committee of the Whole, (yesterday afternoon,) submitted the following report:

MR. SPEAKER: The chairman of the Committee of the Whole

beg leave to report, that it has had under consideration

C. B. No. 31, and amended the same by striking out the word "them," when it refers to years, and insert the word "three" in its stead, in section 4, and report the same back without recommendation.

Also, H. B. No. 78, amended, by adding the following section: "That the counties of Conejos, Costilla, Huerfano and Lake, be exempted from the provisions of this act;" and report the same back.

Also, C. B. No. 46, amended, by inserting the word "executed," instead of "execution," in section 8, and report the same back.

Also, C. B. No. 53, and report the same back without amendment or recommendation.

Also, H. B. No. 76, and report the same back without recommendation. Respectfully.

E. F. HOLLAND, Ch'n.

Report received.

Mr. Nye, from Special committee, reported as follows:

MR. SPEAKER: Your Special Committee, to whom was referred

C. J. R. No. 3, having had the same under consideration, beg leave to report: That we find the facts set forth in said C. J. R. are substantially correct: That Samuel Howe was compelled to received said prisoners, according to the statutes of this Territory, and that the price charged was the the same as was allowed for other prisoners at that time: Also, that we are not advised that the claimant can get his pay in any other manner than made and provided for in said Resolution.

Therefore, we would unanimously recommend the passage of

the same by this House, without amendment,

JOHN A. NYE, Ch'n.

Report received.

Mr. Kelley, from Special Committee, reported as follows:

y, to e, on

h 10.

(ves-

hole

rord ,, in om-

on: ke, the

3Ume

dn-

Mr. Speaker: Your committee to whom was referred

H. B. No. 74, an act for the dissolution of the bonds of matrimony between W. D. Donaldson and Ruth Donaldson, have had the same under consideration, and beg leave to report the same back, and recommend that it be indefinitely postponed. JAMES KELLEY, Ch'n.

Report received.

Mr. Ripley asked leave to withdraw H. B. No. 74 from the House.

Leave granted, and bill withdrawn.

Council Amendments to H. B. No. 59 were read and considered. Mr. Judd moved that the House do concur in Council Amendments to the bill.

A division of the question being called for.

The question was upon the concurrence in amendment to Section 1-Carried.

The question then being upon the amendment to section 2— Carried.

C. B. No. 56, an act to amend an act to establish the Common School System, was

Read a 1st and 2d time by its title, and Referred to the committee on Education.

C. B. No. 57, an act concerning Contagious Diseases among animals, was

Read fi 1st and 2d time by its title, and Referred to the committee on Agriculture.

Mr. Nye moved to take up H. B. No. 83 for consideration. Carried.

H. B. No. 83 read and considered.

Mr. Nye moved that the bill be considered engrossed, and read a 3d time for final passage. Carried.

H. B. No. 83, an act to amend the Colorado aud Pacific Wagon Road Charter, was read a 3d time,

And the question being upon its final passage,

The ayes and noes were, Ayes—Messrs. Chever, Eames, Garcia, Holland, Judd, Koontz, Kelley, Lynch, Leeper, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Woods, Mr. Speaker.

Noes-Mr. Henson,

Messrs. Marsh and Welton asked to be excused from voting, Mr. Stansell objected, and on motion, they were required to

Mr. Welton voted aye. Mereo vevnoo bus less of less of W Mr. Marsh voted no. : tiw-ot ;tissabhana galwollol

Ayes, 19; noes, 3.
So the bill passed, and title agreed to.

M

as

ar

th ai

M

V

G

a

Mr. Koontz moved that H. B. No. 78 be taken up and considered. Carried. H. B. No. 78 read and considered. O. W approved vacant

The question being upon the adoption of the amendment proposed by the committee of the Whole.

Mr. Welton moved to amend the amendment, by including

Huerfano County.

Mr. Woods moved to include Lake County. and volquil and

Amendment accepted.

Motion lost.

Motion lost.

The question recurring upon the motion to adopt amendment Motion lost.

Mr. Koontz moved that the bill be considered engrossed.

Mr. Koontz moved that the bill be ordered engrossed.

Carried. The Sergeant at arms announced a communication from the Council, which was received and read, as follows:

COUNCIL CHAMBER, March 10, 1864.

Mr. Speaker: I am instructed to inform the House that the Council have concurred in and passed without amendment, the following bills, to-wit:

H. B. No. 3, an act to legalize the records of Fremont County. H. B. No. 54, an act amendatory of an act to incorporate the

Apex and Gregory Wagon Road Company.

H. B. No. 10, a bill for an act concerning Roads and High-

H. B. No, 64, a bill for an act to amend an act, to establish and regulate Territorial Roads.

H. B. No. 67, an act to incorporate the Colorado Gold Mining Company of Philadelphia.

H, B. No. 75, a bill for an act to prevent speculation in Ter-

ritorial and County Scrip.

H. B. No. 77, an act to amend an act, entitled, an act to in-

corporate the Excelsior Ditch Company.

H. B. No. 80, a bill for an act to amend an act, entitled, an act to provide for the increase and time of the meeting of the Legislature, approved November 8, 1861.

Also, H. B. No. 52, an act amendatory to an act, entitled, "An act relating to Fencing," with the following amendments, to-wit: Strike out all of Section 1.

Also, H. B. No. 47, "An act to authorize and enable Robert W. Steel, to sell and convey certain mining claims," with the following amendment, to-wit:

Strike out the word "obtained," in 2d line from bottom of sec-

tion 1, and insert the word "attained," instead thereof.

10.

ing

ent

10

10

H. B. No. 43, an act to incorporate the Occidental Gas-light Company of the City of Denver, with the following amendments, to wit: Strike out all of Sections 6, 7, 8, 9 and 10, and insert Strike out the word "where," in 11th line of said serswollof as

SEC. 6.—The said Company shall be allowed to charge for the Gas manufactured and furnished to the city of Denver, or any of the inhabitants thereof, not to exceed six dollars for each thousand cubic feet, for the term of ten years from the date of the passage of this act; and at the rate of five dollars per thousand cubic feet, after the expiration of ten years, and during the

remainder of their corporate existence.

Sec. 7.—The corporation hereby created shall complete the works for manufacturing Gas to be supplied to the city of Denver, and the inhabitants thereof, so far as to supply Gas to said city and inhabitants thereof within three years from the passage of this act; and if the said corporation shall fail to comply with the provisions of this section, the said corporation shall have no exclusive right to furnish Gas as aforesaid, whatsoever, and any and all exclusive privileges herein granted to said corporation quired for the construction or mainter, enimed and determine shall cease and determine.

Add the following section: doing to small

The provisions of this charter shall extend to all the additions that have been or may hereafter be added to the city of Denver. Strike out House amendments to Section 10.

Also, H. B. No. 26, an act entitled an act to amend an act to enable Road, Ditch, Manufacturing, and other Companies to become bodies corporate, with the following amendments, to-wit:

Strike out the word "forty," in the 9th line from the bottom of Section 1, and insert the word "twenty" in lieu thereof.

Add to Section 10 the following: nounce an inerested thereas in

"Nor for the purchase of stock in their own company or corporation, in the corporate name, nor shall such company or corporation acquire or hold any stock or share therein," maries

Strike out the word "legal" in the last line of Section 11, and Insert the words "prima facia" instead thereof. alo no otalso Lor

Strike out the word "stock" in the 6th line of Section 14.

Strike out the word 'payment' in the 2d line from the bottom of Section 17, and insert the word "re-payment" instead in such lands, real estate and claims had been given, at linered

Strike out the word "personal" in 6th line of Section 19, and insert the word "person" instead thereof. To see an organized and To

Strike out the words, " Provided, that the route named does not conflict with the rights of any Company already acquired," in 10th, 11th, 12th and 13th lines of Section 28, and add the same at the end of that sections anoisoileng dous granos biss

Insert, after the word "incorporation" in the 2d line of said section, the following: "In addition to the matters herein betorney or agent, which notice mistated therein notice in the minute of the contract of the con

8]

T

"Strike out the word "specify," in the 8th line of Section 31, and insert in lieu thereof, the following: "In addition to the matters required in Section 1 of this of this act specified."

Strike out the word "where," in 11th line of said section, and

insert the words, "at, or near which."

Insert in the 2d line from the bottom of Section 32, after the word "miners," the words "and agriculturalists."

Strike out the words "the way," occurring after the word

"as," in 5th line of Section 33.

Insert after the word "certificate," in the 4th line of Section 35 the following: "In addition to the matters required in the 1st section of this act."

Insert after the word "certificate" in the 6th line of Section 36 the following: "In addition to the matters required by the

1st section of this act."

Add the following section:

"Whenever any road, ditch, telegraph, or fluming Company, organized under the provisions of this act, shall not have acquired by gift or purchase, any land, real estate or claims, required for the construction or maintenance of any road, ditch, telegraph or flume, or which may be affected by any operation construction or maintenance of the same, the said corporation may present to the Probate Judge of the county wherein such land, real estate, or claim shall lie, a petition signed by the president, attorney or agent of the same, describing with convenient accuracy, and certainty, by map or otherwise, the land, real estate or claims so required to be taken, or as aforesaid, setting forth the name and residence of each owner, or other person interested therein as owner, lessee or incumbrancer, as far as known to such president, attorney or agent, or appearing of record, and praying the appointment of three appraisers, to ascertain the compensation to be made to such owners and persons interested for the taking or injuriously affecting such lands, real estate or claims as aforesaid, the Probate Judge shall have satisfactory evidence that notice of an intended application, and the time and place thereof for the appointment of appraisers between said corporation and the owners and persons interested in such lands, real estate and claims had been given, at least ten days previously, to such owners personally, at their residence, or on the premises, or by the publication thereof, in a newspaper printed in the county in which said lands, real estate of claims shall lie; or if no newspaper is published in said county, then by posting three or more notices in some public places in said county, such publications to be allowed only in respect to owners or persons interested, who shall appear by affidavit to have no residence in the county known to such president, attorney or agent, which notice shall be published at least thirty days prior to the time fixed for the application, as aforesaid.

n 31, the

1.10.

and

the

ion the

ion

the

ny, acrech, ny

he of m

ey y, te

g 11 IS

The Court may adjourn the proceedings from time to time, shall order any future notice thereof to be given that may seem proper, shall have proofs and allegations of all parties interested touching the regularity of the proceedings, and shall by an entry in its minutes appoint three disinterested appraisers as aforesaid, specifying in such entry a time and place for the first meeting of said appraisers. The said appraisers before entering upon the duties of their office shall take an oath to faithfully and impartially discharge their duties as said appraisers, and any one of them may administer oaths to witnesses produced before them. They may issue subpænas and compel witnesses to attend and testify, and may adjourn and hold meetings for that purpose, and shall give reasonable previous notice to such owners or parties interested. They shall hear the proofs and allegations of the parties, and any two of them after reviewing the premises, shall, without fear, favor or partiality, ascertain and certify the compensation proper to be made to said owners or parties interested, for the lands, real estate, or claims to be taken or affected as well as all damages accrueing to the owners or parties interested in consequence of the condemnation of the same, taken, or injuriously affected as aforesaid, making such deductions or allowances for real benefits or advanlages which such owners or parties interested may derive from the construction of said road, ditch, telegraph or flume. They, or a majority of them, shall make, subscribe and file with the Clerk of the county, in which such lands, real estate or claims shall lie, a certificate of their ascertainment and assessment, in which said lands, real estate or claims shall be described with convenient certainty and accuracy. The Probate Judge upon such certificate and due proof that such compensation and separate sums, if any be certified, have been paid to the parties entitled to the same, or have been deposited to the credit of such parties in the County Treasury or other place for that purpose approved by the Court, shall make and cause to be entered in its minutes, a rule describing such lands, real estate, or claims in manner aforesaid, such ascertainment of compensation, with the mode of making it, and such payment or deposit of the compensation as aforesaid, a certified copy of which rule shall be recorded and indexed in the Recorder's office of the proper county, in like manner and with like effect as if it were a deed of conveyance from the said owners and parties interested to the said corporation. Upon the eutry of such rule the said corporation shall become seized in fee, or shall have the exclusive right, title and possession of all such lands, real estate, or claims described in said rule, as required to be taken as aforesaid, during the continuance of the corporation, and may take possession of

and hold and use the same for the purposes of said road, ditch, telegraph or flume, and shall therefore be discharged from all claim for any damages by reason of any matter specified in such

Letition, certificate or rule of said Probate Judge.

If at any time after an attempted or actual ascertainment of compensation under this act, or any purchases by, or donation to, said corporation of lands or claims for the purpose aforesaid, it shall appear that the title acquired thereby, to all or any part of such lands for the use of said corporation, or if said assessment shall fail, or be deemed defective, the said corporation may proceed and perfect such title, by procuring an ascertain ment of the compensation proper to be made, to any person who has title, claim or interest in, or lives upon such lands, and by making payment thereof in the manner hereinafter provided as near as may be; and at any stage of such new proceedings, or of any proceedings under this act, the Probate Judge may by rule in that behalf made, authorize the said corporation, if already in possession, and if not in possession, to take possession of and use said premises during the pendency, and until the final conclusion of such proceedings, and may stay all actions and proceedings against such corporation, on account thereof; Provided such corporation shall pay a sufficient sum into Court or give approved security to pay the compensation in that behalf when ascertained and in any case, when possession shall be so author ized it shall be lawful for the owners to conduct the proceed ings to a conclusion if the same shall be delayed by the company. The said appraisers shall receive ten dollars per day as compensa tion for each day actually employed, such compensation to be taxed and allowed by the Probate Judge. If any appraiser so ap pointed, shall die, be unable or fail to serve, the Court may appoint another in his place, on reasonable notice of the application, to be approved by the Probate Judge. Applications may be made to the District Court in the same manner as herein provided and the District Court may thereupon cause such proceedings to be had and taken in like manner, and with the same effect as herein required respecting the Probate Court.

Strike out the word "flume" in the 13th line from the bot tom of Section 42; and add to said section the following: "The time for the completion of any flume constructed under the provisions of this act, shall not be extended beyond a period of four years,"

To which amendments you are respectfully asked to concur.

The Council has also passed

C. S. to H. B. No. 29, a bill for an act for the protection of farmers against the depredations of Stock in Douglas and Weld counties. of the corporation, and may take possession

ditch, om all n such

rch 10.

ent of nation esaid, y part ssessration rtain-

nd by ed as or of rule eady fand conpro-

vided hen horeedany. 1152-

be appint be ade led 293

ect othe hc of

1.

C. B. No, 48, an act to exempt soldiers from service by publication in suits at law.

C. B. No. 50, an act to repeal an act, entitled an act to incor-Porate the Tarryall and Arkansas River Wagon Road Company All of said bills herewith transmitted; and the concurrence of your Honorable Body therein is respectfully requested.

doams Horbundlo Hanismo a Very respectfully, 1889 M - 807 A

Koontz, KANYNE, J. Deper, Marsh, McCannon, Nye, Orte soo W note W Sec'y of Council, and

Mr. Holland moved that H. B. No. 76 be taken up for consideration. Carried. and hooses offit by a hosses lid od office

H. B. No. 76 taken up for consideration.

Mr. Holland moved that the bill be considered engrossed. Carried of stimon guisd noite up adt hus

Mr. Holland moved that the bill be read a 3d time for final Passage. Carried. Alora Carried.

H. B. No. 76, an act to incorporate the Central City and Idaho Wagon Road Company was put upon its final passage.

Mr. Ripley moved to amend by adding section as follows: "That all fines incurred by the provisions of this act shall be paid into the County Treasury for the use of Common Schools." Vo. 6 being the special order for the hour, wa.beirraDap.

The question then being upon the final passage of the bill,

The ayes and noes were,

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, Welton, Woods-18.

Noes-Messrs. White, Webster, Mr, Speaker-3.

Ayes, 18; noes, 3.

So the bill passed and title agreed to.

II. B. No. 56, an act to re-locate the county seat of Clear Creek County, was and read the 1st and 2d time.

Read a 3d time, and the question being upon ifs final passage,

The ayes and noes were, Lames, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker-21. ob savoll off tody beyon reged in

Noes, none. And have uppoint A. O. A. H. of strombus of A.

Ayes, 21; noes, 0. Ir, Judd moved that the House do coner beased lid shroad

Mr. Koontz moved to amend the title by striking out all of

title, and insert as follows: belles amod som bar

"An act to amend an act, entitled an act to establish the mode of locating and changing County Seats, approved November 7th, 1861. White, Woods, Mr. Spenker-17.

C. B. No. 48. an act to exempt soldiers from servibeirraDab-

Title as amended agreed to.

H, B. No. 73, an act to incorporate the Excelsior Ditch Company, was boolf agon Wayness River Wagon Roadsaw, yang

Read a 3d time, and the question being upon its final passage,

The ayes and noes were; a morant vool olderonoll apov

Ayes-Messrs, Chever, Eames, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Welton, Woods-17.

Noes—Messrs. Stansell, White, Webster, Mr. Speaker—4.
Ayes, 17: noes, 4.

So the bill passed, and title agreed to. Dornal meinstelle

H. B. No. 68, "An act to provide for the payment of the clerks and other officers of the Legislative Assembly," was

Read a 3d time, and the question being upon its final passage,

The ayes and noes were,

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ripley, Sheldon. White, Webster, Welton, Woods-17. and back nouself of

Noes-Mr, Stansell, Mr. Speaker-2.

Ayes, 17; noes, 2. strong od yd bemneni seni lla hall

So the bill passed, and title agreed to.

C. B. No. 6 being the special order for the hour, was taken up. And the question being upon its final passage.

The ayes and noes were,

Ayes—Messrs, Chever, Eames, Garcia, Holland, Henson. Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, Wedster, Welton, Woods-19. Noes-Mr. White, Mr. Speaker-2.

Ayes, 19; noes 2.

So the bill passed, and title agreed to. a began lind and all

Mr. Koontz moved that C. S. for H. B. No. 29 be taken up, and read the 1st and 2d time.

Read a Sd time, and the question being upon its hubeing Se,

C. S. for H. B. No. 29 read a first and second time,

Mr. Koontz moved that the rules be suspended, and the bill be read a 3d time for final passage. A distribution of the Motion lost.

Mr. Leeper moved that the House do concur in Council Amendments to H. B. No. 47.

Carried,

Mr. Judd moved that the House do concur in Council Amendments to H. B. No. 43; and

The ayes and noes being called for, and ordered, were,

Aves Messrs, Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, McCannon, Nye, Ortega, Ripley, Stansell, White, Woods, Mr, Speaker-17.

h 10.

Jom-

sage,

son,

rte-

the

ge,

on,

m.

p:

n. e-

Noes-Messrs, Leeper, Marsh, Sheldon, Webster, Welton-5. Ayes, 17; noes, 5. All file of to at a mendal mental forms.

So the House concurred in the amendments.

Mr. Chever, from the committee on Enrollment, reported C. Bs. No. 30, and H. B's. Nos. 16, 35, 48, 57, and H. J. R. No. 8, correctly enrolled, a control of atnombnome mile, or other evidence tool noiteM

Report received.

Mr. Ripley moved that ad Hid add tadt beyom stid W . IM

H. B. No. 84 be taken up for consideration. Agassag land rol Mr. Ripley moved that the House do concur in the Deiras el

H. B. No. 84 read and considered, and amendment proposed

by the committee on mines and minerals adopted. Mr. Holland moved to amend, by adding thereto the following: "Who shall record the same in conformity with the local laws of the mining district in which the lode may be situated: Provided, no one lode shall be recorded more than eight hundred feet

from the discovery, each way." Mr. White moved to amend the amendment, by striking out after the word "laws," all to the word "situated;" and strike out the word "local;" and insert after the word "laws" of Colorado Territory."

EXECUTIVE DEPARTMENT, DETTE

Amendment as amended adopted.

Mr. Ripley moved that the bill be ordered engrossed, as

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows: 9001998 yeb

Bills, certified to have originated therein, viz: .sga Council Chamber, March 10, 1864. MR. SPEAKER: I am instructed to inform the House that the

Council have adopted the following Resolution and to norther "Resolved, That a joint committee of two from the Council, and three from the House of Representatives shall be appointed to ascertain whether any errors exist in the enrolled copy of

C. B. No. 25, "An act granting to Francis Smith the right to erect and maintain a bridge across the South Platte River,"

And to correct the same, and report their action to their respective Houses, and have appointed Messrs. Loveland and Berry, and ask that your Honorable Body appoint a like committee on the part of the House.

The Sergeant-at-arms any low respectfully are smication from the Council which, & ZINYALHe Ban read, as follows: W Hid out ve Secretary of the Council.

The Speaker appointed Messes, White, Chever and Holland 

Ir

Mr. Ripley moved to take up H. B. No. 26, and consider Council amendments to the bill.

H, B. No. 26 taken up, and amendments considered.

Mr. White moved that the House do not concur in Council amendments to Section 1.

Motion lost.

Mr. White moved that the bill be read a 3d time by its tifle, for final passage. The street and the next of the street as a

Mr. Ripley moved that the House do concur in the Council

amendments to the bill. Is Jens less base less 48, da at II

Mr. White moved that C. B. No. 29 be taken up for consideration, Carried.

C. B. No. 29 taken up and considered.

Mr. Ripley moved that the bill be indefinitely postponed.

Carried.

The Sergeant-at-arms announced a message from the Governor by his private Secretary, which was received and read, as

## EXECUTIVE DEPARTMENT, C. T., March 10, 1864.

To the Honorable J. B. Chaffee, Speaker of the House of Representatives :

SIR-I have the honor to inform the House that I have this day approved and signed the following Joint Resolutions and Bills, certified to have originated therein, viz:

Preamble and Resolution relative to State Government, An act to amend an act, entitled, an act providing for the collection of Revenue.

An act relating to Marriages. lection of Revenue.

An act to incorporate the Denver and Pacific Wagon Road

An act to confirm the appointment of W. S. Walker as Superintendent of Public Schools, and for other purposes.

Very respectfully, your obedient servant,

JOHN EVANS, Governor of Colorado.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

COUNCIL CHAMBER, March 10, 1864. MR. SPEAKER: I am instructed to inform the House that the 

sider

uncil

title,

incil

sid-

OV-

, as

re-

his

nd

1-

d

1-

h 10.

H. B. No. 40, an act to incorporate the Rocky Mountain Exploring, Prospecting and Mining Company," with the following amendments, viz:

Strike out Sections 3 and 4,000 of the no. Od and

Add Section 8. Nothing in this act contained shall be held or construed to authorize said corporation to make, sign, issue, emit, or circulate any bank bills, or other evidence of indebted-

ness, to be used or circulated as money. I more sup of bak SEC. 9. Nothing in this act contained, shall be held or construed to vest in the corporation hereby created any rights or Privileges not possessed by natural persons, citizens of this Ter-

ga, Ripley, Sheldon, Stancoll, White, Webster, Welton, Lyrotin Also, they have passed

C. B. No. 54, a bill for an act to amend an act, entitled, "An act concerning Wills, Executors, and Administrators."

C. B. No. 59, an act for the collection of demands for improvements on the Public Lands—herewith transmitted;

And the concurrence of your Honorable Body is respectfully requested therein. Very Respectfully, mondated all

C. B. HAYNES, myoliot Secretary of the Council.

Mr. Speaken: Your Committee to whom was referred Mr. Marsh moved that C. B. No. 23 be taken up for consideration, or Carried. businesses bluow yell that troper of evasions

C. B. No. 23 read and considered. abusing proposition and fifting

Mr. Ripley moved that the bill be indefinitely postponed. Lost.

Mr. Marsh moved that the bill be read a 3d time by its title, for docketing each suit, tilky cents. . spassage for final passage.

Carried. ... etnes evil-vine wt esse in motion dess toll C. B. No. 23, an act to authorize clerks of Courts of Records, Probate Judges, and Justices of the Peace, to issue subpomas to witnesses to appear before the Register and Receiver of the Land Office, Trillob end snouthing to trive dose to the

Was read a 3d time by its title, on the principle and

And the question being upon its final passage,

The ayes and noes were a mongoni land garrette will

Ayes Messrs. Garcia, Holland, Judd, Leeper, McCannon. Nye, Ortega, Sheldon, Stansell, Mr. Speaker-10.

Noes-Messrs. Chever, Henson, Koontz, Kelley, Lynch, Marsh, Ripley, White, Webster, Welton, Woods-11. band

For entering return on any writ or :11 . soone; 10, yes, 10

So the bill was rejected. tions, thirty cents. Mr. McCannon moved that C. B. No. 50 be taken up, and For certificate making out and recommit be and a lat and 2d time out and read a lat and 2d time out and read a lat and a lat and lat a lat

in cases of persons declaring their intention to bebeing out C. B. No. 50 read a 1st and 2d time by its title and to suex

Mr. Stansell moved that the rules be suspended, and the bill read a 3d time for final passage.

C. B. No. 50, an act to repeal an act, entitled an act to incorporate the Tarryall and Arkansas River Wagon Road Company, .ogie .oriem of neithrouse his exceeding of bearismon 10 Was read a 3d time, distribution and a state of the state

And the question being upon its final passage, and of seed

The aves and noes were,

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods -20.

Noes-Mr. Speaker-1. Speaker-1.

Ayes, 20; noes, 1. The hors enclosed all M off records 154

So the bill passed, and title agreed to.

Mr. Stansell asked leave to withdraw H. B. No. 62, and

On motion, leave granted, and bill withdrawn.

Mr. Marsh, from the committee on Judiciary, submitted the following report, viz:

Mr. SPEAKER: Your Committee, to whom was referred C. B. No. 33, having had the same under consideration, beg leave to report that they would recommend the passage thereof, with the following amendments, viz:

Insert immediately preceding the words "sheriff's fees," the

"Clerk's fees in the Supreme Court-For docketing each suit, fifty cents.

For each motion in a case, twenty-five cents.

For each order made, interlocutory motion, continuance er otherwise, twenty-five ceuts.

For indexing suit, fifty cents.

For each writ or summons, one dollar.

For entering appearance of attorneys, twenty-five cents each For filing each paper required to be filed, twenty cents.

For entering final judgment, seventy-five cents.

For recording all papers required to be recorded, fifteen don, Signsell, cents per hundred words.

For making complete records, fifteen cents for each one

hundred words.

For entering return on any writ or process, except executions, thirty cents.

For taking acknowledgment of deed, fifty cents.

For certificate making out and recording the first papers in cases of persons declaring their intention to become citizens of the United States, two dollars,

For naturalization final oath and record, five dollars.

For adminestering oaths, and adding jurat to affidavits, A ros Messrs. Chever, Garcia, Molla et el en A Taking depositions, fifteen cents per folio. 7010 A 2000 A

-10. bill

jinom-

idd, rteods

the

of, 10

eg

ce h.

e 1-

n

For certificate to attorneys, to practice, five dollars. For recording certificate for U. S. Commission, two dollars. Administering oaths, ten cents. For fee bill, one dollar.

For docketing fee bill, twenty-five cents. and flid out of Entering return of execution, twenty-five cents,"

Insert the following immediately preceding the words, "Fees of County Attorney:" ... berediance bus been 10 of 10

"That so much of said act as relates to the County Clerk's fees, be amended as follows-

Adminestering each oath, ten cents, groom south lie and T Taking any acknowledgment, fifty cents. and other bing od

For every instrument authorized to be recorded, first one hundred words, forty cents.

For each additional folio, fifeen cents, your gioras , all

Copies of records, per one hundred words, fifteen cents. For making abstract of title, for each conveyance, lifty be read the third time, and put upon its final passage". stnes

Respectfully submitted, MARSH, Chin. The fill be read the third time by its tille.

Mr. Eames from the Committee on Agriculture reported animals, was read a third time by its fitle, and the sawollo

MR. SPEAKER: Your committee on Agriculture to whom was referred,

C. B. No. 57, have had the same under consideration and report the same back to the House, and recommend its passage without amendment.

C. S. to H. B. No. 29, and report the same back to the House, and recommend its passage without amendment.

J. II. EAMES, Ch'n.

Mr. Ripley moved that the House do concur in Council amendments to H. B. No. 40. Carried. U. B. No. 37, read and considereds

Mr. Koontz, moved that C. S. to H. B. No. 29, be taken up. Carried. out at 10 o consessay land sti noun buy bus omit

Mr. Koontz, moved that the rules be suspended, and the bill be read a third time for final passage. 108 48.00 . 18 .00 . 18 . 18 Carried. ban ayes after gassay tank sti noqu guied ", shood

Mr. Judd moved that the bill be considered read. Marsh, Nye, Ortega, Ripley, Sheldon, White, Webstabsirason,

C. S. to H. B. No. 29, an act for the protection of "Farmers

against the depredations of Stock in Douglas and Weld County," being upon its final passage, the ayes and noes were,

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, Webster, Welton, Woods, 17.

Noes-Mr. White, Mr. Speaker, 2.

Ayes—17. Noes—2.

So the bill passed and title agreed to. of published to a

Mr. Sheldon moved to take up C. B. No. 57, for considerac. B. No. 57, read and considered.

Mr. Ripley moved the adoption of the following additional lees, be amended as lollows

section, viz. That all fines accruing under the provisions of this act, shall be paid into the County Treasury for the use of Common Schools.

Carried.

Mr. Garcia, moved that the bill be indefinitely postponed. Losto foedla show berband one org shoed to

Mr. Sheldon moved that the rules be suspended, and the bill be read the third time, and put upon its final passage. stage

Mr. Judd moved that the bill be read the third time by its title. Carried.

C. B. No. 57, an act relating to contagious diseases, among animals, was read a third time by its title, and the question

being upon its final passage the ayes and noes were,

Ayes-Messrs. Chever, Holland, Henson, Judd, Koontz. Kelley, Lynch, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker, sak without amendment, -19.

Noes-Mr. Garcia-1. Comprehense rebunded over the

Noes 19. Moes 19. Noes 1.

So the bill passed and title agreed to.

Mr. Marsh moved that,

C. B. No. 37, be taken up for consideration.

Carried.

C. B. No. 37, read and considered.

Mr. Marsh moved that the bill be considered read a third time, and put upon its final passage. Mr. Koonte, moved that the

Carried.

C. B. No. 37, "an act relating to the sufficiency of official bonds," being upon its final passage the ayes and noes were, Ayes-Messrs. Chever, Garcia, Henson, Kelley, Lynch, Marsh, Nye, Ortega, Ripley, Sheldon, White, Webster, Welton,

Woods, 14. o merestead out for the material c. No. 2. H ot 200

Coun-

h 10.

Judd, Shel-

dera-

shall mon

ned.

tle.

ong

tz. eler,

d

11 2,

9

Noes-Messrs. Holland, Koontz, McCannon, Stansell, Mr. Speaker-5.

Excused, Mr. Judd.

Ayes—14. Noes—5.

So the bill passed and title agreed to.

Mr. Koontz, from the committee on engrossment reported, H. B. No's. 78 and 84, correctly engrossed.

Report received.

Mr. Holland moved that the House do now adjourn until 2 o'clock this Afternoon, or until the close of the Convention, to meet this Afternoon

Mr. White moved to amend by adjourning until half-past 3

o'clock, p. m.

Amendment accepted. Motion as amended, Carried.

The House adjourned.

#### AFTERNOON SESSION.

The IIouse met at 3½ o'clock p. m., pursuant to adjournment. The Speaker in the chair.

Roll called.

Absent-Messrs. Chever, Eames, Kipp, Marsh, Mallory, Patterson, Welton.

Quorum present.

Mr. White moved that the House do now adjourn until 9 o'clock, a. m., to-morrow.

Mr. Ripley moved to amend by making it 7 o'clock, this evening

Motion lost.

Original motion carried.

And the House adjourned until 9 o'clock a. m., to-morrow.

# FRIDAY, MARCH, 11th, 1864.

The House met at 10 o'clock a. m., pursuant to adjournment. The Speaker in the chair. Prayer by the chaplain.

Roll called,

Absent-Messrs. Kipp, Mallory and Patterson.

Mr. Chever, from the committee on enrollment, reported

M

of

CI

i

i

H. B.'s Nos. 49, 59, 75, H. J. R. No. 6. H. B.'s Nos. 22, 64, 47, 80, 83, 77 and 43; also, C. B.'s Nos. 13 and 28 correctly engrossed.

Report received.

Mr. Lynch, from the committee on federal relations, reported

as follows:

MR. SPEAKER: The committee on federal relations, to whom was referred H. J. M. No. 2, beg leave to report that they have had the same under consideration, and believe that could the objects therein set forth be secured to the people of this Territory by the Congress of the United States, the benefits accruing therefrom would be incalculable, and give a new impetus to the development and future growth of our country, and would, therefore, report the same back to the House with the recommendation that it pass.

J. G. LYNCH, Ch'n.

Report received.

Mr. Ripley, from the committee on education, reported as follows:

MR. SPEAKER: Your committee to whom was referred

C. B. No. 56, an act to amend "an act to establish the common school system, have had the same under consideration, and would ask leave to report the same back to the House without recommendation.

All of which is hereby respectfully submitted.

D. RIPLEY, Ch'n.

Report received.

C. B. No. 54, an act to amend an act concerning wills, executors and administrators, was

Read a first and second time by its title.

C. B. No 59, an act to provide for the collection of demands for improvements on the public lands, was

Read a first and second time by its title.

C. B. No. 48, an act to exempt soldiers from service by publication, was

Read a first and second time by its title.

The Sergeant-at-Arms, announced a communication from the Council, which was

Received and read as follows:

Council Chamber, March 11, 1864.

MR. SPEAKER: I am instructed to inform the House that the Council has passed

H. B. No. 41, an act entitled "an act to relocate the Capitol

2, 64, y en-

h 11.

rted

hom rave the erriiing

the uld, om-1.

28

n, h-

u-

B

of Colorado Territory," with the following amendments, to one, thereof, shall be held to apply to persons senting after tiw

Strike out section 2, 3 and 4, and insert

SEC. 2. That at the election to be held in the month of September, A. D., 1864, the legal voters of this Territory shall declare by ballot whether the Seat of Government of Colorado Territory shall be located at Central City, in the County of Gilpin, at Golden City, in the County of Jefferson, at Denver City, In the County of Arapahoe, which ballot may be in the follow-. 58, an act to incorporate the Black Har: maof gui

"For Central City," to be used by those voting for Central City. "For Golden City," to be used by those voting for Golden City." "For Denver City," to be used by those voting

Denver City to intrict Union of School District Vijo School Denver City to Interior Vijo School Denver City Vijo S SEC. 3. The returns of such election shall be canvassed in the several counties and returned to the Secretary of the Territory, and be canvassed by the Auditor, Treasurer and Secretary of the Territory in like manner as in cases of the election of Territorial officers.

After such returns shall have been canvassed, as aforesaid, the Governor shall issue his proclamation, declaring the result of such election, and if the highest number of legal votes shall be east in favor of Central City, the said Central City, in the County of Gilpin, shall, thereupon be, and become the Seat of Government of said Territory, and if the highest number of vo'es shall be cast for Golden City, the said Golden City shall be and become the Seat of Government of said Territory; and If the highest number of votes shall be cast in favor of said Denver City, the Seat of Government of said Territory shall remain at Denver City, in the County of Arapahoe.

Also, out moved to anear the or supulmous blue or dream Strike out sections 2, 3 and 4 of the bill, norms out or bbA:

In cases when the amount due exceeds twenty-five locates. H. B. No. 25, "an act to regulate irrigation," with the following amendments, viz:

Strike out the words in the third line of section one, after the word "improving," as follows : mon sobeen House

"And who have filed on, under the pre-emption act of 1841, or entered upon, under the Homestead act of 1862.

Insert after the word "person," in the 6th line of section

fifteen, the word "wrongfully."

Insert after the word "ditch," in 6th line of section fifteen the words "or wrongfully obstruct the flow of the water in such

Strike out the word "and," in the 7th line of said section, and insert "or" instead thereof. have all see an insert "or"

Add to section 22 as follows:

Ma

PII

HI

0

ins

re

88

SEC. 22. All the provisions of this act, excepting section one, thereof, shall be held to apply to persons settling after the passage of this act as well as to those settling previous thereto.

Add section 23. That the provisions of this act shall not be construed to extend, or to affect Jefferson, Costilla, Conejos, Boulder. Weld or Larimer counties.

Also.

That the Council has concurred in and passed without amendment.

II. B. No. 58, an act to incorporate the Black Hawk Mining Company.

Also,

H. B. No. 61, an act to legalize the acts of the Superintendent and Board of Directors of School District No. 5, in the County of Arapahoe, in certain cases.

Also.

II. B. No. 71, an act to amend "an act to define County boundaries, and to locate County Seats in Colorado Territory Also.

That the Council has passed

H. B. No. 21, an act relating to lawful fences and the tresspassing of animals, with the following amendments, viz.

Insert after the word "Clear Creek," in 5th line of section 12,

the word "Jefferson County."

All of said bill is herewith transmitted, and the concurrence of your Honorable Body therein is respectfully asked.

Also,

That the Council have concurred in House amendments to C. B.'s Nos. 36, 49, 27 and 44; and also, they concur in House amendments to C. B. No. 35, with the following amendment to said amendments, to wit:

Add to the amendment to section four, as follows:

"In cases when the amount due exceeds twenty-five dollars," and the concurrence of your Honorable Body therein is respectfully requested.

Also,

The Council recedes from the amendments to H. J. R. No. 7 and H. B. No. 38, herewith transmitted.

Very respectfully,

C. B. HAYNES, Sec'y of the Council.

Mr. Judd moved that

H. B. No. 82 be taken up for consideration. Carried.

H. B. No. 82 was read and considered.

Mr. Lynch moved to strike out the word "three," before "dollars," and insert the word "two."

ection

ch II.

er the ereto. ot be rejos,

endning

endthe

nty ory

ess-12, ce

to in 1-

Mr. Sheldon moved to insert in the blank "Fremont, El Paso, Pueblo, Park, Lake, Summit, Douglas, Conejos, Costilla and Huerfano counties. The Speaker appointed Mosers, Judd, Holland an beirra

Mr. Ripley moved that Weld and Larimer counties be also inserted in the blank. A Dogwood of the bound bound of the

Carried.

Mr. Judd moved that the bill be considered engrossed, and read a third time for final passage. Carried.

H. B. No. 82, an act amendatory of "an act to establish the common school system, was

Read a third time, and the question being upon its final pas-

The ayes and noes were:

Aves-Messrs Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Nye, Ripley, Stansell, Webster, Welton and Woods-15.

Noes-Mes rs. Leeper, McCannon, Ortega, Sheldon, White, Ayes—15.

Noes—6. So the bill passed and title agreed to.

Mr. Judd moved to take up C. B. No. 35 for consideration. Carrie 1.

C. B. No. 35 was taken up and considered with amendments. Mr. Judd moved that the House do concur in the Council amendments to the bill. ogser anoidslayer has awal guinnitani

Carried.

Mr. Judd moved to take up H. B. No. 56 for consideration. Mr. Koontz moved to amend by taking the bills in the order In which they stand on the calender. Carried. Carried.

The Sergeant at-arms announced a message from the Governor by his private Secretary, which was received and read as McCannon, Nye, Ortega, Ripley, Starsell, Welte: siv, swollof

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, DENVER, March, 11th, 1864.

To the Hon. Jerome B. Chaffee, Speaker of the House of Repre-Sentatives: 19 December and to the case of the sentatives:

SIR: I have the honor to lay before the House the amended report of the Adjutant General of the Territory, Very respectfully,

Your obedient servant,

Governor of Colorado.

Ma

10

28

to

Mr. Judd moved that the report of the Adjutant-General be referred to a special committee.

Carried.

The Speaker appointed Messrs. Judd, Holland and Sheldon such committee.

Mr. Holland moved to take up C. B. No. 53 for consideration.

Carried.

C. B. No. 53 was read and considered.

Mr. Holland moved to lay the bill on the table.

Carried.

H. B. No. 84, an act regulating the recording of lode claims, was read a third time.

Mr. McCannon moved to lay the bill on the table.

Mr. Holland moved to strike out section two,

The ayes and noes being called for and ordered, were:

Ayes-Messrs Garcia, Holland, Kelley, McCannon, Nye, Ripley and Woods-7.

Noes-Messrs. Henson, Koontz, Lynch, Leeper, Marsh, Ortega, Stansell, White, Webster, Welton and Mr. Speaker-11.

Aves—7. Noes-11.

So the motion was lost.

Mr. Holland moved the adoption of the following additional section:

That nothing in this act shall be so construed as to prohibit miners in distant and unorganized parts of the Territory from instituting laws and regulations respecting the pre-emption of mining and and other claims.

Motion lost. 1 30 of A A A as of so boven book all

The question then being upon the final passage of the bill,

The aves and noes were:

Ayes-Messrs. Eames, Henson, Judd, Lynch, Leeper, Shel-

don, White, Webster and Mr. Speaker-9

Noes-Messrs. Garcia, Holland, Koontz, Kelley, Marsh, McCannon, Nye, Ortega, Ripley, Stansell, Welton and Woods -12.Ayes 9.4T our south aversaged strain 29

Noes-12. MIL ALTER AND MANY MELL

So the bill was rejected.

H. B. No. 78, an act to prevent unlicensed persons from Practicing medicine, was

Read the third time, and the question being upon its final

The aves and noes were:

Ayes-Messrs. Eames, Holland, Henson, Judd, Koontz, Leeper, Marsh, Sheldon, White and Webster-10.

h 11.

eldon

ation.

ims,

Tye,

rte-

bit of

1-

3

1

Noes-Messrs. Garcia, Kelley, Ripley, Stansell, Welton, Woods and Mr. Speaker-11.

Ayes—10. Ages—11. model of S to N. R. L. D dedt bevom to the same of the same

So the bill was rejected.

Mr. White, from the committee on ways and means, reported as follows:

MR. SPEAKER: Your committee to whom was referred H, B. No. 81, have had the same under consideration, and beg leave to report the same back and recommend its passage.

M. C. WHITE, Ch'n.

Read a third time, and the question being upon its final past

Mr. Marsh moved to take up C. B. No. 33 for consideration.

C. B. No. 33 was read and considered with Council amend-

Mr. Judd moved that H. R. No. 13 be suspended for to-day. Motion lost,

Mr. Marsh moved to amend the bill as follows:

Insert "fees of the clerk of the Supreme Court" immediately before the word "Sheriff," in the 16th line from the bottom of section one.

Carried.

Mr. Marsh moved that the amendments proposed by the committee on judiciary, be adopted.

Mr. Marsh moved that the bill be read a third time by its title for final passage.

C. B. No. 33, an act in relation to counties and county officers, was

Read a third time by its title, and the question being upon its final passage,

The ayes and hoes were: . 170, dansh, Leeper, donz. . vel

Ayes—Messrs. Eames, Garcia, Henson, Judd, Kelley, Leeper, Marsh, Nye, Ripley, Sheldon, Stansell, White and Woods—13. Noes—Messrs. Holland, Koontz, McCannon, Ortega, Webster and Mr. Speaker—6.

Ayes—13.

Mr. Loontz moved that the flouse do now go. 6-10-100

So the bill passed and title agreed to no slody and to settlim

Mr. White moved that II, B. No. 81 be read for consideration,

After some time spent therein, the committee aroscherical

H. B. No. 81 was read and considered. add at realeged adT

M:

fo

H

H

Mr. White moved that the bill be made the special order for 2 o'clock p. m.

Carried.

Mr. White moved that C, J. R. No. 3 be taken up for consideration.

Carried.

C. J. R. No. 3 was read and considered.

Mr. White moved that the bill be read a third time for final passage.

Carried.

C. J. R. No. 3, in relation to compensation to Samuel Howe, Sheriff of Arapahoe county, was

Read a third time, and the question being upon its final pas-

The ayes and noes were.

Ayes—Messrs. Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, McCannon, Nye, Ortega, Sheldon, Ripley, Stansell, White, Webster, Welton and Mr. Speaker—18.

Noes-Messrs, Leeper and Marsh-2. So the bill passed and title agreed to.

Mr. White moved to take up H. B. No. 81 for consideration.

Carried.

Mr. White moved to amend by inserting for "the payment of Samuel Howe four hundred and fifty-eight dollars and forty cents."

Carried.

Mr. White moved that the bill be read a third time for final passage.

Carried.

H. B. No. 81, an act making appropriations for the fiscal year ending Dec. 31, 1864, was

Read a third time, and the question being upon its final pas-

sage,

The aves and noes were:

Ayes-Messrs. Chever, Garcia, Holland, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Nye, Ortega, Ripley, Stansell, White. Welton and Mr. Speaker- 16.

Noes-Messrs. McCannon, Sheldon, and Webster-3.

Ayes—16. Noes-3.

So the bill passed and title agreed to.

Mr, Koontz moved that the House do now go into committee of the whole on the general file.

Carried.

The House then went into committee of the whole. After some time spent therein, the committee arose, The Speaker in the chair.

er for

h 11.

con-

final owe,

pas-

dd, on, 18.

n. nt ty

al ıl

Mr. Marsh, from the committee of the whole, reported as

MR. SPEAKER: The chairman of the committee of the whole having had H. B.'s Nos. 63 and 66 under consideration, report H. B. No. 63 back to the House without recommendation, and H. B. No, 66 back with a recommendation that it pass.

Also, all bills on general file, without recommendation.

Respectfully submitted, of guilov A. MARSH, Ch'n.

Mr. Welton moved to take up C. B. No. 31 for consideration. Motion carried.

C. B. No. 31 was read and considered.

Mr. Kelley moved that the bill be read a third time by its title for final passage.

Carried,

C. B. No. 31, an act to operate a ferry on the Arkansas river,

Read a third time by its title, and the question being upon its final passage,

The ayes and noes were:

Ayes—Messrs. Garcia, Judd, Kelley, Lynch, Leeper, Marsh, Ortega, Ripley, Sheldon, Stansell, Webster, Welton and Mr. Speaker-13,

Noes—Messrs. Eames, Koontz, Nye and White—4. Ayes-13. Ayes-13. Ayes-13. Ayes-13. Ayes-13.

So the bill passed and title agreed to.

Mr. Sheldon moved that the House do not concur in Council amendments to H. B. No. 25.

Carried.

Mr. Judd moved that the House do not concur in Council amendment to H. B. No. 41,

Mr. Marsh moved that the further consideration of the motion be deferred until 2 o'clock p, m.

Carried.

On motion of Mr. Marsh,

On motion of Mr. Marsh, The House adjourned until 2 o'clock p. m.

### AFTERNOON SESSION.

The House met, pursuant to adjournment, at 2 o'clock p. m. The Speaker in the chair.

Absent-Messrs. Kipp, Mallory, Patterson.

Quorum present.

H. B. No. 41 being the special order for the House, Was taken up.

33

The question pending being upon the motion that the House do disagree to the Council amendments to the bill.

Mr. Webster moved to amend Council amendments as fol-

lows:

After the word "Arapahoe," in 9th line of section 2, insert "or Canon City, in the County of Fremont;" also, add at the end of the same section "for Canon City to be used by those voting for Canon City."

Carried.

Mr. Webster moved to amend section 3 by inserting in the

proper place the following:

"And if the highest number of legal votes shall be cast for Canon City, the said Canon City, in the County of Fremont, shall, thereupon, be and become the Seat of Government of said Territory.

Carried.

Mr, Marsh moved that the words "City of Black Hawk" be inserted after the word "Central City," when it occurs in the bill.

Carried.

Mr. Kelley moved to lay the bill on the table, and

The ayes and noes being called for and ordered, were:

Ayes-Messrs. Garcia, Holland, Henson, Judd, Kelley, Lynch,

Ripley, Sheldon, Webster and Welton-10.

Noes—Messrs. Chever, Eames, Koontz, Leeper, Marsh, McCannon, Nye, Ortega, Stansell, White, Woods and Mr. Speaker—12.

Ayes—10.

Noes-12.

So the motion was lost.

Mr. Lynch moved that the bill, with amendments, be referred to a special committee.

Lost.

The question then recurring upon the motion not to concur in Council amendments,

Carried.

The Sergeant-at-arms announced a message from the Governor by his private Secretary, which was received and read, as follows:

EXECUTIVE DEPARTMENT, C. T., DENVER, March 11, 1864.

To the Hon. Jerome B. Chaffee, Speaker of the House of Representatives:

SIR: I have the honor to inform the House that I have this day approved and signed the following resolutions and bills, certified to have originated therein:

House

ch 11.

as fol-

insert

1 the

st for iont, at ot

" be the

rsh. Mr.

red

eur

Vas

is

8.

at the those

ach,

n-

Joint resolution for compensation to Fred J. Stanton, for services on publication of the statutes of the Legislative

An act to amend an act entitled "an act to regulate and establish Territorial Roads."

An act to amend an act entitled "an act regulating elections."

An act concerning weights and measures.

An act to legalize the records of Fremont County.

An act to amend an act entitled "an act to incorporate the

Consolidated Ditch Company."

An act to amend an act entitled "an act to provide for the increase and time of the meeting of the Legislature, approved Nov. 8th, 1861.

An act to authorize and enable Robert W. Steel to sell aud

convey certain mining claims,

An act to prevent speculation in Territorial and County scrip. Very respectfully, your obedient servant,

JOHN EVANS, Governor of Colorado.

Mr. Webster moved that the House do concur in Council amendments to H. B. No. 21,

Mr. Ripley moved to reconsider the vote on the motion not to concur in Council amendments to H. B. No. 41, and

The ayes and noes were,

Ayes-Messrs, Chever, Eames, Garcia, Koontz, Leeper, Marsh, Nye, Ortega, Ripley, Stansell, White, Webster, Woods and Mr. Speaker—14.

Noes-Messrs. Holland, Henson, Judd, Kelley, McCannon,

Sheldon and Mr. Welton-7.

Ayes—14. Noes—7,

So the motion prevailed.

Mr. Koontz moved to strike out section 2, of Council amendments as amended, and insert "the people of this Territory shall, at the next general election, designate some town or place, by their ballots, for the Capitol of this Territory, and the town or place receiving the highest number of votes, shall be declared to be the Capitol."

Mr. Sheldon moved to amend the amendment as follows: Strike out the words "highest number of votes" and Insert a majority of all the votes. Lost.

The question being upon the amendment, was lost.

The question then being upon the motion not to concur in Council amendments, and the Tobstol

The ayes and noes being ordered and called, were:

Ayes—Messrs, Garcia, Holland, Henson, Judd, Kelley, Lynch, Leeper, Nye, Ortega, Ripley, Sheldon, Stansell and Mr. Welton—13.

Noes—Messrs. Chever, Eames, Koontz, Marsh, McCannon, White, Webster, Woods and Mr. Speaker—9.

Ayes—13. Noes—9.

So the motion prevailed.

Mr. Holland moved that the House do not concur in Council amendments to H. B. No. 25.

Carried.

The Sergeant-at-arms announced a communication from the Council, which was received and read as follows:

Council Chamber, March 11, 1864.

Mr. Speaker: I am instructed to inform the House that the Council has concurred in House amendments to C. B.'s Nos. 33 any 57, also, that the Council insists on their amendments to H. B. No 25.

Very respectfully, C. B. HAYNES, Secretary of the Council.

Mr. Ripley moved to take up H. B. No. 59 for consideration. Carried.

Mr. Ripley moved to amend as follows:

Add thereto; "Provided, also, that the use and occupation of such improvements as cannot be removed from the premises, shall be deducted from the amount to be removed as the value of said improvements. Carried.

Mr. Leeper moved to lay the bill on the table.

Carried.

Mr. Judd, from the special committee, reported as follows:
Mr. Speaker: The select committee to whom was referred
the report of the Adjutant General of Colorado Territory, ask
leave to report the same back to the House and recommend
that it be spread upon the journal of the House.

Report received, and on motion of Mr. Judd,

Adopted, and the report ordered spread upon the journal.

Office of the Adjutant General of C. T., March 10th, 1864.

To His Excellency, John Evans, Governor of Colorado Territory:

SIR: I have the honor to transmit through you, to the Legislative Assembly of Colorado Territory, a report from this Department.

Tellev, d Mr.

ch II.

nnon,

uncil

the

the

Vos. ts to

of es. ue

8: ed sk d To the Honorable, the Legislative Asssembly of Colorado Territory:

GENTLEMEN: I have the bonor to submit the following report of the state of the militia of Colorado Territory, organized under the provisions of "an act to organize the militia of Colorado Territory," approved August 14th, 1862:

Commander-in-Chief-Gov. John Evans.

Staff Officers-Adjutant and Inspector General-D. H. Mof-

Judfie Advocate—General Alvin Marsh. Paymaster—General Amos Widner. Quartermaster-General—John A. Nye. Verland of M. Charles In

Engineer-in-Chief-Hal, Sayr.

Aides-de-Camp-Major Jacob Stansell, Charles W. Mather. Robert Berry, W. D. Esterday and Wm. Dailey.

There are now eight organized companies, organized under

the militia law as follows, to wit:

The "Governor's Guards," organized September 13th, 1863, and officered as follows:

1st Lieutenant, Wm. Kiskadden. 2nd Lieutenant, Daniel Moyn. of both as his managerite both 3rd Lieutenant, John L. Dailey. Divide avides will ment gimpe

The "Central City Light Guards," organized August 1st, 1863, and officered as follows, to wit:

Captain, W. C. M. Jones. 1st Lieutenant, Gov. E. Wilson. 2nd " Hal. Sayr. viltooger teem at floidw do HA Ensign, T. J. Bower.

The "Boulder County Mounted Rifles," organized October 24th, 1862, and officered as follows:

Captain T. A. Aikin.

1st Lieutenant, Thos. J. Jones.

2nd "G. W. Chambers.
3rd "W. M. Barney.
Ensign, L. C. Wellman,
The "Buckskin Grays." organized in March, 1863, and officered as follows: and and the taseings and and the daylors.

Captain, J. B. Stansell. Minmo gnibusid sal to assured

1st Lieutenant, J. W. Buckman. 2nd W. H. K. Smith. B. M. Mallory.

The "Empire Guards," organized May 23d, 1863, and officered as follows, to wit: Asisbianos ben base to acidad H

Captain, Geo. H. Packard. inta of bovom .nonnaOoM .all 1st Lieutenant, Justus Cook. 2nd "J. W. Drips. 3rd of offit bar C. L. Bristol. id out that boyon ov A ...M.

Ensign, W. Meriman.

The "Evans Guards," organized June 20th, 1863, and officered as follows, to wit:

Captain, Andrew Jackson Pennock.
1st Lieutenant, Alfred Cushman.
2nd "Lewis W. Dickson.
3rd "Robert Woodward.

The "Elbert Guards," organized Nov. 11th, 1862, and officered as follows, to wit:

Captain, Frank Hall.

1st Lieutenant, L. D Judd. 2nd "H. M. Orahood.

Ensign, J. M. Combs.

The "Montgomery Home Guards," organized in February, 1863, and officered as follows, to wit:

Captain Hatch, (resigned.)
1st Lieutenant, E. H. Baker.
2nd "T. J. Cooper,
3rd "N. F. Spicer,

The above companies have been furnished with Garibaldi and Mississippi rifles and accourrements, sufficient to fully

equip them for active service.

The arms and accourrements have been furnished by the War Department and distributed by this Department on the order of His Excellency, John Evans, Commander-in Chief of the militia, upon bonds filed for their safe keeping and proper use,

All of which is most respectly submitted.

D. II. MOFFATT, Jr.
Adjutant General.

Mr. Holland moved that the select Committee to whom was referred the abstract of votes cast at the last general election be requested to report them and the abstract spread upon the Journal.

Carried.

Mr. Holland offered the following resolution.

Resolved, That the consent of this House be given to the Chairman of the Standing Committees for the employment of a Clerk and Messenger Lost.

Mr. Nye moved that H. B. No. 63, be taken up for considera-

tion.

Carried.

H. B. No. 63 read and considered.

Mr. McCannon moved to strike out the name of "Webster Christian."

Carried.

Mr. Nye moved that the bill be read a third time for final passage.

d offi-

offi-

ch 11.

Carried.

Mr. Judd moved that it be read by its title.

Carried.

H. B. No. 63, "an act to amend an act to incorporate the Cash Creek Fluming Company," was read a third time by its title.

Mr. Nye moved to amend by inserting an enacting clause to the bill.

Carried.

The question then being upon its final passage the ayes and noes were,

Ayes—Messrs. Eames, Holland, Henson, Nye, Ortega, Ripley, Sheldon, Webster, Stansell, Welton, and Woods—16.

Noes—Messrs. Koontz, Leeper, White, and Mr. Speaker—4.

Ayes—16.

Noes-4.

So the bill passed and the title agreed to.

The Sergeant-at-Arms announced a communication from the Council which was received and read as follows:

### COUNCIL CHAMBER, March 11, 1864.

Mr. Speaker: I am instructed to inform the House that the Council has concurred in and passed H. B. No. 68.

"An act to provide for the payment of Clerks and other officers of the Legislative Assembly," with the following amendments to-wit:

Insert in section 2, in blank left, for enrolling and engrossing clerks the word "six" in blank left for chief Secretary the word "four" in blank left for assistant Secretary the word "two" and in blank left for Sergeant-at-Arms the word "three" and the concurrence of your Honorable body in said amendments is respectfully requested.

Also, without amendment H. B. No. 65,

"An act to incorporate the Central City and Montgomery Wagon Road Company.

H. B. No. 28, an act for the collection of taxes from non-resi-

dent stock owners.

And also, H. B. No. 73, "An act to incorporate the Excelsior Ditch Company herewith transmitted:

Very respectfully,

C. B. HAYNES,
Secretary of the Council.

Mr. Marsh moved to take up, H. B. No. 45, for consideration. Carried.

iary.

aldi

Var r of nili-

vas be

ne of

r

1

M

fo

n

H. B. No. 45, read and considered.

M1. Marsh moved that the bill be read a third time by its title for final passage,

Carried.

H. B. No. 45, an act to incorporate the Ralston Creek and Black Hawk Wagon Road Company, was read a third time by its title and the question being upon the final passage of the bill the ayes and noes were,

Ayes-Messrs. Eames, Garcia, Henson, Judd, Kelley, Lynch,

Marsh, Nye, Ortega, Welton and Mr. Speaker-11.

Noes—Messrs. Chever, Holland, Ripley, Koontz, Leeper, White, Webster, and Woods—8.

Ayes—11. Noes—8.

So the bill passed and the title agreed to.

Mr. Welton moved to take up H. B. No. 52, with Council amendments,

H. B. No. 52, taken up and considered.

Mr. Welton moved that the House do now concur in Council amendments.

Carried.

Mr. White from special Committee reported as follows:

MR. SPEAKER: Your Committee to whom was referred abstract of votes cast at Territorial election in September, 1863, have had the same under consideration and beg leave to report the same back according to resolutions of the House, they having changed the vote of Summit County in accordance with the Official vote of said County.

M. C. WHITE, Ch'n.

Report received.

Mr. Koontz moved that,

H. J. M. No. 2 be taken up for consideration.

Carried.

H. J. M. No. 2 read and considered.

Mr. White moved that it be laid on the table.

Carried.

Mr. Ripley moved to take up H. B. No. 59.

Lost.

Mr. Marsh moved to take up C, B, No. 56 for consideration. Carried.

Mr. White moved to lay the bill on the table.

Carried,

Mr. Marsh moved to take up H. B. No. 66 for consideration. Carried.

H. B. No. 66 read and considered.

by its

ch 11.

zand ne by fthe

vnch,

eper,

incil

ncil

ab-363, ort avthe

Mr. White moved that the bill be read a third time by its title for final passage. Wavelqia Regen Oregen Marsh Marsh Neger Alleria

H. B. No. 66, "an act to define the right of Ranch owners in mining districts" was read a third time by its title and the question being upon its final passage the ayes and noes were,

Ayes-Messrs. Chever, Eames, Garcia, Holland, Lynch, Leeper, Marsh, Ripley, Sheldon, Stansell, White, Webster, 12. Noes-Messrs, Henson, Koontz, Kelley, Nye, Ortega, Welton, Woods, Mr. Speaker, 8.

Ayes 12 phote Mandarano arouso Noes—8.

So the bill passed and title agreed to.

Mr. Koontz moved to take up C. B. No. 48, for consideration.

C. B. No. 48, read and considered, or to the of the considered.

Mr. White moved that the bill be read a third time by its title. Carried! I guinesous set concerning Charita

C. B. No. 48, "an act to exempt Soldiers in the United States service, from service by publication" was read a third time by its title, the question being upon the final passage of the bill, the ayes and noes were, don't move to

Ayes-Messrs, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton, Woods, Mr. Speaker, 18.

Noes—0.

So the bill passed and title agreed to,

Mr. Koontz moved to take up C. B. No. 46, for final passage. Carried. C. B. No. 46, read and considered.

Mr. Ripley moved to strike out the word "commissioned" in section 3.

Carried.

Mr. Ripley moved to strike out the word "Execution" in section 8, and insert "executed."

Mr. Ripley moved to amend by adding the following section. Section "That all fines incurred under the provisions of this act shall be paid into the County Treasury for the benefit of Common Schools. bread first and second time! of betalagore

Mr. Marsh moved that the bill be read a third time by its title for final passage. Carried noved that House Rule, No. 17, be suspendiring

C. B. No. 46, "an act relating to Counties and County officers was read a third time by its title and the question being upon its final passage, the ayes and noes were, and hours were,

Ayes Chever, Eumes, Garcia, Holland, Henson, Judd, Kelley, Leeper, Marsh, Nye, Ortega, Ripley, White, Webster, Welton, Woods, Mr. Speaker, 17.

Noes-Koontz, Lynch. Sheldon-3, of ton any .50 .0V . I. Ayes-17: 111 at vd and bride beer any attitude gaining Noes-3. 2000 bas 2012 add against hoos and bride beer any attitude gaining noes-3.

So the bill passed and title agreed to . Tovor . areas 1 - 297 A

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows: Woods, Mr. Speaker, 8.

### COUNCIL CHAMBER, March 11, 1864.

Mr. SPEAKER: I am instructed to inform the House that the Council has passed,

C. B. No. 40, "an act to incorporate the Denver Ditch and

water Company." bride a best of lid edited beyond the C. B. No. 51, "an act to amend an act concerning Criminal Jurisprudence. Approved, Nov. 5, 1861."

And also, C. B. No. 60, "an act to define the extent of Mine-

ral and Quartz Lodes" herewith transmitted.

And the concurrence of your Honorables is respectfully requested therein also

They have concurred in, and passed without amendment, H. B. No. 56, an act to amend an act entitled an act to establish the mode of locating and changing County Seats, approved

Nov. 7, 1861.

Also, H. B. No. 32, an act to incorporate the City of Black Hawke, with the following amendments by striking out in Section 1, in the thirteenth line after the word "within" the words "a circumfurence of three miles from the mouth of Gregory Gulch" and insert in lieu thereof, the words "the present corporate limits of the City of Black Hawk, to which amendment you are respectfully requested to concur,

Very respectfully, C. B. HAYNES, notices griwolfor ed gribbs vd brear Sec'y of Council.

Section "That all fines incurred under the provisions of Mr. Koontz moved that, C. B. No. 40, be taken up and read first and second time.

Carried.

C. B. No. 40, was then read a first and second time by its title for final passag tit e.

Mr. White moved that House Rule, No. 17, be suspended.

Mr. Koontz moved that C. B. No. 40, be read for consideration. Carried.

C. B. No. 40, read and considered.

Mr. Ripley moved to amend by inserting the words "per anumn" after the word "acre" in sixth line of Section 9.

Carried.

Mr. Nye moved to strike out section 19.

Carried.

Mr. Nye moved that the bill be read a third time by its title 

Carried.

C. B. No. 40, "an act to incorporate the Denver Ditch and water Company" was read a third time by its title and the question being upon its final passage, the ayes and noes were,

Ayes—Messrs. Eames, Garcia, Holland, Henson, Judd, Koontz, Lynch, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, White, Welton, Woods, 15.

Noes-Messrs. Kelley, McCannon, Webster, Mr. Speaker, 4.

Ayes-15. Noes-4.

So the bill passed, and title agreed to.

Mr. Nye moved that the House do concur in Council amend-Mr. Marsh, moved that U. S. to II. ment to H. B. No. 32.

Carried.

Mr. Judd moved that the House do concur in Council amendment to H. B. No. 76 and act of the 17 to H. B. No. 76 and M. M. H. H. Mochanics, in certain cases, was read at the company of the company of

Carried.

The Sergeant-at-Arms, announced a communication from the Council, which was 

Council Chamber, March 11, 1864.

MR. SPEAKER: I am instructed to inform the House that the

Council has concurred in and passed,

H. B. No. 81 an act making appropriations for the fiscal year commencing January 1st. 1864, and ending Dec. 31st, 1864, with the following amendments viz: Amend section 7 so as to read that the warrants already drawn shall be paid out of the money now appropriated, in all cases in which such appropriations shall be sufficient for that purpose. And any money hereafter appropriated to the respective fund and not drawn, shall be added to foregoing appropriations respectively."

To which amendment your Honorable body is respectfully

requested to concur.

Also, the Council recedes from its amendment to H, B. No. 52, Very respectfully, C. B. HAYNES,

Sec'y of the Council.

17

1003

.0 f

Mr. Judd moved to concur in Council amendment to H. B. No. 81. Carried.

Also, moved to take up C. B. No. 54 for consideration.

Carried.

C. B. No. 54 read and considered.

Mr. Nye moved that the bill be read a third time by its title

for final passage. Carried.

C. B. No. 54, an act to amend an act concerning, Wills, Executors and Administrators, approved Nov. 8th 1861. Was read a third time by its title, and the question being upon its final passage the ayes and noes were,

Ayes-Messrs. Chever, Garcia, Henson, Judd, Lynch, Leeper, Marsh, McCannon, Nye, Ripley, Sheldon, Stansell, Web-

ster, Welton, Woods, 15.

Noes-Messrs. Eames, Holland, Koontz, Kelley, Ortega, Mr. Speaker, 6.

Ayes—15.

So the bill passed and title agreed to.

Mr. Marsh, moved that C. S, to H. B. No. 6, be read a third time by its title for final passage.

Carried.

C. S. to H. B. No. 6, "an act creating a lien in favor of Mechanics, in certain cases," was read a third time by its title and the question being put upon its final passage, the ayes and noes were.

Ayes-Messrs. Chever, Garcia, Holland, Henson, Judd, Kelley, Leeper, Marsh, Nye, Ortega, Ripley, Sheldon, Stansell, Welton, 14.

Noes-Messrs, Eames, Koontz, Lynch, McCannon, Webster,

Woods, Mr. Speaker, 7.

MR. SPEARER: I am instructed to inform the .41 -sexual the Noes-7.

Council has concurred in and passed So the bill passed and title agreed to.

The Sergeant-at-Arms announced a communication from the Council which was received and read as follows:

I so as to read that the warrants already drawn shall be paid

### done doidw at some If at b Council Chamber, March 11, 1864. appropriations shall be sufficient for that purpose. And any

Mr. SPEAKER: I am instructed to inform the House that the

Council has concurred in and passed, bella ad had a must

H. B. No. 76, an act to incorporate the Central City and Idahoe Wagon Road Company, with the following amendments (see amendments in bill,) and your Honorable body is respectfully requested to concur therein.

Also, that the Council inserts on their amendment to H. B.

h 11.

H. B.

title

fills, Was

n its

iee-

eb-

Mr.

rd

of

le d

No. 41, and recede from their amendments to H. B. No. 21, herewith transmitted. of define to de me . 30 low . 8 10 on has says out Very respectfully, or gaied sahod street

C. B. HAYNES.

Moo A blat gospett baston Secretary of the Council.

On motion of Mr. Marsh, the House adjourned until 7 o'clock this evening. W. W. Marsh, Nye, Wh.gninese side

### EVENING SESSION.

So the bill passed and title agreed to be moissum on ba House met pursuant to adjournment, at 7 o'clock p. m. The Speaker in the chair. as bevieses asw doing Round

Roll called.

Absent-Messrs. Kipp, Mallory, Patterson.

Quorum present.

H. B. No. 41, was taken up.

Mr. Marsh moved that the bill be indefinitely postponed.

The ayes and noes being called for and ordered were, Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, Ortega, Ripley, Sheldon, Stansell, Webster, Welton, Woods, Mr. Speaker, 19. Noes-Messrs, Nye, White, 2.

Ayes—19. Noes—2.

So the motion prevailed.

Sheldon, moved to reconsider the motion to indefinitely post-Pone, H. B. No. 41. dad bevoor nonne Ool . 1.

Mr. Marsh moved to lay the bill on the table.

Mr. Chever, from the Committee on enrollment reported, C. J. R. No. 3, C. B. No's. 27, 31, 44, 45, 48, 50, 57, C. S. to H. B. 29, H. B. No's. 18, 21, 26, 27, 40, 48, 54, 61, 67, 58, 68 and 73, correctly enrolled. Develience has been 86 .0 M. ELD

Report received refer of Hid off that beyons death . M C. B. No. 60 was taken up, and on motion was read a first and second time by its title. Bill received for consideration. between today and

Mr. McCannon moved to amend by striking out the words "five hundred" and insert "one thousand."

Mr. Sheldon moved to amend the amendment by striking Out the words "one thousand and inserting "eight hundred."

Amendment accepted. B. No. 51, read and considered, ,borola as amended,

Carried Mr. Koontz, moved that the bill be considered read a third time and put upon its final passage.

No. 41, and recede from their amendments to H. Berra 21, C. B. No. 60, "an act to define the extent of Mineral and Quartz Lodes" being upon its final passage, the ayes and noes

Ayes Messrs. Garcia, Holland, Henson, Judd, Koontz, Lynch, Leeper, McCannon, Ortega, Ripley, Sheldon, Stansell, Webster, Welton, Woods, 15.

Noes-Messrs. Eames, Kelley, Marsh, Nye, White, Speaker, 6.

Aves—15. Noes-6.

So the bill passed and title agreed to.

The Sergeant-at-arms announced a communication from the Council, which was received and read as follows:

> GOUNCIL CHAMBER, March 11, 1864.

MR. SPEAKER: I am instructed to inform the House that the

Council has passed,

C. B. No, 58, an act for an appropriation in favor of Citizens of Lake County Col. Ter., and the concurrence of your Hoporable body is respectfully requested therein, herewith transmitted.

Very respectfully, C. B. HAYNES, Secretary of the Council.

Mr. McCannon moved that,

H. B. No. 58 be read a first and second time.

Carried.

C. B. No. 58, read a first and second time by its title. Mr. McCannon moved that the bill be read for consideration. 87 Carried 78 . 18 . 18 . 04

C. B. No. 58, read and considered.

Mr. Marsh moved that the bill be referred to a special committee and that they be required to report on the 4th of July and second time by next. Carried.

The Speaker appointed Messrs. Marsh, McCannon, and

White such committee, busine of beyon goung of C. B. No. 51, was then taken up and read a first and second time by its title. and odt basms or beyond noble

Mr. Marsh moved that the bill be read for consideration.

Carried.

C. B. No. 51, read and considered. Mr. Marsh moved to amend Section 122, by striking out the words. "in writing" in first and second line of said section. me and put upon its find passage. Carried.

Mr. Holland moved that the further reading of the bill be dispensed with the Council in relation to adjournment, the Council in relation to adjournment.

Carried. Mr. Marsh, moved that the bill be read a third time for final it passage. Carried. wot estimmed Iniong of that the world Committee town

C. B. No. 51, an act to amend an act concerning Criminal Jurisprudence, no odt gaivie va beaus of bevom detail all Was read a 3d time by its title, of domain a sou vint to dike di

And the question being upon its final passage, hours.

The ayes and noes were,

The ayes and noes were, Ayes—Messrs. Chever, Koontz, Lynch, Leeper, Marsh, Nye, Stansell, White, Webster, Welton, Woods, Mr. Speaker 12. Noes-Messrs. Eames, Garcia, Holland, Henson, Kelley, Me Cannon, Ortega, Ripley, Sheldon—9. H oft belles restored off

Ayes, 12; noes, 9, 1 od

Ayes, 12; noes, 9.
So the bill passed, and title agreed to.
The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows: A O of statement

Council Chamber, March 11, 1864: M MR. SPEAKER: I am instructed to inform your Honorable Body that the Council do not concur in House Amendment to C. B. No. 40, an act to incorporate the Denver Ditch and Water Company—herewith returned. Very respectfully,

C. B. HAYNES,
Secretary of the Council.

To the Honorable J. B. Chance Souther of the House of Ret Mr. Nye moved that the House do insist on its amendments to C. B. No. 40.

The Sergeant-at-arms announced a communication from the Council, which was received and read, as follows:

Council Chamber, March 11, 1864. MR. SPEAKER: I am instructed to inform your Honorable Body, that the Council do not cuncur in House Amendment to C. B. No. 51.

Also, that they insist in their disagreement to House amend-

ment to C. B. No. 40.

Also, that they have passed the enclosed Joint Resolution in the state of relation to adjournment—herewith transmitted regel of ten aA

Very respectfully, the land of a robert of the C. B. HAYNES, roses approximately Togoth Bus xog A off officer Secretary of the Councils ga

Mar

A

A

Ma

por

Btr

CE

Mr. Holland moved that the House do now consider the Resolution by the Council in relation to adjournment. The bearings

Mr. Ripley moved to defer further action upon the Resolu-

tion until 11 o'clock this evening. dead that beyont detalle all

Carried.

Mr. Stansell moved that the Special Committee to whom was referred C. B. No. 58, be requested to report instanter.

Mr. Marsh moved to amend, by giving the committee until the 4th of July next in which to report.

And the question being moon its final passage, that

Motion as amended—Carried. San Stow South but sove off

Mr. Stansell moved that the House do take a recess for half an hour, subject to the call of the Speaker. 309 W, stin W, lleson Oce Mossrs, Lames, Garcia, Holland, Henson, Kelbeirra

The Speaker called the House to order, elgil agent anomal

Mr. Koontz moved that C. B. No. 51 be laid on the table. so the will passed, and title agreed to.

Carried.

Mr. Ripley moved that the House do recede from its amendments to C. B. No. 40.1 as have been borisons asw deldy light

Motion lost.

Mr. Ripley moved that the further consideration of the bill

be indefinitely postponed. Carried. Janima I : ANALANZ AL

The Sergeant-at-arms announced a message from the Governor, by the hands of his private Secretary, which was received ater Company-herovith returned. and sead, as follows:

### EXECUTIVE DEPARTMENT, DENVER, C. T., \ DENVER, March 11, 1864.

To the Honorable J. B. Chaffee, Speaker of the House of Representatives : ms eti no teleni

IIR: I have the honor to inform the House, that I have this day approved and signed the following bills, certified to have originated therein, viz: An act concerning Roads and Highways.

An act for the protection of farmers against the depredations of Stock in the counties of Weld and Douglas.

An act for the incorporation of the Gold Mining Company of Philadelphia. mA ornoll ni monno ton ob.

An act to incorporate the Rocky Mountain Exploring, Prospecting, and Mining Company. and Mining Company.

An act to incorporate the Occidental Gas-light Company of so, that they have passed the enclosed Joint Resoluting

An act to legalize the acts of the Superintendent and Board of Directors of School District No. 5, in Arapahoe County, in

An act to amend an act to incorporate the Apex and Gregory Wagon Road Company.

h 11. Res-

solu-

was

intil

half

AVE

nd-

er-o

ed

·e-

is

An act to incorporate the City of Black Hawk.

An act to incorporate the Black Hawk Mining Company. An act to amend an act, entitled an act to enable Road, Ditch,

Manufacturing, and other Companies, to become bodies corporate.

An act amendatory to an act entitled "an act relating to fencing," approved August 18th, 1863,

Joint resolution for the payment of Fred. J. Ebert for con-

structing maps of Colorado Territory.

An act making appropriations for the fiscal year commencing

January 1st, 1863, and ending December 31st, 1864.

An act to amend an act entitled "an act to define County boundaries, and to locate County Seats in Colorado Territory." An act to provide for the payment of the clerks and other offi-

cers of the Legislative Assembly.

An act to incorporate the Excelsior Ditch Company.

An act to amend an act entitled "an act to organize the

Treasury Department," approved Nov. 6th, 1861,

An act to amend an act entitled "an act to establish the mode of locating and changing County Seats," approved November The Speaker appointed Mesers, Warte, Stansell a.1881, 1117

An act to incorporate the City of Central.

An act concerning fences. Some smiss to traspress of T

as been hos bevie Very respectfully, once eleving aid you rome

Your obedient servant, T.D. TERRERARE T AVIETORE JOHN EVANS, Governor of Colorado.

Mr. Ripley moved that the Council do take a recess for half an hour, subject to the call of the Speaker. Carried.

The Speaker called the House to order. Mr. Nye, without previous notice, asked leave to introduce H. B. No. 85, an act amendatory to "an act to incorporate the Denver and Pacific Wagon, Telegraph and Railroad Company." Leave granted, and billoitoollos out for guilbiand tos nA

Read a first and second time by its title. Stando should trade Mr. Nye moved that the bill be read a third time and put Wagen Road Company upon its final passage. Carried,

H. B. No. 85 read then a third time, and the question being

upon its final passage, the ayes and noes were: 29880 nichtes

Ayes-Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, White, Webster, Woods and Mr. Louridbedientteervant, Speaker-20.

Noes-Messrs. Stansell and Welton-2.

Ayes 20.0 Tompyor

Ma

to t

his and

076

and

1

Ju

Or

of

th

G.

E

H

h

Noes-2. And Shall to etil put sanogrami of ton ak So the bill passed and title agreed to.

C. J. R. in regard to adjournment was then taken up.

Mr. White moved that it be read the first and second time.

Resolution read first and second time by its title.

Mr. White moved that the resolution be read a third time for final passage. Beed to memory soft not northloser taiole

Carried.

The resolution read, and the question being upon its final danuary Lat. 1863, and confirm December Sist 1864, Aspense

The ayes and noes were:

Ayes-Messrs. Garcia, Holland, Henson, Koontz, Kelley, Lynch, Marsh, McCannon, Nye, Sheldon, Stansell, White, Webster and Welton-14.

Noes-Messrs. Chever, Eames, Judd, Leeper, Ripley and Mr. Speaker-6. a new because the as indones of the aA

Ayes-14, Josephin volt havoring I monthogot vinegal I An act to spend an act entitled an act to establish -6-

So the resolution passed, and title agreed to.

The Speaker appointed Messrs. White, Stansell and Lynch a special committee, in accordance with the resolution.

The Sergeant-at-arms announced a message from the Governor by his private Secretary, which was received and read, as follows: ,tanges tomiled and)

EXECUTIVE DEPARTMENT, C. T., obstolo to regioned Denver, March 11, 1864.

To the Hon. Jerome B. Chaffee, Speaker of the House of Representatives: an hour, subject to the east of the Speaker, Carde

SIR: I have the honor to inform the House that I have this day approved and signed the following bills, certified to have originated therein, viz:

An act to incorporate the Central City and Idaho Wagon

Road Company.

An act providing for the collection of taxes from new resident stock owners. This sit vd smit brooks hon trike best

An act to incorporate the Central City and Montgomery Wagon Road Company. A Joseph D. Spassag land str googs

An act creating a lien in favor of mechanics and others, in certain cases, a grown soon but soyn of thomasan land she noon

An act to incorporate the City of Black Hawk Gas Light Company, of Gilpin County, Colorado Territory. Your obedient servant,

S-unday boJOHN EVANS, ----Governor of Colorado. Mr. Marsh offered the following resolution, viz:

Resolved, That this House do hereby tender a vote of thanks to the Honorable Jerome B. Chaffee, Speaker of the same, for his uniform kindness and courtesy towards the members thereof, and for the able and impartial manner in which he has presided over the deliberations of the same during the present session, and that this resolution be spread upon the journal of the House.

The ayes and noes being ordered and called, were:

Ayes—Messrs. Chever, Eames, Garcia, Holland, Henson, Judd, Lynch, Leeper, Koontz, Kelley, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon, Stansell, White, Webster, Welton and Woods—21.

Noes-0.

So the resolution was adopted.

Mr. Lynch moved to adopt the following resolution, viz:

Resolved, That we, the members of the Legislative Assembly of Colorado Territory, tender our most hearty and sincere thanks to B. B. Styles, Chief Clerk, L. L. Robinson, Assistant Clerk, Captain R. Sopris, Sergeant-at-Arms, C. C. Carpenter, Enrolling Clerk, and J. Walker, Engrossing Clerk of this House, for the very correct and and able manner in which they have discharged their respective duties.

The ayes and noes being ordered and called, were:

Ayes—Messrs, Chever, Eames, Garcia, Holland, Henson, Judd, Koontz, Kelley, Lynch, Leeper, Marsh, McCannon, Nye, Ortega, Ripley, Sheldon Stansell, White, Webster, Welton, Woods and Mr. Speaker—22.

Noes-0.

Resolution adopted.

Mr. White, chairman of the special committee to wait upon the Governor, reported verbally that they had discharged the duties assigned them, and presented the following communication from His Excellency, the Governor, viz:

Hon. Messrs. White, Stansell and Lynch, Committee of the House:

Gentlemen: You will please say to the House that I have no further official communication to make.

In parting, I desire to congratulate the members upon their harmonious and useful session, and to thank them for their uniform courtesy and kindness,

I have the honor to be,

Very respectfully your obedient servant,

JOHN EVANS,

Governor of Colorado.

and

ch 1I.

ne.

time

final

lley,

lite,

ovas

ch

n-

e

On motion of Mr. White, the House then adjourned sine die according to law.

must be delibered to the course of the second section of the second

Clerk, Captain R. Sonne Servant at Arms, C. C. Carpaltor.
Enrolling Solver, and L. Valker. Euro. De Clerk of this
lones for thousan same and particular ensures in which there
have discharged the reconstroyed times.

How How was their Sugar want Times, Consequent to Minner

B. B. STILES.

B. B. STILES, Chief Clerk of the House.

6,7: A. Gree.

rch 11.

sine die

ouse.

### HOUSE JOURNAL

OF THE

### LEGISLATIVE ASSEMBLY

OF THE

### TERRITORY OF COLORADO.

FOURTH SESSION.

BEGUN AND HELD AT GOLDEN CITY, JAN. 2, 1865.

PUBLISHED BY AUTHORITY.

DENVER:
Byers & Dailey, Printers, Rocky Mountain News Office,
1865.

The committee on Credentials, through their chairman, reported the following named members present, and, entitled to scats in this Houseville sand to reduce a su tree a of

Messys, B. B. Stiles, Francis M. Case, H. J. Brendlingell Rufus Clark, D. H. Nichols, A. O. Patterson, Tho's D. Worralls E. H. Harch, A. Mansur, B. Lake, C. M. Tyler, B. F. Pine, E. F. Holland, J. T. Lynch, A. Hopkins, W. F. Stone, J. Ehrhart,

## HOUSE JOURNAL

Mr. Worrall moved that art Toport of the committee be received and adopted. LEGISLATIVE ASSEMBLY OF COLORADO

# rested seats in the season of the season of the season of the season shall be allowed a vision of the season shall be allowed a vision of the season seats are not co. 1865.

Begun according to law, at Golden City, Colorado Territory, on Monday, January 2nd, 1865, a tent beyont busifold alm this House in relation to the appointment of a committee on

The House was called to order by Mr. Stiles, and alaimebers ceed to the election, by ballot, of a , and in motion of Mr. Stone, and low ballot, of a , and in the lection, by ballot, of a , and in the lection of the low ballot, of a , and in the lection of the l

A. O. Patterson was appointed Speaker pro tem. on bus onims On motion of Mr. Harsh,

B. Lake was appointed Chief Clerk pro tem. be senoll and

Mr. Holland moved to adjourn.

Motion lost. session session

On motion of Mr. Pine,

A committee of three, on credentials, were appointed by the chair, consisting of the following named gentlemen:

Messrs. Pine, Stone and Harsh.

Present-Messrs D. III. Mottat, Annual Mr. Lynch, in Mottat Mottat II. Commotion of Mr. Lynch, in Motat II. Comm The House adjourned until 10 o'clock a. m. to-morrow. Koontz, B. F. Pine, A. Hopkins, J. Castelle, C. North, D. H.

### O. M. Tylen, A. Mansur, E. F. Holland, J. T. Lynch, James TUESDAY, JANUARY 3rd, 1865. bus noaqmodT

Nichols, A. O. Patterson, T. D. Werrall, L. H. Harsh, B. Lake,

In all twenty-two-members. House met pursuant to adjournment. and Boyom solide AM Speaker pro tem in the chair. o Jaisnoo of alaitnobers no settim and the committee so appointed to have pobna thar larror

On motion of Mr. Holland,

sons and papers. Was laid over until to-morrow morning. .bestoobs noisoM

The committee on Credentials, through their chairman, reported the following named members present, and entitled to seats in this House:

Messrs, B. B. Stiles, Francis M. Case, H. J. Brendlinger, Rufus Clark, D. H. Nichols, A. O. Patterson, Tho's D. Worrall, L. H. Harsh, A. Mansur, B. Lake, C. M. Tyler, B. F. Pine, E. F. Holland, J. T. Lynch, A. Hopkins, W. F. Stone, J. Ehrhart, James Thompson and C. North.

In all nineteen members.

Mr. Worrall moved that the report of the committee be received and adopted,

Mr. Stone offered the following resolution:

Resolved, That until all questions relating to supposed contested seats in this House are settled by members thereof, no person shall be allowed a vote in said House except those whose seats are not contested. A THADWAL MAGNOW

Resolution lost O will ashlet as well of pathroose huged

Mr. Holland moved that all proceedings heretofore had by this House in relation to the appointment of a committee on credentials be hereby rescinded, and that the House now proceed to the election, by ballot, of a committee of three, to examine and report upon the credentials of members of this body.

On motion,

The House adjourned until 11 o'clock p. m.

### AFTERNOON SESSION.

House met pursuaut to adjournment. Speaker pro tem in the chair garwollor out to sandalanos right

Roll called.

Present-Messrs. D. H. Moffat, Jr., E. M. Ashley, A. W. Bailey, B. B. Stiles, H. J. Brendlinger, Rufus Clark, J. A. Koontz, B. F. Pine, A. Hopkins, J. Castello, C. North, D. H. Nichols, A. O. Patterson, T. D. Worrall, L. H. Harsh, B. Lake, C. M. Tyler, A. Mansur, E. F. Holland, J. T. Lynch, James Thompson and J. Ehrheart.

In all twenty-two members.

Mr. Stiles moved that the House proceed to ballot for a committee on credentials to consist of three members, one at a time, and the committee so appointed to have power to send for persons and papers.

Motion adopted. . guintom worrow-of littue revo bigl as W.

led to

y 3rd.

nger, rrall, hart,

conno ose

by on roexly.

e be

On motion of Mr. Stiles, and a solo of a sa tom sanolic

Mr. W. F. Stone, member from Park County, was admitted to a seat as a member of the House without presenting his

The House then proceeded to ballot for a committee on credentials.

Nominations being in order,

Messrs. Lynch, Tyler, Holland, Worrall, Mansur and Hop-

kins were nominated.

The chair appointed Messrs. Nichols and Pine as tellers. On the first ballot twenty-three votes were cast, of which J. T. Lynch received eleven votes, April 1. D. 1928 1898

E. F. Holland received seven votes, and Tho's D. Worrall received five votes.

No one having received a majority of the votes cast, the House proceeded to a second ballot.

On the second ballot there were twenty-three votes cast, necessary to a choice, twelve. 1940 oroveno to minojam a had

Mr. Lynch received eleven votes, of tadt bas vianos off to Mr. Holland received eleven votes, and pools at Jon saw offer

Mr. Worrall received one vote. There being no choice, the House proceeded to the third

There were, twenty-three votes cast, necessary to a choice,

Mr. Holland received fourteen votes,

Mr. Lynch received nine votes, Whereupon, Mr. Holland, having received a majority of all the votes cast, was declared duly elected.

The House then proceeded to ballot for the second member of said committee, and Joole of Hitau bearuoips esuall ed T

Mr. Lynch received eleven votes, Mr. Worrall received twelve votes.

Mr. Worrall, having received a majority of all the votes cast, was declared duly elected.

The House then proceeded to the fifth ballot.

There were twenty-three votes cast. Mr. Tyler received eleven votes, be of fuguering dem sauch Mr. Mansur received twelve votes.

Mr. Mansur having received a majority of all the votes cast, was declared duly elected. ib saw lamino loan to gribser of

The committee on credentials therefore consisted of Messrs. Holland, Worrall and Mansur. Tellus .. My to notion 40

Holland, made the following report : " of

On motion of Mr. Stiles, with to assess a xoot same HealT

The House, at 21 o'clock p. m., adjourned one hour. I and The committee on credentials through their chairman, Mr.

House met at 3½ o'clock p. m., pursuant to adjournment. Speaker pro tem in the chair.

The committee on credentials made the following report:

To the Honorable Speaker pro tem of the House of Representatives of Colorado Territory:

The committee on credentials beg leave to report the following gentlemen as members elect, entitled to seats in the House of Representatives of Colorado Territory:

Messrs. J. Ehrhart, E. F. Holland, A. Hopkins, L. H. Harsh, Benj. Lake, J. T. Lynch, C. North, A. Mansur, D. H Nichols, B. F. Pine, A. O. Patterson, J. Thompson, C. M. Tyler, T. D.

Worrall.

They beg leave further to report, that two sets of certificates were presented by claimants of seats from Park County, and on examination of the facts they find that James Thompson had a majority of one vote over Mr. Castello in the local vote of the county, and that the soldiers vote claimed for Mr. Castello was not in accordance with the statute of last session, regulating the suffrages of Colorado soldiers. They therefore consider Mr. Thompson entitled to his seat.

Two sets of certificates were presented by delegates from the Second District, to consider which your committee ask further E. F. HOLLAND, Ch'n. time.

On motion of Mr. Stone,

The report of the committee was received and further time allowed them to report. The wind about any and solor of On motion of Mr. Pine, and of behaviour mode esmall suff

The House adjourned until 10 o'clock a. m. to-morrow.

### Mr. Worall briving received a motority of all the votes east. WEDNESDAY, JANUARY 4th, 1865.

House met pursuant to adjournment. Speaker pro tem in the chair, and an horasser mangle all

On motion of Mr. Lynch, and barries and mental and The reading of the Journal was dispensed with until to-morrow morning. Lishes oretored abilities on on minimum of I

On motion of Mr. Bailey, Andrew bas floring builted

The House took a recess of thirty minutes. To nome at

The House was called to order by the Speaker pro tem. The committee on credentials through their chairman, Mr. Holland, made the following report:

ary 4th

nt.O rt: of

tatives

ollow-Touse arsh,

chols, cates and

pson vote Casregcon-

the her 1. 1

me

T-

To the Honorable Speaker pro tem of the House of Representatives of Colorado Territory: of hetomient od ostrimmos out that T

The committee on credentials beg leave to report that Wilber The committee on credentials beginned as the committee of credentials beginned a proper certificate; and also, report progress in the investigation of the character of other credentials beginned to be committee on credentials beginned to be commi tials, and as testimony has been sent for which has not yet arrived, would ask further time; and, in consideration of the fact that both sets of claimants of seats in this House from the Second District, have certificates given them in accordance with the provisions of the law, and with a view to secure to Arapahoe and Douglas Counties their due influence in the House, we recommend that the claimants meet and elect, from among their number, four members who shall hold seats in this House until the question of credentials shall have been settled.

All of which is respectfully submitted.

E. F. HOLLAND, Ch'n. this beengable as larged and to THO'S D. WORRALL, . seroH ofthe ofthe A. MANSUR.

Mr. Thatsh moved that the House take a recess of thirty Mr. Holland moved that the clerk proceed to make a list of the members reported to the House, by the committee on credentials, who are entitled to their seats, and that the Secretary of the Territory of Colorado be requested to administer to them the oath required by law.

MR. SPEAKER pro tem: - Your committee was teld Monitor of Mr. Harsh, or which delegates from the Se, dark TM for notion of On. The report of the committee was received. Tod vaccation vd

On motion of Mr. Stiles,

The House adjourned until 2 o'clock p. m. year god you'll Poll Books and Abstracts of Votes in and for the Second Bep rescutative District. Moissas Moonarta widenes is not yet a testimony in the case.

presented, they do not feet justified in making a decisive report House met pursuant to adjournment. organg patroger al Speaker pro tem in the chair, and Jank quesenger bluow yeds at Roll called, even an an oa dant bus stood your burns

whole vote of the disrict is invalid, and the traserq mirror

On motion of Mr. Holland, stage went or beliting mees stage of The report of the committee on credentials was taken up for consideration. and to seemiste business of the !. don't de committee,) the legitimate business of the

Mr. Stiles moved that so much of the report of said committee as refers to Mr. Stone, member from Park county, be adopted. Motion carried, and times as a notice up off to notice bisney.

Mr. Stone was admitted to a seat in this House.

Mr. Ashley moved that the report of the committee be recommitted for further consideration and report. . .

Mr. Koontz offered the following amendment: That the committee be instructed to report upon the delegation from the Second District, allowing the seats to the delegation from that District who may seem to them entitled to the seats according to the testimony before them.

On motion of Mr. Stiles,

The House adjourned until 9 o'clock a. m., to-morrow.



# THURSDAY, January 5th, 1865.

House met pursuant to adjournment. Speaker pro tem in the chair.

Journal read, and

On motion of Mr. Pine,

The further consideration of the Journal was dispensed with until the permanent organization of the House.

Mr. Harsh moved that the House take a recess of thirty

minutes.

Motion lost, The committee on credentials, through their chairman, reported as follows:

Mr. Speaker pro tem: - Your committee was instructed to report which delegates from the Second District seems to them, by testimony before them, are entitled to their seats in this House.

They beg leave to report that they have examined all the Poll Books and Abstracts of Votes in and for the Second Representative District, and have made considerable progress in the testimony in the case, but as all necessary evidence is not yet presented, they do not feel justified in making a decisive report

In reporting progress in obedience to the above instructions, they would represent that there seems to be informality and fraud throughout, and that so far as we have proceeded, the whole vote of the district is invalid, and that none of the appli-

cants seem entitled to their seats.

And as the investigation of such fraud is, (in the opinion of your committee,) the legitimate business of the House, after its permanent organization, your committee beg leave to offer this as its final report, and ask to be discharged from the further consideration of the question as a committee on credentials.

E. F. HOLLAND, Ch'n. T. D. WORRALL, A. MANSUR, elegaelegato the

with

hirty

d to

iem,

this

Rep-

the

ort.

ons,

and

the

pli-

of

its

his

her

On motion of Mr. Bailey, Marro W .: M to notion at The House adjourned until 2 o'clock p. m.org sanoH adT There were fifteen votes cast, six in the affirmative and nine

House met pursuant to adjournment, bevom buslloH ...M

Speaker pro tem in the chair imba et rot mes ed obsololo Mr. Stiles moved that the report of the committee on credentials be received.

Messrs. Holland and Lynch were appointed a colbirra by Mr. Harsh moved that the report be laid upon the table. invite him to administer the oath to the members of the dod 156.

Mr. Harsh moved that the members from the Second Representative District, having the County Clerk's certificates, be There being afteen members present Matasariaht bawolls

the House proceed to a permanent organiwarbhitw noitoM

Mr. Stone moved that this House now proceed to its perma-Mr. Worrall moved that the House proceedings of the

The motion was decided out of order by the chair. Tollad

Mr. Stone moved that the report of the committee on creden-Nominations being in order.

Mr. Harsh nominated Mr. T. D. Worrall. tials be laid on the table.

Lost.

Mr. Tyler moved that the report be adopted and the committee on credentials be discharged from further duty in the contested cases now before them. Jeso setov neetlift eyew eren'

Carried.

Mr. Lynch offered the following resolution: slodow 3M

Mr. Worrall received six, Resolved, That all persons holding certificates of election to this House from the district composed of Arapahoe and Douglas Counties, issued by the Secretary and Acting Governor of the Territory of Colorado, shall be admitted to seats in this House; but, whereas it is charged by other persons holding certificates from the County Clerks that the soldiers vote cast for the first named persons is illegal by reason of fraud, this resolution shall in no way impair the right of the other party to contest their seats, and that without giving the notice required

House met pursuant to adjournment. Mr. Lynch moved that the House proceed to vote, by ballot, There being no quorum present, the Linoituloser aft modul

Carried. Whereupon the House proceeded to ballot. vad amit ad I

Messrs. Worrall and Tyler were appointed tellers.

On the first ballot there were fourteen votes cast, seven in the affirmative and seven in the negative. It lo notion no

The resolution was declared lost, beging he esnoll edT

Janu

ere

H 8

F

ter

On motion of Mr. Worrall, wolfied and to gottom at

The House proceeded to another ballot. The House proceeded to another ballot.

There were fifteen votes cast, six in the affirmative and nine 

The resolution was lost.

Mr. Holland moved that the Secretary of the Territory of Colorado be sent for to administer the oath of office to the Mr. Scilos moved that the report of the committee are members.

Carried.

Messrs. Holland and Lynch were appointed a committee, by the Speaker pro tem, to wait upon the Honorable Secretary and invite him to administer the oath to the members of the House; The committee returned with the Honorable Secretary, and

the oath was administered to the members present.

There being fifteen members present, Mr. Stone moved that the House proceed to a permanent organization.

Mr. Stone moved that this House now proceed to being na-Mr. Worrall moved that the House proceed to an informal The motion was decided out of order by the committee Carriedon Mr. Stone moved that the report of the committee decided

Nominations being in order,
Mr. Harsh nominated Mr. T. D. Worrall.

-ti The Chair appointed Messrs. Harsh and Thompson as tellers. - Whereopon the House proceeded to the informal ballot.

There were fitteen votes cast. med befoled won seem betset Mr. Holland received five,

Mr. Nichols received one, atwell I add for the doma I all

Mr. Worrall received six,

of Mr. Patterson received one, I among the tail I besteen

-yn Mr. Mansur received one, the third had more wall aid

las Constitue and by the Constitue ator one vote.

On motion of Mr. Harsh the House then adjourned to meet at nine o'clock a. m. to-morrow. o at the agord was and a small

certificates from the County, Cherks that the soldiers vote cost

## for the first named personer to be reason of fraud, this resolution shall in no way inness the right of the other party to contest their se. 386, 8, YRAURAL, YRAURAL The notice required

House met pursuant to adjournment.

House met pursuant to adjournment.

Speaker, pro tem in the chair.

There being no quorum present, the House took a recess of

The time having expired, the Speaker pro tem called the House

There being no quorum present, and and and and and

On motion of Mr. Pine,
The House adjourned until 2 o'clock p. m. on the second T

uary 6th

to the

tee, by ry and louse.

d that

rmal

eet

nd nine tory of

lers.

Necessary to a cl.noissas noonastanies being made, the House proceeded to the second ballot, in which there were

House met pursuant to adjournment. Isidw tags astov neetxis Speaker pro tem in the chair, tov the bevieved Harro W .. Mr. Roll called. Mr. Tyler received eight votes. Sanots ald

Present-Messrs, Ehrhart, Harsh, Lake, Mansur, Pine, Patterson, Thompson, Tyler, Worrall and Stonet bebeering senoll Absent-Messrs. Holland, Hopkins, Lynch, Nichols and

Mr Worrall received eight votes and svisse Messrs. Hopkins and North appeared and took their seats.

There being no quorum, dense police and trassessed On motion of Mr. Hopkins, Hoper bas save Harro W . M The House adjourned until 5 o'clock p. m. 100 ui redtrait besu

The House then proceeded to a fourth ballot, in which there Con swolld evening session, tendestoy meeting onew

Mr. Tyler received eight votes, anders erew satov House met pursuant to adjournment, is bevieser derall . M Speaker pro tem in the chair. I sat soids on guisd erad T in which there were sixteen votes east, which believe in Quorum present.

On motion of Mr. Mansur, votes, even never served and on motion of Mr. Tyler received seven votes, expression of Mr.

The vote of yesterday in relation to the House proceeding to the election of Speaker was reconsidered, gaived detail all

The committee on credentials presented the name of Mr. Mills Craig, member elect from the Thirteenth District, and conduct Mr. Harsh, the Speaker sewoll side in the abelian

Mr. Worrall moved that the House proceed to the election of a Speaker, the first ballot to be informal on beriphoe round out Carried. On motion of Mr. Patterson, Alarra W. D. B.

Nominations being in order, o 7 little being of be senoll od T The following named gentlemen were nominated:

Messrs. C. M. Tyler, L. H. Harsh, T. D. Worrall and E. F.

On the informal ballot there were fifteen votes cast, of which Mr. Worrall received six votes, mand only in resland

Mr. Patterson received one vote, Mr. Tyler received four votes,

Quorum present. . . Mr. Harsh received two votes, and dimba while and also od? Mr. Mansur received one vote, and manual and to stelles, Clerk of the Supremental and the Mr. Mansur received one vote, and manual and the stelles, the stelles of the stel

Mr. Holland received one vote. Patterson, Patterson and Mr. Patter Mr. Holland moved that the House adjourn until 9 o'clock a. m. to-morrow. Washers D. M. Deam betanismon onote all Mesers. Tyler and Nichols were appointed tellers byteoL

On the first formal ballot fourteen votes were cast, of which Mr. Worrall received seven votes, a description and another applications.

Mr. Tyler received five votes, and smo Wealth to notion at Mr. Harsh received two votes. add of babasang awall adT

Necessary to a choice, eight; no choice being made, the House proceeded to the second ballot, in which there were sixteen votes cast, which resulted as follows: saving tom sample

Mr. Worrall received eight votes, and it was our application

Mr. Tyler received eight votes.

Necessary to a choice, nine; no choice being made, the House proceeded to the third ballot, in which there were sixteen votes cast, which resulted as follows:

Mr. Worrall received eight votes, and

Mr. Tyler received eight votes. And has an agolf and all Necessary to a choice, nine. neuronp on paid oron!

Mr. Worrall arose and respectfully declined having his name used farther in connection with the speakership.

The House then proceeded to a fourth ballot, in which there

were sixteen votes cast, which resulted as follows:

Mr. Tyler received eight votes, and Mr. Harsh received eight votes of he of the stand tow canoli

There being no choice, the House proceeded to a fifth ballot, in which there were sixteen votes cast, which resulted as follows:

Mr. Tyler received seven votes, and Mr. Harsh received nine votes,

Mr. Harsh having received a majority of all the votes cast was declared duly elected Speaker of the House.

Messrs. Tyler and Worrall were appointed a committee to

conduct Mr. Harsh, the Speaker elect, to the chair. s of helities

The Speaker, in a few brief remarks, thanked the House for the honor conferred upon him. I want to had task and santaged a

On motion of Mr. Patterson,

The House adjourned until 7 o'clock p, m. and the standard of The following named gentlemen were nonunated:

#### A Dan Harro W. CEVENING SESSION, 1997 M. O. Massell

House met pursuant to adjournment: tolled language and in Mr. Worrall received six votes,

Speaker in the chair.

Roll called,

Quorum present.

Mr. Tyler received four votes. The oath was duly administered to the Speaker elect by B. B. Stiles, Clerk of the Supreme Court of the Territory of Colorado. On motion of Mr. Patterson, mor and boyisser Luclion all

The House proceeded to the election of Chief Clerk.

Mr. Stone nominated Mr. C. M. Graves.

Messrs. Tyler and Nichols were appointed tellers by athe On the first formal ballot fourteen votes were quet, c.reaker.

Sixteen votes were cast, nine being necessary to a choice.

On motion of Mr. Worrall, on select votes received in Mr.

The House proceeded to the election of an Assistant Clerk.

ide, the re were Homse

uary 6th

Speak de, the ere six

name

ballot, ed as

cast ee to

. B. ado.

M

the

rk.

Mr. Worrall nominated Mr. McAllister. Profession J.M. von

Sixteen votes were cast, nine being necessary to a choice. Mr. McAllister received ten votes, and was declared duly 

On motion of Mr. Stone retaining any soft of day of T

The House proceeded to the election of Engrossing Clerk. Mr. Hurd and Mr. Cooper were put in nomination. 10 9489 I Sixteen votes were cast, nine being necessary to a choice.

Mr. Cooper received seven votes, and a nortom aO

Mr. Hurd received nine votes of little boundibe senoH adT Mr. Hurd having received a majority of all the votes cast was declared duly elected.

On motion of Mr. Patterson,

The House proceeded to the election of Enrolling Clerk. A. D. Cooper and Mr. Slaughter were put in nomination. Sixteen votes were cast, nine being necessary to a choice. Mr. Cooper received ten votes, and sof management of the serial

Mr. Slaughter received six votes.

Mr. Cooper having received a majority of the votes cast, was Absent, Mesers, Craig, Ehrheart, Monki bettele duly beclared

On motion of Mr. Worrall, That agot I mosqued I selode M

The House proceeded to the election of Sergeant-at-Arms. Mr. Gibson and Mr. Haskell were nominated.

Sixteen votes were cast, nine being necessary to a choice.

Mr. Gibson received ten votes, and outsing of ballen senoli Mr. Haskell received six votes.

Mr. Gibson having received a majority of the votes cast, was declared duly elected. the organizated histonofrom hold

On motion of Mr. Worrall, amor a believe to share and on The

The House proceeded to the election of Page. do not light of D. W. Fall and Amos Smith were nominated.

Stxteen votes were east, nine being necessary to a choice. Mr. Smith received four votes, and

Mr. Fall received twelve votes. introduce any sedde to thee ed T

D. W. Fall having received a majority of the votes cast, was in declared duly elected Tobasolo To truo Dentarque ent la AlalO

On motion of Mr. Stone, saw it don't ill to notion at The House proceeded to the election of Foreman and Door-Resolved, By the House of Representatives of Colorado Ter. 19499A

R. Thoroughman was nominated, a sail programme bound att

Sixteen votes were cast, nine being necessary to a choice.

Mr. Thoroughman received the unanimous vote of the House, the Legislative Assembly is duly elected who be all seembly is duly elected.

On motion of Mr. Worrall, yan of noisemannes van vierer

The House proceeded to the election of Chaplain.

Rev's Mr. Crawford and Mr. McLeod were nominated. Sixteen votes were cast, nine being necessary to a choice of no

On amotion of the Matterson in

Mr. Haskell received six wice.

Rev. Mr. Crawford received six votes, and

Rev. Mr. McLeod received ten votes.

Rev. Mr. McLeod having received a majority of the votes cast was declared duly elected.

The oath of office was administered to the officers elect by B. B. Stiles, Clerk of the Supreme Court of Colorado Territory. Leave of absence was granted to Mr. Mansur until 10 o'clock m. Monday.
On motion of Mr. Patterson,

a. m. Monday.

The House adjourned until 10 o'clock a. m. Monday. Mr. Hurd having received a majority of all the ofes one

#### moitenimon MONDAY JANUARY 9, 1865.

House met pursuant to adjournment.

Speaker in the chair.
Roll called.

Absent, Messrs. Craig, Ehrheart, Hopkins, Mansur, North, Nichols, Thompson, Stone and Tyler.

No quorum being present,

On motion of Mr. Patterson the House took a recess of one House called to order.

Roll called.

Absent, Messrs. Mansur and Tyler.

On motion of Mr Lake.

The Speaker appointed a committee of three to inform the Council that the House was organized and ready to proceed to D. W. Fall and A mea Smith were populated

Messrs. Lake, Nichols and Holland were made such com-

mittee.

The oath of office was administered to A. D. Cooper, Enrolling Clerk, and N. S. Hurd, Engrossing Clerk, by B. B. Stiles, Clerk of the Supreme Court of Colorado Territory. And beinlost

On motion of Mr. Lynch, it was 2.91018 and to notion in

Resolved, By the House of Representatives of Colorado Territory, the Council concurring, That a joint committee of three members on the part of the House and two on the part of the Council be appointed to inform His Excellency, the Acting Governor, that the Legislative Assembly is duly oraganized and ready to receive any communication he may see proper to make.

The Speaker appointed Messrs. Lynch, Worrall and Stone, on the part of the House.

The Committee appointed to wait on the Council reported

itory.

clock

th,

ne

e

ry 9th

that they had performed the duty assigned them, whereupon they were discharged. On motion of Mr. Lake, it was

Resolved, That the thanks of this House be tendered to Mr. Patterson for the courteous and able manner in which he discharged the duties of Speaker in the temporary organization of fore, rather than radical change, is recommended. .sauoH sidt

The following message was received from the Council by Mr.

MR. SPEAKER :- I am instructed to inform the House that the Council is now permanently organized, and ready to proceed to business.

Mr. Stone, from the committee appointed to wait upon the Governor to inform him of the permanent organization of the House, reported that they had performed that duty. so silding

The committee was discharged. In the most serf insurravog On motion of Mr. Worrall,

A committee of three on the part of the House was appointed to act in conjunction with a committee of the Council, for the purpose of escorting the Governor to the hall of the House of Representatives.

The Speaker appointed as said committee

Messrs. Worrall, Lynch and Hopkins. Mr. Lynch, chairman of the joint committee appointed to imform the Governor of the organization of the House and Council and of their readiness to receive any communication he might have to make, reported that they had performed the duty assigned them, whereupon the committee were discharged.

On motion of Mr. Stone, the

House went into joint convention with the Council,

The Council and House of Representatives, in joint session assembled, were called to order by the President of the Council, and the following message was delivered by Hon. S. H. Elbert, Acting Governor.

Gentlemen of the Legislative Assembly of the Territory of Colorado:

As Representatives to whom the people of Colorado have confided the important trust of legislation, you have assembled for the purpose of enacting such laws as may contribute to their welfare and advance their material interests.

While the responsibilities which rest upon you as the legislative guardians of our Territory are grave and important, calling for wisdom, vigilance and industry, you cannot fail to find encouragement in the fact that the laws heretofore enacted by

your predecessors, while calling for revision and amendment in many particulars, have in the aggregate secured individual pro-

tection and collective prosperity.

It is only by a series of legislative sessions, amending, revising and enlarging laws already enacted, correcting errors, supplying deficiencies, reconciling conflicting provisions, and providing for new wants, that any State secures a full, complete and satisfactory code of laws. Amendatory legislation, therefore, rather than radical change, is recommended. senoli sald

## THE AUDITOR AND TREASURER. OF THE AUDITOR AND TREASURER.

The reports of the Territorial Auditor and Treasurer, which are herewith transmitted, will show you the financial condition of the Territory, and suggest some amendments to the revenue law. The reports show a surplus in our Treasury, and indicate the gratifying fact that we are free from the incubus of any public debt, and that the administration of our Territorial government has been one of care and economy, manos ad I

### Desired REPORT OF THE SUPERINTENDENT OF PUBLIC SCHOOLS.

The report of the Superintendent of Public Schools, which I also transmit, herewith, will suggest legislative action. To a matter on which the future character and permanent interests of our country are so largely and obviously dependent, it seems scarcely necessary to urge your earnest attention. educate all its citizens has been the wise and far-seeing policy of our government from its foundation,

In a country where the action and thought of the masses are so directly felt by the government, the importance that educational avenues should be open and accessable to all cannot be

easily over estimated.

"The ballot box is a recipient, not a salvent," and is a certain public good only so far as the vote east is, to some degree, intelligent. Educate your citizens and you secure safe and fitting

depositaries of political franchise.

The proper guardianship and management of the grants of land by Congress for school purposes, and the mining claims reserved by territorial statute for the same purpose, is of the first importance, and they should be made the basis of a broad

and liberal system of Schools.

The legislation of some of the States, in this regard, bas been unwise and improvident, in that they have sought to make these grants for school purposes the source only of immediate revenue, without any reference to the claims of the future. They should be managed with a view of creating therefrom permanent fund, constituting a principal undiminished and nent in

ary 9th

reviss, supd promplete there-

which dition venue licate f any torial

hich tion. nent lent, To blicy

tain teling of ms

the ad

to nere. a inviolable through all time, giving not only present aid, but promoting the permanent interests of education.

A law thus reconciling the interests of the present with the just claims of the future, recommends itself as wise and necessary.

#### AMENDMENTS.

The general incorporation act, passed at the last session of the Legislature, is very full and complete in its provisions, and has met the general and varied wants of the country. It is, however, urged by many citizens of our Territory, who have been engaged in the organization of mining companies East, that the provision, requiring that a majority of the trustees shall be residents of the Territory, is a matter of great embarrassment in the formation of companies, under this law, in eastern cities. The propriety, therefore, of its amendment, in this regard, is submitted for your consideration, as also the propriety of guarding more stringently against speculating and inactive monopolies.

Under our present statutes, both County Clerks and the Governor of the Territery are authorized to issue "certificates of election to members of the Legislative Assembly." This should be changed, and the authority vested exclusively either

in one or the other.

Under the provisions of the act, passed at the last session of the Legislature, providing for the vote of Colorado soldiers, out of the Territory, it is a question whether they can vote for members of the Legislative Assembly. Heretofore they have been accustomed to enjoy all the franchises of free citizens. Serving as soldiers does not diminish their interest in the character of the laws under which their families live and their property is held, &c. They are more deeply interested in the election of the members of the Legislature, than of any other officers, and should have the privilege of voting for them. It is, therefore, recommended that the law be so amended as to give them the unquestionable right of voting for these officers.

#### POOR HOUSES.

In our populous counties are found many objects of charity and cases of destitution and suffering. Humanity demands that they should be taken care of, and justice demands that this burden should not fall on a charitable few. Some law should be passed for the establishment of poor houses in our more populous counties, into which these objects of charity should be received and cared for, and for the support of which

3

Ja

re

0

p

all should be taxed. Counties where, from the sparseness of population, such establishments would not only be enerous, but to a large extent unnecessary, should be allowed to send their poor to counties having poor houses, on just and equitable terms of admission.

#### POSTAL LAW.

During the last session of Congress, a law passed requiring that the postage on papers, periodicals, &c., sent to the Territories west of the Missouri (except papers sent to regular subscribers), should be prepaid at the same rate as letters. This law, most effectually and unjustly, cuts off our people from all the press and periodical literature of the States, except at a great expense. It is so unwise, unjust and without reason, that we regard it as an oversight on the part of Congress, and have no doubt but what a proper memorial would effect its repeal.

#### TRESPASS ON THE PUBLIC LANDS.

During the last summer much excitement has been caused by the arrest and punishment of many of our citizens as trespassers on the public lands; especially in the case of cutting timber in our mining districts. Under the existing laws of Congress this must continue to be a source of vexation and embarrassment to our people. A violation of these laws of Congress is necessary to our continuance here as a mining people. The general government has no desire or intention to stop the production of gold, or the general development of the country, by the rigid enforcement of laws against settlers on the public domain, and a memorial setting forth the hardships and necessities of the case should not fail to secure some modification of these laws, and result in great relief to our people.

#### INDIAN WAR.

The before unbroken peace of our Territory has been disturbed, since the last spring, by an Indian war. Allied and hostile tribes have attacked our frontier settlements, driven in our settlers, destroyed their homes, attacked, burned and plundered our freight and emigrant trains, and thus suspended agricultural pursuits in portions of our country, and interrupted our trade and commerce with the States. This has, for the time, seriously retarded the prosperity of our Territory.

At the commencement of the war, the general government, taxed to the utmost in subduing the rebellion, was unable to help us, and it became necessary to look to our own citizens for protection. They everywhere responded with patriotism and alacrity. Militia companies were organized in the frontier

9th

s of

but

heir

ble

ing

ito-

eri-

w,

he

eat

we

no

y

rs

is

0

n

counties, and secured local protection. Much credit is due to Capt. Tyler's company of militia, for the important service they rendered in opening and protecting our line of communication with the States.

In response to the call of the Governor for a regiment of cavalry for hundred day service, over a thousand of our citizens—the large majority of them leaving lucrative employment—rapidly volunteered, and in that short time, despite the greatest difficulties in securing proper equipments, organized, armed, made a long and severe campaign amid the snows and storms of winter, and visited upon these merciless murderers of the plains a chastisement smiting and deserved. The gratitude of the country is due to the men who thus sacrificed so largely their personal interests for the public good, and rendered such important service to the Territory; and their work, if it can be followed up with a vigorous winter campaign, would result in a permanent peace.

The necessity of such a campaign, and the imperative demand for immediate and complete protection for our line of communication with the States, has been, and is now being, earnestly urged on the government at Washington, and with a prospect of success. These efforts should be seconded by your honorable body, with whatever influence there may be in resolution or memorial, setting forth the facts and necessities of our situation.

#### only to dram only no noisela EMIGRATION.

A matter of great and vital interest to our Territory is the subject of emigration. The great scarcity of laborers and particularly of miners, has been, during the past summer, a source of serious inconvenience and discouragement to our mining Interest. The operation of many of our mines has been sus-Pended from inability to procure laborers. It is difficult to suggest a practical and feasible plan to secure an emigration of miners from Europe. A general system of emigration (as pro-Posed by some), sending out its salaried agents and advancing or assuming cost of transportation either from European or our eastern ports, such as might be adopted by an old and wealthy State, would be a hazardous experiment for a young Territory. While the difficulty is thus without immediate adequate remedy, much may be done to turn a tide of emigration to our doors by a proper dissemination of information and facts in regard to our country in the mining districts of Europe.

Statistics show, that while the United States secures the bulk of agricultural emigration from Europe, the mining emigration flows principally to Mexico, Australia, and South America. This to a large extent is attributable to the fact that our agri-

Jant

tion.

not

capj

sim

rigi

mei

pov

tor

gre

gre

un

fro

ar

re

yo

m

M

cultural resources are much better known and understood than

our mining resources.

Bring to the knowledge of the miners of England, Wales, Ireland, Germany, Bohemia and Saxony, who toil from year to year for twenty-five or thirty cents per day, the superior inducements offered by our country, the high wages paid for labor, the richness of our mines, the fact that they lay within the grasp of every industrious prospector—let all these and similar facts, published in the language of these different countries and duly accredited by foreign consulates, resident at our ports, be brought to their attention, and you will do much to turn to your doors the thousands who now yearly emigrate to Mexico, Australia, and South America.

A salary paid by the Territory to a competent and reliable emigrant agent, selected by and acting agent under the direction of a commission of miners, would, we think, be money judiciously expended. To some such plan, and the co-operative efforts of our large mining companies in eastern cities, who are so directly interested, we must look for relief in this regard.

#### MINES.

Our mines form the basis of our prosperity, and to them we must look for the golden future of our Territory. To foster this vital interest by protective legislation, to shield it, if possible against embarrassing and unwise legislation on the part of the General Government, is your first and most imperative duty to your Territory.

The mining interests of the Western States and Territories has become so vast in the last few years, and is so rapidly increasing, that there is a demand for some settled policy on the part of the General Government.

The relation which the occupants and claimants of our mines are to sustain to the General Government—the conditions of their occupancy—is the great and difficult question to be met and settled, and upon the wise and proper adjustment of which depends the future, not only of our own Territory, but of the vast gold fields stretching from the eastern slope of these mountains to the Paeific seaboard.

The Seigniorage Act now pending before Congress, proposes a system of tenantry and rental. All experience and all reason point to a system of absolute ownership as the only wise and correct policy,

It is the better policy for our Territory; it gives us a permanent population by giving settlers permanent homes. Americans settle permanently as freeholders, not as tenants. It gives us permanent improvements by giving us a permanent popular

tion. Occupants make permanent improvements as own ers not as tenants. It gives us largely increased investments of capital, by reason of the great security afforded by the feesimple. Capital seeks investment where its securities and rights are settled, known, and absolute, and where its management is unembarrassed by any outside controlling landlord power. It invests with rational reluctance in mines without title, when its only guaranty of possession is the liberality and forbearance of the General Government. It gives us all the greater wealth and prosperity, evoked by the superior care, greater industry, thriftier habits, more enlightened labor and untrammeled enterprise of the owner as contra-distinguished

from the tenant.

It is the better policy for the General Government. Revenue is the end desired. The wealth of a nation consists in the wealth of its citizens. Lands, whether mineral or agricultural, are only valuable to the General Government as a means of revenue, as they are made productive. This is true, whether you tax the product, or the land, the value of which is determined by the product. Increase the product and you enlarge Your true basis of taxation. By which of these two systems will this end be best secured: a system of ownership, or a system of tenantry? Ownership of the soil is the basis of our agricultural prosperity. Make the American farmer a tenant and you destroy the life of this great interest. If this be true with regard to our agricultural lands, why is it not true with regard to our mineral lands? Wherein, in habits of productive industry, or unsuccessful labor, will the owner or tenant of a mine differ from the owner or tenant of a farm? What is there peculiar in the mine to make different the results of these two different systems of occupancy? It matters not to the General Government whether the title be in itself or its citizens, so long as the land and product remains subject to her demands for revenue, and becomes purely a question which system will most enhance the value of the property by increasing the production, and thus enlarging the permanent basis of taxation.

Prussia dates her prosperity from 1807, when she abolished her system of tenantry, and placed the fee-simple of her soil within the reach of all her citizens. The mines of Mexico, rich and exhaustless, perhaps, as our own, are of largely diminished value to the world in the production of the precious metals, as also to their government as a source of revenue, by reason of her system of tenantry. Mr. Benton attributes the prosperity of the mines of England, and, as a consequence, to a large extent, the wealth and prosperity of the Kingdom itself, to fee-simple ownership of the mines by the citizen. These are the material results of the two policies. The social and

able rec-

are

v 9th

than

ales,

uce-

the

pab-

luly

be

11 to

ico,

we ter ole he to

es ly on es

h e 1-

1

8

Janu

almo

capit

coup

nies

With

urer

by t

by

and

the

ente

m a

For

arn

cha

tio

We

sh

da

au

in m

BI

to

a

a

T

political results in time would be equally marked and distinct. Ownership elevates—tenantry degrades. Independent ownership of the soil lays a foundation for all those higher virtues which constitute the good citizen, and safe participant in the franchises of constitutional government.

Our citizens have no desire to escape their just share of taxation. What they oppose are policies equally ruinous to both miner and government. Let Congress pass a Revenue law, taxing the gross proceeds of our mines five per cent., and

they will drive our miners from the country.

The General Government will have the title to the mines, but no gross proceeds to tax. Let Congress pass the Seignorage Act, establishing a system of tenantry, and crowd our mountains with rent collectors, and the system will fail, as years ago

it failed as applied to our lead mines.

But let the General Government provide for the survey of our mining districts; let her give, at a moderate compensation, these mines in fee simple to the discoverer and prospector, under pre-emption and discovery laws, guarding against fraud and monopoly; let her leave their development and operation to the energy and enlightened self-interest of the owner, and this Territory will pour into her coffers largely more revenue than under any system of tenantry. What action Congress can be induced to take, may be a question; but there is no question as to your duty to urge these great interests most earnestly on their attention.

#### OUR PROSPECTS.

During the last summer many things have conspired to discourage our people. Floods have swept away our crops on the bottom lands and obstructed the operation of our mines. The Indian war has trightened emigration, delayed machinery, obstructed trade and commerce with the States, and enhanced the cost of living. Notwithstanding all these discouragments, our prospects are flattering. Our population is gradually increasing, our agricultural resources are much greater and more abundant than had at first been supposed, and are being rapidly developed to meet the demands of the country. Notwithstanding entire crops were swept away by floods, the agricultural product of the Territory for the last year is much larger than that of any preceding year.

Our mines give daily increasing evidence of richness and inexhaustable supply. The energy and enterprise of our people, calling science to their aid, are treading surer pathways to new and rich discoveries, and testing improved methods of separating and saving gold, with a degree of success that promises to capital unexampled returns, and our Territory a wealth that is stinct.

re of us to venue, and

ary 9th

ines, orage ounago

ey of penprosinst ppener,

ost lis

on-

he he he ir

e-gy-t

almost fabulous. During the last year the attention of eastern capital has been attracted in an encouraging degree to our country. It is estimated that over one hundred mining companies have been formed for the purpose of operating our mines, with an aggregate working capital paid into the hands of treasurers of the companies, of over ten million dollars.

The resources of our Territory have been developed thus far by the energy, industry, and enterprise of its citizens, unaided by capital. With this amount of capital coming to their aid and with every element of great and prosperous empire, within the bosom of her mountains and plains, our Territory will soon enter upon a no limited career of prosperity and power.

For near four years the American people have been engaged in a war for the preservation of their National Government. For a long time darkness and cloud hung over the nation. The Ponderous proportions of the public debt; the vast lines of armies; disaster on the field, and dissensions in the council chambers; elections that apparently rebuked the Administration in its efforts to crush the rebellion; foreign relations that were uneasy and threatening, all created doubt and distrust and shrouded the loyal heart in gloom. But I congratulate you today on the happier omens under which we assemble, which auspicate for the Republic re-establishment of its rightful authority and the perpetuity of its inestimable blessings.

Our foreign relations have assumed a friendly aspect which forbids all thought of a foreign war. Our elections show an improved public opinion; a disposition on the part of the great majority of the people to throw aside all party prejudice and passion, and a settled determination to prosecute the war to a successful issue.

Our armies, every where victorious, are closing up around the already open grave of the rebellion, and all doubts of final triumph is vanishing before the light of the victories of Sheridan and Sherman. Our Government will soon be re-established in all its integrity. Founded in the consent and moulded by the intelligence of the people, it will be preserved by their valor.

I congratulate you on the part your Territory has taken in this great struggle. Young, and far removed from the scene of conflict, she has sent twenty-four hundred gallant soldiers to the aid of the general Government. We are justly proud of the record they have made. By virtue of their endurance, their bravery and gallantry rebel hordes were driven from New Mexico. By virtue of the same high, soldierly qualities, you re-assemble to-day with a new page of proud history, written by the gallant Second on the battle fields of Kansas and Missouri. The record our soldiers have made—the service they have rendered the country—the proud reputation they have

\$12, 590 01

Jan

AMO Bal

An

won on the battle fields of the republic-Colorado will ever regard as priceless. SAM. H. ELBER

AUDITOR'S REPORT.

AUDITOR'S OFFICE, COLORADO TERRITORY, December 31st, 1864.

To the General Assembly of Colorado:

In pursuance of law I have the honor of submitting to your honorable body the following exhibits of the affairs of this Territory for the year ending December 31st, 1864.

Respectfully Yours, RICHARD E. WHITSITT, Territorial Auditor. E. H. L. BERARD, Deputy.

RECEIPTS AND DISBURSEMENTS OF THE REVENUE-1864. Dec. 31, 1864. Balance in Treasury, Jan. 1, 1864 14, 674 45 Am't of Revenue received from Dec. 31, 1863, 14, 732 13 Total,

> Auditor's Warrants redeemed to date, Interest paid on same Mileage paid County Treasurers.

256 05 449 50 -13, 305 56 \$1, 426 57 Balance in Treasury, Jan. 1, 1865,

EXPENDITURES-Showing the amount of warrants issued, to what account other ernenditures during the near just closed:

charged, and other expendition to day of	reg !	ore ge	Jus	0 0000000	100	
o post il sales a la l		exper		Am't app'ted &	undra'n 885 95	
Legislative Fund, \$	4,	316	19	Ф±,	11	
		802	31		352 44	
Contingent,		95	.82	A STATE HERE	492 68	
Auditor's Salary,		937	37		412 63	
" Contingent,		50	00	Carrier Sacoras	401 65	
Ter. Sup't's Salary,		375	00	med skepiskii	109 72	
Contingent,		15	00	Grad milion	120 50	
Ter, Librarian's Salary,		450	00	on elektrica	746 67	
" " Contingent		21	50	Contract to	445 00	
Special Fund,	6,	948	40	1,	060 00	
General Contingent Fund,	60	885	95	4,	870 62	
Warrants issued, \$170 40						
Interest paid on same, 266 05						
Mil'ge p'd Co. Treas., 449 50						
notified the said by the said of						

\$885 95 Territorial Militia,

200 00

200 00

AMOUNT OF WARRANTS ISSUED, REDEEMED AND OUTSTANDING, 1864. Balance scrip outstanding issued in years 1861-2-3, \$546 11

Redeemed,

Balance outstanding Jan. 1st, 1865,

Total amount outstanding Jan. 1st, 1865,

Amount of Warrants issued in 1864,

Redeemed in 1864, 468 11

78 00

-260 05

\$338 05

\$12, 381 95 12, 121 90 000

ever

v 9th

rour rer-

68 45 13

56 57 nt 'n

4 5

Warrants of 1861-2-3	-4.	there a Dun	Muerano
RESOL	JRCES OF THE	TERRITORY.	
Balance of Revenue in	the Treasury ue from Coun	Jan. 1st, 1868 ties. \$8, 516	Puelko 81
Probable Tax of 1865	@ 2½ mills,	The medical	-4,25819 20,00000
e dre sgib, lebe, man		in the beautiful and	\$25, 684 76
PRESENT	INDEBTEDNESS	OF TERRITORY.	SAUCAS VALUES
Balance due Territoria Probable Interest on o "Mileage due	l Officers on a outstanding W County Treas	arrants	s, \$1, 975 00 15 00 175 00
V 080 ass or the norm		No Re	\$2, 165 00
Estimated expenses for si	MATED EXPEN	DITURES.	ropriation un-
drawn and estimated a penses to Jan. 1, 1866	mount necessar	y to pay salarie	s and other ex-
Upon what Fund	Est'd exp'd's	Ap'n und'n	Est'd ap'n to
Legislative Fund,	\$3,000 00	\$4, 885 95	Jan 1st'66. \$3, 000 00
Treas, Salary "	600 00	352 44	600 00
Cont'g't "	100 00	492 68	100 00
Aud's Salary "	800 00	412 63	800 00
" Cont'g't "	100 00	401 65	100 00
Ter'l Sun't Sal'v "	500 00	109 72	500 00
" Cont. "	300 00	420 50	300 00
Libra'n Salary " Cont'c't "	600 00	746 67	600 00
Oullet	200 00 2, 500 00	445 00	200 00
	7. 2000 (10)	4,870 62	
Gen'l Cont'g't "Ter'l Militia "	2,000 00	1,010 02	200 00 200 00

Janu

By erty tas, I have required to the control of the

pas sha soo we cer Th ing

## BALANCE OF TAX DUE FROM COUNTIES.

Arapahoe County, at at bouseled	\$1, 386 68
Boulder "	200 -4
Clear Creek " ,3081 tel mal gnibuntatio	010 02
Conejos 106 julio	518 40
Contract that the second of th	1, 510 50
Douglas "	46 09
El Paso "	49 02
Gremont ". 1865, " Gilning Jan. 1st, 1865, "	2 320 73
- Oripin	219 04
Hueriano A-6-X-1061 10	926 50
Jefferson "Lake ". 780TISSET ENT TO ENDINGESS	172 81
T - : 46	- hoffe
The court of the constant and a cons	76 50
Dealle 16 016 og sammed men sun	63 50
Summit 4 25 18 Summit	152 91 87 92
Weld of " salfan 12 an 3381 to ref	aldado1
	\$8, 516 37
Total,	φο, στο

#### VALUATION OF TAXABLE PROPERTY FOR THE YEAR 1864.

VALUAL	A LIOURIN	Marie 10	SHADADA		ESENT	PR	00
Arapahoe C						949 700	00
Boulder					0 110 33	900 600	90
Clear Creek	66					238,002	00
Conejos	"					166,219	00
Costilla	"					336,930	UV
Douglas	66	No Rep	ort.				=0
El Paso	66						50
Fremont	- 66					69,112	00
Gilpin	(6) 10		ig year,		er for s	2,097,026	00
Huerfano	60	No Rep	ort.				
Jefferson	"					244,708	00
Lake	(Charles	Apin				70,640	00
Larimer	66	No Rep	ort.				
Park	66	"		100			
Pueblo	"	4.		000			
Summit	46	46				1 g moO	
	60 81	46				ad's Salary	
Weld	30) IO				**	3,3 1800 .,	-
		Para				BE FET 000	10

\$5,571,006 40

Libra II Saldry

ary 9th

386 68

289 05

515 57

89 83 18 40

8 50

 $\frac{46}{49} \frac{09}{02}$ 

20 73

12 64 26 58

6 58

3 50

2 97

7 92

37

00

90

00

00

50

00

00

00

#### GENERAL REMARKS.

By reference to report headed "Valuation of Taxable Property for the year 1864," it will be seen that the counties of Douglas, Huerfano, Larimer, Park, Pueblo, Summit and Weld, have not returned to this office any abstracts of assessments for the year 1864, and this office is unadvised of the cause why the clerks of the different counties have failed to make reports as required by law.

In a letter addressed to this office by the Clerk of Conejos County, it appears that through errors committed by its late Assessor, that the larger part of tax of said county has not been collected, and also that the road from there to Denver is unsafe to travel. Hence the failure in returns being made.

An act entitled "an act concerning Weights and Measures," Passed by the last Legislature, provides in its 6th section, that it shall be the duty of the Treesurer of this Territory to procure as soon as possible from the Federal Government all necessary weights and measures for use of Territory.

The Treasurer of the Territory notifies me, under date of December 28th, 1864, that said measures and weights have arrived. The charges on same for transportation are so heavy (amounting in the aggregate to \$324,25,) that I deem it advisable to lay the matter before the Legislature for instructions prior to issuing warrant in payment.

#### DENVER, Jan., 10, 1865

We, the undersigned, appointed by the Secretary of Colorado Territory, for the purpose of settling with the Treasurer and Auditor of said Territory, have examined the accounts of R. E. Whitsitt, Auditor of said Territory, from the 1st day of January, 1864, to the 31st day of December, 1864, both days inclusive; have compared the same with the several vouchers in this office and find the same correct. The total amount of warrants issued during the year 1864, we find to be twelve thousand, three hundred and eighty-one dollars and ninety-five cents, of which there has been twelve thousand, one hundred and twenty-one dollars and ninety cents redeemed.

The total amount of warrants outstanding, issued in 1861, 1862, 1863 and 1864, we find to be, three hundred and thirty-eight dollars and five cents. Balance of revenue in the Treasury, Jan, 1st 1865, we find to be fourteen hundred and twenty-six dollars and five cents, as per Treasurer's report.

MOSES HALLET,

Member of the Councit.

A. O. PATTERSON,

C. M. TYLER,

Members of the House.

#### TREASURER'S REPORT.

TREASURY DEPARTMENT OF COLORADO TERRITORY. Treasurer's Office, December 26, 1864.

To the General Assembly of Colorado Territory:

I have the honor of submitting the following report of the business of this department, from the 1st day of January, 1864, to the 26th day of December, 1864.

#### hottigand - RECEIPTS: 101 tant agencie it wigner

Balance in Treasury as per Treasurer's Report,
January 1, 1864.

Total amount of revenue received to date,

57 68
14,674 45 DISBURSEMENTS.

Total am't of Auditor's war'nts redeemed, \$12,590 01 " Interest paid on same, 266 05

" Mileage certificates paid County Treasurers, 449 50
Balance in Treasury, 1,426 57 \$14,732 18

1864, December 26, Balance in

Contag of the Council.

Treasury brought down, \$1,426 57, where the supplier and the supplier and

The following tables and statements will exhibit the amounts due from the several counties as per Treasurer's report, 1864, January 1st, with the additional assessments for 1862 and 1863, and the assessments reported to this office by the Auditor for the year 1864, added thereto; the receipts into the Treasury, and balances due from said counties; also the amount of warrants issued, redeemed and outstanding, and the disbursements from the several funds of the Territory. during the real 1804, as finders be twelve about not thus bone fored and eighty-one deliars and a neighbor court of which there has been twelve thousand, one hundred and twenty-one deliars to

## REVENUE RECEIVED AND BALANCES DUE FROM THE SEVERAL COUNTIES.

	raver graph str. graph	COUNTIES.	7 2 3 3	Balance due Jan. 1st, 1864.		Total.	Amount paid in 1864.	Balance due.
OURNAL.	Arapahoe County Boulder " Clear Creek Conejos " Costilla " Douglas " El Paso "	Anditor a mi bedeemed, bearing trans arrange reason arrange reason	All transfer	\$592 31 154 13 614 44 899 68 507 61 85 41 37 23	728 10 715 80 498 65 1,010 79 No report	882 23 1,330 24 1,398 33 1,518 40 85 41	593 18 814 67 809 00 76 91	\$989 62 289 05 515 57 589 33 1,518 40 8 59 46 00
HOUSE J	Gilpin "	Additional assessments 1862-3 reported 1864, Additional assessments for 1862-3	\$69 78 24 58 \$1,258 75 79 54	94 36	207 35 6,291 08	2	252 69 5,208 12	49 02 2,421 25
Н	Huerfano " Jefferson " Lake " Larimer "	No report for 1862–3-4	Trestant.	512 64 292 46 191 00	No report 734 12 No report	512 64 1,026 58 191 00	200 00	312 64 926 58
y 9th.]	Park Pueblo Summit Weld ""	Additional assessments for 1862-3,	\$277 99	222 13 187 50 152 97		222 13 187 50 152 97	145 55 124 00	76 58 63 50 152 97
January	A supposed to the supposed to	3 2 4 4 4 8 9 8 8 8 8	17 93	295 90 \$6,178 06	10	295 90 \$22,682 36	207 98 \$14,674 45	87 92 \$8,047 02

WE to 86

SCRIP	TESTIED	REDEEMED	AND	OUTSTANDING.
SURIP	TOOURD,	REDEEMED	AND	OOIDIAHDING.

Balance of war'nts	drawn in 1862-3, as p Treas. report, Jan. 1,	er 1864, \$546 11
"	Redeemed in 1864,	468 11 78 00
Total am't of war'r	ats issued in 1864 as p Auditor's m'thly re	er
	Redeemed,	12,121 90 05
Balance outstandin		\$338 05

STATEMENT OF DISBURSEMENTS FROM THE DIFFERENT FUNDS OF THE TERRITORY DURING THE YEAR 1864.

Legislative Fund	\$2,248	10
Special "	6,816	40
Librarian's salary Fund,	528	33
cont'g't "	30	
Superint'd't salary "	440	
" cont'g't "	47	
Auditor's salary "	1,087	-
	103	25
. Contrigue	812	
Ticas is saidly		
"cont'g't "	105	
Adj't Gen's salary "	200	00
General conting't "upon Audit's war'nts, \$170	40=3	
"Interest on warrants, 266		
" Mileage to County Treasurers 449	50	
Militage to County Treasurers 410	885	05
。 10. 10. 10. 10. 10. 10. 10. 10. 10. 10.	000	20
44 E-66368 6 9388 5	440 005	
	\$13,305	50

The above report is respectfully submitted, ALEX. W. ATKINS, Treasurer of Colorado Territory.

We, the undersigned, appointed by the Secretary of Colorado Territory, for the purpose of settling with the Auditor and Treasurer of said Territory, have examined the accounts of Alex. W. Atkins, Treasurer of said Territory, from the 1st day of January, A. D. 1864, to the 26th day of December, 1864, both days inclusive, and have compared the same with the several vouchers, and find the same correct.

9th

00

05

05

HE

10

10

3

0

A summary statement of said accounts is given above, and We find the balance on hand on the 26th day of December, 1864, to have been fourteen hundred and twenty six dollars and fifty seven cents. (1,426 57,)

MOSES HALLETT, Member of the Council. A. O. PATTERSON, 9 o'clock a. m. to-morrow. C. M. TYLER, Members of the House.

On motion of Mr, Lynch, The joint session was dissolved. The Speaker called the House to order.

On motion of Mr. Stone, it was Resolved, That a committee of three be appointed by the chair, for the purpose of having one thousand copies of the Governor's message and accompanying documents printed for the use of the House of Representatives.

Messrs. Stone, Lynch and Ehrhart were appointed as such committee.

On motion of Mr. Lake, it was di to notiton that rebiscos of

Resolved, That a committee of three be appointed to analyze the various matters contained in the Governer's message, and to assign the same parts to appropriate committees, for the consideration and action of the House,

The Speaker appointed Messrs. Lake, Holland and Stone as

such committee.

The following message from Colonel Moonlight was received and ordered spread upon the journal of the House:

HEADQUARTER DISTRICT OF COLORADO TERRITORY, Denver, January 9, 1865.

Gentlemen :- Learning that the Legislative Body of Colorado Territory is now in session, I respectfully suggest for your consideration the propriety of immediately reorganizing the Militia Law, Your country is in a manner isolated from the balance of the Federal Government, on which you depend for supplies; your line of transportation is now inoperative, and itdevolves upon you, the representatives of the people, to take a step in a direction that will insure you at least an active and efficient militia force to guard over your interests.

As the matter now stands, the militia must be called out sooner or later, and I make these suggestions that there may

be no misunderstanding between the civil and military.

Gentlemen, pardon my intrusion, I mean it for your good. Very Respectfully Your Ob't Serv't.

T. MOONLIGHT, Col. 11th Kansas Cav. Commanding District, Hon, Speaker of the House of Reps.,

Golden City, C. T.

States.

Jan

Tive

thos

tion

20 Ir

cons

A

de S Wit

ou!

L

On motion of Mr. Holland,

The foregoing communication was ordered to be spread upon the Journal, and referred to a special committee of three.

The Speaker appointed as said committee, Messrs. Holland, Nichols and Worrall,

On motion of Mr. Patterson,

The House adjourned until 9 o'clock a. m. to-morrow.

### TUESDAY, JANUARY 10th, 1865.

House met pursuant to adjournment. Roll called.

Absent.—Messrs Mansur and Tyler. Journal read, amended and approved.

On motion of Mr. Worrall,

A select committee of three was appointed by the Speaker, to consider that portion of the Governor's Message relative to emigration, and report thereon.

Messrs. Worrall Thompson and Lake were appointed as such

Mr. Holland from the special committee to which was referred the communication from Col. T. Moonlight, made the fol-

lowing report,

The special committee to which was referred the communication of the United States commander of this District, respectfully beg leave to report that they have had the matter under consideration, and recommend that, in view of the exposed and defenseless state of our settlements and the inefficiency of our present militia law, the standing committee on military affairs be requested to immediately consider the matter with a view of revising our statutes so as to render a part, at least, of our militia force available in case of the invasion of our homes.

The formation of independent companies should be encouraged, and every facility offered to render them efficient; system and order should be instituted and the spirit of our people trained to meet the stern realities of war, a thing your commanders have been unable to accomplish under the present law.

The young State of California fitted out one or two expeditions against her hostile tribes. The Territory of Oregon raised one or two regiments to chastise the Pi-Utes and other tribes on her northern borders; and in the opinion of your committee, a battalion of men might be raised and equipped under the commander of the late Third Regiment, which would do good service in averting one of the most deplorable of events-the total and continued severance of our communications with the States.

pon

to

10th

The late campaign of the 3d Regiment is a master stroke at those who are accustomed to sneer at home military organizations, and deride the efficiency of the citizen soldier, novo off

In the opinion of your committee the communication under consideration, coming from the source it does, is compliment-

ary to the bravery and reliability of Colorado troops. 100

All of which is respectfully submitted! saw noitules and

Today omos no werrom-of no tedt E.F. HOLLAND, Chin. quent da, & LOHOLA, M. Cluce a biltereating the office of Flour T. D. WORRALL

The report was referred to the committee on military affairs With instructions to report as soon as practicable.

The Speaker announced the following standing committees. On Judiciary.—Messrs. Stone, Patterson, Pine, Holland and

Lynch. D head light a to mitanoc On Ways and Means .- Messrs. Patterson, North, Hopkins,

Mansur and Pine.

On Elections and Apportionments .- Messrs. Holland, Mansur, Stone and Tyler.

On Federal Relations .- Messrs, Nichols, Ehrhart, Tyler and Worrall.

On Incorporations .- Messrs. Lynch, Mansur, Patterson, Thompson and Hopkins.

On Mines and Minerals.—Messrs Pine, Holland, Thompson,

Stone and Mansur. On Agriculture and Manufactures.—Messrs. Nichols, Mansur,

Craig, Ehrhart and Holland.
On Territorial Affairs.—Messrs. Worrall, Nichols, Stone,

Craig and Ehrhart.
On Counties and County Lines. Messrs. North, Craig, Nichols, Hopkins and Lake.
On Military Affairs.—Messrs. Holland, Tyler, Nichols, Lake

and Hopkins.

On Education. Messrs. Worrall, Lake, Patterson, Pine and

On Roads and Bridges.—Messrs. Tyler, Thompson, Nichols, Hopkins and Craig.

On Printing .- Messrs. Lake, Worrall, Craig, Thompson and

Ehrhart.
On Kules and Joint Rules.—Messrs. Holland, Lynch, Stone, Patterson and North.
On Indian Relations.—Messrs. Stone, Tyler, North, Lake and

On Engrossment — Messrs. Lake, North and Thompson.

On Enrollment .- Messrs. Lynch, Pine and Tyler,

Mr. Lynch offered the following resolution: oggs and finguo)

Janua

Coun

the E

ofthe

On

Th

M

resol

Hou

Hou

M

tion

T

T

A ols :

Wo

-17

VI

ral

0/8

th

re

H

U

fi

R H. J

Resolved, That the delegates from the 2nd Representative District, comprised of Arapahoe and Douglas Counties, having the Governor's certificate be admitted to seats in this body; allowing the delegates holding the County Clerk's certificates the right to contest, without giving the notice required by law. On motion of Mr. Worrall, which her bus yaverd and of The

The resolution was laid on the table. And a dold w lo IIA

Mr. Patterson gave notice that on to-morrow or some subsequent day, he would introduce a bill creating the office of Flour Inspector, ANNOWAL.

Also,

A bill to prevent Stallions, Rams and Boars from running at

Mr. Holland gave notice that he would on to-morrow or some

subsequent day, introduce

A bill asking for the Incorporation of a Rail Road Company. Mr. Worrall gave notice that he would at an early day, intro-

A bill providing for Emigration to this Territory.

That on Thursday next, or some subsequent day, he would

A bill to prevent Medical Practitioners from practicing in

That on Friday next, or some subsequent day he would

A bill to Regulate Elections.

Mr. Stone gave notice that on to merrow or some subsequent day, he would introduce bills of the following titles: but give

A bill to define the extent of Lodes.

A bill amendatory of the laws concerning School Claims. A bill to repeal the Denver. Bradford and Blue River Road Charter.

A bill amendatory of an act in relation to Stock Grazing.

A bill amendatory of an act concerning Replevin.

A bill amendatory of an act in relation to practice in Civil

Mr. Stone offered the following resolution:

Resolved,—That two persons from each of the two delegations claiming seats in this House, from the 2nd District be admitted to seats in this House until the contest is determined finally, and that the persons so to be admitted be selected by the respective delegations claiming seats from said District.

The following message was received from the Council:

Mr. Speaker, -I am instructed to inform the House that the Council has appointed a committee of two on the part of the tative aving v: alcates law.

10th

hselour

gat

ny. ro-

ip

On motion of Mr. Worrall

The House adjourned until 2 o'clock p. m.

Council, to act in conjunction with a committee on the part of the House, to frame and report Joint Rules for the government House met pursuant to adjournment de les sesuoH owi ofthe

On motion of Mr. Worrall,

The Speaker was authorized to appoint said committee. Mr. Patterson offered the following as a substitute for the instructed to fornish the Olerk windStone Mr. Stone

Resolved-That B. B. Stiles, A. W. Bailey, E. M. Ashley and H. J. Brendlinger be admitted to seats as members of this House until the question of contested seats is decided, by this House. the House and Council, or radion

Mr. Lynch moved to lay the substitute and original resolution on the table. tary of the Territory, and of

The ayes and noes being called for, Those voting in the affirmative were ATMADE

Ayes-Messrs. Craig, Holland, Hopkins, Lake, Lynch, Nichols and North-7,

Noes—Messrs. Ehrhart, Patterson, Pine, Stone, Thompson, Worrall and Mr. Speaker—7. tract from instructions sent me by the Trisoheaw noitom adl'

The question being upon the adoption of the substitute," The ayes and noes were called for inq off enlarger of awal gni

Those voting in the affirmative were, and to stimil adT .gni

Ayes-Messrs, Craig, Ehrhart, Pine, Patterson, Stone, World in this respect, by the General Assembl,7-Talland Mr. Speaker-7, deneral Assembly Noes-Messrs. Holland, Hopkins, Lake, Lynch, North, Nich.

petitions and documents having no necess 7 - nozquod bas slo The motion to accept the substitute was lost igel lo seith end

The substitute was then amended, by consent, by inserting the word "temporarily" after the word "admitted," so as to The proprietors of the Miner's Register have beswolds as basel

Resolved-That B B. Stiles, A. W. Bailey, E. M. Ashley and H. J. Brendlinger be admitted temporarily to seats in the House until the question of contested seats is decided by this House. On the motion to adopt the substitute thus amended, a mal

The ayes and noes were called for and the vote resulted as The members will oblige me by giving their names to the swollor

Those voting in the affirmative were, and and all o aman and drive

Ayes-Messrs. Craig, Ehrhart, Lake, Patterson, Pine, Stone, Thompson, Worrall and Mr. Speaker 9. betarten osla ma I

Noes Messrs. Holland, Hopkins, Lynch, Nichols and Northern to mail, they will please frank and place in the 6-mathrol The substitute was adopted.

Mr. Lynch moved that the House adjourn till 2 o'clock p. m. The motion was lost! do and I

mi

:03 COL

## To trange of the continuence and article on the part of

House met pursuant to adjournment.

Roll called.

Quorum presentine talogue of hexitodine same escond off On motion of Mr. Holland the Committee on Printing was instructed to furnish the Clerk with a blank list of the members as soon as possible.

The Speaker appointed Messrs. Worrall, North and Stone on the joint committee to frame Joint Rules for the government of

the House and Council.

The following communication was received from the Secretary of the Territory.

SECRETARY'S OFFICE, COLORADO TERRITORY, doil donat salad snished Longlott January, 9th 1865.

#### To The Honorable Speaker of the House of Representatives:

SIR: I beg leave to call your attention to the following ex tract from instructions sent me by the Treasury Department:

"This Department claims and exercises the right under existing laws to regulate the price and quantity of Territorial printing. The limits of the annual appropriation, aside from any other consideration, would not admit of any indefinite action in this respect, by the General Assembly. You will therefore suggest to the presiding officer of each House that memorials, petitions and documents having no necessary connection with the duties of legislation or the dissemination of useful information among the people will be excluded, and not printed at the expense of the United States."

The proprietors of the Miner's Register have been employed by me to do the incidental printing of the session, and will do such printing as your committee on printing, with proper re-

gard to the above instructions may order. The moisson of firm

I am also authorized by the Department to furnish each member of the Legislature with one newspaper during the session. The members will oblige me by giving their names to the Clerk with the name of the paper published in our Territory, which they desire.

I am also instructed by the Department, to pay the postage of members during the session. Letters and papers which they desire to mail, they will please frank and place in the hands of

the Sergeant-at-Arms.

or of Medico & His man Very Respectfully Your ob't servant, more of SAMUEL H. ELBERT, 10 Secretary of Col. Territory.

was bers

10th

tof re-

stty n B

X

h

On motion of Mr. North, solo o 2 little benquoiba esto H off To. The resolution admitting the delegates from the 2nd Representative District, holding the Governor's certificate of election

Mr Patterson having obtained leave of the House, introduced A bill entitled "an act to create the office of Flour Inspect or," which was read the first time. snot 3.1M to noitom at

On motion of Mr. Patterson, violatinite bui saw noitaloser ed T The bill was read a second time and referred to a special committee of three.

Messrs. Patterson, Nichols and Pine were appointed as said of hat when this Legislative Assembly adjourn this sentimmo

Ommotion of Mr. Holland, ned at seem of bearaging bustati

The House took a recess until 4 o'clock po mo 2 is the field

Time having expired the Speaker called the House to order. The following message was received from the Council: 11 1798

MR. SPEAKER: I am instructed to inform the House that the Council has passed Motion withdrawn.

C. B. No. 1, entitled "an act to divide the Teritory of Colorado into Judicial Districts, and to provide for holding Courts in the same."

Yours Respectfully, noitom nO The Allender of the Land of th

Clerk of the Council.

On motion of Mr. Holland, be to be ubortai Harro War Ma The bill was read first time of ton mer beltitle 2. No. 2. H. On motion of Mr. Lynch, prisitising morn eniothere to enemit

The bill was read second time and referred to the Committee on Judiciary. The case of the most of the Honor of the continued of the co

On motion of Mr. Thompson, amit bicoses beer saw Hid adT

The House adjourned until 9 o'clock a. m. to-morrow. The bill was referred to a special committee of three and

### WEDNESDAY, JANUARY, 11, 1865. on successful

The Speaker appointed Mesers Thompson Workell and

House met pursuant to adjournment about a beltime flid A concerning Probate Courts, and Justices of the PenbellandloAn

Counties, Approved March 11, 1864. w.ruenaM .rM-tassdA. Journal of yesterday read and approved suborthis suots and

Mr. Patterson from a special committee appointed by the Governor, to examine the Reports of the Auditor and Treasurer of Colorado Territory, submitted the Report of the Treasurer, Which was read and received offibe as guitov mort vrotires T

from the General Government in ochnalloH rMeto notiom nOo That part of the Governor's Message relative to the Incorporation act of last session was referred to the Committee on Inter

Jan

Bel

Me

953

the

cha

to

be

on

M

n

h

C

to seats in this House, was taken from the table for considera-A bill entitled "an act to ereste the office of Flour Insp.noit

On motion of Mr. Stone, Smith and the same design and The resolution was indefinitely postponed. We to notion at

Mr. Lake offered the following resolution.

Resolved, By the House of Representatives, the Council concurring; That when this Legislative Assembly adjourn this afternoon, it stand adjourned to meet at Central City on Monday next, 16th inst., at 2 o'clock, p. m. Laling assess a sloor senell of

Mr. Hopkins moved to strike out the word "Central" and in-

sert the word "Denver." horisser and ogsassin phinollal and

Mr. Holland moved to lay the motion on the table.

Motion withdrawn.

Mr. Holland moved that the resolution be indefininely postponed.) guidloif not epivery at him steists id taibile to an obs

Lost.

On motion of Mr. Patterson,

The resolution was laid on the table, Previous notice having been given,

Mr. Worrall introduced H. B. No. 2, entitled "an act to prevent unlicensed practitioners of medicine from practising of medicine in Colorado Territory," which was read first time.

On motion of Mr. Patterson

The bill was read second time by its title.

On motion of Mr. Thompson, and the beautiful send self-

The bill was referred to a special committee of three.

The Speaker appointed Messrs. Thompson, Worrall and Holland as said committee.

Previous notice having been given,

Mr. Stone introduced

A bill entitled an act amendatory of an act entitled "an act concerning Probate Courts and Justices of the Peace in certain Counties," Approved March 11, 1864., which was read first time.

Mr. Stone introduced the following resolution: To learned.

Resolved, That the Committee on Ways and Means be instructed to examine the organic act of this Territory, and if there is nothing in the same, prohibiting the Legislature of this Territory from voting an additional amount to that received from the General Government in per diem for their services, to report a bill granting them an additional amount from the Ter-Pation act of last session was referred to the Committee or violit

On motion of Mr. Lake

The House adjourned until 2 o'clock p. in. all to notions no The resolution admitting the delegates from the 2nd Repre1th

ra-

g; mo

tt,

1-

### The report was anoreses noonarranules were read by the

House met pursuant to adjournment. Il . M to moitom no One hundred copies of said Rules were ordered berhandeno

Absent-Messrs. Craig and Mansur. 2200 off to 220 off tot

The special committee to which was referred the Governor's Message, made the following report: 100 don da 20.04.8. H

The undersigned, special committee, to whom was referred the Governor's Message beg leave to report that they have discharged the duty assigned them, and recommend, notion all

That so much of said Message as relates to the amendments to general laws be referred to the Committee on Judiciary!

So much as relates to the Auditor's and Treasurer's Reports be referred to the Committee on Ways and Means. , tool

So much as relates to education be referred to the Committee

on Education.

So much as relates to Poor Houses be referred to the Committee on Territorial Affairs, all and to nom bus resulto and of

So much as relates to Federal Relations, Trespass and Postal Laws be referred to the Committee on Federal Relations.

So much as relates to Mines be referred to the Committee on Mines and Minerals.

So much as relates to Emigration be referred to the special Committee on Emigration. A.dopted.

So much as relates to Indian wars be referred to the Com-

mittee on Indian Relations.

So much as relates to Incorporations be referred to the Com-

The entire Message, both for the excellency of its style, and the merits of its matter, we earnestly commend to the careful consideration of the House and the country.

Respectfully Submitted.

Respectfully Submitted.

BENJ. LAKE, Ch'n, R, CINALTIUHIM. Imks of this House be, and are hereby

tendereaMOTRoffe, Wand soldiers from Colorado, who so nobly sustained the reputation of CobnalloHr, rMstornoitom ac

The report was received and the committee discharged. welt

On motion of Mr. Holland,

The Sergeant at-Arms was instructed to procure a map of the Territory for the use of the House sesser a sloot seno HodT

Mr. Patterson introduced the following resolution:

of Resolved, That the Secretary be requested to procure a suit able book in which to transcribe the proceedings of the House. ofr. Patterson from the committee appointed by . Deirra Co-

Mr. Holland from the Committee on Rules and Joint Rules, recommended the adoption of the Rules and Joint Rules of last session. was read and received.

The report was adopted and the Rules were read by the Clerk.

On motion of Mr. Pine; emannoibs of inspering tem espoli

One hundred copies of said Rules were ordered to be printed for the use of the House, general has gion of the House, general has been a bee

a The select committee to which was referred to be some off

H. B. No. 2, an act entitled "an act to prevent unlicensed practitioners in medicine, practicing in this Territory," made through Mr. Worrall, a verbal report. On motion of Mr. Worrall, and bourgises with out begrade

The report was received and the committee discharged. Mr. Worrall moved that the rules be suspended and the bill read the third time and put upon its passage, or as dome od be referred to the Committee on Ways and Mean Lost,

Mr Worrall introduced the following resolution:

Resolved, That the thanks of this House are hereby tendered to the officers and men of the Third Colorado Cavalry for the prompt and ready manner in which they responded to the call of the Government for a regiment of one hundred days volunteers, and that a copy of this resolution be sent to Col. Shoup, with the request that he will forward it to his officers and men in such manner as he deems best.

Adopted.

-mMr. Worrall introduced the following resolution : Our old

Resolved, That the thanks of this House be, and are hereby tendered to Capt. Tyler and the officers and men under his command, who, at an immense sacrifice and cost to themselves, so nobly responded to the call of the Government during the late the merits of its matter, we carries where the merits of the dlonger and the country.

Adopted.

Mr. Worrall introduced the following resolution:

Resolved, That the thanks of this House be, and are hereby tendered to the officers and soldiers from Colorado, who so nobly sustained the reputation of Colorado troops in the late battle with the enemies of our country, in the State of Missouri.

Adopted.

od On motion of Mr. Patterson, it any and A. In the Serve and

The House took a recess until 4 o'clock p. m. I not more

The time having expired, the Speaker called the House to able book in which to transcribe the proceedings of the irobro.

Mr. Patterson from the committee appointed by the Secretary of Colorado Territory to settle with the Auditor and Treasurer of said Territory, submitted the Auditor's Report which was read and received.

MI Re and What of th the f

Janu

such of: laws A

0

H B M

ten the uc

stri or s

> atr pr

re di

in

0

ited

TITL

the

ade

sed

bill

ed he 11-

en

1-

referred

bill, or which seems to be causes for its passage; and the under Mr. Holland introduced the following resolution:dmem bengia Resolved, That the Honorable Secretary of the Territory bear and he is hereby respectfully requested to report to this House what progress has been made in the printing and distributing of the Spanish edition of the Territorial Laws; how much of the fund appropriated for that purpose has been expended, and such other facts in relation to the matter, as he may be possessed us of; and also, to furnish the Speaker of this House with a copy of Turnishes the best and in fact the only suitablished os swal

accommodations for holding courts in the two counties batqobA On motion of Mr. Hopkins, levert asol selim with virasan guisd

The House adjourned until 9 o'clock a. m. to morrow.

## THURSDAY, JANUARY 12, 1865. seitunce to sees o

some additional sections have been added from the laws of the last preceding session, which seem to be necessary in the

House met pursuant to adjournment.
Roll called.
Absent—Messrs. Mansur and Tyler.
Journal of yesterday, read, amended and approved.

Mr Holland introduced the following resolution.

Resolved, That the Committee on Ways and Means be in-Structed to inquire into the expediency of reducing the salaries or abolishing the offices of Territorial Librarian and Superintendent of Public Schools. Mr. Worrall effered the following amendment,

Amend by referring the portion of said resolution relating to the Superintendent of Public Schools, to the Committee on Education. Amendment accepted, and would obtain attitude of the elegan

Amendment accepted, and
The resolution thus amended, was adopted.
Mr. Patterson introduced the following resolution:
Resolved, That the Committee on Roads and Bridges be instructed to inquire into the expediency of recommending an appropriation to build a bridge over Clear Creek, at Golden City. Adopted.

Mr. Stone from the Committee on Judiciary, to which was

C. B. No. 1, a bill for an act to divide the Territory into Judicial Districts and to provide the time of holding Courts there-In submitted the following report:

Your Committee on Judiciary beg leave to report, that they have had said bill under consideration and after careful examination and discussion of all that has been brought to the notice of your committee, affecting in any way, the provision the

Jan

ladi O

ora

COL

for

n

mi

bill, or which seems to be causes for its passage; and the undersigned members of your committee respectfully beg leave to report back said bill with some alterations, amendments, and additions thereto, with a recommendation that the bill as amended by your committee do pass.

A change has been made in the place of holding courts in the attached counties of Costillo and Conejos, for good and sufficient reasons that have been presented to the committee.

It appearing that the town of San Luis or Middle Culebra furnishes the best and in fact the only suitable and necessary accommodations for holding courts in the two counties, besides being nearly fifty miles less travel for the Judge; and avoids crossing the Rio Grande a large river with neither bridges nor ferries.

Some additional sections have been added from the laws of the last preceding session, which seem to be necessary in the cases of counties attached for judicial purposes, and which seem to have been omitted in the original bill, through inadvertence

or hurry.

A change has also been made by your committee, in their amended bill, in relation to the Judges assigned to the First and Third Judicial Districts, whereby the Chief Justice Harding and Associate Justice Bradford remain where they now are, as fixed by the law of last session, saving some changes in the boundaries of their respective districts.

The change of the two Judges atoresaid, to other districts as provided in the original bill does not meet with the tavorable consideration of the undersigned members of your committee.

A change so unusual and important as the one proposed, must of necessity be founded upon a reasonable and adequate course, but as no reasons have been set forth, nor desires of the people of these districts made known by session, memorial or other usual manner, to this House, or to your committee, whereby it might be known that such a change is not without sufficient cause, and would benefit the public affected thereby.

The undersigned, of your committee, therefore, incline to favor the present assignment to districts, of the two judges allowed with the change of district boundaries made by this bill, and submit to this honorable body their earnest recommendation that the bill as amended by the undersigned, and herewith transmitted, as a substitute for the original Council Bill, be passed by this Honorable Body.

Respectfully submitted.

WILBUR F, STONE.
E. F. HOLLAND.
B, F. PINE.
J. T. LYNCH.

derre-

12th.

added

and bra

les ids or

he m ce

d 0-3

,

doug ary

of

d-

S TO e

culture. H. J. R. No. 1, of thanks to Col. Shoup and others, was read

a second time, and, On motion of Mr. Lynch,

It was placed on the list of general orders of the day. Mr. Lynch introduced the following resolution;

Resolved, That the committee on elections be instructed to

and On motion of Mr. Worrall, and grant A to besogmon total The report was received. parted and addition of bias

On motion of Mr. Stone, soll odf of patitive at seas odf at C. B. No. 1, entitled "An act to divide the Tertitory of Colorade into Judicial Districts, and to provide for the holding of courts in the same, with the substitute reported by the Committee on Judiciary, of the House, was made the special order for Monday next.

On motion of Mr. Holland, of stand to 1 . A . H . L . H

Leave of absence was granted to Mr. Tyler until Monday, January 16th, 1865.

Previous notice baving been given,

Mr. Stone introduced, to settlement formilell all

H. B. No. 5, entitled "An act amendatory of an act regulating the mode of proceeding in Replevin,"

Which was read first and second time and referred to Committee on Judiciary. and recommend its page the transfer to

#### AFTERNOON SESSION. 1/ to morrous HO

House met pursuant to adjournment. On motion of Mr. Lake,
The calling of the roll was dispensed with.
On motion of Mr. Patterson, On motion of Mr. Lake, The House abjourned until 10 o'clock a. m. to, morrow.

# friday, January 13, 1865.

House met pusuant to adjournment.

Roll called Absent—Messrs. Tyler and Stone,

On motion of Mr. Holland,

The reading of the Journal of yesterday was postponed until

to-morrow morning. Mr. Patterson presented a petition from Perry Benson and others, asking for the enactment of a law to prevent stallions, &c., from running at large.

The petition was read and referred to the committee on Agri-

Jan

sem

tio

bal

pr thi

co

or

lo

CO

ti

in

6

li

examine into the case of contested seats from the Second District, composed of Arapahoe and Douglas counties, and that said committee be further instructed to report all evidence taken in the case in writing, to the House, together with their report, on Tuesday morning next, or if the House should from any cause not convene on Tuesday, at the first meeting thereof.

On motion of Mr. Holland, and diw same and his runs

The House resolved itself in a committee of the Whole, to consider

H. J. R. No. 1, of thanks to Col. Shoup and others,

Mr. Holland in the chair.

The committee rose, the Speaker called the House to order, and.

Mr. Holland from committee of the Whole submitted the following report:

Mr. Speaker-The committee of the Whole have had under consideration H. J. R. No. 1, and report the same back without amendment, and recommend its passage.

The report was received and adopted.

On motion of Mr. Pine,

The rules were suspended, and,

H. J. R. No. 1. was read third time and adopted.

Ayes—Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Thompson, Worrall, and Mr. Speaker. Worrall, and Mr. Speaker.

Absent-Messrs, Stone and Tyler,

Ayes-14. Noes-0.

On motion of Mr. Holland,

Thetitle of H. J. R. No. 1, was amended so as to read, "Joint Resolution of thanks to the officers and soldiers engaged in the battle at Sand Creek."

Mr. Lake, from the committee on Engrossment, reported that

said committee had examined,

H. B. No. 2, entitled "An act to prevent unlicensed practitioners in medicine from practicing in this Territory, and find the same correctly engrossed,

Mr. Patterson, from the Special committee, reported that

the committee have had under consideration,

H. B. No. 1, entitled "an act to establish the office of Flour Inspector," that they had made some progress, and asked leave to sit again. Granted. to bas quode doll or salassit to . I off

On motion of Mr. Mansur,

H. R. providing for an adjournment to Denver City, be now taken from the table.

Carried,

Disthat

13th.

ken

ort, any

to

er,

he

ler

h-

e,

n,

On motion of Mr. Patterson,
The House adjourned until 2 o'clock p. m.
The House adjourned until 2 o'clock p. m.

## 4th. Before the W. Noiseas Noon session, we of eroid att

House met pursuant to adjournment. Teer ai doidw to IIA. Roll called.

Absent-Messrs. Tyler and Stone. 2.04 . H. H.

On motion of Mr. Worrall, tall endon ever baslloll .il

H. R., providing for an adjournment of the Legislative Assembly to Denver City, was taken from the table for considera-

On motion of Mr. Mansur, whortai bluowed wab insupes

The vote on the adoption of said resolution be taken by ballot.

Mr. Patterson introduced a bill entitled "an act, berreit.

Messrs. Lynch and Worrall were appointed tellers. The vote resulted as follows. an omit buoses bus jain beer

Ayes-5.

Noes \_\_9. The House adjourned until 40 o'clocks, and to morr had

On motion of Mr. Lynch, H. B. No. 2, entitled "An act to prevent unlicensed practitioners in medicine from practicing in this Territory," was referred to the committee of the Whole. On motion of Mr. Lynch,

The House resolved itself into a committee of the Whole, to consider

H. B. No. 2.

Mr. Lynch in the chair.

The committee arose, and the Speaker called the House to order.

Mr. Lynch from the committee of the Whole made the following report.

MR. SPEAKER—The committee of the Whole have had under consideration

H. B. No. 2, entitled "an act to prevent unlicensed practitioners in medicine from practicing in this Territory," abnown

And beg leave to report the same back with the accompany. ing amendments and when so amended recommend that said bill be referred to the Judiciary committee. : troque gaiwollof

Amendments:

1st. That the word "constable" be stricken out of the first line of the second section.

2nd. Slrike out the word "constable" in the third section, and the words "summons for the appearance," and in lieu of would respectfully report that they have had the same und the same subject,

H. B. No. 2.

Januar

Conside lowing Ist. Person

2nd.

the fol

other

ceedin

contra payme

"A

Rep Mr

lowin

Th "An

pract

ation

ment

A

66 1 oath lars,

day

ted.

B

1 l

cur afte

> qu ac

116

r

8choo

3rd. After the words "as follows," in section five, insert "but the time shall not exceed one year."

4th. Before the word "physicians" insert the words "regularly licensed."

licensed,"

All of which is respectfully submitted never ton oanoll

The report was received and adopted, and,

H. B. No. 2, was referred to the Judiciary committee. Mr. Holland, gave notice that on to-morrow or some subset quent day, he would introduce a bill to prevent the crime

abortion.

Mr. Worrall gave notice that on next Saturday, or some subembiy to Denver City, was taken from the ta sequent day, he would introduce a bill to provide for the pull ishment of persons guilty of carelessness in compounding drugs.

Mr. Patterson introduced a bill entitled "an act to restrain sheep, hogs, and stallions from running at large," which was read first and second time, and referred to the committee of

Agriculture.

On motion of Mr. Lake,

The House adjourned until 10 o'clock a. m. to-morrow.

prevent unlicensed practitioners to medicine from practicing in

On motion of Mr. Lynch, H. B. No. 2. entitled "Arraot to

# SATURDAY, JANUARY 14TH, 1865 DIOM NO

House met pursuant to adjournment.

Roll called.

Absent—Messrs. Stone and Tyler.

Journal of Thursday and Friday read and approved. Mr. Patterson from the select committee to which was

H. B. No. 1, entitled "An act to create the office of Flour In-

spector,"

Reported that the committee had had said bill under consideration eration, and recommend the addition of two sections, accompanies this nying this report, and when so amended the committee reconmends that the bill do pass. practicin seaq ob ilid and in medicine from practicin seaq ob ilid and in the bill do pass.

And beg leave to report the same hack beginning Mr. Nichols, from the committee on Agriculture, made the bill be referred to the Judiciary committee, : troper gniwollof

Amendments Mr. SPEAKER: The committee on Agriculture to whom was ine of the second section. referred,

H. B. No. 4, entitled "an act to restrain sheep, hogs, and stallions from running at large," together with the petition of deert the words "manner for the arrest. the same subject,

Would respectfully report that they have had the same under

Consideration, and would recommend its passage with the following amendments, to-wit: Those voting in the affirmative were

18t. In the first line of the first section, insert the words for Persons" after the word "person." all has like word norquedT

2nd. Amend first section by adding after the word "offense" the following : To be collected in the same manner as in other cases made and provided, together with all costs of proceeding; and the animal or animals so found running at large, contrary to this act, may be taken and held as security for the Payment of such fine, costs, and damages. Deliavery notion ed

"All fines accruing under this act shall be applied to the school fund of the county in which the offense is committed." Absent-Messrs. Tyler and Stone.

Report received.

Mr. Patterson from the Judiciary committee made the fol-

The committee to which was referred H. B. No. 2, entitled An act to prevent unlicensed practitioners in medicine from Practicing in this Territory," have had the same under consideration, and beg leave to recommend the following as an amend-

Add to said section the following: 1 tant beyon llarro W. M.

"The justice of the peace or judges, shall receive for such Oath administered and certificate granted, the sum of two dolars, and each physician shall receive the sum of five dollars per day for his services, which, on the examination above designated, shall be paid by the party making the application.

Noes-Messrs. Craig, Ehrardt, North and Physics tropped Mr. Worrall introduced the following resolution:

Resolved, by the House of Representatives, the Council concurring: That when this Legislative Assembly adjourns this afternoon, it stand adjourned to meet in Central City, on Wednesday morning next, January 18th, at 10 o'clock.

The resolution was read the first time.

Mr. Holland introduced the following resolution:

Resolved, That the committee on printing be instructed to inquire into the expediency, and expense of having all general acts, passed at this session, published in one or more of the newspapers of the territory, as soon as possible, by this body. Dans On motion of Mr. Lake,

The resolution offered by Mr. Worrall relative to an adjournment to Central City, was read the second time.

Mr. Mansur moved that the rules be suspended, and the said 

bsee of

nsert

larly

sub-יוווי ling

rain Was 011

10-

11d-2-D.

e

The ayes and noes being called for, Those voting in the affirmative were

Ayes-Messrs. Craig, Lake, Lynch, Mansur, Nichols, Pine, Thompson, Worrall, and Mr. Speaker.

Those voting in the negative were going a sent broad A. Dala

Noes-Messrs. Ehrheart, Holland, Hopkins, North. and Patother cases made and recorded, together with all costs of norrest

Ayes 19 gainner bond os skimine as bridge odd here gailber Notes to this act may be taken and held as securit transfer

The motion prevailed. paramate that share more done to manual

On motion of Mr. Holland, and some sound HA"

A call of the House was ordered. Absent—Messrs. Tyler and Stone.
On motion of Mr. Worrall,

The House adjourned until 2 o'clock p. m.

#### The committee to windings a nonner all it is a committee of

An act to precent unlicensed practitioners in medicipe from House met pursuant to adjournment.

Roll called as guivoliof and bnammond of averaged but, node

Absent-Messrs. Tyler and Stone.

Mr. Worrall moved that further action under the call of the House be dispensed with.

Mr. Patterson called for the ayes and noes.

Those voting in the affirmative were

Those voting in the affirmative were

Ayes—Messrs. Holland, Hopkins, Lake, Lynch, Mansur, Nichols, Pine, Thompson, Worrall, and Mr. Speaker.

Those voting in the negative were.

Noes—Messrs. Craig, Ehrardt, North, and Patterson. Ayes-10. - nortuless primelled set basel ortui llame Vi , nle

Noes-4.

Noes—4.
The motion prevailed.
The resolution was then read the third time.

Mr. Lake moved that said resolution be adopted.

The ayes and noes being called for,
Those voting in the affirmative were,
Ayes—Messrs. Lake, Lynch, Mansur, Nichols, Pine, Thompson, Worrall and Mr. Speaker.

Those voting in the negative were,

Noes-Messrs Craig, Ehrardt; Holland, Hopkins, North, and Patterson, vol. oldisson sa noos en , molimot edit to kregadawon

Ayes-8.

Noes—6.
The motion prevailed.

On motion of Mr. Patterson.

The House resolved itself into a committee of the Whole on the general orders of the day.

Janua

Mr. The the SI

MR the C WI tive I

consi acted also t adjou

> Re that Al

Th A Th Res R

Elbe oper bly

T M sum atio call

> 0 F tion tot (

> > da rel

th

HILLE

th.

ie,

tall

Mr. Holland in the chair.

The following message from the Council was announced, and the Speaker resumed the chair to receive it, to-wit:

MR. SPEAKER: I am instructed to inform the House, that

the Council have adopted the following resolution:

WHEREAS, Much time has already expired since the Legislative Assembly of Colorado Territory convened, and taking into consideration the small amount of business that has been transacted, and the vast amount yet to be transacted, and also the length of time that would necessarily be consumed in adjournment to to any other place. therefore, be it bells lost

Resolved, That the Council will not entertain a motion to

Journal read and approved.

Mr. Holland gave notice that he would on to-morr oslA That the Council has refused to concur in H. J. R. No. 2. somos

That the Council has adopted the following Council Joint Resolution:

Resolved, the House concurring, That His Honor, Secretary Elbert be requested to furnish a printing press to be set up and operated in Golden City, for the use of the Legislative Assembly this session. Idame of the an abelitan the ma humanot flid Anne

The message having been received, to redio bus guintestument

Mr. Holland, chairman of the committee of the Whole, resumed the chair, and the committee proceeded to the consideration of the general orders of the day.

The committee rose, and the Speaker resumed the chair and led the House to order.

called the House to order.

On motion of Mr. Lynch, ow an and soliton aver anoth .1M.

H. B. No. 2, entitled "an act to prevent unlicensed practitioners in medicine, practicing in this Territory," was referred on motion of Mr. Thompson, and the man and the generalized and the committee on engrossment.

Leave of absence was granted to Mr. Lake, until Wednes-

Mr. Lake from the committee on printing made the following

report:

The committee on Printing beg leave to report that they have ordered the following printing:

One thousand copies of the Governor's Message, including the Auditor's aud Treasurer's Report;

One hundred copies of the Rules and Joint Rules, including

the same number of cop es of Standing Committees; Five hundred copies of slips containing the names of the members for ayes and noes.

All of which is respectfully submitted. His notices became bath

Jan

or the

do

res

an

in

ed

The

S

n

11144

1 81

Trac

b96

-14

am

the

On motion of Mr. Patterson, The Report was received. ( ) and most ognessem guiwolloi ad I On motion of Mr. Hopkins, and glade and beamsen realisage and The House adjourned until next Tuesday, 2 o'clock, p. m. the Council have adopted the following resolution

## sant noed a TUESDAY, JANUARY 17, 1865, and noite telesnoo

Whireirs, Much rive has sheady evolved since the Legisla-

dve Assembly of Coloredo Territory can ened, and reking into

acted, and the rast amount yet to be transacted, and House met at two o'clock p. m., pursuant to adjournment. It oelle Roll called.

Absent—Mr. Tyler.

Journal read and approved.

Mr. Holland gave notice that he would on to-morrow or some subsequent day introduce a bill for an act enabling Colorado troops, in the service of the United States, to vote,

Also a bill for an act creating the office of Territorial Geol-

ogist.

Also a bill for an act to encourage prospecting for coal.

Mr. Lynch gave notice that he would on to-morrow, introduce the following bills: 200 and 100 mi betarage

A bill to amend an act entitled an act to enable read, ditch, manufacturing and other companies to become bodies corporate.

Also an act amendatory of an act to establish the common

school system, approved Nov., 7, 1861.

Also a bill for an act amendatory of an act to establish a Territorial library, and cabinet, and empowering the Territor rial treasurer to act as librarian.

Mr. Stone gave notice that he would on to-morrow or some subsequent day, introduce a bill for an act changing the bounp-

ary line between Park and Summit counties.

Mr. Patterson gave notice that he would, on to-morrow, introduce a bill for an act to amend an act entitled an act to organize the treasury department.

Mr. Holland, from the committee of the whole, made the

following report;

Your committee beg leave to report that they have considered H. B. No. 1, entitled an act to create the office of flour inspector, and have amended the fourth section of the same by inserting the words "in the county jail," after the word "imprisonment," in the twelfth line,

Also by adding the amendments appended to the same Five handred copies of slips of

And amend section nine, as appended.

When so amended, the committee recommend that said bill use of the Legislative Assembl

do pass.

They have also considered H. B. No. 4, entitled an act to restrain hogs, sheep and stallions from running at large, and amend the first section by inserting after the word "shall," in the fourth line, "be fired in the sum of ten dollars for eacg and every offense," and striking out the same words occurring in the sixth and seventh lines, all all special sham and

Also amend the third section, as appended. To mottom no

And further amend the bill by inserting the words "hog or" before the word "hogs," wherever it occurs in the bill.

The committee recommend that the bill, when thus amend-

ed, do pass. WEDNESDAY STANSET 18/1865.

On motion of Mr. Lynch, the report was adopted, and The bills reported upon were ordered to be engrossed. Mr. Patterson introduced the following Joint Resolution:

Resolved by the House of Representatives, the Council concurring, That in their opinion the duties of the office of Territorial School Superintendent and that of Territorial Librarian have not been performed as the law prescribes, and the Auditor of the Territory is hereby instructed and required not to issue any more warrants on the Territorial Treasurer in payment of the remainder of the salaries to the credit of said offices or the contingent funds of the same. Tables omes and bad avad vodt it back to the House without amendment, with the recommend-

The resolution was read a first time, gold and it tadt notte

On motion of Mr Lynch, wolldfield berefts berefts berefts H . AM

The resolution was read a second time, and T AAAAAAW

Referred to the committee on Territorial affairs, worker ton

C. R. No. 1, in reference to setting up a printing press in Golden City, was read a first time. Will add that I boulouse

On motion of Mr. Stone the resolution was read a second time.

On motion of Mr. Lynch to design bases we noise loson ad T

The rules were suspended, and most off io notion at

The resolution was read a third time. I add to notibe and

The vote resulted as follows: it to all sitt object tass a of

Those voting in the affirmative were a system along it. All.

Messrs, Craig, Ehrhardt, Lake, Lynch, Mansur, North, Nichols, Patterson, Pine, Stone, Thompson, Worral and Mr. On motion of Mr. Worrall, Speaker-13.

The resolution was adopted of other and O. H.

On motion of Mr. Worral using dil fairoting Data sloods

The title was amended so as to read as follows:

Janu

ing

a bi

pro

OloA

COL

ocoun

repo ame

1

ba D

wit

Trent.

ed sta

final

lib

lib

scl

di

co

de

82

ec

JU

o P

C. J. R. No. 1, concerning a printing press and type for the use of the Legislative Assembly.

On motion of Mr. Stone, H haphisnoo cale avad you'l

C. B. No. 1, entitled

An act to district the Territory of Colorade into judicial districts, and to provide for the times of holding court in the same.

Was made the special order for Wednesday the 18th inst.

On motion of Mr. Worrall. The House adjourned until 9 o'clock, a. m. to-morrow.

The committee recommend that the bill, when thus amend-

#### WEDNESDAY, JANUARY 18, 1865.

House met pursuant to adjournment. holfo me allid odT

Mr. Patterson introduced the following Join bellas llos.

Absent-Messrs. Lynch, and Tyler-2.

Journal read and approved. The season and best a

Mr. Worrall, from the committee on Territorial affairs, made sthe following report: of that out the best proper toods

Your committee to whom was referred House concurrent Resolution, relative to the Territorial superintendent of public schools and Territorial librarian, would respectfully report that they have had the same under consideration, and would report it back to the House without amendment, with the recommendation that it be adopted, all of which is respectfully submitted.

Mr. Holland offered the following resolution:

WHEREAS, The regularly elected chaplain of this House has not responded to the call, the House is now without the means of grace, therefore be it mades of someone m

Resolved, That the Rev. Mr. Barrelle be and is hereby invited to officiate, and that he receive the compensation of chaplain.

The resolution was adopted. As a self-one of On motion of Mr. Worral, to belongens one select off

The editor of the Black Hawk Mining Journal was admitted

to a seat inside the Bar of this House. as better add

Mr. Nichols gave notice that he would, on to-morrow or some subsequent day, introduce a bill for an act to amend an act entitled an act concerning fences, approved March 11, 1864.

On motion of Mr. Worrall, The rule was suspended and

H. C. R. relative to the Territorial superintendent of public schools and Territorial librarian was read a third time and adopted. The title was amended of as to cand as followed

Mr. Stone, from the committee on judiciary, made the following report:

Your committee on judiciary have had under consideration a bill for an act amendatory of an act regulating the mode of

proceeding in replevin, approved March 3, 1864:

Also a bill for an act amendatory of an act entitled an act concerning probate courts and justices of the peace in certain counties, approved March 11, 1864, and would beg leave to report the said bills back and recommend their passage without amendment.

An act to incorporate the Masonic Hall Association in Don-The report was received.

On motion of Mr. Patterson,
D. C. Collier, editor of the Register, was admitted to a seat within the Bar of this House.

On motion of Mr. Lynch, it was

Resolved, That the Hon. Secretary of the Territory be requested to furnish the sergeant-at-arms of this House with stamps to stamp the mail matter of the members.

Mr. Lynch introduced the following bills:

An act to repeal so much of an act to establish a Territorial library and cabinet, and to make the Territorial treasurer librarian of the Territory, which was

Read a first time.

Also an act amendatory of an act to establish a common school system, approved Nov. 7, 1864, which was

Read a first time.

Also an act to amend an act entitled an act to enable road. ditch, manufacturing and other companies to become bodies corporate, which was

Read a first time.
C. B. No. 1, entitled an act to divide the Territory of Colorado into jucicial districts and to provide for holding courts in the same, being the special order of the day, was taken up for consideration.

Mr. Stone moved to adopt the report of the committee on Judiciary, on said bill.

On motion of Mr. Stone,

The further consideration of said report and bill was post-Poned until 2 o'clock p. m.

On motion of Mr. Thompson,

The House adjourned until 2 o'clock p. m.

Mr. l'atterson introduced a bill for

ing report:

Janus

Ar

Re Or

Sa

0

C

pror

ord

and

ord

51

ge

an

de

de er

F

0

#### AFTERNOON SESSION. MOIL SHOPE AM

House met pursuant to adjournment. Roll called, but had even visiobat no settimmor your

Quorum present. To the the lo violatione at a not lid a

On motion of Mr. Lynch, bevorgas aivelger at gribesoorg C. B. No. 1, entitled an act to divide the Territory of Colo. rado into judicial districts, and to provide for holding courts in the same, was made the special order for to-morrow at two o'clock p. m. o'clock p. m.

Mr. Lynch introduced a bill for

An act to incorporate the Masonic Hall Association in Den-The report was received. ver. Colorado Territory. Mr. Holland introduced a bill for the and to softom at

An act to incorporate the Clear Creek and Colorado Railroad within the liar of this House. Company, which was

Read a first time. Mr. Lake, from the committee on engrossed bills, reported that they have examined H. B. No. 2, entitled an act to prevent unlicensed practitioners in medicine, from practising in this Territory, and find the same correctly engrossed. ... and quasts

Mr. Worrall moved that the said bill be put upon its final

passage.

Mr. Patterson offered the following amendment as an additional section;

"The provisions of the above act are not intended to apply to midwives, horse farriers and cow doctors,

Mr. Pine moved that the said bill be indefinitely postponed.

The ayes and noes were called for,

Those voting in the affirmative were,
Messrs. Craig, Ehrhardt, Holland, Lake, Lynch, Nichols, North, Patterson and Pine, corporate, which was

Those voting in the negative were,

Messrs. Hopkins, Mansur, Stone, Thompson, Tyler, Worrall and Mr. Speaker,

Ayes 9. Noes 7. Noes 7.

So the motion prevailed.

The following message was received from the Council per Mr. Allen, Assistant Secretary:

MR. SPEAKER: I am instructed to inform the House that the Council have concurred in H. C. R. No. 2, also that they have passed C. B. No. 2, entitled an act relating to negotiable instruments, promissory notes and contracts. An act to amend an act to organize the treasury department, Read a first time. The House adjourned.

On motion of Mr. Lynch,

Said bill was read a second time.

On motion of Mr. Lynch,

C. B. No. 2, entitled an act relating to negotiable instruments, promissory notes and contracts, was read a first time.

On motion of Mr. Holland,

The said bill was read a second time, and fifty copies of it

ordered to be printed.

Rth

10.

in

00

1-

H. B. No. 11, entitled an act to incorporate the Clear Creek and Colorado Railroad Company, was read a second time and ordered to be printed by the friends of the bill. The land of

On motion of Mr. Lynch, satteman and more llare W . 11

The House resolved itself into a committee of the whole, on general orders, Mr. Lynch in the chair. avad softimulos and

Having considered the general orders, the committee rose, and the Speaker called the House to order, solbem bus paidtole

Mr. Stone introduced anoisivorg raban betervano erew odw

A bill for an act amendatory of an act entitled an act to define county boundaries and to locate county seats in Colorado Territory, approved Nov. 1st 1861, and changing the north. ern boundary line of Park county, which was more and all.

Read a first time,

Mr. Lynch chairman of the committee of the whole, made H. B. No. I, entitled "An act to create ; troper gniwoliol aft

The committee of the whole have had under consideration H. B. No. 12, entitled an act to amend an act to organize the treasury department, and direct me to report the same back to the House, with the recommendation that it pass, with the following amendments, to wit:

Insert in the third line of section 2, after the word "elect,"

the words "by ballot,"

medicine in this Terri Also add to the title of the bill, the following:

"Approved Nov. 6th, 1861."

"Approved Nov. 6th, 1861."
All of which is respectfully submitted. The man to a na not llid A

lating the fees of officers &c., approved November 8th, 1861

The report was received.

Mr. Holland gave notice that he would, on to-morrow or some subsequent day, introduce to a no group de subsequent

A bill for an act supplemental to an act to organize the militia.

Mr. Patterson gave notice that on to-morrow or some day

A bill to prevent non-residents' stock from running at large Without a herder, within the limits of Jefferson County.

Said bill was read a second time.

Janua

Color

WI Mr

An

An

Re

H.

AI

bour

appr

boun

Cour

H

A

lish

toris

A

ciat

Cor

GOI

CO

boe c Re MI

On motion of Mr. Nichols, day of the da huma of the HA The House adjourned.

# THURSDAY, JANUARY 19TH, 1865.

Honse met pursuant to adjournment. Leger and lid bine of I Prayer by the chaplain. H. B. No. 11, entitled an act to incorporate the ibellas llost

Absent-Mr. Lynch or saw , ynagmold haorlis I oberolo Das

Journal of yesterday read and approved. hatting ad of harabito

Mr. Worrall, from the committee on Territorial Affairs made

the following report : into a count float hoviosor escoll off Your committee have had under consideration an account presented by the Sheriff of Arapahoe county, for boarding, clothing, and medical services rendered to prisoners in his care who were convicted under provisions of Territorial law, and would recommend that said account be paid.

All of which is respectfully submitted.

The report was received. 1881 181 Nov. havorque growing Tob Mr. Lake from the committee on engrossment reported as follows:

Your committee have examined to manufact dans I. M.

H. B. No. 1, entitled "An act to create the office of Flour Inspector," and find the same correctly engrossed.

Mr. Holland gave notice that he would on some future day introduce

A bill for an act to authorize the issuing of Territorial Bonds. Mr. Thompson gave notice that he would, on to-morrow or some subsequent day, introduce

A bill to prevent unqualified practitioners from practicing medicine in this Territory.

Mr. North gave notice that he would on to morrow or some bequent day introduce subsequent day introduce

A bill for an act amendatory of an act entitled "An act regulating the fees of officers &c., approved November 8th, 1861.

Mr. Lynch gave notice that he would on to-morrow or some bequent day introduce subsequent day introduce

A bill amendatory of an act entitled "An act concerning action by persons holding lots, lands, or mining claims, except as against the United States.

H. B. No. 10, entitled "an act to incorporate the Masonic Hall Was read the first time.

Mr. Holland introduced a bill, entitled him rebreit a module

An act supplementary to an act, to organize the militia of Colorado Territory, and and attended of the na bellitue to a u.A. a
Which was read the first time.

Mr. Stone introduced a bill for of odt besogong Harro Wan Med

An act for the relief of Robert S. Wilson, sheriff of Arapahoe county, which was Insuring a serie of refl . Q oud to

Read first time remark election of county officers mit strik Branch

Mr. Worrall introduced a bill for as tooks of notion add no. An act to encourage Immigration, which was bus save out Those voting in the affirmative were, Read first time. Tyles Molland, Hopkins, Stone, Tyles, and Tyles, Tyles,

An act amendatory of an act entitled "an act to define county boundaries and to locate county seats in Colorado Territory, Approved November 1st, 1861, and changing the corthern boundary lines of Park county,

Was read the second time and referred to the committee on Counties and County lines. Bigs relea of beyon Harro W. ald

H. B. No. 6,

An act entitled an act to repeal so much of an act to establish a Territorial Library and Cabinet, and to create the Territorial Treasurer Librarian of this Territory, plan as willid bias,

H. B. No. 10, An act entitled an act to incorporate the Masonic Hall Association in Denver, to doithloser a divine empliance al-ars

Was read the second time and referred to the committee on 

"An act providing for an appropriation for printing H. H. H. An act entitled an act amendatory of an act to establish the common school system, approved November 7th, 1861,

Was read the second time and filed with the general orders.

islature, as recommended by report ,8 ,oN ,B ,He An act entitled "An act to amend an act to enable Road, Ditch, Manufacturing and other companies to become bodies Carporate, and sleiged to more special or swall and an arrange or

Was read the second time and filed with the general orders.

Was read the second time and filed with the general orders.

H. B. No. 14, An act entitled an act for the relief of Robert S. Wilson, Sheriff of Arapahoe county,
Was read the second time and filed with the general orders.

H. B. No. 15,

Total, \$5.940,00 Entitled an act to encourage Immigration, and a guivagal

Was read the second time and filed with the general orders.

An act supplementary to an act, to organize t, No. I, H. B. No. I, An act entitled an act to create the office of Flour Inspector, Which was read the first time.

Was read the third time. Mr. Worrall proposed the following amendment to said bill

as an additional section, to wit : adolf lo leiler adt rol tos ma "SEC. 9. After the first appointment the inspector shall be elected at the general election of county officers." have

On the motion to adopt said amendment,

The ayes and noes were called for, and every one of the me Those voting in the affirmative were,

Ayes-Messrs. Holland, Hopkins, Stone, Tyler, and Worrall.

Those voting in the negative were,

Noes-Messrs, Craig, Ehrhardt, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Thompson, and Mr. Speaker.

Ayes—5. boundary lines of Park county,

Was read the second time and reterred to the commit, told Mr. Worrall moved to refer said bill to committee on Terri torial affairs.

An act entitled an act to repeal so much of anteol Motion

On motion of Mr. Holland, idad bas grandid lagrotime Ta del Said bill was referred to the committee on Agriculture. Was read the second time. Message from the Governor,

To the Honorable Speaker of the House of Representatives:

SIR-In compliance with a resolution of your Honorable Body, I herewith transmit a statement of my expenditures un der the provisions of an act entitled,

"An act providing for an appropriation for printing the laws in the Spanish language, and for other purposes, approved

March 8th, 1864," I signed certificates to Territorial Auditor in favor of C. Dominguez in payment of translation of laws of the first session of the Legislature, as recommended by report of Legislative committee under date of March 12th, 1864, \$1000,00

Issued certificate to Territorial Auditorin favor of Daniel Witter for ter, for copying laws of third session of Legislature for use of

translation, \$200,00. Issued certificate to Territorial Auditor in favor of Daniel Witter, in full payment for translating, printing and publishing the General Laws of Colorado in the Spanish language, \$4,640.

Issued certificate to Territorial Auditor in favor of Gibson Whitely in full payment for publishing the Governor's Message in Spanish, \$100.

Total, \$5,940,00

Leaving a balance of the appropriation unexpended of \$1:060,00 round state hald bled with the gener,00,000;18

Und was aw the wo

Januar

difficu Until t umes, sent i for th are in first (

del t 10 Os Body

> O BIL Tary mes 03 06 OTR ] the

30 9 ora

> H fo

> > . m

bil

00

re

Under the provisions of the above named act, the contract was awarded to Daniel Witter, Esq., as the lowest bidder, and the work was done in New York City. Owing to the Indian difficulties on the plains, the delivery of the books was delayed Until the last of December, with the exception of twenty volumes, which Mr. Witter sent through by mail and which were sent in November to the county clerks of Conejos and Costilla, for the use of the county officers. The remainder of the books are in my office and will be forwarded to these counties at the first opportunity. MOISTO E YMATEROMA

I transmit herewith, for your examination a copy of the laws

thou siderono He most for noiteless a Your obd't servant, of not assent softling a city of the SAM. H. ELBERT, on ma I tadt was bloow I vidmess A Secretary of Col. Ter.

authorized by the Government to make any expenditures for such a purpose. I am instruct, bulloud Mr. Holland, or instruct, bulloud of Mr. Holland, such as instruct, bulloud of Mr. Holland, bulloud of Mr. Holl The message was referred to the committee on ways and printing matter for the Legislaturo Specimens of snient

On motion of Mr. Holland, q side public of los of the bale of The House resolved itself into a committee of the whole, for the consideration of H. B. No. 13, entitled, and and beginning

An act supplemental to an act to organize the militia of Colpaid for the same among

orado Territory.

Mr. Worrall in the chair, Jam blow tuentraged edl' Having considered said bill the committee rose, and the House was called to order by the Speaker. good of

Mr. Worrall, from the committee of the whole, made the following report: Ha in bluew but mid or seelfdorg minning

The chairman of the committee of the whole begs leave to report that the committee have had under consideration H. B. No. 13, and would recommend the following amendments, to wit: be believed by the morning coach, will be filled and :tiw of

Amend third section and "that both commissioned and non-

commissioned officers be elected by the company,"

Amend section five, after the words "sergeant major, in the 8ixth line, add "quartermaster sergeant, and commissary sergeant." Janvies Insibedo mo Y

provide for holding courts in the same, was taken up for con-

Mr. Patterson moved that the said bill substitute and report

When so amended, the committee recommend that the said

bill do pass. to vreterood

On motion of Mr. Worrall,

The House adjourned until 2 o'clock p. until 2 o'cl divide the Territory of Colorado into judicial districts and to

Janus

of th

tor t

oner

rela

18O Tthe

othe one

Pi

90

R

h

L O

# bus nabbid sawor adjarternoon session, used of behiave as

the work was done in New York City. Owing to the Indian House met pursuant to adjournment ainly out no southenthe Until the last of December, with the exception, balled load

Absent-Mr. Tyler. dancad the contivery of doidy cont The following message was received from the Governor, per Mr. Breckinridge: mare all sassific stance and to ean edited are in my office and will be forwarded to these counties at the

SECRETARY'S OFFICE, COL. TER., 121 Golden City, January 19, 1865.

To the Honorable Speaker of the House of Representatives : 19 SIR: In response to a resolution of your Honorable Body requesting me to furnish, in this city, a printing press, for the use of the Legislative Assembly, I would say that I am not authorized by the Government to make any expenditures for such a purpose. I am instructed and empowered by the General Government to employ a public printer to do all necessary printing matter for the Legislature. Specimens of all the printing done by the public printers are forwarded by me to the Treasury Department at Washington, where the same are examined by a practical printer in the employ of the Depart ment, and instructions issued to me as to the amount to be paid for the same.

The Department would make no allowance for expense incurred by the public printer in moving his press from place to place. The expense of moving a press from Denver of Central by the public printer would not only render the public printing profitless to him, but would in all probability entail

loss. Mr. Collier, editor of the Miners' Register, who has been employed by me, to do the incidental printing of the session, tells me that orders for public printing, sent by the committee on printing, by the morning coach, will be filled and returned on the morning following,—a delay of not over a day and half. Under my instructions this is the best arrangement that can be made, sergios " sorow only rosts avil noitoes basal'A

With great respect, I remain, and strategies bla and dix

Your obedient servant, S. H. ELBERT, and W Secretary of Col. Ter

The special order of the day, C. B. No. 1, entitled an act to divide the Territory of Colorado into judicial districts and to provide for holding courts in the same, was taken up for con sideration.

Mr. Patterson moved that the said bill, substitute and report

of the judiciary committee thereon, be made the special order for to-morrow at 9 o'clock a. m.

Lost.

9th.

per

65.

dy

he

ot

OI'

n.

ry 16

to

e

On motion of Mr. Lynch, winds and dixis own noisose al

The report was adopted, with the exception of that part relating to the assignment of the judges to particular districts. On motion of Mr. Mansur, a wail limet, mol noiloss bat A

The last preceding vote was reconsidered. wt salt ni bus "lo

Mr. Stone moved to adopt said report, what and of alled solito And in section eight, strike, out the wonding in bad in

The ayes and noes were called for, bus sould arrived bus bridt Those voting in the affirmative were,

Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Mansur, Pine, Stone, Thompson and Worrall and all to achour all

Those voting in the negative were, 1 3 not stuffled as of T

Messrs, Lynch, Nichols, North, Patterson, Tyler and Mr. Speaker.

The report was adopted. The report was adopted.

Mr. Patterson introduced the following joint resolution: Mr. Lake, from the committee on engrossed balls reported

WHERBAS, many of the Indian tribes between the Missouri River and the Rocky Mountains are now arrayed in deadly hostility against the people of the Territories, and the general government, cutting off our communication with the States, destroying our property, killing and savagely mutilating, without respect to sex, age or condition, all white persons who may fall into their power, and threatening us with every conceivable outrage, de la companya alle to notion alle

WHEREAS, the most prompt and efficient measures are neces-

sary for our protection, therefore, have been again to guinant

Resolved by the House of Representatives and the Council of the Territory of Colorado : Besq ob al talls no tabasatmoser edt dijw

Mr. Holland introduced a bill entitled an act authorizing the That His Excellency, Abraham Lincoln, President of the United States, be respectfully requested to organize the whole country west of the Missouri River, subject to Indian hostilities, Into one military district or department and to appoint General Connor to the command of the same.

The resolution was read a first and second time, and,

On motion of Mr. Lynch, A MALLAN ACIDA

Referred to a special committee consisting of Messrs. Lynch. Holland and Nichols. stoomatsojbs of tususang tom osuoH

Prayer by the chaplain. Mr. Nichols, from the committee on agriculture, reported that the committee have had under consideration H. B.

Janu

MI

other which

Cou

the

Her

-IIA M

the F

A

Der

SEL

do

na th

p

No. 1, entitled an act to create the office of flour inspector, and ·would recommend its passage, with the following amendments to-wit:

In section two, sixth line, strike out the words "five hundred dollars with one or more," and insert in place thereof, "one

thousand dollars with two or more,"
And section four, tenth line, strike out the words "one half of," and in the two next lines, strike out the words "and the

other half to the informer."
And in section eight, strike out the word "three," in the third and fourth lines and insert in their place the word "one." These voting in the affirmative water

The report was received. Mall abraded ward enough

On motion of Mr. Stone, The substitute for C. B. No. 1, reported by the committee on judiciary was read a first and second time and ordered to be engrossed. The report was adopted

On motion of Mr. Lynch,

The said substitute was ordered to be printed,

Mr. Lake, from the committee on engrossed bills, reported that the committee had examined H. B. No. 4, an act to restrain sheep, hogs and stallions from running at large, and found it correctly engrossed. The standard and senious willised

en On motion of Mr. Pine, mos and the sample of the sample The committee on elections and apportionment was ordered to report, to-morrow at 9 o'clock, in the case of contested seats from the second district.

On motion of Mr. Lynch,

H. B. No. 4, an act to restrain sheep, hogs and stallions from running at large, was read a third time and re-committed to the committee on agriculture.

The committee considered said bill, and reported it back

with the recommendation that it do pass.

Mr. Holland introduced a bill entitled an act authorizing the issue of Territorial bonds, which was read a first and second time and reported to the committee on ways and means.

On motion of Mr. Patterson, musell out to been compos

The House adjourned. In the House adjourned.

#### FRIDAY, JANUARY 20TH, 1865.

Referred to a special continuities consisting of Mesers Lynch, House met pursuant to adjournment.

Prayer by the chaplain. ber Roll called, with the southers of single stone stone at

Journal of yesterday read and approved.

9th

nd

ats

ed

ne

1f he

he

71

17 0

Mr. Stone presented a petition from J. F. Chancellor and others, asking for a change in the boundaries of certain counties which was read and referred to the committee on Counties and County lines on and seed Hid bias odt hade noiseup odt no

Mr. Lake, from the committee on Engrossment reported that

the committee had examined evitaments out in guitov scott. H. B. Nos. 3, 9, and 12,

And found them correctly engrossed. The manual don't

Mr. Lynch, from the committee on corporations reported that the committee had examined

H. B. No. 4. An act to prevent sheep, hog 10, No. 4. H.

An act to incorporate the Masonic Hall Association in enver,

And would report it back with the recommendation that it

Mr. Lynch, from the special committee to whom was referred. Ayes-Messra. Craig. Enrinardt, Holland. 2. No. 2. Duallott Harring . R. No. 2.

Relative to organizing a new military department, and dony.I

Reported back said resolution with an addition which design nates the eastern boundary of said new department, and also that Denver be the Headquarters of said Department.

When so amended, the committee recommended that the solutions be adopted.

resolutions be adopted.

Mr. Tyler gave notice that on to-morrow or some subsequent day he would introduce

day he would introduce

A bill for an act amendatory to an act to incorporate the
Enterprise Wagon Road Company.

Mr. Craig gave notice that on to-morrow or some subsequent day, he would introduce

A bill to amend an act for the collection of Revenue, apbroved March 10th, 1864, home ton a A. beltitae, C. off . H.

Also,
A bill amendatory of an act entitled an act concerning county commissioners in certain counties, approved August 14th, 1862.

H. J. R. No. 2,

Relative to organizing a new Military Department, and don't

Was read the third time.

Mr. Lynch moved that it be adopted.

The ayes and nays were ordered and the vote resulted as H. B. No. 5, entitled the act amendatory of an act c:swollo?

Those voting in the affirmative were, i bus almost abdord agi

Ayes-Messrs, Craig, Ehrhardt, Holland, Hopkins, Lake. Lyach, Mansur, Nichels, Pine, Stone, Thompson, Tyler, Ayes-Messrs, Craig, Ehrhardt, Irakand, and Mr. Speaker!

Lynch, Mansur, Nichols, North, Patterson, Pine, Sto. 61 - ayA. Noes-0. son, Tyler, Worrall, and Mr. Spraker, -16 Adopted.

Jani

M

mer Oil

8866 con ing

con

ado ]

tio

tee

to-

80

R pon

H. B. No. 10,

Mr. Stene presented An act to incorporate the Masonic Hall Association in Denver, Was read the third time.

On the question shall the said bill pass, the members voted as follows: or the mesoned to continuous entropy and alal al

Those voting in the affirmative were,
Ayes—Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake.
Lynch, Thompson, Tyler, Mansur, Nichols, North, Patterson. Pine, Stone, Worrall, and Mr. Speaker, -16

H.B. No. 4, An act to prevent sheep, hogs and stallions from running at large,

Read the third time and put upon its passage.

On the question shall the said bill pass the members voted as follows:

Those voting in the affirmative were,
Ayes—Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake,
Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worrall and Mr. Speaker. Carried. to managed were here to weep and a return out astall

H. B. No. 12, An act to repeal certain portions of an act to organize the Treasury Department, approved November 6, 1861, Read third time and put upon its passage.

Those voting in the affirmative were,

Aves-Messrs. Craig, Ehrhardt, Hopkins, Holland, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler and Mr. Speaker.—15.

Noes-Mr. Worrall.

Carried.

H. B. No. 9, entitled "An act amendatory of an act regulating the mode of proceeding in replevin, approved March 3rd, 1864. Read third time and put upon its passage.

Those voting in the affirmative were,

Ayes-Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worrall, and Mr. Speaker.—16 Carried.

H. B. No. 3, entitled "An act amendatory of an act concern" ing Probate courts and justices of the peace in certain counties. Read third time and put upon its final passage.

Those voting in the affirmative were,

Ayes-Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worrall, and Mr. Speaker,-16 Carried.

b.

er,

ed

e.

a.

8

Mr. Patterson introduced the following resolution:

Resolved, That a committee of three be instructed to correspond with Col. Moonlight in reference to the number of armed men now in military service in this Territory.

Mr. Pine offered the following amendment: jud T booleast

That the committee on Ways and Means be instructed to confer with Col. Shoup, with regard to the feasibility of removing the troops now in the service, from the forts, to our line of Communication from here to the river and ent mort egasse M

The amendment was adopted, and the resolution thus amended

adopted.

Mr. Holland, from the committee on Elections and Apporfionment, submitted a report from the majority of said committee in the case of contested seats from the second district.

As this report was re-committeed it is not here inserted.] Mr. Worrall moved that said report be laid on the table until The Speaker appointed Messrs, Nichols, M.gninrom worrom of

Mr. Lynch called for the ayes and noes: of postimmoo laisege

Those voting in the affirmative were, berefito notifuloser ent of

Messrs. Craig, Lake, Patterson, Pine, Stone, Thomp-80n, Worrall, and Mr. Speaker. 8m out doubt ve on on

Those voting in the negative were, muoitrough bus noiteeld

Messrs. Ehrhardt, Holland, Hopkins, Lynch, Mansur, Mr. Lynch moved to re-commit sais -18 Tyler. Tyler.

Mr. Lynch moved to adopt said report, pending which, On mo.ion of Mr. Worralk svitsmills out at gattov seed?

The House adjourned until 2 o'clock p. m. safrad areas M Mansur, Nichols, North, Patterson, Pine, Tyler, and Mr. Speaker

#### Those voting in the .NOISSES NOONATTA

Messrs. Stone, Thompson, and Worrall. House met at two o'clock p. m., pursuant to adjournment. Mr. Worrall introduced the following resolution bell Roll called

Mr. Stone moved that the consideration of the majority report from the committee on Elections and Apportionment be made the special order for 9 o'clock tomorrow morning.

The ayes and noes were called for,

Those voting in the affirmative were, I all to notion no

Messrs. Craig, Ehrhardt, Lake, Patterson, Pine, Stone, Thompson, Worrall, and Mr. Speaker. -9 30 of bollso senoll

Those voting in the negative were, it soiles every saole all

Messrs. Holland, Hopkins, Lynch, Mansur, Nichols, North, and Tyler .-- Tolland, the Derregard of the A 

Mr. Holland, moved to re-commit the said report to the committee on Elections and Apportionment. Lost.

Ja

CC

Mr. Lynch moved that said committee have further time in Resolved, That a committee of three be instructed or daidy

Lost.

Mr. Worrall introduced the following resolution:

Resolved, That we now go into committee of the Whole to consider what steps are best to be taken in the present defenseless state of the Territory of the regard to the Territory of the State of the Territory of the ing the troops now in the service, from the forts, to our .taoLot

Message from the Council: 1 adt of ared mort noitsoinummo?

MR. SPEAKER: I am instructed to inform the House that the

Council has passed

C. B. No. 3, For an act to amend an act entitled an act to incorporate the Occidental Gas Light company of the city of Denver. Also, the Council has adopted,

C. J. R. No. 2, to appoint an investigating committee.

The Speaker appointed Messrs. Nichols, Mansur and Tyler, as special committee, to correspond with Col. Moonlight agreeably to the resolution offered to-day by Mr. Patterson, altoy seed I

Mesers Crair Lake, Patterson, Pine, 10 and 10 areas M.

The vote by which the majority report of the committee on Election and Apportionment had been made the special order for to-morrow, 9 a.m., was reconsidered.

Mr. Lynch moved to re-commit said report to the said com-

mittee.

The ayes and noes being called for, or beyon four I .1M. These voting in the affirmative were, W and to not on all

Messrs. Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Tyler, and Mr. Speaker

Those voting in the negative were. Messrs. Stone, Thompson, and Worrall.

Motion prevailed burning in pursuant balling and motion

Mr. Worrall introduced the following resolution: 1100

Resolved, That the committee on Election and Apportionment be instruct to report in the proper order of business on Saturday morning. The aves and noes were called for,

On motion of Mr. Tyler, wavitaments and air andov ozod

The House took a recess until 4 o'clock.

House called to order by the Speaker. Mr. Stone gave notice that on to morrow or some subsequent day he would introduce and subject beatful seresold

A bill for an act to incorporate the Denver, Turkey Creek and South Park Wagon Read Company. Selfarong nortal

Also, A bill for an act to amend the Denver, Bradford and Blue River Road charter.

th. in

the Territory were to be necredillarroW , TM to notion of ob The House resolved itself into a committee of the Whole to consider the bill authorizing the issuing of Territorial Bonds. eighty-three votes, and from timosquadff .rM fo notiom nored

and fifty-eight for Moriat, and for Casberruojue and The House adjourned and for Casberruojue we receive the soldiers' vote, the delegation headed by Mr.

#### Morat would lead the other learn undered and forty-nine votes. The Second Regiment returned for representatives only two votes, which 1865. SATURDAY, JANUARY 21, 1865. doing selov

rejecting the soldiers' rote are House met pursuant to adjournment. Good Hog en I Jal form prescribed by law. Prayer by the Chaplain. 2nd, The stations of the different detachment bellandlos of

election is not shown by the returns, so as t, enon-tread Anch

Journal read and approved: modified doidy bas militiwe staw Mr. Lake, from the committee on engrossed bills reported that they had examined H. B. No. 13, and found it correctly give evidence of frand, and that owing to different bestorgne

Mr. Holland, from the committee on elections and appor-

tionment, submitted the following report: q od 10 owt ylbrad

form. From examination of several cases of contested To the Honorable House of Representatives of Colorado ary to reject the votes of a poll on account of alignoralmal

The majority of the committee on elections, to whom was referred the case of the contested seats of the Second District, with instructions to examine into the facts and report all evidence in the matter, respectfully beg leave to represent that, taking the citizens' vote of Arapahoe and Douglas counties as a basis or starting point of our investigation, we find that the highest vote cast was, for F. M. Case, 566, and the highest vote for the opposing candidate was, D. H. Moffat, 470; and as the difference between these two opposing candidates and the remainder of their respective tickets is not great enough to affect the general result, the above numbers will be taken to affect the general result, the above numbers will be taken to represent the two sides contestant, then if we deduct from the vote of F. M. Case-five hundred and sixty-six, that of D, H. Moffat—four hundred and seventy, we have ninety-six majority for Case. No evidence has been presented to this committee which would invalidate this poll, although it is declared that there were some illegal votes cast in some of the wards of Denver; we must therefore receive it as unimpeached. The poll books or abstracts were in due form. We must therefore turn to the soldiers' vote to decide the contest. By the law adopted the last session, soldiers in the service of the United States were allowed to vote, those stationed in the Territory in the counties where stationed, and those without the limits of

to 988

he or-

er.

33 ly

n

Jan

cou

con

Ev

tha

effe Th

adı app

370 hu

po

of

00 of

tic

ed

di

m

er

T

q

ig

W

800

Big

DIG

T ع ای 879

T Thi

the Territory were to be accredited to the counties in which they resided at the time of their enlistment. Under this law there were received from the First Regiment two hundred and eighty-three votes, and from the Third Regiment two hundred and fifty-eight for Moffat, and for Case forty-one votes. If then we receive the soldiers' vote, the delegation headed by Mr. Moffat would lead the others four hundred and forty-nine votes. The Second Regiment returned for representatives only two votes, which were cast for Case's ticket. The grounds for rejecting the soldiers' vote are

1st. The poll books, without exceptions, were not in the Prayer by the Chaplain.

form prescribed by law.

2nd, The stations of the different detachments on the day of election is not shown by the returns, so as to determine which were within and which without the limits of the Territory.

With regard to the first allegation, your committee would represent that the informality indicated does not predicate or give evidence of fraud, and that owing to different interpretations of the law and forms prescribed by the county clerk, hardly two of the poll books of the Territory correspond exact-From examination of several cases of contested seats in State legislatures, we have found that it is not custom. ary to reject the votes of a poll on account of slight informality of the returns.

The act of voting, by an American citizen, is not a mere automatic act, a mechanical procedure, but is a mode of express-

ing the condition and will of the citizen.

Now when the real will of the voter is known, to ascertain which, is the business of the committee, dereliction on the part of those who should follow the law and its forms is not held to invalidate the will of the majority. It is patent to all that none of the Third Regiment were out of the bounds of the Territory, on the election day, and as their polls would be valid and legal in any county in which they were stationed, we must, if we overlook the informality of the returns, prove a fraud on such balloting to warrant us in rejecting the vote of that regiment. It amounted to two hundred and ninety-nine votes. The detachment under Sayr gave, for Moffat fourteen Co, E, gave for Moffat, nine votes, Co. C gave eightyone, and Co. F gave Moffat one hundred and two votes, and Co. A gave Case three votes, -majority for Moffat, two hundred and three votes. Out of a force of twelve hundred men is it unreasonable to suppose that but two hundred and ninetynine voted as they were entitled by law to vote. Admitting that the votes of the First and Second Regiments were illegal, it we allow the informality of the returns of the Third Regiment and permit their votes to be accredited to Arapahoe 21st

hich

law

and

red

hell

Mr.

tes.

two

for

the

of

ch

ıld

or

tak,

t-

ed n-

il-

re

8-

n

rt

0 it

e

county, as the law provides, the question is settled between the contestants.

We herewith transmit the testimony of the Adjutant of the Third Regiment, to the effect that Co. C was stationed at Camp Evans, on election day and that there were present for duty that day eighty-one men; also that of Capt. Chase, to the effect that Co. F was stationed at the same camp that day. This company returned one hundred and two votes. The admission of the two polls alone would elect Moffat but it has appeared to the committee that a detachment of the First Colorado Regiment was at Camp Weld that day and returned one hundred and nine votes, not noting its variably of egbelword

It has been asserted that many illegal votes were cast atothis poll. It can be established that there were at least fifty men of the First Regiment stationed there on that day, so that your committee cannot avoid the conclusion that a sufficient number of soldiers' votes were honestly and legally cast to elect the ticket headed by Mr. Moffat. A declaration has been presented by Chief Justice Harding to the effect that fraud has been discovered by the board of canvassers, but these charges apply more particularly to the vote on the constitution and the reference to the vote of the Second District is at least very vague. There may have been extensive frauds committed on the single question, but it is not the province of this committee to investigate the matter, and while unqualifiedly condemning a law which would throw the vote of a regiment into one county to outvote its citizens, we must admit that its provisions are binding on us until the act is annulled, a barabab ydered ora bas

The refusal of these parties to appear before this House, as regular contestants has impeded an investigation due to the People of the Territory and affecting the probity of this House.

Believing as we do, that the will of the voter is clearly shown upon the poll books, and the testimony of Col. Shoup and Captains McCannon and H. Phillips, together with affidavits of J. J. Johnson,-late Adjutant of the Third Regiment, and Captain Chase, clearly settling the place where the polls of companies C, E, and F, of the Third Regiment were held, we deem it just and lawful that the votes of said companies be credited as they appear on the poll books. In manufally right

All of which is respectfully submitted.

The which is respect to HOLLAND, Ch'n, ) mor evoled

A. MANSUR, The aggregate M. TYLER. and Proper off

Accompanying documents: A set and a

Janua

the the best

Ta

that

Gov

that

leg

for

pi

Mr. Stone, from the same committee, submitted the following minority report from said committee:

To the Honorable, the Speaker of the House of Representatives of the Legislative Assembly of Colorado Territory:

The undersigned, a minority of your committee on elections and apportionment, to whom the matter of contest between certain persons claiming seats in this House was referred, having had the same under consideration, beg leave to submit the following statement of facts that have been brought to their knowledge by this investigation, together with their opinions

thereon:
The attached counties of Arapahoe and Douglas, forming the Second Representative District, are entitled to four members of the House of Representatives, or in other words, eight persons appear here claiming seats, to wit: B. B. Stiles, H.J. Brendlinger, Rufus Clark, F. M. Case, D. H. Moffat, A. W. Bailey, J. A. Koontz and E. M. Ashley. The four first named persons present certificates in due form of law from the clerks of the county board of canvassers of the counties of Arapahoe and Douglas showing that said persons received the highest number of votes for the office of Representatives, and are duly elected to said offices from the district comprising said counties. The four last named persons present certificates from the Act ing Governor of the Territory, stating that said persons received ed a majority of the votes cast in said district for said offices and are thereby declared elected. Our laws do not require majority to elect in such cases. The language of the Organic Act, as well as the election laws made in conformity therewith, is that the person receiving "the highest number of votes shall be declared elected. But one person could possibly receive a majority of the votes for any one office,—four certainly could not. So much for the informality of the Governor's

The Governor's certificates to the four last named, gentle men, are based upon returns of votes east by persons in the omilitary service of the United States, and also were, before their enlistment, citizens of this Territory. The poll books and election returns of both citizens' and soldiers' votes are before your committee and formation and soldiers' votes before your committee, and from them we deduct the following

The aggregate citizen vote of Arapahoe and Douglas count ties, for Representatives is as follows, to wit : was a supplement

470 to this me of emotion tent 470 

443 E. M. Ashley,

1st.

)W-

the

en

he eir

ng n-ht J.

be

58

10

st

y

S.

t-

38

8

C

e

Security twelve provides that the Territorial Call or Variantes
Sac F. M. Case, or this Territory set to the Territory set of the Peritory set of the
B. B. Stiles, in the large variation of the state of the
H. J. Brendlinger.
Rufus Clark
Rufus Clark, 547 Taking solely the citizens' vote of the District, it is clear that the four last appropriate that the f
Taking solely the citizens vote of the District, it is clear
the four last named gentlemen would be elected. Dut the
Governor's abstracts of returns, adding the soldiers' vote to
that of the citizens' vote, show that the total is as follows:
Moffet
The Moffat, oral election law of the Territory, pros. 1016 dT
Ashley, and to strike notices of sampler par and 913 shom Ashley, awollol as at 108 987 vol
Ashley,
Bailey. 994
cour Case, salood live niedt in two best sale alt books of the cour courses and sale alter alter and sale alter and sale alter and sale alter and sale alter alter and sale alter and sale alter alter and sale alter and sale alter alter alter and sale alter alter alter alter and sale alter
WHERE SET SHOOL HOLD TEST IN HWOU JOS LIBITS CATALO SEL MOULING
THE PERSON OF THE PROPERTY OF THE PERSON AND THE PERSON ASSESSED.
Mar Clark, w ci begeorage guied a odmun ent e 190 580 b ed
and Markow in pessones guied statumit out et 1935 Mile en

Supposing all of the votes returned as above to have been legally cast and returned, it would then clearly appear that the four first named gentlemen were accordingly elected. But it appears that none of the soldiers' votes were returned to the Territorial board of canvassers according to law, as we shall proceed to show, and if it is shown that such vote was so illegally returned as to justify its being thrown out, the case will then rest upon the citizens' vote alone, of the district.

The act passed at the last session of the legislature, providing for soldiers voting, approved March 11, 1864, provides two

different ways in which soldiers are to vote:

First, Soldiers out of the Territory shall vote for Territorial and State officers the same as though they were residents of the county of which they were citizens at the date of their enlistment, and

Second, Soldiers within the Territory shall vote at all elections hereafter for the county officers and members of the legislature to be elected from the county where they are at the

time stationed or encamping.

Section five of said act prescribed that "the judges of election shall appoint from the members of their company twoclerks who shall keep a true and correct record of the names of the voters at said election and the person or persons voted

for by each voter for Territorial or State office."

Section eleven of the same act provides that "at the close of such election the judges shall certify under their hand the number of votes given for each candidate, which shall be attested by their clerks, and shall transmit immediately one of said poll books by mail or other safe conveyance to the Secretary of this Territory.

Jan

non

bef

T

Ter

inst

in c

of

of t

sec.

can

the

nu

but

vot

abs

31

not

it

of Wh

to

rec

the

in

ex

ar

al

V

Section twelve provides that the Territorial board of canvassers, constituted by the laws of this Territory, shall delay the canvass of the votes cast at any general election hereafter held in the Territory, until the votes of the said soldiers shall be received, provided the same shall be received within thirty days after said general election.

Section fourteen provides that the general election law of the Territory shall govern such election, in all respects subject to

the limitation and restrictions herein provided.

The general election law of the Territory, prescribing the mode of making returns, in section thirty of the act approved

Nov. 6, 1861, is as follows:

Sec. 30. When the vote shall have been examined and counted the clerks shall set down in their poll books the name of every person voted for, written at full length, the office for which such person received such vote or votes and the number he did receive, the numbers being expressed in words at full length, such entry to be made as nearly as circumstances will

admit, in the following form to wit:

At an election held at the house of \_\_\_\_ in \_\_\_ preeinct, in the county of \_\_\_\_\_, and Territory of Colorado, on the \_\_\_\_ day of \_\_\_ in the year of our Lord one thousand eight hundred and \_\_\_\_, the following named persons received the number of votes annexed to their respective names, for the following described officers, to wit: \_\_\_\_ had votes for Delegate to Congress; had votes for Council; --- had --- votes for House of Representatives; and so on through the list of officers to be elected at such election, and the foregoing statement is to be certified to by the judges of election and attested by the clerks,

Section thirty of the same act provides for the canvass of the votes so returned, by the county clerks, and two justices of the peace, and makes it the duty of the clerks to immediately make out a certificate of election to each of the persons having the highest number of votes for members of the Council and House of Representatives of the Legislative Assembly and county officers respectively, and deliver such certificate to the person entitled to it, on his making application for that pur-

pose to the clerk at his office.

Section thirty-sixth makes it the further duty of the clerk to transmit a copy of the abstracts of the vote of his county to the Secretary of the Territory, and by the provisions of section thirty-sixth, the Secretary of the Territory, Auditor, Treasurer or any two of them in the presence of the Governor, shall canvass the votes given for all Territorial officers, and the Governor shall give a certificate of election to the persons having the highest number of votes for each office.

SS-

the

eld

be

ty

ne to

he

ed

d

e

1

1

Having pointed out all the law applicable to the case, w now proceed to see how nearly the soldiers' vote, in the case before us, was returned in accordance therewith.

The poll books returned from soldiers who voted within the Territory are all in the form of printed blanks, containing instructions, oaths subscribed by the judges, clerks and officers in command of the company or detachment voting, and a list of names of the persons purported to have voted. The names of the persons voted for are not set down, as required in section five of the law, and the only place the names of the candidates appear, is in the last page of the poll book, where they are set down, -not spelled out at full length, and the number of votes each received is set opposite, -not in words but in figures, and this is all under the head of "abstracts of votes." At the close of this abstract is the following certificate:

"We hereby certify the foregoing is a true and correct abstract of the vote cast at an election held this thirteenth day

of September, A. D. 1864."

The law which we have before cited, section eleven, does not authorize the returns of any abstracts whatever, but makes it the duty of judges to certify under their hand the number of votes given for each candidate, and the general election law which we have quoted in section thirty, prescribes how this is to be done. The same reasons which dictate our law maker in requiring the full name of parties to deeds of conveyance, are the reasons which require the names of candidates to be returned in full, and the reasons for requiring the number of votes to be expressed in words, obvious,-to throw additional guard around the safety of the ballot box in preventing fraud by

alteration of figures.

But the main point in the illegality of these returns is in the want of a valid certificate by the judges. There is nothing whatever in the returns to show where any election was held at which these votes were cast. The proof of the place and time of holding an election we hold to be an essential of the legality of election returns, and more particularly so in the case before us, owing to the peculiar law allowing soldiers to vote in this Territory. The law is very specific in requiring the vote to be accredited to the county in which the soldiers voting are stationed or encamped on the day of election. Soldiers are transient,—scattered over the country and moving from place to place. How then can it be known to which county their vote is to be accredited, unless it is known in what county they voted? It will be readily seen that a knowledge of the place is doubly essential to the validity of the vote. The poll books themselves, attested, as by law they are required to be, contains the best and, we hold, the only practical and legitimate evidence of their genuineness. There are two ways in which the will of the voters expressed at the ballot box may be known to canvassers. One would be to have each man who voted, state under oath to the canvassers, where, when and how he voted. But this would be altogether impracticable, and the law makers have therefore constituted another tribunal as the medium of this knowledge-the judges and clerks of election, who are to certify to all these facts and transmit the same to the board of canvassers. Between these two modes we can conceive of no legitimate middle way. It is true that several reliable gentlemen, highly credible witnesses, testified before your committee where several of those companies or parts of companies voted. Attaching the utmost credibility to this evidence, we hold, however, its utter incompetence to validate the record of these votes. These witnesses were neither judges nor clerks, and we hold that it is alike contrary to the spirit and letter of the law to ascertain the result of elections by the

testimony of outside persons,

The legislative enactments of all civilized countries where the right of suffrages around the ballot box. In our own republican government we make it our pride and boast, and these safeguards, which the spirit of our institutions and the letter of the law set up as a shield to guard the greatest of all rights of a sovereign people, are not intended to be lightly regarded, much less to be altogether set aside, and especially when actual fraud is shown to have been committed in a part of the vote. In this we entirely agree with the views expressed so frankly in the majority report of this committee, which while deploring the imperfection of the election law in relation to soldiers voting, declares that nevertheless its provisions are binding on us until they are amended. Some persons are prone to consider such reasons as technical, mere quilps and quirks of lawyers, informalities which should be overlooked, and looking upon law as always standing in the way of justice. Laws are supposed to be founded in justice and right and are either good for something or worthless; they mean something or nothing. There is a marked distinction between an informality and an illegality. Laws are either directory or mandatory. A directory law prescibes how a thing may be done and when the form thus laid down is not followed, it is properly an informality and does not necessarily render the act illegal. On the other hand a mandatory law declares how a thing shall be done without an alternative, and if not done in the manner commanded, the act is illegal and null because it is unlawful-Applying this principle to the case in law it is easy to see that when it declares that votes shall be cast, returned and counted in a particular manner, and that manner is an essential to

arriving at the time, and therefore the first result of the election, if law is not complied with the canvass of that vote must be illegal and a nullity. There is no proof that any of these votes accredited to the Second Representative District were cast within said district. The evidence of witnesses we have . alluded to, we consider incompetent to make valid the illegal returns. Suppose the clerk of any county should transmit his abstracts of the vote of such county to the Secretary of the Territory, without stating where the election was held, how would the Secretary supply the omission ? Suppose he followed up the post mark on the envelope, which would be no sure guide, for it might be mailed outside the true county, and sup-Pose on inspecting the poll books it should be found the election judges and clerks had made the same omission in their returns, could the Secretary go farther? Would he not be Justified in throwing out such vote? Would he be justified In attempting to establish the correctness and locus in quo of such vote by the parol statement of outside and unofficialpersons? How much less would be be justified under this peculiar military law in resorting to such a mode of canvassing a vote cast by soldiers in transient military camps?w Ja beyout ed day

We have alluded to actual frauds in part of the vote. One poll book returns thirty-six votes, as votes cast by company A, of the Third Regiment, -not as a detachment of said company, while it was in evidence before your committee, on the testimony of Col. Shoup, and is otherwise within the knowledge of one of your committee, that said company A was. with the exception of three or four men, in the Arkansas Valley, on the day of election. Company L. Col. Shoup's old company of the First Regiment, purports to have voted at Fort Larned, outside the Territory, and under the law the votes only of those who resided in Arapahoe and Douglas counties when they enlisted, would be accredited to those counties. Col. Shoup states that the company numbered but ninety in July last, that about thirty-five of those were recruited in Gilpin county and fifteen in Park county, and yet eighty-seven votes were returned from that company and accredited to Arapahoe and Douglas counties. Without instancing other frauds in this soldiers' vote, we will remark that the old law maxim of "falsas in uno falas in omnibus" will apply to this entire vote, and if false in part it may be false in all, for when the presumption of correctness is destroyed by proof of fraud in one part there must be absolute Proof of the correctness of the other part in order to repel the presumption of false in all. The general election law is not sufficiently explicit in relation to the final canvass of votes, and needs amending in that respect. It does however explicitly Prescribe that the vote shall be canvassed by the Secretary of the strictest justice.

Janus

Th

since

shou

citize

but t

the :

matt

the

box

legit

sent

that

ceiv

cast

rep

pos

po

11

the Territory, the Auditor, and Treasurer, or any two of them in the presence of the Governor, but it is in evidence before the committee that the soldier vote for Representatives in this case was canvassed by the Secretary alone.

There would be little use for the law to throw so many safeguards around the ballot box to prevent fraud and preserve its sanctity, by requiring the clerk and two sworn magistrates to solemnly count the votes of each county, and certify to its truth under seal, if thereafter the final canvass should be the arbitrary and unwitnessed manipulations of one man. As to the law in relation to soldier votes it is patent to any intelligent man that it was conceived in sin and brought forth in iniquity. Those persons whose ponderous brains conceived and brought forth this spawn of iniquitious intent, doubtless had an eye to moulding the complexion of a Legislature which was expected to elect two senators to Congress under an adopted State Constitution. So intent were they upon this idea that the law itself is made to provide for the election of State officers hereafter, being the first instance in our knowledge of a territorial legislature, making laws for a future State. By this law soldiers can be moved at will into any county on the day of election, a county which perhaps not one of them ever lived in, or has the least interest in, and by remaining there one day thwart the wishes of every citizen voter of the county, making such soldiers the mere tools of corrupt officials; while on the other hand it totally disfranchises those soldiers from voting for officers of the counties in which they reside and own property. Such a wickedly unjust law as this, is a stain upon our statute book, and a curse to the soldiers and citizens who are its virtues, and if those who were so cunningly interested in its manufacture and effects, have failed to comply with its own direct provision in trying to carry it into execution, we think it well to abide by its provisions until amended or repealed. It seems a hardship to throw out the vote of any soldier or citizen who east that vote in good faith at the ballot box, but the law when not complied with imposes even greater hardships than this. There is a law upon our statute book which declares that every deed of conveyance "shall contain the full christian and surname of both grantor and grantee," now if a soldier or citizen were to purchase a mining claim or farm and take a deed containing only the initial letters of the christian name, it may be in ignorance of the law and yet in good faith, and should a third party set up and endorse title and a court of law in pronouncing that deed illegal, and all should sweep mines or farms away from the purchaser, it would hardly be considered a smaller misfortune than the loss of a vote, cast for some petty office, and yet the maxim signoran tia legis non excusat, is founded in the strictest justice.

1st.

em

he

ase

fe-

its

to

th

)i-

ie

it

7.

it

d

The undersigned of your committee can but express their sincere regard that the votes, which in their recommendation should be thrown out, are soldiers' votes, since they, equally with citizens, are certainly entitled to the rights of elective franchise, but the same motive which prompted them to fly to their arms for the maintainance of the laws of their country, prompts us in this matter, respect for the supremacy of the law. We cannot think the law in its guardian care for the same rights of the ballot box would justify a different decision. There is in opinion no legitimate proof that any vote was legally returned for representative in the second district, except the citizens vote, and that persons entitled to seats in this House are those who received the highest number of those votes which were legally cast, recorded, returned, and canvassed.

All of which is respectfully submitted.

WILBER F. STONE. THOMAS D. WORRALL.

Mr. Ehrhardt introduced the following resolution:

Resolved, That the consideration of the majority and minority report of the committee on Elections and Apportionments be Postponed until Monday, 23d inst., 9 o'clock a. m.

Adopted.

Mr. Nichols, from the select committee appointed to corres-Pond with Col, Moonlight, and for other purposes, submitted to the House the following communication from Col. Shoup:

GOLDEN CITY, C. T., May 21, 1865.

CAPT. NICHOLS:

Dear Sir-At your request to give a statement of the number of troops now in this military district, I will state that I cannot give the exact number. However, I can state that the only troops In the district are the Colorado First, with a small detachment of the Colorado Battery, and perhaps a few recruits of the Third ansur, Nichols, North, Patterson, Vine, Ston.tremiger

The First reg.ment numbers twelve companies and cannot muster more than fifty men present, with each company, for

duty, this I am well satisfied is a large estimate.

Those companies are stationed as follows: Eight at Fort Lyon, C. T.

One at Boonville, eighteen miles below Pueblo.

One at Fort Garland, and

Two on the road between Denver and Julesburg.

The Detachment "Colorado" Battery, is at Fort Lyon.

There is also a detachment of the First regiment under Capt. Davidson, at Camp Weld near Denver.

The Second regiment is reported en route for this District,

Janu

itsel

said

M

H com aske

0

BI

Hil Sign

CO

but on Tuesday last the commanding officer of this District, Col. Moonlight, stated in my presence that he had no official notice to that effect, and gave it as his opinion toat they were not on the road, as their horses were not in a fit condition to make a campaign.

On motion of Mr. Holland,

The above communication was referred to the committee on Military Affairs.

Mr. Patterson introduced the following resolution:

Resolved, That hereafter no bills or joint resolutions shall be passed in this House until it has been printed, and copies thereof have been laid upon the desks of the members, unless otherwise ordered by the House.

Adopted. C. B. No. 3,

For an act entitled an act to amend an act to incorporate the Occidental Gas Light Company of the city of Denver.

Read the first time.

On motion of Mr. Lynch, Said bill was read the second time and referred to the committee on Corporations.

C. J. R. No. 2,

To appoint an Investigation committee.

Read first time.

On motion of Mr. Stone.

Said Resolution was read the second time.

H. B. No. 13,

For an act supplemental to an act to organize the Militia of Colorado Territory.

Read third time and put upon its final passage.

Those voting in the affirmative were, Ayes-Messrs, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worrall, and Mr. Speaker .- 16

Aves-16. Noes-0.

Those communes are sight and Mr. Tyler, from the committee of the Whole, reported that the committee have had under consideration

H. B. No. 16,

For an act authorizing the issue of Territorial bonds.

The committee have made some progress and ask leave to sit Report received. again.

On motion of Mr. Worrall,

Tat.

ct,

eial

ere

to

on

be ·er-

10

Said bill was considered engrossed, and the House resolved itself into a committee of the Whole for the consideration of Mr. Holland in the chair. said bill.

Having spent sometime in the consideration of said bill the committee rose, and through the chairman reported progress, and asked leave to sit again. On motion of Mr. Pine,
The House adjourned until 2 o'clock p. m.

AFTERNOON SESSION. Debuggs 25 House met at two o'clock p. m., pursuant to adjournment. Roll called. The suppression of the standard the standard

Absent-Mr. Tyler.

On motion of Mr. Holland,

The House resolved itself into a committee of the Whole to by either House of the Levi, lative Assembly," at the reliano

H. B. No. 16, at share only miles below asks even vodT For an act authorizing the issuing of Territorial Bonds

Mr. Holland, in the chair.

Having spent sometime in the consideration said bill the committee rose and the House was called to order. On motion of Mr. Lynch,
H. B. No. 7, normalist and motion of the second and the s

For an act amendatory of an act to establish the common school system, approved November 7th, 1864.

Read third time and referred to the committee on Education. Mr. Holland from the committee of the Whole submitted the following report:

The committee of the Whole beg leave to report that they 

H. B. No. 16,

For an act authorizing the issuing of Territorial Bonds, And amend by inserting the words "of one hundred to one thousand dollars, at the discretion of the commissioners as hereinafter created," after the word "denomination" in the section.

Also,

By striking out the words "in five years from date of issue" after the word "payable" in tenth line, and by striking out all between the words "payable" "and."

Amend the second section by inserting the words "shall each &c.," as apended the word "who" in the third line,

Janı

H Re

A M that auth

corr

com test

M

T Mr.

M

Hor

tute

mil

A

A

20 91

Ma Wo

Said bill was considered energised and the lines The third section by inserting "as soon as they shall deem desirable" after the word "same" in the sixth line.

Also. Second section in second line, by inserting "any two of" &c., after the word "commission" as appended.

Also.

Add to second section as appended "and their term of office.

Section sixth by inserting the words "remove or be absent,"

as appended. Also.

Add to section four the following: "Unless the duties of the said commissioners expire according to the provisions of this act before the next session of the Legislature, in which case they shall report to the Governor of the Territory who shall communicate the same to the next Legislature if so respected by either House of the Legislative Assembly."

They have also added section nine, made the necessary corrections, and report the bill back with a recommendation of its

passage as amended.

On motion of Mr. Lynch, and the land seem continued The report was adopted.

Mr. Lake introduced the following resolution:

Resolved, That the report of the committee on Election and Apportionment be taken up. odmerol beverage motive loods Adopted. To oblighage out of harrefor bus and bride bred.

Mr. Lynch moved that the House now adjourn until Monday, 23rd inst, at 2 o'clock p. m.

On motion of Mr. Nichols,

The House adjourned until Monday, 23rd inst., at 9 o'clock

### one of harbond choice about the entire of the manua back MONDAY, JANUARY 23, 1865.

House met pursuant to adjournment.

Prayer by the chaplain. Roll called.

Absent—Messrs. Mansur and Tyler. Roll called. Journal read and approved.
On motion of Mr. Lake, The House adjourned until two o'clock p. m. before as "...

m

f

### HOUSE JOURNAL. [January 24th

#### AFTURNOON SESSION.

For an act to amend an act entitled an act concerning juds House met pursuant to adjournment, acciduoexe bus stuem Roll called. Was read a first and second time. 

Mr. Lake, from the committee on engrossed bills, reported that they had examined H. B. No. 16, entitled an act to authorize the issuing of Territorial bonds, and find the same correctly engrossed. In out at themdoatte at guidesoory lo

Mr. Holland moved to adopt the majority report of the committee on elections and apportionment, in the case of contested seats from the 2nd district.

The following message was received from the Council, per Mr. Allen, Assistant Clerk of the Council. id a beet as V

MR. SPEAKER: I am instructed by the Council to inform the House that the Council has adopted the accompanying substitute for H. J. R. No. 2, respecting the organization of a new military department.

A call of the House was ordered. Asaga . 1M bus Harro W

The following members answered to their names: Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Worral and Mr. Speaker-15.

Absent Mr. Tyler. to oussi odt gaishodtus tos as to A On motion of Mr. Worrall, omit bridt a bast as W

Further action under the call was dispensed with. On motion of Mr. Holland, The House adjourned. In add the bear lienow and

Mr. Holland moved to amend by having said blanks, filled

of three, to fill the blanks therein.

### TUESDAY, JANUARY 24, 1865, embnem A

The House proceeded to fill t House met pursuant to adjournment: w of noises brooss Prayer by the Chaplain. anote all to noitem no Roll called. The vote was ordered to be by ballot,

Absent Mr. Tyler. one ever dony I bue enot S. srase M.

Mr. Lake, from the committee on engrossed bills, om nO Reported that they had examined II. B. No. 1, entitled an act to create the office of flour inspector, and found it correctly engrossed. On the first ballot,

Mr. Pine gave notice that on to-morrow or some day soon thereafter, he would introduce, issor astanod radial . M.

A bill for an act to incorporate the Belmont Silver Mining Company, angiasimmen and to one betoole what bernies asw

The C. B. No. 8, necessed for store a of bebesong escoll sell

Mr. Stone nominated Mr. James, McNasser.

Jenuary 24th.

For an act to amend an act entitled an act concerning judg duly ele ments and executions, approved Nov. 4, 1861, join sanoli

HOUSE JOURNAL.

Was read a first and second time.

C. B. No. 6,

her For an act providing for the support of paupers, all

And C. B. No. 10,

that they had examined . I For an act to amend an act entitled an act regulating the mode of proceeding in attachment in the district courts, approved Mr. Holland moved to adopt the majoris 1865, 196 al

Were read a first and second times. another no entimmos

H. B. No. 1.

For an act to create the office of flour inspector.

Was read a third time, and to dred Oliver Assistant Oliver of the

The question being on the passage of said bill,

Those voting in the affirmative were, and out said sand

Mesers, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch Mansur, Nichols, North, Patterson, Pine, Stone, Thompson Worrall and Mr. Speaker. The sew oswell odt to lies A

Ayes . 15 nen riedt of herewene gradment guiwollot of l Mosers. Craig, Ehrhardt, Holland, Hopkins. Oat890 Krach. H. B. No. 16,

For an act authorizing the issue of Territorial bonds,

Was read a third time,

Mr. Worral moved to lay the bill on the table for the present

Mr. Worrall moved that the bill be referred to a committed of three, to fill the blanks therein.

Mr. Holland moved to amend by having said blanks filled

by the House.

Amendment adopted. TAUXAL, YAUSHUT The House proceeded to fill the first blank, occurring in the second section, to wit: the name of the commissioners.

On metion of Mr. Stone,

The vote was ordered to be by ballot.

Messrs. Stone and Lynch were appointed tellers.

On motion of Mr. Hopkins, manico out most odad all

It was resolved that but one of the commissioners be elected act to create the office of flour inspector, and found.smit a tally

On the first ballot,

Colonel George L. Shoup received fourteen votes.

Mr. Luther Kountze received two votes. We an analysis and

Col. Shoup, having received a majority of all the votes cash was declared duly elected one of the commissioners.

The House preceded to a vote for the second commissioner Mr. Mansur nominated Judge C. B. Clements,

Mr. Stone nominated Mr. James McNasser,

Mr. I The ! Mr. I The C. B. Jame Jame mission The the na Kincai The second Mr. dollars Mr.

January

Mr. I

The and wa The fixed a The amour

Mr.

On The The deterr ing u Mr ing or

Mr On Th

> He Ro Qu T M

bisq M A 200

24th

node

oved

ch, OB,

nt.

od

Mr. Patterson nominated Mr. Luther Kountze. Mr. Luther Kountze received thirteen votes and was declared The House proceeded to vote for the third commissioner. Mr. Pine nominated James Kincaid urevow ent rebut guitaline Mr. Worrall nominated C. B. Clements. o will be noiresui ent The vote resulted as follows: Dusma na bereito basiloH .TM C. B. Clements received seven votes, dmun ed of noitoes landit

James Kincaid received nine votes, beer saw membrana of T James Kincaid was declared duly elected one of said com-

The blanks in the first section were accordingly filled with he names, George L. Shoup, Luther Kountze and James

The House then proceeded to fill the second blank in section Those voting in the affirmative were,

Mr. Worrall moved to fill said blank by inserting "three Mr. Pine moved to insert "ten dollars "soge . 1M bus ,lismo W

Mr. Holland moved to insert six dollars. Toly T Mantheed A

The motion of Mr. Pine was first submitted to the House, and was carried.

The compensation of said commissioners was accordingly ared at ten dollars per day for each day's services.

The House then proceeded to fill the blank relative to the On motion of Mr. Mansur,

The said bond was fixed at the sum of fifty thousand dollars. The House proceeded to fill the blank in the third section. determining the amount of bounty to be paid the soldiers enlist

ing under the last call of the Governor. Mr. Hepkins moved that the said blank be filled by inserting one hundred dollars.

Mr. Holland moved to insert twenty-five dollars.
On motion of Mr. Hopkins,
The House adjourned until 2 o'clock p. m.

# shall act as, "after "convoises noon arra, in the seventh line, insert the words "upon recommendation of the commander of

House met pursuant to adjournment collasted to memiger dous before "quartermaster sergeant," "hospital stewar.bellon

Quorum present.

The consideration of II. B. No. 16, was resumed. Mr. Mansur moved to fill the blank, fixing the bounty to be haid to soldiers, by inserting fifty dollars. To nonerable most of T

The aves and noes were called for.

Mr. Worrall moved that it be seventy-five dollars. que bus snot vote was taken on the last motion. on elections and apportionments, M. Des

Mr. Mansur's motion prevailed, and
The blank left for fixing the bounty to be paid soldiers enlisting under the Governor's last proclamation, was filled by Mr. Holland offered an amendment to said bill as an additional section, to be numbered "10."

The amendment was read a first and second time

The amendment was read a first and second time.

On motion of Mr. Pine, The rule was suspended, and the amendment read a third time, and adopted and made a part of said bill. and adopted and On motion of Mr. Lynch, The bill was put upon its passage.

The question being upon the passage of the bill, and adl

Those voting in the affirmative were,

Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Worrall, and Mr. Speaker silob not " tread of beyon snil all

Absent-Mr, Tyler. ansilob xis freent of bovom busiloR al

The motion of Mr. Pine was first submitted to 115 Heavy Noes-0.

On motion of Mr. Stone, h does not yet as stalled not be both The title was amended by adding the following:

"To defray the expenses of defense against hostile Indians. Mr. Pine moved that the House adjourn.

Lost. The following message was received from the Council, per Mr. Allen Assistant Clerk: dotymuod to innome odt gainimate

Mr. SPEAKER: I am instructed to inform the House that the Council has amended H. B. No. 13, entitled an act supplemental to an act to organize the militia of Colorado Territory,

with the following amendments, to wit:

Erase the word "one," in the third line of section five, before the word "commissary," and insert the words "who shall act as, " after " commander in chief," in the seventh line, insert the words "upon recommendation of the commander of such regiment or battallion." Also in the eighth line insert before "quartermaster sergeant," "hospital steward." 100

Mr. Craig moved that the House adjourn. going ablance and

Lost. stand The consideration of the report of the committee on elec-

on a motion to adopt the majority report of the committee

on elections and apportionments, The ayes and noes were called for.

Th Me and ! Th

Janua

M Thor A N L M

> mitt N V

> > Wo

4 an

B

MEL

1.

Thompson, Worrall and Mr. Speaker. Those voting in the negative were,

Jai

bapre

an an

enth

10W

Marco

0

0

isal

SEL

308

Bui

Messrs. Holland, Hopkins, Lynch, Mansur, Nichols, North, and Tyler.

Ayes 9.
Noes 7. lode Normal density of the affirmative well when the property of the carried.

Carried.

On motion of Mr. Worrall we with a continuous and Tosso The carried to the carrie

On motion of Mr. Worrall, and bringing and The House adjourned.

# WEDNESDAY, JANUARY, 25, 1865.

House met pursuant to adjournment. A bous anoisos no setting Prayer by the Chaplain.

Roll called.

Absent-none.

Journal read and approved. The fraction of Mr. Lake,

H. J. Brendlinger, from the second district, took the oath of effice and was admitted as a member of the House of Representatives.

Mr. Craig presented a petition from the citizens of Fremont county in relation to the laws governing fences, &c., which was read and referred to the committee on agriculture and manufactures.

Mr. Lynch presented the protest from citizens of Summit county against a division of said county, which was read and referred to the committee on counties and county lines.

Mr. Worrall, from the select committee to whom was referred H. B. No. 14, for an act for the relief of Robert S. Wilson, submitted the following report:

### To the Honorable Speaker of the House of Representatives :

Your select committee to whom was referred H. B. No. 14, a bill for an act for the relief of Robert S. Wilson, sheriff of Arapahoe county have had the same under consideration, and would respectfully report that the bill provides for appropriating the sum of two thousand and fifty dollars and fifty cents, to be paid to R. S. Wilson, sheriff of Arapahoe county to compensate him for keeping and supplying certain prisoners in the county jail of Arapahoe county. Your committee upon examination of the laws, find that it is the duty of the county commissioners to defray all such expenses.

Section four of an act concerning county jails, page one hundred and seven, of the first session laws, is as follows:

Sec. 4. When a prisoner is committed for crime, or in any

#### January 25th prid broHOUSE JOURNAL asw doidy 138187

general orders. suit on behalf of the Territory, the county commissioners shall allow the sheriff his reasonable charges for supplying such

Section eight of the same act provides that when there is no sufficient jail in any county in which an offense is committed the criminal may be sent to the nearest county having a jail and the expense shall be paid by the county wherein the offense

Section one hundred and ninety of the criminal act, page three hundred and thirty-four, first session laws, also requires that the cost in criminal cases shall be paid by the county in which the offense is committed, when the defendant shall be convicted and shall be unable to pay them. vio ent guitaroq

The fee bill of sheriffs' fees, in the fee bill act of the third session laws, page eighty-one, also provides that the expense of feeding and supplying prisoners shall be paid by the board

of commissioners. Duoses bus terft a baer saw lid bi

Your committee have found no law conflicting with the foregoing provisions, and as from the laws we have cited, it appears clear that if the bill of expense accompanying the bill under consideration should be paid by the county commissioners of the county or counties respectively wherein the offense was committed, your committee think it the imperative duty under the law for such commissioners to pay the charges presented in this bill, and would therefore report the bill back to the House without recommendations w agassam guiwollol ad

These expenses were incurred by Mr. Wilson in the discharge. of his official duties, and those duties the law compels him to perform, under a severe penalty if he refuses or neglects. He should certainly be paid, and will be paid and if there were no law providing for such payment otherwise, we think this Body would not hesitate in the least to pay the same, out of the

Territorial treasury dirts, strike, and brid edt al

But there can be no misunderstanding on this subject and hence your committee have reported accordingly at 19ff A of section five, insert "upon recommendation of the command

The report was received northants or them for hour to re

H. B. No. 13, an act supplemental to an act to organize the militia of Colorado Territory, was taken up for consideration.

On motion of Mr. Worrall,

Said bill was returned to the Council, together with amendments purporting to have been made to said bill, with the request that the Council inform the House what has been the action of the Council in relation to said bill. of asimumuos

Mr. North introduced and and an aless of belling one your

A bill for an act amendatory of an act entitled an act regulating the fees of officers, jurors and witnesses, approved Nov. 8,

181861, which was read a first and second time and filed with general orders.

HallaMr. Craig introduced and modified and to Hadad no till

A bill for an act to amend an act to authorize the appointment of county commissioners in special cases, which was read a first and second time and filed with general orders.

H. B. No. 11, a bill for an act to incorporate the Colorado & Clear Creek Railroad Company, was referred to the committee and the expenseshall be paid b

on incorporations. The following message from the Council, per Mr. Allen,

Assistant Clerk, was received: her berbund one normed

bree hundred and thirty four, first session laws, also requires MR. SPRAKER: I am instructed to inform the House that the Council has passed C. B. No. 13, an act to amend an act incorperating the city of Denver, approved Nov. 7, 1861, and March 11, 1864, and request immediate action. session laws, page ciefter-one, also

base On motion of Mr. Worral, and surveyed bus surveyed to

The said bill was read a first and second time.

-910 On motion of Mr. Worrall, many and antiquence and

The House resolved itself into a committee of the whole to clear that if the bill of expense accounts, and bill, and need a secondar

to atMr. Worrall in the chair, ad him ad himona notterabiano Having passed some time in considering the provisions of committed, your committee thirk it the imperative alid bias or

beta The committee rose, and, storage strates the and well add

out. The Speaker called the House to order. The Speaker called the House to order.

The following message was received from the Council, per Mr. Allen Assistant Clerk: barrens orange seemed seemed

MR. SPEAKER: I am instructed to inform the House that the Of Council has passed, as amended, H. B. No. 18, entitled an act supplemental to an act to organize the militia of Colorado Territory, and return the same to the House amended as follows:

In the third line of section five, strike out the word "one,

and insert "who shall act as."

After the words "commander in chief" in the seventh line of section five, insert "upon recommendation of the command er of such regiment or battallion." Avideon saw thought of I

Also in the eighth line of section five, insert before "quarter"

nomaster sergeant" "hospital steward," Tobacoloo to smiller

-bus On motion of Mr. Craig, it was

Resolved That the Speaker of this House be requested to communicate to B. B. Stiles, Rufus Clark and F. M. Case that they are entitled to seats in this House, and request them to A bill for an ger amendagory of an act entitled an act regula-

ting the seep of officers jurge and witnesses, approved Nov. 8,

Japua

appear

Mr. 13, re On The

> Ho Ro Qu On Th the c

MI

Un

Th M the c tled appi the

> bill 0

h.

th

d

e

appear as early as practicable and take their seats.

Mr. Worrall, from the committee of the whole, on C. B. No. 13, reported progress and asked leave to sit again. On motion of Mr. Patterson, The House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

out of the third line the word "Lieq." and inserting the word "Hon," the beginning of the name Gilbert at The said Mill is

House met pursuant to adjournment. Roll called,

Quorum present.

On motion of Mr. Worrall, The House resolved itself into a committee of the whole for the consideration of C. B. No. 13,

Mr. Nichols in the chair.

On the rising of said committee,
The Speaker called the House to order.

Mr. Nichols, from the committee of the whole, reported that the committee had had under consideration C. B. No. 13, entitled an act to amend the act incorporating the City of Denver, approved Nov. 7, 1861, and March 4, 1864, and would report the same back without amendments and recommend its passage.

Mr. Stone moved that the rule be suspended and the said bill read the third time.

On this motion,

The ayes and noes being called for,
Those voting in the affirmative were,

Messrs. Craig, Ehrhardt, North, Patterson, Pine, Stone Phompson, Worrall, Bredlinger, and Mr. Speaker.

Those voting in the negative were,

Messrs, Holland, Hopkins, Lake, Lynch, Mansur, Nichols and Tyler. Ayes—10.

Noes\_7. Lost. Mr. Lynch, from the committee of the whole, reported that,

The committee have had under consideration C. J. R. No. 2" and report it back to the House with the recommendation that it be referred to a select committee.

Janu

inst

Also, C. S. for H. J. R. No. 6, which is reported back with the recommendation that it be referred to the appropriate committee.

Also, H. B. No. 14, which is reported back with the recom-

mendation that it do not pass.

Also, H. B. No. 15, an act to encourage emigration, the first section of which was amended by the committee by striking out of the third line the word "Esq.," and inserting the word "Hon.," the beginning of the name Gilbert. The said bill is reported back with the recommendation that it lie on the table.

The report was received.

The following message was received from the Council, per Mr. Allen, Assistant clerk:

MR. SPEAKER: I am instructed to inform the House that the Council has adopted the accompanying Resolution and request the immediate action of the House.

The resolution referred to provides for appointing a joint committee to report a substitute for H. B. No. 16, authorizing

the issue of Territorial bonds.

The Speaker appointed as such committee on the part of the House, Messrs. Patterson and Holland.

Mr. Patterson introduced the following resolution:

WHEREAS, Col. T. Moonlight, the recently appointed Commander of this District, having lately published orders to the effect that the civil authorities are capable of enforcing the laws of this Territory, thereby superceding the necessity of a provost marshal,

AND, WHEREAS, the statutes of this Territory have been often set at defiance by the aforesaid provost marshal, and many acts committed upon an innocent and unoffending people by

the same, therefore,

Be it resolved, That the thanks of this House are hereby tendered to the said Col. T. Moonlight, for the interest he manifests in behalf of the people of this Territory, and that he is hereby invited to a seat within the bar of this House.

Resolved, That the Speaker is hereby authorized to send a copy of the foregoing proceedings to the said Col, T. Moonlight.

On motion of Mr. Holland, The said Resolution was laid on the table. On motion of Mr. Thompson, The House adjourned. h

# THURSDAY, JANUARY 26, 1865, MOSEGMONT

Was referred to a select committee composed of Mesarra

House met pursuant to adjournment.

Prayer by the chaplain.

Roll called.

Roll called.

There being no quorum present, the Sergeant-at-Arms was instructed to bring in absentees.

Mr. Mansur and Pine came in.

Those voting in the affirmative were

Quorum present.

Journal of yesterday read and approved.
Council amendments to
H. B. No. 13.

H. B. No. 13,

For an act supplemental to an act to organize the Militia of Colorado Territory,

Were read the first and second times, and

On motion of Mr. Stone.

Agreed to.

Mr. Lake gave notice that he would on to-morrow or some bequent day introduce.

\*ubsequent day introduce,

A bill for an act amendatory of an act entitled "An act to incorporate the city of Central City, approved March 11th, 1864"

Mr. Mansur introduced the following resolution:

Resolved, That this House do hold a night session to-morrow night, the 27th inst., and every alternate night thereafter, Sundays excepted, until the close of the Legislature.

Adopted.

Mr. Stone introduced a bill for an act to encourage prospecting and mining. g and mining.
Read first and second time and ordered printed.

On motion of Mr. Stone, and Annual sessold - tnosed A.

C. B. No. 2,

C. B. No. 2, For an act relating to negotiable instruments, prommissory notes and contracts.

Was referred to the committee on Judiciary.

C. J. R. No. 2, ming de settlemanos ent mort bellacer sa W

In relation to an investigating committee, and immon toolean

Was referred to a select committee, consisting of Messre. Mansur, Lake, and Patterson, poles of mon nosquiod'T all

The report of the committee of the Whole, submitted by Mr. Lynch, chairman, on yesterday was adopted.

C. S. for H. J. R. No. 2,

In reference to the organization of a new military department.

Janu

TI

C

J

the

H

day.

A

0

the

tee

Hell]

da

re

th

F

8

Was referred to a select committee composed of Messrs Thompson, Worrall, and Ehrhardt.

H. B. No. 6,

Referred to the committee on Education.

On motion of Mr. Pine,

C. B. No. 13,

For an act amendatory of an act incorporating Denver City, approved, Nov. 7th, 1861, and March 11th 1864.

Read third time and put upon its passage. Those voting in the affirmative were,

Messrs. Craig, Ehrhardt, Holland, Lake, Mansur, North, Patterson, Pine, Stone, Thompson, Worrall, Brendlinger, and Mr. Speaker.

Those voting in the negative were,

Mr Hopkins. Ayes—13. Noes—1.

Carried.
On motion of Mr. Holland,

H. B. Nos. 17 and 18, Were referred to the committee of the Whole.

On motion of Mr. Lake,

Mr. B. Stiles took the oath prescribed by law, and was admitted a member of the House of Representatives.

On motion of Mr. Lake,

The House adjourned until 2 o'clock p. m.

#### AFTERNOON SESSION.

House met pursuant to adjournment. Roll called. Absent—Messrs. Lynch, Nichols, and Tyler. On motion of Mr. Stone.

H. B. No. 19,

For an act to encourage prospecting and mining, Was recalled from the committee on printing, and referred to a select committee, consisting of Messrs. Stone, Pine, and Worrall.

Mr. Thompson from the select committee to which had been referred,

C. S. for H. J. R. No. 2,

Concerning the establishment of a new Military Department.

Submitted the following report;

The select committee to whom was referred,

C. S. for H. J. R. No. 2,

Joint Memorial to the President of the United States,

Has had the same under consideration, and report it back to the House with the recommendation that it be adopted.

Mr. Worrall gave notice that on Saturday or some subsequent

day, he would introduce

A bill to amend the election law regulating soldier's vote.

On motion of Mr. Holland,

The House resolved itself into a committee of the Whole on the general orders.

Mr. Holland in the chair.

The committee rose and the House was called to order.

Mr. Holland reported from said committee, that the committee have had under consideration,

H. B. No. 17,

And report the same back to the House with the recommendation that it do pass.

The committee have also had under consideration,

H. B. No. 18,

And report the same back with recommendation that it be referred to the Judiciary committe.

On motion of Mr. Lake, The report was adopted.

Mr. Lynch from the committee on Incorporations submitted the following report:

Your committee to whom was referred

H. B. No. 11,

For an act to incorporate the Colorado and Clear Creek Rail

Road Company,

Beg leave to report that they have had said bill under consideration, and would respectfully report the same back to the House with the following additions and amendments, to-wit:

Strike out of section third after the word "exceeding" in the third line, the words "twelve rods in width through the cuter length of said road and branches of the same, upon such route or routes as may be determined.

Also,

In seventh line, after the word "construction" strike out the word "or," and insert after the word "exceeding" in third line the following, to-wit: "fifty feet in width upon that portion of said railroad commencing at or near the western boundary line of Golden City, and running west to Central City in Gilpin county, and Empire city in the county of Clear Creek, and one

Janu

railr

the 8

of t

C

F Occ

of . her

por

and

Vei

otl

YC

al

C

0 3

hundred feet in width upon the branches of said road running from Golden City to Kiowa via of Denver, and from Golden City to Cache la Poudre via of Coal Creek, Boulder Creek, Big Thompson and St. Vrains."

In fifth line of section four, after the word "impair" strike

out the word "its" and insert the word "their."

Add to section eight the following, to wit: "Provided, The rates of freight from Golden City to Central City in the county of Gilpin, and from Golden City to Empire City in the county of Clear Creek, be not over - per mile; and from Empire City to Golden City in Jefferson county, be not over - per mile; and from Golden City over the two branches of the Road running to Denver and Cache la Poudre not over - per mile.

In section nine, second line, after the word "surveying" strike out the word "or," and insert the word "and" in lieu

thereof.

In section eighteen in the third line, after the word "building" strike the following words: "and from the term of five years

In second line of section nineteen, strike out the words "the

term of five years after."

Strike out all of section twenty after the word "territory" in third line, and insert in lieu thereof, "and ending at Central City, Gilpin county, Colorado Territory. Survey of the branches of said railroad to be completed within two years from the passage of this act,"

Strike out all of section twenty-one and insert the fol-

lowing:

"The said company shall complete the grading of that part of said railroad, beginning at or near the western boundary line of Golden City, Jefferson county, and terminating at Central City in the county of Gilpin, in the Territory of Colorado, within two years from the passage of this act; and within six months thereafter said company shall complete and furnish said railroad with the necessary rolling stock for practical operation, and that branch of said railroad running in a northeasterly di rection from the town of Golden City to the coal bed on Coal and Boulder creeks, St. Vrains, Big Thompson, and Cache la Poudre, shall be completed within four, and the other branches of said railroad not mentioned in the foregoing section, to be completed within six years from the passage of this act.

Strike out section twenty-two and add the following:

If the said company shall fail to complete or fail to cause the same to be completed, any part, branch, or branches of said ith

ing

len

ek,

ke

he

ty

re

er

d

er.

e

11

railroad within the time specified in Sec. 21 of this act, then the said unfinished branch or branches as mentioned in Sec. 2 of this charter, shall be null and void.

Your committee would further report that they have had, C. B. No. 3,

For an act to amend an act entitled an act to incorporate the Occidental Gas Light Company of the city of Denver. and desired

Under consideration, and report the same back with the views of your committee thereon. The additional privileges asked here by said incorporation are that they may be allowed full Power to acquire, enjoy, sell, and convey real estate, the beds and veins of coal, and to mine and operate in coal beds and veins of coal, and to buy and sell, and deal in coal, coke, and other fuel for the profit, and advantage of said company.

In looking over said incorporation charter granted last year. Your committee think the exclusive privileges therein granted should not extend to the additional privileges therein asked for and would therefore recommend that the following be added to section first: "Provided, That nothing in this act shall be construed so as to give to said company the exclusive privilege of dealing in the different kinds of property mentioned in said section." Such alteriare T to sust off galgironbus ton as To I

On motion of Mr. Holland, bas smit baccos beer saw

For an act to amend an act entitled an act to incorporate the Occidental Gas Light Company of the city of Denver, appliance

Was taken up for consideration. Alado od of Harro W.AM

On motion of Mr. Stiles, Said bill was made the special order for to-morrow, 27th inst., at 2 o'clock p. m. settlem see ent tadt batroger MarioW ...M.

Message from the Council: an tis of event boxes bas seergong

MR. SPEAKER :- I am instructed to inform the House that the Council has passed a substitute for the transporter to noitcobe

H. B. No. 16, For an act authorizing the issue of Territorial bonds,

With an amendment, striking out the name of E. W. Hudson and inserting that of James McNasser.

I am also instructed to return to the House,

H. B. No. 12,

For an act to amend an act entitled an act to organize the Treasury Department,

With the recommendation that it be indefinitely postponed.

The Council has passed the following Bills and Resolutions, With their accompanying amendments: bearboids expolt on?

For an act to incorporate the Masonic Hall Association in Denver City.

A Substitute for H. B. No. 4.

For an act to amend an act entitled an act to entitle road, ditch, manufacturing, and other companies to become bodies corporate, approved March 11th, 1864.

A Substitute for

H. J. R. No. 1,

Of thanks to the officers and soldiers of Colorado Territory.

And request concurrence of the House therein,

Mr. Worrall stated that Col. Moonlight was present, and moved that he be invited to a seat within the bar of the House. Metion prevailed.

On motion of Mr. Patterson, C. S. for H. B. No. 16 C. S. for H. B. No. 16.

For an act authorizing the issue of Territorial Bonds to defray the expenses of detense against hostile Indians,

Was read second time, and

On motion of Mr. Worrall,

The House resolved itself into a committee of the Whole to consider said bill.

Mr. Worrall in the chair.

On the rising of said committee,

Mr. Worrall reported that the committee had made some progress, and asked leave to sit again.

That he was instructed by the committee to recommend the adoption of a concurrent resolution by the House, providing for a Joint committee, consisting of three members of the House and two of the Council, to consider and report on so much of section seven of raid bill, as relates to the names of the commissioners to be appointed under said bill.

Report received and adopted.

Report received and adopted.

The Speaker appointed on said committee on the part of the House, Messrs. Mansur, Pine, and Lynch.

On motion of Mr. Patterson.

The House adjourned until 7 o'clock p. m.

Hou Rol

Januar

Que Abs On The C. Mr Th

> Yo to the added SE

Mr

in n shall 18 80] peac M

> M the mitt

A M

> ord -bid

CO be

lid.

Ki

2

n

said committee recommended to the commission and suggested the names of George L. NOISERS THOIN mes McNasser.

House met pursuant to adjournment. Roll called.

Quorum present.

Absent-Messrs, Hopkins, Nichols, and Tyler.

Mr. Stiles moved that the reporting Holling to motion of The House resolved itself into committee of the Whole on. C. S. for H. B. No, 16, aw evitamiffe edt ni gnitov esodT Mesers. Orang, Ehrhardt, Lake right and ni bnalloH .TM

The committee rose and the House was called to order. Mr. Holland, the chairman made the following report land Those voting in the negative were,

Your committee have considered said bill and report it back to the House, with the recommendation that the following be added thereto as an additional section:

SEC. 2. All bonds not negotiated by said commissioners within ninety days from the date of the first issue of said bonds, shall be detained by them and not sold, and whenever any bond 18 sold by them they shall endorse on the same the time it was so negotiated. 

MR. SPEAKER: —I am instructed to inform the House that the Council has concurred in the H. J. R. creating a Joint committee to consider and report on Sec. 7, of nod noiseasp adT

C. S. for H. B. No. 16, And that the Council has appointed on said committee Messrs, Baxter and Widner, on the part of the Council,

On motion of Mr. Holland,
The House took a recess for twenty minutes.

At the expiration of which time the House was called to Mr. Stone from the Select committee, to which was refered

Mr. Mansur from the Joint committee of the two Houses, to Which was referred Sec. 7 of page of againoons of the as no'd C. S. for H. B. No. 16, d had estimmen out tad betroge A

eration, and asked leave to report it back with a su Reported that the committee have had the said section under consideration and would offer the following amendment: wa adt

That the names of George L. Shoup and James McNasser be stricken out, and the names of E. W. Henderson and James Kincaide be inserted in lieu thereof. av studiedus bias edT

Mr. Mansur also reported that the undersigned members of

Januar

Mr. J

The

Onr

Lear

day ne

On

ning

The

On

The

Ho

Pra

Ro

Ab 10

MI

To the

Co

Y

T

folle

of a

cha

pass

mit

tot

pla

the

aut

pu

Te

of

In

County

Summi

said committee recommended to the commission and suggested the names of George L. Shoup and James McNasser.

A. MANSUR, HONYA Trush to adjournment. B. F. PINE E. H. BAXTER,

Absent Mesers, Hopkins, Nichols and Trier on Mr. Stiles moved that the report be adopted, to notion all

The ayes and noes were called for, sati bevioser sauoH adT

Those voting in the affirmative were, I .O.M .A .H not .Z .D Messrs. Craig, Ehrhardt, Lake, Mansur, North, Patterson, Pine, Stone, Thompson, Worrall, Brendlinger, Stiles, and Mr. Mr. Holland, the chairman made the following repersals

Those voting in the negative were,

de Messrs. Holland, Hopkins, and Lynch, d settimmoo and

ad Absent Messrs. Nichols and Tyler and drive as not and of added thereto as an additional section:

Ayes—13. Noes-3.

SEc. 2. All bonds not negotiated by said c, batqobe troqq Reb-And Sec. 7, of said bill was amended as recommended by the Joint committee.

On motion of Mr. Holland, stolers lade the the the sold by the or the sold by the or the sold by the s The word "two" in fourth line of said seventh section, was stricken out and the word "three" inserted, whereby three com missioners were required to transact business instead of two.

On mo.ion of Mr. Worrall,

The rules were suspended and the bill read the third time. The question being on the passage of said bill,

Those voting in the affirmative were.

Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, North, Patterson, Pine, Stone, Thompson, Worrall, Brendlinger, Stiles, and Mr. Speaker.

Absent-Messrs Nichols, and Tyler. of a door emoli of

Ayes—16. Noes-0.

At the expiration of which time the flouse was being to Mr. Stone from the Select committee, to which was referred. Mr. Mansur from the Joint committee of the thro M of cH to

For an act to encourage prospecting and mining, Reported that the committee had had the same under consideration and all the committee had had the same under consideration. eration, and asked leave to report it back with a substitute bill therefor, and would recommend the favorable consideration of the substitute bill. gui world' od) and bloow bus no harebisnes That the names of George I. Shoup an bitqobs froqester

The stricken out, and the names of F, enors Mr. Stone, The said substitute was read the first and second time and given to the committee on Printing. Inder oals usant it

26th.

ested

R.

son Mr.

BB

the

V28

m-

Mr. Lynch presented a remonstrance from the citizens of Summit county, against a division of said county. The petition was referred to the committee on Counties and

County lines.

On motion of Mr. Lynch, Leave of absense was granted to Mr. Brendlinger until Monday next, 9 o'clock a. m.

On motion of Mr. Stone,
The rule prohibiting smoking was suspended for this evewas read a first and second time, ,ballon nM ho notion of on

On motion of Mr. Stone. The rule was suspended.

The House adjourned.

#### And the said substitute was read the third time and indehr FRIDAY, JANUARY 27th, 1865 benegtang visit Tile following message was received from the Council, pel

House met pursuant to adjournment, 1310 matsiae nell A. 1M. Prayer by the Chaplain.

Roll called. He as interested to interest of the Roll called. Messrs. Nichols and Tyler.

Journal read and approved. tos as J. No. 18. M. of S. Do to

Mr. Mansur submitted the following report bas about lairotin

To the Honorable, the Speaker of the House of Representatives of Colorado Territory:

Your select committee to whom was referred C. R. No. 2, leave to report as follows:
They have had the same under consideration, and offer the

following amendments:

That after the words "United States," in the sixteenth line section two, these words be added,—"against whom such charges have been made," with the recommendation that it do

pass with this amendment.

They do also recommend, in view of the fact that the committee provided for in the resolution, cannot with justice either to the people making these complaints, or to the officers complained against, examine and report upon these cases during present session of the legislature, that this committee be authorized to sit after the adjournment of this legislature, publishing their proceedings in one or more newspapers of the repritory, and reporting the same to the next legislature, and that provisions be also made by this legislature for the paying of this committee for the time they shall be actually engaged No. 16, an act authorizing the issue of Ternnoitsgitseyni days

All of which is respectfully submitted of miveried not edivore

A. MANSUR, Chairman of select com.

Jar

the

rec

be

0

Mr. Worrall moved to adopt the report, and discharge the committee. tion was referred to the committee on Counting or

On motion of Mr. Stiles,

The said committee was discharged. The said to motion at

Mr. Lake gave notice that on to-morrow or some subsequent day he would introduce,

A bill for an act amendatory of an act entitled an act regul

lating elections. Shasquis aux

C. S. for H. J. R. No. 1, of thanks to Col. Shoup and others was read a first and second time.

On motion of Mr. Stone. The rule was suspended,

And the said substitute was read the third time and indefin itely postponed, 381 BTTE YHATMAK WACIS

The following message was received from the Council, per

Mr. Allen Assistant Clerk: in marrooiba of incurred tem assion

Mr. SPEAKER: I am instructed to inform the House that the Council has disagreed to House amendments to section seven of C. S. for H. B. No. 16, an act authorizing the issue of Ter ritorial bonds and to provide for defraying the expenses of the Indian war, and has agreed to House amendment to said bill adding section twenty-four thereto.

Mr. Stone offered the following resolution:

Resolved by the House of Representatives of the Legislative Assem bly of Colorado Territory:

That Col. Shoup and the officers and soldiers under his com mand receive the thanks of this House and the people of this Territory, whom this House represents, for the energy, fidelity and bravery displayed in the recent Indian fight at Sand Creek

On motion of Mr. Holland, Muloser ed ni voi bebivong certific

The resolution was passed over for the present.

Council amendments to H. B. No. 10.

An act to incorporate the Masonic Hall Association in Den ver, were read a first and second time, and referred, with the bill to a special committee composed of Messrs. Lynch, Ehr hardt and Mansur xon out of ones out guitroner bus, wett

On motion of Mr. Patterson, 7d applicable and another or 1

The House adhered to House amendments to C. S. for H. B. No. 16, an act authorizing the issue of Territorial bonds and to provide for defraying the expense of the Indian war.

On motion of Mr. Holland, it was

e the

27th.

hers

efin-

per the

ren, rerthe sill,

em-

m. his ity ik.

11-

Resolved, That the Council be respectfully requested to direct the clerk of their Honorable Body to properly endorse all bills requiring joint action of this House. Amendatory of an act entitled an act concer

Mr. Holland introduced minim to sharl stol guiblod anosteg

H. B. No. 20, TIBST I work hove general belief belief An act amendatory and supplemental to an act entitled an act regulating elections, approved Nov. 6, 1861, which was

Read a first and second time,

And referred to the committee on elections and ordered to For an act amendatory of an act entitled an act reg.betringled Mr. Stone introduced ... witnesses .. broomers, jurors and witnesses ..

was on potion of Mr. Pine, considered as energine of Mr. B. No. 21, orange of the contract of A bill for an act amendatory of an act to incorporate the Denver, Bradford and Blue River Road Company, approved Oct. 11, 1861, which was

Read a first and second time,

Daniel Alexandron and

And referred to the committee on incorporations. TOH off

Mr. Lake introduced An act to incorporate the Colorado and Clear , 22, io H. H.

A bill for an act to amend an act entitled an act to incorporate the city of Central, which was

Read a first and second time, and bemuser residence of

And referred to the committee on incorporations. On agreem

On motion of Mr. Holland,

The House adjourned until 2 o'clock p. m.

### Territorial bonds as about services. The same about the control of the same as a same a same a s the Ludian war, and bave amended House amendments as

House met pursuant to adjournment. Roll called.

Absent-Messrs. Hopkins, Tyler and Brendlinger. 18 980011

C. B. No. 3,

A bill for an act to amend an act to incorporate the Occidental Gas Light Company of the City of Denver,

Was taken up, and On motion of Mr. Stiles,

Filed with the general orders.

C. S. for H. J. R. No. 2, relating to the organization of a new military department, was taken up for consideration and on motion of Mr. Stiles, filed with general orders, for consideration in the committee of the whole House.

The following message was received from the Council, per Mr. Allen Assistant Clerk : olo o T litau bentuojba sauoH ed T

MR. SPEAKER: I am instructed to inform the House that the the elerk of their Honorable Body to mone besseq ash disnuo.

C. B. No. 7.

requiring joint action of this House. Amendatory of an act entitled an act concerning actions by persons holding lots, lands or mining claims, except as against the United States, approved Nov. 1, 1861,

act regulating elections, approved Nov. 6, 1861, which was

Also returns H. B. No. 4, with amendments begins to an A

H. B. No. 17 e anothele nos estimunos edt et berreter bal For an act amendatory of an act entitled an act reglating the fees of officers, jurors and witnesses, approved Nov. 8, 1861, was on motion of Mr. Pine, considered as engrossed, and H

Read a third time, and to violation as as no rol llid A bon motion of Mr. Stiles, will all a bus and a bus breading the bread of the br Referred to the committee on ways and means. 1881 11 .500

On motion of Mr. Holland, smit broges bus trift's beed The House resolved itself into a committee of the whole, on H. B. No. 11,

An act to incorporate the Colorado and Clear Creek Railroad Company, or the ne belitted be an busines of the un rot lid A

Mr. Stiles in the chair.

The Speaker resumed the chair to receive the following message from the Council: no pettimores ent of berreier bulk

On motion of Mr. Holland,

The House adjourned until 2 The Council recede from their disagreement to the House amendments to the first line of section seven of the Council Substitute for H. B. No. 16, an act authorizing the issue of Territorial bonds and to provide for defraying the expenses of the Indian war, and have amended House amendments as follows:

Strike out the names of Geo. L. Shoup and Jas. McNasser. Also that the Council insist upon their disagreement to the House amendment made in the fourth line of the seventh section of said bill.

Mr. Holland moved to agree to the Council amendment to House amendment to first line, section seven, of said bill.

A bill for an act to amend; an act to incorporate the Occi-

On motion of Mr. Patterson, it was

Resolved, That the House insist upon their amendments

On motion of Mr. Hopkins, our saw operson paiweller of T The House adjourned until 7 o'clock po ministered nollA .TM

#### AOSI . 80 NIGHT SESSION. CANTAR

House met pursuant to adjournment. Inspering tem sanohi Roll called.

Absent-Messrs. Hopkins and Brendlinger.

On motion of Mr. Mansur, and a sale and a sale and a

The rule prohibiting smoking was suspended for this evening. The resolution of thanks to Col. Shoup, introduced this morning by Mr. Stone, was read, and was,

On motion of Mr. Stone,

Adopted.

On motion of Mr. Stone, and to seeper a door esmall ent

C. B. No. 10,

A bill for an act to amend an act regulating the mode of proceeding in attachment, in the district court, approved Oct. 29, 1861, was referred to the committee on judiciary.

On motion of Mr. Tyler,

H. M. Teller and Judge Gorsline were invited to seats within the bar of the House.

The following message was received from the Council per Mr. Allen, Assistant Clerk: Jan odt tamana se tuesze smusle

MR. SPEAKER: I am instructed to inform the House that the Council has adopted the accompanying resolutions and request immediate action. Timmed Suitagite synthaging

Mr. Worrall offered an amondment requiring said committee On motion of Mr Worrall, and to mention I and of froger of

The Speaker appointed Messrs. Stiles, Lake and Patterson to confer with gentlemen from the Council, appointed for like purpose, agreeably to the resolution referred to in the message last mentioned.

On motion of Mr. Worrall, O bas apt of Marto W . eres M.

The said members were granted leave of absence, to attend said conference, o 2 th yabrall little barrootte ont

On motion of Mr. Worrall,

The House resolved itself into a committee of the whole, on C. B. No. 11.

A bill for an act to incorporate the Colorado and Clear Creek Railroad Company.

Mr. Worrall in the chair, usuoiba of inauring tem esnoll

After some time had elapsed, the committee rose, and the House was called to order. Absent Mesers, Ehrbardt, Mr. Tyler, M. Thread A

The House adjourned.

Janu

ot Jo

Teg M mitt

ersc

offi

Me

oth

tio

law

Mi ah

to

sta

as

1 Em

#### SATURDAY, JANUARY 28, 1865.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Assent Brend Bre and Brend A. Arese M -- Just A.

Absent-Messrs. Lake, Patterson, Stiles and Brendlinger.

Journal of vesterday read and approved.

On motion of Mr. Nichols, or stands to not ploser and

Leave of absence was granted the sergeant-at-arms for two hours.

On motion of Mr. Worrall.

The House took a recess of thirty minutes, at the expiration of which time,

The House was called to order. begins of the day of the

Mr. Nichols gave notice that on to-morrow or some subsequent day he would introduce a bill to change the name of Lewis G. Page. -dt C. B. No. 7, stigni erew anilero Deport has ralle T. M. Fl

A bill for an act amendatory of an act entitled an act concerning actions by persons holding lots, lands and mining claims, except as against the United States, was read a first and second time, and

On motion of Mr. Stone,

Referred to the committee on mines and minerals. Council has adopted the accompanying rest, longot sat lingo.

Providing for an investigating committee, was taken up for consideration,

Mr. Worrall offered an amendment requiring said committee to report to the President of the United States,

The amendment was not adopted.

od On motion of Mr. Worrall, most namelines div relines of

The said Resolution was referred to a select committee, consisting of

Messrs. Worrall, Tyler and Craig. W. M. to morrow at

On motion of Mr. Pine, strong one wared many bins ad T

The House adjourned until Monday at 2 o'clock p. m.o bias

The House resolved itself into a committee of the whole, on

#### Joseph Monday, January 30, 1865.

House met pursuant to adjournment. add in Harro W : The Prayer by the chaplain, hosquio had south amos soft A

Roll called.

Absent-Messrs. Ehrhardt, Mansur, Nichols, Tyler, and Brendlinger, was until a state permoits osuo H. od T.

Journal read and approved ; liid a bevieser oals even eW

On motion of Mr. Worrall, Mr. Rufus Clark took the oath prescribed by law and was ad-

mitted a member of the House.

Mr. Patterson presented a petition from the citizens of Jefferson county, asking for an increase in the fees of certain officers,

which was read and referred to the committee on Ways and

Mr. Worrall presented a petition from Mr. Johnson and others, asking for a change in the school law,

Which was read and referred to the committee on Educa-

tion.

Mr. Pine presented a petition from the miners and citizens of Empire city, Clear Creek county, praying for a change in the law governing lode claims.

Which was read and referred to the committee on Mines and

Minerals. Mr. Patterson presented a petition from the citizens of Arapahoe, and Jefferson counties, asking for the enactment of a law to restrain stock from running at large, under certain circum-Which was read and referred to the committee on Agricul-

Mr. Patterson also presented a petition from the stock holders in the Jefferson County Irrigating Ditch Company, asking for a change in the law governing said company,

Which was read and referred to the committee on Agriculture and Manufactures.

Mr. Lake from the committee on Printing submitted the following report:

MR. SPEAKER :- Your committee on Printing were instructed ed to inquire into the expediency and expense of having all General Acts passed at this session of the Legislature, published in one or more of the newspapers of this Territory, would beg leave to report that they have made inquiry of certain printers Mr. Stiles from the Joint committee of conterenciewollon es

Messrs Hollister & Hall, from whom they received the following communication: Mr. Sprakkr:-Your committee appointed by the House to

on To the Committee on Printing between estimates with realmost

GENTLEMEN-In answer to your inquiries regarding our terms for publishing the General Acts passed at this session would state that we could afford to publish the same at the rate of \$1,50 per thousand ems. Van Allin serge of side of the rate of 1,50 per thousand ems.

Janu

sion

said men

that

mitt

des

C

H

F at ]

foll

COL

te

in

82

We have also received a bill from Messrs, Collier & Wells to the effect that they would print all the General Acts passed at this session of the Legislature, at the rate of \$1,25 per thousand ems thousand ems.

Your committee would not take the responsibility of recommending any action in the matter, but would respectfully refer the whole matter back to the House.

Mr. Lake also reported that

C. B. Nos. 8, and 1,

Had been printed and returned to the Ifouse.

Mr. Lynch, from the Select Committee to which had been ferred. referred,

H. B. No. 10,

For an act to insorporate the Masonic Hall Association in Denver with the accompanying amendments,

Reported that the committee had under consideration and could find no such word in the first line of section two, as stated in said Council amendment and if it was there the striking of it out and inserting the amendment proposed would make bad English. Your committee would recommend that the bill be returned to the Council with instructions that they change said amendment to make good sonse. Teler bus bast and hor

Mr. Lynch submitted the following report from the commit-

tee on Incorporation:

Your committee to which was referred; and a roll and a

H. B. No. 21, A bill for an act amendatory of an act entitled an act to incorporate the Denver, Bradford, and Blue River Road Company. approved October 11, 1861, beg leave to report the same back to the Houte and recommend its passage.

Also,

A bill for an act to amend an act entitled an act to incorporate the city of Central. rate the city of Central,

Which your committee would also report back with the recommendation that it pass.

Mr. Stiles from the Joint committee of conference sabmitted the following report: most won MaH & retailloH araself

Mr. Spraker:—Your committee appointed by the House to confer with committee appointed by the Council, in relation to the appointment of commissioners as provided for in the 7th

Beg leave to report that they have performed their duty They are unable to agree upon the number of the commisOth.

ls to

at per

m.

efer

980

nd ed

of

sd 16

t-

sioners, or the names of the persons to be inserted in Sec. 7 of aid bill, but a majority of said committee was in favor of five members to constitute said commission. The committee ask that they be discharged from further service on said committee. The word "their" in place of "its" in fourth line.

The said committee was discharged agreeabjy to their Council amendmedts to

For an act to restrain sheep, hogs, and stallions from running

Were read and referred to the committee on Agriculture. Mr. Stiles from the committee of the Whole submitted the Your committee have had under consideration roper gniwollob

MR. SPEAKER: -The committee of the Whole have had under consideration Add to Sec. 8, the following provisions: 00

H. B. No. 11, For an act to incorporate the Colorado and Clear Creek Rail Road Company,

And report that they have considered the same by sections, from one to six, including Sec. 6, and report the same back to the House with the following amendments, to-wit:

Strike out the word "agents" in ninth line, and "places" in tenth line of first section after the word "courts," and inserting "in this Territory" between "courts" and "may."

Amend Sec. 2, by atriking out in seventh line the word "thence" and inserting the words "and from the junction of the and insert in lieu thereof the followin, ard thought and south fork,"

Also, In fifth line of Sec. 2, insert after the word "to," "the junction

In the twelfth line of second section add the letter "u" to the word "Bijo."

In fifteenth line of the same section strike out the word "one"

and insert the word "by."

In Sec. 3, third line strike out the words "twelve rods in width" and insert in lieu thereof "fifty feet horizontal measurthree years from the passage of this not, and within four me, tram

Also, In seventh and eighth lines of said section strike out the words "preserving or maintaining" and insert the words "pres-

ervation and maintainance."

In second line of fourth section strike out the words "or further states." Isn't independ be only of the only of the only of the further states."

Janu

be contrailr

St

com

the

shal

C

Re,

gro

M

In

mittee.

sioners, or the names of the persons to be inserted in SecalA of in "ro" bus 'boar' shrow at the word "no" between the word "road the word "no" between the word "the word "no "no constitute say a commission of the word "no constitute say a constitute say a constitute that they be discharged from further service on say a constitution of the word "no constitution

The word "their" in place of "its" in fourth line.

Amend third line of sixth section by striking out the word "nine" and insert the word "eleven," also "three" and insert "five."

And your committee ask leave to sit again. And your committee ask leave to sit again. For an act to restrain shoop, hogs, and stallions from running

Mr. Worrall from committee of the Whole made the follow-

Your committee have had under consideration, que gaiwolled

H. B. No. 11.
And would recommend the following amendments, to wit:

Strike out the word "final" in seventh line tenth section and insert the following: "Subject to an appeal by either party within twenty days, on giving bonds for costs, to the District Court of the District wherein the property is situated."

Strike out all after the word "Territory" in third line Sec. 20,

Strike out all after the word "Territory" in third line Sec. 20, and insert in lieu thereof the following "and ending at Central City in Gilpin county, Colorado Territory within four months, and the survey of the branches of said railroad to be completed within one year from the passage of this act

Strike out all of Sec. 21, and insert in lieu thereof the following:

The said company shall complete the grading of that part of said road beginning at or near the western boundary line of Golden City, Jefferson county, and terminating at Central City in the county of Gilpin, in the Territory of Colorado, within three years from the passage of this act, and within four months thereafter said company shall complete and furnish said railroad with the necessary rolling stock for practical operation, and that portion running up the south fork of Clear Creek to Empire City, shall be completed within four years; and that branch of said railroad running in a north easterly direction from the town of Golden City to the coal beds on Coal and Boulder

Rion in mer

rd

ert

e

e

r

creeks, St. Vrains, Big Thompson and Cache la Poudre, shall be completed within five years, and that those branches of said railroad not mentioned in the forgoing section to be completed within four years from the passage of this act.

Strike out Sec. 22 and insert the following:

"If the said company shall fail to complete or cause to be completed any part, branch or branches of said railroad, within the time specified in Sec. 21, of this act, then the said unfin-18hed branch or branches as mentioned in Sec. 2, of this charter shall be null and void.

On motion of Mr. Holland, evidaments and mi puitas send?

The report was adopted and the said bill ordered to be en-Lynch, Michols Month Patterson Pine Stone, Stiles, Thobestorg

H. B. No. 23,

For an act to amend an act entitled an act concerning justices of the peace and constables approved October 31st, 1861.

Read first and second times and ordered to be printed.

Mrs Stone introduced to sessimmos oraf trave senall adl'

H. B. No. 24.

For an act to incorporate the Denver, Turkey creek and South Pprk Road Company, out astrinamon bias to unisir out nO

Read first and second time, and referred to the committee on On motion of Mr. Worrall,

Incorporations,

Mr. Lake introduced

H. B. No 25.

For an act to amend an act entitled an act regulating Elections, approved November 6th, 1861.

Read first and second time and referred to committee on

Education. ... 381 . 18 YHAUKAL

Message from the Council:

MR. SPEAKER: -I am instructed to inform the House that the Council has passed with the accompanying amendments the following bills:

For an act amendatory of an act regulating the mode of proceeding in replevin.

C. B. No. 12,

For an act to incorporate the Russell Gulch and Nevada Wagon Road.

I am also instructed to request the return to the Council of H. B. No. 12, which has been transmitted to the House through mistake. ection eight, first line, stelles our the name of Charles Lee

On motion of Mr. Stiles, brothers A. A treen bas anoung

Incorporations

Soproved November 6th, 1861.

th

be

in

d

d

Council amendments to H. B. No. 10, 13 smint 12 sales 19

An act to incorporate the Masonic Hall Association in Denrailroad not mentioned in the forgoing section ver.

The report of the committee on Judiciary recommending the passage of gairollal add magair Land 22 see too salitile

"If the said commany shall fair to complete, 21, A bill for an act amendatory of an act to incorporate the Denver, Bradford and Blue River Road Company, approved et. 11, 1861, Was adopted, and the said bill by bas linn ad liade Oct. 11, 1861,

Read third time and put upon its passage. Those voting in the affirmative were, off and to notion at

Ayes-Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Nichols, North, Patterson, Pine, Stone, Stiles, Thompson, Worrall, Clark, Brendlinger, and Mr. Speaker, bei onote all

Ayes-17. For an act to amend an act entitled an act come of ton ne roll

Carried 1 state redote() beyoning seldstance bas eased out to

On motion of Mr. Holland, beer seems bucons but been been

The House went into committee of the Whole on general orders.

Mr. Holland in the chair, not I advent ou good of the me not

On the rising of said committee the House was called to Mead first and second rime, and referred to the committeed

On motion of Mr Worrall, The House adjourned.

### TUESDAY, JANUARY 31, 1865. . . noisearched

For an act to amend an act ontifled an act regulating Elections,

House met pursuant to adjournment.

Prayer by the chaplain, bonneyan and I- SHARAR AM

Roll called.

Absent—Messrs. Ehrhardt, Hopkins. Lynch, Mansur and Tyler.

Mr. Holland, from the committee of the whole, submitted the following report:

The committee of the whole beg leave to report that they have had under consideration, H. S. for C. B. No. 1, and

Amend the fifth section by striking out the words "said first," &c., and inserting "Douglas county," as appended.

Section eight, first line, strike out the name of Charles Lee Armour, and insert A. A. Bradford in lieu. At to noitoff all

n-

16

10

d

Also.

Section nine, by striking out the name of A. A. Bradford and insert Charles Lee Armour, in first line.

Mr. Nichols from the select committee appointed to corres-Pond with Col, Moonlight, as to the number of troops now in this Territory, submitted the following communication: The committee have had under consideration

HEADQUARTERS DISTRICT OF COLORADO, Denver Jan. 25, 1865, D. H. Nichols, Chairman of committee on military affairs:

SIR: I have the honor to acknowledge the receipt of your communication of yesterday, from Golden City, making inquiries as to the number of troops in this district, and the disposition made of them. I will cheerfully give you the

desired information.

At Fort Lyon, which has lately been placed in my district, there are about three hundred men. The mustering officer, Capt. Anderson, has but returned after completing the organization of the First Regiment, by consolidating it into six maximum companies. About forty men are at Fort Garland, but these will now be increased to one hundred. About forty men are at Camp Fillmore, but these will be increased to one hundred, also, as companies will be stationed together at posts Mr. Stone introduced so remote.

One company will be stationed here, of one hundred, in

place of the stragglers now doing duty. Toom of the as to

One company will be divided and stationed at Bijou Basin and Living Springs. This leaves only two companies at Lyon.

In addition to this there are about seventy-five recruits of the Second Colorado. Part of them are now at or near Junction, and the balance will join in a few days. There are about sixty men now at Valley Station but these must be changed, owing to the new organization.

There are about five hundred men, all told, for duty, scattered from Fort Lyon, via Garland, Fillmore, Denver and en route to Valley Station, a distance of about four hundred and fifty

miles.

The committee will see from this, that so widely spread are the troops that in case of emergency it would not be possible to get together more than two hundred men in thirty six hours.

Trusting this may be of service to you in your proceedings,

remain, very respectfully,

Your obedient servant, saw fild biss on T

T. MOONLIGHT, Col. 11th Kan. Cav. Commanding,

go remote.

Janus

Th

M Nich

Wor A

AN

80 C

F

R

M

ther

forp

con

1

0

and

On motion of Mr. Worrall. The report was received.

The report was received.

And the committee discharged.

The communication from Col. Moonlight was referred to the committee on military affairs.

Mr. Stone, from the committee on judiciary reported that

The committee have had under consideration

For an act to amend an act to authorize the apportion tment of county commissioners in special cases, approved Aug. 14, 1862, and beg leave to report the same back without recommendation and submit herewith a substitute bill therefor, and recommend its passage, tail it is among of troops in this distribution at disposition made of them? I will cheerfully give colAthe

C. B. No. 10,

Is reported back with a recommendation that it pass without there are about three hundred men. The must.tnembnems.

Capt. Anderson, has but returned after completing the organization of the First Regiment, by of stnembnema lianuol ax

.buH. B. No. 9, els nem verot food A seinsenno mumikam

Were read, and, and beautied would would would be and one On motion of Mr. Holland, and one of Mr. Holland, and one of Mr. Holland, and one of the motion of the motion of Mr. Holland, and one of the motion of the motio

The House concurred in said amendments, an order bordand

Mr. Stone introduced

H. B. No. 26, For an act to incorporate the Denver and San Luis Valley Wagon Road Company, which was in ad lliw ynagmon and

no Read a first and second time, and Referred to the committee on incorporations.

C. S. for H. B. No. 18,
For an act to amend an act entitled an act to authorize the appointment of County commissioners in special cases, approved August 14, 1862, was read, and and and of of

There are about five handred out Stone, or Stone, or Stone

Adopted.
The substitute was then read the second time and filed with general orders.

On motion of Mr. Harsh,
The report of the committee on H. B. No. 10, an act to amend an act entitled an act regulating the mode of proceeding in attachments in the district courts, approved Oct. 29, 1861, was adopted. The said bill was read a third time and,

On motion of Mr. Stone,

The bill was put upon its passage.

The question being upon the passage of the bill,

31st.

fhe

tog

it of

862. ion

end

ut

The ayes and noes were called for. Those voting in the affirmative were, Messrs. Brendlinger, Clark, Holland, Hopkins, Lake, Lynch, Nichols. North, Patterson, Pine, Stone, Stiles, Thompson, Worrall and Mr. Speaker, and attached Absent-Messrs. Craig, Ehrhardt, Mansur and Tyler. Section ten, by striking out all following the word . 15. Noes-0. 80 the said bill passed of the first day of when so smended, that said bill do passed. When so smended, that said bill do passed. C. B. No. 12, For an act entitled an act to incorporate the Russell Gulch and Nevada Wagon Road, was read a first and second time, and Referred to the committee on incorporations. To notion all Mr. Nichols gave notice that on to-morrow or some day soon thereafter he would introduce a bill for an act to encourage the formation and equipment of volunteer companies new selur edT On motion of Mr. Holland, The House resolved itself into a committee of the whole, to consider the general orders. On motion of Mr. Nichols, and ba Mr. Holland in the chairmon ent of the referred to the chairmon ent of the Holland in the chairmon ent of On the rising of the committee, basiloH .1M to noitom aO The House was called to order. A.J. H 101 . S. O. H 101 .

And the said resolution session.

The question being on the passage of the resolution; House met pursuant to adjournment. On an animov eson't Roll called. Absent—Messrs. Craig, Lynch, Mansur, Pine and Tyler. Mr Holland, from the committee of the whole reported that

On motion of Mr. Worrall, The House adjourned until 2 o'clock p. m. M to notion at the House adjourned until 2 o'clock p. m.

The rule was suspended,

The committee have had under consideration C. B. No. 3,

And have amended the first section in next to the last line, by striking out the words "and other fuel."

Also, substituting the following provisions instead of the one

reported by the committee on incorporations:

Provided, That no part of the act shall be so construed as to grant any exclusive privileges to the incorporation to deal in, or sell any of the articles mentioned in this section,

sell any of the articles mentioned in this section, And the committee report the same back with the recommendation that the bill, when so amended, do pass.

They have also considered C. S. for H. J. R. No. 2, and

TITE Hor

DIQ.

report the same back with the recommendation that it pass. Also,

C. B. No. 8,

And amended it by inserting after the word "attachment," in the fourth line, "as other personal property is levied upon Absout Messre. Craig, Ebrhardt, Mansur and Tyler,

Section ten, by striking out all following the word "after," in the first line and inserting "the first day of May, 1865."

When so amended, that said bill do pass.

The committee have also had under consideration H. B. No. 22, and would report it back with the recommendation that it be referred to the committee on incorporations. On motion of Mr. Stiles, room in the committee on incommittee of Mr. Stiles, room in the committee of the restrict of the rest

The report of the committee of the whole was adopted.

On motion of Mr. Stiles, The rules were suspended, somelow to transplace bas notices

And C. B. No. 8, with House amendments thereto, was read a third time. and to estimmos a otal desil boylo

On motion of Mr. Nichols,

The said bill was referred to the committee on judiciary.
On motion of Mr. Holland,

C. S. fer H. J. R. No. 2,

Was taken up for consideration. Harrow AM to notion and On motion of Mr. Holland, and a librar bearmothe seport of T

The rule was suspended,

And the said resolution read a third time and put upon its passage.

The question being on the passage of the resolution,

Those voting in the affirmative were,

Messrs. Brendlinger, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Stiles, Thompson, Worrall and Mr. Speaker.

Ayes-17.

So the said resolution passed, Tohnu heat avail settlimanos out

On motion of Mr. Holland, H. B. No. 18, was taken up for consideration. Mr. Stone moved to amend said bill by striking out the words "probate judges" and inserting the words "county clerks."

This motion was not agreed to.

Mr. Thompson moved to amend said bill as follows:

"In the absence of the probate judge from the county, the Governor shall have power to appoint," and settlemon out but

This amendment was agreed to.

H. S. for C. B. No. 1, was, a Dherobiened cale evad yell

st.

0.

it

On motion of Mr. Holland, beles eds mon llerroW .1M Taken up for consideration.

Mr. Nichols moved to strike out section sixteen.

This motion was lost.

Mr. Holland offered the following resolution:

Resolved. That the House does not adopt that portion of the report of the committee of the whole, relating to the assignment of judges, or the amendments to sections eight and nine.

This resolution was not adopted. Mr. Nichols moved that the said bill lie on the table. This motion was lost. On motion of Mr. Patterson, and the House adjourned.

## WEDNESDAY, FEBRUARY 1, 1865.

Those voting in the negative were.

Messrs. Hopkins, Stone, Worrall, Stiles, and Mr. Speaker.

House met pursuant to adjournment. Prayer by the chaplain, Roll called.

Absent Mr. Stone.

Mr. Lake from the committee on Engrossment reported that the committee had examined and found correctly engrossed,

H. B. No. 11,

For an act to incorporate the Colorado and Clear Creek Rail Road Company.

Mr. Brendlinger gave notice that he would on to-morrow or

some subsequent day introduce

A bill for an act to incorporate the Overland Wagon Road Company.

Mr. Clark gave notice that on to-morrow or some subsequent

day he would introduce.

A bill for an act to incorporate the Metropolitan Ditch Com-

H. S. for C. B. No. 1.

Was taken up for consideration.

On motion of Mr. Stone,

The report of the committee of the Whole on said bill was adopted.

Mr. Holland from the committee on Credentials reported that the committee had examined the credentials of Mr. O. H. P. Baxter, and found them correct.

Mr. Baxter came forward and took the oath prescribed by

aw, and was admitted a member of the House.

This motion was lost.

Fel

no

1

bi

lin

in ar

S.A.

30

ne

63

Mr. Worrall from the select committee to which had been referred Taken up for consideration.

C. J. R. No. 2, Made the following report: Mr. Nichols moved to strike in the

Your committee have had said bill under consideration, and in view of the fact that the session of the present Legislature would be too short to allow time for a thorough investigation of the charge of fraud, referred to in the resolution, would recommend that the further consideration thereof be indefinitely postponed. This resolution was not adopted.

C. B. No. 3,
For an act to amend an act entitled an act to incorporate the Occidental Gas Light Company of the City of Denver, no

Read third time and put upon its passage be senoll out

Those voting in the affirmative were,

Messrs. Hopkins, Stone, Worrall, Stiles, and Mr. Speaker.

Those voting in the negative were,

Messrs. Baxter, Bredlinger, Craig, Ehrhardt, Holland, Lake, Lynch, Mansur, Nichols, North, Thompson, Tyler.

House met pursuant to adjournment.

Was taken up for consideration.

Prayer by the chaplain,

Ayes—5. Noes-12.

Lost.

H. S. for C. B. No. 1,

For an act to divide the Territory of Colorado into Judicial Districts and to provide for the holding of courts.

Read third time.

Mr. Nichols moved that said bill be indefinitely postponed.

The question being on the passage of said bill, The ayes and noes were called for, the thouse due ones

Those voting in the affirmative were,
Messrs, Craig, Lake, Mansur, Patterson, Stone, Thompson,

Worrall, Mr. Speaker.

Those voting in the negative were,
Messrs. Ehrhardt, Holland, Hopkins, Lynch, Nichols, North, Pine, Tyler, Brendlinger.

Ayes-8. Noes-9.

Lost.

Messrs. Baxter and Stiles were excused from voting. H. B. No. 11,

For an act to incorporate the Colorado and Clear Creek Rail Road Company.

Was taken up for consideration.

Mr. Holland offered the following amendments to said bill:

Strike out of Sec. 1 G. W. D. Strike out of Sec. 1, G. W. Purkins and Henry W. Colin, The name of Augustus Z. Higgins, was stricken out of said Deaver, Bradford, and Blue River Wagon Road, we will

nd insert Milo Lee, James M. Mills, and George H. Hoyt. This amendment was adopted. To entrate of the garage

been

V 1st

and ture ould

tely

the

ze.

al

On motion of Mr. Patterson, deronoH moy to desuper va The names of John A. Dix and Ebenezer Cook were inserted lin the first section of said bill and letnomologue tos de 30

On motion of Mr. Stiles,

On motion of Mr. Lynch,

The name of Mathew Laughlin was inserted.

Mr. Nichols moved to amend fourteenth line of Sec. 2, by inserting the words "iron bed" between the words "Coal creek" and "Boulder creek." and Dean stangage of to an an a

Lost.

Mr. Holland offered the following amendment to Sec. 18: Add to said section the words, "and for the term of four Jears after its completion." Drow out asserted in the control of Amendment not agreed to. S. John Managed base and to had so On motion of Mr. Worrall, it is again aged base and to had

The House adjourned until 2 o'clock p. m. and has yourse

#### This sinendment v. Noissas noonsatta Mr. Stiles and the fol-

di House met pursuant to adjournment. of to going tan I'd west boundary of Golden City in Jefferson coubellas lloss to

Absent-Messrs. Patterson and Pine. of ledg dised noil to Message from the Council: t'buoms of bevom detail all

the word "shall" and insert in lieu thereof the word "may Mr. Speaker: —I am instructed to inform the House that the Council has passed the following bills, herewith transmitted:

C. B. No. 9,

For an act to amend an act to establish the Common School System. borresui " lanoitutitanoo brow edt bas tuc gesterits

C. B. No. 15.

For an act to amend an act entitled an act to establish a Territorial Library and Cabinet ni I eraself to guitaisnos estim

C. B. No. 14,

For an act concerning practice in the Supreme Court.

apportioument of County Commissioners in IL. O. 1 ap

For an act to incorporate the Boulder Valley and Central City Wagon Road of land sti noon buy bus ome bridt bash

C. S. for H. B. No. 3, 19 w svitemilla set ni guitov seed T

For an act to amend an act concerning Probate courts and sustices of the Peace in certain counties. and sand only

Stone, Thompson, Tyler, Worrall, Brendlinger, StioslA and Have passed with the accompanying amendments thereto:

Febr

C

OT

H

F

to p

I

Sto

Spe

lin

an

fi

re o:

a

t]

H.B. No. 11,00 how selfeld Me some Jolile treen but.

For an act to create the office of Flour Inspector as aid T H. B. No. 21.

For an act to amend an act entitled an act to incorporate the Denver, Bradford, and Blue River Wagon Road.

By request of your Honorable body I herewith return,

H. B. No. 13,

For an act supplemental to an act to organize the militia of Colorado Territory,

Transmitted to the Council through mistake.

H. B. No. 11,

For an act to incorporate the Colorado and Clear Creek Rail Road Company,

Was taken up for consideration.

Mr. Stiles moved to amend Sec, 20, as following:

Strike out all between the words "grading of" and the words "terminating at Central City," and insert the following: "That part of the road beginning at the city of Denver in Arapahoe county and running thence to Golden City in Jefferson county."

This amendment was withdrawn by Mr. Stiles and the fol-

lowing one inserted in lieu thereof:

"That portion of the branch of said railroad running from the west boundary of Golden City in Jefferson county, thence to Bijou Basin shall be complished to the city of Denver."

Mr. Harsh moved to amend this amendment by striking out the word "shall" and insert in lieu thereof the word "may,"

Motion agreed to.

The question recurring on the amendment thus amended was lost.

On motion of Mr. Stiles,

The word "incorporated" in seventh line of Sec. 1, was stricken out and the word "constitutional" inserted.

On motion of Mr. Pine,

The said bill with amendments was referred to a select committee consisting of Messrs Pine, Mansur, and Stiles.

H. B. No. 18,

For an act to amend an act entitled an act to authorize the apportionment of County Commissioners in special cases approved August 14th, 1862,

Read third time and put upon its final passage.

Those voting in the affirmative were,

Ayes—Messrs. Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worrall, Brendlinger, Stiles, and Mr. Speaker, volst.

hoe

son

fol-

the

to

out

W28

128

m-

he p-

d.

e,

Mr. Nichols introduced the following bills which 20-1894 Noes-0 a first and second time: Carried. e the On motion of Mr. Tyler, sensot edt engrecone of the us to H The vote by which H. S. for C. B. No. 11, For an act to divide the Territory into Judicial Districts and ia of to provide for the holding of courts in the same, 18.04.9. Was reconsidered. minronoo ton na baeme of ton us as To The question recurring upon the passage of said bill, I donald The ayes and noes were called for, been bound and all Those voting in the affirmative were, Rail Messrs. Craig, Ehrhardt, Lake, Mansur, Patterson, Pine, Stone, Thompson, Tyler, Worrall, Baxter, Clark and Mr. Speaker. Read a first and second time and Those voting in the negative were, will mono and of borneled ords Messrs. Holland, Hopkins, Lynch, Nichols, North and Brendhat Was referred to the committee on military affairs. Mr. Stiles was excused from voting. Ayes-13. ... annihitoe on agriculture de do berrefer as W On motion of Mr. Worrald Noes-6. So the bill was passed. On motion of Mr. Patterson, eman out eguade of tes na to de Council amendments to up for consideration. H. B. No. 1, It was considered engrossed. For an act to create the office of flour inspector, was read and considered. If noth the band band state a beer saw lid enl On motion of Mr. Stone, passag out norm gaied not soup of T The House concurred in said amendments, except the last, fixing the time at which said act should take effect. Toy seed I Mr. Patterson, from the committee on ways and means, reported a bill for an act fixing the compensation of members

of the Legislative Assembly of the Territory of Colorado, and amendatory to the several acts heretofore passed, regulating the fees of officers, jurors and witnesses,

Which was read a first time.

Mr. Worrall introduced

Mr. Worrall introduced

Mr. Worrall introduced H. B. No. 28,

For an act to create a commission for the purpose of investigating charges of fraud, which was no brotherd news of sta

Read a first and second time. The last of the last of

Mr. Stiles moved that it be referred to a special committee st of three.

The House concurred in the Council amendments to tsoy Said bill was referred to the committee on Territorial affairs.

Feb

sch

nol

88 F

Te

an

6

Mr, Nichols introduced the following bills which were read a first and second time:

H. B. No. 29,

For an act to encourage the formation and equipment of voline vote by which H. S. for C. B. No. II.

For an act to change the name of Lewis G. Page. to an Toll

H. B. No. 31, emes edt'ni struce to gailled edt rot ebivorg

For an act to amend an act concerning fences, approved March 11, 1864. To ogsessa out nogs garrison noiteoup od

Mr. Stone introduced for bellas size son bas asys ed T. H. B. No. 32,

For an act to incorporate the Colorado Iron, Engine and Mill Manufacturing Company, which was and T and T and

Read a first and second time and

Referred to the committee on incorporations. I guitov sand I

Messrs, Holland, Hopkins, Lynch, Nichols, No. 29, on H. H.

Was referred to the committee on military affairs,

Mr. B. No. 31, Mr. Stiles was excused from voting.

Was referred to the committee on agriculture.

On motion of Mr. Worrall,

H. B. No. 30,

For an act to change the name of Lewis G. Page, was taken up for consideration. Council amendments to

So the bill was passed.

It was considered engressed, The rule was suspended, and solfio edt essere of toe us to !!

The bill was read a third time and put upon its passage.

The question being upon the passage of the bill, account

The ayes and noes were called for, and barrience sanoli adT Those voting in the affirmative were, doing to omit soft guizh

Messrs. Craig, Ehrhardt, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Stone, Tyler, Worrall, Brendlinger, Baxter, Clark, Stiles and Mr. Speaker.

Those voting in the negative were, Idmess A syitalsign I adt 10

Messrs. Holland, Pine and Thompson, towas add of viotabnems the fees of officers, jurors and witnesses,

Ayes—17. Noes-3.

So the said bill passed.

On motion of Mr. Stone,

H. P. N. 21

H. B. No. 21,

For an act amendatory of an act entitled an act to incorporate the Denver, Bradford and Blue River Road Company, approved Oct. 11, 1861, with Council amendments thereto, was taken up for consideration. Total of signal beyon selled

On motion of Mr. Stone,

The House concurred in the Council amendments to said bill.

C. B. No. 9, an act to amend an act to establish the common school system, was out more notined a betueserg solid all

Read a first and second time and advantagement and animas

Referred to the committee on education. save notiting of Tad

C. B. No. 15,

ead

vol-

ed

11

For an act to amend an act entitled an act to establish a Territorial library and cabinet, was opposite and the modern

Read a first and second time, and below blue &I off A

Referred to the committee on education. Jon ob it sadt noise

C.B. No. 14, vanishing no estimates of more enough in For an act concerning practice in the supreme court, was Read a first and second time, and Referred to the committee on judiciary. ac committee on judiciary.

C. S. for H. B. No. 3,

For an act amendatory of an act concerning probate courts and justices of the peace in certain counties, was a box almon

Read a first and second time, and magan or avoid god brike

Referred to the committee on judiciary, time of statembasing

C. B. No. 11,

For an act to incorporate the Boulder Valley and Central City Wagon Road, was zo ai firmiale von evig of an bourtenes

Read a first and second time, and you go half bust you go

Referred to a special committee composed of past-obarolog

Messrs. Nichols, Worrall and Tyler. .nondosexs of thabasteb

Mr. Lake gave notice that on to-morrow or some subsequent day he would introduce a bill for an act amendatory of an act entitled an act creating a lien in favor of mechanics and others in certain cases, approved March 11, 1864.

The Speaker announced the following appointments on

Mr. Stone also reported that the count sestimmos gainings

Committee on Ways and Means, B. B. Stiles. Abrightance

On Judiciary, B. B. Stiles. On Education, B. B. Stiles. ogon of guidalor for da no l

On Counties and County Lines, H. J. Brendlinger.

On Incorporations, H. J. Brendlinger. Wot Manufacture and

On Agriculture, R. Clark.
On Military Affairs, R. Clark.

On motion of Mr. Stiles, Juo exists end brids end at 7.278

The House adjourned.org " shrow out of " a " remail out him o mus out basis show out the outside south disease from the start

### money or article of personal property therein mentioned shalls THURSDAY, FEBRUARY 2, 1865, Holland all

sons." In the third line, strike out the words " or hands," nou House met pursuant to adjournment. Prayer by the Chaplain. If odt at but ", bourgless to " shrow Roll called.

Fe

as

m

an

86

Absent-Messrs. Hopkins and Lynch.

Mr. Stiles presented a petition from the citizens of Denver, asking for a change in the present license law.

The petition was read and referred to the committee on

judiciary.

Mr. North, from the committee on counties and county lines reported that the committee have had under consideration H. B. No. 13, and would report the same back with the recomendation that it do not pass.

Mr. Stone, from the committee on judiciary made the follow-

for an act concerning practice in the supreme controloring

Your committee on judiciary have had under consideration C. B. No. 8.

For an act to amend an act entitled an act concerning judgments and executions, approved Nov. 4. 1861,

And beg leave to report the same back with the following

amendments, to wit: vasioibi

Add to section nine, the following:

Provided, That nothing in this act contained, shall be so construed as to give any plaintiff in execution the right to levy on any land filed on by any person, in the land office of the Colorado Land District, and occupied as a homestead by the defendant in execution.

And recommend its passage so amended or over ode Jane

On motion of Mr. Stiles, it is a local accordance of an act of the centain cases approved the report was adopted.

Mr. Stone also reported that the committee on judiciary had considered

C. B. No. 2,

For an act relating to negotiable instruments, promissory notes and contracts, and report the same back with the follow-

ing amendments, to wit:

In section three, in second line, strike out the words "or to be made," and the words "or persons body politic or corporate." In the third line strike out the words "or persons," and add the letter "s" to the words "promise and agree." In the sixth and seventh lines strike out the words "and the sum of money or article of personal property therein mentioned shall, by virtue thereof be due and payable."

In section four, in second line, strike out the words "or persons." In the third line, strike out the words "or hands," and the words "or persons," and the words "her or their," and the words "or assignees," and in the fifth line strike out the words

" or assignees."

on

nes H.

on on

gng

so y ne ne

b o d

y ...

o d

In section five in the first line, strike out the words "or assignees." In the second line strike out the words "or endorsements." In the third line strike out the words "or assignees." and the words "her or their." In the fourth line strike out the words "her or their" and the words "or names." In the fifth line strike out the words "or persons." In the sixth and seventh lines strike out the words "her or their."

In section seven in the first line strike out the words "or assignees" and the words "her or their." In the third line strike out the words "or assignees" and the words "her or their." In the fourth line strike out the words "or assignees" In the fifth line strike out the words "or maker." In the sixth line strike out the words "her or their." In the ninth line strike out the words "or makers," In the eleventh line, strike out the words "or assignees" and the words "her or their." In the twelfth line strike out the words "or assignees" and the words "or assignees" and the words "her or their."

In the eighth section in the fourth line strike out the words "and signers." In the sixth line strike out the words "or persons."

In section nine in the seventh line strike out the words "or

In section ten in the seventh and eighth lines strike out the words "or defendants." In the fifteenth line strike out the words "or assignees."

In section fourteen in the fifth line strike out the words "or

In section twelve in the tenth line strike out the words "or makers." In the eleventh and twelfth lines strike out the words "or makers."

Strike out all of section fourteen.

The committee recommend that the bill when thus amended do pass.

On motion of Mr. Stone, The report on said bill was adopted.

Mr. Stone reported that the committee on judiciary had also had under consideration

C. S. for H. B. No. 3,
And recommend its passage with the following amendment to wit:

In section four in the tenth line strike out the word "less,", and insert the word "more" in lieu thereof.

Your committee have also considered not be sent to be sent to the sent to be sent to be

Feb

ning

inith

road Den

Cre

hav use not

of

eng

as

m

Relating to practice in the supreme court, and recommend its passage without amendment. and bacoos out al "soongissa ments." In the third ing strike but I

On motion of Mr. Stone, al nied to red abrow ent bas

The report of said committee on C. S. for H. B. No. 3 was adopted is out in sense of the words of Mr. Stiles, a show out to out its senil disease.

The report of said committee on C. B. No. 14 was adopted.

Mr. Holland, from the committee on elections, reported that The committee have had under consideration

H. B. No. 25,

And would ask leave to report the same back to the House without recommendation.

Mr. Nichols from the select committee to whom was referred C. B. No. 11,

C. B. No. 11,
For an act to incorporate the Boulder Valley and Central
City Warran Road Company, reported that City Wagon Road Company, reported that

The committee had considered the same and would recom-

mend its passage with the following amendments:

Strike out the word "deem," in the fourth line of section three, and insert in lieu thereof the words "be deemed necessarv.

In section five in the second line strike out the word "in,"

and insert in lieu thereof the word "into," apongisan to " abrow

Mr. Pine, from the select committee to whom was referred 10H. B. No. 11, two/oxents and direct and ni eviewt nortees al

An act to incorporate the Colorado and Clear Creek Railroad Company, made the following report:

To the Honorable Speaker of the House of Representatives of Colorado Territory:

Your select committee to whom was referred no proget and

H. B. No. 11,

Beg leave to report that they have had the same under consideration and suggest the following amendments with the recommendation that it do pass with said amendments:

Amend section one by adding as incorporators the names of Samuel A. Wheelwright, George B. Satterlee, William B. Ogden, Enos K. Baxter, Jonathan Cox and Fitz John Porter,

Amend section three so as to read as follows; and thean has

The said company shall have the right of way for said railroad upon that portion commencing at Golden City and rupend vas

2nd.

1.

at

ed al

n

hing west to Central City in Gilpin county and Empire Gity in the county of Olear Oreek, and upon the branches of said road running from Golden City to Kiowa and Bijo Basia via Denver, and from Golden City to Cache a la Poudre, via Coal Creek, Boulder Creek, Big Thompson and St. Vrain, shall have the right of way upon, and may appropriate to their sole use and control, for the purposes contemplated hereing land, not exceeding one hundred feet in width, and for the purpose of depots, side tracks, cutting and embankments, for building engine houses and shops, or wood and water stations, may take

B. F. PINE, or AUSUR, Al an set entitled an act creating a lien in favor, AZILY, W. C. M. TYLER, to certain cases, which was

Read a first and second time, and motion of Mr. Holland, in basis of the committee on in balloud of Mr.

H. B. No. 13, For an act supplemental to an act to organize the militia of Colorado Territory, with Council amendments thereto was made the special order for next Saturday at 10 a.m. Mr. Holland introduced the following resolution:

as much more land, earth or material as may be necessary.

Resolved, That the Adjutant General of the militia of the Territory be respectfully requested to report to this House, at his earliest convenience, the condition of the militia of the Territory, so far as is known to him, and also the feasibility of Procuring a register of all Colorado troops now in the service of the United States.

Adopted.

Mr. Worrall gave notice that on to-morrow or some subsequent day he would introduce a bill for an act to create a fund for the benefit of public schools, detron entrated notife penolis

Mr. Baxter gave notice that on to-morrow or some subsequent day he would introduce a bill for an act to incorporate the Trinidad and Raton Mountain Wagon Road Company.

Mr. Tyler gave notice that on to-morrow, or soon thereafter, be would introduce a bill entitled an act for an appropriation to assist in erecting a bridge over Clear Creek at Golden City. It of Mr. Holland offered the following preamble and resolution:

Whereas, It is essential to an understanding by this House, of the condition of all co-ordinate branches of our Territorial Sovernment, and as it facilitates business generally to have Printed copies of all reports and papers before the House, therefore, On motion of Mr Stonegod a solly to bur

Resolved. That the committee on printing be instructed to

Feb.

T T

Ma

Bax

the

ur

Ci

furnish the House, as soon as practicable, with printed copies of the Governor's message and reports of the Territorial officers.

This resolution was adopted. Mr. Brendlinger introduced

H. B. No. 33,

For an act to incorporate the Overland Wagon company, Which was read a first and second time, and referred to the committee on incorporations.

H. B. No. 34.

For an act to amend an act entitled an act creating a lien in favor of mechanics and others, in certain cases, which was

Read a first and second time, and

Referred to the committee on incorporations.

Mr. Stiles introduced

H. B. No. 35,

For an act to repeal sections seventeen and eighteen of an act entitled an act concerning licenses, approved Nov. 6, 1861; which was read a first and second time and filed with general orders.

Mr. Clark introduced

H. B. No. 36,

For an act to incorporate the Metropolitan Ditch Company, which was read a first and second time and

Referred to the committee on incorporations. Mr. Stiles offerred the following resolution:

Resolved, by the House of Representatives of Colorado Territory; That no bill of a private nature shall be introduced in this House, after Saturday next.

The resolution was adopted.

H. B. No. 17,

For an act fixing the compensation of members of the legislative assembly of the Territory of Colorado, and amendatory to the several acts heretofore passed, regulating the fees of officers, jurors and witnesses,

Was read a second time and Filed with the general orders.

C. B. No. 2,

For an act relating to negotiable instruments, promissory notes and contracts, was taken up for consideration.

On motion of Mr. Stone,

The following was added to section eleven:

2nd.

"Unless such instrument was negotiated before due." The bill was read a third time and put upon its passage. The question being upon the passage of the bill,

The ayes and noes being called for, Those voting in the affirmative were,

Messrs. Craig, Ehrhardt, Holland. Hopkins, Lake, Lynch, Mansur, Nichels, Patterson, Stone, Thompson, Tyler. Worrall, Baxter, Brendlinger, Clark, Stiles and Mr. Speaker. bas stoom

Absent-Messrs. North and Pine.

Ayes-18. Noes-0. Carried.

Mr. Lynch, from the committee on incorporations submitted the following report: Landou abradada piaro

The question being on the persone of the fifth

Your committee on incorporations have had H. B. No. 24 under consideration, an act to incorporate the Denver, Turkey Creek and South Park Road Company, and report it back with the following amendments and recommend its passage:

Amend section three by striking out, after the word "keepers," in the third line, the words "or other purposes."

Amend section six by inserting after the word "collected," in the fourth line, the following words to wit:

"For the first five years after the completion of said road," And add to the section the following:

"Upon each wagon which is drawn by one span of horses, or mules or one yoke of cattle, the sum of one dollar and twenty-five cents. Upon each additional span of horses or mules or yoke of cattle, to each vehicle, the sum of thirty cents. Upon each riding horse or mule the sum of fifteen cents. Upon horses, mules, cattle or asses driven loose, the sum of ten cents. Upon all sheep and hogs driven over said road the sum of one cent per head, and these after the following rates to wit:

Insert in the nineteenth line of said section six, after the Word "sheep," the words "and hogs."

Strike out section twelve and insert the following as a new section.

See. 12. If said company shall fail to complete said road in the time specified in section ten of this act and shall fail to keep the same in good passable condition for travel and freighting, except by Providential hindrance, the said company shall torfeit all rights and privileges herein granted.

Also add the following as a new section:

Sec. 13. The Legislative Assembly of Colorado Territory

in

an 31, al

may alter, amend or repeal this charter at any future session The bill was read a third time and put upon its passafoon

All of which is respectfully submitted. anied noise and aniel and

JOHN T. LYNCH, Ch'n. Phose voting in the affirmative were, and

Mesers, Craig, Ehrhardt, Holland, Hookins, Saok. B. Doh.

For an act to amend an act entitled an act concerning judgments and executions, approved Nov. 4, 1861,

Was read a third time, and has drove see My-toped A And put upon its passage.

The question being on the passage of the bill, .0-800 M

The aves and noes were called for,

Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, Patterson, Stone, Thompson, Tyler, Worrall, Baxter, Brendlinger, Clark, Stiles and Mr. Speaker.

Absent-Messrs. North and Pine. of an acitarabiance rabat

Oreck and South Park Road Company, and report 81 - say Airb

Noes 0, sago ati busmanoser ban atusmbusma anivollot edi

And so said bill passed.

C. S. for H. B. No., For an act to amend an act entitled an act concerning probate courts and justices of the peace in certain counties, approved March 11, 1864,
Was read a third time and put upon its passage.

The question being upon the passage of the bill,

The ayes and noes were called for. Those voting in the affirmative were, 2007 200 10 column 10

Messrs Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, Patterson, Stone, Thompson, Tyler, Worrall, Baxter, Brendlinger and Mr. Speaker.

So the bill passed.

Die H. B. No. 14, 201 bus doods He good street and to must

For an act concerning the practice in the supreme court was read a third time and put upon its passage. The of solar gall

of The question being upon the passage of the bill, at treeal

The ayes and noes were called for. brown ont goods a front Those voting in the affirmative were,

Messrs, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols. Patterson, Stone, Thompson, Tyler, Worrall, Baxter, Brendlinger, Clark and Mr. Speaker.

of Mr Stiles voted in the negative, without it bedieses smit edd

So the said bill passed. The passed boos hi ones out good

C. B. No. 11 was filed with the general orders.

On motion of Mr. Holland, The report of the select committee to whom had been referred C. J. R. No. 2, danger A sylication of the contract o

v 2nd. ession

in.

judg-

nch, rrall,

proties,

ich, rall,

ch, all,

en

To provide for an investigating committee, was adopted. On motion of Mr. Patterson, The House adjourned until half past one o'clock p. m.

## acting tiens at the Afternoon Session.

House met pursuant to adjournment.

Roll called.

Absent-Messrs. North and Tyler.

The following message was received from the Council, per. Mr. Allen, Assistant clerk:

MR. SPEAKER: I am instructed to inform the House that the Council has passed to another and an extended the council has passed out add that and only only out and the council has passed to another another and the council has passed to another another and the council has passed to another and the council has passed to another another and the council has passed to another another and the council has passed to another anothe

For an act to provide for paying bounties to soldiers.

For an act supplemental to an act entitled an act to create a and for the benefit of schools.

Also that the Council has receded from its last amendments

to H. B. No. 1, and adopted the following amendments:

This act shall take effect and be in force from and after its passage, excepting section five thereof, which said section shall take effect and be in force on and after the first day of April, A. D. 1865.

The following report was submitted:

MR. SPEAKER: Your committee on incorporations beg leave to report H. B. No. 32 back to the House, with amendments and the opinion of your committee thereon.

Amend section one by striking out after the word "to," in Amend section one by striking out and inserting in lieu the nineteenth line, the word "take," and inserting in lieu

thereof the words "acquire, hold and possess."

Also, in section four, by striking out the words "take occu-Py," in the eighth line from the top, and inserting in lieu

thereof the words "acquire, hold."

Also, in section five, after the word "any," in the thirteenth line of said section, insert the following, to wit: "of the present organized." Also after the word "county" in the same line the words "of this Territory."

Also, in section six, by striking out the word "exclusive," the eighth and ninth lines.

in the eighth and ninth lines,

Also amend section eight by striking out the word "ten," in the third line and inserting in lieu thereof the word "five."

Also add the following as a new section:

That if said company shall fail to erect within five years from

the passage of this act, the necessary foundries, rolling mills, machine shops and smelting furnaces, to carry into effect the object herein set forth, said company shall thereby forfeit all rights and privileges herein granted.

Your committee would further report that in their opinion the Legislature of Colorado ought not to grant to any individual or incorporation the power to acquire, hold or possess any of the unoccupied public domain or timbered lands, this matter

being regulated alone by Congress.

Your committee could not see how they could give possesssion to property to which they have no absolute title, especially to timbered lands, the protection of which is claimed by the Supreme Court of the United States, and the exercise of which

right has caused difficulty in some portions of our country.
Your committee also think that the two hundred acres of land asked for by said company in the different counties of this Territory, is too much, and would therefore report the bill back to the House without recommendation, believing the House will take such action in the premises as may seem to them best.

JOHN T. LYNCH, Ch'n.

Mr. Worrall, from the committee on Territorial Affairs, reported as follows: which who seems and seems

Your committee to whom was referred

Entitled an act to create a board of commissioners to investigate charges of fraud, would respectfully report that they have had the same under consideration, and have amended section six by striking out the words "in two daily or weekly papers published in this Territory, on such terms as they may make with the publishers of such papers," and insert in lieu thereof the following, to wit: "In such manner as they may deem most likely to reach the people," and recommend that the bill when so amended do pass. On motion of Mr. Holland,

The pivileges of the House were extended to the Hon. A. A. Bradford. Also, in section five, after the word "any," in t

H. B. No. 25,

For an act to amend an act entitled an act regulating elections, approved Nov. 6, 1861, was re-committed to the committee on elections. On motion of Mr. Stone,

The report of the committee on H. B. No. 28 was adopted. Mr. Lake, from the committee on Printing, reported that the committee had examined and found printed correctly the following bills; C. B's No's 4 and 6 and H. B. No. 19.

On motion of Mr. Stiles, sauper saw stell guillound and

C. B. No. 6, deldisson hi seiges ovit baueH out of daignal

2nd

ills,

the

all

ion

rid-

of

ter

SSlly

he

ch of

iis

ill 10

to

S.

Qu.

ľ

3

Was taken up for consideration.

Mr. Worrall moved to amend section three by striking out the word "pauper" and inserting "poor person," in lieu thereof.

This amendment was not agreed to one bus tend a basil On motion of Mr. Patterson, a settlemos ed of beareted The House adjourned. Assemble AM to notion at

# bus 1881 1 FRIDAY, FEBRUARY 3, 1865. of gangas

For an act to define county boundaries and to locate county

House met pursuant to adjournment.

Roll called. Absent—Messrs. Craig, Pine, Stone, and Worrall.

Mr, Worrall presented a petition from the citizens of Gilpin county, asking for the construction of a road,

Read and referred to committee on Roads and Bridges. Mr. Mansur presented a petition from the citizens of Gilpin county asking for an alteration in the charter of the Consolidated Ditch Company,

Read and referred to the committee on Incorporations. Mr. Holland from the committee on Education reported back! H. B. No. 25,

With an additional section and recommend its passage. On motion of Mr. Lake, up omismo I bus olden I assurant

The report was adopted Council amendments to H. B. No. 1,

For an act to create the office of Flour Inspector,

Was read, and Was read, and On motion of Mr. Worrall, and 2021 of tangua beyongon

C. B. No. 5, An act supplemental to an act to create a fund for the benefit of schools, was

Read a first and second time, and and no sestimmes Tho Y

Referred to the committee on Education.

C. B. No. 19, For an act to provide for paying bounties to soldiers, was Read a first and second time and

Referred to the committee on Ways and Means.

Mr. Worrall introduced brow and total and different out in

H, B. No. 37,
For an act relating to public schools, which was Read a first time, and

On motion of Mr. Stiles,

The Enrolling Clerk was requested to copy said bill, and rnish to the House five copies if possible furnish to the House five copies if possible

Mr. Baxter introduced against the roll of the market as W

Mr. Worrall moved to smend section three ,88 .o. Han. Hout For an act to incorporate the Trinidad and Raton Mountain Wagon Road Company, which was

Read a first and second time, and a saw membranes and

Referred to the committee on incorporations. notion at

On motion of Mr. Mansur. bearwoibs essoll adT

H. B. No .-

For an act to define county boundaries and to locate county seats in Colorado Territory, approved Nov. 1, 1861, changing the northern boundary line of Park county was indefinitely postponed.

On motion of Mr. Lake, my notion of managing tom sanoH

The report of the committee on Elections, on H. B. No. 25, as adopted. raig, line, Stone, and was adopted.

Mr. Patterson introduced

H. B. No. 39,

For an act to incorporate the Platte Ditch Company, which was read a first and second time, and

Referred to the committee on Incorporations.

Mr. Stone introduced

H. B's No's 40 and 41, which were tot berreter bus basil Read a first and second time and open mon basiloli al

H. B. No. 40,

For an act to amend an act entitled an act to incorporate the Arkansas, Pueblo and Fontaine qui Bouille Ditch Company, Referred to the committee on incorporations.

H. B. No. 41,

For an act to amend an act entitled an act to amend an act entitled an act requiring clerks of District Courts to give bond approved August 15, 1862, was

Referred to the committee on judiciary. Il berryones saW

Mr. Lynch, from the committee on incorporations, submitted the following report : 1000 of the ne of later molique to a

Your committee on Incorporations, beg leave to report C. B. No. 12.

For an act to incorporate the Russell Gulch and Nevads Wagon Road, back to the House with the following amendments: ments:

Amend section three by striking out the word "exclusive," in the twelfth line, after the word "the," Also in the thirteenth line, after the word "ways," strike out the words "for a distance of thirty feet on each side of the," and insert the foland

3rd.

ntain

unty and was

25,

nich

the

nd

d-

ation.

act

ed

da

2

lowing, to wit: "On the line of said road, Provided, The amount of land claimed by said company shall not exceed thirty feet in width, on the line of said road." Also add to the section the following additional proviso, to wit: Provided That nothing in this act shall be so construed as to interfere with any rights of miners heretofore or which may hereafter be acquired. Also add after section eight the following as a new section:

"The said company are deemed and hereby held to be liable for all damages which they may inflict upon the property of others, while constructing, maintaining and operating said

All of which is respectfully submitted without recommend-The said bill was filed with the general orders.

On motion of Mr. Stiles.

On motion of Mr. Lake,

The report was adopted, and the said bill filed with the general orders.

The following message was received from the Council per Mr. Allen, Assistant Clerk:

MR. SPEAKER: I am instructed to inform the House that the Council has passed Hopkins, Lake, Lynch, Mansir, Nichold II of B. B. Rome, Thompson, Taler, Warrall of II. S. for C. B. No. 111 of II. S. for C. B. S. for C. B. S. for C. B. S. for C. B. S.

For an act to divide the Territory of Colorado into Judicial Districts and to provide for the holding of courts in the same, Also that the Council has passed at bevious such ad T. B. No. 30. with amendments.

H. B. No. 30,

For an act to change the name of Lewis G. Page.

On motion of Mr. Stiles, estimmos ent to guisir out no The House adjourned until half past one o'clock p. m.

a bill for the payment noises noonsattad other officers of the Legislative Assembly.

House met pursuant to adjournment. even nosquod I.M. Roll called. Roll called. Roll called to the commissioners of the several countries it may be several countries it may be several countries.

ry to procure copies of the original field note14.0N JaniH of For an act amendatory of an act entitled an act to incorporwas taken up for consideration.

And was amended and filed with the general orders.

H. B. No. 32,

For an act to incorporate the Colorado Iron, Engine and Mill

Manufacturing Company, was taken up for consideration.

Mr. Worrall offered the following amendment:

Should it at any time be necessary for the defence of the Territory, said incorporation shall manufacture at reasonable rates heavy and light ordnance, and on receiving orders for such from the government of the United States or of the Territory, shall proceed to manufacture such without delay and shall give preference to this over all other business.

This amendment was not agreed to.

Mr. Brendlinger moved that the said bill be indefinitely postponed.

This motion was lost.

On motion of Mr. Lynch.

The said bill was filed with the general orders.

On motion of Mr. Stiles,

C, B. No. 6,

For an act providing for the support of paupers, Was read a third time and put upon its passage. The question being upon the passage of the bill,

The ayes and noes were called for. Those voting in the affirmative were,

Ayes-Messrs. Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worrall, Brendlinger, Stiles, and Mr. Speaker,

And so said bill passed. On motion of Mr. Patterson,

The House resolved itself into a committee of the whole on

H. B. No. 17,

Mr Mansur in the chair.

On the rising of the committee, The House was called to order.

Mr. Stiles gave notice that on to-morrow he would introduce a bill for the payment of the clerks and other officers of the

Legislative Assembly.

Mr. Thompson gave notice that on to-morrow or some subsequent day he would introduce a bill for an act to authorize the commissioners of the several counties in Colorado Territory to procure copies of the original field notes and plats of surveys of all lands surveyed in their respective counties.

Mr. Mansur gave notice that he would on to-morrow or some subsequent day introduce a bill for an act to amend the charter

of the Consolidated Ditch Company.

Mr. Mansur, from the committee of the Whole, reported that the committee had considered H. B. No. 17, and would report the same back without amendment and recommend that it do pass.

3rd.

able Ter-

tely

d, e. 1d

D

On motion of Mr. Thompson the report was adopted. On motion of Mr. Lake, The House adjourned until 7 o'clock p. m

NIGHT SESSION.

House met pursuant to adjournment.

Roll called.
Quorum present.
On motion of Mr. Holland,
The rule prohibiting smoking in the House was suspended. Mr. Holland, from the committee on Military Affairs, report-Mr. Lake from the committee on engrossment rewollor as be

the committee and examined with The committee on Military Affairs beg leave to report the bill for an act to encourage the formation and equipment of volunteer companies, with the following amendments to wit: Strike out the words "Indian war" in the last line of section live, and insert "military fund." beatmaze had settimmed edt

Mr. Tyler introduced intonco ton an Suema of ton an foll A bill for an act for an appropriation to assist in erecting a bridge over Clear Creek at Golden City, which was appear but

Read a first and second time, and to oak and astrumos and

Referred to the committee on Roads and Bridges O monso to

On motion of Mr. Lynch, restal ton live well come of them

The House resolved itself into a committee of the whole on the general orders.

Mr. Hopkins in the chair. On the rising of the committee, The House was called to order.

On motion of Mr. Nichols, o stammana edt ai moaco esuch

Consent was given by the House that the Hall might be used to-morrow evening by the "Nightingales," a company of negro minstrels.

On motion of Mr. Lynch, a said days said as said as said as The House adjourned. loid willid ad bouimaxy oals avail a W, passed and referred the same to the Honse without recommen-

### SATURDAY, FEBRUARY 4, 1865.

House met pursuant to adjournment. Prayer by the Chaplain. Roll called, Quorum present. Journal of yesterday, read, amended and approved. Mr. Mansur presented a petition from the citizens of Gilpin

Fe

par

BE

ot

DI

fil

m

county asking an amendment to the charter of the Consolidated Ditch Company,

Which was referred to the committee on Incorporations. Mr. Stone from the committee on Judiciary submitted the following report:

Your committee on Judiciary have considered

H. B. No. 41.

For an act to amend an act entitled an act requiring Clerks of District Courts to give bond, approved August 15th, 1862.

And beg leave to report the same back and recommend its passage without amendment.

Mr. Lake from the committee on engrossment reported that the committee had examined H. B. No. 24, real god arialty Affairs beg leave, 24, on The

Mr. Nichols from the committee on Agriculture reported that the committee had examined bond yould be sent and insert a military fund.

H. B. No. 31,

For an act to amend an act concerning fences, approved A bill for an act for an appropriation to assist 1864; 11,1864

And recommend that it do pass of the least O revo explired

The committee has also examined the petition of the citizens of Canon City, and are fully satisfied that the proposed amendment to the fence law, will not interefere in any way with their The House resolved itself into a committee dealew besterrex the general orders.

Also,

That we have examined

H. B. No. 4.

On the rising of the committee, As amended by the Council and would recommend that the House concur in the amendments offered MAIM to notion at

Mr. Hopkins in the chair,

Consent was given by the House that the Hall might brost Ad

That we have examined the petition of the citizens of Arapahoe and Jefferson asking for a law prohibiting stock from running at large in the night time in certain localities. itom no

We have also examined the bill which the petitioners wished passed and referred the same to the House without recommendation.

All of which is respectfully submitted.

Mr. Lynch from the committee on Incorporations submitted the following report: Your committee on Incorporations have had

H. B. No. 38,

For an act to incorporate the Metropolitan Ditch Company, Under consideration, and beg leave to report said bill back to the House with the following as a new section :

Speaker.

dated

4th

The the

erks 25 la its

that

hat

ved

ens ideir

10

2-01

nin đ

Roads and Bridges.

Mr. Stiles introduced

"Said company shall be required by this act to flume such part or parts of their Ditch as may pass through the corporate limits of the city of Denver, and shall be subject to the ordihances now passed or such as may be passed by the city council of the city of Denver, regulating the same."

Submitted without recommendation.
Your committee have also had under consideration,
H. B. No.

For an act to amend an act entitled an act to incorporate the city of Central, approved March 11, 1864,

And report the same back to the same to the same back to the same to the sa

And report the same back to the House without amendment, and recommend that it do pass.

Mr. Patterson from the committee on Ways and Means, re-

The committee to whom was referred the above communication beg leave to report that they have examined the same and find that the instructions acord with the acts appropriating the money for the purpose for which the same was expended.

H. S. for C. B. No. 1,

Was taken up and Council amendments thereto read, Mr. Lynch moved to concur in said amendment. bigs out of Motion not agreed to.

Mr. Worrall introduced
H. B. No. 43, For an act to prescribe the qualifications of jurors in the District court,

Read first and second time and referred to committee on

Read third time and put upon its fraction introduced the party of the Read third time and put upon introduced the party of H. B. No. 44, in the passage out noque gaied hoiseup off the

For an act to authorize the county commissioners of the Several counties, in Colorado Territory, to procure copies of the Original field notes, and plats of surveys of all lands surveyed in their respective counties.

Read first and second time and referred to committee on Territorial Affairs.

Mr. Tyler introduced, So the said bill passed. H. B. No. 45,

For an act amendatory of an act to incorporate the Enterprise Wagon Road Company, approved October 3rd, 1861. Read first and second time and referred to the committee on

Was adopted and the bill filed wight the general orders.

For an act to provide for the payment of clerks and other fficers of the Legislative Assembly.

Read first and second time and referred to the committee on Ways and Means.

Mr. Clark introduced

H. B. No. 47,

For an act to amend an act entitled an act for the protection of farmers against the depredations of stock in the counties of Douglas and Weld.

Read first and second time and referred to the committee on

Agriculture.

H. B. No. 11, southwashed ent to the House with the H. B. No. 11,

For an act to incorporate the Colorado and Clear Creek Rail-Read third time and put upon its passage.

The question being on the passage of said bill,

The ayes and noes were called for, mody of ostimmos off

Those voting in the affirmative were,
Messrs, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch,
Mansur, Nichols, North, Patterson, Pine, Stone, Thompson,
Tyler, Worrall, Baxter, Brendlinger, Clark, Stiles, and Mr. Speaker.

Ayes-20. Was taken up-and Conneil amendments thereto re".0-SoN

So the said bill passed.

H. B. No. 19,

For an act to encourage prospecting and mining, Was referred to the committee on Mines and Minerals.

C. B. No. 12.

For an act entitled an act to incorporate the Russell Gulch and Nevada Wagon Road,

Read third time and put upon its passage.

The question being upon the passage of the bill,

The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Stiles, Pine, Stone, Thompson, Tyler, Worrall, Baxter, Bredlinger, Clark, and Mr. Speaker.

Ayes-19. Noes-0.

So the said bill passed.

H. B. No. 29,

For an act to encourage the formation and equipment of volunteer companies. Was taken up for consideration.

On motion of Mr. Lake.

The report of the committee on Military Affairs on said bill was adopted and the bill filed with the general orders,

ther

4th.

e on

tion es of

e on Rail-

ach, son, Mr.

ilch

sur, on, cer.

rol-

Mr. Mansur introduced, and emas off froger bluow bath

A bill to amend an act entitled an act to incorporate the Consolidated Ditch Company, season of find bies out hobasms os

Read first and second time and referred to the committee on

Incorporations.

Message from the Council: Manos a stasto of the us to I MR. SPEAKER: I am instructed to return to the House bush

C. B. No. 6,

For an act providing for the support of paupers,

And request the House to instruct their Clerk to write messages accompanying bills transmitted to the Council upon white paper, and to use ink in writing the same, and to sign all messages so that the Council may know from whence they come, Also, to inform the House that the Council does not concur

in House amendments to the tenth line of Sec. 4, of

C. S. for H. B. No. 3,

For an act to amend an act concerning Probate courts and Justices of the Peace in certain counties, approved March 11th,

I am also instructed to return to the House

Messrs. Holland, Hopkins, Lynch, Nichols, No. 3. One. For an act relating to negotiable instruments, premissory

notes and contracts,

With the request that the House transmit a certified copy of the amendments to said bill, with the bill, as the Council is unable to find a copy of said amendments.

Also, that the Council has concurred in House amendments he motion to postpone was not agreed to.

C. B. No. 8,

For an act to amend an act entitled an act concerning judgments and executions.

Mr. Hopkins from the committee of the Whole made the following report:

MR. SPEAKER—The committee of the Whole would report that they have had under consideration substitute for

H. B. No. 4, mixquet bushed abradult

And would report the same back with the recommendation Worrall, Baxter, Brendlinger, Clark, pass, that that it pass, Jarly

C. B. No. 11, And would report the same back with the recommendation that it pass.

Also,

For an act to incorporate the Boulder Valte on . B . Hural For an act to amend an act entitled an act regulating. Elections,

F

And would report the same back with the accompanying amendments as an additional section, and recommend that when so amended the said bill do pass. Read first and second time and referred to the commodia on

H. B. No. 28,

For an act to create a commission to investigate charges of Mar. Serkken : I am instructed to return to the House, burn's

And recommend its passage.

For an act providing for the such Since of Mr. Nichola request the House to inst, slohal Nichola request the House to inst, The report was adopted. Stimment allid migranguous segs

-sa Mr. Worrall moved that an antique at any oan or been regard

H. B. No. 28, For an act to create a commission for purposes of investigating charges of fraud, and dines out of statembasms espoll at

Be considered engrossed.

Mr. Hopkins moved that said bill be indefinitely postponed. On this motion, Mr. Worrall called for the ayes and noes.

Those voting in the affirmative were.

Messrs. Holland, Hopkins, Lynch, Nichols, North, Pine, Thompson, Baxter, Brendlinger, Clark, Stiles, 108 08 104 Those voting in the negative were,

notes and contracts, Messrs, Craig, Ehrhardt, Lake, Mansur, Patterson, Stone, Tyler, Worrall, Clark, Mr. Speaker. Dies of shearbusina edi

able to find a copy of said amondments.

Ayes—10.

Also, that the Council has concurred in House .01 cresponia The motion to postpone was not agreed to. On motion of Mr. Stone, OC. B. W. St. garagram

Was made the special order for Monday next. az bas show

H. B. No. 24, For an act to incorporate the Turkey Creek and South Park Road Company.

The bill was read a third time and put upon its passage!

Those voting in the affirmative were, had bad avail voil and

Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worrall, Baxter, Brendlinger, Clark, Stiles, and Mr. Speaker.

Ayes-20.

And would report the same back with the recordingsodion The said bill passed.

C. B. No. 11,

For an act to incorporate the Boulder Valley and Central City Wagon Road Company, was a finding of for me roll w

Read a third time and put upon its passage.

ying when

4th.

es of

ga-

ie,

3 8

k

Those voting in the affirmative were,

Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine Stone, Thompson, Tyler, Worrall, Brendlinger, Baxter, Clark, Stiles, and Mr. Speaker.

Ayes—20. ho more normalism to be realisment.

So the said bill passed. C. S. for H. B. No. 4.

For an act to amend an act edtitled an act to amend an act to enable road, ditch, manufacturing, and other companies to become bodies corporate, approved March 11, 1864.

Was read third time and put upon its passage.

Those voting in the affirmative were,

Messrs. Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worall, Baxter, Brendlinger, Clark, Stiles, and Mr. Speaker.

Those voting in the negative were, bad avail ved

Mr. Craig,
Ayes—19, to the the bolleton range brond of the normal Noes—1.

Noes—1.
The said bill passed.
On motion of Mr. Harsh,

H. B. No. 25,

Was ordered to be engrossed.

Mr. Stone moved that the House recede from its amendment to

C. S. for H. B. No. 31,

Lost

Mr. Stiles introduced the following resolution.

Resolved, That a committee of two be appointed by this House to confer with the Honorable Secretary in relation to his communication to this House in regard to furnishing postage stamps to the members of this House, and report to the House the result of their conference.

H. B. No. 49,

For an act to create a fund for the benefit of schools, Was read second time and referred to the committee on Education.

Mr. Speaker appointed

Mr. Baxter on the committee on Roads, Bridges, and Territorial Affairs.

On motion of Mr. Patterson,

The House adjourned until 2 o'clock p. m.

### AFTERNOON SESSION. I ni gaitov ezoni

Messrs. Craig, Enrhardt, Holland, Hopkins, dates, Lynob, House met pursuant to adjournment. M. alodor A. Lyler, Worrall, Brendlinger, Baxter, Clark, Shellan HoRMr.

Quorum present.

Absent-Messrs. Lake and Tyler.

Mr. Speaker read a communication from Col. Moonlight, which was referred to the committee on Military Affairs, C. S. for H. B. No. 4,

The special order,

Tor an act to amend an act editiled an act to, 11. II. II. to

ed Was taken up tor consideration and nam dotio baor eldans

On motion of Mr. Worrall, svorage stronges seibod smoo

Was passed over for the present. bus emit bridt baer as W Mr. Lynch from the committee on Incorporation, submitted Messrs. Ehrhardt, Holland, Hopkins, i troqui gniwollo adt,

Moveds, North, Patterson, Pinesis Cone, Thompson, Tyler, Your committee on Incorporations, beg leave to report that dose voting in the negative were, they have had

H. B. No. 48,

For an act to amend an act entitled an act to incorporate the

Consolidated Ditch Company,

Under consideration and refer the same back to the House and recommend its passage with the following amendments,

In the fifth line of Sec. 3, after the word escape, insert the following, to-wit: "either by percolation, seepage, or overflow or any other manner."

#### for H. B. No. 31 Mr. Mansur introduced -he following resolution:

Mr. Stiles introduced the following resolution. Resolved, That the Military committee be instructed to communicate with Col. Moonlight in behalf of this House, in reply to his two communications; also informing him of the present situation of the Military and Bond bill, as well as the bill providing for bounties to men enlisting in the 1st and 2nd Colo rado regiments, asking if the latter bill will avoid the necessity of proclaiming martial law.

### Mr. Holland introduced the following resolution:

WHEREAS, The people of this Territory after deliberation, have in their sovereign capacity as electors, decided that our Territory was not in a condition to take upon themselves, the responsibility of a State,

AND WHEREAS, They feel increased security under the immediate protection of the United States Government, be it

Resolved, That the result of the late Presidential election has

shown that the admission of Colorado as a State, with her sparse population, and constraining to the cardinal principles of the General Government in the admission of new States, was not a measure involving our feality to Government or called for by a sense of patriotic duty, as has been represented by its friends, and that in the opinion of the members of this House, the people have decided wisely in abiding the time when justice to older States, the interest of our citizens and patriotism complete bined, render its admission desirable.

Resolved, That we await with abiding faith and confidence the hour when our young Territory shall be freed from the depressing influence now retarding our growth, and when Colorado shall take the position due her boundless resources, and the intelligence of her citizens, and shall enter the American Union, greeted by the united voices of thirty-six or more har-

made the following report:

monious sister States.

On motion of Mr. Stone,

The said resolution was indefinitely postponed. The York Mr. Holland

On motion of Mr. Holland, The House resolved itself into a committee of the Whole on e general orders. 22d Almassa availaged and to stabilio Mr. Holland in the chair. 22d rebut a massact bad eved vedt the general orders.

On the rising of the committee the House was called to der.

Mr. Holland from the committee of the Whole made the following report:
Your committee have considered
H. B. No. 29,

And report the same back with the recommendation that if do the word one, and insert the word two districts one the word six," in the third line of two six," in the third line of the word "six," in the third line of the word "six," and in the sever the word "six," and "six," and

And amend the same by striking out the tenth section, and ask leave to sit again for the further consideration of said bill.18 On motion of Mr. Nichols,

H. B. No. 29,

Was ordered to be engrossed. As modern of Mr. Pine

On motion of Mr. Pine,

The House adjourned until Monday, 6th inst, at 9 a. m. evael

# MONDAY, FEBRUARY 6, 1865. na eno noises to

House met pursuant to adjournment, die et alle S. Craig, Ehrhardt, Holland, Holkins, Lake, Lynch,

Roll called that a sa obstolod to noissimbs and that awards Absent-Messrs. Holland, Mausur, North, Tyler, Brendlinger and Stiles. Journal read and approved. Wilest the privious stream a ton

The Speaker appointed Mr. Stiles a member of the committee on Eurolment. tee on Enrolment.

Also Messrs, Stiles and Worrall a committee to confer with the Secretary of the Territory, in relation to postage stamps for members of the House of Representatives.

Mr. Pine presented a petition from the citizens of Elizabethtown, Clear Creek County, asking for an act of incorporation. The petition was read and referred to the committee on

Incorporations.

Mr. Patterson, from the committee on Ways and Means, made the following report:

Your committee on Ways and Means, to whom was referred

H. B. No. 46.

For an act to provide for the payment of clerks and other officers of the Legislative Assembly, beg leave to report that they have had the same under consideration, and would beg

leave to offer the following amendments to wit:

Strike out the word "sixth," in the fifth line in section one, and insert the word "eight." And also in the ninth line strike out the word "three," and insert the word "five." And strike out the word "two," in the eleventh line and insert the word "four." And strike out the word "two," in the thirteenth line and insert "three." And in the fourteenth line strike out the word "one," and insert the word "two."

Strike out the word "six," in the third line of section two and insert the word "eight." And in the seventh line strike out the word "three," and insert the word "five." And also strike out the word "three," in the ninth line and insert the

word "five."

All of which is respectfully submitted.

Your committee to whom was referred the bill to appropriate twelve hundred dollars out of the Territorial treasury to assist in erecting a bridge over Clear Creek at Golden City, beg leave to report the following amendment and recommend the passage of the same, to wit:

Strike out all after the word "Territory," in the seventh line of section one, and substitute the following in lieu thereof to wit: Provided, A sufficient amount is raised either by the citizens or by an appropriation by the commissioners of Jefferson county to complete said bridge.

Your committee would respectfully return the said bill and

thniel

ins,

red rer

nat eg

10,10 ne adal 10

th nt 10

0 e

Worrall, Baxier, Brouding, behneme as agassage at bnommooral, Absent—Mr. Tyler,
The said bill passed.

The said bill passed.

H. B. No. 50.

For an act to incorporate Elizabethtown, which was . H. Read a first and second time, and memos edit of berroles!

Referred to the committee on Incorporations. To honor at

On motion of Mr. Holland, O sat at bermence esself ed T

The report of the committee on incorporations on A. H.

No. 36, in set to restrain sheep, hoge and stalling, 86, No. 36, in the

Was adopted, On motion of Mr. Stone,

H. B. No. 41,
Was adopted.

On motion of Mr. Holland,
H. B. No. 41,
For an act to amend an act entitled an act requiring Clerks of District Courts to give bonds, approved August 15th, 1862.

Was considered engrossed, and put upon its passage. The question being upon the passage of the bill, M apanel

The ayes and noes were called for a sale, Clark, Worrall, Baxter, Clark and Indiana, and Indiana

Those voting in the affirmative were, it at belov selits all Messrs. Ehrhardt, Holland, Lake, Nichols, North, Patterson, Pine, Stone, Thompson, Worrall, Baxter, Brendlinger, Clark and Mr. Speaker.

Providing for the parament of the obsessed bill passed. On motion of Mr. Worrall, Himmos of of Destimmos of Park

The House adjourned until 2 o'clock p. m. ... At .. o'l H. H.

### several counties in Co. Moisses Moonaatta program of the

original field notes and plats of surveys of all lands surveyed House met pursuant to adjournment. moo evideegest siell al 

Absent-Mr. Tyler, o passag off nogo poied noitean ofT

Mr. Worrall, from the committee on Territorial Affairs, reported that the committee had examined an gullow seoul

And would recommend its passage.

The said bill was considered engrossed and put upon its

The question being on the passage of the bill, and all

The ayes and noes were called for, it us not guides winned Those voting in the affirmative were, offic your or analized.

Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch,

Mr. Pine in troduced me al

Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Worrall, Baxter, Brendlinger, Clark, Stiles and Mr. Speaker.

Absent-Mr. Tyler. The said bill passed.

On motion of Mr. Patterson,

H. B. No. 47 was awoth telested Elizabeth town as an acid

Referred to the committee on Roads and Bridges,

On motion of Mr. Lake, on Incommittee on Inches and of herreleft

The House concurred in the Council amendments to me

The report of the committee on incorporations, bno H. H. For an act to restrain sheep, hogs and stallions from running Was adopted at large,

H. B. No. 31,

For an act to amend an act concerning fences, approved H. B. No. 41. March 11, 1864, was Was adopted,

Read a third time, and Put upon its passage.

The question being upon the passage of the bill, A. ...

The ayes and noes were called for. as busines of Jos na 10

Those voting in the affirmative were, 12 of atmost shared 10 Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols North, Patterson, Pine, Stone, Thompson, Worrall, Baxter, Clark and Mr. Speaker. 8000 bus 8078 od

Mr. Stiles voted in the negative. The odd at gardon early

Absent-Messrs. Tyler and Brendlinger. No the said bill passed. It arrow mosquod to some said bill passed.

H. B. No. 46,

Providing for the payment of the officers of the Legislature, was re-committed to the committee on Ways and Means.

H. B. No. 44, and global 2 o'clock part of the H. B. No. 44, For an act to authorize the county commissioners of the several counties in Colorado Territory, to procure copies of the original field notes and plats of surveys of all lands surveyed in their respective counties, was solbs of management and

Read a third time and put upon its passage.

The question being upon the passage of the bill, - hand

The ayes and noes were called for. od most dismoth all Those voting in the affirmative were, many out sail betrough

Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worrall, Baxter, Brendlinger, Clark, Stiles and Mr. Speaker: and bus besserges berthing saw didbins and

So the bill passed,

Mr. Lake presented a petition from the citizens of Gilpin County, asking for an increase of fees of members of the Legislature, county officers, jurors and witnesses, and we send Mesers, Craig, Ebrhardt, Holland, Hopkins, 71 ao M. Br. Hh,

agreed to.

y 6th.

ipson, ker.

nning

roved

nch, son,

ture,

'the the eyed

ich, son, Mr.

pin the

Was taken up for consideration.

H. B. No. 18. Mr. Patterson offered the following amendment to said bill: Amend section six by adding the following, to wit:

If in the opinion of the commissioners of any county the above specified per centage is deemed by them inadequate to collect the taxes of their county, they are hereby authorized and empowered to pay a greater per centage for collecting the same than that specified above; Provided, That such percentage does not exceed fifteen per cent. on the amount so called.

The said amendment was adopted, a stand of the da no d

The said bill, for an act fixing the compensation of members of the Legislative Assembly of the Territory of Colorado, and amendatory of the several acts heretofore passed regulating the fees of officers, jurors and witnesses, was a bias to beauti

Read a third time and put upon its passage. at shald bacoos The question being on the passage of the bill,

The ayes and noes were called for and of beyond piaro AM

Those voting in the affirmative were, was saw notion and To

Messrs. Craig, Ehrhardt, Hopkins, Lake, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Baxter, Brendlinger, Clark and Mr. Speaker m out bas teol any notion sid I

Those voting in the negative were,

Messrs. Holland, Lynch, Worrall and Mr. Stiles. Absent-Mr. Tyler. and abe but not notices the exist

That there shall be no money drawn from the tr 51-esy he

Territory, by said commissioners until their act sookere andited by a committee of the House of besseq llid adt od ad

Council of the Legislative Assembly and the amounts so found Mr. Holland, from the committee on Military Affairs, reported that said committee had communicated with the commandant of the district, as instructed on Saturday, and have received an answer in which it appears that the passage of the bill, giving a bounty to recruits to fill up the Colorado Regiment, Will not meet the exigency of the case to prevent the institution of martial law, and it is the opinion of your committee that the postponement of this bill for a time will not result in harm to our Territory. Cu motion of Mr. Craig.

Respectfully submitted. Fris yd belenma aw eno notioe?

bun april v duo adina oslA Eof. HOLLAND, Chin, bus D. H. NICHOLS, owt " treeni Mr. Holland RAINS ALIKe out all after the enacting

A communication from D. H. Moffat, jr., Adjutant Genera of Colorado Territory, was received and read, setting forth the number and organization of the volunteer militia. OV 98041

The communication was referred to the committee on Military Affairs, medead all bus sold extended, nosquod I rue, I be tary Affairs, medead all bus sold extended and the control of the control of

H. B. No. 13,

With Council amendments, was taken up for consideration-

On motion of Mr. Holland, radibbs ad zie moitose buom A

It was referred to the committee on Military Affairs.

Mr. Worrall presented a petition from the citizens of Gilpin County, asking for the enactment of a law providing for the investigation of frauds alleged to have been committed by Territorial officers.

H. B. No. 28, moure out, on the amount beex so the seek

For an act to create a commission for the purpose of investigating charges of fraud,

by Was taken up for consideration. Admess a switchised out to

Mr. Worrall moved to fill the first blank occurring in section three, of said bill by inserting the word "eight," and the second blank in said section by inserting the words "twenty cents."

Mr. Craig moved to insert "ten" instead of "twenty."

This motion was carried with evitaments and ni puitov send T

Mr. Hopkins moved to insert the word "three," instead of eight."

This motion was lost, and the motion of Mr. Worrall was

agreed to.

Mr. Stiles offered the following amendment:

Strike out section four and add this : notyT AM-meed A

That there shall be no money drawn from the treasury of the Territory, by said commissioners until their accounts are audited by a committee of the House of Representatives and Council of the Legislative Assembly and the amounts so found due to them shall be paid by the Treasurer accordingly.

Mr. Worrall moved the following amendments as a substi-

tute for the amendment offered by Mr. Stiles, still and to the

This motion of Mr. Worrall was agreed to.

Mr. Lynch offered the following amendment to section five:

Amend section five by striking out the words "fifteenth day of May," and inserting the words "fifteenth day of September."

This amendment was not agreed to. in an included out and Cu motion of Mr. Craig.

Section one was amended by striking out the word "two," and inserting the word "ore." Also strike out "three" and insert "two."

Mr. Holland moved to strike out all after the enacting clause.

A communication from D. H. Moffat, in notion mummoo A

The ayes and noes were called for way rothers Tobardoo in

Those voting in the affirmative were,
Messrs. Ehrhardt, Holland, Hopkins, Lynch, Nichols, North,
Line, Thompson, Baxter, Stiles and Mr. Speaker.

tion.

6th.

ilpin the dby BELTINE

esti-

tion the enty

was

the

are. nd nd

tie:

ay

nd g

Those voting in the negative were,

Messrs. Craig. Lake, Mansur, Patterson, Stone, Tyler, Wor-The motion was agreed to.

Mr. Brendlinger introduced Plant Demoils 98 golf 9dT

H. B. No. 51,

For an act limiting the operation of an act entitled an act to suppress gambling and gaming houses, approved March 2, 1864, and repealing certain parts of section thirty-one of an act entitled an act to amend an act entitled an act to incorporate the city of Denver, approved March 11, 1864, which was

Read a first and second time, and

Referred to a select committee composed of Messrs. Patterson, Stiles and Hopkins.

Mr. Stone introduced

H. B. No. 52,

For an act relating to powder houses, and magazines, which was read a first and second time and referred to a select committee composed of four members to wit:

Messrs. Mansur, Stone, Worrall and Ehrhardt.

Mr. Craig introduced
H. B. No 53,
For an act to amend an act entitled an act to amend an act Providing for the collection of the revenue, which was

Read a first and second time, and

Referred to the committee on Ways and Means.

Mr. Craig introduced

A memorial and joint resolution, No. 3, asking for an amendment to the Organic Act, which was

Read a first and second time and

Referred to the committee on Territorial Affairs

Mr Patterson moved to adjourn until to-morrow at nine And have amended the same by inserting an m. d. Lost, in the second the of Sec. 5, the follows story of the collections of the

Mr. Lynch, from the committee on Incorporations reported that the committee had considered

H. B. No. 50,

For an act to incorporate Elizabethtown,

And would report the same back to the House and recommend its passage.

Mr. Lynch, from the committee on Enrolment, reported that the committee had examined

H. B. No. 1,

For an act to create the office of flour inspector,
And found the same correctly enrolled And found the same correctly enrolled.

Mr. Lake, from the committee on Engrossment, reported that the committee had examined II. B's Nos, 25 and 29 and On motion of Mr. Brendlinger, found them correctly engrossed.

The House adjourned until 9 o'clock a. m. to-morrow.

### For an act limiting the operation of an act entitled an act to TUESDAY, FEBRUARY 7, 1865.

Prayer by the Chaplain.
Roll called,

Roll called.

Quorum present. besonmon estimates tooles a of bemelest

Journal of yesterday, read, amended and approved.

Mr. Worrall, from the committee on Education, made the following report: For an act relating to sowder houses and

Your committee to whom was referred been talk a been as well mittee composed of tour combers to wit:

H. B. No. 7,

For an act to amend an act to establish the common school

system, approved November 7th, 1861,

And would respectfully report that they have had the same under consideration, and would report the same back to the House, with the recommendation that it do not pass, first and seeded time, and

On motion of Mr. Stiles, Wand banking on the formated The report was adopted.

Mr. Worrall from said committee also made the following report:

Your committee have considered the same and the same and the

on C. B. No. 9, ar of libun unnorba of bovom nografic't alle

And have amended the same by inserting after the word "seventeen," in the second line of Sec. 5, the following: "Of an act to establish the common school system, approved Nov. 7th, 1861," and would recommend that the bill when so amended do pass,

All of which is respectfully submitted. For an act to incorporate Elizabetitic

Mr. Patterson from the committee on Ways and Means reported as follows:

MR. SPEAKER: Your committee to whom was referred H. B. No. 46.

An act for the payment of clerks and other officers of the Legislative Assembly, allores allorios emai editionet but

orted and

Have had the same under consideration, and living ban engin

And beg leave to offer a substitute for the same, and recommend its passage.

Mr. Lake from the committee on printing reported that H. B. Nos. 20 and 23,

Were printed.

Mr. Nichols from the committee on Agriculture submitted the following report: H. B. No. 1. and H. B. Nos. 10, 21, 30, and 4,

Your committee to whom was referred and ment built bak

A bill for an act to amend an act entitled an act for the protection of farmers against the depredations of stock in the counties of Douglas and Weld,

Have had the same under consideration and would report it back to the House with the recommendation that it do pass,

All of which is respectfully submitted.

Mr. Lynch, from the committee on Incorporations made the following report: ... beriefer as w mod w of settimmon moY

The committee on Incorporations report lalloagen bluoW H. B. No. 45, moor and the back it begor bluow bus same.

And recommend its passage snow all mores ed anoisivore ati

H. B. No. 26, bestimdes vibitoscent si daidw lo la slodW

Amended by striking out Sec. 6, and inserting in lieu thereof

Mr. Stone gave nonce that he wor nortes wen gniwellof add

The said corporation shall complete twenty miles of that Portion of said road commencing at or near Garbor's ranche, and running thence southerly into the mountains, within one Year after the passage of this act, and shall complete the whole of said road with the terry over the Rio del Norte, within three years after the passage of this act, and it said company shall tail to construct and complete said road as provided in this section they shall forfeit all right and privileges granted in this March 11th, 1864, act, and the same shall be null and void.

Amend Sec. 8, by striking out the word "twenty" in fifth

line, and insert in lieu thereof the words whirty i'd baer as W

Amend Sec. 10, by inserting after the word "company" in the Mesers. Beventh line, "or any agent thereof," and regardhered areas M

Amend Sec. 13, by striking out the word "twenty" in fourthline and insert in lieu thereof the word thirty the lieu V selits Those voting in the negative were,

H. B. No. 33,

Amend Sec, 13, by striking out in line fifth the word "ten" and insert in lieu thereof the word "twenty."

Amend Sec. 1, by adding thereto the following words to wit: "And if the said corporation shall fail to construct and complete said road as provided in this section, they shall forfeit all the

the

7th.

ame the

ing

ord Of ov. ded

the

rights and privileges granted by this act, and the same shall be And beg leave to offer a substitute for the sam biov biov bun

Mr. Lynch from the committee on Enrollment made the following report: H. B. Nos. 20 and 28.

Your commmittee have examined Council amendments to

H. B. No. 9, and

H. B. Nos. 10, 21, 30, and 4,

And find them correctly enrolled. odw of eastimmes and I

A bill for an act to amend an act Your committee on Judiciary have considered and no noise H. B. No. 35.

For an act in relation to licensing Insurance companies. And report the same back and recommend its passage.

Mr. Worrall from the committee on Education made the following report:

Your committee to whom was referred,

H. B. No. 49,

Would respectfully report that they have considered the same, and would report it back with the recommendation that its provisions be carefully considered in the committee of the Whole, all of which is respectfully submitted.

Mr. Stone gave notice that he would introduce gaiwellof ed

A bill for an act to amend an act entitled an act concerning conveyances of real estate. Is supplemented been blue to doing

On motion of Mr. Stiles, one vised nos eenedt enimer but

H.B. No. 51, and that the rate of the passage out refler and For an act amending the operation of an act to suppress gambling and gambling houses, approved March 2d, 1864, and repealing certain parts of Sec. 31, of an act entitled an act to amend an act to incorporate the city of Denver, approved March 11th, 1864,

Was considered engrossed, and animize vo 8 and bnomA

Was read third time and put upon its passage. Head bus said

Those voting in the affirmative were, and yd .DI .oge bugga A

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, North, Patterson, Pine, Stone, Thompson, Tyler, Stiles, Worall, and Mr. Speaker. 100 rold upil ai riggni ban out-

Those voting in the negative were,

Messrs. Lynch, Mansur, and Nichols. 181, 300 Busin A.

Ayes-17.

Amend Sec. 1, by adding the release to a wing word, I sod buom A The said bill passed. you that that doing on bigs out it bu A"

On motion of Mr. Stiles, noitees sidt at bebryong as been biss

7th.

ll be

fol-

to

ol-

he at he

g

3 d 01

H. B. No. 33,

H. B. No. 35, For an act to repeal sections 17 and 18 of an act entitled an act concerning Licenses, approved November 6th, 1861, Was considered engrossed, and The bill was read a third time and put upon its passage. Those voting in the affirmative were, Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, Tyler, Worrall, and Mr. Speaker. Ayes—19. On motion of Mr. Stone, Noes—0.
The said bill passed. On motion of Mr. Worrall, H. B. No. 6, For an act to repeal so much of an act to establish a Territorial Library and Cabinet, and to create the Territorial Treasarer Librarian of this Territory, Was considered engrossed, and,
Read third time and put upon its passage.
The question being on the passage of said bill, The ayes and noes were called for, agameone of tos us no l Those voting in the affirmative were, Messrs, Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, Tyler, Worrall, and Mr. Excepting the words "or which may bereafter," and reasen Ayes 20, s and also that part the Council do not agree to the safe, sey Noes-0. So the said bill passed. pg syad affed figured guiwoffol ed I On motion of Mr. Lynch, The report of the committee on
H. B. No. 50,
Was adopted and the bill filed with the general orders. On motion of Mr. Mansur, The report of the committee on only gaine ingoings to a as 10 % H. B. No. 48, Was adopted, On motion of Mr. Stiles, lod succeed tididord of the as not the H. B. No. 39, For an act to incorporate the Platte Ditch Company, Was indefinitely postponed. C. B. No. 21. The report of the committee on son as buents of see us roll H. B. No. 28, On motion of Mr. Stone, Weld and Don Was adopted, and the bill considered engrossed.

The report of the committee on an busine of jes as roll

militia of Colorado Territory.

H. B. No. 35, Was adopted On motion of Mr. Mansur, 71 anoitoes leeger of ton as roll

And the bill considered engrossed agas, seemed a minrouse of Mr. Craig, moved that

Mr. Craig, moved that
H. B. No. 47.

For an act for an appropriation to assist in erecting a bridge over Clear Creek at Golden City,

Be indefinitely postponed:

Be indefinitely postponed: Western Tyler, Western and John Maries, Stone, Thompson, Tyler, Western and John Maries, Stone, S

Motion not agreed to. On motion of Mr. Stone,

The report of the committee on said bill was adopted, Message from the Council: On motion of Mr. Worrall

MR. SPEAKER: -I am instructed to inform the House that the Council has passed the following bills, with their accompanying amendments: drer Librarian of this Territory,

H. B. No. 24.

For an act to incorporate the Turkey Creek and South Park and Company. C. B. No. 22, Ilid bias to egasage of the pair of no restion being of The question being on the passage of the pair of the pai

For an act to encourage prospecting for quartz ledes and her purposes. Messrs, Brendlinger, Eaxter, Clark, Craig, Ehrhardt, Hosel

The Council has concurred in House amendments to

Excepting the words "or which may hereafter," and Sec. and also that part the Council do not agree to the same,

The following Council bills have passed the Council and C. B. No. 17,

For an act to amend an act incorporating the Park Junction, Georgia and French Gulch Road Company, approved November 6th 1864. On motion of Mr. Mansur,

C. B. No. 18,

For an act appropriating the proceeds of fines to the support D. No. 48 of schools. Was adopted.

C. B. No. 20,

For an act to prohibit persons holding office under municipal corporations from entering into contracts with such corporations rations, and for other purposes. I self startographic of tea as 10 Was indefinitely postponed.

C. B. No. 21.

For an act to amend an act entitled an act for the protection of farmers against the depredations of stock in the counties of Weld and Douglas. C. B. No. 23, sadopted, and the bill considered engrosses, and the bill considered engrosses, and the bill considered engrouses.

For an act to amend an act entitled an act to organize the H. B. NS, 33. militia of Colorado Territory.

WITTER. B 707

HOD top Was The

ridge Mess Stiles,

917 that ccom-[ Isino

Park and

Mes ec. 8.

tion, vem-

STE

8 W port

nicirp6tion

estot W the

On motion of Mr. Worrall, The House adjourned until two o'clock p. m. .02-aoyA Noes-0.

So the said bill passes and lid biss of the On motion of Mr. Short

House met pursuant to adjournment univioding etoy of T Roll called. On motion of Mr. Lake, The Sergeant at Arms was in line Council : Message from the Council : Message from the Council : Description of the Council : Oentral City, for the documents heretofore and the council :

MR. SPEAKER: I am instructed to inform the House that the Council has passed the following bills.
H. B. No. 41,

For an act to amend an act requiring clerks of the District Courts to give bond, approved August 15th, 1862. 701.8.0

H. B. No. 51, For an act limiting the operation of an act entitled an act to suppress gambling and gambling houses, approved March 2d. 1864, and repealing certain parts of Sec. 31, of an act entitled an act to amend an act entitled an act to incorporate the city of Denver, approved March 11th, 1864. At H 101 8 17 Also.

Also.

The Council has passed. C, J. R. No. 4, A Preamble and Resolution of thanks to the citizens of Boulder county.

On motion of Mr. Holland, Business from the Council was taken up for consideration.
On motion of Mr. Stone,

The Sergeant-at-Arms was authorized to deputize some person to go to Central City for the copies of the Governor's Message and accompanying documents, that have been ordered to be printed for the use of the Legislative Assembly.

On motion of Mr. Stone, The House receded from House amendments to our eff

C. B. No. 120 and month of the desired and the Country, asking an amendment to the charter 48 No. 48 H. B. No. 48,

For an act to amend an act entitled an act to incorporate the Consolidated Ditch Company. corporations.

Was considered engrossed,

Was read a third time and put upon its passage.

Those voting in the affirmative were,

Messrs. Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine Stone, Thompson, Tyler, Worrall, Brendlinger, Baxter, Clark, Stiles, and Mr. Speaker. one of an aet entitled an act to amend an act to incorrected

Ayes-20. .m q Joolo'o ewt littu ben'noibs eanoH en'T

Noes-0. So the said bill passed.

On motion of Mr. Stone,

The vote authorizing the Sergeant-at-Arms to appoint a dep uty to go to Central City, was reconsidered.

On motion of Mr. Lake,

The Sergeant-at-Arms was instructed to proceed, himself, to Central City, for the documents heretofore ordered to be printed for the use of the Legislative Assembly.

Mr. Lynch, from the committee on Enrolment, reported that the committee had examined to a busines of tes us to !

C. S. for H. B. No. 3, angu A bevorage band svig of samo

For an act limiting the operation of A. of B. No. 4. to

bol C. B's Nos. 8, 10, 13 and 14, and man bas gailed as seen and

Also, C. S. for H. J. R. No. 2, And find the same correctly enrolled.

Mr. Worrall, from the committee on Education, reported that the committee had examined H. B. No. 6, and would report the same back to the House without amendment with the recommendation that it do pass.

Mr. Worrall, from the committee on Education, reported that the committee have had under consideration C. B. No. 15, and would respectfully report that as the ground to be covered by said bill has been covered by another in the hands of the committee, they would recommend that it do pass.

On motion of Mr. Thompson,

The report was adopted.

Mr. Mansur presented a petition from the citizens of Gilpin county, asking an amendment to the charter of the consolidated Ditch Company.

The petition was read and referred to the committee on in

corporations.

Mr. Patterson from the select committee to whom was referred H. B. No. 51, reported that the committee had examined H. B. No. 51,

For an act limiting the operation of an act entitled an act to suppress gambling and repeal certain parts of section thirtyone of an act entitled an act to amend an act to incorporate the a dep-

MT

ry 7th.

elf, to

d that

orted ould with

rted 15, ered the

pin ida-

infer-

ty-

City of Denver, and would ask leave to report the same back to the House without amendment, and recommend its passage.

Mr. Stone made the following report:

Your select committee to whom was referred H. B. No. 52, relating to powder houses, beg leave to report the same back and recommend its passage without amendment.

H. B. No. 25,

For an act to amend an act entitled an act regulating elections, approved Nov. 6, 1861,

Was read a third time and put upon its passage.

The question being upon the passage of the bill,

Those voting in the affirmative were.

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Pine, Stiles, Stone, Thompson, Tyler, Worrall and Mr. Speaker.

Absent—Mr. Patterson.

So the said bill passed.

H. B. No. 33,

For an act to incorporate the Overland Wagon Road Company, was

Read a third time and put upon its passage.

The question being upon the passage of the bill,

The ayes and noes were called for. had oved continuous and Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Hopkins, Lake, Lynch, Mansur, Nichols, North, Pine, Stone, Thompson, Tyler, Wørrall, and Mr. Speaker.

Mr. Stiles voted in the negative.

Absent-Messrs. Holland, and Patterson.

So the bill passed, belilias to a as busines of the me and the H. B. No. 26, 381 3 .70% becomes of the lear to second

For an act to incorporate the Denver and San Luis Valley Wagon Road Company, was

Read third time and put upon its passage.

The question being on the passage of the bill,
The ayes and noes were called for,

Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, Tyler, Worrall, and Mr. Speaker.

Absent—Mr. Lynch.
The said bill passed,
H. B. No. 45,

H. B. No. 25,

Febr

F

R

R

H OR

a bi I

> [1] 1

> > 8]

ves

cia

as

al

whi

of For an act amendatory of an act to incorporate the Enterprise the House without amendment, say, expanding Noor Road Wagon Road Company, expanding the House without amendment, say, expanding the House without amendment and the House with Read a third time, and Put upon its passage.

The question being upon the passage of the bill, The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark. Ehrhardt, Holland, Hopkins, Lake, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, Tyler, Worrall and Mr. Speaker.

Absent-Messrs. Craig and Lynch.

For an act to amend an act entitled bessed bill passed believed an act to a mend an act to a mend and a mend and a mend and a mend a me

tions, approved Nov. 6, 1861, H. B. No. 29, For an act to encourage the formation and equipment of vol-The question being upon the passagesw with interest on the passages of the pas

Read a third time and put upon its passage andov send bacThe question being on the passage of the bill, II . sread M. Hopkins, Lake, Lynch, rot balled for dayle said said Those voting in the affirmative were, I noagmont, another

Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Tyler, Worrall and Mr. Speaker A. H. -mo Absent-Messrs. Craig and Stiles requestre of the na roll

So the said bill passed.

Read a third time and put upon its passage. Mr. Stone, from the committee on Judiciary, reported that the committee have had under consideration; bus says and

Those voting in the affirmative were, . 43, ... -golfor an act to prevent the qualifications of jurors, analy. and beg leave to report the same back without recommendation, and report a substitute bill therefor, and recommend lits passage.

They also beg leave to report a bill off .aras M-mead A For an act to amend an act entitled an act concerning conveyances of real estate, approved Nov. 5, 1861, and recommend For an act to incorporate the Denver and San agassad alley Wagon Road Company, was

The report was adopted i nogu tug bus smit bridt bash Mr. Worrall, from the select committee to whom was referred H. J. R. No. 3, entitled a joint resolution and memorial to Congress, asking for an amendment to the Organic Act, report led that they have had the same under consideration and would ereport the same back to the House without amendment, with the recommendation that it pass, T. lesquot Thompson, T. lesquot Thompson, T. lesquit and T. les

All of which is respectfully submitted. and all of which is respectfully submitted. The said bill passed, th.

ise

8.

For an act to organize the militia of Colorado Territory, Amended by striking out all after the enacting clasw dordw substituting as appended, Read a first and second time and Referred to the committee of the Whole. Senot vd ogsess T H. B. No. 46. H. B. No. 43. Reported by the committee on Judiciary, as a substitute for a bill to define the qualifications of jurors, was not mail and as Read a first and second time, and sown not have been self. H. B. No. 55, For an act to amend an act entitled an act concerning conveyances of real estate, reported by the committee on Judies ever it occurs in the bill and title. ciary, was Read a first and second time, and or sevoll edt vd ansassa T H. B. No. v. Central City charter, srabro largen H Amended by striking out all after the word, 16:10N . He Reported by the committee on Agriculture, was ortons brooms Read a first and second time, and guidton brow addended Filed with general orders. Mr. Pine offered a petition from the citizens of Gilpin county asking for the enactment of a law in relation to prospecting and mining, which was read and Referred to the committee on mines and minerals. Mr. Nichols moved to adopt the MarroW .TM to notion of The House resolved itself into a committee of the whole, to This motion was lost. . On the rising of the committee, ... smit bridt edr beer bas The House was called to order. Stiles, and to noitom no Mr. Holland's motion was amend, and I'm of noitom no The House concurred in Council amendment toogs out obsm The following message was received from the C.on. H. For an act to incorporate the Denver, Turkey Creek and South Park Road Company. MR. SPHAKER: I am instructed toslodoin I'M To noitom of The House adjourned until 7 o'clock p. m. beesed and finuo0 For an act to incorporalnorses orners and Clear Creek Rail road Company, with the accompanying amendments:

House met pursuant to adjournment. Roll called.

Absent Messrs. Craig and Tyler terographic ot as as as Tol Mr. Holland, from the committee of the Whole, submitted Mr. Hopkins moved to amend the sevent troops griwoflot and out the word "ten," and inserting the word "five

The committee of the whole beg leave to report that they have considered H. B's as follows: MerroW . M To notion at

H. B. No. 32, tolo ) to sitiliar off exinagro of tes us now Amended by striking out all after the enacting clause, and substituting as appended, bus omit buoose bus derift a bas A

Passage by House recommended. estimmos edt of berrete.

H. B. No. 46,

Amend first section by inserting four dollars instead of three as per diem for chaplain.

Also amend section two, as appended, relating to messenger,

II. B. No. 47,

Amended by striking out the first section and inserting as appended. Also by striking out the word "Jefferson" whereever it occurs in the bill and title.

Passasge by the House recommended for his hand

H. B. No. 11, Central City charter, are bro Jarenez driw belief

Amended by striking out all after the word "city," in the second section. Also the eighth section by striking out all before the word "nothing" in the fourth line and recommend that it do pass. that it do pass.

v. H. B. No. 52, and the office of the pass of the pass.

Reported back without amendment and recommend its passage.

Mr. Nichols moved to adopt the report of the committee of the whole on H. B. No. 47. a offit fleely bevious eartoH of T

This motion was lost.

Mr. Holland moved that the bill be considered engrossed od read the third time.

On motion of Mr. Stiles, Applied of believe we we spoll of T and read the third time.

Mr. Holland's motion was amended and the said bill was made the special order for to-morrow at two o'clock. Golf off

The following message was received from the Council, per Mr. Allen, Assistant clerk: (1 ad) statographic of the na re

MR. SPEAKER: I am instructed to inform the House that the Council has passed my dools of little bearnoids esuch edT

H. B. No. 11,

For an act to incorporate the Colorado and Clear Creek Rail road Company, with the accompanying amendments:

H. B. No. 32,

For an act to incorporate the Colorado Iron, Engine and Mill Manufacturing Company, was taken up for consideration.

Mr. Hopkins moved to amend the seventh section by striking out the word "ten," and inserting the word "five."

This motion was lost. I god slong and to sentimmes oul

On motion of Mr. Worrall, evolled as all . H berebisgog eved

The If 8 to hav Within

Febru

On The A. O. On The

Res Th Th Th Me

Mans Wor Th Me A

80 Or Th an ac H

F take M T 0 T

0 T T eity Pass

0

BTTT Ma h.

d

The following was added as an additional section: If said company shall not have erected their buildings so as to have commenced their operations contemplated in this act within five years, then this act shall be null and void. I are On motion of Mr. Stiles, The name of C. M. Tyler was stricken out of said bill and 4. O. Patterson inserted in lieu thereof. M. M. to no from a O On motion of Mr. Holland, to settimmoo adt to treger of The said bill was considered engrossed and H. B. No. 46, Read a third time, and put upon its passage. of for us to I The question being on the passage of said bill, and to ersonito The ayes and noes were called for. Was adopted. Those voting in the affirmative were, all and to notion no Messrs. Clark, Ehrhardt, Holland, Hopkins, Lake, Lynch. Mansur, North, Patterson, Pine, Stone, Thompson, Tyler and Worrall sees at noguring bus smit bridt a bast saw life of T Those voting in the negative were, noun guied noiseup ed? Messrs. Brendlinger, Baxter, Nichols, Stiles and Mr. Speaker. Those voting in the affirmative were, giard .rM thead Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Holkf des Krins, Lake, Lynch, Mansur, Nichols, North, Patters 30 eson. Stiles, Stone, Thompson, Tyler. Worralbasseq Hid biss ant o8 On motion of Mr. Stone, giarO TM-Jused A The title was amended by striking out the words i entitled an act." H. B. No. 52, The said bill passed. For an act in relation to powder houses and magazines, was taken up for consideration no 101 qu nexts as 11.00 a. H Mr. Brendlinger moved to refer said bill to a select committee. This motion was lost. On motion of Mr. Holland, This motion was lost. The report of the committee of the Whole was adopted. O On motion of Mr. Brendlinger, saw saund ad to sause of T The bill was amended as tollows in saluald and flid of guidees That powder houses now within the corporate limits of any city or town shall be subject to such ordinances as are now Passed or may be passed regulating the same on sauoH ofT On motion of Mr. Stone, The rule was suspended and the said bill. M to noiton at Was considered engrossed, and, .bennuojba sewoH adT Read third time and put upon its passage. The question being upon the passage of the bill,

Those voting in the affirmative were, Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Hopkins, Lake, Mansur, Nichols, North, Patterson, Pine, Stone, Stiles, Tyler, Thompson, Worrall and Mr. Speaker. Boll called.

The ayes and noes were called for.

Febr

Jo

C

F

N mer

1

me

M

-3

H

dist

Arres

The following was added as an additional section: Those voting in the negative were, on Hade vasquios bias il Messrs. Holland and Lynch iterego ried beenemmos evad of Within five years, then this act shall be null and void! - sya On motion of Mr. Stiles, Noes-2. So the said bill passed sine saw selver . M. O to sman off On motion of Mr. Mansur, it neil ni betresni nostetta O. The report of the committee of the Whole, on onton no. H. B. No. 46, bus bessering berebished say lid bigs sher For an act to provide for the payment of clerks and other officers of the Legislative Assembly, it no said noisemp adT The ayes and noes were called for. Was adopted. On motion of Mr. Mansur, evitements edt ai guitov esodT The rules were suspended and the billdand Arall Arasas. Mansur, North, Patterson, Pine, Shessorgne berebishoo as Mel The bill was read a third time and put upon its passage. The question being upon the passage of the bill, you and I The ayes and noes were called for xell regulingers. areas M. Those voting in the affirmative were, Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, Tyler, Worrall, and Mr. Speaker. On motion of Mr. Stone, Absent-Mr. Craig. The title was amended by striking out the word ! essy Ad Noes-0. H. B. No. 52. The said bill passed. On motion of Mr. Pine, of rowder to nortaler ni tos na roll H. B. No. 11 was taken up for consideration no rol au no de Mr. Patterson moved to refer said bill to the committee on This motion was lost Incorporations. On motion of Mr. Holland, This motion was lost. On motion of Mr. Maneur, to estimate of the report of The sense of the house was taken as to the propriety of proceeding to fill the blanks in section eight of said bill. Id of It was decided against filling said blanks non ashwon tad? On motion of Mr. Stiles, and topidus and light away to said.

The House concurred in the Council amendments to said.

bill. On motion of Mr. Pine, as and the behingens saw sull and The House adjourned. Read third time and put upon its passage.

## The guestion being upon the passage of the bill, The guest of the bill, WEDNESDAY, FEBRUARY 8, 1865, 1865, Those voting the bill, the guestion of the guestion of the guestion of the bill, the guestion of the guesti

On motion of Mr. Stone,

Was considered engressed, and,

Messrs, Brendlinger, Saxter, Clark Ehrhardt, Hopkins, bak House met pursuant to adjournment, North, stodoit , rusall Prayer by the Chaplain. Speaker and In Mental W. nosqued Boll called.

th. st 05

With

0

F

1.6

00

er

834

e,

353

Journal read and approved belled were east and approved belled were east and approved belled were called the same and approved belled to the same and approved to the same Those voting in the affirmative wor stremmental formation Messrs. Baxter, Clark, Hopkins, Lak, I. No. 1, No. 1, S. for C. B. No. 1,

For an act to divide the Territory of Colorado into judicial districts and to provide for the holding of courts in the same Were taken up for consideration. Tognilloned .stead

Mr. Lynch moved that the House recede from its disagree-Aves-10.

ment to Council amendment.

The ayes and noes were called for.

Those voting in the affirmative were, of beergs notion Messrs. Baxter, Clark, Lake, Lynch, Nichols, North, Patter-

son, Tyler, and Mr. Speaker.

Those voting in the negative were, that beyond and all Messrs. Brendlinger, Craig, Ehrhardt, Holland, Hopkins, Mansur, Pine, Stone, Thompson, and Worralloque ed of and Ayes—9.

The aves and nays being called for, ma seton Noes-10. Mr. Stiles was excused from voting a odt ai ganov saon T

Mr. Hopkins moved to reconsider the vote. amon't enorg Mr. Stone moved to lay that motion on the table.

Messrs. Baxter, Clark, Hopkins, Lake, Lynch, Nichol stolling The question recurring on Mr. Hopkins motion, and and all all and a state of the control of the

The ayes and noes were called for.

Those voting in the affirmative were,
Messrs. Baxter, Clark, Hopkins, Lake, Lynch, Nichols,
North, Patterson, Tyler, and Mr. Speaker.

Those voting in the negative,
Messrs. Brendlinger, Craig, Ehrhardt, Holland, Mansur,
Pine, Stone, Thompson, and Worrall.

Ayes—10.

Noes—9.

Motion lost.

While the last vote was being taken, Mr. Stone moved a call of the House.

The following members answered to their names:

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, North, Nichols, Patterson, Pine, Stiles, Stone, Thompson, Tyler, Worrall, and Mr. Speaker.

Absent-Mr. Mansurgamuruojba of thanking fam acroll The Sergeant-at Arms was instructed to bring in Mr. Mansur, Quorum present. which was accordingly done, and

On motion of Mr. Patterson, beimogna appeared The Speaker appointed

Further proceedings under this call was dispensed with. Mr. Hopkins moved that the House recede from its disagree ments to the Council amendments, oldmard liourol and . zons of Bon der county,

Line

Ho

Th ,000

1

Co

said

ser

or

in

lic

Quorum present.

ment to Conneil amendment.

The aves and noes were called for.

The ayes and noes were called for.

Those voting in the affirmative were,..

The ayes and noes were called for orgas bus been languot

Those voting in the affirmative were, Messrs. Baxter, Clark, Hopkins, Lake, Lynch, Nichols, North, Patterson Tyler, and Mr. Speaker, odt shivib of ton as roll

Those voting in the negative were, Messrs. Brendlinger, Craig, Ehrhardt, Holland, Mansur, Pine, Stone, Thompson, and Worrall, and beyon dony. I .. M.

Ayes-10. Noes-9.

Motion agreed to. Mr. Speak

Mr. Pine moved that the Council be requested to appoint two members of the Council to act in conjunction with three mem bers to be appointed on the part of the House as a committee of conference on Council amendments to H. S. for C. B. No. 1.

The ayes and nays being called for,

Those voting in the affirmative were, Messrs. Bredlinger, Craig, Ehrhardt, Holland, Mansur, Pine, Stone, Thompson, Worrall and Mr. Speaker and Speaker and Mr. S

Those voting in the negative were, Messrs. Baxter, Clark, Hopkins, Lake, Lynch, Nichols, North, Patterson, and Tyler nixqoH . M no guirruser noitseup ed

Ayes-10 Noea-9

Messrs, Baxter, Clark, Hopkins, Latot bearga noito Mois, Mr. Patterson introduced the following resolution:

Resolved, That the committee on Ways and Means be instructed to inquire into the expediency of drafting an authorizing the issue of Territorial bonds as a bounty to soldiers who may volunteer in the defense of this Territory against the hostile Indians.

On motion of Mr. Worrall, anied saw stov tasl edislidW The House adjourned until 2 o clock p. m. gniwollor ad T

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lak, Nolszaz, Moonsattkichols, Patterson, Pine,

Stiles, Stone, Thompson, Tyler, Worrall, and Mr. Spenker. House met pursuant to adjournment sand .TM--insed A The Sergeant at Arms was instructed to bring belks lloR ar.

Quorum present.

The Speaker appointed

which was accordingly done, and On motion of Mr. Patterson, be-Messrs. Pine, Holland, and Lake on the committee of Conerence on Council amendments to H. S. for C. B. No. 1.

The Council Preamble and Resolution of thanks to the citte zens of Boulder county,

th.

VO.

n.

ee

1.

Read first and second time and put upon its passage.

Those voting in the affirmative were, anoqua intoo of softim

Messrs. Brendlinger, Baxter, Clark, Uraig, Ehrhardt, Holland, Hopkins, Lake, Mansur, North, Patterson, Pine, Stiles, Stone, Thompson, Worall, and Mr. Speaker. Hound ent tadt oslA

C. B. No. 27, Property of a special tax in Asson oo.

Mr. Nichols was excused from voting lear Oreal normality

The said resolution passed.

Message from the Council: MR. SPEAKER: I am instructed to inform the House that the Council has passed the following House bills: next as W On motion of

H. B. No. 44,

For an act to authorize the county commissioners of the several counties, in Colorado Territory, to procure copies of the original field notes, and plats of surveys of all lands surveyed in their respective counties. On motion of Mr. Mansur,

H. B. No. 35,

For an act to repeal Sec. 17 and 18 of an act concerning licenses, approved November 5th, 1861.

H. B. No. 31,

For an act concerning fences, approved March 7th, 1864.

For an act to encourage the formation and equipment of Volunteer companies.

For an act to amend an act entitled an act regulating elections, Read first and second time and refer to the s

For an act to repeal so much of an act to establish a Territorial Library and Cabinet and to make the Territorial Treasurer Librarian of this Territory, one sand buoses bus said bask

H. B. No. 48,

For an act to amend an act entitled an act to incorporate the Enterprise Wagon Road Company, approved Oct. 3. 1861. Also the following Council bills:

C. B. No. 25,

For an act to repeal an act entitled an act to incorporate the Colorade and Pacific Wagon, Telegraph and Hailroad Company, C. B. No. 24. of berrefer bue amit broses bus trif beed

For an act to amend an act entitled an act prescribing rules and regulations of the Trusts arising under the act of Congress, entitled an act for the relief of citizens of towns open lands of the United States under certain circumstances. Montagroom

I am also instructed to inform the House that the Council

has complied with the request of the House to appoint a committee to confer upon the amendments to H. S. for C. B. No. 1, and appointed Messrs. Berry and Hallett, members of the Council to act on that committee. My guanal sala anisque! Also that the Council has passed M has Maro W nosquood!

C. B. No. 27, For an act authorizing the levy of a special tax in Arapahoe, Jefferson, Clear Creek, and Gilpin counties.

The said resolution passed. On motion of Mr. Worrall, Mr. Thompson was granted leave of absence.

Was taken up for consideration for the state of the was taken up for consideration for the state of the state On motion of Mr. Patterson,

The words "county of Jefferson," were stricken out of said

On motion of Mr. Stiles,

The words "Arapahoe county" were stricken out.

On motion of Mr. Mansur, But The bill was indefinitely postponed. In the bill was indefinitely postponed.

Mr. Pine introduced 1381 And redmsvoll bevorggs seensoil H. B. No. 58,

H. B. No. 81. For an act concerning county officers, Read first and second time and referred to the committee on

To Judiciary of the northenrol ed agenciant of the real of the companies. Read first and second time and referred to the committee on

Incorporations, or too us belitted too us business of too us no. 10. C. B. No. 18, Read first and second time and referred to the committee on

Education.

C. B. No. 21,

Read first and second time and referred to the committee on Agriculture. H. B. No 48.

C. B. No. 20.
Read first and second time and referred to the committee on Also the following Council bills: Military Affairs.

Read first and second time and referred to the committee on Colorado and Pacific Wagon, Telegraph and sendroground

Read first and second time and referred to the committee on C. B. No. 24, Ways and Means, on beliling ton us buenns of the us no

C. B. No. 25,

Read first and second time and referred to the committee on Incorporations.

Mr. Lynch from the committee on Incorporations reported

as follows;

中中 F Ark E

Febr

TIV.

o pr Was

H

the 1 -10

foll

m

he

90,

id

11

Was taken up for consideration.

Your committee on Incorporations beg leave to report portion which relates to public schools. H. B. No. 38 For an act to incorporate the Trinidad and Raton Mountain thus amended was agreed to. Wagon Road, H. B. No. 49. Also, For an act to amend an act entitled an act to into one Be.He

For an act to amend an act entitled an act to incorporate the Arkansas, Pueblo and Fountaine qui Bouille Ditch Company. Back to the Housel without amendment and recommend their passage, lid and to exacan and nous anied noiseup and All of which is respectfully submitted. we seen bins says odT Those voting in the affirmative were,

Mr. Lynch from the committee on Enrolled Bills, made the land, Hopkins, Lake, Lynch, Mansur, Nichols, N. Groder griwolled Pine, Stiles, Stone, Tyler, Worrall, and Mr. Speaker.

Your committee have examined H. B. Nos. 41 and 24. and C. B. Nos. 11 and 2, .0—seo M. And found the same correctly enrolled. beesag lid biss edT

Read a first and second time; On motion of Mr. Worrall, On motion of Mr. Worrall, H. B. No. For an act to encourage emigration, is to noises trait of

Was taken from the table and referred to the select com-On motion of Mr. Stiles, mittee on Emigration. The rules were suspended and the bibourous were The rules were suspended and the rules were suspended in the rules

On motion of Mr. Stiles. H. B. No. 57, For an act to amend an act entitled an act to incorporate the On motion of Mr. Stiles, city of Black Hawk.

Read the first and second time, and bias to notices terified I On motion of Mr. Lake Do brow eds rafter "Roulder" brow The rules was suspended the bill considered engrossed, no Read a third time and put upon its passage saw solur onT

Those voting in the affirmative were, Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone Tyler, and Mr. Speaker mit brids a basil Those voting in the hegative were, in guisd notiseup and

I'Mr. Worrall. Tiggs yere called for. Those voting in the affirmative were. Aves-18, Mesers. Brendlinger, Baxter, Clark, Craig, Ehrhard Heson Hopkins, Lake, Lynch, Mansur, Nibesag Ilid bias os bnA

Pine, Stiles, Stone, Tyler, Worrall selist InM to notion at Ayes-19. Captain Scudder was invited within the bar. Noes-0. H. B. No. 49. So the said bill passed.

Mr. Lake moved to adopt the report of the committee of the Whole on said bill.

Mr. Worrall moved to amend by adopting all except that portion which relates to public schools.

Mr. Worrall's motion agreed to, and the motion of Mr. Lake

thus amended was agreed to.

H. B. No. 49.

For an act to amend an act entitled an act to incorporate the city of Central, approved March 11, 1864, name of the ne to d

Arkansas, Pueblo and Fountains on passorgus barahisnos as W

Was read third time and put upon its passage. of to don't

The question being upon the passage of the bill, onsesso nied

The ayes and noes were called for thoogen at holdw to IlA Those voting in the affirmative were,

Messrs, Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Tyler, Worrall, and Mr. Speaker.

I our committee have examined

Ayes-19.

H. B. Nos. 41 and 24, and C. B. Nos. 11 and 2. The said bill passed. bellower of the same out bound but

C. B. No. 27,

Read a first and second time, MarroW. AM to noitom nO On motion of Mr. Worrall,

The first section of said bill was amended by inserting the words "not more than" in fourth line before the word "one."

On motion of Mr. Stiles,

The rules were suspended and the bill read the third time, On motion of Mr. Stiles,

The last motion was reconsidered, and busine of the ne roll

On motion of Mr. Stiles,

city of Black Hawk. The first section of said bill was amended by inserting the word "Roulder" after the word "Gilpin." all to noiton ao

The rules was suspended the bill asslits. Mr. Stiles of the pill of the rules was suspended the bill of the rules was suspended the bill of the rules was suspended the bill of the rules was suspended to be rules as the rules of the rules was suspended to be rules of the rules o

The rules was suspended, and, a sug bas easist brids a bask

C. B. No. 27, For an act authorizing the levy of a special tax in Arapahoe, Jefferson, Clear Creek, and Gilpin county, J. John J. Milgoll

Read a third time and put upon its passage. The seline sail

The question being on the passage of the bill, mitov send? Mr. Worrall.

The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Tyler, Worrall and Mr. Speaker.

Captain Scudder was invited within the bar.

Ayes-19. Noes-0.

Mr. Lake moved to adopt the report of the committee of the Whole on said bill.

H. B. No. 49.

To t

Febr

M

SI day A ceed

> the Octo A Den

A A larg BA

A tric

Par

W

Message from the Governor:

EXECUTIVE DEPARTMENT, C, T. February 8th, 1865.

To the Honorable Speaker of the House of Representatives: 39 010

SIR :-- I have the honor to inform the House that I have this day approved and signed the following bills:

An act amendatory of an act regulating the mode of pro-

ceeding in replevin, approved March 3, 1864.

An act amendatory of an act entitled an act to incorporate the Denver, Bradford and Blue River Road Company, approved October 16, 1861.

An act to incorporate the Masonic Hall Association of

Denver, Colorado Territory.

An act to create the office of Flour Inspector.

An act to restrain sheep, hogs, and stallions from running at large. The special order for this hone was three up for con oals

An act to change the name of Lewis G. Page.

An act to amend an act entitled an act requiring clerks of district courts to give bond, approved August 15, 1862.

Also.

An act to incorporate the Denver, Turkey Creek and South On rising of the committee the Hous-Park Road Company.

Very Respectfully, di mort spaces M Your Obd't Servant,

S. H. ELBERT, Acting Governor C. T.

said bill be sent to the Conneil

Message from the Council:

MR. SPEAKER: I am instructed to inform the House that the Council does not agree to the amendment proposed by the House of Representatives in the second line of Sec. 1. ogot gainollot

For an act authorizing the levy of a special tax in Arapahoe,

Jefferson, Clear Creek, and Gilpin counties.

And that the Council has concurred in the amendments of the House to the fourth line of said section one, whereby the Words "not more than" are inserted in said fourth line.

Mr. Pine from the committee of Conference submitted the On motion of Mr. Nichols, The House receded from the House amendments first menon motion of Mr. Lynch,

Feb

that san

the way

COL

REO

170

The House resolved itself into a committee of the Whole on the general orders. Mr. Lynch in the chair.

On the rising of the committee the House was called to order.

On motion of Mr. Patterson,

H. B. No. 49,

For an act to create a fund for the benefit of schools, Was made the special order for this evening at 7 o'clock. On motion of Mr. Stiles, On motion of Mr. Stiles,
The House adjourned until 7 o'clock p. m.

## he Denver Bradere and . Night SESSION. Des Brother . syne of

House met pursuant to adjournment. Denver, Colorado Territory. Roll called.

An act to create the office of Flour Inspectnesser of the nA On motion of Mr. Stiles, as spen goods giarles of toe al

H. B. No. 49,

The special order for this hour was taken up for considera-

On motion of Mr. Worrall,

The said bill was postponed until after the consideration of H. B. No. 1!,

For an act to encourage prospecting, amending ---On rising of the committee the House was called to order. Message from the Council.

MR. SPEAKER: - I am instructed to return

H. B. No. 46,

To the House with the request that an engrossed copy of said bill be sent to the Council.

Mr. Nichols from the committee of the Whole made the following report: bed to out brooms offent sevitatues organ 10

For an act authorizing the levy of a special tix in Arapahoe, Your committee have had under consideration of monotone

H. B. No. 19, and me between and linnuo ed sadt bak

And have made some progress and ask leave to sit again.

Words was more than are inserted in said fourth inc. Mr. Pine from the committee of Conference submitted the On motion of Mir. Nichols, following report: The House receded from the House amendments first men-

The committee of Conference on done and to notion and

H. S. for C. B. No. 1,

Have performed the duties assigned them, and recommend

h.

n

to

that the House agree to the Council amendments to the

same. a vinta uper ton as bei Your committee are of the opinion that the difference between the House and the Council cannot be harmonized in any other way, and for the purpose of re-districting the Territory your committee have been led to make this recommendation.

B. F. PINE, Ch'n. BENJ. LAKE. of ont about a solution of the House,

M. HALLET, R. BERRY, On the part of the Council.

Mr. Tyler moved to adopt the report. Bhommoven breadend omas On this motion, The aves and noes were called for, Those voting in the affirmative were,

Messrs. Baxter, Clark, Holland, Hopkins, Lynch, Mansur, Nichols, North, Patterson, Pine, Tyler, and Mr. Speaker.

Those voting in the negative were, Messrs, Brendlinger, Ehrhardt, Stone, and Worrall. On motion of Mr. Patterson, The House adjourned.

approved Nov. in deal, and second, the small hack without

## THURSDAY, FEBRUARY 9, 1865.

all and ment and recommended its massers.

dinner selim some zerhod signastinori e tos necesta Roll called.

Absent-Messrs. Clark, Craig, North, Tyler and Thompsor. The following message was received from the Governor:

EXECUTIVE DEPARTMENT, C. T. Too bacries has many the February 9th, 1865.

To the Honorable Speaker of the House of Representatives:

SIR: I have the honor to inform the House that I have this

day approved and signed the following bills: 20 400 10 400

An act to authorize the county commissioners of the several counties in Colorado Territory to procure copies of the original field notes and plats of surveys of all lands surveyed in their respective counties.

An act to encourage the formation and equipment of volun-

teer companies.

a

8

An act to amend an act entitled an act regulating elections, approved Nov. 6, 1861.

Very respectfully,
Your obedient servant,

S. H. ELBERT, Acting Governor of Colorado.

Mr. Stone, from the committee on Judiciary, made the following report:

Your committee have considered

H. B. No. 34,

For an act amending the mechanics' lien law, and report the same back and recommend its passage.

Mr. Lake, from the committee on engrossed bills, reported that the committee had examined and found correctly engrossed H. B. No. 46.

Mr. Lynch, from the committee on Incorporations, reported that the committee have had under codsideration

C. B. No. 17,

For an act to amend an act entitled an act incorporating the Park Junction, Georgia and French Gulch Road Company, approved Nov. 6, 1861, and report the same back without amendment and recommend its passage.

Also,

C. B. No. 20,

For an act to prohibit persons holding office under municipal corporations from entering into contracts with such corporations, and for other purposes, and would report the same back and recommend its passage.

The committee has also considered

C. B. No. 25,

For an act to repeal an act entitled an act to incorporate the Colorado and Pacific, Wagon, Telegraph and Railroad Company, approved Nov. 6, 1861, and would respectfully report the same back with the recommendation that it do pass.

On motion of Mr. Lynch,
The House concurred in the Council amendments to

H. S. for C. B. No. 1, C. B. No. 22,

For an act to encourage prospecting for quartz lodes and for other purposes, was

On motion of Mr. Stone, Indefinitely postponed. th. 18,

On motion of Mr. Worrall, The report of the select committee on H. J. R. No. 3, was adopted.

On motion of Mr. Worrall,
The said resolution was considered engrossed,

Read third time and put upon its passage.

The question being upon the passage of the resolution,

The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark Ehrhardt, Hopkins, Lake, Lynch, Mansur, Nichols, Pine, Stone, Stiles, Worrall and Mr. Speaker.

Absent-Messrs. Craig, Holland, North, Patterson, Thomp-

son and Tyler.

So the resolution passed. On motion of Mr. Stone,

The title was amended by adding "the" before the word "organic," and the words "of Colorado Territory," after the Words "organic act."

On motion of Mr. Stone,

The report of the committee on H. B. No. 38 was adopted.

On motion of Mr. Stone, The rules was suspended, the bill considered engrossed,

Read a third time and put upon its passage. The question being on the passage of the bill,

The ayes and noes were called for.

Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Hopkins, Lake, Lynch, Mansur, Nichols, Pine, Stiles, Stone, Worrall and Mr. Speaker.

Absent-Messrs. Craig, Holland, North, Patterson, Thompson and Tyler.

So the said bill passed.

On motion of Mr. Worrall, basholl and to notion at 

Was considered engrossed, and to notion no

Read third time and put upon its passage.

The question being upon the passage of the bill,

The ayes and noes were called for.

Those voting in the affirmative were, and to notion at Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Hopkins, Lake, Lynch, Mansur, Nichols, Pine, Stone, Stiles, Worrall and Mr.

Speaker. Absent-Messrs. Craig, Holland, North, Patterson, Thompbe aves and noeswere called for.

So the said bill passed, avitamilla adt ni pailov saod? On motion of Mr. Stone,

10.

ol-

ed 98-

he

ed

he 17, ut

ci-00me

he m. he

for

The report of the committee was adopted, on C. B. No. 18, to appropriate the proceeds of fines to the support of common The report of the select committee on H. J. R. S. sloods

On motion of Mr. Stone,

The further consideration of this bill was postponed for the The said resolution was considered engrossed,

On motion of Mr. Mansur,
The report of the committee, on

C. B. No. 20,

For an act to prohibit persons holding office under municipal corporations from entering into contracts with such corporations, and for other purposes,

Was adopted, and

The bill was read a third time and put upon its passage.

The question being upon the passage of the bill,
The ayes and noes were called for.
Those voting in the affirmative were,
Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Worrall and Mr. Speaker.

Absent—Messrs, Thompson and Tyler.

Absent-Messrs. Thompson and Tyler,

The said bill passed.

The amendments offered by Mr. Stone, to C. B. No. 18 was adopted and the said bill was

Read a third time, and put upon its passage.

The question being upon the passage of the bill, The ayes and noes were called for.

Those voting in the affirmative were,
Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patter goon, Pine. Stiles, Stone, Worrall and Mr. Speaker.

Absent-Messrs. Thompson and Tyler.

So the said bill passed.

On motion of Mr. Holland, passed to notion at the motion of the said bill passed.

Leave of absence was granted Mr. Tyler.

On motion of Mr. Stone, bestorens berebience as W

The report of the committee on the same bear based

H. B. No. 34, The gassage our door guisd noiseup ed T Was adopted.

On motion of Mr. Stone, vetaments ent at partov seod T The rule was suspended, Described to the research

The said bill was considered engrossed and and domest Read a third time, and put upon its passage.

-question being on the passage of said bill, The ayes and noes were called for. son and Tyler.

Those voting in the affirmative were, aq flid bias and od

( of. wa

Feb

Lyn Sto

A

F

18

18, on

th.

he

pal ra-

ıd, on,

vas

el'-

Messrs. Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, Worrall and Mr. Speaker. Absent-Messrs. Brendlinger and Baxter, o estimates of T

The said bill passed. Hotel Adjutant of the Place of the House the report of the Adjutant of the House the report of the Adjutant of the House the report of the House the Report of the House the Report of the Rep H. B. No. 58, ... farmol edt af noitresal sti basmanoser ban

For an act concerning county officers, on only bloom yed? Was taken up for consideration; that stronger reside bias tadt

On motion of Mr. Stone, The word "ten," occurring in the last section of said bill was stricken out. our cavalry.

On motion of Mr. Stiles,
The said bill was ordered to be engrossed.

On motion of Mr. Stiles,

The House concurred in Council amendments to

H. B. No. 26.

For an act to incorporate the Denver, Bradford and Blue River Road Company.

On motion of Mr. Stone, stimmon odd mort sledoil .1M.

H. B. No. 23, berebiance bad settimmos edt tadt For an act to amend an act entitled an act concerning justices of the peace and constables, approved Oct. 31st. 1861 was A

Read a third time and put upon its passage. The qusetion being upon the passage of the bill, To seitnuos The ayes and noes were called for ad amag out troops but

Those voting in the affirmative were, and all businesser bug Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Stiles, Stone, Thompson, Worrall and Mr. Speaker, in sunta all

Absent-Messrs. Patterson and Pine.

The said bill passed, a believe to a me busine of tes na ro'd The following message was received from the Council, per Mr. Allen, Assistant clerk : 10 2081 . I . gul bevorggs efeit Read a first and second times and the se

MR. SPEAKER: I am instructed to inform the House that the Council has passed, as amended, Total bus giard

H. B. No. 26, For an act to incorporate the Denver and San Luis, Valley Wagon Road Company.

For an act to repeal an act entitled an ac On motion of Mr. Mansur,
The House adjourned until half past one o'clock p. m. ya Read a third time and our moon in season.

The question being .MOISSES MOONTETAL THE BILLIAM

House met pursuant to adjournment. Roll called.

Febr

Man and T

M

T

0

T

C

F

Par]

appr

RT

T

M

land son,

Mr.

R

City

tot

I 0 R

ver

the

Whi

hor

am

the

the

du

Quorum present. Mr. Holland, from the committee on Military Affairs, submitted the following report:

The committee on Military Affairs beg leave to report back to the House the report of the Adjutant General of the militia,

and recommend its insertion in the Journal.

They would also recommend that in consideration of the fact that said officer reports that the arms furnished by the U. S. Government are not adapted to the Indian service of this Territory, some means be taken to send a supply of arms suited to our cavalry.

Respectfully submitted.

E. F. HOLLAND, Ch'n, BENJ'N LAKE, dillon D. H. NICHOLS, A, HOPKINS, 22' AM AL II Bor an act to Mark Town of R. CLARK and and Blue

Mr. Nichols, from the committee on Agriculture, reported that the committee had considered .85.04.A. H Por an act to amend an act entitled at act con,120,000.

A bill for an act to amend an act entitled an act for the protection of farmers against the depredations of stock in the counties of Douglas and Weld, and nother middle of learn and I

And report the same back to the House without amendment

and recommend its passage. A Montalita and at gattov ason'l

All of which is respectfully submitted, Mr. Stone introduced The base Users W. Description Description H. B. No. 58,

For an act to amend an act entitled an act to apportion the Territory of Colorado into Council and Representative Districts, approved Aug. 15, 1862, which was material A mall A all

Read a first and second time, and

On motion of Mr. Lynch,
The rule was any Referred to a select committee, composed of Messrs. Stone, Craig and Baxter.

The rule was suspended, and

Wagon Road Company. C. B. No. 25, For an act to repeal an act entitled an act to incorporate the Colorado and Pacific Wagon, Telegraph and Railroad Company, approved Nov. 6, 1861, was

Read a third time and put upon its passage. The question being upon the passage of the bill,

The ayes and noes were called for. Those voting in the affirmative were, th.

1b-

ck

a,

ct

S.

r-

to

Messrs. Brendlinger, Clark, Ehrhardt, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Thompson, Worrall and Mr. Speaker. counties of Weld and Donelas was lo

Those voting in the negative, were, q bus omit brudt a basil

Messrs. Holland and Stiles. ag off noon guisd noitesup of T

On motion of Mr. Mansur, switsmills oil in guitov scorl

Messrs, Brendlinger, Baxterbna, bebneque erewiselur edl

Mansur, Nichols, North, Patterson, Pinc, Stiles, 71. on . B. D. For an act to amend an act entitled an act incorporating the Park Junction, Georgia and French Gulch Road Company, 

Read a third time and put upon its passage. I Managed A

The question being upon the passage of the bill, of \_\_\_\_\_\_

The ayes and noes were called for. Those voting in the affirmative were, house Hid hi

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patteron, Pine, Stiles, Stone, Thompson, Worrall and Mr. Speaker. The said bill passed.

The following message was received from the Council, per

Allen, Assistant clerk: III amas and hall avaid storitaid avita leave to report the same back and recommend its passage

MR. SPHAKER: I am instructed to return to the House, and the H. B. No. 49;

For an act to amend an act entitled an act to incorporate the City of Central, with the request that the House will transmit to the Council an engrossed copy of said bill.

I am also instructed to inform the House that

C. B. No. 13,

For an act to amend the acts incorporating the City of Denver, Nov. 7, 1861, and March 11, 1864, has been returned by the Acting Governor, unapproved, with his objections thereto, which, together with the bill, are herewith transmitted to your honorable body.

Also that the Council has reconsidered said bill, and has amended the same by striking out sections eight and nine of

the same, and has passed the bill thus amended.

The concurrence of your honorable body in this action of the Council is respectfully requested.

On motion of Mr. Stone, The rule prohibiting smoking in the Hall, was suspended during the remainder of the session. On motion of Mr. Stiles, no sentiment of that I bestored

The rules were suspended, and id a troper of beriuper ed to an

Territory into Council and Representative District 20 . 6 . B.D.

Feb

and Paic May Toll May 1

ody I

lced

act

of

to to desk

bai

.01

110	11000110001111111	
Read a The qu The ay Those v Messrs.	act to amend an act entitled and framers against the depredation of Weld and Douglas, was third time and put upon its passage the stion being upon the passage of the sand noes were called for. woting in the affirmative were, Brendlinger, Baxter, Clark, Craig, Nichols, North, Patterson, Pine, Still	Those voting in a state of the
AND THE PARTY OF	Harada A. Canadana Maria	MED OF TOR HR TO'L
TIME SANG	rating in the negative were	HOHOHOHUL MIN
	Hopkins and Lynch.  Mr. Hollander att nogu ing bus s	
A bsent	16 The and to see see of notify the	Ted Housello 9414
Noon	9 101 D9H60 919W ES	4116 SACE SUIT 1100
The sai	d hill passed	Those voting in
Mr. Sto	one, from the special committee, rep	orvera as ronows.
Your s	pecial committee to whom was refer	son, Pine, Stilesbar
H. B. I	No. 58, act to amend the act creating Coun tricts, have had the same under con-	cil and Represent-
ative Dist	tricts, have had the same under cons	sideration and beg
leave to re	eport the same back and recommend	d its passage with
out amen	dment. is a return to instruction and	MR. SPRAKER: 1 H. B. No. 49;
On mot	tion of Mr. Stone, le was suspended,	The state of the s
The ru	le was suspended, id bill was considered engrossed and third time, and put upon its passag	City of Central, wi
Read a	id bill was considered engrossed and third time, and put upon its passag lestion being on the passage of said	the Council an .9
The qu	control ported on the breaks	v.b. No. 13
Messrs	voting in the affirmative were, . Brendlinger, Baxter, Clark, Crai, ke, Mansur, Nichols, North, Patters n, Worrall and Mr. Speaker. voting in the negative were, . Holland and Lynch.	g, Ehrhardt, Hop-
kins, Lal	ke, Mansur, Nichols, North, Patters	son, Stiles, Stone,
Thompso	n, Worrall and Mr. Speaker.	, vhod eldaronod,
Messrs	Holland and Lynch.	amend that the Co
Absent	Holland and Lynch. Said Houng to Mr. Pine.  -16.  2. Holland and Lynch. Said Houng to Mr. Pine.  -2. Holland and Lynch. Said Houng to Mr. Pine.  -2. Holland and Lynch. Said Houng to Mr. Pine.  -3. Holland and Lynch. Said Houng to Mr. Pine.  -4. Holland and Lynch. Said Houng to Mr. Pine.  -4. Holland and Lynch. Said Houng to Mr. Pine.  -4. Holland and Lynch. Said Houng to Mr. Pine.  -5. Holland and Lynch. Said Houng to Mr. Pine.  -6. Holland and Lynch. Said Houng to Mr. Pine.  -6. Holland and Lynch. Said Houng to Mr. Pine.  -6. Holland and Lynch. Said Houng to Mr. Pine.  -7. Holland and Lynch. Said Houng to Mr. Pine.  -8. Holland and Lynch. Said Houng to Mr. Pine.  -8. Holland and Lynch. Said Houng to Mr. Pine.  -8. Holland and Lynch. Said Houng to Mr. Pine.  -9. Holland and Lynch. Said H	the same and the same
Ayes-	16	The concurrence
Noes—	2. Fift in abod alderound move to said bill passed.	"de Council is respe
On mo	tion of Mr. Stiles,	Optmolion of Me
The H	ouse resolved itself into a committee	e of the Wholen
Mr. Pa	tion of Mr. Stiles, louse resolved itself into a committee tterson offered the following resolution.	the remainder

Resolved, That the committee on Education and Apportionment be required to report a bill for an act to re-district the Territory into Council and Representative Districts, with a due

th.

0he

MIN

e,

p-

89

qB

BI

3/

and just regard to the population and the taxes assessed and paid by each county respectively.

And by striking out all after the resolution was not adopted. The resolution was not adopted.

Mr. Lynch, from the committee on Enrolment, made the Also amend section seven by inserting after tropper gning flota

MR. SPEAKER: Your committee on Enrolled Bills beg leave insert after the word ".officers " the words "cond trongs of

H.B. No. 29, For an act to encourage the formation and equipment of volunteer companies,

For an act to repeal sections seventeen and eighteen of an The following message was received, seenesling investor act concerning licenses,

H. B. No. 25,

For an act to amend an act entitled an act regulating elections.

H. B. No. 44, vieurds

For an act authorizing the county commissioners of the several counties of this Territory to procure field notes and plats of surveys of lands in this Territory, annot and evant I : aid

H. B. No. 31,
For an act to amend an act concerning fences, of the HA

. IneH. B. No. 6, syongus,

H. B. No. 6, For an act to repeal so much of an act as relates to a Territorial library and cabinet.

H. B. No. 48,

For an act to amend an act entitled an act to incorporate the

"Consolidated Ditch Company, and gustimil ton an rot illd A

Also, Council amendments to anon guildmag sanqua ot toa

H. B. No. 25, For an act to amend an act entitled an act regulating elec-All of which is respectfully submitted.

Mr. Lynch, from the committee of the Whole, submitted the following report:

The committee of the whole have had under consideration

H. B. No. 29,

For an act supplementary and supplemental to an act entitled an act regulating elections, and have considered the same section by section as far as section seven, and made the following amendments, to wit:

Amend section one by striking out the word "hereafter," in the thirteenth line, and insert in lieu thereof the word "there-

Quorum present, a hatting to as been

after."

M 30

t

319

Amend section five by striking out, in the twenty-first line, the word "nine" and inserting instead thereof the word "eight." And by striking out all after the word "open," in the twenty-fourth line and inserting in lieu thereof the words "seven o'clock p. m., of the same day."

Also amend section seven by inserting after the "voters" in first line the words "and certificate," Also strike out the word "commencing," in the same line of said section and insert after the word "officers" the words "conducting the same." Also insert after the second word "regiment," in the third line of said section the words "and when."

On motion, the committee rose, reported progress and asked leave to sit again. For an act to repeal sections seventeen

The following message was received from the Governor:

T.T. T. Trammand detions. February 9th, 1865.

To the Honorable Speaker of the House of Representatives :

SIR: I have the honor to inform the House that I have this

day approved and signed the following bills:

An act to repeal so much of an act entitled an act to establish a Territorial library and cabinet, approved Nov. 6, 1861, Also to repeal sections seventeen and eighteen of an act entitled an act concerning licenses, approved Nov. 6, 1861.

Also an act to incorporate the Colorado and Clear Creek

Railroad Company.

A bill for an act limiting the operation of an act entitled an act to suppress gambling houses, approved March 2, 1864.

An act amendatory of an act to incorporate the Enterprise

Wagon Road Company, approved Nov. 3, 1861.

Also an act to amend an act concerning fences, approved March 17, 1861.

betriardes old W Very respectfully, Your obedient servant, and M

S. H. ELBERT, lot off noithrobismos solimi ball over Acting Governor of Colorado.

On motion of Mr. Craig.
The House adjourned until seven o'clock p. m.

section by section as far Noissas THOIN and made the following smeadments, to with

House met pursuant to adjournment, Roll called. Quorum present.

ine, ht.

9th

nty. ven oin

the and the the

zed

b-31.

tiek 111

36 d

In Sec. 8, first line, insert or officers conducting the ,oskilo

On motion of Mr. Stone, a real to be some form to roval

H. B. No. 58,

An act concerning county officers,

Was read third time and put upon its passage.

The question being upon the passage of the bill,

Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Hopkins, Lake, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, Worrall, and Mr. Speaker.

Those voting in the negative were, hand dogs Whatist

Messrs. Holland, and Lynch.

Ayes—16.

Noes—2.

The said bill passed. On motion of Mr. Stiles,

The House concurred in Council amendments to C. B. No. 13, on me delititled act entitled on act of the

Mr. Patterson introduced 400 odni obasalod to growing H. B. No. 60,

Read a first and second time and

Referred to a select committee composed of Messrs. Patterson, Holland, and Nichols.

On motion of Mr. Stiles,
The House resolved itself into a committee of the Whole, on general orders. Moss dain assessment bus around smooth Mr. Stiles in the chair.

On the rising of the committee, all most goeggood .... The House was called to order. : Trought purivolled sift hat Message from the Council: Hammon off T . BARANGE . BM.

MR. SPEAKER: -I am instructed to inform the House that the Council has passed statembasing animaliof out dily

H. B. No. 32, For an act to incorporate the Colorado Iron, Engine and Mill Manufacturing Company,

And amend said bill by striking out all of Sections 4, 5, 6, and Thick the the the design of the clork of said election. but

Herewith transmit the minorty report of the special committee to whom was referred said bill. Brow add and bas "Habe" Also,

H. B. No. 33, For an act to incorporate the Overland Wagon Road Com-

H. B. No. 34, For an act to amend an act entitled an act creating a lien in

Fe

8:

Ins cei

JO

W ri

tl

favor of mechanics and others in certain cases, with amend-H. B. No. 58. An act concerning county officers, Also, H, B. No. 46, assag att nogu tuq bus emit bridt baer as W An act to provide for the payment of clerks and other Those voting in the avidamesa vovitalsignal and to eracific Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Hopkingslake, Mansur, Nichols, North, Patterson, Pine, Stile, 88 lone. H. Hap-For an act to incorporate the Trinidad and Raton Moun-Those voting in the negative were, and Road. Messrs. Holland, and Lynch. Also, H. J. R. No. 3, Joint Resolution and memorial to Congress, asking for an The said bill passed. amendment to the Organic Act. On motion of Mr. Stiles, The House concurred in Council amendmen, 86 to No. 1. For an act to amend an act entitled an act to apportion the Territory of Colorado into Council and Representative Districts, approved August 15, 1862. H. H. No. 60, Read a first and second time and Also, H. B. No. 17, to besognoo estimmoo teeles a of berreles. For an act fixing the compensation of members of the Legislative Assembly of the Territory of Colorado, and amenda fory to the several acts heretofore passed regulating the fees of officers, jurors, and witnessess, with accompanying amendments. Mr. Thompson from the committee of the Whole submitted the following report: . The House was called to order. MR. SPEAKER: -The committee of the Whole beg leave to report that they have had H. B. No. 20, riolai of betouteal ma I -- : REAKER: With the following amendments: bessed sad lionuol edt In the fourth section, strike out in first line the words flaws of Congress, or by;" also in second line strike out for special. Also, in Sec. 6, in fourth line, insert between fout's and fa,, the words "and sign;" and also between the words "election and "which the," "attested by the clerk of said election." bas Also, In Sec. 7, strike out in the eighth line, between the words

"fall" and "in," the word "out," and insert in lien thereof the word "both;" also strike out in the 11th, 12th and 13th lines, all after the word "for" in the 11th line, to the word "said" in the 12th line. business out observations of the na to 1

In Sec. 8, first line, insert "or officers conducting the election" After the word "officer." Also, Saint an act to amend an act to a control of the contr

nd-

9th.

her

un-

an

he is-

0 -2of d-

t-0 TR

,,

,,

In Sec. 9, seventh line, between the words "held" and "and" insert the words "or sooner, unless said votes are sooner received." H. B. No. 29,

An act io encourage the formation and equipment of ;oslA-

Strke out the word "shall" after the word "Territory" in the first line of Sec. 10, and insert the same after the word "Territory," in the third line; also in first line of tenth section, strike out the words "Secretary of the Territory," and insert after the word "the," and before the word "shall," the words "Territorial board of canvassers provided by law;" also strike out the word "his" and insert the word "their."

The committee would refer the same back to the House with the recommendation that it do pass as amended, situation largest beyond a situation of the state of the state

Mr. Stiles from the committee of the Whole, in its session this evening, reported that the committee had made some progress in the consideration of the bills referred to it, and asked leave to sit again selates as as as as much to for the to it, and aske

On motion of Mr. Nichols, de touided bas yrandil The House concurred in Council amendments to M. H. H. An act to amend an act entitled an act to igg. No. 1881. H. On motion of Mr. Stone, vasque dotid betsbilosado The House concurred in Council amendments tooldw to like H. B. No. 26.

On motion of Mr. Stone, settlemos of mondony I .1M. The House concurred in Council amendments to got gaiwellot H. B. No. 46-

The committee of the Whole have, another Mr do noitom in O. The House concurred in Council amendments too .o.M . H . H For an act supplementary and supplemental to a lade. Btill On motion of Mr. Patterson, anoitsell guitaluger toa us

A committee of three was appointed to act oin conjuction with a committee of two, to be appointed by the Council to ? Amend Sec. 1, by strking out the word "hereafter" in troger

A bill making appropriations for the year 1865, na enil dinest Messes, Holland, Patterson, and Stone, 73 vd 6 . 208 bnomA Were appointed on the part of the Houseni mean ban "eniu" On motion of Mr. Stone, edt rette lla tuo guikirte vd ba A The House disagreed to Council amendments to a enil druot p. m. of the same day." ... doolog H. B. No. 34. Also. On motion of Mr. Worrall,

The House concurred in Council amendments took busin A line, the words "and certificate,"

Mr. Lynch from the committee on Enrollment made the Strike out the word "commanding" in the sarroger gniwollof

Febr

section

ing t

Al

In 8ectio

01

Th agai

M

To ti

C

SI day

F

A

A

cerr

MA

A Cor

A

to s

186 THE Wa

IL 17,

rial

MR. SPEAKER :- Your committee on Enrolled Bills beg leave to report theert the words or somer unless sa

H. B. No. 29.

An act io encourage the formation and equipment of volunteer companies.

H. B. No. 85.

An act to repeal Sec. 17 and 18 of an act concerning licenses.

An act to amend an act entitled an act regulating Elections. H. B. No. 44,

For an act to authorize the county commissioners of the several counties in Colorado Territory, to procure copies of the original field notes and plats of surveys of all lands surveyed in their respective counties.

H. B. No. 31,

An act to amend an act concerning fences.

An act to repeal so much of an act as relates to a Territorial Library and Cabinet.

H. B. No. 48,

An act to amend an act entitled an act to incorporate the Consolidated Ditch Company.

All of which is respectfully submitted.

JOHN T. LYNCH, Ch'n.

Mr. Lynch from the committee of the Whole submitted the following report:

The committee of the Whole have had under consideration,

For an act supplementary and supplemental to an act entitled an act regulating Elections.

And have considered the same, section by section, as far as

Sec. 7, and made the following amendments to-wit:

Amend Sec. 1, by strking out the word "hereafter" in thirteenth line, and insert in lieu thereof the word "thereafter."

Amend Sec. 5, by striking out in twenty-first line, the word

"nine" and insert instead thereof the word "eight."

And by striking out all after the word "open" in twentytourth line, and insert in lieu thereof the words "seven o'clock p. m. of the same day."

Also,

Amend Sec. 7, by inserting after the "votes" in first line, the words "and certificate."

Also,

Strike out the word "commanding" in the same line of said

section, and insert after the word "officers" the words "conducting the same." ing the same," H. B. No. 58.

Also,

-

5

1+

Insert after the second word "Regiment" in line third of said section, the words "and when."

On motion,

The committee rose, reported progress and asked leave to sit

EXECUTIVE DEPARTMENT, C. T. February 9th, 1865.

Those voting in the affirmative were;

To the Honorable, the Speaker of the House of Representatives of On motion of Mr. Stiles, . Colorado Territory: The House concurred in Council amendments to

SIR :- I have the honor to inform the House that I have this day approved and signed the following bills:

For an act to repeal so much of an act to establish a Territorial Library and Cabinet approved Nov. 6, 1861: 1818 a bash

An act to repeal Sec 17 and 18 of an act entitled an act con-The House resolved itself into a committee of the WhoslA

An act to incorporate the Colorado and Clear Creek Railroad

Company.

A bill for an act limiting the operation of an act entitled an act to suppress gambling and gambling houses, approved March 2,

An act amendatory of an act to incorporate the Enterprise Wagon Road Company, approved Nov 3. 1861. and lighted out Also,

An act to amend an act concerning fences, approved March 17, 1861. .0 .6 .4 shoites to Havery Respectfully, id bias bushna bitA

Your Obd't Serv't,

SAM. H. ELBERT, A T. T. Acting Governor, C. T.

Also, and alost A

tee to whom was referred said bill. On motion of Mr. Craig, The House adjourned until 7 o'clock p. m. 88,04.8 11

For an act to incorporate the Overland Wagon Road Com-NIGHT SESSION.

House met pursuant to adjournment, For an act to amend an act entitled an act creatibelles HoRn

Fe

me

offe

no

93/12

solt]

tai

an

T

tr

to

0

n

r

Quorum present. On motion of Mr. Stone,

H. B. No. 58,

An act concerning county officers,

Was read third time and put upon its passage. The question being upon the passage of the bill,

Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Hopkins, Lake, Mansur, Nichols, North, Patterson, Fine, Stiles, Stone, Thomp son, Worrall, and Mr. Speaker.

Those voting in the negative were,

Messrs. Holland, and Lynch.

"Ayes—16.81 die visuide if Noes-2.

The said bill passed the House Speaker of the House Speaker and The said bill passed.

On motion of Mr. Stiles,

The House concurred in Council amendments to

Sra ;-- Lave the honer to inform the House 1,81 , No. 13;

Mr. Patterson introduced world and hangle bas havorage Tolland

For an act to repeal so much of an act to esta,00s.on T.B. Ho.

Read a first and second time and gas tonidad bus yasidi. Isa

Referred to a select committee composed of Messrs. Patterson, Holland, and Nichols. Insger of ton na

On motion of Mr. Stiles, the work bevorgan seemed gridge

The House resolved itself into a committee of the Whole, on An act to incorporate the Colorado and Clear Carbro larange

Mr. Stiles in the chair.

On the rising of the committee, and partial to an rot Hid, A The House was called to order my bus mildman seenquis

Message from the Council:

MR. SPEAKER: -I am instructed to inform the House that the Council has passed a vol borong a vasque D baoff noga W

H. B. No. 32,

For an act to incorporate the Colorado Iron, Engine and Mill Manufacturing Company,

And amend said bill by striking out all of Sections 4, 5, 6, and 7.

Herewith transmit the minority report of the special committee to whom was referred said bill.

Also,

For an act to incorporate the Overland Wagon Road Company.

Also,

H. B. No. 34,

For an act to amend an act entitled an act creating a lien in

favor of mechanics and others in certain cases, with amendments.oo words "or sooner, unless said votes are soostnem

Also,

9th.

ke,

ap-

n

ıt

1

H, B. No. 46,

An act to provide for the payment of clerks and other officers of the Legislative Assembly. On one to enil sent

tory," in the third line; also in first line of tenth section, oslA Ke out the words "Secretary of the Territory," an, 88. o.N. a. H. the For an act to incorporate the Trinidad and Raton Mountain Wagon Road. wat rd beliver areasavnes to brand fair word "his" and insert the word "their."

Also,

H. J. R. No. 3, and emas ent refer blow estimmos of T Joint Resolution and memorial to Congress, asking for an amendment to the Organic Act.

The committee have had under consideration 88. No. 58, oither and an analysis of the committee have been supplied to the committee of the comm

For an act to amend an act entitled an act to apportion the Territory of Colorado into Council and Representative Districts, approved August 15, 1862. The brown of the saling

Also,

H. B. No. 17,

For an act fixing the compensation of members of the Leg-18 lative Assembly of the Territory of Colorado, and amendatory to the several acts heretofore passed regulating the fees of officers, jurors, and witnessess, with accompanying amendments. and 'nsert the word "ten" in lieu thereof.

Mr. Thompson from the committee of the Whole submitted the following report:

Mr. Speaker:-The committee of the Whole beg leave to report that they have had

B. No. 20, Il direct in "requeser!" brow edt jue edint?

With the following amendments: fairequal brow eds treshi

In the fourth section, strike out in first line the words "laws of Congress, or by;" also in second line strike out "or special."

Also, in Sec. 6, in fourth line, insert between "out" and "a," the words "and sign;" and also between the words "election" and "which the," "attested by the clerk of said election,"

Also.

In Sec. 7, strike out in the eighth line, between the words "fall" and "in," the word "out," and insert in lieu thereof the Word "both;" also strike out in the 11th, 12th and 13th lines, all after the word "for" in the 11th line, to the word "said" in the 13th line. . . bottimidus allattoogsor ai doidw to liA

Also, MOHT

In Sec. 8, first line, insert "or officers conducting the election" after the word "officer." To estimate and mort selits all

rathis evening, reported that the committee had made sporter

-balln Sec. 9, seventh line, between the words "held" and "and" insert the words "or sooner, unless said votes are sooner "" ceived."

Also,

H. B. No. 46, Strke out the word "shall" after the word "Territory" in the first line of Sec. 10, and insert the same after the word "Territory," in the third line; also in first line of tenth section, strike out the words "Secretary of the Territory," and insert after the word "the," and before the word "shall," the words "Territo" rial board of canvassers provided by law;" also strike out the word "his" and insert the word "their,"

The committee would refer the same back to the House with

the recommendation that it do pass as amended, and smoke

Jo A oi J. THOMPSON, Ch'n.

The committee have had under consideration, M. H. For an act, to amend an agt entitled an act, 91 so H. B. Hehe

-ai And would offer the following amendments:) to viotime!

Strike out the word "eight" wherever it occurs in the bill, and insert "nine" in lieu thereof.

Insert the words "hereinafter provided" after the word "fee" Islative Assembly of the Territory of 20 398 ho wilders A. syllative Assembly of the Territory of the Territ tory to the several acts heretofore passed regulating theosla of

Strike out the word five wherever it occurs in second section, and insert the word "ten" in lieu thereof.

Mr. Thompson from the committee of the Whole, oalAnit-

Strike out the word "fee" and insert the word "sum" in MR. SPRAKER: -The committee of the 2 los fo lall druoto

report that they have had Strike out the word "treasurer," in fourth line of Sec. 3, and With the following amend "superintendent." nema gaiwollof adt dit In the fourth section, strike out in first line the wor, oal Anwa

Strike out the word 'five' and insert the word "ten" in see-Also, in Sec. 6, in fourth line, insert betw. 8 .. 22 fo anil bno"

the words "and sign;" and also between the words ",oslAon" Insert the words "or painted" after the word "cut," in third line of Sec. 4.

In Sec. 7, strike out in the eighth line, between thoshards

Strike out the words "depths of at least twenty feet, so as to; and insert the words "a depth sufficient to develope and," in sixth and seventh lines of Sec. 4. at "rol" brow and raths !!s

J. THOMPSON.

In Sec. 8, first line, insert "or officers conducting the election" Mr. Stiles from the committee of the Whole in its session this evening, reported that the committee had made some pro9th.

ind"

9116-

the

erri-

rike

the

ito-

the

vith

715

T

ill,

e"

1119

in

10

0-

11

gress in the consideration of the bills referred to it, and asked pay the same as the Eurolling and Lagreeningaire of the Honse, for the time they are respectively employed. On motion of Mr. Nichols. The House concurred in Council amendments to H. B. No. 33. On motion of Mr. Stone, The House concurred in Council amendments to and all II. B. No. 26. H. B. No. 19. On motion of Mr. Stone,
The House concurred in Council amendments to
H. B. No. 46-On motion of Mr. Stone, The House concurred in Council amendments to H. B. No. 17. On motion of Mr. Patterson, A committee of three was appointed to act in conjuction with a committee of two, to be appointed by the Council to In the eleventh line strike out "I claim," and A bill making appropriations for the year 1865, Messrs. Holland, Patterson, and Stone, and dreeping all Were appointed on the part of the House. On motion of Mr. Stone, The House disagreed to Council amendments to of bhA d On motion of Mr. Worrall, believed to see the motion of Mr. Worrall, believed to see the motion of Mr. Worrall, believed to the motion of Mr. Worrall to the motion of Mr. Wo The House adjourned. Adopted the report of the committee on Mines and Minerals. And reported the bill beek to the House with a recommendation that it pass as amonded.

## FRIDAY, FEBRUARY 10, 1865. San eved yed?

House met pursuant to adjournment. and belinger but A
Prayer by the Chaplain.

Roll called.

Quorum present.

On motion of Mr. Stiles, archience rebus bandward yed?

The reading of the Journal of yesterday was dispensed with:

Mr. Stiles introduced the following resolution:

Resolved, That the committee on Engrossment and Enrollment be and they are hereby authorized to employ as many

clerks respectively as may be necessary and that they receive pay the same as the Enrolling and Engrossing clerks of the House, for the time they are respectively employed.

Mr Stiles from the committee of the Whole submitted the following report:

Mr. SPEAKER:-The committee of the Whole have had H. B. No. 19,

Under consideration and has amended the same as follows: In Sec. 5, strike out the words "being at least twenty feet deep" in tenth line of said section.

Also, Strike out in ninth line the words "I have," and insert "he has:"

Also, In tenth line strike out the word "have" and insert in its place "has."

Also. In the eleventh line strike out "I claim," and insert "he aims."

In eighteenth line strike out the words "in a book for that purpose."

Also. Add to Sec. 5, "The clerk upon recording the aforesaid affidavit or declaration shall endorse thereon a certificate of record, and said instrument so recorded and endorsed shall be held by the pre-emptor as evidence of pre-emption, the same as claim certificates or declarations heretofore recorded and held for like motion of Mr. Thompson, purposes." The House adjourned.

Also. Adopted the report of the committee on Mines and Minerals. And reported the bill back to the House with a recommen-

dation that it pass as amended. They have also considered TAGEST VACISIA

H. B. No. 43,

And amended the same by striking out the second section, And reported the same back to the House with a recommendation that it pass as amended.

Also.

They have had under consideration and the moitons of

The reading of the Journal of vesters of miles and For an act to incorporate the Metropolitan Ditch Company, And recommended the bill back to the House with the amendments of the committee on Incorporations and that the Resolved, That the committee on Engrosem szag ob smasl-

Also, have had beginding ydered ora yed; bas ed theil

oth.

ive

he

he

eet

he

its

he

at

fi-

d.

DY

m

ze

S.

n-

H. B. No. 55.

Under consideration, and to estimmos edt to troger ed?

For an act to amend an act entitled an act concerning conveyances of real estate, approved Nov. 5, 1861. betgobs saw

And report the same back to the House with a recommendation that it pass without amendment. troger griwol

To the Honorable the Speaker of the House of Rembade wat year C. J. R. No. 5,

Under consideration, and would report the same back to the House with the recommendation that it do not pass. M. A. L'or an act s'upplemental to an act entitled an act to cook a

\* fund for the benefit of Schools, bad sval sort band and sort band and

Would report that they have had the same vitc.oNc.B.H.

Under considerationed it troper ulfutteegeer bluow bus noits

A bill for an act concerning stock running at large, at certain times within certain limits. a viliniting are ai doidy to ItA.

And report the same back to the House with a recommendation that it do pass without amendment.

Respectfully submitted. mood tooles oft mort Harro W . M

B. B. STILES, Ch'n.

Mr. Lynch from the committee on Enrollment made the following report:

The select committee on Emigration to whom was referr MR. SPEAKER: Your committee on Enrolled Bills beg leave Would respectfully report the same back with troperloi

H. S. for C. B. No. 1,

For an act to divide the Territory of Colorado into judicial districts and to provide for holding courts in the same, anyelled an appropriation, rather than do nothing looking towar losler

and candid attempt to encourage emigration: a,88. No. 38,

For an act to incorporate the Trinidad and Raton Mountain Wagon Road, they all the compared with the wast for is a skeed for is bearing and the wast of the wast

derived from the outlay, especially as it would form toslAe

H. J. R. and Memorial to Congress, asking for an amendment to the organic act, eddo adt the years of saintagenes guinier act, and would therefore recommend that a section be ad oalAy

the Honse, making such appropriation as in the 10.04. on . B. Ht For an act to amend an act entitled an act to incorporate the Arkansas, Pueblo and Fountain qui Bouille Ditch. Iv to IIA

THOS. D. WORRALL COSIA

H. B. No. 58, MORGMOHT

For an act to amend an act entitled an act to apportion the Territory of Colorado into Council and Representative Districts.

Fe

cond

ma

the

Un

opi

cor

eve

for

and

and

me

or

tui

tai

po

fu]

va

the

th

ju

an

ev

Its

te

to

p

a

On motion of Mr. Worrall,

The report of the committee of the Whole, on soon soball

For an act to amend an act entitled an act c, 19. ch. H.

Mr. Worrall from the committee on Education made the following report:

To the Honorable the Speaker of the House of Representatives:

The committee on Education to whom was referred to but C. B. No. 5,00 to a but and not be seen to be a but and the committee of the committee of Education to whom was referred to but the committee of the committee of Education to whom was referred to but the committee of the committee of Education to whom was referred to but the committee of th

For an act supplemental to an act entitled an act to create a

fund for the benefit of Schools, bad evad settlemane of

Would report that they have had the same under consideration, and would respectfully report it back to the House without recommendation.

All of which is respectfully submitted. The mist will sent a set

nemmoor with we woll on THOS. D. WORRALL, Ch'n.

Mr. Worrall from the select committee on Emigration made the following report:

To the Honorable the Speaker of the House of Representatives:

The select committee on Emigration to whom was referred H. B. No. 15,

Would respectfully report the same back with amendal

ments:

They have cut out the clause appropriating the sum of \$5,000, believing that it will be best to appoint the commission without an appropriation, rather than do nothing looking toward a fair and candid attempt to encourage emigration; at the same time your committee would express the conviction that the sum asked for is but a trifle compared with the vast benefit to be derived from the outlay, especially as it would form but the germ of a fund, which they feel certain would be raised by our mining companies to carry out the objects contemplated in the act, and would therefore recommend that a section be added by the House, making such appropriation as in their judgement would appear best.

All of which is respectfully submitted. Das ofden 9 ansurada

THOS. D. WORRALL, Ch'n.

J. THOMPSON,

odf noitrogge of the dashed BENJ. LAKE as of the model of the control of

On motion of Mr. Worrall, The report of the committee on Education was adopted. On motion of Mr. Worrall, The report of the select committee was adopted.

Mr. Lynch offered the following Concurrent Resolutions:

Be it resolved by the House of Representatives and Council concuring of Colorado Territory:

That it is the highest duty of every American citizen to maintain against their enemies the integrity of the Union and the paramount authority of the Constitution and laws of the United States; and that, laying aside all differences and political opinions, we pledge ourselves as Union men, animated by a common sentiment and aiming at a common object, to do everything in our power to aid the Government in quelling, by force of arms, the rebellion now raging against its authority, and in bringing to the punishment due to their crimes the rebels and traitors arrayed against it.

Resolved, That we approve the determination of the Government of the United States not to compromise with the rebels, or to offer any terms of peace except such as may be based upon an "unconditional surrender" of their hostility, and a return to their just allegiance to the Constitution and laws of the United States, and that we call upon the Government to maintain this position, and to prosecute the war with the utmost possible vigor, to the complete suppression of the rebellion, in full reliance upon the self sacrifice, the patriotism, the heroic valor, and the undying devotion of the American people to

their country and its free institutions.

Resolved, That as slavery was the cause, and now constitutes the strength of the rebellion, and as it must be always and everywhere hostile to the principles of republican government, justice, and the national safety demand its utter and complete extirpation from the soil of the republic, and that we uphold and maintain the acts and proclamations by which the Government, in its own defense, has aimed a death blow at this gigantic evil. We are in favor, furthermore, of such an amendment to the Constitution, to be made by the people in conformity with its provisions, as shall terminate, and forever prohibit, the existence of slavery within the limits of the jurisdiction of the United States.

Resolved, That the thanks of the American people are due to the soldiers and sailors of the army and navy, who have periled their lives in defense of their country, and in vindication of the honor of their flag; that the nation owes to them some permanent recognition of their patriotism and valor, and ample and permanent provision for those of their survivors

1

who have received disabling and honorable wounds in the service of the country, and that the memory of those who have fallen in its defense shall be held in grateful and everlasting

Resolved, That we approve and applaud the practical wisdom, the unselfish patriotism and unwavering fidelity to the Constitution and the principles of American liberty, with which ABRAHAM LINCOLN has discharged, under circumstances of unparalleled difficulty, the great duties and responsibilities of the Presidential office; that we approve and endorse as demanded by the emergency, and essential to the preservation of the nation, as within the constitution, the measurers, and acts, which he has adopted to defend the nation against its open and secret foes. That we approve, especially the proclamation of Emancipation, and the employment, as Union soldiers, of men heretofore held in slavery, and that we have full confidence in his determination to carry these, and constitutional measures essential to the salvation of the country, into full and complete effect, of edit no notinging stop of the Government

Resolved further, That we regard as entitled to public confidence and trust, those, and those only, who endorse the princi-

ples proclaimed in these resolutions.

The resolutions were read the first and second time, and

On motion of Mr. Stiles,

Made the special order for this afternoon at 2 o'clock. Message from the Council:

of slaged approval A out to nortoval Council Chamber, Council Chamber, Feb. 10, 1865.

MR. SPEAKER: —I am instructed to inform the House that the Council has passed for all of all sold and any of the

C. B. No. 28,

For an act to provide for summoning jurors in certain counties, and for other purposes,

Which is herewith transmitted, and your Honorable body is

Very Respectfully, &c., respectfully requested to concur therein.

exist of the miner of the control of the exist ent to more than a street of Secretary of Council.

On motion of Mr. Stone, C. B. No. 28, C. B. No. 28,
Was read the first and second time, which savid ried believed On motion of Mr. Stiles, Read a third time and put upon its passage. The question being on the passage of the bill, and boar signal The ayes and nays being called for, rone berebiance as W Those voting in the affirmative were, we said bride base!

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, Worrall and Mr. Speaker.

Ayes—18, Noes—0.

1.7

e

1,

i-

h

e

d

8

3,

do f

10

1

S 33

So the said bill passed.
On motion of Mr. Worrall,

H. B. No. 15,

For an act to encourage emigration,

Read a third time and put upon its passage. Ind bisa ad I

Mr. Worrall offered an amendment as an additional section. so follows:

SEC. - The sum of two thousand dollars is hereby appropriated out of the Territorial Treasury for the purposes of defraying the expenses incurred under the provisions of this act.

The amendment was not agreed to. To Mid Monno and

The question being upon the passage of the bill, and add

Those voting in the affirmative were, The world bisa on The

Messrs. Clark, Ehrhardt, Holland, Lake, Mansur, Patterson, Pine, Thompson. Worrall, and Mr. Speaker.

Those voting in the negative were,

Messrs. Brendlinger, Baxter, Craig, Hopkins, Lynch, North, Nichols, and Stiles. Phose voting in the altimative were, Mesers Baxter, Clark, Craig, Ehrhen

Absent-Mr. Stone.

Lake, Mansur, Nichols, North, Patterson, Pinc, .01-2syAup Noes-8.

The said bill passed.

While the vote was being taken a call of the House was ordered.

Messrs. Patterson, and Stone, were reported absent, but Mr. Patterson coming in, his vote was recorded in the affirmative,

On motion of Mr. Stiles,

Further proceedings under the call were dispensed with,

On motion of Mr. Worrall,

The title was amended so as to read as follows:

An act to appoint a commission to encourage emigration of miners and other needed laborers, from foreign countries to Colorado Territory.

bessellideline on oper

Was indefinitely postponed. The bas Harro W. gosquood T On motion of Mr. Stiles, a regulibrated areas Managed A

II. B. No. 54,

8

Was considered engrossed, Man anied ayan but soys of T

Read third time and put upon its passage.

Those voting in the affirmative were.

Messrs. Brendlinger, Craig, Ehrhardt, Holland, Lynch, Nichols, Patterson, Stiles, Thompson, Worrall, and Mr. Speaker,

Those voting in the negative were,

Messrs. Baxter, Clark, Hopkins, Lake, Mansur, North, Pine, On motion of Mr. Worrall. and Stone.

Ayes-11. Noes-8.

Noes—8.
The said bill passed, and put up and put the said bill passed.

Mr. Nichols introduced and mentants and berefle Harro W. All

H. B. No. 61,

For an act to amend an act entitled an act prescribing rules and regulations of Trust arising under the act of Congress, entitled "An act for the regulating of citizens of towns upon lands of the United States under certain circumstances,

The Council bill of that title having been lost or mislaid in

the House. Hid odf to enessage of the Hill seuor the

The said bill was read the first and second time or beautiful

Mesers, Clark, Fighands, Holl, Michols, Holl Horning Michols, The rules was suspended, and starte W. noremodT eail The bill considered engrossed. goan and ni guitov scoul

Read a third time and put upon its passage.

Those voting in the affirmative were, soling ban slode!

Messrs. Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Worrall, and Mr. Speaker.

Absent-Messrs. Brendlinger, Lynch, and Stiles.

Ayes-16; to fine a nealst miled saw, etc' elt elidW Noes-0.

Mesers, Patterson, and Stone, were bassed lild bill passed.

H. B. No. 20, For ar act supplemental to and amendatory of an act enti tled an act regulating elections, approved Nov. 6, 1861, was,

On motion of Mr. Holland, problem regiseesorg redraid

Considered engrossed, Manow M to noitom no Read a third time, and put upon its passage.

The question being upon the passage of the bill,

The ayes and noes were called for.

Those voting in the affirmative were,

Messrs. Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine. Stone, Thompson, Worrall and Mr. Speaker, 1200 yestimbobil as W

Absent-Messrs. Brendlinger and Stiles, A to notion at H. B. No. 54, lid but to againer

So the said bill passed,

011 Mr.

oth.

ne,

les SS, on

in

S. p-

On motion of Mr. Stone, H. B. No. 55, H. B. No. 55, Was considered engrossed,

Was considered engrossed, Read third time and put upon its passage.

The question being upon the passage of the bill,

Those voting in the affirmative were, Messrs. Baxter Clark Conin By Messrs. Baxter, Clark, Craig, Ehrhardt, Hopkins, Lake; Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson and Mr. Speaker.

Absent-Messrs. Brendlinger, Holland and Worrall.

Ayes—16. Noes-0.

So the said bill passed. Detarriant me To same and all On motion of Mr. Stone,

H. B. No. 43,
Was considered engrossed,
Read a third time and put upon its passage.
The question being on the passage of the bill,

The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson and Mr. Speaker.

Absent-Messrs. Brendlinger, Lake and Worrall.

The said bill passed, all noon and bus smit bride a baselle

The question being upon the passage of the bi Message from the Governor: 1/2 staw soon bus says of T Those voting in the affirmative were

EXECUTIVE DEPARTMENT, C, T. )
February 10th, 1865.

To the Honorable Speaker of the House of Representatives:

SIR: - I have the honor to inform the House that I have this day approved and signed the following bills:

An act to amend an act entitled an act to incorporate the Consolidated Ditch Company, approved October 18, 1861,

Also,

An act to divide the Territory of Colorado into judicial districts, and to provide for the holding of courts in the same.

Very Respectfully, berialorenw med w or on Your Obd't Servant, as aM S. H. ELBERT, han lace to gainish has guiden and Acting Governor C. T.

Was read a third time and put upon its passage. The question being upon the passage of the bill, The ayes and noes were called for,

Those voting in the affirmative were,

Messrs. Brendlinger, Clark, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Stone, Thompson, Worrall and Mr. Speaker.

Mr. Stiles voted in the negative.

Absent—Messrs. Baxter, Craig, Patterson and Pine.

The said bill passed. Message from the Council:

MR. SPEAKER: I am instructed to inform the House that H. B. No. 38,

A bill for an act to incorporate the Trinidad and Raton Mountain Wagon Road, was transmitted to the House by mistake, and to request that the same be returned to the Council.

> O. MILLETT, Sec'y of the Council.

on On motion of Mr. Stone, dead aloud your Month H. B. No. 50,

Was considered engrossed, and broad aread - those A

Read a third time and put upon its passage. Med him sell

The question being upon the passage of the bill,

The ayes and noes were called for, and sold more and Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Stiles, Stone, Thompson, Worrall and Mr. Speaker.

Absent—Messrs, Craig, Patterson and Pine.

Ayes-16.

Noes-0. So the said bill passed.

On motion of Mr. Holland,

The House resolved itself into a committee of the Whole on Mr. Holland in the chair. general orders.

On the rising of the committee, The House was called to order.

Mr. Patterson, from the select committee, reported as follows:

Mr. Speaker: Your committee to whom was referred H. B. No. 60,

For an act concerning the working and claiming of coal and

Tot

Febr

iron

its p

S day Viz

A L Ar app

Re

ter

10th.

ins, son,

ton

is-

il.

Iron lands, beg leave to report the same back and recommend its passage.

A. O. PATTERSON,
D. H. NICHOLS,
E. F. HOLLAND.
The following message was received from the Governor:

EXECUTIVE DEPARTMENT, C. T. February 1865.

To the Honorable Speaker of the House of Representatives : A od T

SIR: I have the honor to inform the House that I have this day approved and signed the following bills and joint resolution VIZ: Those voting in the negative were,

An act to incorporate the Trinidad Raton Mountain Road. An act to amend an act entitled an act to incorporate the Arkansas, Pueblo and Fontaine qui Bouille Ditch Company, approved March 7, 1864.

Joint Resolution and Memorial to the Senate and House of Representatives of the United States, in Congress assembled. Very respectfully,

Your obedient servant,

The courragalat. H. Elber lave to report that they Id notices that add believes ba Acting Governor of Colorado. striking out the words "twenty-one," in the fifth line and

On motion of Mr. Lynch,
The report of the select committee, submitted by Mr. Patterson, was adopted.

On motion of Mr. Nichols, alaine at algeld ods lift oal A The rule was suspended, and

H. B. No. 60,

Was considered engrossed, and was believed

Read a third time and put upon its passage.

The question being upon the passage of the bill, noiton no The ayes and noes were called for. hetgola and neger ad T

Those voting in the affirmative were,

Messrs, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stone, Thompson, Worrall and Mr. Speaker.

Absent—Messrs. Brendlinger and Stiles, and to notion at

Ayes—17.
Noes—0.
The said bill passed. the neglecture as well and the said bill passed. The said bill passed the neglecture as well as

On motion of Mr. Patterson, The House adjourned until 2 o'clock p. m. M. to notion at

for

hu

H

p

r

# tron lands, beg leave to report the same back and recommend

House met pursuant to adjournment.

Roll called.

Quorum present.

Mr. Lake, from the committee on engrossment, reported H. B. No. 19 correctly engrossed.

On motion of Mr. Stone,

The said bill was read a third time and put upon its passage. The question being upon the passage of the bill,

The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Baxter, Clark, Craig, Hopkins, Lake, Patterson, Pine, Stiles, Stone, Thompson, Worrall and Mr. Speaker.

Those voting in the negative were. Messrs. Brendlinger, Ehrhardt, Holland, Lynch, Mansur, Nichols and North. The as belitted the as begins of the all

Ayes-12. dueble and Fontaine qui Bouille Diten .21-sayA Noes-7.

The said bill passed,
Mr. Holland, from the committee of the Whole, made the Very respectfully following report:

The committee of the Whole beg leave to report that they have considered H. B. No. 56, and amended the first section by striking out the words "twenty-one," in the fifth line and inserting "eighteen" in their stead.

Also, article five. section one, in the twentieth line, as

appended.

Also, fill the blanks in article five, and section three, as

And report the same back and recommend its passage as

amended.

E. F. HOLLAND, Ch'n.

On motion of Mr. Stiles, seal out nous guied noiseoup ad T The report was adopted. The believe they seem box seem and On motion of Mr. Holland, with many and mignitor should The rule was suspended,

The rule was suspended,

The said bill was considered engrossed and Inompson, Worrall and Mr. Speaker,

Read a third time.

On motion of Mr. Holland, a regulation of Mr. Holland, a regulation of Mr. The last vote was re-considered,

On motion of Mr. Thompson, The word "Quaker" was stricken out wherever it occurred

Or motion of Mr, Holland, of the bearing be spot and

th.

H.

re.

n,

r,

10

S

The following additional section was added to the bill : groto

An act entitled an act to organize the militia of Colorado

Territory, approved Aug. 14, 1862, is hereby repealed.

Mr. Nichols moved to fill the first blank in the last article, fixing the wages of the soldiers, by inserting two dollars and fifty cents one to agoitabargab adt

Mr. Holland moved to insert one dollar and fifty cents.

The motion of Mr. Nichols was not agreed to. TI. . M. . B. . D

Mr. Holland's motion prevailed.

Mr. Holland moved to insert in the second blank the words "not less than thirty nor more than sixty." mas and barret back

Mr. Mansur moved to fill the blank in regard to the capita-

tion tax, by inserting fifty cents.

Mr. Stone moved to fill the blanks in section two, article four, by inserting "twenty-five dollars" in the first, and "one hundred" in the second.

Carried.

On motion of Mr. Brendlinger, Manager and Language and House that the Council has passe The rules were suspended.

The bill was read a third fime and put upon its passage.

The question being on the passage of said bill,
The ayes and noes were called for.

The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland. Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, Worrall and Mr. Speaker. Mr. Lynch, from the committee on Enrolment, reported as follows:

MR. SPEAKER: Your committee on Enrolled Bills beg leave to report

Council amendments to H. B. No. 46,

For an act to provide for the payment of the clerks and other officers of the Legislative Assembly.

C. B. No. 11,

For an act to prohibit persons holding office under municipal corporations from entering into contracts with such corporations, and for other purposes.

Also, the called the second provided by the s For an act to amend the acts incorporating the City of Denver all ames odk il Minoiasvni & brown odt refla treati bus

Also, the words of the prevention of Indian difficulty and

C. B. No. 25, il diest eaft ai "cytago" brow edi reffe, esl A For an act to repeal an act entitled an act to incorporate the

C

Colorado and Pacific, Wagon, Telegraph and Railroad Com-An act entitled an act to organize the militia of Color, war Territory, approved Aug. 14, 1862, is hereby repealed. ..., oslA

Mr. Nichols moved to fill the first blank in the 12 co Nov BCD.

For an act to amend an act entitled an act for the protection of farmers against the depredations of stock in the counties of Weld and Douglas, o tream of beyon busholl . M.

The motion of Mr. Nichols was not agreed to 17, or notion of The

For an act to amend an act entitled an act incorporating the Junction, Georgia and French Gulch Road Company.

And found the same correctly enrolled a virial made real jour

-atigas edl of brager at Shald JNO. T. LYNCH, Ch'n. . The

The following message was received from the council:

COUNCIL CHAMBER, Feb. 10, 1865.

Mr. Speaker: I am instructed by the Council to inform the House that the Council has passed habringens erow seler ed

C. J. R. No. 6, To defray the expense of translating the Governor's message into the Spanish language and to pay for the printing of the same.

And the concurrence of your honorable body is respectfully requested therein. Hopkins, Lake, TTELLIIM On Worrall and Mr. Speaker

betreger tremound no sering Sec'y of the Council.

Message from the Governor:

EXECUTIVE DEPARTMENT, C. T. February 10th, 1865.

To the Honorable, the Speaker of the House of Representatives of Colorado Territory:

SIR:—I herewith return to your Honorable body

An act entitled an act to encourage the formation and equipment of volunteer companies and would respectfully suggest the following amendments in order to give the law a broader application and to avoid questions that might arise under it as

Strike out the word "or" in the last line of the first section and insert after the word "invasion" in the same line and section, the words "or the prevention of Indian difficulties."

Also, after the word "county," in the tenth line of the second section, add the following: "according to the last valua

tion or assessment of property in any such town, city or county." bearing saw to side Very Respectfully, its general A Your Obd't Serv't, its general A SAM. H. ELBERT,

Acting Governor, C. T.

The following message was received from the Council:

MR. SPEAKER: I am instructed to inform the House that the Council has passed Those voting in the affirmative were,

H. B. No. 61,

For an act relative to relief of citizens of towns upon lands of the United States, under certain circumstances;

th.

m-

ro-

he

he

1e

e e

Also,
H. B. No. 57,
For an act to amend an act entitled an act to incorporate the City of Black Hawk, as amended;

Also,
H. B. No. 52,
A bill for an act relating to powder houses and magazines,
with amendments;
Also,
H. B. No. 49,

For an act entitled an act to incorporate the City of Central approved March 11, 1864, with amendments.

The said bills with their amendments are herewith trans-

MILLETT, Sec'y of the Council.

On motion of Mr. Stiles, H. B. No. H. B. No.

For an act entitled an act to encourage the formation and equipment of volunteer companies, with the Governor's message thereon, was referred to a select committee composed of

Messrs. Stiles, Mansur and Nichols.

On motion of Mr. Stone,

The special order for this hour was postponed until seven o'clock this evening.

On motion of Mr. Stone,

H. B. No. 49.

H. B. No. 49,

Was taken up for consideration. On motion of Mr. Worrall,

Section one of said bill was stricken out.

Mr. Hopkins moved to strike out the ninth section of said bill. The report was adopted.

Fe

th

This motion was not agreed to

On motion of Mr. Stone,

A clause repealing acts in conflict with this act, was prefixed to section thirteen.

Section two was amended. On motion of Mr. Mansur, The bill so amended was

Read a third time and put upon its passage.

The question being upon the passage of the bill,

The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Brendlinger Baxter, Clark, Craig, Ehrhardt, Lake, Mansur, Nichols, Patterson, Pine, Stiles, Stone, Thompson and Worrall.

Those voting in the negative were,

Messrs. Holland, Hopkins, Lynch and North.

Absent-Mr. Speaker.

Ayes—14. Noes—4.

The said bill passed,

Mr. Stiles, from the select committee to whom was referred H. B. to encourage the formation and equipment of volunteer companies, with the Governor's message thereon, submitted the following report:

To the Speaker of the House of Representatives:

Your special committee appointed to examine and report to the House, amendments suggested in the message of the Governor, to

H. B. No. -,

An act to encourage the formation and equipment of volunteer companies, have had the same under consideration and beg leave to report that they recommend that said bill be amended by striking out the word "or" in the last line of the first section, and insert after the word "invasion," in the same line and section the words "or the pevention of Indian depredations."

Also after the word "county" in the tenth line of the second section, add the following: "according to the last valuation or assessment of property in any such town, city or county."

All of which is respectfully submitted.

B. B. STILES, Ch'n A. MANSUR, D. H. NICHOLS,

On motion of Mr. Stiles, The report was adopted.

The amendments were read and adopted, and the said bill thus amended was

Read a third time, and put upon its passage.

The question being upon the passage of the bill,

The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Pine. Stone, Thompson and Worrall.

Absent-Messrs. Brendlinger, Baxter, Patterson and Stiles.

Noes-0.

Oth

red

ze.

OIL

ed

er

ed .

Lake, Lynch, Mansur, Nicholsen Worth, Werrall and Mr. Speaker,

So the said bill passed. Message from the Governor:

> EXECUTIVE DEPARTMENT, C, T. February 10th, 1865.

To the Honorable Speaker of the House of Representatives:

SIR :- I have the honor to inform the House that I have this day approved and signed the following bills and resolution, viz: An act authorizing the levy of a special tax in Arapahoe,

Jefferson, Clear Creek and Gilpin counties.

An act to amend the acts incorporating the City of Denver,

approved Nov. 7, 1861, and March 11, 1864.

A bill for an act to prohibit persons holding office under municipal corporations from entering into contracts with such corporations, and for other purposes.

An act to amend an act entitled an act for the protection of farmers against the depredations of stock in the counties of

Weld and Douglas.

An act to amend an act entitled an act incorporating the Park Junction, Georgia and French Gulch Road Company, approved Nov. 6. 1861.

Preamble and resolution of thanks to the citizens of Boulder

Very Respectfully, Your Obd't Servant, and linguo

S. H. ELBERT. Acting Governor C. T.

H. B. No. 49, was taken up and amended on motion of Mr. Patterson, as follows:

The commissioners of Jefferson county shall keep said bridge in repair at the expense of said county.

On motion of Mr. Mansur,

Fel

LE

an

th

8:

The bill was amended as follows: "to be forever free from toll."

The said bill was ordered to be engrossed. W belong and C. B. No. 9,

For an act to amend an act to establish the common school system, was

Read third time and put upon its passage. I 30110V 98031

The question being upon the passage of the bill,
The ayes and noes were called for:

The ayes and noes were called for. Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Lake, Lynch, Mansur, Nichols, North, Stiles. Stone, Werrall and Mr. Speaker.

Absent—Messrs. Patterson, Pine and Thompson.

Ayes—16.

Ayes—16. Noes-0.

So the said bill passed. On motion of Mr. Stone,

The title was amended so as to read as follows:

A bill for an act to amend an act entitled an act to establish the common school system, approved Nov. 7, A. D. 1861,

On motion of Mr. Brendlinger,

The House concurred in Council amendments to H. B. No. 52.

On motion of Mr. Mansur.

The House concurred in Council ammendments to H.B.No.57.

On motion of Mr. Mansur,

The House concurred in Council amendments to II. B. No. 49, For an act to amend an act entitled an act to incorporate the City of Central.

On motion of Mr. Mansur,
The House took a recess for twenty minutes, at the expiration of which time the House was called to order.

C. J. R. No. 6,

C. J. R. No. 6,
Was read a first and second time,
Mr. Craig moved that it be indefinitely postponed.

This motion was agreed to.

The following message was received from the Council:

MR. SPEAKER: I am instructed to inform the House that the Council has passed had the T

H. B. No. 43,

For an act to prevent gamblers and keepers of gambling houses from serving as jurors, and amended the same by striking out the word " or " in the third line of section one.

Also have concurred to House amendments to House bill

entitled an act to encourage the formation and equipment of volunteer companies, O. MILLETT, Sec'y.

hool

10th.

from

and,

lish

52. 57.

49, he

ra-

10

g y On motion of Mr. Stone,
The Council amendment to H. B. No. 43,
On motion of Mr. Nichols,
The House adjourned until seven o'clock p. m.

The following message. Some will be Governor

House met pursuant to adjournment.
Roll called.
Quorum present.
On motion of Mr. Worrall,
The vote by which
C. J. R. No. 6.

Was indefinitely postponed was reconsidered. as bevored yab On motion of Mr. Worrall,

The said resolutions were Read athird time and put upon their passage be day belittee

Read a third time and put upon their passage.

The question being upon the passage of the resolutions,

The ayes and noes were called for.

Those voting in the affirmative were,

Messrs. Brendlinger, Clark, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Stiles, Stone, Worrall, and Mr. Speaker.

Those voting in the negative were, Messrs. Baxter, Craig, and Thompson.

Ayes—13.
Noes—3.
The resolutions were passed. and of second and of the control of

Mr. Speaker: —I am instructed to inform the House that the Council has passed

H. B. No. 56,

For an act to organize the militia of Colorado Territory As amended.

MILLETT, M. Secretary of Council the House that the

On motion of Mr. Holland, when the motion of Mr. Holland, The House concurred in the amendments of the Council to said bill.

The special order for the hour, the H. concurrent resolution reported by Mr. Lynch from the committee on Federal Relations, were taken up for consideration.

Mr. Worrall moved to adopt said resolutions. If Mr. Stone moved to amend by striking out the last two resolutions.

0

t

Mr. Hopkins moved to amend by striking out the last resolution. This motion was agreed to.

The resolutions thus amended was agreed to.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, C. T. February 1865.

To the Honorable Speaker of the House of Representatives:

SIR: I have the honor to inform the House that I have this

day approved and signed the following bills, viz:

An act to amend an act entitled an act prescribing rules and regulations of Trust arising under the act of Congress, entitled "An act for the relief of citizens of towns upon lands of the United States under certain circumstances, approved March 11, 1864,

An act to incorporate the Denver and San Luis Valley

Wagon Road Company.

Very respectfully, Your obedient servant,

S. H. ELBERT. Acting Governor of Colorado.

On motion of Mr. Stiles,

The House took a recess to be called to order at the pleasure of Mr. Speaker.

House called to order.

Message from the Council:

COUNCIL CHAMBER, ) viotire Tobarolo To attitude de Feb. 10, 1865.

MR. SPEAKER: I am instructed to inform the House that the Council has passed

H. B. No. 20,

For an act amendatory of an act entitled an act regulating elections, approved Nov. 6th, 1861, and repealing an act entitled an act to enable citizens of the Territory, in the Military service of the United States to vote.

With amendments.

Also.

Have passed House Concurrent Resolutions.

Mr. Stone ,TTELLIM .O. by striking out the last two reso-Sec'y of the Council. )th.

On motion of Mr. Nichols, 980-The House concurred in Council amendments. O.A. a. H. For an act making an appropriation to derive 47 No. 47. For an act for an appropriation to assist in erecting a bridge over Clear Creek at Golden City, Read a third time and put upon its passage."ollot and div The question being on the passage of the bill, 100 guilling The ayes and noes were called for. Those voting in the affirmative were, 111 did and 11 (0021) 18 Messrs. Brendlinger, Holland, Hopkins, Lake, Mansur, Patterson, Stiles, Stone, Thompson, and Mr. Speaker. In John of Those voting in the negative were, "annual bus" shrow Messrs. Clark, Craig, Ehrhardt, Lynch, Nichols, and his to confer with a like committee of two to be appointed ayA les Council to fix the hours of adjournment. Noes—6. ess, Absent-Messrs, Baxter, Pine, and Worrall. nds The said bill passed. red Mr. Patterson introduced A bill entitled an act to defray the expenses of the Council ley and House of Representatives, and to pay the salaries of the Mr. Stiles offered the following resolution:, stiles offered the following Which was read the first and second time.
On motion of Mr. Stone,
The rule was suspended, do. The said bill was considered engrossed, sinese 1991 to sanoH Read a third time and put upon its passage. and of doidw ni The question being upon the passage of the bill, and garrub ire The ayes and noes were called for anied noiseup edT Those voting in the affirmative were, Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland,

Hopkins, Lake, Mansur, Nichols, North, Patterson Pine, Stone, Thompson, Worrall and Mr. Speaker. Salad sailgold

Absent-Messrs, Lynch, and Stiles. The stiles said said said

Ayes-17.

he

19

nli-08 The said resolution was annung the said resolution was annung the said resolution was annung to the said bill passed the said resolution was annung to the said bill passed to the said bill be a s

On motion of Mr. Holland, The title was amended so as to read as follows:

An act making appropriations to defray the expenses of the Legislative Assembly for the year 1865, and to pay the salaries of the Territorial officers, and for other purposes.

Message from the Council: and od the day the T

same are hereby tendered to the citizens of Golden City, and MR. SPEAKER :- I am instructed by the Council to inform the House that the Council has passed our add yo to no dating bins Assembly, on the last night of this session.

8

8

H. B. No. 62, For an act making an appropriation to defray the expenses of the Legislative Assembly for the year 1865, and to pay the salary of Territorial officers, and for other purposes,

With the following amendments: Striking out the words and figures "for the bridge over Clear Creek at Golden City, the sum of twelve hundred dollars, (1200), " in the 16th, 17th, and 18th lines,

Also, To insert after the word "translating" in the 19th line, the nose voting in the negative were,

words "and printing,"

Also,
That the House be requested to appoint a committee of three to confer with a like committee of two to be appointed by the Council to fix the hours of adjournment.

O, MILLETT, Secretary of the Council.

On motion of Mr. Craig, The House concurred in the Council amendments to and House of Representatives, and to pay the ,29 . No. 62,

Mr. Stiles offered the following resolution: 2790iffo lairotives!

Resolved, That the thanks of this House are due and they are hereby tendered to the Hon. Levi Harsh, Speaker of the House of Representatives, for the able and impartial manner in which he has presided over the deliberations of this body during this session. To space of the negretariad neithern add

The question being upon the passage of the resolution,

The ayes and noes were called for, the out of guilov sent Those voting in the affirmative were,

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Pine, Stiles, Stone, Thompson, and Worrall.

Ayes-18. Noes-0.

The said resolution was unanimously adopted. bias add oc Mr. Stone offered the following resolution: The title was amended so as to read as to

Be it resolved by the House of Representatives and Council concurring of Colorado Territory: of the Territorial officers, and for other mape

That the thanks of the Legislative Assembly be, and the same are hereby tendered to the citizens of Golden City, and especially the ladies thereof, for the elegant supper prepared and partaken of by the members and officers of the Legislative Assembly, on the last night of this session.

ses

he

ear

rs,

he

ee

he

ey

he

er

ly

d,

e

e

This resolution was unnanimously adopted. Mr. Stone offered the following resolution:

teer companies. Resolved, That the thanks of this House be and the same are hereby tendered to the chief and assistant clerks of the House, the engrossing and enrolling clerks, the chaplain, the sergeant-at-arms, fireman, and page, for the prompt and efficient manner in which they have discharged the duties of their respective offices, and the estimates a tall beyon solid all

The resolution was adopted. The resolution was adopted.

A message was received from the Council informing the House that the Council had concurred in H. Concurrent Resolution of thanks to the citizens and ladies of Golden City, for Massra, Stiles, Holland, and

Mr. Holland offered the following resolution:

The following members mayered to their name Resolved, That the thanks of this body are due the editor of the Black Hawk Journal, O. J. Hollister, for his enterprise and Public spirit in giving to the public in an impartial manner the proceedings of this Legislature.

Adopted

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, C. T. February 10, 1865.

tollowing report;

To the Honorable Speaker of the House of Representatives:

SIR: I have the honor to inform the House that I have this

day approved and signed the following bills, viz:

An act fixing the compensation of members of the Legislative Assembly of the Territory of Colorado, and amendatory to the several acts heretofore passed regulating the fees of officers, jurors, and witnesses.

dicers, jurors, and witnesses.

An act to incorporate the Colorado Iron, Engine and Mill

Manufacturing Company.

An act to incorporate the Overland Wagon Road Company.

An act to amend an act entitled an act to incorporate the city of Central, approved March 11, 1864.

An act in relation to powder houses and magazines.

An act to amend an act entitled an act to apportion the Territory of Colorado into Council and Representative Districts, approved August 15, 1862

An act to provide for the payment of clerks and other

Officers of the Legislative Assembly,

C

al

C

An act to encourage the formation and equipment of volunteer companies.

one of his of Very respectfully, some and handles and to shall matrices Your obedient servant, of violend one

off mining of the state of the state of the chaptent, the Acting Governor of Colorado.

Mr. Stiles moved that a committee of three be appointed to wait upon the Governor, and inform him that the House has completed the business of the session, and are ready to adjourn, and await any communication he may see fit to make.

House that the Council has concurred in H. Conce, bestook

The speaker appointed on said committee,

Messrs. Stiles, Holland, and North.

Mr. Lynch moved a call of the House.

The following members answered to their names,

Messrs. Brendlinger, Baxter, Clark, Craig, Ehrhardt, Holland, Hopkins, Lake, Lynch, Mansur, Nichols, North, Patterson, Stiles, Stone, Thompson, Worrall. and Mr. Speaker.

Absent-Mr. Pine.

Message from the Governor:

February 10th, 1865.

To the Honorable Speaker of the House of Representatives:

SIR:—I have the honor to inform the House that I have this day approved and signed the following bills:

For an act to organize the militia of Colorado Territory.

An act to prevent gamblers or keepers of gambling houses

from serving as jurors.

An act making appropriations to defray the expenses of the Legislative Assembly for the year 1865, and to pay the salary

of the Territorial officers and for other purposes.

For an act amendatory and supplemental to an act entitled an act regulating elections, approved Nov. 6th, 1861, and repealing an act entitled an act to enable citizens of the Territory, in the Military service of the United States to vote, approved March 11, 1864.

Very Respectfully, origin lering 10

S. H. ELBERT,
Acting Governor C. T.

Mr. Lynch from the committee on Enrollment made the following report;

Oth

ın-

10.

to 28

n,

1-

6

11

d

MR. SPEAKER: Your committee on Enrolled Bills beg leave to report

H. B. No. 26,

An act to incorporate the Denver and San Luis Wagon Read Company.

For an act naking appropriations to defray the expension H. B. No. 61, And read out not release A syitalaine, I saft

For an act to amend an act entitled an act prescribing rules and regulations of Trust arising under the act of Congress,

For an act supplemental to and amendatory of an poslAtt

C. B. No. 6.0 . vol beyongos suoresels guitalinger tos us belt For an act providing for the support of paupers.

C. B. No. 28, stolo ) to million odf svinspro of ton na to H

For an act to provide for the summons of jurors in certain counties and for other purposes, Multiperson at doubte to HA

Also,

Council amendments to

H. B. No. 17, For an act fixing the compensation of members of the Leg-Islative Assembly of the Territory of Colorado, and amendatory to the several acts heretofore passed regulating the fees of officers.

Executive Department, ( ToolA

H. B. No. 33, 101 manda I

For an act to incorporate the Overland Wagon Road Company.

Also,

m.H. B. No. 49, yes Liter samol odl of yes ospole live no V For an act to amend an act entitled an act to incorporate the City of Central, approved March 11, 1864, vin to med ourse kirdness, and of my holief that their session has resposlA in

H. B. No. 57,

For an act to amend an act entitled an act to incorporate the City of Black Hawk,

H. B. No. 52,

A bill for an act relating to powder houses and magazines,

H. B. No. 43,

For an act to prevent gamblers and keepers of gambling houses from serving as jurors, Also,

H. B. No. 32, For an act to incorporate the Iron, Engine, Mill, and Manufacturing Company.

28

MR. SPRARER: Your committee on Enrolled Bills he, oslA ve

For an act to encourage the tormation and equipment of volunteer companies, H. B. No. 26. An act to incorporate the Denver and San Luis WagooslAnd

H. B. No. 62,

For an act asking appropriations to defray the expenses of the Legislative Assemby for the year 1865. Also an act to amend an act entitled an act prescrioinoslA

H. B. No. 36, doe and reban anising under the act of the month of the H. H. B. No. 36, does not reban anising the second of the For ar act supplemental to and amendatory of an act enti tled an act regulating elections, approved Nov. 6, 1861,

For an act providing for the support of paupers, H. B. No. 56,

For an act to organize the militia of Colorado Territory. And find the same correctly enrolled. bivorg of tos as no 1

All of which is respectfully submitted, and and but solution

JOHN T. LYNCH, Ch'n.

Mr. Stiles from the committee appointed to wait upon the Governor and ascertain if he had any further communication to make, submitted the following response from the Governor:

EXECUTIVE DEPARTMENT, C. T. February 10th, 1865. For an act to incorporate the Overland Wagon Road Com-

Gentlemen of the Committee:

You will please say to the House that I have no further communication to make. That in parting with them I beg leave to assure them of my appreciation of their uniform courtesy and kindness, and of my belief that their session has resulted in much useful legislation. The all Black Hand, well by Respectfully, wast of least the

Your Obd't Serv't,

SAM. H. ELBERT.

sonixenam bus sessed rebwood of anActing Governor, C. T.

On motion of Mr. Stiles, The Speaker appointed a committee of three composed from serving as jarors, of

Messrs. Stiles, Stone, and Mansur, To inform the Council that the House had completed the business before it, and is now ready to adjourn sine die.

Oth.

T of

of

nti

he on v-

nto

in

e

Mr. Stiles from the committee appointed to wait upon the Council, reported that the committee had discharged the duty assigned it.

On motion of Mr. Lynch, The House adjourned sine die.

C. H. GROVER, Chief Clerk. G.F. A. Gracy

# HCUSE JOURNAL

OF THE

m.

# LEGISLATIVE ASSEMBLY

LEGISLATIVE OF THE OF COLOR, AIM

## TERRITORY OF COLORADO.

FIFTH SESSION.

BEGUN AT GOLDEN CITY, JANUARY 1, 1866, AND ADJOURNED TO DENVER, JANUARY 2, 1866.

PUBLISHED BY AUTHORITY.

## BLACK HAWK:

O. J. HOLLISTER, PRINTER, MINING JOURNAL OFFICE. 1866. House adjourned until 11 o'clock, a m.

No quorum present

#### January 2

## HOUSE JOURNAL

House met pursuant to adjournment.

## LEGISLATIVE ASSEMBLY OF COLORADO.

# 

# MONDAY, JANUARY 1st, A. D. 1866.

Legislative Assembly of the Territory of Colorado. The Legislative Assembly of the Territory of Colorado.

The House of Representatives met at Golden City, the Seat of Government of said Territory, on Monday, the first day of January, A. D. 1866, pursuant to law.

House called to order by Mr. Fosher. 3 of 10 disord .M. &

On motion of Mr. Riddlebarger, Mr. Henry was elected Speaker, pro tem.

On motion of Mr. Fosher, A. D. Cooper was elected Chief Clerk, pro tem.

On motion of Mr. Stearns, the following named gentlemen were appointed a committee on credentials, viz:

Messrs. Graham, Bergen and Fosher. 1 and 10 syell samed?

On motion of Mr. Bartells, House adjourned until 9 o'clock, to-morrow morning.

All of which is respectfully submitted.

### AMDINITUESDAY, JANUARY 2d, 1866.

House met pursuant to adjournment. 2010. 1M To notion no ...
Roll called as bas bevieser as received as the report of the continuous attentions.

No quorum present.
On motion of Mr. Fosher,
Mr. Bartholomew was elected Sergeant-at-Arms, pro tem.
On motion of Mr. Bartells,
House adjourned until 11 o'clock, a m.

## JA 19 CLOCK, A.M. UOH

House met pursuant to adjournment.
Roll called.
No quorum present.
On motion of Mr. Bartells,
House adjourned until 2 o'clock, p.m.

#### AFTERNOON SESSION.

House met pursuant to adjournment.
Roll called.
Quorum present.
Committee on credentials made the following report:

To the Honorable Speaker of the House of Representatives, Territory of Colorado: 3381. G.A. ALLYBAUKAL YAGNOM

Your committee on credentials beg leave to report the following named members present entitled to seats in the House of Representatives of Colorado, now convened, wiz : lo smoll odl Gabriel Martine, of the 11th district T bias to memmior to D. J. Ball, of the 7th district of managing , 3081 . C. A , yraunal Perley Dodge, of the 5th district. S. M. Breath, of the 3d district. My dasho of bellas sauoll E. Norris Stearns, of the 9th district bliff all to notion at John Fosher, of the 8th district. David Gregory, Louis F. Bartells, and H. J. Graham, of the 2nd district. Clerk, pro tem. John W. Henry, of the 14th district set? . TM to notion at T. C. Bergen, of the 4th district o ostimmos a betniogga onew Thomas Kevs, of the 10th districts negret madero . Ersee M. Matt Riddlebarger, of the 12th district. If . TM to notion at J. G. Ehrhart, of the 10th district. to-morrow morning. B. R. Colvin, of the 7th district. All of which is respectfully submitted.

H. J. GRAHAM, , H. J. GRAHAM, JANUARY 2d, 1866. , YAGEN THOU , YAGEN THOU

On motion of Mr. Gregory, manually of the served and adopted. Hell

Messrs Graha; noituloserigniwollof editionello redacin nMtee. On motion of Mr. Fosher, Mr. C. C. Carpenter administered

Resolved, That C. C. Carpenter, County Clerk of Jefferson County, be invited to administer the oath of office to the members present and entitled to their seats. I just just license of the present and entitled to their seats.

Mr. Carpenter appeared within the bar of the House, and administered the oath of office to the members present.

Moved by Mr. Bartells, that the House do now proceed to a permanent organization received C. J. Mellorist continuous of Mr. Bosher, C. J. Mellorist and the Carried of Mr. Fosher, C. J. Mellorist and the C. J. Mellorist and the Carried of Mr. Fosher, C. J. Mellorist and the Carried of Mr. Fosher, C. J. Mellorist and the Carried of Mr. Fosher, C. J. Mellorist and the Carried of Mr. Fosher, C. J. Mellorist and the Carried of Mr. Fosher, C. J. Mellorist and the Carried of Mr. Fosher, C. J. Mellorist and the Carried of Mr. Fosher, C. J. Mellorist and the Carried of Mr. Fosher, C. J. Mell

Mr. Fosher offered the following resolution.

Mr. McDevitt came forward and took the required oath

Resolved, That the House do now proceed to ballot for Speaker, and continue to ballot until a Speaker is elected off of T

tug area of the speaker of the speake

Carried.

9

E. N. Stearns was nominated by Mr. Colvin. stolled said John Fosher was nominated by Mr. Grahamon by Mr. T. J. Mr. Graham was nominated by Mr. Fosher.

Mr. J. W. Henry was nominated by Mr. Riddlebarger. W. The Speaker appointed Messrs. Graham and Bergen to act as

E. N. Stearns received seven votes.

J. W. Henry received three votes. II . W. To notion at

Whole number of votes cast, fifteen. Thus request of Annual Property of the state o

On motion of Mr. Graham,
The House proceeded to a formal ballot for Speaker, which
resulted as follows:

J. Fosher received one vote of the season rodmun olon W

H. J. Graham received three votes, polodo a of vasseood

E. E. N. Stearns received seven votes, or guived rogod), all

J. W. Henry received four votes. ... betoole vlub bearless.

Whole number of votes cast, fifteen and the more many Necessary to a choice, eight. No choice poor of small of the control of

Second ballot mon ni buq araw ani dqoH bua usoli arasali. Stearns seven votes Graham four votes Henry four votes

Stearns seven votes. Graham four votes. Henry four votes. No choice.

Third ballot.

Stearns seven votes. Graham four votes. Henry four votes. The choice of the choice of

Stearns ten votes. Henry three votes. Graham two votes. E. N. Stearns having received a majority of all the votes cast, was declared duly elected permanent Speaker of this House. Mr. Gregory moved that a committee of two be appointed to

conduct the Speaker to the chair.

Messrs. Graham and Fosher were appointed such committee. On motion of Mr. Fosher, Mr. C. C. Carpenter administered

the oath of office to the Speaker elect. . O . J dad T Andreas

A verbal communication was received by a committee from the Council, that that body had effected a permanent organization and was ready to receive any communication from the Mr. Carpenter appeared within the bar of the House. . saioH

On motion of Mr. Fosher, at at only to discount begatigier

The House proceeded to ballot for Chief Clerk. Dovold

Mr. Breath nominated C. J. McDevitt, Contract Mongaryou

On motion of Mr. Fosher, C. J. Mc Devitt was elected by ac-Mr. Foster offered the following regolution.

Mr. McDevitt came forward and took the required oath.

Resolved, That the House to now receed to b, notion noak

The House proceeded to a formal ballot for Assistant Clerk. Messrs. J. T. Boyd, R. W. Renolds, and Carlos Lake were put in nomination.

First ballot.

J. T. Boyd received six votes, Lake six votes, R. W. Renolds three.

Whole number of votes cast, fifteen.

Necessary to a choice, eight. No choice.

Second ballot.

J. T. Boyd received ten votes, Lake four votes, Renolds one.

J. T. Boyd having received a majority of all the votes cast, Was declared duly elected Assistant Clerk.

On motion of Mr. Henry, the House proceeded to elect an Enrolling Clerk.

A. D. Cooper and T. Sloan were put in nomination of W

A. D. Cooper received eleven votes.

T. Sloan received four votes.

Whole number votes cast, fifteen.

Necessary to a choice, eight.

Mr. Cooper having received a majority of all votes cast, was declared duly elected.

On motion of Mr. Fosher, When soften no in terms should

The House proceeded to elect an Engrossing Clerk.

Messrs. Sloan and Hopkins were put in nomination.

First ballot. II series roles (Graham Com votes, MI store same)

Hopkins received eleven votes.

Sloan received four votes.

Necessary to a choice, eight. It would be an an amount

Mr. Hopkins having received a majority of all the votes cast, was declared duly elected. naming betsels with bendesh zam tem

On motion of Mr. Riddlebarger, the House proceeded to elect a Sergeant-at-Arms. conduct the Speaker to the chair.

such committee.

ee. ed

12.

m

zahe

It

Mr. Bartholomew and Scott were put in nomination. First ballot.

Bartholomew received ten votes. of oront tadT booloes !! inform the Council that this House solve votes and into that the Scott received five votes and I and that the Scott received five votes and I and I and I and I and I are the Scott received five votes and I and I are the Scott received five votes and I and I are the Scott received five votes are the scott received five votes and I are the scott received five votes are the scott received five votes and I are the scott received five votes are the scott received five votes and I are the scott received five votes ar

Whole number of votes cast, fifteen, assaised of beenerg of

Necessary to a choice, eight.

Bartholomew having received a majority of all the votes Speaker appointed Messrs. . Seeker appointed Messrs.

On motion of Mr. Henry,

The House proceeded to elect a Fireman M to notion nO

Jaun Jacques, M. Smith and C. Judkins were put in nomina-

On motion, he was elected by acclamation. On motion of

Jacques received twelve votes, Judkins two votes, Smith one interpreter for the Mexican members, and nominated In I. atox

Jacques having received a majority of all votes cast, was declared duly elected.

On motion of Mr. Henry, gorrout tadt boyon givlo) ald

The House proceeded to elect two Pages, thimbned agong old

Masters Lake, Leroy and Smith were put in nomination.

Mr. Fosher moved the two that received the highest number of votes should be declared elected in amoiba won ow tad?

First ballot.

Master Leroy received eleven votes, Lake ten, Smith five. Masters Lake and Leroy having received the highest number of votes cast, were declared duly elected. It no become seitub

On motion of Mr. Henry,

The Assistant Enrolling and Engrossing Clerks, Sergeant-at-Arms, and Fireman came forward and took their several oaths Resolution No. 1, in relation to adjourning to Denver, sofflo fo

The Secretary of the Council appeared with the following Those voting are, v. Messa. Henry Borgen, Riddlebarger.
Council Cham, Rs, January 1, 1866. C.

Messra, Graham, Bartella, Gregory, Mr. Speaker: I am instructed by the Council to inform you that the following Joint Resolution has been adopted, and ask Your concurrence the and become of become repredelibill .IM

City and inserting Puebloss Resolved, The House concurring, that when the Legislative Assembly adjourn, it adjourn to meet at Denver City, on Thursday, at 11 o'clock, a. m., January 4, 1866, but sove out not bolled They were: Ayes, Messrs, Bergen, Riddlebarger, Dodge, Col-

Very Respectfully, vansII bas list miv

NavaLIII Walley G. Bartella, Gregory, Fosher, Keys, Mars

Secretary of the Council.

Ja

ti

I

Mr. Fosher offered the following resolution: colonias all

Resolved, That there be a committee of three appointed to inform the Council that this House is fully organized and ready to proceed to business. . month tens solor to radmum alod W

Bartholomew having received a majority bna, bettoohArtes

Speaker appointed Messrs. Dodge, Henry and Ehrhart as On motion of Mr. Henry wolled such committee.

The House proceeded to elect a hivlo or Mr. Colvin, a believe to believe motion of

The House proceeded to elect a Chaplain.

And Mr. Colvin nominated Rev. O. A. Willard.

On motion, he was elected by acclamation. Hollad death

Mr. Henry moved that the House do now proceed to elect an interpreter for the Mexican members, and nominated L. F. Bar-Jacques having received a majority of all votes east, weallst-

Motion withdrawn.

Mr. Colvin moved that the representatives and members of the press be admitted to seats within the bar of this House. Masters Lake, Lerov and Smith were put in nominbeirra

Mr. Fosher moved the two that receinivion nM vdsbavoMber

That we now adjourn until to-morrow, at 9 o'clock, a. m. Lost.

The committee appointed to notify the Council of the organization of this House, reported that they had discharged the duties imposed on themestered duly electement and remains and the duties imposed on themestered duly electement and the state of the st On motion of Mr. Henry, ...

On motion of Mr. Fosher,

The report was adopted, and the committee discharged.

Mr. Bartells moved that this House concur in Council Joint Resolution No. 1, in relation to adjourning to Denver. soillo

Mr. Colvin moved to amend by striking out Denver City, and The Secretary of the Council appearately larger series

Ayes and nays called for on the amendment.

Those voting aye, w. Messrs. Henry, Bergen, Riddlebarger, Dodge, Colvin and Bare 6.110 ADDITION

Those voting nay, were Messrs. Graham, Bartells, Gregory, Fosher, Keys, Martine, Breath, Ehrhart, and the Speaker—9.

So the amendment was lost inlosed miol griwollot out tand Mr. Riddlebarger moved to amend by striking out Denver

City and inserting Pueblo, Mr. Henry moved to lay the Resolution on the table, and

called for the ayes and nays. A yrangal and a Abole o II to yah

They were: Ayes, Messrs. Bergen, Riddlebarger, Dodge, Colvin, Ball and Henry—6. Bill 19993991

Navs, Messys. Graham, Bartells, Gregory, Fosher, Keys, Martine, Breath, Ehrhart, and the Speaker—9.

Lost.

ry 2.

1 to eady

nas

an

ar-

of

r

Mr. Riddlebarger moved, 20010 0 2

That we adjourn until to-morrow at 10 o'clock, a. m., And called for the ayes and nays.

Ayes, Messrs. Henry, Bergen, Riddlebarger, Dodge and Colvin-5.

Nays, Messrs. Graham, Bartells, Gregory, Fosher, Keys, Martine, Breath, Ehrhart, Ball, and the Speaker—10.

Mr. Bartells moved,

That the House do now concur in Joint Resolution No. 1 of

And called for the ayes and navs. taxinagro on to ron ovo

Ayes, Messrs. Graham, Bartells, Gregory, Fosher, Keys, Martine, Breath, Ehrhart, and the Speaker—9.

Nays, Messrs. Henry, Bergen, Riddlebarger, Dodge, Colvin and Ball-6.

That the report be received and committee discharged and

The Speaker appointed Messrs. Bartells, Ehrhart and Bergen to wait on the Council, and inform them that the House had concurred in Joint Resolution No. 1, in relation to adjourning to Denver City.

Mr. Riddlebarger moved,

That the House do now take a recess until to-morrow, at 10

Amended to read 9 o'clock, a.m., and ayes and nays called for. Ayes, Messrs. Henry, Bergen, Graham, Fosher, Riddlebarger, Breath, Dodge, Colvin, Ball, and the Speaker-10.

Nays, Messrs. Bartells, Gregory, Keys, Martine, Ehrhart—f. Carried.

Mr. Bartells moved that the House do now adjourn, and

# WEDNESDAY, JANUARY 3d, 1866.

The time of recess having expired, the House was called to order by the Speaker, and

Roll called.

Absent, Messrs. Bartells and Gregory.

Mr. Henry moved that the Sergeant-at-Arms be sent after absent members.

Carried. JOSE , dtt. YANKAL, YAMSHUHIY

Gregory could not be found.

Mr. Henry moved that the House do take a recess until 2 o'clock, p. m. Absent, Messrs, Ehrhart, Fosher, Gregory, Grah, beirra?

Jar

Ti

ci H

20

h

a

## 2 o'clock, P. M. ar regradelbbis .TM

The time of recess having expired, the House was called to order by the Speaker, John Margall , world , was Margall , and A

Roll called.

Absent, Mr. Gregory of Bartella Manager Street Avent

Quorum present.
Committee appointed to wait on His Excellency, the Governor, made the following report:

Mr. Speaker: Your joint committee appointed to inform the Governor of the organization of the House and Council, and of their readiness to receive any communication he might have to make, performed the duty assigned to them.

J. G. EHRHART, Chairman.

Mr. Breath moved,

That the report be received and committee discharged. Carried, radial Alberta Rates Monday resissors of Mr. Henry moved, most an object of the Council, and the Council and the Coun

That a special committee of three be appointed by the Speak er to report rules for the government of the House.

Carried.

Speaker appointed Messrs. Henry, Keys and Dodge, as said

Mr. Fosher offered the following resolution:

Resolved, That this House adopt Jefferson's Manual of Parlia mentary usage, for its government, until such time as proper rules can be reported by the committee.

Mr. Bartells moved that the House do now adjourn, and called for the ayes and nays.

Ayes, Messrs. Bartells, Breath, Ehrhart, Fosher, Graham,

Keys, Martine, and the Speaker -8.

Nays, Messrs. Bergen, Ball, Colvin, Dodge, Henry and Riddlebarger 6. esuall out berings unived seems to emit out

Carried.

#### THURSDAY, JANUARY 4th, 1866. hoirs

Absent, Messrs. Bartells and Gregory.

House met at 11 o'clock, a. m., pursuant to adjournment. The Speaker in the chair and that beyon vernell all Roll called.

Absent, Messrs. Ehrhart, Fosher, Gregory, Graham, Keys, Martine and Riddlebarger.

ary 4.

led to

ernor,

m the nd of ve to

an.

reak-

said

rliaoper

and am,

Rid-

VS,

No quorum present. On motion of: Mr. Henry, guiwollol add there offered the offered the following, House adjourned until 11 o'clock, to-morrow. Resolved, That there be a committee of two appointed, on the

Governor, and 3881 atto vanuary January 5th 1866 bas romeyof lency to communicate his message to this Legislative Assembly

part of the House, to act in conjunction with a similar commit

11 o'clock, a. m.

House met pursuant to adjournment. Speaker appointed Messrs. Posher arish of spiral spage

Roll called.

Committee appointed to wait on the (sphor .rM ,tresdA

Quorum present.

Journal read and approved.

Mr. Dodge appeared and took his seat. TOY : Mr. All

Sergeant-at-Arms announced a message from the Council. H

the operson and openin Council Chamber, January 5, 1866.

o'clock, this p. m., in joint convention. To the Honorable Speaker of the House of Representatives:

I am instructed by the Council to inform your Honorable Body that a committee of one has been appointed by the Council, to act in concert with a committee of the House, to inform His Excellency, the Governor, that the Legislature is ready to 30 into joint convention and receive any communication he may have to offer.

Mr. Speaker: Your, yluttopeers Nersylentials ask leave to

With mosorger darif of mort CHARLES E. COX, Secretary, district, and entitled to a sent in this House.

Committee on credentials submitted the following report:

Mr. Speaker: Your committee on credentials ask leave to re-Port as follows: That J. F. Gardner, of the second representalive district, and Frank Hall, of the sixth representative district, are present, and entitled to seats in this House. To notion no

of ban , su Respectfully submitted, berraga asadolank

H. J. GRAHAM, Chairman

On motion of Mr. Ball, the report was received. Whereupon, Messrs. Gardner and Hall appeared, and the oath of office was administered them by B. B. Stiles, clerk of District Court.

Mr. Henry offered the following resolution:

On motion, adopted. Resolved, That the Secretary of the Territory of Colorado be Instructed to procure an interpreter in Spanish, for the House.

Janu

H

R

N

Se

T

T

chai

Cort

the of the

er's

A

T

SIM

like

num

prin

TA.

C

38 S

the

Ton

em of

1011

De:

Ho

ing

On motion, adopted.

Mr. Fosher offered the following resolution: To anitom at the following resolution:

Resolved, That there be a committee of two appointed, on the part of the House, to act in conjunction with a similar committee on the part of the Council, to wait on His Excellency, the Governor, and ascertain at what hour it may please His Excellency to communicate his message to this Legislative Assembly.

Adopted, and Speaker appointed Messrs. Fosher and Ball as such commit

Committee appointed to wait on the Governor made the following report:

Mr. Speaker: Your special committee appointed to wait on His Excellency, the Governor, have preformed their duty, and ask leave to report as follows:

That His Excellency will communicate his message at 2

o'clock, this p. m., in joint convention.

Respectfully submitted. with the resh JOHN FOSHER.

only that a countitiee of one has been appointed by the Countries on the countities of the countries of the

Committee on credentials submitted the following report:

Mr. Speaker: Your committee on credentials ask leave to report that B. F. Johnson is present from the first representative district, and entitled to a seat in this House.

Respectfully submitted of the data states H. J. GRAHAM, JOHN FOSHER, or of event also states and position of T. C. BERGEN.

fort as follows: That J. F. Gardner, of the second representa-

On motion of Mr. Henry, a state of both the bar of the House, and took the required path. [7, 5] J. J.

Mr. Gergory offered the following resolution:

Resolved, That this House go into joint convention with the Council, at 2 o'clock, this p. m. to hear the message of the Governor.

On motion, adopted.

On motion of Mr. Ball, #t to vreterose of the T hardes A Dougla djourned until 2 o'clock, this pom. org of between

on the

mmit, the Excelmbly.

ary 5.

nmit-

it on and

R.

ittee

o reative

took

the the

Overtion: Am I autinoises twoonastane or more interprederate to interpret for Mexican members of the Legislature 21.

House met at 2 o'clock; pem; pursuant to adjournment; Roll called.

No absentees. Quorum present.

Sergeant at Arms announced the presence of the Council.
They were admitted to seats upon the floor of the House.
The two Houses then went into joint convention.

The Hon. Henry C. Leach, President of the Council, in the

Very Respectfully,

The committee appointed to wait upon the Governor and estent him to the House, retired, and soon thereafter returned to the Hall with His Excellency, Alexander Cummings, Governor of the Territory of Colorado, who was conducted to the Speaker's chair, and delivered to the Joint Assembly his message. After hearing which, Mr. Hinsdale moved

That this Joint Convention do now dissolves broser of the trans-Carried roger of betsenper erew selfs no settimmes of T

Speaker called House to order,

Wro Fosher moved that that the raid committee stated that that the raid of said committee stated the raid of said committees are raid of said of

That the chair appoint a committee of three to confer with a like committee on the part of the Council, and ascertain what number of copies of the Governor's message are required to be printed and published for the use of the two Houses respective.

Carried Hungar T. od Ano. 100 To YALTHAM TO STAND OF Speaker appointed Messrs. Fosher, Riddlebarger and Henry such committee.

Sergeant at Arms announced a message from the Secretary of Territory, which was received and read, as follows:

Creek from instructions sent me by Treasury Department:
Thysorings The Hart to YRATSSSSSHIPS TO SSIGNO under continued with the Jayran Department of Territorial criming. The limits of the annual appropriations, aside from

Sir: In reply to your resolution of this date, asking me to employ an interpreter for the Mexican members of the House of Representatives, I would most respectfully submit the following extract from a letter of instructions from the Treasury Department, on file in my office: as no tamodal below to not a second to be a s

bas, uoisses all o grinting lendonded mber 15th, 1862.

Hon. Sam. H. Elbert, Secretary Colorado Herritory, Denverbuges & Sir: Some time, since, you desired information on the followinspoints mind, requested and other states of the reduced information of the followinspoints mind, requested and discount of the reduced information of the followinspoints mind and secretary colorado Herritory, Denverbuges and the secretary colorado Herritory colorado Herrit

Jar

Sion

the

tory

the

desi

the

(

the

len

ser

an

he

CO

pi

8:

a

Question. Am I authorized to employ one or more interpret ers to interpret for Mexican members of the Legislature? Answer No. This Department cannot authorize thatogroll

> Very Respectfully, To abser RANOL H. M.W. resent.

. restored the presence of the Conneil.

bey were admitted to seats upon the floor of the House. Under these instructions I would not be authorized to employ an interpreter, except at the Territorial expense of no H odl

Very Respectfully, the committation and residual for the Covernor and es

thim t,TRABULE. Hr. MAS, and soon thereafter returned to

Tex. Tovered Commings Governor

the Territory of Colorado, who was conducted to the Speak On motion of Mr. Ball, A Joint of the Joint Mr. Ball, A joint of delivered to the Joint Mr. Ball, A joint of the Joint Mr. Ball, A joint

The communication from the Secretary was placed on file as part of the records of this House. noithey not brief sids tan!

The committee on Rules were requested to report, by the

Chairman of said committee stated that their labors were not completed, and requested further times through rish out tad

ecommittee on the part of the Council, and ascertbatnerd Sergeant-at-Arms announced a communication from the Secretary of the Territory, which was received and read, as follows

OFFICE OF SECRETARY OF COLORADO TERRITORY, 18 rone Hone regresselblis , redso Denver, Jamuary 5th, 1866.

To the Honorable Speaker of the House of Representatives : 11809

Sir: I begoleave to call your attention to the following ex-

tract from instructions sent me by Treasury Department:

"This Department claims and exercises the right, under existing laws, to regulate the price and quantity of Territorial printing. The limits of the annual appropriations, aside from any other consideration, would not admit of any indefinite action in this respect, by the General Assembly of victor as :

You will therefore suggest to the presiding officer of each House, that memorials, petitions and documents, having no necessary connection with the duties of legislation, or the dissemination of useful information among the people, will be excluded, and not printed at the expense of the United States."

The proprietors of the Rocky Mountain News have been em ployed by me to do the incidental printing of this session, and will do such printing as your committee on printing (with prop-

I am also authorized by the Department, to furnish each member of the Legislature with one newspaper, during the ses-

sion. The members will oblige me by giving their names to the Clerk, with the name of the paper published in our Territory, which they desire.

tory, which they desire.

I am also instructed by the Department to pay the postage of the members during the session. Letters and papers which they desire to mail, they will please frank and place in the hands of the Sergeant-at-Arms.

Very Respectfully, Your Obedient Servant, Ing column of

SAM. H. ELBERT of the Secretary Col. Ter.

Openion, adopted

On motion, the communication was placed on file, as part of the records of the House.

Mr. Henry offered the following resolution: Mr. Riddlebarger moved to smend by saying Monday, the

Resolved, By the House of Representatives, that the presiding officer of this body is hereby requested to report to His Excellency, the Governor, the names of all duly elected members to this branch of the present Assembly, as proclaimed by him under date of December 11, A. D. 1865, who have, through absence from the Territory, or otherwise, failed to take their seats; and that the seats of all such absentees be and the same are hereby declared vacant, except the member from Fremont county, and the members from Costilla county; and that it is the voice of this body, that the Governor proceed, as soon as Practicable, to call a special election to fill such offices. Time Speaker shall take the charr, at the time to which the

Mr. Fosher moved that the House lay the resolution on the ble. table.

Carried of a quorum, the journal of Larried of Carried

Special committee appointed to confer with like committee On the part of the Council, relative to printing Governor's message, submitted the following report:

Mr. Speaker: Your special committee, appointed to confer with a similar committee on the part of the Council, with reference to the Governor's message, have discharged that duty, and would report as follows:

That your committee deem it advisable that there be published four thousand copies of the message in the English language, and one thousand in the Spanish language, for the use of the two bodies. seems, and be debated or but, unless, seems the two bodies.

JOHN FOSHER, Chairman,

On motion, the report was received and adopted, and committee discharged. Long of by the botts of Hals no home a toff A

Mr Colvin here requested permission to introduce a bill, entitled

ploy

er

ry 5.

pret

er. 90 1/25

the not

cre-WST

6.

exexial

om ac-CH ec-11-

id-11nd p-

h SH

Jan

dr

res

W

ce

ni

W] W]

ur

2.

T

10

10

W 01

60

p] 6(

8

S

D

An act to amend "An act to incorporate the Denver and Par cific Wagon Road Company." Approved March 10, 1864. ory, which they desire.

On motion of Mr. Fosher,

Permission was granted, and bill read. Detourts in osla min

Mr. Riddlebarger introduced the following resolution:

Resolved, That the Secretary of the Territory be authorized to employ an interpreter for the Spanish members of this House, at the expense of the Territory.

On motion, adopted.

Mr. Ball moved, former as w noite in the moved of the moved. That the House do now adjourn until 9 o'clock, a. m., to-more

w. Mr. Riddlebarger moved to amend by saying Monday, the 8th row. January, 1866, and government both withdrawn. I wood and amendment both withdrawn.

The committee on Rules submitted the following report:

A.r. Speaker: Your committee, appointed to report Rules for the government of this House, ask leave to report the following, and recommend the adoption of the same: hereby declared vicent, except the member from Fremon

# RULES OF THE HOUSE OF REPRESENTATIVES.

Practicable, to call a special election to fill such office The Speaker shall take the chair, at the time to which the House stands adjourned, and the House shall then be called to order, and the roll of the members called.

2. Upon the appearance of a quorum, the journal of the preceding day shall be read by the Clerk, and any mistake therein

may be corrected by the House.

3. The Speaker shall vote on all questions taken by yeas and nays, (except on appeals from his own decisions,) and on all elections, or divisions called for by any member.

4. Every member, previous to speaking, shall rise from his

chair, and respectfully address himself to the Speaker.

5. No member shall speak more than twice on the same quest tion, without leave of the House, nor more than once until every member who chooses to speak, shall have spoken, except chair men of committees, upon matters reported by them.

6. No motion shall be debated or put, unless the same be seconded; it shall be stated by the Speaker, before debate, and any such motion shall be reduced to writing, if the Speaker or any

member desire it.

7. After a motion shall be stated by the Speaker, it shall be deemed to be in possession of the House, but may be with

d Paris

the (1)

ary 5.

rized ouse,

mor .77/ e 8th

for low-

Jon 19 the 17to

prerein reas

all his

iest! ery air

ny ny be

th

sec-

drawn at any time before amended, or decision; but all motions,

resolutions or amendments, shall be entered on the journal, whether withdrawn, rejected or adopted. Hade Hid of 8. When a question is under debate, no motion shall be re-

ceived, but to adjourn; to lay on the table; to postpone indefinitely; to postpone to a certain day; to correct or to amend; which several motions shall have precedence in the order in which they stand arranged; and a call of the House may be had upon a demand of three members. It stoll out vd bear ad Hada

9. A motion to adjourn shall always be in order, except when a member is addressing the chair, or a vote is being taken. That, and the motion to lay on the table, shall be decided with-

out debate. I odd to committee or the Laboratory

10. The moving of the previous question shall not be allowed in this House, except by demand of three members.

11. The Clerk of the House shall make a list of all bills which have been reported upon by the Committee of the Whole, or any other Committee, in the order in which they are reported back, except that bills of a public character shall always be placed above private bills, and such bills shall be taken up and considered by the House in the order in which they stand.

12. Every member who shall be present before the vote is declared from the chair, and no other, shall vote for or against the same, unless the House shall excuse him, or he be interested

In the question, in which case he shall not vote.

13. When the Speaker is putting the question, no member shall walk out of, or across the House, nor, when a member is speaking, shall any person entertain any private discourse, or pass between him and the chair; and no smoking shall be allowed in the House.

14. If the question in debate contain several points, any

member may have the same divided.

15. A member called to order, shall immediately sit down, unless permitted to explain; and the House, if appealed to, shall decide the case; if there be no appeal, the decision of the chair shall be submitted to.

16. Every bill and resolution, shall have prefixed thereto. the name of the person introducing it; and when ordered by a committee, the name of said committee shall be endorsed there-

17. Every bill shall receive three several readings previous to its being passed, but the first and second readings shall be by their titles only, unless some member of the House demand the reading at full length, in which ease it shall be read, and the second and third readings shall be on different days; and the third reading shall be on a day subsequent to that in which it has passed a Committee of the Whole House, unless the House,

by the vote of two-thirds of the members present, shall direct

18. No bill shall be committed or amended, unless it has been twice read. On the final passage of all bills, the vote shall be by ayes and nays, and entered on the journal.

19. In forming a Committee of the Whole House, the Speak

er shall appoint a Chairman to preside, anoitom larges doing

shall be read by the Clerk and debated by clauses, leaving the preamble to be last considered. All amendments shall be entered upon a separate piece of paper, and so reported to the House by the Chairman.

21. All questions, whether in Committee or the House, shall be put in the order they are moved, except in the case of privileged questions; and in filling up blanks, the largest sum and

the longest time shall be first put off and to drall add. I

22. A similar mode of proceeding shall be observed with bills which have originated in the Council, as with bills originated

mating in the House rade eller a do allid tant toose

23. No motion for reconsideration shall be in order, unless on the same day, or the day following that on which the decision proposed to be considered, took place, nor unless one of the majority shall move such reconsideration. A motion for reconsideration being put and lost (except in case of privileged motions,) shall not be renewed.

24. When notice of the intention to move the reconsideration of any bill, or joint resolution, shall be given by a member the Clerk shall retain the said bill, or joint resolution, until after the time during which the said motion can be made, unless

the same shall previously be disposed of.

25. The Rules of the House shall be observed in Committee of the Whole House, as far as may be applicable, except that the ayes and mays shall not be called, nor the previous question enforced.

26. A motion that the Committee rise, shall always be in

order, and shall be decided without debate. I hastimulus ad

27. The following standing committees shall be appointed by the Speaker, to consist of five members each:

A committee of Agriculture and Manufactures

A committee of Territorial Affairs.

A committee of Education. A groot Hade Hid vie/8

A committee of Federal Relations.

A committee of Printing. The second section of no solid media

A committee of Rules and Joint Rules, the Manual Rules

A committee of Military Affairs. a symboot bride has butter

A committee of Roads and Bridges, o od Hade and head

A committee of Indian Affairs.

C	Hees
	has
•	1011
,	shall
	1199

peak-

fouse, g the oe enothe

shall priviand

with originless

lecis of the economo

deranber, il af nless

ittee that stion

nted

Second reading old Mehnslo aniber brood	10th.
A committee of Judicial ver tert bas no its borton	datt
A committee of Elections and Apportionmentoso?	12th.
A committee of Counties and County Lines bismo	18th.

A committee of Incorporations of States and Minerals and Minerals and Minerals and Minerals.

A committee of Engrossment of the A committee of Engrossment A committee of Engrollment A committee of Engrollment of the A committee of Engrossment of the Engrossme

28. The committee on Engrossment shall examine all bills, after they are engrossed, and report the same to the House correctly engrossed, before their third reading, and said committee may report at any time.

29. Select committees, to whom reference shall be made, shall bin all cases, report a state of facts, and their opinion thereon, to the House.

30. In all cases where a bill, order, resolution or motion shall be entered on the journals of the House, the name of the member moving the same shall be entered on the journals.

31. The Speaker shall cause the Clerk to make a list of all bills, resolutions, reports of committees, and other proceedings of the House, which are committed to a committee of the Whole Honse, and which are not made the order of the day for any particular day, and to number the same; which list shall be called "The general orders of the day," and they shall be taken up in the order in which they are numbered, unless otherwise ordered by a majority of the House; and the Clerk shall also keep a book, showing the situation and progress of all bills.

32. Every message from the Council, communicating any bill for the concurrence of the House, shall, after the second reading of the bill, be referred to such select or standing committee as shall be assigned by the House, with the accompanying documents, if any, to consider and report thereon, unless otherwise ordered by the House.

33. On the meeting of the House, the order of the day shall be as follows:

1st. Prayer by the chaplain, if present, is a of Hade noisty 2nd. Call of the roll. I amy a roll slid yes sail.

3d. Reading of the journal of the previous day. no beenly

4th. Presentation of petitions. of berefro villeloges assign

5th. Report of the standing committees.

6th. Report of select committees. 7th. Messages from the Governor.

8th. Amendments proposed by the Council to bills from the House of Representatives.

9th. Motions, resolutions and notices.

Ja

of

ly

6

r

t

- 10th. Second reading of bills and resolutions from the Council.
- 11th. Introduction and first reading of bills. Attention A
- 12th. Second reading of House bills and resolutions.
- 13th. Consideration of bills reported upon by committees.
- 14th. Third reading of Council bills and resolutions. A
- 15th. Third reading of House bills and resolutions. 116th. Unfinished business of the preceding day.
  - 17th. Special Orders of the day.
  - 18th. General Orders of the day. organi to settimmos A.

Any other business not prohibited by the Rules of the House. 341. When the House have arrived at the General Orders of the day, they shall go into Committee of the Whole, upon such orders, or a particular order designated by a vote of this House, and no business shall be in order until the whole are considered or passed, or the Committee rise; and unless a particular bill is ordered up, the Committee of the Whole shall consider, act upon, or pass the General Orders, according to the order of their reference.

35. The Speaker may leave the chair, and appoint a member to preside, but not for a longer time than one day, except by leave of the House.

36. The rules of parliamentary practice, embraced in Jeffer son's Manual, shall govern the House, in all cases in which they are not inconsistent with the standing rules of the House, and the joint rules of the Legislative Council and House of Representatives.

37. No rule of the House shall be suspended, altered of amended, without the concurrence of two-thirds of the members present.

38. The regular hour of the daily meeting of the House shall be nine o'clock in the morning, unless some other hour be designated by the House, at the time of adjournment.

39. The ayes and nays shall be ordered, when demanded by any member, except upon the final passage of bills, in which case the ayes and nays shall be had without any demand.

40. That whenever a call of the House is ordered, the absentees be fined two dollars each, unless excused by the House, which shall be paid to the Sergeant-at-Arms.

41. That any bills after having been read a second time, be placed on file for consideration in the Committee of the Whole, unless especially ordered by the House.

Amendments proposed by the Council to bills from

Messages from the Governor.

Motions, resolutions and notices.

the House of Representatives.

Rule 10. The PresidEALUR TINOLil shall preside at all Conventions of the Houses, A and ment markening

OF THE COUNCIL AND HOUSE OF REPRESENTATIVES.

Fifth Session of the Legislature of Colorado Territory

voting, and in all cases he shall vote last. Rule 1. When a message shall be sent from the Council to the House of Representatives, it shall be announced at the door of the House by the Sergeant-at-Arms, and shall be respectfully communicated to the chair by the person by whom it may Mr. Ball moved that the report be received, and contries od

Rule 2. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Mr. Hall moved that a committee of two be appointed lianuo

Rule 3. Messages shall be transmitted from one House to the other while both Houses are in session.

Rule 4. After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the House of Representatives, or of the Council, as the bill may have originated In the one or the other House, before it shall be presented to the Governor of the Territory for his approval about over

Rule 5. When the bills are enrolled, they shall be examined by a joint committee of two from the Council, and two from the House of Representatives, appointed as a Standing Committee for that purpose, who shall carefully compare the enrollment with the engrossed bills, as passed in the two Houses, and correcting any error that may be discovered in the enrolled bills, make their report forthwith to their respective Housesboom A

Rule 6. After examination and report, each bill shall be signed in their respective Houses, first, by the Speaker of the House of Representatives, then by the President of the Council.

Rule 7. After a bill shall have been thus signed in each House, it shall be presented by the said committee to the Governor for his approbation, (it being first endorsed on the back of the roll, certifying in which House the same originated; Which endorsement shall be signed by the Chief Clerk of the House in which the same did originate,) and shall be entered on the journal of each House. The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the journal of each House.

Rule 8. All orders, resolutions and votes, which are to be presented to the Governor of the Territory for his approbation, shall also, in the same manner be enrolled, examined and signed, and shall be presented in the same manner, and by the same committee as provided in the cases of bills morning of

Rule 9. Each House shall transmit, in case they are demanded, all papers on which my bill or resolution shall be founded.

ouse. rs of such ouse; lered ill is , act

ary 5.

uncil.

ees.

their mber t by

effer. they , and epred or

bers shall des

1 by 20-

mse, e, be pole,

Ja

st

J

Rule 10. The President of the Council shall preside at all Conventions of the Houses.

Rule 11. Any three members may move a call of the Convention.

Rule 12. In all cases, the President shall have the right of

voting, and in all cases he shall vote last.

Rule 13. When a bill or resolution, which shall have passed one House, shall be rejected in the other, notice thereof shall be given to the House in which the same may have passed.

y communicated to the chair by the person by whom it may Mr. Ball moved that the report be received, and committee Rule 2. The same ceremony shall be observed wh.begrardsch Sage shall be sent from the House of Representativibeirrane

Mr. Hall moved that a committee of two be appointed to confer with a like committee of the Council, on Joint Rules.

Speaker appointed Messrs. Hall and Colvin as such committee. Mr. Henry offered the following resolution: bellowed vlub resentatives, or of the Council, as the bill may have originated

Resolved. That the Secretary of the Territory be instructed to have five hundred copies of the Rules of the House printed for the use of the House dt, the bills are enrolled, the sewort and V is a substitute of the House o was joint committee of two from the Council, and two from the

Mr. Colvin moved to amend by saving one (1) hundred instead of five (5) hundred copies and that only recommended to

Mr. Fosher moved to amend by saying fifty copies instead of recting any error that reav be discovered in the enbarband one

Amendment to the amendment, lost, without from right along

Question as amended by Mr. Colvin was then put and carried. Mr. Gregory asked leave of absence until Monday, Jan. 8th.

Leave granted by the Housed near the by the House of the Branch and I bear of the Branch and I b

Mr. Ball moved to adjourn till 9 a. m., to-morrow. . 7 9108

-Mr. Henry moved to amend by saying 10 o'clock, a. m.

Amendment accepted, and guied it being bns derges sid rol rours

House adjourned until 10 o'clock, a. m. guivittee , flor out to

### the journal of each House. The said committee shall report ed Hada emSATURDAY, January 6th, 1866. arg to vab ed

Which endorsement shall be signed by the Chief Clerk of the House in which the same did-originate,) and shall be entered on

House met at 10 o'clock, a. m. pursuant to adjournment of Presented to the Governor of the Terrinds admiral and the Speaker in the Covernor of the Terrinds and the Speaker in the Speak

shall also, in the same manner be enrolled, examinedballastond,

Absent, Messers. Bergen, Ball, Halland Riddlebarger, a hour Committee as provided in the cases of bilistnesser muroup on

-Sergeant at Arms was dispatched after absent members, 1131

Mr. Riddlebarger appeared and Itook seat id And aroung Ha Do

at all

arv 6.

Con-

ht of

assed shall of the

rittee

con-

ittee.

edito 1 for

\$ 70

ind of

ried. th

, Do

Mines and Minerals, -B. R. Colvin, S. Mesanuna muroup

Communication read from Rev. O. A. Willard, Chaplain elect. stating that he could not attend the session of House until Parollment .- D. J. Ball, Frank Hall and B. R. C.txan vabsaul

On motion of Mr. Ball,

It was received and placed on file as part of the Records of amend an acteto incorporate the Denver and Sand tested as been

Journal of previous day read, corrected and approved.

Mr. Ball appeared and took his seat, but better even I

On motion of Mr. Breath, to to thiog a of esor redsoft .TM

Leave of absence was granted Mr. Bergen until Wednesday,

January 10th, 1866.

Mr. Camilla Ducheneau having been employed as interpreter for the House, came forward and took the required oath of office, which was administered to him by the Speaker. ... sllestrad

The Speaker then announced the following Standing Com-Mr. Henry introduced the following resolution: sestim

STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

Agriculture and Manufactures.—H. J. Graham, T. C. Bergen, B. F. Johnson, J. A. Gardner and J. G. Martine.

Territorial Affairs. J. Fosher, B. F. Johnson, D. J. Ball.

Thomas Keys and J. G. Martine Hut to not belles ed guibeer

Education.—Thomas Keys, D. J. Ball, H. J. Graham, B. R. Colvin and J. F. Gardner oituloset bas , betgeens thembaem A.

Federal Relations.—Frank Hall, D. J. Ball, P. Dodge, Thomas Mer Henry and J. W. Henry of Hill sould be bould the rank I M.

Printing.-Frank Hall, P. Dodge, B. F. Johnson, M. Riddle barger and H. J. Graham. ola A od zeoros ogbird flot a nistnism

Rules and Joint Rules .- P. Dodge, J. G. Ehrhart, J. Fosher, J. W. Henry and H. J. Graham, la romem mioj a rol llid a soul

Military Affairs.—J. F. Gardner, L. F. Bartells, B. R. Colvin, W. Henry and M. Riddlebarger, madard all to notiol no

Roads and Bridges .- H. J. Graham, T. C. Bergen, S. M. Breath, J. G. Ehrhart and M. Riddlebarger.

Indian Affairs.—S. M. Breath, J. W. Henry, D. Gregory, J. Fosher and B. F. Johnson.

Ways and Means.—Frank Hall, S. M. Breath, D. J. Ball, L.

F. Bartells and P. Dodge. Judiciary .- J. W. Henry, B. R. Colvin, J. Fosher, Thomas

Keys and S. M. Breath. Elections and Apportionment. I. F. Bartells, Frank Hall, B. F. Johnson, J. G. Martine and M. Riddlebarger of all restauge

Counties and County Lines.—D. J. Ball, J. F. Gardner, B. R. Colvin, J. W. Henry and H. J. Grahamvell arsself those A

Incorporations.—M. Riddlebarger, H. J. Graham, D. J. Ball, T. C. Bergen and L. F. Bartells.

Mines and Minerals.—B. R. Colvin, S. M. Breath, D. J. Ball, J. Fosher and Thomas Keys.) .voll mort beer not been not

Engrossment.—Thomas Keys, H. Dodge and J. W. Henry. Enrollment.—D. J. Ball, Frank Hall and B. R. Colvin, Basel

Mr. Graham asked leave to present a bill entitled "An act to amend an act to incorporate the Denver and San Luis Valley Wagon Road Company. Journey Deer veh suoivere de farmale

Leave granted. And bill read by its title by the state of the state of

Mr. Fosher rose to a point of order and to motion all

Mr. Bartells moved that all bills introduced be read at length on first reading.

Mr. Carnilla Ducheneau having been employed as ibaira er Mr. Graham moved that House reconsider the motion of Mr. Bartells. rasked and of her beretaining and delily and

The Speaker then announced the following Standbeiran

Mr. Henry introduced the following resolution:

Resolved, That Rule 17, of the Standing Rules of this House be so amended as to read that every bill and resolution shall be read the first and second time by their titles only.

Mr Riddlebarger moved to amend by saying "Except the reading be called for at full length, by some member of the Education. - Thomas Keys, D. J. Ball. H. J. Graham . szuoH

Amendment accepted, and resolution passed as amended.

By permission of the House, Isil Agen't - another levels

Mr. Henry introduced House Bill, No. (3) three, entitled "An act granting exclusive right to William Craig, to erect and maintain a toll bridge across the Arkansas River. II bus north

Mr. Fosher gave notice that at some future day he would intro duce a bill for a joint memorial to Congress, concerning a Mining Bureau. I Martin A. J. A. Bartell & Bartella washill

On Motion of Mr. Graham, regresselbbist M. bus vanell . W.

House adjourned to meet on Monday at 9 o'clock. a. m., Jan-Breath, J. G. Ehrhart and M. Riddlebarger. uary 8th, 1866. bulian Affairs, S. M. Breath, J. W. Henry, D. Gregory, J.

### MONDAY, JANUARY 8th, 1866, I

Cosher and B. F. Johnson.

Keys and S. M. Breath. House met at 9 o'clock, a. m., pursuant to adjournment. Speaker in the chair and blill M. bus outrall . D. L. mozado

Ways and Monte, Frank Hall S. M. Breath, D. J. Ball, L.

Counties and County Lines . D. J. Ball, J. F. Gables 118R.

Absent,-Messrs. Bergen, Bartells, Ball, Colvin, Ehrhart, Gregory, Henry, Hall, Johnson, Martine and Riddlebarger. C. Bergen and L. F. Bartells. Ball, Statin

ry 8.

ct to

alley

ngth

Mr.

this tion

the the

An and ro-

linan-

rt,

Mr. Breath moved the House adjourn until 2 o'clock, p. m. Carried. On motion of Mr. Fosher, and of the

#### Referred to committee on Incorporations, account AFTERNOON SESSION.

On motion of Mr. Hemy, House met at 2 o'clock, p. m., pursuant to adjournment. Speaker in the chair, no bus, and buses beer & .o. H. H.

Referred to committee on Incorporations. ... belong Absent,—Messrs. Bergen, Bartells, Ball, Gregory and Riddle-Sergent-at-Arms to procure a man of Colorado Territ regrad

No quorum present.

Mr. Ball appeared and took his seat. beyon vinel AM

Quorum announced olo of the wortom of littue muoiba off.

Journal read, corrected and approved of boyom allotrail .11/ Mr. Bartells appeared and took his seat.

Order of business read.

Special committee on joint rules, submitted the following re-

one of TUESDAY, JANUARY Rth. 1866. Mr. Speaker: Your committee on rules and joint rules, beg leave to report that they have conferred with a like committee from the Council, and have decided to adopt the rules and joint rules of the session of 1865.

renkol Jamenda Mall Blottella Botte. HALL, Chairman.

On motion of Mr. Bartells, theseng muroup of

The report was received and adopted, and committee discharged.

Mr. Fosher moved

That there be a committee of three appointed to examine the Governor's Message, and recommend it to the different committees for their action on the same be of familiary domestioll

Carried. And

Speaker appointed Messrs. Fosher, Ball and Bartells as such 

Mr. Fosher offered the following resolution:

Resolved, That Judges of the Supreme Court, members of the Executive Department and members of the Council, be admitted Within the bar of this House and Islands and Transport all

On motion of Mr. Ball,

That as much of that Message as refers to Indian batqobAnc Mr. Fosher here introduced a bill entitled "A bill for a joint memorial to the Congress of the United States, asking for the establishment of a Mining Bureau for the Territory of Colorado.

J

Bill read first time by its title.

H. B. No. 1, was read second time, and beyont disord all

On motion of Mr. Fosher,

Referred to committee on Incorporations.

H. B. No. 2, read second time, and

On motion of Mr. Henry,

Referred to committee on Incorporations. O 2 de tom auroll

H. B. No. 3, read second time, and on motion, and an arranged Referred to committee on Incorporations.

Speaker ordered of Half ellotted moral sessol moral A

Sergeant-at-Arms to procure a map of Colorado Territory for the use of the House.

Mr. Henry moved

To adjourn until to-morrow at 10 o'clock, a, m. m. m. m. m.

Mr. Bartells moved to amend, by saying 9 o'clock, a. m.

Special committee on joint rules, submitted the following re-

Amendment accepted, and motion carried. aga allotta a. . M.

### TUESDAY, JANUARY 9th, 1866.

House met at 9 o'clock, a. m., pursuant to adjournment. Speaker in the chair.

Roll called.

Absent, Messrs. Bergen, Bartells, Ball, Ehrhart, Fosher, Gregory, Hall and Martine.

No quorum present.

On motion of Mr. Riddlebarger, House adjourned until 10 o'clock, a. m.

# That there be a committee, 30610 och appointed to examine the Gevernor's Message, and recommend it to the different com-

House met pursuant to adjournment to doiton tieds not seettint

Speaker in the chair.

Speaker appointed Messra, Fosher, Ball and Barbellas floral

Absent, Messrs. Bergen, Gregory and Hall.

Special committee on Governor's Message, made the following Resolved, That Judges of the Supreme Court, members trioger Executive Department and members of the Council, be admitted

Mr. Speaker: Your special committee to whom was referred the Message of His Excellency, the Governor, beg leave to recommend.

That as much of that Message as refers to Indian Affairs be referred to committee on Indian Affairs.

That portion referring to Finance, to the committee on Ways and Means.

v 9

for

er.

10

19

d

e

That portion referring to Pacific Railroad, Telegraph and Denver Memorial, to the committee on Federal Relations.

That portion referring to Territorial Affairs, Library and School Fund, to committee on Education. Taket od stadmant these

That portion referring to the Adjutant General's Report, and Colorado Militia, to the committee on Military Affairs.

That portion referring to the Supreme Court, to the committee on Judiciary. It stops and strike out " except the root out

That portion referring to Gambling and Emigration, to the committee on Territorial Affairs. IM vd botgood thombaomA

Respectfully submitted, ituloser suff tall beyont redsoft all

JOHN FOSHER, Chairman.

Mr. Henry gave notice that he would on to-morrow, or some subsequent day, introduce! , 19010'o 2 to sootneed to some oft

A Bill to incorporate the Colorado and New Mexico Wagon Mr. Hall moved, 2019

Road Company.

Also at the same timeplo'o 2 liter truojbe escoll shit tad?

A Bill to amend an Act entitled An Act to prevent the introduction of animals for the purpose of grazing, within certain limits, approved November 6th, 1861.

Also at the same time,

A Bill for an Act granting the exclusive right to Thomas Suttells, of Pueblo, to establish and maintain a ferry across the Arkansas River at the town of Pueblo imports no obtinimo

Mr. Riddlebarger gave notice that he would on to-morrow, or Some subsequent day, introduce ootimmoo Tuo Y realizer. All

A Bill for an Act concerning County Lines, gainellot out time

That A. Mansur, Its Austin, and J. W. Watson, of LoslAth A Bill for an Act to incorporate the Arkansas River and Saint Charles Ditch and Irrigating Company, to mored . C. A.

Mr. Fosher gave notice that he would on to-morrow or some subsequent day introduce shirtsib data of to shoot mill

A bill relating to Assaying of Minerals in Colorado Territory. Mr. Bartells gave notice that he would, on to-morrow or some In all, eight members who were positioning, yell thousand its

A Bill to repeal an Act entitled An Act to create the office of

Flour Inspector, approved Feb. 8th, 1865. roget evolution W

Mr. Ball presented a petition asking for the establishment of a new County, to be taken off of the western part of Summit' County 1201 VHOL

The petition was read and referred to the committee on

Counties and County Lines. lo noitgobe adt bevom rader I. M.

Mr. Henry presented a petition from Joseph Cox and others, asking for the right to Thomas Suttells, of keeping a ferry at then taken up and considered.

The petition was read and referred to the committee on Incorporations.

H. J. R. No. 1 was read second time and referred to committee On Federal Relations. If no estimmos of ot Isiromell revenue

Mr. Riddlebarger moved that the resolution in relation to absent members be taken from the table and considered. I food?

That portion referring to the Adiatant General's Rebeirrand

Mr. Riddlebarger offered the following amendment: oberold

Strike out "or" in the 8th line, and "otherwise" in the 9th line from the top; and strike out "except the member from Fremont County, and members from Costella County," and members from Costella County, "or to the county of the coun

Amendment accepted by Mr. Henry, sirotime of no settiment

Mr. Fosher moved that this resolution be made the order of the day for 2 o'clock, this p. m.

Carried.

Mr. Colvin moved that the committee on Credentials report the names of absentees, at 2 o'clock, this pomni was thempositive

A Bill to incorporate the Colorado and New Mexicobirra

Mr. Hall moved,

Road Company. That this House adjourn until 2 o'clock; p.om. of the off A A Bill to amend an Act entitled An Act to prevended An

#### AFTERNOON SESSION. VO / beyonger stim

House met pursuant to adjournment are to A as tol Hill A

Speaker in the chairmand maintailed to of dead To allettus

Committee on credentials made the following report:

Mr. Speaker: Your committee on Credentials ask leave to submit the following report: tugo O guidronno to A me to Hill A

That A. Mansur, Ira Austin, and J. W. Watson, of the 6th A Bill for an Act to incorporate the Arkansas Riv, tortail

A. D. Beran, of the 8th district, were bus detill solved briss

Geo. W. Norris, of the 9th district, spiton aver rode of 11/

Wm. Lock, of the 13th district, appropriate veh themposedus

Jesus Maria Barela, of the 19th district, A of guitaler Hid A

And M. Mandragen, of the 11th district, over stlemal . 11/

In all, eight members who were proclaimed elected to this House, have failed to appear and take their seats.

We therefore report said members absent from this House. All of which is respectfully submitted a bottom first . Il

a n,MAHARD LL Haken off of the western part of Summit JOHN FOSHER.

corporations.

The petition was read and referred to the committee on Mr. Fosher moved the adoption of the report. O ban softmood Mr. Henry presented a petition from Joseph Cox a birrads,

Mr. Henry's resolution in relation to absent members was then taken up and considered.

Ayes and nays called for on the resolution and notified off

orab-

ny 91.

oraboraborabrofol-

from

riof

port A

limit A A

6th

his

FEE B

100

ras

200

Ayes, Messrs. Breath, Colvin, Dodge, Ehrhart, Graham, Hall, Henry, Johnson, Keys, Riddlebarger and Speaker—11.

Nays, Messrs. Bartells, Ball, Fosher, Graham and Martine 5.

Mr. Fosher offered the following resolution: soines and editorial literalized with the editorial literalized with literalized with the editorial literalize

Resolved, That the seats of all absentees reported by the committee on Credentials, as absent, shall be declared vacant.

Mr. Riddlebarger moved, or eldutose are to summiss of any

To lay the resolution on the table, and called for the ayes and nays.

Ayes, Messrs. Breath, Colvin, Dodge, Ehrhart, Graham, Hen-

ry, Keys, Riddlebarger and Speaker 9. ollas avan bus soy

Nays, Messrs. Bartells, Ball, Fosher, Gardner, Hall, Martine,

6. Carried.

Mr. Bartells introduced the following resolution:

Resolved, That no standing committee shall hold a bill longer than five days under consideration, without the consent of the House.

Mr. Graham gave notice that he would, at some future time, introduce a bill for changing the time of holding the General Elections.

Mr. Colvin introduced the following resolution:

Whereas, The people of the Territory of Colorado, in their sovereign capacity, ordered an election and adopted a State Constitution, on the second of September, 1865, and also duly elected members to a State Legislature, in accordance with said Constitution.

And whereas, The Honorable Senate and House of Representatives of the said State Legislature, after having organized, appointed a special committee to wait on His Excellency, Governor Gilpin, Governor elect of the so-called State of Colorado, and inform His Excellency that both Houses were duly organized, and would meet in joint Convention at a specified time, at which time the Legislature would be ready to listen to any communication he might think proper to offer.

And Whereas, His Excellency, Governor Gilpin, appeared before said joint convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and delivered a very important and instructive message, O. Had Alassa alleman areas of the convention and the convention areas of the convention areas of the convention and the convention areas of the convention and the convention areas of the conventio

Therefore, Resolved, 1st, That inasmuch as said State Legislature and said joint convention, and all acts done by them were unprecedented and informal, we, the House of Representatives of the Territory of Colorado, heartily approve the magnani-

mous condescension of His Excellency, Governor Gilpin, in delivering a message to said State Legislature.

Resolved, 2d, That we commend the wisdom and high appreciation, as shown by the State Legislature, in ordering five thousand copies of Governor Gilpin's message printed.

Resolved, 3d, That we denounce the comments in the editorial columns of the Rocky Mountain Daily News, of Jan. 8th, wherein it characterizes the message of Governor Gilpin as dealing in ambiguous and highfaluting language, as undignified and unworthy the columns of any respectable newspaper of Colorado.

To lay the resolution on the table, and called for the aves a

Mr. Ball moved,

To lay resolution on the table, and disert are off soy A

Ayes and nays called for Assor bas regressiblish are A . The

Ayes, Messrs. Ball, Dodge, Fosher, Graham, Hall, Johnson, Keys, Riddlebarger and Speaker—9.

Nays, Bartells, Breath, Colvin, Ehrhart, Gardner, Henry and Martine-7.

Resolved. That no standing committee shall hold a being of

Sergeant-at-Arms announced a message from the Council.

# Council Chamber, January 9, 1866.

To the Honorable Speaker of the House of Representatives:

I am instructed to inform your Honorable Body that the Council has passed the following bill, C. B. No. 10.

A bill for an act to suppress gambling and gambling houses, approved March 2d, 1864,

And to repeal an act limiting the operation of an act to suppress gambling and gambling houses, approved March 2d, 1864.

And repealing certain parts of section 31, of an act entitled an act to incorporate the city of Denver, approved March 11th, 1864.

Very Respectfully, CHARLES E. COX, Secretary-

Mr. Riddlebarger moved and missing seems below bus best

To adjourn until 10 o'clock, a. m., to-morrow.

Mr. Bartells called for the ayes and nays.

Ayes, Messrs. Ehrhart, Gardner, Graham, Hall, Henry, Johnson, Riddlebarger and Speaker—8.

Nays, Messrs. Bartells, Breath, Ball, Colvin, Dodge, Fosher, Keys and Martine—8.

Lost, mode of enoblates the han animaying their bins bus

. Mr. Bartells moved, Il all and law lamadhi bag betterbeserd

To suspend the rules and consider C. B. No. 10. 10

The bill be read first and second time, and referred to appro-

n de-

TW 9.

prefive

orial init amrthy

son,

nry

es,

up-64. ed

Speaker in the chair. Carried, and Bill read first and second time. Down Bill read first and second time. Mr. Colvin moved,

Mr. Fosher moved.

priate committee.

Division of the House called for, and

Motion catried. AND YNAUKAL, YAGENNOOW

The House go into a committee of the whole, for the consideration of C. B. No. 10, in relation to gambling and gambling

Mr. Fosher offered the following resolution, as an amendment to Mr. Colvin's motion:

Resolved, That Council Bill No. 10, be referred to the committee of the whole, and made the special order of the day for to-morrow at 10 o'clock.

Amendment accepted,

Mr. Henry called for the reading of the rules.

Mr. Colvin moved to amend the resolution, offered by Mr. Fosher, by referring said "C. B. No. 10," to committee on Judiciary, and that said committee report at 10 o'clock to-morrow.

Mr. Fosher did not accept the amendment. Best leirons!

Mr. Fosher's resolution ruled out of order by the Speaker.

Mr. Fosher appealed from decision of the chair.

The House sustained the Speaker.

Mr. Graham moved, A to send House Council all of the Honorall all of

That rule No. 17, be suspended for the purpose of consider-Huerfano County, Coloredo, would respectfull .01 . No. 10. Huerfano

Carried. Town out paitorogrossi lid a sasq of saiboll oldato Mr. Graham moved that C. B. No. 10 be made the special order of the day for to-morrow at 11 o'clock.

Carried.

Mr. Riddlebarger moved, is in the feel beyone will all

The House adjourn until to-morrow at 2 o'clock, p. m. Mr. Hall moved to amend by saying 10 o'clock, a. m.

Aves and navs called for. an another condition of the most in the continued

Ayes, Messrs. Bartells, Breath, Ball, Colvin, Dodge, Ehrhart. Fosher, Graham, Hall, Henry, Keys, Martine and Speaker-14. Nays, Gardner and Riddlebarger—2.

Carried.

And House adjourned until 10 o'clock to-morrow. . # and Pacific Wagon Road, approved March 10th, 1864.

Ja

Ci

SU

53

01

0

### WEDNESDAY, JANUARY 10th, 1866.

House met pursuant to adjournment, at 10 o'clock, a. m. T Speaker in the chair.

Roll called.

Absent, Messrs. Bergen, Gregory and Hall.

Quorum present.

Ine House go into a committee by approved of the House go into a committee of the House go into a committee of the House go in the House go in

Committee on Credentials made the following report:

Mr. Speaker: Your committee on Credentials submit the following report:

Mr. Norris, from the 9th Representative District, has appeared and presented his credentials, and your committee find him entitled to a seat in this House.

H. J. GRAHAM, Chairman.

On motion, adopted. And

Mr. Norris appeared and the required oath was administered

to him by the Speaker.

Mr. Fosher presented a memorial from the people of Colorado, to the Congress of the United States, asking certain action in regard to titles of the mineral lands of Colorado.

Memorial read, and abusines out topose ton bil

On motion, referred to committee on Federal Relations.

Mr Riddlebarger presented the following petition:

To the Honorable Council and House of Representatives:

We, the undersigned citizens and residents of Trinidad, Huerfano County, Colorado, would respectfully ask your Honorable Bodies to pass a bill incorporating the town of Trinidad, believing we shall be materially benefited thereby.

And your petitioners in duty bound will ever pray.

Mr. Henry moved that permission be granted Mr. Riddlebarger to present a bill accompanying the petition.

Permission granted by the House. The of boyon Hall MM.

Committee on Incorporations made the following report:

Mr. Speaker: Your committee on Incorporations beg leave to report,

That they have had under their consideration H. B. No. 1, an act to amend an act entitled an act to incorporate the Denver and Pacific Wagon Road, approved March 10th, 1864.

Also,

H. B. No. 3, an act granting the exclusive right to William

7 10.

fol-

red

en-

0.01

red

raion

id,

n-

id,

11-

n

Craig, to erect and maintain a toll bridge across the Arkansas River, and recommend their passage without amendment.

MATT RIDDLEBARGER, Chairman.

AFTERNOON SESSION. Mr. Henry gave notice that he would, on to-morrow or some subsequent day, introduce a bill for the relief of the Arkansas Valley Ditch and Irrigating Company. ried odt ni rodeoge

Mr. Johnson gave notice that he would, on to-morrow or some

A bill to incorporate the Coal Creek and Black Hawk Wag-Resolved, That the Secretary of the Torynagmon haon no

MtMr. Colvin moved am oft diw esuoH sidt deinrol of betoutte

That all motions be reduced to writing asserbed odd to swall

Lost.
The following bills were read first time it bereits light and

A bill for an act to incorporate the Arkansas River and St. Charles Ditch and Irrigating Company and protino Coharolo

H. B. No. 6. For an act to repeal an act entitled, an act to create the office

of Flour Inspectored beiquese won gaiblind add niddiw becale Approved February 8th, 1865.

H. B. No. 7.
For an act to incorporate the Colorado and New Mexico Wagon Road Company.

H. B. No. 8.

For an act to amend an act to prevent the introduction of animals within certain limits. Derabisnoo bus que nodat woll

Approved November 6th, 1861; and tall beyon Hall iM

H. B. No. 9.

For an act granting the exclusive right to Thomas Suttells of Pueblo to establish and maintain a ferry across the Arkansas river at the town of Pueblo.

H. B. No. 10.

For an act to incorporate the Trinidad Town Company.

H. B. No. 1.

Read third time, and referred to the committee on Engrossment.

House went into committee of the Whole for consideration of C. B. No. 10.

Mr. Colvin in the chair.

The committe arose, asked leave to sit again.

Mr. Fosher moved that the Clerks of the House be authorized to compare the proof-sheets of Council Bill, No. 10 in order to make the necessary corrections.

Carried.

Mr. Riddlebarger moved that

Jaz

or

da

m

bl

po

ho

M

The House adjourn until 2 o'clock, p. m.

#### AFTERNOON SESSION.

House met at 2 o'clock, p. m., pursuant to adjournment. Speaker in the Chair. Visque J sanfaviril bus dond volls

Mr. Graham offered the following resolution and the posture

Resolved, That the Secretary of the Territory is hereby in structed to furnish this House with the manuscript copies of the Laws of the Legislative Assembly which the Organic Act 16 quires him to record and preserve.

Mr. Hall offered the following amendment:

Resolved, That the Honorable Speaker of this House be at thorized to request of the Honorable Sam. H. Elbert, Secretary of Colorado Territory, that this House be furnished with all man uscripts, laws, records, journals, and other papers pertaining to the Legislative Assembly now in session, and that the same be placed within the building now occupied by said Assembly, for its use and benefit.

Amendment accepted.

Motion made that House go into committee of the Whole at 24 o'clock.

Carried.

Hor an act to amend an act to prevent the gu. No. 13 ... H

Now taken up and considered. Stanil mintee middle stamine

Mr. Hall moved that the bill be referred to a select commit tee.

House went into a committee of the Whole for the considera qeblo to establish and maintain a ferry neross the Aformit

C. B. No. 10.

After some time committee arose.

Mr. Fosher moved the House take a recess of twenty minutes. Carried.

Time of recess having expired, our bas somit bridg basil

The House was called to order by the Speaker.

Committee of the Whole submitted the following report

Mr. Speaker: The chairman of the committee of the Whole asks leave to report as follows: | Looks , esons elimnos ed l'

They have had under consideration C. B. No. 10, for the suppression of gambling and gambling houses, and have agreed to recommend the striking out the word "or" between the words "livelihood" and "shall" in section two, line seventeen, and insert Mr. Riddlebarger moved that the word and instead.

Also, recommend the striking out of the word "assessment," in line 41, section 6, and inserting the words "Bill, bond, note or other evidence of indebtedness."

Also, recommend adding to section 7, the following: "Every day for which any person or persons that shall keep any place mentioned in the first section of this act, to be used for gambling, and shall knowingly submit any such place to be used or occupied for gambling, contrary to provisions of said section, shall be deemed and held to be a separate and distinct offense.

Also, recommend that in line 55, of section 9, insert between the words "four" and "be," "So much of said acts as conflict

With this act."

Also, all parts and portions of acts which authorize or empower any city or other incorporation to license gambling houses, with the above amendments. The committee recommend that the bill do pass.

Mr. Fosher moved that the report be received and adopted. Carried.

Committee on Credentials made the following report:

Mr. Speaker: Your committee on Credentials ask leave to make the following report: That Mr. Barela from the 11th Representative district, has appeared and presented his credentials, which your committee have examined, and find him entitled to a seat in this House.

bevom H. J. GRAHAM,

On motion, the report was received and adopted.

Mr. Barela came forward, and the oath of office was administered to him by the Speaker.

Mr. Hall moved,

That the rules be suspended, and he be allowed to present a resolution.

Carried. Leven regradelbbis . M. has beer 2 neites

And resolution adopted. The sound to the second of the second sec

Mr. Ball moved,

That the rules be suspended, and he be allowed to present a resolution.

Carried.

And Mr. Ball offered the following resolution:

Resolved, That the Secretary of the Territory be instructed to have printed for this House one hundred copies of the rules adopted by this House.

Carried.

of the

ry 10.

maning to ne be

le at

mitlera-

Ites-

ole

upcto rds

Carried.

Janu

Ca SE

Se

S

A 8

N

afte

C

1

17

rea

(

18F

Also, recommendathe striking out of the beyom Hall TM nt

no To adjourn until 7 o'clock this evening. o noitsea . It sail a

Motion withdrawn, and "seabbtedness" bna nwarbhiw motion

A letter from the Honorable A. A. Bradford was read by consent of the House of scored to morrog van deidw to val

becupied for gambling, centrary to provisions of said section.

Mr. Hall renewed his motion to adjourn; out his bonoithed Carried of soula doug van timdus vientwood Hade bas and

#### Ball be deemed and LINDISSES SPINAYS to and distinct offense. .

Also, reconnuend that in line 55, of section 9, insert between House met at 7 o'clock, pursuant to adjournment. browned Speaker in the chair.

Also, all parts and portions of act, taken up. tes for succitor ban stray Its oal A

ani Motion of Mr. Dodge, as to amendment of H. B. No. 3, with

Mr. Graham moved,

That the House now go into a committee of the Whole, for the consideration of H.B. No. 3. At tall beyond radeo'l AM

Carried, and

House went into committee of the Whole no solumno'

Mr. Graham in the chair.

After some time spent therein, the committee arose.

On motion of Mr. Riddlebarger, record maiwellet out offer

Mr. Henry was allowed to withdraw H. B. No. 3.

Mr. Fosher moved,

To take up C. B. No. 10, for consideration.

Mr. Riddlebarger moved,

To adjourn until to-morrow at 10 o'clock, a. m.

Lost.

Mr. Graham moved,

To consider C. B. No. 10, by sections.

Carried, and

Section 1 read, and,
On motion of Mr. Bartells,

Adonted.

Section 2 read, and Mr. Riddlebarger moved,

That the House do not concur with the committee of the Whole on the amendments.

Carried, and

Section adopted as first read.

Section 3 read and adopted.

Section 4 read and adopted.

Section 5 read and adopted.

Section 6 read.

Mr. Fosher moved.

That the House do not concur in the amendment of the committee.

uary 10

Also

read by

ing, coupi

Also Also With t

3, with

My Make Repr

10

of the

e the

Carried, and section adopted.
Section 7 read and adopted as amended.
Section 8 read and adopted.
Section 9 read, and on motion,

Section 9 read, and on motion,
Adopted as amended ad on no roval a relationally read and adopted at a sense day more and taking Mr. Norris moved, so it sidt to eval of our rot eldiscognical in That the title of the bill be amended by striking out all

Carried. "Caregory was excused. "Seanon, Mr. Gregory was excused. Mr. Fosher moved, to to to that on the more than and the foliation of the bill better that the amendments of the bill better that the amendatory to an act relating to fencing, approved Marghidelications and the seanon of the seano

Carried.
On motion, House adjourned until Thursday, January 11th,

Resolved, That the committee on Elections and Apportion whents be requested to report at an early day a bill for re-directioning and apportioning the Territory and Council and Representative districts.

THURSDAY, JANUARY 11, 1866.

House met at 9 o'clock, a. m., pursuant to adjournment. I. H. Speaker in the Chair, as a first an entitle Chair, as a first and first an entitle Roll called.

Roll called.

Absent, Messrs, Bergen, Bartels, Barela, Gregory, Mall and

Martine. Quorum present. berrefer, barelas, Barelas, Cregory, International Absent, Messrs. Bergen, Bartelas, Barelas, Company, Comp

Journal read and approved.

Committee on Incorporations made the following report: .!!

Mr. Speaker: Your committee on Incorporations, beg leave to report that they have had under consideration H. B. No. 2, a bill for an act to amend an act entitled an act to incorporate the Denver and San Luis Valley Wagon Road Company, and recommend its passage. MATT RIDDLEBARGER, Chairman.

H. B. No. 2, read at length.

Committee on Engrossment made the following report:

Mr. Speaker: Your committee on Engrossment, beg leave to report H. B. No. 1, as correctly engrossed. In the speaker of the spe

Jar

th

ed

an an

OI

pi

81 C

> in h

Lete KEYSTONE RANCH. bediens as bettoo January 7th, 1866.

Mr. Louis F. Bartells:

SIR: You will confer a favor on me by informing the House that the cause of my absence is the sickness of my family, and it is impossible for me to leave at this time. Do your sirroy

[Signed.] infinite vd behneme ed HidDAVID GREGORY.

On motion, Mr. Gregory was excused.

Mr. Breath gave notice that on to-morrow, or some subsequent day he would introduce a bill to repeal an act entitled an act amendatory to an act relating to fencing, approved March 11,

Mr. Riddlebarger introduced the following resolution:

Resolved, That the committee on Elections and Apportion ments be requested to report at an early day a bill for re-districting and apportioning the Territory into Council and Rep resentative districts.

C. B. No. 1, read first and second time, and, on motion,

Referred to committee on Federal Relations.

H. B. No. 11, entitled an act for the relief of the Arkansas Valley Irrigating Company, read first and second time, and referred to committee on Federal Relations.

H. B. No. 5, read second time, and referred to committee on

Incorporations.

H. B. No. 6, read second time, and referred to Judiciary committee.

H. B. No. 9, read second time, and referred to committee on Roads and Bridges.

H. B. No. 8, read second time, and referred to committee on Agriculture and Manufactures. bur bed eved yeds tadt troops of

H. B. No. 10, read second time, and referred to committee on Jederal Relations non Roger Wagon Road and San Luis Valley Wagon Road and San Luis Wagon Road And And San Luis Wagon Road And San Luis Wagon Roa

H. B. No. 11, read second time, and referred to committee on Incorporations, HEDRARHAGGIS TTAM

H. B. No. 2, read at length.

Committee on Engrossment made the following report:

Mr. Speaker: Your committee on Engrossment beg leave to report C. B. No. 10 as correctly engrossed. A. J. O. H. H. 11 1100001

THOMAS KEYS, Chairman.

On motion, report received volled out bottosong siletnes all C. B. No. 10 read at length. i, 366.

ry 11.

House, and

Y.

ubseed an h 11,

tione-dis-Rep-

nsas re-

om-

on

on

to

Mr. Hall offered the following amendment:

It shall be the duty of all Sheriffs, Coroners, Constables, Police, officers of cities, and other officers charged with executing the laws of the Territory, whenever it shall come to the knowledge of any such officer, that any person has in his possession any cards, tables, checks, balls, wheels, or gambling devices of any nature or kind, used or kept for the purpose of gambling or playing at any game of chance, or that any cards, tables, checks, balls, wheels, or gambling devices used or kept for the Purpose aforesaid, may be found in any place, to seize and take such cards, tables, checks, balls, wheels or gambling devices, and convey the same before some Judge or Justice of the Peace, to inquire of such witnesses as he shall summon to appear before him in that behalf, touching the nature of such gambling devices, and if such Judge or Justice of the Peace shall ascertain that the same were used or kept for the purpose of gambling or playing at any game or games of chance, it shall be his duty On motion, the first amendment was consider, with tortion

It shall be lawful for officers in executing the duty imposed upon them by this section, to break open doors for the purpose of obtaining possession of any such gambling devices, and all persons having possession of any of the articles aforesaid, shall be conveyed before some Judge or Justice of the Peace, in the county in which they may be found, and held or committed for appearance at the next term of the District Court of such county, for a violation of this act.

Sec. 10. Judges of District Courts throughout the Territory, and Probate Judges and Justices of the Peace in their respeclive counties, may inquire concerning offences against the provisions of this act, and hold to bail or commit offenders for their appearance at the next term of the District Court of the Proper county, and if the Prosecuting Attorney of any County shall elect so to do, it shall be lawful for him, instead of the proceeding by indictment, to present to the District Court information against any and all persons who shall violate any of the provisions of this act, which information shall be made in the name of the people of Colorado Territory, and signed by the Prosecuting Attorney, and need not be otherwise authenticated. When any information shall be presented against any person as aforesaid, the trial shall proceed in the same manner and with like effect, as if such person had been indicted by a Grand Jury. On motion, House adjourned until 2 o'clock, p., m

Message from the Council.

COUNCIL CHAMBER, January 11, 1866.

To the Honorable Speaker of the House of Representatives:

Mr. Speaker Sir: I am instructed to inform your Honorable Body that the Council has passed the following bills: lo avid

Se of any such officer, that any person has in bla. of S.B. B. O. n.

A bill for an act to incorporate the Butterfield Overland Despatch Company oquiq od rot took to best bris to erutar to Playing at any game of chance, or that any . 8.00 M. B.O. ..

A bill for an act supplemental to and amendatory of an act entitled an act to incorporate the Colorado and Clear Creek Railroad Company of grands, wheels or garyand solder, sheet and

C.B. No. 6, lo same before some Judge or Justice of , b words

A bill for an act to amend an act pending for the collection of taxes from non-resident stock owners. not Aladed dads at all

material Hada eastery Respectfully, o again, done if Ban seeth

guilding to esoquiq odd a CHARLES G. COX, Secretary.

or playing at any game or games of chance, it shall be his duty On motion, the first amendment was considered, engrossed, and made section 9 of the bill.

Mr. Norris moved nitro en executing beyond law of light of That the second amendment be referred to Judiciary Comof obtaining possession of any such gambling devices, anothin

Carrieds possession of any of the articles aforesell

On motion of Mr. Bartells, to again, amos enoted beyounce

C.J. M. No. 1 was taken up and considered. doidw ni ymae

Committee on Federal Relations reported as follows:

If for a violation of this act. Mr. Speaker: Your committee to whom was referred C. J. M. No. 1, respectfully submit said Memorial without amendment, and recommend its passage to societal bas sogbat stadory bas

ord sat Januara soonsho gaint FRANK HALL, Chairman. Isions of this act, and hold to bail or commit offenders for

Message from the Council.

heir appearance at the next term of the Distributobartrogane

On motion, memorial was read a third time, and put upon its final passage, and the question being upon its final passage, the ayes and nays were to present to: are wan base ayes and nays were to

Ayes, Messrs. Bartells, Breath, Barela, Ball, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Hall, Henry, Johnson, Keys, Martine, Norris, Riddlebarger, and the Speaker-18.

Prosecuting Attorney, and need not be otherwise solor , sys N.

So the bill passed, and the title agreed to harrolar you ned W

Mr. Hall introduced H. C. R. No. 1, in relation to manuscript 

On motion, House adjourned until 2 o'clock, p. m.

66. olod W. Speaker: I am inoiseas noonattee of the Whole rable 1/ads

v 11.

92/19

Des-

act

eek

bion

1.003

170

ed,

m-

VI.

t,

n

to report that they have had under consideration H. B. No. 1, House met at 2 o'clock, p. m., pursuant to adjournment of has

Committee on Council Bill No. 10, made the following retion 2, and with this amendment recommend its passage. : troq

Mr. Speaker: Your committee to whom was referred the amendments to C. B. No. 10, beg leave to report the same back to the House without amendment or recommendation. 21 .01 entindamine of the Leg. worth of members of the Leg.

islative Assembly and other officers of the Territory of Colorado. On motion, the amendment was adopted, did ded bevorage

Previous notice having been given, Mybevori maham I'M. That the sections that were numbered 9 and 10, be now numbered 11 and 12, respectively vorque, another guitalugar toe ne

Carried.

On motion of Mr. Fosher, Message from the Council.' The reading was dispensed with, and the bill put upon its COUNCIL CHAMBERS, January Spassag land

The question now being upon its final passage, the ayes and To the Honorable Speaker of the House of Representative or wast

Ayes, Messrs. Bartells, Breath, Ball, Colvin, Barela, Dodge, Ehrhart, Fosher, Gardner, Graham, Hall, Henry, Johnson, Keys, Martine, Norris, Riddlebarger, and the Speaker 18. 1100 ton no Nays, none. Approved August 15, 1862.

So the bill passed and title agreed to id a . O. O. E. D. oslA. Message from the Council gorges of vinco draft to stanois

military fund, raised by virtue of an act to encourage the for del heverque seine Council Chambers, January 11, 1866 am

To the Honorable Speaker of the House of Representatives:

SIR! I am instructed to inform you that the Council has this

day passed C. J. R. No. 3,

A Joint Resolution and Memorial of the Council and House of Representatives of Colorado Territory, to the Senate and House of Representatives in Congress assembled; and the concurrence of the House of Representatives is respectfully solici-

Your Obedient Servant,

M. J. H. Merroler saw moder of or CHARLES G: COX? All. omes and tol statistics guiwollot o Secretary of the Council ov

and recommend its passage without further amendment. On motion, the House went into committee of the Whole for the consideration of H. B's. Nos. 1 and 2.

After some time spent therein, the committee rose and submitted the following report: and Highways.

Mr. Speaker: I am instructed by the committee of the Whole to report that they have had under consideration H. B. No. 1, and report the same back to the House without amendment, and recommend its passage.

Also, H. B. No. 2, and amend the same by striking out sec-

tion 2, and with this amendment recommend its passage.

Report received modw of softimmos are A Mr. Breath having given previous notice, introduced H. B. No. 12, entitled an act to amend section sixteen (16) of an act entitled an act fixing the compensation of members of the Legislative Assembly and other officers of the Territory of Colorado, approved, Feb. 16th, 1865.

Previous notice having been given, Mr. Graham introduced H. B. No. 13, a bill for an act amendatory of an act entitled

Message from the Council.

The reading was depended with, and the bill put upon its COUNCIL CHAMBERS, January 11, 1866.

To the Honorable Speaker of the House of Representatives:

I am instructed to inform your Honorable Body that the Council has passed C. B. No. 2, a bill for an act supplemental to an act entitled an act to create a fund for the benefit of schools

Approved August 15, 1862.

Also, C. B. No. 9, a bill for an act to authorize the Commissioners of Park county to appropriate to other purposes, the military fund, raised by virtue of an act to encourage the for mation and equipment of Volunteer companies, approved Feb. Very Respectfully, and to whom I stand

and send lienno of that nov motor CHARLES G. COX; Secretary of the Council.

H. C. R. No. 1, taken up and considered and read the third time and unanimously adopted. To present the same in t

Committee on Federal Relations submitted the following re-

port:

Your Obedient Servant Mr. Speaker: Your committee to whom was referred H.J. M. No. 1, respectfully offer the following substitute for the same, and recommend its passage without further amendment.

rotolod W. out to settiamos ou FRANK HALL, Chairman.

the consideration of H. B's. Nos. 1 and 2 Mr. Breath gave notice that he would, on to-morrow, or some subsequent day, introduce a bill for an act concerning Roads united the following report: and Highways.

Mr. Gardner gave notice that he would, on to-morrow, or some subsequent day, introduce a bill in relation to irrigating ditches. one Cast . 9 vicinde bine

Mr. Ball gave notice that on to-morrow, or some subsequent day, he would introduce a bill for an act to dissolve the marriage contract existing between Amos B. Squires, of the Territory of Colorado, and Nancy Squires, of the State of Kansas

Leave of absence granted Mr. Breath until Tuesday next.

On motion of Mr. Fosher,

The House adjourned until to-morrow at 10 a. m. or aldating a that a Librarian be appointed to altend said room daily, and at

## FRIDAY, JANUARY 12th, 1866. orband wet a lo

proper seasons to keep the and winned; The

factory state of out finances, the consideration of that old ax-House met at 10 o'clock, pursuant to adjournment. Speaker in the chair.

Prayer by the chaplain. I have the honor to be, gentlearen, Absent, Messrs. Bergen and Martine. Quorum present. Journal read and approved. Message from the Governor. OFFICE OF THE SUPERINTENDENT OF COMMON SCHOOLS.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY. Denver, January 10, 1866. To the Honorable the Levislative Assembly of Colorado Territory:

To the Honorable E. N. Stevens, Speaker of the House of Representatives:

Sir: I have the honor to transmit herewith the reports of the Territorial Librarian, and also the report of the Territorial School Superintendent . The bruar side of the add some

bun early (Respectfully, your obedient Servant, at bun latting A. CUMMINGS

mond stluser concentrations and that from Governor Colorado.

lack of interest experienced by the people of Colorado in edu-The air short Office of the Territorial Librarian, 20119 Toquii eti exileer vilal ve Denver, Colorado, January 2, 1866. mi

To the Honorable the Legislative Assembly of Colorado: Internal GENTLEMEN: The number of volumes in the Territorial Library having been greatly increased by the recent addition of books, purchased under the Congressional appropriation of twenty-five hundred dollars, and it having been impracticable to find a suitable room for their reception and classification, I am unable present to report correctly on the condition of said Colorado, entitled " An act to create a fund for the bergrardid

B. act egdo,

11.

role

. 1,

ent,

sec-

sed led

he to 156

S. 10 r.

Mody to the acts passed by the Attention of your Honorable Rody to the acts passed by the Territorial Liegislature, under date of November 6, 1861, and February 9, 1865, concerning Territorial Library and Cabinet, and the appointment of Herritorial Librarian, with a view of eliciting from you such action as shall render the present miscellaneous and valuable hibrary, serviceable to the people of Coloradons of the people of the peopl

For the careful preservation of the books, their safe custody, and the convenience of the public, it would appear essential that a suitable room be provided wherein to deposit said Library, that a Librarian be appointed to attend said room daily, and at proper seasons to keep the same lighted and warmed. The adoption of such measures would necessarily incur the outlay of a few hundred dollars per annum, but apart from the satisfactory state of our finances, the consideration of that old axiom, "Knowledge is power," is of itself a strong appeal for such legislation as in the opinion of your Honorable Body will tend to advance the interests and the intelligence of the people.

I have the honor to be, gentlemen,

Very Respectfully, your most obedient servant,

ALEXANDER W. ATKINS,

Territorial Librarian.

Message from the Governor.

Office of the Superintendent of Common Schools, January 2d, 1866.

To the Honorable the Legislative Assembly of Colorado Territory:
GENTLEMEN: It is to be regretted that the efforts of the late
Superintendent, used for the purpose of inducing the various
County Superintendents to report to this office as required by
law, should have proved unsuccessful as assistant legislation.

Since the date of this report, (February 1st, 1864,) I find only partial and informal returns of two counties, viz. Douglass and

It cannot be presumed that such negligence results from a lack of interest experienced by the people of Colorado in educating their youth, for their reflicient contributions in furtherance of this object indicate that they fully realize its importance.

In carefully examining the law passed at the first session of the Legislature of Colorado to establish a system of Common Schools, it will be observed that although a series of duties are thereby prescribed to be performed by County Superintendents, it does not provide any compensation for such services, and to this fact may be attributed the non-performance of those duties. By an act passed at the second session of the Legislature of

By an act passed at the second session of the Legislature of Colorado, entitled "An act to create a fund for the benefit of

rable

ander

rning

Centi-

ction

tody,

lthat

rary,

nd at

The

satis-

such

tend

TA

n.

3.

late

ous

nly

1 2

lu-

ur-

or-

of

011

rel ts.

to es.

of

of

Schools," the duties of Superintendents in several counties were greatly augmented. Sec. 5 of said act provides that the County Superintendents shall have supervision and control of all mining claims set apart for schools, and shall annually report, &c.

Up to the present date no such report has been received by this office from the Superintendent of any County wherein

mines are situated.

Under the provisions of this act many valuable mining claims were set apart for school purposes, and were afterward "jumped." Further legislation is necessary to define a course to be pursued for the purpose of carrying out the original intent of said act.

Several applications have been made at this office on hehalf of the colored citizens of Colorado, who, being excluded from participating in the benefit of the school fund, ask that they may be either exempted from payment of a school tax, or that such portion of the same assessed against them may be set apart as a separate fund for the support of schools for the colored people.

I have the honor to be, Very Respectfully, Angle Ale

ATKINS, 100 JAH AMATTerritorial School Superintendent.

The following reports were received from standing committees:

Mr. Speaker: Your committee to whom was referred H. B. No. 6, beg leave to report the same back to the House without amendment, and recommend its passage.

J. W. HENRY, Chairman.

Mr. Speaker: Your committee on Territorial Affairs, to whom was referred so much of the Governor's Message as referred to gambling, have considered the same, and in view of C. B. No. 10, relating to gambling, having passed the House, your committee would therefore make no recommendations.

JOHN FOSHER, Chairman.

Mr. Speaker: Your committee on Territorial Affairs, to whom was referred a memorial of the citizens of Colorado, to the Congress of the United States, have had the same under consideration, and ask to make the following report:

That the Memorial be approved by this legislative body and the following be added:

Resolved, By the Council and House of Representatives, that the above Memorial be passed, and that we request His Excel-

lency, Governor Alexander Cummings, to forward copies of the same to the President of the Senate and Speaker of the House of Representatives, and our delegate in Congress, the Hon. Allen A. Bradford, and recommend that the same be passed.

Respectfully submitted.

JOHN FOSHER, Chairman.

Reports of School Superintendent and Territorial Librarian referred to committee on Education.

Mr. Colvin offered the following: went at noital and radius!

H. J. R. No. 1, concurring in the resolutions adopted at a mass Convention, January 8, 1866.

On motion of Mr. Henry, Darolo D to enexitie berolog edt 30

The rules were suspended, and though out in guitagistical

H. J. R. No. 1 read second time, and referred to committee of Federal Relations.

Committee on Federal Relations made the following report:

Mr. Speaker: Your committee to whom was referred H. J. R. No. 1, respectfully report that they have had the same under consideration, and recommend its passage without amendment-FRANK HALL, Chairman.

The following reports were receiveled and alondon off

The rules were further suspended, and House went into committee of the Whole for the consideration of

H. J. R. No. 1. w mod ot estimmes not research . M. H. J. R. No. 1. w

o. b. beg leave to report the same rish at in maham will out

After some time spent therein, the committee arose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration H. J. R. No. 1, and recommend the word "Legislation," be stricken out and the words "Legislative Assembly" be inserted in the second resolution.

And that the resolutions be referred back to the House with the recommendation that they pass without further amendment. H. J. GRAHAM, Chairman.

Mr. Speaker: Lour committee on Territorial Affairs, to whom

rearred a memorial of the citizens charged the

The following Council Bills read second time, and referred to

C. B. No. 1, read second time, and referred to the committee of the Whole taleing and perorgan ad largorism and tale

C. B. No. 2, read second time, and referred to committee on Education asserted Rouse of Representation and that we request His Excel-

of the House on. Al-

ary 12.

man.

rarian

mass

ee on port:

J. R. nder nent. in.

om-

sub-

der gisy "

ith nt.

of

n

to

C. J. R. No. 3, read second time and referred to committee of the Whole.

C. B. No. 3, read second time, and referred to committee of the Whole.

C. B. No. 6, read second time, and on motion,

Referred to committee on Agriculture.

C. B. No. 9, read second time, and on motion, Referred to a select committee of one, Mr. Norris.

H. B. No. 12, read second time, and referred to committee on Ways and Means.

H. B. No. 13, read second time, and referred to committee on Elections and Apportionments.

H. B. No. 6, read second time, and referred to committee of the Whole It wood bas

On motion, House adjourned until 2 o'clock, p. m.

#### : 2110(91 AFTERNOON SESSION. Months and bank

House met at 2 o'clock, p. m., pursuant to adjournment. Speaker in the chair.

H. B. No. 1, read third time, and being upon its final passage,

the ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Hall, Henry, Keys, Johnson, Norris and Speaker-14. mended that it pass without amendment.

Nays, none.

So the bill passed and title agreed to. no setting of of

H. B. No. 2, read third time and section 2 stricken out.

The question being upon its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Hall, Henry, Johnson, Keys and Speaker-

Nays, Mr. Norris-1.

So the bill passed and fitle agreed to a long and state A. The

H. J. R. read, and on motion, ded saft bestoger . O. A.

Referred to committee on Engrossmental hobasannoss days

On motion of Mr. Graham,

A message was sent to the Secretary of the Territory, asking for a manuscript copy of the charter of the Consolidated Ditch Company, approved October 18th, 1861.

The House now went into committee of the Whole for the consideration of C. B's. Nos. 1 and 3, C.J. R. No. 3, H. J. M. Secretary, and Superintendent of Schools, oN. H. bnat, L. oN.

Mr. Fosher in the chair.

After some time spent therein, the committee arose and asked 

the Whole,

to On motion, House adjourned until to morrow at 9 o'clock, a. m. C. B. No. S, read second time, and referred to committee of

> C. B. No. 6, read second time, and on motion. SATURDAY, JANUARY 13th, 1866. berreled

# C. B. No. 9, read second time, and on motion.

House met at 9 o'clock, pursuant to adjournment.

M. B. No. 12, read second time, and trike chair. avs and Means. Roll called.

Absent, Messrs. Bartells, Breath, Barela, Gregory, Hall and Elections and Apportionments.

H. B. No. 6, read second time, and referred temporor of Messrs. Bartells and Barela appeared and took their seats. Quorum announced. 2 little bourson ba sono monogo Journal read and approved.

Standing committees made the following reports:

Committee on Credentials reported M. S. Mandragen as pres ent and entitled to a seat in this House. risdo odt at respect

Mr. Mandragen came forward and took the oath of office, which was administered to him by the Speakers a bas sove of

Ayes, Messrs. Bartells, Ball, Barela, Colvin. Dodge, Ehrhart; Committee on Elections reported H. B. No. 13, and recommended that it pass without amendment.

The committee on Agriculture, to whom was referred C. B. No. 6, reported that they have had the same under consideration, and recommend it to pass without amendment.

The committee on Education, to whom was referred C. B. No. 2, have had the same under consideration, and recommend its passage without amendment.

Mr. Norris, the special committee of one, to whom was referred C. B. No. 9, reported that he had the same under consideration, and recommended the passage of the bill as passed by the Coun-

Mr. Fosher offered the following resolution:

Resolved, That this House order one hundred copies each of the reports of the Territorial Librarian, Treasurer, Auditor, Secretary, and Superintendent of Schools, printed for the use of this House.

Referred to committee on Printing.

y 13. lock,

Mr. Gardner gave notice that he would, on to morrow or some subsequent day, introduce a bill for an act to amend an act entitled an act fixing the compensation of Members of the Legslative Assembly, and other officers of Colorado Territory. Approved February 11, 1865, evenl god J. o. M. L. H. borrolar

C. B's Nos. 2, 9 and 6, and H. B. No. 13 read second time, and

referred to committee of the Whole.

On motion, House went into committee of the Whole for such business as shall properly come before it.

After some time spent therein, the committee rose and submitted the following report: of oothimmoo and analysis. M

Mr. Speaker: The committee of the Whole have had under consideration H. B. No. 6, an act to repeal an act, approved Feb. 8th, 1865. they pass without amendment.

Also, H. J. M. No. 1, asking Congress to establish a Mining

Bureau.

Report the same back with the recommendation that it pass. Also, C. B. No. 1, a bill for an act to incorporate the Butterfield Overland Dispatch Company, and recommend that section 4 be amended as follows:

Strike out all after the word "them" in the thirteenth line, and insert in lieu thereof, "That they may have the same rights to the claims on mining lodes which they may discover, that individuals have in the districts where the claims are located.

With the above amendment, your committee recommend that

the bill do pass. Another success given previous and another of the bill do pass. Also, C. B. No. 3, C. J. R. No. 1, C. B. No. 9, C. B. No. 2, H. B. No. 6, H. B. No. 13 and H. J. M. No. 2, and recommend their Assage without amendment. The and about to notice assage paix?

Respectfully submitted of the Colored of the Respectfully submitted of the Colored of the Respectfully submitted of the Colored of the Colore

JOHN FOSHER, Chairman.

Report received, and On motion of Mr. Riddlebarger, House adjourned until Monday at 10 o'clock, a. m. Sta: I am instructed to intern your Honorable body

## nineth accompanying a messrep from His Excellency, the Gov MONDAY, JANUARY 15th, 1866.

the report of the Berritorial Superintendent of Schools, a deel

referred to the committee on Education, and your concurred House met at 10 o'clock, a. m., pursuant to adjournment. Speaker in the chair.

Roll called.

Absent, Messrs. Bergen, Breath, Gregory, Graham and Hall. Quorum present. and a successful navig anivad modern) .1M 

she

0

255

resice,

m-B. ra-

ts

d

Mr. Keys, from committee on Engrossment, submitted the subsequent day, introduce a bill for an act to a: troops gniwollo?

littled an act fixing the compensation of Members of the Leg-Mr. Speaker: Your committee on Engrossment to whom was referred H. J. M. No. 1, beg leave to report that they have had the same under consideration, and find it correctly engrossed. THOMAS KEYS, Chairman.

Committee on Federal Relations made the following report:

After some time spent therein, the committee rose and Mr. Speaker: Your committee to whom was referred

H. B. Nos. 11 and 12,

Have had the same under consideration, and beg leave to report the same back to the House, with the recommendation that they pass without amendment. painile a dail bates of sastone FRANK HALL, Chairman.

Report the same back with the recommendbivisor trops Mr. Gregory appeared and took his seat.

Mr. Riddlebarger gave notice that on some future day he

would introduce

A bill to dissolve the bonds of matrimony existing, between Cina E. Vandyke, of El Paso County, Colorado Territory, and John Vandyke, of the State of Iowa. Dollaring no socials of

C. B's Nos. 7, 11, 13 and 16, of water talk odd ni evad stands

Read second time, and referred to committee of the Whole.

Mr. Gardner having given previous notice, game of Hid of

Introduced H. B. No. 14,

A bill for an act to amend section 6 of an act entitled an act fixing compensation of members of the Legislative Assembly. and other officers of Colorado Territory.

Message from the Council.

COUNCIL CHAMBERS, January 15th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable body that the report of the Territorial Superintendent of Schools, a document accompanying a message from His Excellency, the Governor, sent to this body on Friday, January 12th inst., was referred to the committee on Education, and your concurrent action is requested. CHARLES G. COX,

Secretary of Council.

Absent, Messrs, Berren, Breath, Gregory, Graham and Haff Mr. Graham having given previous notice, manner of Introduced H. B. No. 15. beyorden bus hear learned d the

ry 15.

1 was had

sed. an. ort:

o rethat

m. y he

veen and

act bly,

e.

hat loc-OV-

vas ent

A bill for an act relating to irrigating ditches. (102011) .11

By consent of the House, sends a guittesui vd basma o'l'

A minority report was received from the committee on Credentials.

Mr. Speaker: Your committee on Credentials beg leave to make the following report: William Locke, of the 12th distriet, present and entitled to a seat in this House. allowed all mon prouling Very Respectfully, at flada ton sidt at guidton tadt

but big to say JOHN FOSHER, Chairman. Imendment adon

Report adopted. ... Stearns moved the previous question. ... Mr. Locke came forward and the oath of office was administered to him by the Speaker. o nortom bus not bolled noisevill

C. B. No. 2, an act supplementary to an act entitled an act to create a fund for the benefit of schools, approved Aug. 15th, 1862, read a third time.

Mr. Fosher moved, ROBERT ROOMSTILL

To amend section 1 by striking out the word March, in the 16th line, and insert the word June instead.

Amendment adopted. Juniuruojbs of tunusung for swort The bill being upon its final passage the ayes and nays were: Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Hall, Henry, Locke, Johnson, Keys, Martine, Mandra-Sen, Norris, Riddlebarger and Speaker 17. notes allerral all

Nays, Messrs. Fosher and Gregory -2. fon and I abbutton So the bill passed and title agreed to. softing about a bolozo

C. B. No. 1, an act to incorporate the Butterfield Overland Despatch Company, read third time.

Mr. Bartells moved,

To amend by adding to section 3, "From Denver, Colorado Territory, to the western boundary of the Territory. Amendment lost.

Message from the Governor bod mivlo list was M. sort

Hall, Henry, Johnson. Keys, Locke, Norris, Riddlebarger, and EXECUTIVE DEPARTMENT, orband has onition vroyed Denver, January 15th, 1866.

Hon. E. W. Stearns, Speaker of the House of Representatives: SIR: I have the honor to submit to your Honorable Body the annual report of the Territorial Auditor. I am Very Respectfully, now area has says of P

Angeleric godeof on Your Obedient Servant, sel season any A

.21 - ATTOM . MODER ALEXANDER CUMMINGS, DOTO Ter! Governor of Col. Ter! Gardner, Henry, Riddlebarge

Looke, and Speaker 7. Mr. Hall excused. C. B. No. 3, a Bill for an act supplementary of an act, onfiled

Mr. Gregory moved, b guitagirti ot guitaler dea us tol Ilid A To amend by inserting a clause, making every individual member of the company liable for the company's debts. min 1.

Amendment lost.

Amendment to section 4, recommended by the committee of the Whole, taken up and adopted : Froger griwollot oil osland

Mr. Bartells moved that to section 7 behadded: "Provided that nothing in this act shall in any way exclude Railroad companies or private parties from the use of said road."

Amendment adopted.

Mr. Stearns moved the previous question. Design trought

Mr Ehrhart moved to adjourn until 2 o'clock, p. m. and all

Division called for, and motion carried, and and of least

And House adjourned until 2 o'clock, p. m. 2 . . . . . . Texte a find for the benefit of schools, approved Aug. Toth.

#### AFTERNOON SESSION. beyont redso'd all To amend section I by striking out the word March, in the

We line, and insert the word June instead. House met pursuant to adjournment. .betqobs tuembuent

Mr. Fosher in the chair gazzag land at noque gaied Hid off

The motion for the previous question withdrawn. 91/ Amendments to C. B. No. 1, Section 7, reconsidered.

Mr. Bartells offered the following substitute:

" Provided, That nothing granted in this act shall in any way exclude private parties or freighters from the use of this said Road, nor shall it interfere with granting Railroad Charters over the same road.

Accepted and passed.

Previous question called for, and carried has ve based as

Question being on the final passage of the bill, the ayes and

navs were:

Ayes, Messrs. Ball, Colvin, Dodge, Ehrhart, Fosher, Graham, Hall, Henry, Johnson, Keys, Locke, Norris, Riddlebarger, and Speaker 15/17/1910 AVIT

Nays, Messrs. Bartells, Barela, Gregory, Martine, and Mandra-

gen-5.

So the bill passed, and title agreed to.

C. B. No. 6, was read a third time, and the question being on manal report of the Territorial Andli its final passage, The ayes and nays were: Its books type / mg 1

Ayes, Messrs. Bartells, Ball, Barela, Dodge, Fosher, Graham, Gregory, Johnson, Keys, Martine, Mandragen, Norris-12.

Nays, Messrs. Colvin, Ehrhart, Gardner, Henry, Riddlebarger, Locke, and Speaker-7. Mr. Hall excused.

So the Bill passed, and title agreed to.

C. B. No. 3, a Bill for an act supplementary of an act, entitled

vidual

ry 15.

tee of

vided com-

way over

and and

dra-

am,

ger,

"An act to incorporate the Colorado and Clear Creek Rail Road Company, approved Feb. 9th, 1865." avan bas says ent Read third time, and the question being on its final passage,

Posher, Gardner, Graham, Gregory; 979w ayam bna seysnendy

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart. Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys. Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker H. J. M. No. 1, asking Congress to establishend, soon P.09-

So the bill passed, and title agreed to. I lo stimil and midting

C. B. No. 9, a bill for an act to authorize the Commissioners of the County of Park, to appropriate to other purposes, the Militia Fund, raised by virtue of an act, entitled an act to encourage the formation and equipment of volunteer companies, Martine, Mandragen, Norris, and Special, ,4101. del borroy

Read third time, and being on its final passage, all wal

The aves and nays were : fit bas bessed laroment alt of

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Reaker 20. i no guisd noite up and the question being on it. 20 mil 19 mil 19

Nays, none.

So the bill passed, and title agreed to orall areas / sout

C. J. R. No. 3, a Joint Resolution and Memorial of the Council and House of Representatives of Colorado Territory, to the Senate and House of Representatives, in Congress assembled.

Read the third time, and the question being on its final passage,

I'd The ayes and nays were mos out they won swoH ad I

Aves, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker-20. Navs, none.

So the bill passed, and title agreed to.

Message from the Council: vd betserib ma I rocked at

#### COUNCIL CHAMBER, January 15th, 1866. No. 7, report the same back, and recommend that it le

To the Honorable, the Speaker of the House of Representatives: SIR: I am instructed to inform your Honorable Body, that the Council has passed the following bills: C. B. No. 5, a bill for an act, to incorporate the Overland Wagon Road Company.

C. B. No. 14, a bill for an act authorizing and legalizing the transcription of the Records of Pueblo County. A. A. D. O. A.

Tryour concurrent action is requested most of berreter ed of

CHARLES G. COX, Secretary.

JOHN FOSHER, Charinan. House Joint Resolution No. 1, a resolution concurring in resolutions adopted at a Mass Convention, January 8th, 1866.

. Read third time, and the question being on its final passage,

the ayes and nays were: Att del beverges vinagmod book

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, and Speaker-19. Nays, none, wanted Hall Meyers, link Henry sonor, Vanders

So the resolution passed.

H. J. M. No. 1, asking Congress to establish a Mining Bureau, within the limits of Colorado Territory. Is and Hid add of

Read a third time, and the question being on its final passage,

The ayes and pays were: resign of And to your of out

Aves, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Gregory, Hall, Henry, Keys, Johnson, Locke, Martine, Mandragen, Norris, and Speaker-18. doil hovorget

Nay, Mr. Graham. So the memorial passed, and title agreed to. The same of the

H. J. M. No. 2, read third time, and ordered engrossed.

H. B. No. 6, an act to repeal an act, entitled an act to create the office of Flour Inspector, approved Feb. 8, 1865.

Read a third time, and the question being on its final passage,

The aves and navs were:

Ayes, Messrs. Bartells, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker-19.

Navs, none.

So the bill passed and title agreed to.

The House now went into committee of the Whole on the General File. (I mixlo!) sales of Mattell states are and services

Mr. Fosher in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: I am directed by the committee of the Whole, that they have had the following bills under consideration, and beg leave to report as follows:

C. B. No. 7, report the same back, and recommend that it be

referred to the committee on Judiciary.

Also, C. B. No. 11, and report the same with recommendation that it do pass. ) sellid waivellel out became and figured) adt

Also, C. B. No. 13, and report the same back, with recom-

mendation that the same do pass.

Also, C. B. No. 16, and report the same back, and recommend it to be referred to the committee on Agriculture and Manufactures-Very Respectfully,

JOHN FOSHER, Chairman.

15.

age,

art,

evs,

eau.

age,

art,

ke,

eate

ge,

er,

ke,

the

ıb-

le,

nd

be

n

n-

it S- The House adjourned until to morrow at 11 a. m. boltime too

#### subsequent day, introduce a bill for the registration of stray shound to noits TUESDAY, JANUARY 16th, 1866. des bons, Jools

Mr. Gregory gave notice that he would on to-morrow or some

House met at 10 o'clock, a. m., pursuant to adjournment. Speaker in the chair, or or an act to violation and act of

Prayer by the Chaplain, one rould be settuted out out dools

Boulder and Costillo, for the purpose of graziballas ilon va Absent, Messrs. Bergen, Breath, Graham and Hall. I tauput A

Mr. Fosber gave notice that he would on ineserg muroup

Journal read and approved. a rol Hid a soubortai, vab orutal

Committee on Judiciary reported C. B. No. 7 back, with recommendation that it do not pass all sollow owns normals all

Mr. Riddlebarger, from committee on Incorporations, reported as follows:

Mr. Speaker: Your committee on Incorporations have had under consideration H. B. No. 5, and would respectfully recommend that it be referred to the committee of the Whole for favorable consideration.

M. RIDDLEBARGER.

Mr. Hall, from the committee on Printing reported verbally, that he had placed the reports of Territorial Officers in the hands of the printer.

Message from the Governor in regard to Auditor's report. Auditor's report referred to committee on Engrossment.

Message from the Council. 100000 . madani) nonbrath rolled

Bocke, Martine, Mandrager, Norris, Riddleberger, and Speaker COUNCIL CHAMBER, Jan. 16th, 1866.

To the Honorable, the Speaker of the House of Representatives; SIR: I am directed to inform your Honorable Body that the Council has refused to concur in and have indefinitely postponed H. C. R. No. 1, a resolution requiring the Secretary of the Territory to place the records, journals, &c., &c., in a building designated by the Executive! sirrol agondmald onitrall ocloud

Very Respectfully,

CHARLES G. COX. of beergs of it by Secretary of Council.

Mr. Colvin gave notice that he would, on to-morrow or some subsequent day, introduce a bill concerning lode claims.

Mr. Fosher gave notice that he would, on to-morrow or some subsequent day, introduce a bill for an act amendatory of an

act entitled an act concerning lode claims, approved November

Mr. Gregory gave notice that he would on to-morrow or some subsequent day, introduce a bill for the registration of stray stock, and sale thereof; also, requiring the registration of brands and marks.

Mr. Riddlebarger gave notice that he would introduce a bill for an act amendatory of an act to prevent the introduction of stock into the counties of Huerfano, Pueblo, Fremont, Jefferson, Boulder and Costillo, for the purpose of grazing, approved Absent, Messrs. Bergen, Breath, Graham : 1881, 4151 tauguA

Mr. Fosher gave notice that he would on to-morrow, or some future day, introduce a bill for a special tax to raise a fund to

pay the militia of Colorado Territory, moibul, go softiamo

Mr. Johnson gave notice that he would at some future time introduce a bill entitled an act to incorporate the Boulder and Weld County Ditch Company.

C. B. No. 5 read second time and referred to committee on

Mr. Speaker: Your committee on Incorporationstruction

Mr. Fosher introduced H. B. No. 16, an act concerning analytical assays of minerals in Colorado Territory.

H. B. No. 14,

Read second time and referred to committee on Ways and Means.

Mr. Hall, from the committee on Printing regettoNvB.HIS.

Read at length and referred to committee on Agriculture.

C. B. No. 11.

Read, and being on its final passage, the ayes and nays were: Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker COUNCIL CHAMBER, Jan. 16th, 1809-

Navs, none. C. B. No. 13, golf do sent of the House of Mannett off of

Read at length, and the question being on its final passage,

the aves and navs were: ad bas at monop of feeders and frame?

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker -20. Lery Respectfully,

Nays, none. ALLEIAHO

So the bill passed and title agreed to.

C. B. No. 7 read third time and referred back to the commit-Mr. Colvin gave notice that he would, on toslodW adt to set

subsequent days introduce a bill concerning lode choitom aO The House went into committee of the Whole on the Genesubsequent day, introduce a bill for an act amendator, sliT lar

v 16. mber

some strav ands

bill n of rson.

oved ome

d to time and

on

anaand

ere: art, eys,

ker

ge, (1) art,

ys,

cer

it-

ie-

After some time spent therein, the committee rose, and find a And on motion, the doct to control to control the House adjourned until 1.30, p. m.

II. B. No. 13, a bill for an act amendatory of an act entitled

an act regulating of NOISESS, NOORSETAAvender (tilt, 1861, and II. J. M. No. 1, a point memorial to the Congress of the United House met pursuant to adjournment, at 1.30, p. m. on Speaker in the chair, I have townest out of reground of the us

Sergeant-at-Arms sent after Mr. Hall. Joseph boyon as want

On motion,

The House took a recess of one half hour.

Time of recess having expired, the House was called to order by the Speaker. and most notiting p between nogadol all

Report of committee of the Whole was read as follows:

Mr. Speaker: Your committee of the Whole report that they have considered the following bills:

C. B. No. 7 is referred back to the House with recommenda-

tion that it do not pass. To great laisings a or notice and expussion H. B. No. 12 is reported back to the House with the recommendation that it be laid upon the table until the same can be explained by the Hon. Mr. Breath, who is now absent.

H. B. No. 11 is reported back to the House with recommend-

ation that it do pass. o. FA . Addings A paintif ignal out to stop H. B. No. 5 referred back, with recommendation that it do bass.) To be soft granted and ad betgobe larrogram and yearner

#### FRANK HALL, Chairman.

Mr. Hodge gave notice that he would at some future time if Mr. Graham presented a petition from the people of Colorado Territory, in regard to the herding of cattle. Agriculture

Petition read and referred to committee on Agriculture and

Manufactures.

Mr. Gardner presented a petition from the citizens of Douglass county, in relation to repealing an act entitled "An act for the Protection of farmers against the depredations of stock."

Referred to committee on Agriculture and Manufactures. Message from the Council. . onus and language of buy the one

#### Mr. North save notice that he would on to-morrow or some COUNCIL CHAMBERS, January 16, 1866.

To the Honorable, the Speaker of the House of Representatives: SIR: I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. B. No. 1, a bill for an act to incorporate the Butterfield Overland Disbatch Company, and has passed H. J. R. No. 1, a joint resolution concurring in the resolutions adopted at a mass convention, January 8, 1866; and have indefinitely postponed H. B. No. 6,

a bill for an act to repeal an act entitled an act creating the of fice of Flour Inspector, approved Feb. 8th, 1865. on no ball

And has passed,

The House adjourned until 1,30, p. ne. H. B. No. 13, a bill for an act amendatory of an act entitled an act regulating elections, approved November 6th, 1861, and H. J. M. No. 1, a joint memorial to the Congress of the United States, and H. B. No. 1, a bill for an act to amend an act entitled an act to incorporate the Denver and Pacific Wagon Road Company, approved March 10th, 1864. dla hazara A-ta-ta-basegue

Very Respectfully,

CHARLES G. COX, Secretary.

Mr. Johnson presented a petition from the citizens of Weld county, in regard to passing a law repealing the stock law which requires the herding of stock between April and November.

Read and referred to committee on Agriculture and Manufac

Mr. Henry presented a petition from the citizens of Pueblo county, in relation to a special term of the District Courts to be sand back to the floure held at Pueblo.

Received, read and referred to committee on Judiciary.

Mr. Hall gave notice that on to-morrow he would introduce A bill to provide for the payment of Clerks and other offcers of the Legislative Assembly. Also, Also,

A joint memorial to the Congress of the United States, con curring in a memorial adopted by the Mining Board of Gilpin

County, adopted Jan. 13th, 1866.

Mr. Dodge gave notice that he would at some future time in troduce a bill to incorporate the Middle Park and South Boulder Wagon Road Company. The sale of the sa

Mr. Graham gave notice that he would at some future time introduce a bill for an act to incorporate the Denver and Tur

key Creek Wagon Road Company.

Mr. Bartells gave notice that he would at some future time introduce a bill for an act to reduce the law incorporating the city of Denver, and the several acts amendatory thereof, into 

Mr. Norris gave notice that he would on to-morrow or some subsequent day, introduce a bill to incorporate the Hamilton

and Montgomery Wagon Road Company.

Mr. Henry gave notice that he would at some future time in troduce a bill to amend an act entitled an act to incorporate the Excelsior Ditch Company, approved March 11th, 1864.

By permission, Mr. Breath introduced of the man and the H. B. No. 17, a bill for an act to legalize the March Term of the District Court held in Boulder County, A. D. 1865. Mr. Fosher moved, q vistuitebut orni ban 18081 & grapas

ary 16.

the of-

ntitled

Inited

titled

Com-

ury.

Weld

hich

er.

ufac.

o be

nce

offi-

on-

pin

in-

111-

ne

11'-

10

16

That the Judiciary committee be instructed to report at their earliest convenience, a bill districting the Territory into judicial districts, and assigning the Judges to the same. Motion carried tune I out guixirontune ton an rot Hid a osl A

Unertano County to levy a special child and for motion of

The House adjourned until 10 o'clock, a. m., to-morrow. M. B. No. 18, a bill for an act to incorporate the Denver and

#### Road first and seemed time tall released to committee of WEDNESDAY, JANUARY 17th, 1866. Don Land Mr. Norris having given provious notice, introduced 11.

Purkey Creek Wagos Road Company, Sources

House met pursuant to adjournment. A no rol lild a .01 .07

Prayer by the Chaplain. ban court brown but triff brown

Roll called.

Absent, Messrs. Bergen and Graham. guived diserted all

Mr. Ball moved, and at latence length of the total fid a .05 .ov To suspend the reading of the Journal until the afternoon. Carried on beauty bun, and time tell best for

Message sent to the Council in regard to one of the amendments to C. B. No. 1. or bas part basses base At .O. A. O.

Committee on Credentials made the following report:

(i. B. No. 7, a bill for an act to regulate the fees of th Mr. Speaker: Your committee on Credentials beg leave to report Columbus Nuckolls and C. M. Grimes, of the sixth representative district, who were elected at a special election, held by virtue of a proclamation by the Governor, of the thirteenth of January, 1866, and find them entitled to seats as members of ongth, and the question being upon its final pass sewoH sids

Very Respectfully,

MI J. GRAHAM, Malle Violette, Graham, Grimes, Grodory, Malle

Henry Johnson, Keys, Locks, Martino, Mandrager, North

Report received, and rostones bus regradeliblish stlostones Messrs. Nuckolls and Grimes came forward, and the required oath of office was administered to them by the Speaker.

Mr. Dodge presented a petition from members of the bar, in

relation to the fees of the clerks of the District Courts. Judiciary committee reported on C. B. No. 14, an act authorizing and legalizing the transcription of the records of Pueblo County, have had the same under consideration and report the same back to the House, and recommend its passage with the following amendment: After the word "Pueblo," in second line, section 1, strike out the word "County," and insert the words, "and Huerfano Counties."

the us lo of noitoes hRespectfully, as rol Hid s 21.0% . H. H. odi to aredane to antisangano J. W. HENRY, Chairman. Mr. Riddlebarger gave notice that he would introduce a bill legalizing the proceedings of the Probate Court of Huerfano cial districts, and assigning the Judges to the same, County.

Also, a bill for an act authorizing the County Commissioners of Huerfano County to levy a special tax to pay past indebtedness.

Previous notice having been given, Mr. Gardner introduced H. B. No. 18, a bill for an act to incorporate the Denver and Turkey Creek Wagon Road Company.

Read first and second time, and referred to committee on

Roads and Bridges ITI THANKAL YAGSHIGHW

Mr. Norris having given previous notice, introduced H. B. No. 19, a bill for an act to incorporate the Hamilton and Mont-Speaker in the chair. gomery Wagon Road Company.

Read first and second time, and referred to committee on

Roads and Bridges.

Mr. Breath having given previous notice, introduced H. B. No. 20, a bill for an act supplemental to an act concerning Roads and Highways: fitur learned out to pribate out busque o'l

Read first and second time, and referred to committee op

Roads and Bridgesot brager in income of the sage of the Bridgesot brager in the Council increased the sage of the

C. B. No. 14, read second time, and referred to committee of

Committee on Credentials made the following replor! W add C. B. No. 7, a bill for an act to regulate the fees of the Clerks of the Courts of Colorado Territory, read at length, and on motion of Mr. Fosher, 1170 M. O bank allowed addunted from

It was laid on the table, betsele erow odw printib evitation

H. B. No. 5, a bill for an act to incorporate the Arkansas River and St. Charles Ditch and Irrigating Company, read at length, and the question being upon its final passage the aves and nays were:

Ayes, Messrs, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris,

Nuckolls, Riddlebarger and Speaker-22.

Mesers Nuckolls and firines came forward, a snon , sys Nrco

So the bill passed and title agreed to.

H. B. No. 11, a bill for the relief of the Arkansas Valley Ditch and Irrigating Company, 1400 and to seed all of me

Read at length, and the question being on its final passage

the ayes and nays were:

Ayes, Messrs Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker 22. brow off two exists, I notices

Navs, none.

"and Huerfimo Counties." of H. B. No. 12, a bill for an act to amend section 16 of an act entitled an act fixing the compensation of members of the a bill

erfano

ners of

dness.

duced

r and

ee on

H. B.

Mont-

é 011

I. B.

Coads

e on

enol

erks

l on

nsas

lat

yes

ge,

all,

ris,

2

ley

ge

pt,

X,

ls,

et

C

General Assembly, and other officers of the Territory, approved Feb. 10th, 1865.

Mr. Gregory moved, I to sentil out to reshould addressed out of

To amend by striking out the words "County seat," and inthe Council has concurred in the meting of The place of meeting in the place o No. 2. a bill for an act to amend an act, entitled an act.beirred.

Read at length, and the question being upon its final passage. 

Ayes, Messrs. Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker 22. AMMAND MAKE

Nays, none.

So the bill passed and the title agreed to.

On motion of Mr. Hall, way actorai of botsorile and I : 313

The House adjourned until 2 o'clock, p. m. o and House and

#### AFTERNOON SESSION.

House met at 2 o'clock, pursuant to adjournment.

Speaker in the chair.

Journal read and approved. Mr. Mandragen moved,

That the Clerk read the Journal in the Spanish Language. Motion carried: toll move made to best partent ate 1 : MILE

But owing to the incompetency of the Clerk, the reading was dispensed with. Jon on basing of ton an act Hid a 2 .o. A. H.

Mr. Hall offered the following resolution:

Resolved, That the following Rule be added to the Rules, adopted for the government of the House: hill handle and of B. No. 19, as bill for an act amendatory of an act, outi

"That no amendment shall be received for discussion at the third reading of any Bill, Resolution or Motion, unless by unanimous consent of the members present."

Referred to committe of the Whole.

Mr. Bartells, by permission of the House, introduced

H. B. No. 22, a bill for an act to reduce the law incorporating the City of Denver, and the several acts amendatory thereof, into one act, and to amend the same.

Mr. Henry, by permission of the House, introduced

H. B. No. 21, a bill for an act to provide for the payment of Clerks and other Officers of the Legislative Assembly.

Bills Nos. 21 and 22, read first and second times, and referred to the committee of the Whole, who would be and the

Messages from the Council. The yell has I amount a burney

ar

0

#### COUNCIL CHAMBER, January 16, 1866.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body, that the Council has concurred in the House amendment to C.B. No. 2, a bill for an act to amend an act, entitled an act to create a fund for the benefit of Schools, approved Aug. 15th, 1862.

Very Respectfully,

Tradition of the Charles G. Cox, who Harling the Council of Secretary of Council of

## Council Chamber, January 17, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body, that
the Council has concurred in House amendments to C. B. No. 1,
transmitted this morning.

Very Respectfully,

CHARLES G. COX,

#### COUNCIL CHAMBER, January 17, 1866.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that

the Council has passed the following bills: and or griwo too

H. B. No. 2, a bill for an act to amend an act, entitled an act to Incorporate the Denver and San Luis Valley Wagon Road Company.

C. B. No. 18, a bill for an act to Incorporate the South Park,

Blue River and Middle Park Wagon Road Company.

C. B. No. 19, a bill for an act amendatory of an act, entitled an act concerning Roads and Highways, approved March 11th, 1864.

Very Respectfully, add to the more a seminated

CHARLES G. COX,

alod Wood to Secretary of Council.

The House now went into committee of the Whole, on the General File.

After some time spent therein, the committee arose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration C. B. No. 14, and report the same back to the House, with the following amendments:

Amend sections 1 and 2 by striking out the word "County"

17.

6.

that

. B. eate

leon

ant

11,

to

and inserting the word "Counties" wherever the word "County" Occurs, and insert the word "respectively" in the seventh line of Section 1, after the word "Counties." Also, in the second line of Section 1, after the word "Pueblo" insert the words "and Huerfano."
Also, H. R. No. 21, and report the same back to the House,

with the following amendments:

Amend Section 1, by inserting after the word "Representative," in the second line, "additional to the amount already, allowed by the Government of the United States."

And with this amendment recommend the bill to pass.

Also, a Resolution in regard to an additional Rule of the House, and report the same back to the House, with the recommendation that it be laid on the table their A no selfinger

And ask leave to sit again.

H. J. GRAHAM, Chairman.

littee have considered the follow Mr. Hall asked leave of absence until Tuesday next. Leave granted by the House.
On motion the House adjourned until 10 o'clock to-morrow.

# THURSDAY, JANUARY 18th, 1866.

. H. B. No. 8, and recommend that the bill do pass.

Committee on Enrollment submitted the following repor-House met pursuant to adjournment.

Speaker, in the chair on English Your committee on English The Speaker, in the chair on the chair of the chai

Prayer by the Chaplain. of overland ban I . No. H. M. boni

Roll called. TIAS S GIVAG

Absent, Messrs. Bergen, Hall, Graham, Nuckolls and Riddle.

barger.
Speaker announced the following additional members to the Standing Committees; ofer bas omit baoses beer 81.04.8.

Agriculture and Manufactures:

Mr. Locke, litan passed loss of absence and assembly Military Affairs:

Mr. Colvin having given previous notice, introcesamira . TM

Ways and Means: booms of too as all Hid & 82.0/1. H.

concerning Lode Claims, approved November ; sllossuM.rM

Also an act to amend an act entitled an act to estate Also an act to

Mr. Norris.

Journal of the preceding day read and approved.

Mr. Graham presented a petition from the citizens of Island Precinct, in relation to establishing a Herd Law. VI. ov . H.

Petition read and referred to committee on Agriculture and

Manufactures.

Committee on Roads and Bridges, submitted the following report:

IJ

to

20

Have had H. B. No. 9 under consideration, and recommend that the word "exclusive" be stricken out, with which amendment the bill do pass.

Also H. B. No. 18, and recommend the bill do pass.

Also H. B. No. 7, and recommend that the time be inserted for which the charter shall run, and that the bill do pass.

Also, C. B. No. 5, and recommend that the bill more clearly define the location of the road, and with an additional section, which will be offered, that the bill do pass.

Also, H. B. No. 20, and recommend that the same do pass. Also, H. B. No. 19, and recommend that the same do pass.

H. J. GRAHAM, Chairman

Committee on Agriculture and Manufactures made the following report:

Mr. Speaker: Your committee have considered the following

bills:

H. B. No. 15, and report the same back to the House without recommendation, other than that it be referred to a special committee.

H. B. No. 8, and recommend that the bill do pass.

H. J. GRAHAM, Chairman.

Report received.

Committee on Enrollment submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills have examined H. J. B. No. 1, and beg leave to report the same correctly enrolled.

DAVID P. BALL, Chairman.

C. B. No. 19 read second time and referred to the committee on Roads and Bridges.

C. B. No. 18 read second time and referred to committee of Roads and Bridges.

Chairman Graham asked leave of absence until to-morrow. Granted by the House.

Mr. Colvin having given previous notice, introduced

H. B. No. 23, a bill for an act to amend an act entitled an act concerning Lode Claims, approved November 7th, 1861.

Also an act to amend an act entitled an act to create a fund for the benefit of Schools, approved August 15th, 1862.

Read first and second time and referred to the committee on Mines and Minerals.

H. B. No. 17, read second time and referred to Judiciary Com-

C. B. No. 14, read at length as amended, and amendments Mopted.

mend mend-

rv 18.

serted

early etion.

S.oll

in. 1f81.

ving out om-

mtly

ee n

And on motion, the amendments were ordered to be engrossed for third reading. Januar organization of borroler list H. B. No. 21, read at length as amended, and amendments

adopted. And bill ordered engrossed for third reading, empendment A.

On motion of Mr. Breath, Hill ordered engross at

Mr. Hall's resolution in regard to an extra Rule of the House, four, consisting of Meses Gregory, Gardnesdat and molbish gaw H. B. No. 9, read at length. us tos as 101 llid a 11 ON A

Mr. Fosher moved to amend by striking out the word "exclusive" in section 1.

Motion lost ods ogener heal sit no gaied noiseup ods bu A Mr. Fosher moved to amend section 2, by striking out all after the word "cents" in the 10th line, and insert the following: For each additional two animals the sum of fifty cents, for each carriage or buggy, drawn by one animal, the sum of seventy-five cents; for every head of loose horses, mules, asses, hogs, or goats, the sum of iten cents." is bas lessed lid ods of

On motion, section 4 was stricken out, and bill ordered eagrossed as amended for third reading.

H.B. No. 18 read at length, and amended by striking out the word "reasonable," before the word "good" in second line

of section 10.1 et a galed acideaup odd bas iddgool is beed On motion, leave of absence granted Mr. Johnson until Mon-Ayes, Mosers, Bartelle, Breath, Ball, Barela, Colvin, txon gab

H. B. No. 7, a bill for an act to incorporate the Colorado and New Mexico Wagon Road Company, 1770 1 , asperback , outre M

Read second time, and on motion of Mr. Barela, ocon gyav Was indefinitely postponed orgs of the base bessed Hid only of

C. B. No. 5, read second time with amendments, senoll sall Mr. Barela moved,

That the House do now adjourn until 2 o'clock, p.m.H. Motion lost. Message from the Council.

Mr. Ball moved, To postpone the consideration of C. B. No. 5, and make it the special order of the day for next Tuesday, the 23d, at 11 o'clock, To the Honorable, the Speaker of the House of Representatives .m. &

Motion carried designal your moral to be bottorib me I : and On motion of Mr. Bartells, Con M. O. D Songola and House The House adjourned until 2 o'clock, p. m. on a Decreas

#### 200 D EMIS AFTERNOON SESSION.

Secretary of Council House met pursuant to adjournment. Speaker in the chair.

On motion, the committee areas. House bill No. 20 read at length, with amendments as recommended by committee on Roads and Bridges. A to notion and

Amendments adopted, and showbeameds addition at her

Bill referred to committee on Engrossment.

House bill No. 19, read at length with amendments as recommended.

Amendments adopted, and
Bill ordered engrossed.

House bill No. 15, read, and referred to special committee of four, consisting of Messrs. Gregory, Gardner, Locke and Keys. C. B. No. 14, a bill for an act authorizing and legalizing the transcription of the records of Pueble County.

Read as amended.

And the question being on its final passage, the ayes and nays

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gregory, Gardner, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris and Mr. Speaker—18.

Navs, none.

So the bill passed and title amended by striking out all after the word "Pueblo," and inserting the words "and Huerfano Counties."

H. B. No. 21, a bill for an act to provide for the payment of

Clerks and other officers of the Legislative Assembly.

Read at length, and the question being on its final passage,

the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodger Ehrhart, Fosher, Gregory, Gardner, Grimes, Henry, Keys, Locker Martine, Mandragen, Norris and Speaker—18.

Nays, none.

So the bill passed and title agreed to.

The House now went into committee of the Whole on General File.

Mr. Henry in the chair. Message from the Council.

COUNCIL CHAMBER, January 18th, 1866.

To the Honorable, the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Jouncil has adopted C. C. R. No. 2, a concurrent resolution to correct C. B. No. 10, in the recital of the title in section 11.

Very Respectfully,

Secretary of Council.

On motion, the committee arose.

The Speaker resumed the chair, and series of Mr. Bartells, a chair and series of the series of

ttee of Keys. ng the

l nays odge,

ocke, after

fano it of

dge, cke,

age

en-

15 0

The rules were suspended for the consideration of C. C. R. No. 10, in the recital of the title in section 11.

C. C. R. No. 2 read at length, and the question being on its

adoption, the ayes and nays were: Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Henry, Keys, Ocke, Martine, Mandragen, Norris and Speaker—18.

Nays, none.

So the resolution was adopted.

The House now went into committee of the Whole.

Mr. Henry in the chair.

After some time spent therein, the committee arose and re-Ported progress and asked leave to sit again.

On motion, the House adjourned until 10 o'clock, a. m., tocorrow. it as presented obstated to be down manife and to

### FRIDAY, JANUARY 19th, 1866.

House met pursuant to adjournment. Speaker in the chair. A speaker in the chair. A speaker in the chair.

Absent, Messrs. Bergen, Fosher, Graham, Gregory, Hall, John on, Norris and Nuckolls.
Quorum present.

Journal read, corrected and approved.

Judiciary committee made the following report:

Mr. Speaker: Your committee, to whom was referred H. B. No. 17, have had the same under consideration, and report the same back to the House without amendment, and recommend its passage.

J. W. HENRY, Chairman.

between Ames, E. Squites, of the county of Arenand Report of Enrolling committee:

Mr. Speaker: Your committee on Enrolled Bills have had ander consideration H. B's Nos. 1, 2 and 13, and beg leave to report the same as correctly enrolled.

D. J. BALL, Chairman.

Committee on Military Affairs submitted the following rete final passage, the aves and pays were;

The committee of Military Affairs, to whom was referred the report of the Adjutant General of the Territory, have had the same under consideration, and respectfully recommend the passage of a bill authorizing and requiring the Territorial Auditor to issue scrip bearing date April 29th, 1865, payable five years from date, with interest at the rate of ten per cent. per annum, in payment of the officers and men of the first regiment of

Colorado Volunteer Mounted Militia. Your committee also recommend that the Adjutant General be directed to procure from Washington the papers necessary, for a complete and convenient record of the military history of the officers and men of the Colorado regiments, late in the service of the United States, and transcribe the same in books designed for that purpose, and that the sum of \$1,000 be appointed from the Territonial Treasury to meet such expenses as may be incurred in performing this duty. Also, that the pay of the Adjutant General of Colorado be increased to five hund dred dollars per annum.

J. F. GARDNER, Chairman.

Committee on Engrossment reported the following:

Mr. Speaker: Your committee on engrossed bills, beg leave to report House bills Nos. 5, 9, 11, and H. J. M. No. 1, as correctly and that ground medern THOMAS KEYS, Chairman

Mr. Colvin gave notice that at some future day he would introduce a resolution calling the attention of Congress to

portions of the Governor's message.

Mr. Riddlebarger having given previous notice, introduced House bill No. 24, a bill for an act to dissolve the bonds of matrimony existing between Cina E. Vandyke and John Van-

dyken meser one, thembus amondair ernoil but of Mond one Mr. Ball having given previous notice, introduced H. B. No. 25, a bill for an act to dissolve the bonds of matrimony existing between Amos B. Squires, of the county of Arapahoe, and Territory of Colorado, and Nancy Squires, of the State of Kansas.

H. B's Nos. 24 and 25, read second time, and referred to com-

mittee on Incorporations.

On motion, the report on Military Affairs was laid on the table.

House bill No. 17 ordered engrossed.

House bill No. 9 read third time, and the question being on

its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Grimes, Henry, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—16. ie pasuditor

years nnum,

eneral essary ry of e serooks e apes as

hun n.

pay

eto ctly 26

uld to ed of 124

0. 18 1d of

0

ent of

Nays, none.

Nays, Fosher-1. Lionno of mort ences M

So the bill passed and title agreed to. H. J. M. No. 2, a memorial to the Senate and House of Representatives of the United States of America,

Read third time, and the question being on its final passage,

the ayes and nays were: moy arrolat of botomb me I :an

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker-18.

So the bill passed and the title agreed to.

The House now went into committee of the Whole on the General Filebouter wiviol Ar. Colvin introduction by

Mr. Henry in the chair, que de na vol fild a ,88 .0% . A . H

After some time spent therein, the committee arose.

Speaker resumed the chair. bevorage suggest booff real

On motion, the House adjourned until 2 o'clock, p. m.

#### AFTERNOON SESSION.

he barbouth Throw od Jad collow ever disert all

Mr. Hiddlebarger introduced H B. No. 27, a bill for an although House met pursuant to adjournment. Desbertai est travera Speaker in the chair. Answers lo exogue od 10 groting?

The House went into committee of the Whole.

Mr. Henry in the chair. only olders, dantaull le soldence After some time spent therein, the committee arose and submitted the following report: , on the best bas term bash

Mr. Speaker: The committee of the Whole have had H. B. No. 22 under consideration, and have amended the same as folmore against the depredations of stock in the c.swol-

In section 17, article 5, strike out the words "Merchants, retailers, grocers, and money changers." AM to notion at

Also, add to section 20, article 5, "this act shall in no way be construed so as to give authority to the city of Denver to license gambling or gambling houses."

Also, in article 7, section 3, line 5, strike out the word "disclose," and insert "declare" instead.

Also, in article 8, add to section 7 the words, "This act may be repealed, altered or amended by the Legislature at any time hereafter."

Also, in article 7, section 20, in the fifth line, strike out the Word "twenty," and insert the word "fifteen" instead.

And with these amendments recommend that the bills do

H. B. No. 16, and recommend the passage of the same without amendment. onlioral, so settimme mort, list . 1.

J. W. HENRY, Chairman.

Message from the Council.

COUNCIL CHAMBER, January 19th, 1866.

To the Honorable Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable body that the Council has concurred in House amendments to C. B. No. 14, a bill for an act authorizing and legalizing the transcription of the records of Pueblo County.

Very Respectfully,

CHARLES G. COX, Secretary.

By permission of the House, Mr. Colvin introduced H. B. No. 26, a bill for an act supplementary to an act entitled an act to incorporate the Canon City, Grand River and San Juan Road Company, approved Nov. 6th, 1861, read first and second time, and referred to committee on Roads and Bridges

Mr. Breath gave notice that he would introduce a bill con-

cerning fence owners.

Mr. Riddlebarger introduced H B. No. 27, a bill for an act to prevent the introduction of stock into certain counties of the Territory, for the purpose of grazing, and to repeal an act en titled an act to prevent the introduction of stock into the counties of Huerfano, Pueblo, Fremont, Jefferson, Boulder and Costilla, for the purpose of grazing.

Read first and second time, and referred to committee of

Agriculture and Manufactures.

Mr. Breath gave notice that he would at some future day introduce a bill to repeal an act entitled "An act for the protect tion of farmers against the depredations of stock in the counties of Douglass and Weld.

On motion of Mr. Riddlebarger,

The House adjourned until 10 o'clock to-morrow.

#### line biestrike out the wint SATURDAY, JANUARY 20th, 1866.

The House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Bergen, Ball, Fosher, Gardner, Grimes, Gregory, Hall, Johnson, and Nuckolls-9.

Quorum present.

Journal read and approved.

Mr. D. J. Ball, from committee on Enrollment, reported

H. J. R. No. 1, as correctly enrolled.

1866.

hat the No. 14, tion of

tary.

ntitled d San st and ridges, con.

act to
f the
t en
the
and

day, tec-

Mr. Breath, from committee on Ways and Means, submitted the following report:

Mr. Speaker: Your committee beg leave to report a bill for an act making an appropriation for the payment of the members and officers of the present Legislative Assembly of the Territory of Colorado, for the year 1866, and recommend that it so pass.

S. M. BREATH, Chairman.

Mr. Riddlebarger, from committee on Incorporations, reported as follows:

Mr. Speaker: The committee to whom was referred H. B's Nos. 24 and 25, have considered the same and recommend their passage.

MATT RIDDLEBARGER, Chairman.

Mr. Colvin, from committee on Ways and Means, reported as follows:

Mr. Speaker: Your committee to whom was referred House Bill No. 28, have considered the same, and recommend its passage with the following amendments:

In section 3, in the fifth line, after the words "a section," in-

sert the words "on either end of said lode."

Also, the following amendment to section 6: after the word it," add "or his right to the same shall be forfeited."

B. R. COLVIN, Chairman.

Mr. Riddlebarger gave notice that he would on some subsequent day introduce a bill for re-districting the Territory into Council and Representative Districts.

Mr. Breath having given previous notice, introduced

H. B. No. 28, a bill for an act making an appropriation for the payment of the members and officers of the present Legislative Assembly, of the year 1866.

Mr. Dodge, having given previous notice, introduced H. B. No. 29, a bill for an act to incorporate the Middle Park

and South Boulder Wagon Road Company.

Mr. Fosher having given previous notice, introduced H. B. No. 30, a bill for an act supplementary of an act entitled

an act concerning lode claims, approved Nov. 7th, 1861.

Also, H. B. No. 31, a bill for an act to amend an act entitled an act to create a fund for the benefit of schools, approved Aug. 15th, 1862.

Mr. Riddlebarger having given previous notice, introduced

Jan

F

the

on

cer

Inon!

the

For

Ma

ing

M

fi

N

a

(

the Probate Court of Huerfano County.

H. B. No. 28, read second time, and referred to committee on

H. B. No. 29, read second time, and referred to committee on Incorporations.

H. B. Nos. 30 and 31, read second time, and referred to com-

mittee on Mines and Minerals.

H. B. No. 32, read second time, and referred to committee on Judiciary.

H. B. No. 23, referred back to committee on Mines and Min-

erals.

On motion, H. B's Nos. 24 and 25 were indefinitely post-

Message from the Counciles out berebiance avad of bag 19

Monday Council Chamber, January 20th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable body that the Council has passed C. B. No. 25,

A bill for an act to amend an act entitled an act to incorpor-

ate the Gold Run Tunneling Company.

C. B. No. 26, a bill for an act to amend an act entitled an act to incorporate the Pioneer Tunneling Company No. 1.

Approved November 8th, 1861.

C.C. R. No. 3, a concurrent resolution to define the term of

Territorial Auditor and Territorial Treasurer.

Very Respectfully,

CHARLES G. COX,

Mr. Keys, from committee on Engrossment, reported as follows: boom only soiton succeed nove mixed discrete. M. Toll noise incompage as guidam tos as follows:

Mr. Speaker: Your committee beg leaveto report H. B's Nos-19, 8, 20, 18 and 17, as correctly engrossed.

Report received reground of the me tol Mid. s. 82 .04 . II. H

H. B. No. 22, taken up and considered, and the question being upon the adoption of the amendments as proposed by the committee of the Whole, the amendments were adopted with this addition to article 8, section 11:

Nothing in this act shall be so construed as to authorize the City Council to tax or license the sale of products of the Terri-

tory.

The amendments were ordered engrossed for third reading-

20.

of

21

on

on

m-

OD

n-

st-

at

r

f

H. B. No. 16 read third time, and recommitted to committee By permission, Mr. Gordan introdustrial Minerals und more and Minerals.

H. B. No. 8, an act to amend an act entitled an act to prevent the introduction of stock, for the purpose of grazing, within certain limits, approved November 6th, 1861. 11 Journal

Read third time, and the question being on its final passage,

the ayes and nays were the Hada so, victime I sidt to esumuon

Ayes, Bartells, Breath, Ball, Birela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine. Mandragen, Norris, and Riddlebarger—18. Nays, none, a to gran to doors more benisted toold as ill

So the bill passed and title agreed to. got se assa bing

H. B. No. 20, a bill for an act supplementary to an act concerning Roads and Highways, approved March 11, 1861, and

Read third time, and the question being on its final psssage,

the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge. Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris and Riddlebarger-18.

Nays, none.

So the bill passed and title agreed to. on bencho He & AM

H. B. No 18, a bill for an act to incorporate the Denver and Turkey Creek Wagon Road Company. Tolkes vol basens of

Read third time as amended, and the question being upon its

final passage, the ayes and nays were : 110 call the

Ayes, Messrs. Bartells, Breath, Barela, Colvin, Dodge, Eltrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke. Martine, Mandragen, Norris, Riddlebarger and Speaker-18. Nays, Mr. Ball. yraunded to tal edt refle tad? January

So the bill passed and title agreed to. anon aconical obsiditation

H. B. No. 19, a bill for an act to incorporate the Hamilton and Montgomery Wagon Road Company. M. To-notion all

Read third time, and the question being on its final passage.

the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Dodge, Fosher. Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker-17.

Nays, Messrs. Colvin and Ehrhart 2. aven bas eave out So the bill passed and title agreed to.

H. B. No. 17, a bill for an act to legalize the March term of the District Court, holden in Boulder County, A. D. 1865.

Read third time, and the question being on its final passage

the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker-19. Nays, none.

Janua

Ho

Ro

Al

Qu

Jo

M

To t

the

Cou

rel

h

m

P

S

son.

So the bill passed and title agreed to.

By permission, Mr. Gardner introduced the following resolu-

Resolved, That the committee on Agriculture be requested to obtain such information from the Treasurers of the different counties of this Territory, as shall inform the House how much tax has been collected in their respective counties from non-resident stock owners, and whether such tax has been properly accounted for, and that any information throwing light upon this subject obtained from stock owners or agents who have paid such tax, be reported for the information of the House.

On motion,

The rules were suspended, and the resolution adopted.

By permission, Mr. Norris introduced the following resolu-

Resolved, That this House will consider no more bills presented after Monday, the 23d inst.

Mr. Ball offered to amend by saying "of a private nature."

Mr. Fosher moved, was at the as not like and over the

To amend by saying from this date.

Mr. Riddlebarger moved,

To lay resolutions and amendments on the table, which motion carried.

Mr. Bartells offered the following resolution:

Resolved, That after the 1st of February there shall be no private business transacted in this House.

On motion of Mr. Graham,

The rules were suspended, and

C. C. R. No. 3.

A concurrent resolution to define the term of Territorial Auditor and Territorial Treasurer, was taken up and put on its final passage.

The ayes and mays were: addid him aid 60 areas

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—19.

Nays, none.

So the resolution was adopted. If all the state of the second second

On motion, wolf some Craham Commer Hom, and of manual

The House adjourned until Monday at 10 o'clock, a. m.

20.

olu-

1 to

ent ach

onrly

011 VO

u-

8-

#### MONDAY, JANUARY 22nd, 1866.

House met pursuant to adjournment. Speaker in the chair.

Roll called.

of nom committee on W Absent, Messrs. Bergen, Graham, Gregory, Hall, Henry, Johnson, Nuckolls and Riddlebarger-8. Quorum announced.

Journal read and approved.

Message from the Council.

COUNCIL CHAMBER, January 22, 1866.

To the Honorable the Speaker of the House of Representatives: SIR: I am instructed to inform your Honorable Body that the Council passed, on the 20th inst., C. B. No. 30, a bill for an act to amend an act entitled an Act concerning Attorneys and Counselors at Law.

Very Respectfully,

CHARLES G. COX, Secretary of the Council.

A petition was presented from the people of Boulder, in relation to a special tax levied for school purposes.

Read and referred to committee on Judiciary.

Mr. Ball presented a petition from the citizens of Colorado Territory, in relation to mineral lodes.

Petition read and referred to committee on Mines and Min-

erals. Mr. Riddlebarger, from committee on Incorporations, reported as follows:

Mr. Speaker: Your committee beg leave to report, that they have considered H. B. No. 29, an Act to incorporate the Middle Park and South Boulder Wagon Road Company, and recommend its passage without amendment. MATT. RIDDLEBARGER, Chairman.

Mr. Henry, from committee on Judiciary, reported as follows:

Mr. Speaker: Your committee to whom was referred H. B. No. 32, a bill for an Act to legalize the proceedings of the Probate Court of Huerfano county, have considered the same, and recommend it back to the House, and that it pass without amendment. Doll semme also J. W. HENRY, Chairman.

Januar

Als

tion c

and V

Agric

H

Resof th

H.

Re

· H.

porat

sider

AT

A

Fosl

tine

119

N

S

F

ted

hav

rec

F

m

a

Rea

C. B. No. 25, read second time and referred to committee on Incorporations.

C. B. No. 26, read second time and referred to committee on

Incorporations.

Mr. Breath, from committee on Ways and Means, reported

Mr. Speaker: Your committee to whom was referred H. B. No. 28, have had the same under consideration, and recommend its passage without amendment.

S. M. BREATH, Chairman.

Mr. Ball, from committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills have this day presented to His Excellency the Governor the following bills for his approval, to-wit: H. B. No. 1, a bill for an act to amend an act entitled, an Act to incorporate the Denver and Pacific Wagon Road Company, approved March 10th, 1864.

H. B. No. 2, an act to amend an act entitled, an Act to incorporate the Denver and Sin Luis Valley Wagon Road Company-H. B. No. 13, an act amendatory of an act entitled, an Act

regulating Elections, approved November 6th, 1864.

H. J. M. No. 1, a bill for a joint memorial to the Congress of the United States, asking for the establishment of a mining bureau within the limits of the Territory of Colorado.

Joint resolution, concurring in the resolutions adopted at 2

mass convention held at Central City, January 8th, 1866.

helsoger enoithrogreen as a DAVID J. BALL, Chairman.

By permission, Mr. Breath introduced

H. B. No. 33, a bill for an Act to incorporate the Ni Wat and Black Hawk Wagon Road Company.

Read first and second time, and referred to committee on

Roads and Bridges.

Mr. Riddlebarger, having given previous notice, introduced H. B. No. 34, a bill for an Act to survey and locate portions of the boundary line between the counties of Pueblo, Huerfano

and Fremont.

Read first and second time, and referred to committee on Counties and County Lines.

Mr. Gardner, having given previous notice, introduced

H. B. No. 35, a bill for an act to repeal an act entitled, an Act for the protection of farmers against the depredations of stock in Douglass and Weld counties, approved March 11th, 1864.

22.

on

on

ed

B.

ad

1-

Also, an act to amend an act entitled, an Act for the ratection of farmers against the depredations of stock in D. u lass and Weld counties, approved February 10th, 1865. gnived gross

Read first and second time, and referred to committee on

Agriculture and Manufactures.

HE B. Nor29, costimuted to Committee for real after Read at length, and on motion was referred to the committee. of the Whole. H. B's Nos. 28 and 32, dealfor litra, bentuojba sauoli en l'

Read at length, and ordered engrossed for third reading.

H. B. No. 22, a bill for an Act to reduce the law incor-Porating the City of Denver, and the several acts amendatory thereof, into one act, and to amend the same, taken up and considered and the amendments adopted, triefe add at red and

And the question being on the final passage, in thow a wolf

The ayes and nays were: Ayes, Messrs. Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keyes, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker Nevs, none. id sats beer representations of it respectively. If No. 18 under typical trees the state of the s

So the bill passed and the title agreed to. O another behavior

By permission, the committee on Roads and Bridges submitted the following report: and becommoder bus gr. on at O

Mr. Speaker: Your committee beg leave to report that they have considered C. B's Nos. 18 and 19, and H. B. No. 26, and recommend that they do pass not out thoras but the H. J. GRAHAM, Chairman.

Bridges, and they be requested to report a new section for

Committee on Agriculture reported

H. B. No. 35, with recommendation that it pass.

The House went into committee of the Whole on the General By permission of the House, Mr. Breeth natroduced.

After a short time spent therein, the committee rose and submitted the following report: and messageral doors wall bus not Read for a and second time, and releared to committee on

Mr. Speaker: The committee of the Whole have had C. B. No. 18 under consideration, and have made some progress, and ask leave to sit again. H. J. GRAHAM, Chairman.

By permission of the House, Mr. Breath introduced H. B. No. 36, a bill for an Act concerning Fence Viewers.

The following resolution: Committee on Medical Relations reported as follows:

Janua

Mr. No. 1

and r

By

H.

M

M

MM

M

M

C

A

R

1

33

mitt

Resolved, That the committee on Military Affairs be requested to present a bill for an Act to provide for the payment of persons having horses pressed into the service of the First Colorado Militia.

Resolution read, and referred to Committee on Military Affairs.

On motion,

The House adjourned until 2 o'clock, p. m.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

House went into committee of the Whole.

Mr. Graham in the chair.

After some time spent therein, the committee rose and reported as follows:

Mr. Speaker: The committee of the Whole House have had C. B. No. 18 under consideration, read the bill at length, amended sections 6 and 8, and with the amendments recommend that the bill do pass.

C. B. No. 19, and recommend that it pass without amend-

ments.

H. B's Nos. 26 and 35, and recommend their passage without

amendments

H. B. No. 29, and report the same back with the recommendation that it be referred to the committee on Roads and Bridges, and they be requested to report a new section for section 13.

#### H. J. GRAHAM, Chairman.

By permission of the House, Mr. Breath introduced H. B. No. 37, a bill for an act to incorporate the South Boulder and Dry Creek Irrigating Ditch Company.

Read first and second time, and referred to committee on

Incorporations.

Mr. Ball, from committee on Ways and Means, reported as follows:

Mr. Speaker: Your committee to whom was referred H.B. No. 34, have had the same under consideration, and refer the same back to the House without recommendation.

D. J. BALL, Chairman. A

Committee on Federal Relations reported as follows:

ł

Mr. Speaker: Your committee to whom was referred H. B. No. 10, beg leave to report that they have considered the same, and refer it back to the House without recommendation.

FRANK HALL, Chairman.

By permission of the House, Mr. Colvin introduced H. C. R. No. 1, a concurrent resolution.

Mr. Ball moved to lay the resolution on the table.

Motion lost.

Mr. Dodge moved it be indefinitely postponed.

Motion lost.

Mr. Riddlebarger moved to adjourn.

Motion withdrawn.

Mr. Colvin called for the previous question.

Carried,

And on motion the rules were suspended, and

Resolution read first and second time, and referred to committee on Federal Relations.

On motion,

The House adjourned until 10 o'clock, a. m., to-morrow.

#### TUESDAY, JANUARY 23d, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Bartells, Graham, Gregory and Hall.

Quorum present.

Journal read and approved.

Mr. Hall appeared and took his seat.

Mr. Colvin presented a petition from the people, asking a

reduction of the rates of recording lodes.

Petition read, and referred to committee on Mines and Minerals.

Mr. Riddlebarger, from committee on Incorporations, reported
as follows:

Mr. Speaker: Your committee have considered C. B. No. 35, a bill for an act to amend an act to incorporate the Gold Run Tunnel Company, approved November 8th, 1861.

Also, C. B. No. 26, a bill for an act to amend an act to incorporate the Pioneer Tunneling Company No. 1, approved No-

vember 8th, 1861.

And recommend them to the House for consideration, to-

rether with the accompanying petition.

MATT. RIDDLEBARGER, Chairman.

Janu

Tn

inser

secti

A

M

To

the

Riv

The

kar

Va

HIG

Po

OT

1

Mr. Henry, from committee on Judiciary, reported as follows:

Mr. Speaker: Your committee on Judiciary, to whom was referred that portion of the Governor's Message in relation to the Supreme Court,

And also a petition from the citizens of Pueblo county,

asking for a special term of the District Court,

Have had the same under consideration, and ask leave to

report the following bill:

An act concerning the practice in the District and Probate Courts, and to provide for a term of the Supreme Court, and for other purposes.

J. W. HENRY, Chairman

Report received.

C. B. No. 38, has believed one relieved recipes no ball

A bill for an act concerning the practice in the District and Probate Courts, and to provide for a term of the Supreme Court, and for other purposes.

Read first and second time, and referred to committee of the

Whole.

C. B. No. 18.

Taken up and considered with amendments.

Amendments adopted, and ordered engrossed for third reading.

H. B. No. 26.

Read, and ordered engrossed for third reading.

The time having arrived for the consideration of

C. B. No. 5, the victor D mandard slightly and allowed A On motion.

It was referred, and made the special order for 3 o'clock, p. w. On motion.

The House adjourned until 3 o'clock, p. m.

## electrical beneared Afternoon session.

House met pursuant to adjournment.

Speaker in the chair.

House went into committee of the Whole.

Mr. Riddlebarger in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration C. B. No. 5, an act to incorporate the Overland Wagon Road Company, and recommend its passage, with the following amendment:

In section 12, after the word "authority," in the first line, insert, "after one year from the completion of said road."

Also, strike out the word "reasonable" wherever it occurs in

sections 16 and 17.

Also, by adding an additional section, 19.

MATT. RIDDLEBARGER, Chairman.

Message from the Council.

COUNCIL CHAMBER, January 23d, 1866.

To the Honorable the Speaker of the House of Representatives: SIR: I am instructed to inform your Honorable Body that the Council has passed the following bills:

H. B. No. 5, a bill for an act to incorporate the Arkansas

River and St. Charles Ditch and Irrigating Company.

H. B. No. 9, a bill for an act granting the exclusive right to Thomas Suttells, of Pueblo, to establish a ferry across the Arkansas River at the town of Pueblo.

H. B. No. 11, a bill for an act for the relief of the Arkansas

Valley Ditch and Irrigating Company.

C. B. No. 31, a bill for an act to incorporate the Cache-a-la-Poudre River Bridge Company, and

C. B. No. 32, a bill for an act to incorporate the Holladay Overland Mail and Express Company.

Very Respectfully,
CHARLES G. COX,
Secretary of the Council.

Mr. Mandragen moved to adjourn.

H. B's Nos. 34 and 35,

H. B's Nos. 34 and 55, Read, and ordered engrossed for third reading.

H. B. No. 29,

Taken up for consideration.

On motion of Mr. Ball,

The House adjourned until 10 o'clock, a. m., to-morrow. The Legislative Assembly, at its session of 1804, passed an

## act, approved March 11th, 1561, amending the foregoing section WEDNESDAY, JANUARY 24th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Bartells, Ball, Colvin, Dodge, Grimes, Gregory and Hall.

Ja

pr

th

da th

th

01

W

ac

m

tl

0

e

621

a

to

C

t.

F

C

0

on Quorum present inodusa" brow out rolle . I notice al

Mr. Breath was granted leave of absence, on account of sickess in his family. ness in his family.

Journal read and approved.

Committee on Printing made a verbal report, to the effect that the reports of the Territorial officers would be ready for distribution to-morrow.

Mr. Keys, from committee on Engrossment, reported as fol-

Mr. Speaker: Your committee beg leave to report H. B's Nos-26, 28 and 32, as correctly engrossed.

THOMAS KEYS, Chairman.

Sergeant at-Arms announced two Messages from the Gov

EXECUTIVE DEPARTMENT, Denver, January 23d, 1866.

To the Legislative Assembly of Colorado Territory:

COUNCIL CHAMBER, January 23d.

I have the honor to transmit herewith a petition of a committee of colored citizens of this Territory, on the subject of a law passed by the Legislative Assembly during its session of 1864, by which they were deprived of their rights to vote.

The Organic Act provided that every free white male citizen of the United States, of the age of twenty-one years, including those recognized as citizens by the treaties with Mexico, shall be entitled to vote at the first election. But that qualification of voters, at all subsequent elections, shall be such as shall be prescribed

by the Legislative Assembly.

Under the authority conferred by the foregoing section, the Legislative Assembly at its first session, in a spirit of liberality that did them honor, passed a law regulating elections, approved November 6th, 1861, providing that every male person of the age of twenty-one years and upwards, who shall have resided in the Territory for three months next preceding any election, shall be deemed a qualified voter.

The Legislative Assembly, at its session of 1864, passed an act, approved March 11th, 1864, amending the foregoing section by inserting, after the word "upwards," the words, "not being a negro or mulatto," so as to make it read, "every male person of the age of twenty-one years and upwards, not being a negro or mulatto, \* \* \* shall be deemed a qualified voter."

It seems incredible, and were it not for the record, it would be incredible that such a measure could have been adopted at such a time.

The colored people at that moment were everywhere eagerly

ect

for

OS.

V-

pushing forward to the support of the Government, and their services were as gladly accepted. They contributed largely to the triumph of the nation over the rebellion; and just at that darkest period of our country's history, when they were doing their utmost to rescue the Government from its imminent danger, this wrong was perpetrated upon them mrol ne vino

It is a fact worthy of notice, that this was the only case in the whole nation where public sentiment retrograded during our fearful struggle.

This petition, in the hand-writing of one of the signers. evinces an ability to exercise intelligently the right of suffrage, which it would be well if all who enjoy that right could imitate.

I invoke your earnest attention to this subject, and I hope, for the honor of the Territory, that you will promptly take action to erase this odious record from the statute book.

In connection with this subject, I deem it proper to say also that the Legislative Assembly owes it to the enlightened sentiment of the country to take into consideration the condition of the colored people with regard to the public schools. Under the law of 1861, offering them equal political privileges with others, they came here in considerable numbers, and to an equal if not greater extent than any other class of emigrants to the Territory. As I am informed, they brought their families and have kept them here.

The evidences of their industry, frugality and thrift are to be seen in various parts of the city of Denver, some of the finest properties in town belonging to them. They are subject to the tax laid for the support of common schools, while their children are not permitted to attend them. In consequence of this exclusion from the public and private schools, some of these people have been compelled to send their children to the Eastern States to be educated, while paying the taxes for educa-Mr. Locke gave notice that he went story. I would not story and a story of the tribunal tribu

But all are not able to incur the expense, and the necessary consequence of this is that many of their children must grow and defining the same. up in ignorance.

This is but one of the forms, or at least one of the features of the accursed system of slavery, from whose thraldom the nation has just emerged, by which the children of one man are educated at the expense of another arographic of Hid a oalA

I do not propose, in this communication, to discuss the question of equality of races, about which so many words and so much labor have been wasted; but I submit, without argument, the fact that the colored people in Denver and various parts of the Territory are taxed to pay for educating white children. while their own children are excluded from the public schools:

Jar

Fe

Br

r

and your action will determine how long this humiliating spec-

tacle shall be presented to the world.

Justice to the living, and gratitude to those who died that the nation might live, forbid that this state of things, against which these petitioners protest, should longer prevail.

I only perform my duty in calling your attention to these subjects; for the rest the responsibility is with you.

I am, Very Respectfully,

Your Obedient Servant, ALEXANDER CUMMINGS.

Governor of Colorado Territory.

EXECUTIVE DEPARTMENT, January 24th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representattives that I have approved and signed the following bills, which are certified to have originated in the House of Representatives:

An act to amend an act entitled, An act to incorporate the

Denver and San Luis Valley Wagon Road Company.

An act amendatory of an act entitled, An act Regulating

Elections, approved November 6th, 1861.

A bill for a Joint Memorial to the Congress of the United States, asking for the establishment of a Mining Bureau within the limits of Colorado Territory.

Very Respectfully,

Your Obedient Servant,

ALEXANDER CUMMINGS, Governor of Colorado Territory.

Report received.

And on motion, referred to committee on Elections.

Mr. Locke gave notice that he would at some future time untroduce

A bill changing the Eastern boundary of Fremont County, and defining the same.

Mr. Nuckolls gave notice that he would at some future day introduce

A bill to incorporate the Mining Board of Gilpin County. Also, a bill to incorporate the Rocky Mountain Lodge No. 2, of the Independent Order of Odd Fellows.

Mr. Colvin gave notice that at some future day he would

introduce

A resolution in reference to appointing a commissioner to codify the Laws of Colorado Territory.

H. J. R. No. 3, most habitava eta narbita pro niada aliaw

C-

at

st

se

A resolution in relation to Mails on the Overland Route. Read first and second times, and referred to committee ons Federal Relations.

C. B. No. 31,

Read second time, and referred to committee on Roads and A bill for an act making an appropriation Bridges. C. B. No. 32, telaiged the present of the me and med and

Read second time, and referred to committee on Incorporations. Mr. Johnson introduced sease land at no guied notisene aff

H. B. No. 39, a bill for an act to incorporate the Boulder and Weld County Ditch Company. Mr. Gardner, Gardner, Grimes, besubortni ranbra, TM

H. B. No. 40, a bill for an act to amend an act entitled, Are act concerning Fences. Navs, none.

H. B's Nos. 39 and 40,

Read second time, and referred to committee on Agriculture and Manufactures. H. B. No. 29,0 squibecoord of gaizing legal tos as all lid. A

A bill for an act to incorporate the Middle Park and South Boulder Wagon Road Company, but out but and have any

Was considered, amended, and ordered engrossed for third The ayes and nays were:

reading.

Ayes, Messrs, Bergen, Ball, Barela, Colvin, Dodg.on. H. J.

Was taken up for consideration, semind, mader of the Amendments recommended by the committee of the Whole

were Adopted,

And amendments ordered engrossed for third reading. d. C. B. No. 18,

A bill for an act to incorporate the South Park, Blue River and Middle Park Road Company, Was read a third time, and

The question being upon its final passage,

The ayes and nays were:

Ayes, Messrs. Ball, Barela, Colvin, Ehrhart, Fosher, Graham, Gardner, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker-17.

Nays, Messrs. Bergen, Dodge and Grimes 3. So the bill passed, and the title agreed to. older out no bial ad

H. B. No. 26,

A bill for an act supplementary to an act entitled, An act to incorporate the Canon City, Grand River and San Juan Wagon Road Company.

Read a third time, and

The question being on its final passage,

The ayes and nays were:

Janu

H

SIM

ing 1

OM men

M T A

Con

B

C

T

A Fos Loc

Spe

N

(

34

T

Ayes, Messrs. Bergen, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker—19. Nays, Mr. Ball—1.

H. B. No. 28,

H. B. No. 28,
A bill for an act making an appropriation for the payment of the Members and Officers of the present Legislative Assembly of the year 1866, wind of berreler bas, emit bases been Was read at length, and

The question being on its final passage, portan normal all

The ayes and nays were:
Ayes, Messrs. Bergen, Ball, Barela, Colvin, Dodge, Ehrhart,
Fosher, Gardner, Graham, Grimes, Hall, Henry, Johnson,
Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—21. act concerning Rences.

Navs, none.

H. B's Nos. 39 and 40, So the bill passed, and the title agreed to.

H. B. No. 32,

A bill for an act legalizing the proceedings of the Probate Court of Huerfano county, and the standard of the American Was read the third time, and The question being on its final passage, and both most with the American Standard County of the American Standard County, and the American Standard County Standard County, and the American Standard County Standard County, and the American Standard County Standard County

The ayes and nays were:

Ayes, Messrs. Bergen, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker-20.

Nays, none.

So the bill passed, and the title agreed to.

The House then went into committee of the Whole.

Mr. Nuckolls in the chair.

Mr. Nuckolls in the chair.

After some time spent therein, the committee rose, and Submitted the following report: has something brief a been as W

Mr. Speaker: The committee of the Whole have had under consideration a resolution for cutting off all private business after a certain time,

And report the same back, with the recommendation that it be laid on the table.

Also, H. B. No. 38,

And report the same back to the House, with the recommendation that it do pass.

C. NUCKOLLS, Chairman.

On motion, the House adjourned until 2 o'clock, p. m.

House met pursuant to adjournment. House met pursuant to adjournment.

Speaker in the chair.

Mr. Keys, from committee on Engrossment, made the following report:

Mr. Speaker: Your committee beg leave to report the amendments to C. B. No. 5, as correctly engrossed. THOMAS KEYS, Chairman.

Mr. Ball moved, let V seement A ed to follor edt tot san A,

That C. B. No. 5, A bill for an act to incorporate the Overland Wagon Road

Be read third time, and put upon its final passage.

Carried.

The bill was read and considered.

The ayes and nays were:

Ayes, Messrs. Bergen, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—21.

Nays, none.

So the bill passed and title agreed to.

On motion,

The House adjourned until 10 o'clock, to-morrow.

# THURSDAY, JANUARY 25th, 1866.

House met pursuant to adjournment.

Speaker in the chair.
Prayer by the Chaplain.

Roll called.

Absent, Messrs. Breath, Graham, Martine and Riddlebarger. Quorum present.

Journal read and adopted. The semin Income has been Committee on Engrossment submitted the following report:

Mr. Speaker: Your committee beg leave to report H. B's Nos. 34 and 35 as correctly engrossed.

THOMAS KEYS, Chairman.

Committee on Enrollment submitted the following report:

Jani

H

A

act

sem

10t]

C

L

(

Cor

and

Ha

and

du

ad he

T

C

te

7

Mr. Speaker: Your committee have presented to His Excellency, the Governor, the following bills for his approval:

H. B. No. 5,

An act to incorporate the Arkansas River and St. Charles Ditch and Irrigating Company.

H. B. No. 9.

An act granting the exclusive right to Thomas Suttells to establish a ferry across the Arkansas River at the town of THOMAS KEYSII .o. H. H. H. H. H. Pueblo.

An act for the relief of the Arkansas Valley Ditch and Irrigating Company. Respectfully submitted.

D. J. BALL, Chairman.

Report of committee on Agriculture:

Mr. Speaker: Your committee have had under consideration

C. B. No. 16, And report the same back to the House with the recommendation that it pass without amendment.

H. J. GRAHAM, Chairman.

Also, your committee have had under consideration,

H. B's Nos. 40, 39 and 36,

And report them back to the House with the recommendation that they pass without amendment.

H. J. GRAHAM. Chairman.

Mr. Bartells gave notice that he would on some subsequent day introduce

A bill for an act to incorporate Union Lodge No. 1, I. O. O. F., Denver.

Mr. Martine introduced

H. J. R. No. 4,

A joint resolution to translate laws of A. D. 1865 and '66 into the Spanish language,

Read first and second times, and referred to committee on Federal Relations.

Sergeant-at-Arms announced the following message from the Council:

Council Chamber, January 25th, 1866.

To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

25.

el-

es

to of

i-

n

H. B. No. 12, A bill for an act to amend section 16 of an act entitled, An act fixing the compensation of members of the Legislative Assembly and other officers of Colorado Territory, approved Feb. 10th, 1865.

C. B. No. 24, A bill for an act to incorporate the American Exploring Company of Philadelphia.

C. B. No. 29,

A bill for an act to provide for the payment of the officers and men of the First Regiment Colorado Mounted Militia.

C. B. No. 35,

C. B. No. 35, A bill for an act to change the name of Seneca L. Page to The same are herewith transmitted. Harry Richmond.

Also, H. B. No. 21, A bill for an act to provide for the payment of the Clerks

and other officers of the Legislative Assembly.

Amended in the last line but two of section 3, by the introduction of the word "for" after the word "days," and by the addition of a section to be called section 4, thereto appended, and herewith transmitted. Also, H. B. No. 43.

Very Respectfully, CHARLES G. COX, Secretary of Council.

H. B. No. 41,

lo sonil yrabanod Council Chamber, January 24th, 1866.

To the Hmorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has concurred in House amendments to

C. B's Nos. 5 and 18.

Also, that we have passed Also, the Also, that we have passed Also, the Also, the

C. B. No. 37, A bill for an act to provide for the military record of Volunteer Troops of Colorado.

Also return go ontinition of bernel released to contain the one and released to the containing of the C. B. No. 26,

A bill for an act to amend An act to incorporate the Pioneer Tunneling Company No. 1, approved Nov. 8th, 1861.

Properly drawn. Very Respectfully,

CHARLES G. COX, Secretary of Council.

Mr. Nuckolls gave notice that he would on to-morrow, or some subsequent day, introduce

Januar

C. B

Ab

Was The The Aye

lating

Ehrha

Henry

Nucke

Nay

So . C. ]

Al

Wa

The

The

Ay

Ehrh

Henr

Nuck

Na

So

H.

A

W

OI

W

01

T

H S

H

A Pro

cour

A B

Line

ary I

mont

Tunne

A bill for an act to amend an act entitled, An act to incorporate the City of Central.
C. B. No. 24,

Read second time and referred to committee on Incorporations.

C. B's Nos. 29 and 37,

Read second time, and referred to committee on Military Affairs. A bill for an sel to med pointe to Air

C. B. No. 35,

Read second time, and referred to committee on Ways and Means. eans. On the first Regiment Oberdoo transfer first adt to mem bus

Read second time and referred to committee on Federal Relations.

Mr. Johnson having given previous notice, introduced

H. B. No. 41,

A bill for an act to incorporate the Coal Creek and Black Hawk Wagon Road.

Mr. Nuckolls having given previous notice, introduced

H. B. No. 42,

A bill for an act to incorporate Rocky Mountain Lodge No. 2, I. O. O. F.

Also, H. B. No. 43,

An act to amend An act to incorporate the City of Central.

Mr. Locke having given previous notice, introduced H. B. No. 44.

A bill for an act to change and locate the boundary lines of Fremont County.

Mr. Fosher having given previous notice, introduced

H. B. No. 45,

A bill for an act to divide the Territory of Colorado into Judicial Districts, and to provide for the holding of Courts in the same.

H. B's Nos. 41, 42, and 43,

Read second time, and referred to committee on Incorporations. teer Troops of Colorado.

H. B. No. 44,

Read second time, and referred to committee on Counties and County Lines. H. B. No. 45, reagreement of the aA between of the as not flid A

Read second time, and referred to committee of the Whole. H. B's Nos. 39 and 40,

Ordered engrossed for third reading.

On motion, H. B. No. 36,

A bill for an act concerning fence viewers, was referred to committee of the Whole. 25.

1-

2-

y

1

C. B. No. 16,

A bill for an act to amend an act amendatory of An act relating to Fences, approved March 11th, 1864,

Was read a third time, and

The question being on its final passage, hoseed Hid edi of

The aves and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Muckolls, Riddlebarger and Speaker—23.

Navs, none,

Nays, none, So the bill passed, and the title agreed to.

C. B. No. 26,

A bill for an act to amend An act to incorporate the Pioneer Tunneling Company No. 1, approved November 8th, 1861, Was read a third time, and The question being on its final passage,

The aves and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, hrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Suckolls, Riddlebarger and Speaker—23.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 34,

A bill for an act to survey and locate portions of the Bounddry Lines between the counties of Pueblo, Huerfano and Fremont,

Was taken up and considered, and

On motion,

Was referred to the committee on Counties and County lines, with instructions to furnish a substitute bill.

The House adjourned until 2 o'clock, p. m.

# AFTERNOON SESSION.

House met pursuant to adjournment. Speaker in the chair.

H. B. No. 35,

A bill for an act to repeal an act entitled, An act for the Protection of Farmers against the depredations of stock, in the counties of Douglass and Weld, approved March 11th, 1864.

Also, an act approved February 10th, 1865.

Read a third time, and

Read a third time, and
The question being on its final passage,
The avec and navs were:

C. B. No. 26,

Janua

Mr of th

MI ment

Ca

R

0

Gen

con me

tab

rep

an

Co

as

N

0

re

5

A mit

natu

M

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker-19.

So the bill passed, and the title agreed to. and non-sorp add. Amendments to H. B. No. 21 Nays, none.

Amendments to H. B. No. 21

Were taken up, and

On motion,

The House concurred in amendments, and

The bill was given to the Enrollment committee.

Committee on Engrossment reported
H. B's Nos. 29 and 38

H. B's Nos. 29 and 38

As correctly engrossed.
On motion,
H. B. No. 29,

An act to incorporate the Middle Park and South Boulder Wagon Road Company, The aves and nays were:

Was read a third time, and
The question being on its final passage,
The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckol and Speaker—19.

Navs. Mr. Fosher—1.

Nays, Mr. Fosher—1.

So the bill passed, and the title agreed to.

H. B. No. 38

H. B. No. 38,

A bill for an act concerning the Practice in the District and Probate Courts, and to provide for a Term of the Supreme Court, and for other purposes, Was read a third time, and

The question being on its final passage, and burnsan dira south

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Grimes, Gregory, Hall, Johnson, Keys, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speak er-19.

Nays, Messrs. Fosher and Graham—2.

Mr. Locke was excused.

So the bill passed, and the title agreed to.

On motion,

Mr. Bartells' resolution was taken from the table and considered

Resolved, That after the first day of February, this House will not permit the introduction of any resolutions or acts of a private nature.

eys,

D.A.

ler

e,

10

25.

Mr. Graham moved to amend by saying, "unless by consent of the House."

Mr. Riddlebarger moved that the resolution, with amend-

ment, be indefinitely postponed.

Carried.

Mr. Fosher introduced the following resolution:

Resolved, That this House will consider no bills of a public nature on and after this day.

On motion, the resolution was indefinitely postponed.

The House then went into committee of the Whole on the general File.

After some time spent therein, the committee rose and sub-

mitted the following report:

Mr. Speaker: Your committee of the Whole have had under consideration H. B. No. 45, and report it back with the recommendation that it be indefinitely postponed.

Also, H. B. No. 36, and recommend that it be laid on the

table.

WILLIAM LOCKE, Chairman.

Report received.

Mr. Riddlebarger, from the committee on Incorporations, reported as follows:

Mr. Speaker: Your committee have considered C. B. No. 32, an act to incorporate the Holladay Overland Mail and Express Company, and recommend its passage without amendment.

MATT. RIDDLEBARGER, Chairman.

Mr. Hall, from the committee on Federal Relations, reported as follows:

Mr. Speaker: Your committee, to whom was referred H. J. R. No. 3, have had the same under consideration, and respectfully offer the accompanying resolution as a substitute, with the recommendation that it do pass.

FRANK HALL, Chairman.

Mr. Ball, from the committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee have examined H. B. No. 12, and beg leave to report the same as correctly enrolled.

DAVID J. BALL, Chairman.

Jan that

Bla

ain

plo

ting

fol

len

Ar

As

an Te

fo?

tl

ti p

0 i

Mr. Ball gave notice that he would, to morrow or some subsequent day, introduce

A bill for an act to establish the County of Lincoln, and locate the boundaries thereof.

H. B. No. 45,

Taken up for consideration, and referred to the committee on Judiciary.

On motion.

H. B. No. 36 Was laid on the table.

Mr. Graham presented a petition from the citizens of Arapa hoe county, asking for a Herd Law.

Petition read, and referred to the committee on Agriculture. Mr. Fosher gave notice that he would on some future day troduce introduce

A bill for an act giving District Judges additional fees. Committee on Roads and Bridges reported back H. B. No. 31.

H. B. No. 31,

Without amendment, and recommended its passage. Itabaem Mr. Ball, from the committee on Enrollment, reported as follows:

Mr. Speaker: Your committee on Enrolled Bills have exam ined H. B. No. 21, and beg leave to report the same correctly

DAVID J. BALL, Chairman.

Afr. Speaker: Your committee have considered on motion

The House adjourned until 10 o'clock to-morrow.

## FRIDAY, JANUARY 26th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent, Messrs. Fosher and Locke.

Journal read and approved.

Mr. Riddlebarger, from committee on Incorporations, made the following report:

Mr. Speaker: Your committee has had under consideration H. J. R. No. 4, a joint resolution to translate the Laws of 1865 and 1866 into the Spanish language.

¥ 26.

sub-

Land

e on

apa-

re.

day

25

m-

tly

Also, H. B. No. 41, an act to incorporate the Coal Creek and Black Hawk Wagon Road Company.

Also, H. B. No. 42, an act to incorporate the Rocky Mountain Lodge No. 2, of the Independent Order of Odd Fellows.

Also, C. B. No. 24, an act to incorporate the American Exploring Company of Philadelphia.

Also, H. B. No. 43, an act to amend an act entitled, An act to incorporate the City of Central.

And respectfully recommend their passage.

MATT. RIDDLEBARGER, Chairman.

Mr. Ball, from the committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee have presented to His Excellency, the Governor, the following bills for his approval:

H. B. No. 12, an act to amend section 16 of an act entitled, An act fixing the compensation of Members of the Legislative Assembly, and other Officers of Colorado Territory.

H. B. No. 21, an act to provide for the payment of Clerks and other Officers of the Legislative Assembly of Colorado Territory.

Respectfully Submitted, D. J. BALL, Chairman.

Mr. Keys, from the committee on Engrossment, made the following report:

Mr. Speaker: Your committee beg leave to report H. B's Nos. 39 and 40 as correctly engrossed.

THOMAS KEYS, Chairman.

Mr. Graham, from the committee on Agriculture, submitted the following report:

Mr. Speaker: Your committee, in accordance with a resolution requesting them to report upon the operation of an act providing for the collection of taxes from non-resident stock-owners, approved March 11th, 1864, would submit the following:

That we have been unable to learn of any sum of money, so paid into the treasury of Arapahoe county, being accounted for; and the small amount that was paid into the treasury of Weld county, and placed to the credit of the county, did not agree with the large amount believed by the citizens to have been so paid in.

Therefore it is evident that the law is calculated to benefit

Janu

H.

A

C.

ratio

R

and

Cult

and

loc

H

Co

for

ap

La

ar

cerni

individuals only, instead of replenishing the treasury; and that the law has been so construed as to require the citizens of one county, wintering their stock in another, to pay fifty cents per head upon the same, thereby taxing them the second time during the same fiscal year upon the same property.

Therefore your committee would recommend the above-

named law be repealed.

H. J. GRAHAM, Chairman.

Mr. Gregory, from Special committee, submitted the following report:

Mr. Speaker: Your Special committee, to whom was referred H. B. No. 15, have had the same under consideration, and ask leave to offer a substitute.

DAVID GREGORY, Chairman.

On motion,

Mr. Fosher was excused for to-day.

The Sergeant-at-Arms announced the following

Message from the Council:

### COUNCIL CHAMBER, January 26th, 1866.

To the Honorable the Speaker of the House of Representatives:

Sir: I am directed to inform the House that the Council has passed the following bills:

C, B. No. 23, a bill granting the exclusive right to William Craig to erect and maintain a Toll-Bridge across the Arkansas

River.

C. B. No. 27, a bill for an act to provide for the Registration of Votes.

C. B. No. 33, a bill for an act to regulate Ditches used for farming purposes, in the counties of Costilla and Conejos.

C. B. No. 34, a bill for an act for the Relief of W. S. Walker,

of Summit county.

H. B. No. 8, a bill for an act to amend an act entitled, An act to prevent the Introduction of Animals, for the purpose of Grazing, within certain counties, approved November 6th, 1865.

H. B. No. 17, a bill for an act to Legalize the March Term of the District Court, holden at Boulder county, A. D. 1865.

H. B. No. 18, a bill for an act to incorporate the Denver and Turkey Creek Wagon Road Company, amended, and amendments engrossed and attached to bill.

H. B. No. 19, a bill for an act to incorporate the Hamilton

and Montgomery Wagon Road Company.

hat

one

per

me

ve-

ng

ed

sk

H. B. No. 40, a bill for an act supplementary to an act concerning Roads and Highways, approved March 11th, 1861. All of which are herewith transmitted.

Very Respectfully, CHARLES G. COX, and to Hid A

The question being on its final passage,

Secretary of the Council.

C. B. No. 23,

Read second time, and referred to the committee on Incorpo-Whihark, Graham, Grimos, Gregory, Hall, He72, N. B. D.

Read second time, and referred to the committee on Elections and Apportionments.

C. B. No. 33,

Read second time, and referred to the committee on Agriculture.

C. B. No. 34,

Read second time, and referred to the committee on Wave and Means.

Mr. Ball, having given previous notice, introduced

H. B. No. 46,

A bill for an act to establish the County of Lincoln, and to locate the boundaries thereof.

Mr. Nuckolls, having given previous notice, introduced II. B. No. 47.

H. B. No. 47,

A bill for an act to incorporate the Mining Board of Gilpin

Mr. Graham, having given previous notice, introduced

H. B. No. 48,

A bill for an act to repeal an act entitled, An act to provide for the Collection of Tax from Non-Resident Stock-Owners, approved March 11th, 1864.

H. J. R. No. 5, a resolution relating to the Codifying of the

Was read second time, and referred to the committee on Ju-H. B's Nos. 46 and 48, moranimal militale along and

Read second time, and referred to the committee of the H. B. No. 47, So the hall passed, and the title agreed to. Whole.

Read second time, and referred to the committee on Mines and Minerals.

H. J. R. No. 3,

A joint resolution relating to the Overland Mail,

Was reported on favorably by the committee on Federal elations, and
Referred to the committee of the Whole. Relations, and

Janu

M

A

Su

Mo.

reco

ther

be 1

men

R

foll

1

ine

8a,m

sen

Ver

Wi

tri

80

Ne

St

A

A

H. B's Nos. 41 and 42,

Ordered engrossed for third reading.

H. B. No. 39,

A bill for an act to incorporate the Boulder and Weld County Ditch Company,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—20.

Nays, none.

So the bill passed, and the title agreed to.

On motion, H. B. No. 43,

A bill for an act to amend an act to incorporate the City of Central,

Was considered, engrossed, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 40,

A bill for an act to amend an act entitled, An act concerning Fences,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

On motion,

The House adjourned until 2 o'clock, p. m.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

House went into committee of the Whole on the General File.

nty

ge,

on,

nd

of

Mr. Gardner in the chair.

After some time spent therein, the committee rose and Submitted the following report:

Mr. Speaker: The committee of the Whole have had H. J. R. No. 3 under consideration, and report the same back with the recommendation that it pass with the following amendments:

Strike out the word "printed," in section 2, and insert in lieu

thereof the word "mail."

Also, H. B. No. 46, and recommend it back to the House to be laid on the table.

Also, H. B. No. 48, and C. B's Nos. 32 and 37, and recommend them to the House to pass without amendment.

J. F. GARDNER, Chairman.

Report received.

Mr. Ball, from the committee on Enrollment, reported as follows:

Mr. Speaker: Your committee on Enrolled Bills have examined H. B's Nos. 8, 17, 19 and 20, and beg leave to report the same correctly enrolled.

D. J. BALL, Chairman.

Also,

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following bills for his approval, to wit:

H. B. No. 8, an act to amend an act entitled, An act to prevent the Introduction of Animals for the purpose of Grazing

Within certain limits, approved November 6th, 1864.

H. B. No. 17, an act to Legalize the March Term of the District Court holden in Boulder county, A. D. 1865.

H. B. No. 19, an act to incorporate the Hamilton and Mont-

Somery Wagon Road Company.

H. B. No. 20, an act supplementary to an act concerning Roads and Highways, approved March 11th, 1864.

Very Respectfully,

D. J. BALL, Chairman.

Mr. Speaker: Your committee, to whom was referred C. B. No. 34, have had the same under consideration, and respectfully recommend that it be referred to the committee of the Whole. FRANK HALL, Chairman.

Jan

bac

mer

F

1

foll

41

fo]

rec

SU

CO

p

a

1

Message from the Governor:

Mr. Gardner in the EXECUTIVE DEPARTMENT, Denver, January 27th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives: SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, certified to have originated in that body:

An act to provide for the payment of Clerks and other Officers of this Legislative Assembly.

An act to amend section 16 of an act entitled, An act fixing the Compensation of Members of the Legislative Assembly, and other Officers of Colorado Territory, approved February 10th, 1865.

A joint resolution in relation to a Memorial to Congress, on

the subject of Legislation affecting Mining Interests.

An act granting the exclusive right to Thomas Suttells, of Pueblo, to establish and maintain a Ferry across the Arkansas River at the town of Pueblo.

Respectfully,

ALEXANDER CUMMINGS,

Governon of Colorado Territory.

The House adjourned until 10 o'clock, a. m., to-morrow.

# SATURDAY, JANUARY 27th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Roll called.

Journal read and approved.

Mr. Fosher presented a petition from the citizens of Summit

county, in relation to School Claims.

Petition read, and referred to the committee on Mines and

Minerals.

Mr. Graham presented a petition from the citizens of Jefferson county, asking for a Herd Law.

Petition read, and referred to the committee on Agriculture. Mr. Colvin, from the committee on Mines and Minerals, reported as follows: " moder of gottimuos move seeled all

Mr. Speaker: Your committee, to whom was referred H. B. No. 47, have had the same under consideration, and report it

2=

g

January 27.] HOUSE JOURNAL.

back to the House and recommend that it pass without amendment.

B. R. COLVIN, Chairman.

Report received.

Mr. Keys, from the committee on Engrossment, reported as follows: H. B. No. 27 and C. B. No. 88, and recommend that they Do

Mr. Speaker: Your committee beg leave to report H. B's Nos. 41 and 42 as correctly engrossed.

THOMAS KEYS, Chairman.

Mr. Henry, from the committee on Judiciary, reported as follows: No. 27, have considered the same, and recommend its passage

Mr. Speaker: Your committee, to whom was referred C. B. No. 30, have had the same under consideration, and report it back to the House with an amendment thereto attached, and recommend that it do pass.

J. W. HENRY, Chairman.

Mr. Speaker: Your committee have examined and all the Speaker: Mr. Hall, from the committee on Federal Relations, reported as follows:

Mr. Speaker: Your committee, to whom was referred C. B. No. 36, have considered the same, and recommend its passage.

Also, H. B. No. 14, and respectfully offer the accompanying substitute.

Also, C. B. No. 35, and recommend that it be referred to the committee of the Whole. committee of the Whole. FRANK HALL, Chairman.

Mr. Riddlebarger, from the committee on Incorporations, reported as follows:

Mr. Fosher submitted the following minority report from the

Mr. Speaker: Your committee have examined C. B. No. 23, an act granting the exclusive right to William Craig to erect and maintain a Toll-Bridge across the Arkansas River, and recommend its passage by inserting "twenty years" in lieu of "ten years." "ten years." MATT. RIDDLEBARGER, Chairman.

Mr. Gardner, from the committee on Military Affairs, reported as follows:

Jan

V

Pos

Ehr

Loc

Spe

Co

M

Mr. Speaker: Your committee have had H. B. No. 29 under consideration, and recommend its passage without amendment.

J. F. GARDNER, Chairman.

Mr. Graham, from the committee on Agriculture, reported as follows:

Mr. Speaker: Your committee have had under consideration H. B. No. 27 and C. B. No. 33, and recommend that they be referred to a committee of the Whole.

H. J. GRAHAM, Chairman.

Mr. Bartells, from the committee on Elections and Apportionments, submitted the following:

Mr. Speaker: Your committee, to whom was referred C.B. No. 27, have considered the same, and recommend its passage without amendment.

L. F. BARTELLS, Chairman.

Mr. Ball, from the committee on Counties and County Lines, submitted the following:

Mr. Speaker: Your committee have examined H. B. No. 34, and refer it back without recommendation.

D. J. BALL, Chairman.

Mr. Colvin, from the committee on Mines and Minerals, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B's Nos. 30 and 31, have examined the same, and recommend that they be laid on the table.

Also, H. B. No. 16, and report the same back to the House without recommendation.

B. R. COLVIN, Chairman.

Mr. Fosher submitted the following minority report from the committee on Mines and Minerals:

Mr. Speaker: The undersigned (a minority) asks leave to report that H. B. No. 16 be favorably considered by this House, and passed without amendment.

JOHN FOSHER, Chairman.

On motion, H. B. No. 18 27.

der

11.

as

on be

T-

B.

Was taken up and considered, and

The question being on the adoption of the amendment proposed by the Council,

The aves and navs were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Henry, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—20.

Nays, Mr. Graham—1.
So the amendment was

Previous notice having been given,

Mr. Norris introduced

H. B. No. 49,

An act to incorporate Towns and Villages.
Without previous notice,
Mr. Henry introduced

Mr. Henry introduced

H. B. No. 50,

An act to amend an act to incorporate the Excelsior Ditch Company, approved March 11th, 1864.

Also, H. B. No. 51,

An act to incorporate the Sangre-Christo Wagon Road Com-

Without previous notice, Mr. Keys introduced

H. B. No. 52,

An act concerning the Territorial Librarian.

Mr. Graham, having given previous notice, introduced

An act regulating the Herding of Animals, and requesting farmers and ranchmen to give proper notice of Cultivated and Without previous notice, which has been lided and Mr. Fosher introduced Meadow Lands.

Mr. Fosher introduced

H. B. No. 54,

An act enabling the Judges of Courts to collect Fees.

H. B's Nos. 49, 50 and 51,

Read second time, and referred to the committee on Incorporations.

H. B's Nos. 52 and 53,

Read second time, and referred to the committee of the Whole.

Read second time, and referred to the committee on Judiciary. Amendments to common fortunes, the state of the H. J. R. No. 3

Were adopted,

Mays, none.

Jar

Ho

tiv

Wa du lin

R

and the state of t
And resolution ordered engrossed for third reading in M. B. No. 46
Was taken up and considered
Mr. Riddlebarger moved to lay it on the table,  And called for the ayes and nays:
And called for the ayes and nays: Ayes, Messrs. Bergen, Bartells, Barela, Ehrhart, Fosher, Gregory, Henry, Keys, Locke, Martine, Mandragen, Norris and
Nays, Messrs. Ball, Colvin, Dodge, Graham, Gardner, Grimes,
Hall, Johnson, Nuckolls and Riddlebarger—10.
So the bill was laid on the table. H. B. No. 48
Was taken up and
The question being on the adoption of the report of the
committee of the Whole, which was to indefinitely postpone.
The ayes and nays were: Ayes, Messrs. Bergen, Bartells, Barela, Ehrhart, Gardner,
Gregory, Hall, Johnson, Keys, Locke, Martine and Mandragen
Nays, Messrs. Ball, Colvin, Dodge, Fosher, Graham, Grimes,
So the bill was indefinitely nostnoved
Mr. Graham moved that the rules be suspended, and
C. B. No. 32 Be put on its final passage.
Carried.  And the question being on its final passage, made of the ayes and nays were:
Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge.
Ehrhart, Graham, Grimes, Gregory, Hall, Henry, Keys, Locke, Martine, Mandragen, Nuckolls, Riddlebarger and Speaker—19.
Navs. Messrs, Fosher Gardner Johnson and Norris 4.
bo the our passed, and the title agreed to
H. B. No. 47,
Referred to the committee of the Whole. C. B. No. 30, Taken up, and the report of the committee of the Whole adopted, and
Taken up, and the report of the committee of the Whole
On motion,
The rules were suspended, and the passage, and the passage, and the passage,
The ayes and nays were:
Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Graham, Grimes, Gregory, Hall, Henry, John-
son, Keys, Locke, Martine, Mandragen, Norris, Nuckells, Rid-
dlebarger and Speaker—22.
Nays, none.

er,

nd

es,

10

Petition read, and referred to berrolar bas, bear notified So the bill passed, and the title agreed to. The Sergeant-at-Arms announced the following yang I .M Message from the Governor: following report:

EXECUTIVE DEPARTMENT, Denver, January 27th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives: SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, which are certified to have originated in that House III

An act for the Relief of the Arkansas Valley Ditch and

Irrigating Company.

An act supplementary to an act concerning Roads and Highways, approved March 11th, 1864 ogroom of ton un rot Hid s An act to amend an act entitled, An act to prevent the Introduction of Animals, for the purpose of Grazing, within certain limits, approved November 6th, 1861: AM

An act to Legalize the March Term of the District Court.

holden in Boulder county, A. D. 1865. and group yard all An act to incorporate the Hamilton and Montgomery Wagon Road Company.

Mr. Speaker: Your committeelly, Respectfully, immoo root Your Speaker. No. 45, have considered trained or no Your it back without

ALEXANDER CUMMINGS, OOT Summindo YANAH . W. J. Governor of Colorado Territory.

On motion, of the House adjourned until Monday next, at 10 o'clock, a.m.

A bill to change section 4 of an act entitled, An act to proteet and regulate the Irrigation of Lands, approved November

Mr. Keys . 3381 , 4462 WARUNAL , YAQNOM, e future day,

House met pursuant to adjournment of ton un rol Ilid A Speaker in the chair. Ditch and Fluming Company. Prayer by the Chaplain environ neving enven nivloo .. M.

Roll called. Absent, Messrs. Bergen, Breath, Graham, Grimes, Gregory,

Claims, approved November 7th, 1861.

Read first and second times, and referred theserq muroup of

Journal read and approved. Mr. Riddlebarger presented a petition from the citizens of Huerfano county, asking for a division of the county to an W

Petition read, and referred to the committee on Counties and Was taken up and considered. County Lines.

Also, a petition from the citizens of the town of Trinidad, in relation to incorporating the town.

Jan

Ma

Gr

Petition read, and referred to the committee on Incorporations.

Mr. Henry, from the committee on Judiciary, submitted the following report:

Mr. Speaker: Your committee, to whom was referred H. J. R. No. 5, have had the same under consideration, and respectfully report a substitute, and recommend that it pass.

J. W. HENRY, Chairman.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have considered H. B. No. 37, a bill for an act to incorporate the South Boulder and Dry Creek Irrigating Ditch Company, and recommend that it pass without amendment.

MATT. RIDDLEBARGER, Chairman.

Mr. Henry, from the committee on Judiciary, submitted the following:

Mr. Speaker: Your committee, to whom was referred H.B. No. 45, have considered the same, and report it back without recommendation.

J. W. HENRY, Chairman.

Mr. Locke gave notice that he would, at some future day, introduce

A bill to change section 4 of an act entitled, An act to protect and regulate the Irrigation of Lands, approved November 5th, 1861.

Mr. Keys gave notice that he would, at some future day, introduce

A bill for an act to incorporate the Aurum Prospecting, Ditch and Fluming Company.

Mr. Colvin, having given previous notice, introduced

H. B. No. 55,

An act to amend an act entitled, An act concerning Lode Claims, approved November 7th, 1861.

Read first and second times, and referred to the committee of the Whole.

C. B. No. 29

Was ordered on third reading.

C. B. No. 27

Was taken up and considered.

Mr. Nuckolls moved that it be indefinitely postponed.

2-

t-

The aves and nays were:

Ayes, Messrs. Ball, Barela, Dodge, Ehrhart, Henry, Locke, Martine, Mandragen, Nuckolls and Riddlebarger-10,

Nays, Messrs. Bartells, Colvin, Fosher, Gardner, Graham,

Gregory, Johnson, Keys and Speaker 9. berefle vine H. M. So the bill was indefinitely postponed.

Mr. Ball moved that the vote be reconsidered.

Mr. Bartells moved to adjourn. To anied acitseup of bar The ayes and navs were:
Aves, Messrs, Bergen, Bartells Ball, Berels,

#### AFTERNOON SESSION.

House met pursuant to adjournment. Speaker in the chair.

The question being on the public being being of the chair. U. B. No. 27, Mr. Barela moved a call of the House,

Which being ordered and called, there were

Absent, Messrs. Grimes, Henry, Locke and Nuckolls-4. The Sergeant-at-Arms was despatched after absent members. Returned, and reported all present. Tow gvan bas gove of I

On motion,

All further proceedings under the call were dispensed with. On motion of Mr. Colvin,

C. B. No. 27

Was referred to a Special committee of five, consisting of Messrs. Hall, Henry, Colvin, Gregory and Norris. On motion,

C. B's Nos. 34 and 35, H. B. No. 27, and H. J. R. No. 5. Were taken up,

Reports of committees adopted, and min bride been any Referred to the committee of the Whole.

C. B. No. 31 and H. B's Nos. 14, 16 and 37

Were taken up,

Were taken up,
Reports of committee adopted, and Bills ordered on third reading.

On motion of Mr. Fosher,
Further proceedings with

H. B. No. 45

Were dispensed with.
On motion, we will a got able to a sound of the cold lid A

Further proceedings with summing of baid bas bacond start

C. B. No. 36

Were dispensed with. and land at no gaind not soup ed T

Mr. Nuckolls asked leave of absence for the balance of the Aves, Messrs, Bergen, Bartells, Breath, Ball, Barela, Colyab, Dodge, Ehrhart, Gardner, Graham, Grevory, Hall, Henry, John

[January 29.

C. B. No. 24,

Were dispensed with.

Jan

son

ano

]

act

As

Do

80

HOUSE JOURNAL

Ayes, Messrs. Ball, Barela, IsaloH and ved bettarg evas Lee, Mandragen, Nuckolls and Riddlebarger & 10 N. B. O.

Mays Messrs. Bartells, Colingiand and Mays.

Mr. Henry offered the following amendment: and acts and sections and parts of acts conflicting with the provisions of this act, be and the same are hereby repealed."

Adopted.

And the question being on its final passage, a slight all . TM

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Breath, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to ied noise up ed T

C. B. No. 29,

A bill for an act to provide for the Payment of the Officers and Men of the First Regiment of Colorado Mounted Militia,

Was read a third-time, and your Means. Grimes, Henry bra, amit bridth a basel.

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhant, Graham, Gregory, Gardner, Hall, Henry, Johnson, Keys, Martine, Mandragen, Norris, Riddlebarger and Speaker—21.

Was referred to a Special committee of five, comoni, ayaN

So the bill passed, and the title agreed to oll Mall stass M

C. B. No. 31,

A bill for an act to incorporate the Cache a la-Poudre River Bridge Company,

Was read a third time, and betqobs southimmoo to strongoll

The question being on its final passage, 100 of berroloss

The ayes and nays were! At ROV at H bas 18 .0 M. a. D.

Ayes, Messrs. Bergen, Bartells, Breath, Barela, Colvin, Dodge, Ehrhart, Graham, Gardner, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—20.

Nays, Mr. Ball—1.

So the bill passed, and the title agreed to.

C. B. No. 37,

A bill for an act to provide for a Military Record of the First, Second and Third Regiments of Colorado Volunteers,

Was read a third time, and

The question being on its final passage; w beanequib ere W and The ayes and mays were come to be saked bases and may be saked bases and may be saked by the saked bases and the saked by the

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Gregory, Hall, Henry, John-

the

ry,

cer

r

January 29.] HOUSE JOURNAL. son, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker 211 and distribution and silent and speaker are some source.

Abrhart, Gardner, Graham, Gregory, Hall, Hersonon, sys Nr. So the bill passed, and the title agreed to itral solocit avail

H. B. No. 14,

A bill for an act to amend section 6 of an act entitled, An act fixing the Compensation of Members of the Legislative Assembly, and other Officers of Colorado Territory, of H

Was read third time, and eterograms of the as not flid A

The question being on its final passage,

The ayes and nays were:

Was read third time, and Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Gregory, Hall, Henry, Johnson, Locke, Mandragen, Norris, Riddlebarger and Speaker-19. Nays, Messrs. Graham, Keys and Martine 3, radidly onbott

So the bill passed, and the title agreed to. I , normall

H. B. No. 16,

An act concerning Analytical Assayers of Minerals,

Was read the third time. as offit off box boxseq Illd all occ

Mr. Ball moved,

That the bill be postponed. M of guitaler notice or triof A

The ayes and nays being ordered, were: mit bridt beer aw

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Graham, Gregory, Hall, Locke, Martine, Mandragen, Norris and Aves, Messrs, Bergen, Bartells, Breath, Ball, Ball, Ball, Passage

Nays, Messes. Bartells, Ehrhart, Fosher, Gardner, Henry,

Johnson, Keys and Riddlebarger—8.1 . yo W . nozadol . gravil So the bill was postponed. 22 radeage and Speaker 22.

H. B. No. 37,

A bill for an act to incorporate the South Boulder and Dry Creek Irrigating Ditch Company,

Was read a third time, and a sustained off-mod Mark M

The question being on its third reading,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Gregory, Hall, Henry, John son, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker 121, sowod, med guiragnoon O "seerel Officers." Nays, none and bar notibuA add bedstarul soiges squas

Mr. Fosher was excused: stores Insiderroog t suches your

So the bill passed, and the title agreed to result of the stellar

been occasioned by the gross carelessness of the ftron. H.H. A bill for an act to incorporate the Coal Creek and Black Hawk Wagon Road Company, string to see shi tof you a skem

Was read a third time, and beam open erefore the would blow a W

The question being on its final passage, all deliver of hatalities The ayes and nays were:

Jani

With

Witl

R

N

folle

ine

foll

pet

izii

san

rec

M

to

W

m

A

of

ba

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Dodge, Ehrhart, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Riddlebarger and Speaker—19.

Nays, Messrs. Colvin, Fosher and Norris—3.

So the bill passed, and the title agreed to.

H. B. No. 42,

A bill for an act to incorporate Rocky Mountain Lodge No. 2, I. O. O. F.,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to.

H. J. R. No. 3,

A joint resolution relating to Mails on the Overland Route, Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the resolution was

Adopted.

Mr. Hall, from the committee on Printing, submitted the following:

Mr. Speaker: Your committee on Printing beg leave to report that Messrs. Byers & Dailey have printed, bound, and now have ready for delivery pamphlets containing the "Reports of Territorial Officers." On comparing them, however, with the manuscript copies furnished by the Auditor and Treasurer, we find many serious typographical errors, which render these pamphlets unfit for use in this body. These errors we find to have been occasioned by the gross carelessness of the clerk to whom the manuscripts were entrusted, with orders from this House to make a copy for the use of printers.

We would therefore recommend that your committee be instructed to revise the printed reports and correct such errors, 9.

e,

n,

0.

Œ

with full powers to order a new and accurate edition published without delay.

Very Respectfully.

FRANK HALL, Chairman.

Report received.

Mr. Ball, from the committee on Enrollment, submitted the following:

Mr. Speaker: Your committee on Enrolled Bills have examined H. B. No. 18, and report the same correctly enrolled.

D. J. BALL, Chairman.

Mr. Henry, from the committee on Judiciary, submitted the following:

Mr. Speaker: Your committee, to whom was referred the petition of the citizens of Boulder county, asking for the legalizing of a School Tax collected in District No. 4, have had the same under consideration, and report the following bill and recommend its passage.

J. W. HENRY, Chairman.

Report received.
The Sergeant-at-Arms announced the following
Message from the Council:

#### COUNCIL CHAMBER, January 29th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

C. B. No. 22, a bill for an act in relation to the Drainage of Mines.

C. B. No. 38, a bill for an act concerning Criminal Jurisprudence.

H. B. No. 26, an act supplementary to an act entitled, An act to incorporate the Canon City, Grand River and San Juan Wagon Road Company, approved November 6th, 1861.

H. B. No. 28, an act making an appropriation for the Payment of the Members and Officers of the present Legislative Assembly, amended by introducing the word "year" in the title of the bill, and adding a section, 4, thereto appended.

H. B. No. 32, an act legalizing the Proceedings of the Pro-

bate Court of Huerfano county.

All of which are herewith transmitted.

Very Respectfully, CHARLES G. COX,

Secretary of the Council.

Ja

in

pa

D

0

On motion.

The House adjourned until 10 o'clock, a. m., to-morrow. driw

TUESDAY, JANUARY 30th, 1866. Mr. Ball, from the committee on Enrollment, submitted the

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain. I no ostimmoo moY sashoq ? . M.

Roll called y Vo. 18, and report the same correctly chelled Absent, Messrs. Ball and Grimes.

Quorum present.

Mr. Henry from the committee by by by and approved and approved.

Mr. Bergen presented a petition from the citizens of Jefferson county, asking for a Herd Law.

Petition read, and referred to the committee on Agriculture. Mr. Nuckolls presented a petition from the citizens of Central City, asking for a Repeal of the City Charter. looded a lo gain

Petition read, and referred to the committee of the Whole. Mr. Graham, from the committee on Roads and Bridges, submitted the following:

Mr. Speaker: Your committee have had H. B. No. 33 under consideration, and have instructed me to report the same back without amendment, and recommend its passage.

1981 ADE TENING STARW H. J. GRAHAM, Chairman.

Report received. A second of the House of Alamond of

Mr. Riddlebarger, from the committee on Incorporations, submitted the following: : gniwollof and bassed the following:

Mr. Speaker: Your committee have considered H. B. No. 50, an act to amend an act entitled, An act to incorporate the Excelsior Ditch Company, approved March 11th, 1864.

Also, H. B. No. 51, an act to incorporate the Sangre de Christo Wagon Road Company, and recommend their passage.

Also, H. B. No. 49, an act to incorporate Towns and Villages, and refer the same back to the House for reconsideration.

MATT. RIDDLEBARGER, Chairman.

Assembly, amended by introducing the word "year" in the title of the bill, and adding a section, 4, thereto at beviewer the bill, and adding a section, 4, thereto at beviewer.

Mr. Ball, from the Select committee, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B. No. 34, beg leave to submit the accompanying substitute.
D. J. BALL, Chairman.

30.

Report received. Mr. Locke gave notice that he would, at some future time, introduce

A bill to incorporate the Fremont Ditch and Irrigating Com-

Mr. Henry gave notice that, at some future time, he would Introduce

A bill for an act to amend an act concerning Ejectments. Mr. Riddlebarger gave notice that he would introduce

A bill to divide the County of Huerfano.

Previous notice having been given, Mr. Bartells introduced H. B. No. 56,

A bill for an act to incorporate Union Lodge No. 1, I. O. O. F., of Denver.

Mr. Locke, having given previous notice, introduced

H. B. No. 57,

A bill for an act to amend an act entitled, An act to protect and regulate the Irrigation of Lands, approved March 5th, 1861. Mr. Breath, having given previous notice, introduced

H. B. No. 58,

A bill for an act empowering the citizens of Boulder county, District No. 4, to levy an additional Tax for School purposes.

H. J. R. No. 3

Was read third time, and referred to the committee on Fed-H. B's Nos. 33 and 52, eral Relations.

H. B's Nos. 33 and 52, Ordered engrossed for third reading.

H. B. No. 49,

Read second time, and referred to the committee of the H. B. No. 56,

Read second time, and referred to the committee on Incorporations.

Read second time, and referred to the committee on Agriculture.

H. B. No. 58, Read second time, and referred to the committee on Ways and Means.

Also, C. B. No. 51, and amound the same boy. St. ov. 8. O oct.

Read second time.

Mr. Mandragen moved that it be indefinitely postponed.

Mr. Riddlebarger moved to amend by laying the bill on the

Motion declared out of order by the Speaker.

Mr. Colvin appealed to the House.

Mr. Colvin appealed to the House.

House sustained the Speaker in his decision.

Jar

let

th

at

be

Mr. Riddlebarger moved that the previous motion be laid on the table.

Motion lost.

The question being on indefinitely postponing,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Fosher, Mar-

tine, Mandragen, Norris and Nuckolls-9.

Nays, Messrs. Breath, Colvin, Dodge, Ehrhart, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Riddle-barger and Speaker—14.

So the motion was lost.

Mr. Graham moved that the bill be recommitted.

Mr. Fosher moved to amend by postponing until next to the last day of the session.

Mr. Henry moved that the bill with the amendments be laid on the table.

Carried, dea nA heltitue des ne finame of des ne recellul A

Mr. Hall moved to reconsider.

Mr. Bartells moved to adjourn until 2 o'clock, p. m.

Motion carried, and

House adjourned. House adjourned and a market before the second of the second s

### -bold on authorized SAFTERNOON SESSION.

House met pursuant to adjournment. The business and all H

Speaker in the chair.

House went into committee of the Whole on the General Mr. Gregory in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration C. B. No. 34, and amend the same by striking out the word "forty" in the first and second sections, and inserting the words "seventy-five" in lieu thereof.

Also, C. B's Nos. 24 and 35, and H. B's Nos. 34, 49, 15, 55, 44 and 47, and recommend that they pass without further

Also, C. B. No. 25, and amend the same by striking out the words "ten years" in the first and second sections, and inserting the words "twenty years" in lieu thereof, and recommend its passage without further amendment.

- Also, a petition from the citizens of Central City, and recommend that further action on the same be dispensed with.

Also, H. J. R. No. 4, and recommend that it be laid on the table for the present.

on

r-

2-0.

10

d

30.

Also, H. B. No. 27, and recommend that it do not pass. Also, H. B. No. 52, and amend the same by inserting the letters "A. M." before the figure 7 in section 2.

All of which is respectfully submitted.

D. GREGORY, Chairman.

Report received and adopted. Message from the Council:

COUNCIL CHAMBER, January 30th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has reported adversely on the passage of H. J. M. No. 2. a joint memorial to the Senate and House of Representatives of the Congress of the United States, and the same is herewith returned.

Very Respectfully, CHARLES G. COX,

Secretary of the Council.

On motion, Mr. Nuckolls was excused until day after to-morrow. On motion,
The House adjourned until to-morrow at 10 o'clock, a. m.

# WEDNESDAY, JANUARY 31st, 1866.

House met pursuant to adjournment. The stand of the description of the stand of the standard o

Speaker in the chair.

Roll called.

Speaker in the chair.
Roll called.
Absent, Messrs. Graham, Grimes and Nuckolls.

Journal read, corrected and approved.

Mr. Grimes appeared and took his seat.

Mr. Colvin presented a petition from the people, in regard to School Claims on Lodes. Obertolo to vineamo animile covids

On motion,

The petition was partly read, and referred to the County Commissioners of Arapahoe county for favorable consideration. Mr. Ball, from the committee on Enrollment, submitted the

Vas referred to the committee of the Whitroger griwolfol

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following bill for his approval, to-wit:

An act to incorporate the Denver and Turkey Creek Wagon Road Company.

Respectfully submitted.

DAVID J. BALL, Chairman.

Report received.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have considered H. B. No. 56, an act to incorporate Union Lodge No. 1, I. O. O. F., of Denver, and recommend its passage.

MATT. RIDDLEBARGER, Chairman.

Mr. Henry, from the committee on Judiciary, submitted the following:

Mr. Speaker: Your committee have had under consideration H. B. No. 54, and offer the accompanying substitute and recommend its passage.

J. W. HENRY, Chairman.

Council amendments to

H. B. No. 28

Were concurred in, and the bill ordered enrolled.

Mr. Bergen gave notice that he would, on some future day, introduce

A bill concerning Grazing Rights.

Mr. Bartells, having given previous notice, introduced

H. B. No. 60.

A bill for an act to amend an act entitled, An act concerning Probate Courts and Justices of the Peace in certain counties, approved March 11th, 1864.

Read first and second times, and referred to the committee on

Mr. Keys, having given previous notice, introduced

H. B. No. 59,

A bill for an act to incorporate the Pennsylvania Gold and Silver Mining Company of Colorado.

Read first and second times, and referred to the committee on Incorporations.

On motion, the substitute for

H. B. No. 54

Was referred to the committee of the Whole.

H. B. No. 56,

Ordered engrossed.

H. B. No. 52,

Janua

An Wa Mr

tion, there

Ar M Word

M Bi C.

A cour M

T T A Fos

J and 75

Do

SO:

de

31.

on

An act concerning the Territorial Librarian,

Was taken up and considered.

Mr. Norris moved to amend by striking out, in the first section, the words, "from 7 a. m. to 10 p. m.," and inserting in lieu thereof the words, "from 10 to 12 m., and from 1 to 10 p. m."

Amendment adopted.

Mr. Colvin moved to amend section 9, by striking out the words, "five hundred," and inserting "one thousand."

Motion lost.

Bill ordered engrossed.

C. B. No. 34,

An act for the Relief of William S. Walker, of Summit Was read a third time, and

Was read a third time, and
The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Dodge, Ehrhart, Fosher, Henry, Locke, Martine, Mandragen and Speaker-12.

Nays, Messrs: Bergen, Colvin, Gardner, Gregory, Johnson

and Norris-6.

So the bill passed, and the title agreed to.

C. B. No. 35,

A bill for an act for the Relief of Marshal Silverthorn,

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Hall, Johnson, Locke, Martine, Mandragen, Norris and Riddlebarger—19.

Nays, Mr. Speaker-1.

So the bill passed, and the title agreed to.

C. B. No. 24,

An act to incorporate the Exploring Company of Philadelphia,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker-20.

Nays, none.

So the bill passed, and the title agreed to.

O. B. No. 25, An act granting the exclusive right to William Craig to erect and maintain a Toll-Bridge across the Arkansas River,

Was read third time, and

Jan

of ]

act,

I

WO

stri

WO

Ma

up

ma

Ci

W

of

or

ge

W

p.

S

4

i

0

3

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Henry, Johnson, Locke, Martine, Mandragen, Riddlebarger and Speaker-19.

Navs, Norris-1.

So the bill passed, and the title agreed to.

H. B. No. 54

Was referred to the committee of the Whole.

H. B. No. 39,

An act to survey and locate portions of the Boundary Lines between the counties of Pueblo, Huerfano and Fremont,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Dodge, Ehrhart, Fosher, Gardner, Grimes, Hall, Henry, Johnson, Locke, Mandragen, Norris, Riddlebarger and Speaker—16.

Nays, Messrs. Bartells, Barela, Gregory and Martine-4.

So the bill passed, and the title agreed to.

H. B. No. 49,

An act to incorporate Towns and Villages,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Hall, Johnson, Locke, Martine, Mandragen and Norris-18.

Nays, Messrs. Henry and Riddlebarger—2. So the bill passed, and the title agreed to.

Message from the Council:

#### COUNCIL CHAMBER, January 31st, 1866.

To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the

Council has passed the following bills:

C. B. No. 41, an act regulating Proceedings in Actions of Replevin.

H. B. No. 35, an act to repeal an act entitled, An act for the Protection of Farmers against the Depredations of Stock, in the counties of Douglass and Weld, approved March 11th, 1864, and an act approved February 10th, 1865.

H. B. No. 42, an act to incorporate Rocky Mountain Lodge

No. 2, I. O. O. F.

H. B. No. 22, an act to reduce the laws incorporating the City

of Denver, and the several acts amendatory thereof, into one act, and amend the same with the following amendments:

ge, on,

es

r, n,

31.

In article 3, amend section 4 thereof by inserting after the word "other," in the seventh line, the word "public;" and strike out section 5. In article 4, amend section 1 thereof by inserting after the word "ward," in the fourth line, the words, "City Assessor, Surveyor and City Marshal, as aforesaid; and the said City

Marshal shall have the same powers as County Constables; and upon filing like bond as is now required by law of Constables, may exercise such powers in all cases, both civil and criminal."

In article 5, amend section 2 thereof by striking out, in the fourth and fifth lines, the words, "City Assessor, Surveyor and City Marshal;" and add to the last word of said section the words, "also to provide by ordinance for the removal from office of the Assessor, Surveyor and City Marshal, for any omission or neglect of duty on their part, and to fill all vacancies which may occur by reason of such removal, until the next general election;" and amend section 3 by striking out the word "twenty" in the seventeenth line, and inserting in its place the word "eight."

ace the word "eight."
H. B. No. 29, an act to incorporate the Middle Park and South Boulder Wagon Road Company, by striking out all of section 2, after the word "term" in the third line, and before the words "South Boulder" in the eleventh line, and insert in its place the words, "of ten years, a wagon road from a point on." Strike out all of section 6. Strike out that part of section 13 between the word "from" in the second line, and "South Boulder" in the fourteenth line; strike out that part of said section commencing with the word "and" in the twentysixth line, and ending with the words "South Boulder" in the thirty-second line, and all of said section after the word "the" in the thirty-fourth line, and insert instead, the words, "right to collect the following rates of toll on said road: for each vehicle drawn by two animals, one dollar; each additional two animals, twenty-five cents; horse with rider, pack animal with pack, ten cents; loose stock, five cents per head."

H. B. No. 37, an act to incorporate the South Boulder and Dry Creek Irrigating Ditch Company. Amended by striking out the word "twenty" in the second line of section 2, and

inserting in its place the word "ten."

H. B. No. 39, an act to incorporate the South Boulder and Weld County Ditch Company. Amended by striking out the word "twenty" in the second line of section 2, and inserting instead thereof the word "ten."

H. B. No. 40, an act to amend an act entitled, An act to amend an act concerning Fences, approved February 9th, 1865.

Amended by adding a section giving force and effect, appended thereto. Me man gaiwollol odt diw omes odt be

H. B. No. 41, an act to incorporate the Coal Creek and Black Hawk Wagon Road Company. Amended by striking out all of section 2, and also the word "exclusive" in the twentyseventh line of section 3, and the word "thirty" in the third line of section 5, and inserting the word "ten" in lieu thereof. Also, strike out section 10.

They are herewith transmitted. I come out aved flads laderald

Very Respectfully, CHARLES G. COX,

Secretary of the Council.

COUNCIL CHAMBER, January 31st, 1866. to provide by ordinance for the removal from

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform the House that the Council has passed the following bills: " to goesor yet moso your dolly as

C. B. No. 48, a bill for an act supplemental to an act entitled, An act to provide for the Payment of the Officers and Men of the First Colorado Mounted Militia.

And C. J. R. No. 3, a joint resolution to adjourn. They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

H. B. No. 44, a self with mouth flat week not wood all noise

An act to change and locate the Boundary Line of Fremont I said section commencing with the word "and" in t county,

Was read third time, and wall diversible bus pull style

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin. Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger nd Speaker—20.

Nays, none. and Speaker—20.

So the bill passed, and the title agreed to. On motion, lo ont bacces of his vineway brown addated

The House adjourned until 2 o'clock, p. m. H.B. No. 89, an act to incorporate the South Houlden.

### AFTERNOON SESSION.

heard of twenty" in the second line of section 2, and in a ting House met pursuant to adjournment. Speaker in the chair. 48 home of the us 04 to 4 Holl emend an act concerning lences, approved l'ebra, notion no

Janus

Mi H. Ar W Th Th Ay

ner, Lock NE So

Th Gene M At

Or TH H. A Colo

Re Milit Or T

> H ST M Re

M cons in th inser also Word amer A line

one annu amer A ties Dou

men

1.

ed

11

d

Mr. Mandragen was excused until to-morrow.

H. B. No. 47 H. B. No. 47,

An act to incorporate the Mining Board of Gilpin County, Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Norris and Riddlebarger-17.

Navs, Mr. Ball—1.

So the bill passed, and the title agreed to.

The House then went into committee of the Whole on the Mr. Norris in the chair.

After some time spent therein, the committee rose.

The rules were suspended, and Mr. Fosher introduced H. B. No. 61,

An act to provide for the Payment of the First Regiment Colorado Mounted Militia.

Read first and second times, and referred to the committee on Military Affairs.

On motion,

The House adjourned until 7 o'clock, p. m.

### EVENING SESSION.

House met pursuant to adjournment. Speaker in the chair. Mr. Norris submitted the following
Report from the committee of the Whole:

Mr. Speaker: The committee of the Whole have had under Consideration H. J. R. No. 5, and amend the same by inserting In the blank of said resolution the name of J. W. Henry, and Inserting the name of Hugh Butler instead of E. T. Wells; also by inserting in the fifth line of the fourth section, after the Word "duties," "not to exceed forty days;" and with these amendments recommend that it do pass.

Also, H. B. No. 54; have amended it by inserting in the sixth line of the 1st section, after the word "annually" the words, "one-fourth of;" and in the seventh line expunge "semiannually," and insert the word "quarterly;" and with these

amendments recommend its passage.

Also, H. B. No. 53, and amended it so as to exclude the counties of El Paso, Fremont, Pueblo, Huerfano, Conejos, Costilla, Douglass and Boulder from the effects of the law; and recommend that it pass without further amendment.

Also, C. B. No. 7, and recommend that further action on the same be deferred until Friday.

Also, H. B. No. 10, and recommend that it pass without

amendment.

GEORGE H. NORRIS, Chairman.

Report received.
On motion,

Mr. Grimes was excused.

Mr. Hall, from the committee on Federal Relations, submitted the following report:

Mr. Speaker: Your committee, to whom were referred H. B. No. 58 and H. J. M. No. 3, have considered the same, and report them back to the House without approval.

FRANK HALL, Chairman.

Report received.

Mr. Riddlebarger, from the committee on Incorporations submitted the following:

Mr. Speaker: Your committee have considered H. B. No. 59, an act to incorporate the Pennsylvania Gold and Silver Mining Company of Colorado, and recommend its passage without amendment.

MATT. RIDDLEBARGER, Chairman.

Mr. Colvin gave notice that he would to-morrow move a reconsideration of the vote by which H. B. No. 52 was passed.

C. B. No. 48
Was read second time, and referred to the committee of Military Affairs.

C. B. No. 41

Was read second time, and referred to the committee of Judiciary.

Mr. Gardner gave notice that he would to-morrow introduce A bill for an act to incorporate the Frankstown and Giles Station Wagon Road Company.

By permission, Mr. Henry introduced

H. B. No. 62,

An act to repeal an act granting the exclusive right to J. N. Jayns and J. Garcia to erect and maintain a Ferry across the Rio Grande at Pass Puerta.

Read first and second times, and referred to the committee on

Incorporations.

Previous notice having been given, Mr. Riddlebarger introduced

Gra

Feb

F

(

Cou

Loc

son

o'cl

and

31.

the

out

2.

. B.

ort

ns,

3 8

d.

OD

011

ce

N.

the

011

ro-

H. B. No. 63.

Read first and second times, and referred to the committee on Counties and County Lines.

On motion, H. J. M. No. 3

Was referred to a Select committee, consisting of Messrs. Locke, Norris and Johnson.

On motion, the rules were suspended, and

H. B. No. 59

Was put on its final passage. The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Colvin, Fosher, Gardner, Graham, Henry, Keys, Locke, Mandragen, Norris, Riddlebarger and Speaker—14.

Nays, Messrs. Bartells, Barela, Dodge, Ehrhart, Hall, John-

son and Martine—7.

So the bill passed, and the title agreed to.

Mr. Gardner was excused.

Mr. Mandragen moved to adjourn until to-morrow, at 10 o'clock, a. m.

Motion lost.

The committee on Enrollment submitted the following:

Mr. Speaker: Your committee have examined H. B's Nos. 33 and 42, and beg leave to report the same correctly enrolled.

D. J. BALL, Chairman.

Report received.
Council amendments to
H. B's Nos. 29, 37, 40, 39, 41 and 22,
Were concurred in and ordered enrolled.

On motion,
The House adjourned until 10 o'clock, a. m., to-morrow.

# THURSDAY, FEBRUARY 1st, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent, Messrs. Ehrhart, Fosher and Gardner.

Quorum present.

Journal read and approved.

The Sergeant-at-Arms announced the following Message from the Council:

### COUNCIL CHAMBER, February 1st, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has refused to concur in the House amendments to C. B. No. 34, an act for the Relief of W. S. Walker, of Summit county; and have concurred in the House amendments to C. B. No. 23.

Also, has passed the following bills:

H. J. M. No. 3, a joint memorial relating to Mail Contracts.

H. B. No. 14, an act to amend section 6 of an act entitled, An act fixing the Compensation of Members of the Legislative Assembly of Colorado Territory, approved February 10th, 1865. Amended by adding a section giving force and effect to the bill.

H. B. No. 38, an act concerning the Practice of the District and Probate Courts, and to provide for a Term of the Supreme Court, and for other purposes, by substitution of another bill for the same.

H. B. No. 43, an act to amend an act entitled, An act to incor-

porate the City of Central.

C. B. No. 42, an act to incorporate the Peruvian Gold and

Silver Mining Company of Colorado, and

C. B. No. 47, an act to provide for submitting an act to incorporate the City of Black Hawk, &c., to vote.

They are herewith transmitted. Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

Mr. Graham, from the committee on Agriculture, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B. No. 57, have considered the same, and recommend that it pass without amendment.

H. J. GRAHAM, Chairman.

Report adopted. On motion,

The rules were suspended, and Mr. Graham introduced

H. B. No. 64,

An act supplemental to an act approved January 24th, 1866. On motion,

It was read first, second and third times, and The question being on its final passage,

The ayes and nays were:

9.

at

to

to

n

ve h,

to

ct

1e

11

r-

id.

r-

d

S

Aves, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Graham, Grimes, Gregory, Hall, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—21.

Nays, Mr. Johnson—1.

So the bill passed, and the title agreed to.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: The committee have had under consideration H. B. No. 62, and recommend its passage. MATT. RIDDLEBARGER, Chairman.

Mr. Henry, from the committee on Judiciary, submitted the following: grand areas to H. R. Voe 88 were content from O end

Mr. Speaker: Your committee, to whom was referred C. B. No. 41, have had the same under consideration, and recommend that it be laid on the table.

Also, H. B. No. 60, and recommend that it pass without amendment.

J. W. HENRY, Chairman.

Mr. Locke, from the Select committee, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. J. M. No. 3, have had the same under consideration, and report a substitute and recommend its passage. WILLIAM LOCKE, Chairman.

Mr. Keys, from the committee on Engrossment, reported

H. B's Nos. 33 and 50 As correctly engrossed.

Mr. Ball, from the committee on Enrollment, submitted the following:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following bills for his approval, to-wit:

H. B. No. 32, an act Legalizing the Proceedings of the Pro-

bate Court of Huerfano county.

H. B. No. 26, an act supplementary to an act entitled, An act to incorporate the Canon City, Grand River and San Juan Road Company, approved November 6th, 1861.

Ehrlingt, Posher, Graham, Grimes, Gregory, Hall, Henry, Keys.

H. B. No. 28, an act making an appropriation for the Pay-

ment of the Members and Officers of the present Legislative

Assembly of the year 1866.

H. B. No. 35, an act to repeal an act entitled, An act for the Protection of Farmers against the Depredations of Stock, in the counties of Douglass and Weld, approved March 11th, 1864; and an act to amend an act entitled, An act for the Protection of Farmers against the Depredations of Stock, in the counties of Douglass and Weld, approved February 10th, 1865.

H. B. No. 42, an act to incorporate Rocky Mountain Lodge

No. 2, of the Independent Order of Odd Fellows.

All of which is respectfully submitted.

DAVID J. BALL, Chairman.

Mr. Norris moved a reconsideration of the vote by which the Council amendments to H. B. No. 22 were concurred in.

C. B's Nos. 42 and 47

Were read second time, and referred to the committee on Incorporations.

Previous notice having been given, Mr. Henry introduced

H. B. No. 65,

An act to amend an act concerning Ejectments.

Read first and second times, and referred to the committee of

Previous notice having been given, Mr. Locke introduced

H. B. No. 66.

An act to incorporate the Fremont Ditch and Irrigating Company.

Read first and second times, and referred to the committee

on Incorporations.

Mr. Bartells gave notice that he would introduce

A bill for an act to provide for paying the Contingent and Extra Expenses of the Territory.

On motion.

H. B. No. 36

Was taken from the table and considered.

Read, and referred to a Select committee, consisting of Messrs. Locke, Breath, Graham, Bergen and Johnson.

H. B. No. 58,

An act empowering the citizens of Boulder county, District No. 4, to levy an additional Tax for School purposes in said District, Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Graham, Grimes, Gregory, Hall, Henry, Keys,

E H R

J

8

Ja

Ri

Fe

Lo

v 1.

ive

the

in

th,

rothe

65.

lge

ch

on

of

n-

e

t

Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker

Nays, Messrs. Gardner and Johnson-2. So the bill passed, and the title agreed to.

H. B. No. 62,

An act to repeal an act granting the exclusive right to J. M. Jaynes and J. Garcia to erect and maintain a Ferry across the Rio Grande at Pass Puerta,

Was read third time, and The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 10,

An act to incorporate the Trinidad Town Company,

Was read third time, and

Was read third time, and The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—21.

Nays, Mr. Ball—1.

Nays, Mr. Ball—1. So the bill passed, and the title agreed to.

H. B. No. 60,

An act to amend an act entitled, An act concerning Probate Courts and Justices of the Peace in certain counties, approved March 11th, 1864, Was read third time, and
The question being on its final passage,

The aves and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the memorial was a So the bill passed, and the title agreed to.

H. B. No. 57,

H. B. No. 57, An act to amend an act entitled, An act to protect and regulate the Irrigation of Lands, approved November 3d, 1861,

Was read third time, and

The question being on its final passage, and the senoth

The ayes and nays were:

Fe

In

To

re

6t

to

F

H

H

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Henry, Keys, Locke, Martine, Mandragen, Riddlebarger and Speaker—18.

Nays, Messrs. Johnson and Norris—2. Excused, Messrs. Ball and Fosher—2. So the bill passed, and the title agreed to.

H. B. No. 33,

An act to incorporate the Ni Wat and Black Hawk Wagon Road Company, Was read third time, and but omit bridt beer any

The question being on its final passage,

The aves and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebar ger and Speaker-21.

Nays, Mr. Ball—1.

So the bill passed, and the title agreed to.

H. B. No. 50,

An act to amend an act entitled, An act to incorporate the Excelsior Ditch Company, approved March 11th, 1864,

. Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to.

H. J. M. No. 3,

M. M. M. 10. 3, memorial to the Postmaster-General,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the memorial was adopted.

On motion,

The House adjourned until 2 o'clock, p. m.

# AFTERNOON SESSION. O GOLDEN THE STATE OF THE SECOND SESSION.

House met pursuant to adjournment.

y 1.

Ehr-

eys,

gon

hr-

LEY,

ar-

he

ge, 11,

is,

e,

r

Speaker in the chair. YAUISI

Mr. Dodge was excused.

Mr. Gardner, having given previous notice, introduced

H. B. No. 67.

An act to incorporate the Frankstown and Giles Station Wagon Road Company.

Read first and second times, and referred to the committee on Onorum announced.

Incorporations.

Message from the Council: ... bevorgge bus beardsmuoled

## COUNCIL CHAMBER, February 1st, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform the House that the Council has Passed C. B. No. 40, an act to amend an act entitled, An act relating to Counties and County Officers, approved November 6th, 1861.

Also, the Council has refused to recede from its amendments to H. B. No. 22, and have appointed a committee of Conference.

They are herewith transmitted.

Very Respectfully, CHARLES G. COX, Secretary of the Council.

And on motion

On motion of Mr. Fosher,

H. B. No. 54,

An act enabling the Judges of the District Courts to collect

Was taken up and considered, and, suboll area M. say A

On motion,

Was referred to a Select committee, consisting of Messrs. Norris, Hall, Henry, Colvin and Bartells.

Mr. Norris moved that the committee be excused and another one appointed. So the motion to indefinitely postpone was los betriogge and

Carried,

And Speaker appointed Messrs. Graham, Ball, Gregory, Fosher and Keys. The absent members were excused from pay

H. B. No. 53,

An act regulating the Herding of Animals, and requiring Farmers and Ranchmen to give proper notice of Cultivated and Meadow Lands,

Was taken up and considered. 100 oft mort renbrad all

Mr. Breath moved it be indefinitely postponed. of add betties

Mr. Ball moved to adjourn until 10 o'clock, a. m., to-morrow.

Motion declared out of order by the Speaker.

Mr. Fosher appealed from the decision of the chair.

The House decided against the Speaker. 2884 Yould land brown

Mr. Ball's motion to adjourn was put and carried, and House adjourned.

R'eb

ing

No

san

Sha

Co

fro

de

oto-

CO

of

da

he

Atio

m

# FRIDAY, FEBRUARY 2d, 1866.

Mr. Dodge was excused House met pursuant to adjournment, guivad, reabrab. All Speaker in the chair.

Roll called,
Absent, Messrs. Dodge, Ehrhart, Gardner, Graham, Hall and Read first and second times, and referred to the regentless.

Quorum announced.

Journal read and approved. On motion of Mr. Fosher,

COUNCIL CHAMBER, Februa 86 SON B. H. B. No. 53 surger B. H. B. No. 54 surger B. H. B. No. 55 surger B. H. B. H. B. No. 55 surger B. H. B. H. B. H. B. No. 55 surger B. H. B. H Was taken up, and

The question being on indefinitely postponing,

A call of the House was ordered.

Absent, Messrs. Dodge, Ehrhart, Johnson and Riddlebarger. The Sergeant-at-Arms was dispatched after absent members. In a short time returned, and reported Messrs. Dodge and Johnson present.

Mr. Gregory moved that all further proceedings under the

call be dispensed with.

Motion lost.

The Sergeant-at-Arms announced Mr. Ehrhart present, but that Mr. Riddlebarger could not be found.

And on motion,

Further proceedings under the call were dispensed with.

The ayes and nays ordered and called then were:

Ayes, Messrs. Dodge, Gardner, Grimes, Locke and Mandra gen-5.

Nays, Messrs. Bergen, Breath, Ball, Barela, Colvin, Ehrhart, Fosher, Graham, Gregory, Hall, Henry, Johnson, Keys, Martine, Norris and Speaker-16.

So the motion to indefinitely postpone was lost

On motion of Mr. Graham,

The bill was recommitted to the committee on Agriculture. On motion,

The absent members were excused from paying fines. Mr. Keys, from the committee on Engrossment, reported

H. B's Nos. 52, 55 and 56, and substitute for H. B. No. 15, As correctly engrossed.

Mr. Gardner, from the committee on Military Affairs, sub-Mr. Breath moved it be indefinitely no: gniwollof at the state of the

Mr. Speaker: Your committee, to whom were referred C. B. No. 48 and H. B. No. 61, have considered the same, and recommend that they pass without amendment.

bas beirges bas tug say J. F. GARDNER, Chairman.

and

er.

rs.

and

the

but

ra.

rt, ar.

16-

B. n-

Mr. Locke, from the Select committee, submitted the following: On motion,

Mr. Speaker: Your committee, to whom was referred H. B. No. 36, have had the same under consideration, and report the same back with the following amendments, viz.:

That there shall be added to section 1, "Said Fence Viewers."

shall be elected from different parts of the county, the same as

County Commissioners."

That there shall be added to section 2, "Appeals can be had from the decisions of the Fence Viewers the same as from the decisions of Justices of the Peace."

That between sections 4 and 5 another section shall be added. to-wit: "That in cases where the party, whose stock may have committed damage, makes a tender to the party being damaged of any sum of money to compromise, then if the party being damaged shall fail to recover more than was tendered to him, he shall pay all costs of said suit."

Also, that section 5 of the original bill be changed to sec-

tion 6.

And respectfully recommend its passage with the amendments. WILLIAM LOCKE, Chairman.

Report received and adopted. The Sergeant-at-Arms announced the following Message from the Council:

Council Chamber, February 2d, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed H. J. M. No. 3, a joint memorial to the Hon. William Dennison, Postmaster-General of the United States.

And to forward to the House a copy of C. J. R. No. 3, said very Respectfully.

CHARLES G. COX,

Secretary of the Council.

Council substitute for H. B. No. 38 Thomas de nonteler al Was taken up, and Was referred to the committee on Judiciary. On motion, On motion, House amendments to C. B. No. 34 88 .01. 81. H Were receded from ... A bill for an act concerning Grazing ... Read second time, and referred to the committee on Agricul-

On motion, H. B. No. 29

Was amended by adding an enacting clause.

Mr. Graham, from the Special committee on H. B. No. 54, submitted the following:

Mr. Speaker: Your committee to whom was referred H. B. No. 54, after considering the subject at length, have instructed me to submit the following report:

After the words "sum of," in the fifth line of the first section of the bill, strike out the words "two thousand," and insert in lieu thereof the words "fifteen hundred."

After the words "sum of," in the thirteenth line of section 2, strike out the words "one thousand," and insert the words "three hundred and seventy-five" in lieu thereof. "three hundred and seventy-five" in lieu thereof.

After the word "every," in the fourth line of section 4, strike out the word "six," and in lieu thereof insert the word "three.

With the above amendments your committee recommend that the bill be reported back to the House, and recommend that it pass without further amendment.

H. J. GRAHAM, Chairman. D. J. BALL, DAVID GREGORY, THOMAS KEYS, JOHN FOSHER.

Report received and adopted, and committee discharged. Mr. Breath presented a petition from the Vestrymen of St. John's Church in the Wilderness.

Petition read, and referred to a Special committee, consisting

of Messrs. Graham, Breath and Grimes.

Mr. Henry gave notice that he would, to-morrow or some

subsequent day, introduce

A joint memorial to the President of the United States, ask ing the appointment of a citizen of Colorado Territory to the office of Judge, to fill the vacancy occasioned by the resignation of the Hon. S. S. Harding.

C. J. M. No. 3,

In relation to adjourning,

Was read second time, and referred to the committee of the Whole.

C. R. No. 40

Was read second time, and referred to the committee on Elections.

H. B. No. 68,

A bill for an act concerning Grazing Rights. 1990 1919 W

Read second time, and referred to the committee on Agriculture.

Hon. SIF tives fied t

Febru

Me

An Porat pany. Ar

Huer Ar and ( Ar Inde

A Farm Dong appr

> H A M T

> > (IIIII)

mit

ry 2.

54,

I.B.

cted

tion f in

12, ords

rike

ee."

end

end

2.

St.

ng

me

·k. he on

he

711.

1-

Message from the Governor:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, Denver, February 1st, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representaives that I have approved and signed the following bills, certifled to have originated in that body:

An act supplementary to an act entitled, An act to incor-Porate the Canon City, Grand River and San Juan Road Com-Pany, approved November 6th, 1861.

An act Legalizing the Proceedings of the Probate Court of

Huerfano county.

An act making appropriation for the Payment of Members and Officers of the present Legislature of the year 1866.

An act to incorporate Rocky Mountain Lodge No. 2, of the

Independent Order of Odd Fellows.

An act to repeal an act entitled, An act for the Protection of Farmers against the Depredation of Stock, in the counties of Douglass and Weld, approved March 11th, 1864; also an act Very Respectfully, and and abiyong of the all approved Feb. 10th, 1865.

Your Obedient Servant, ALEXANDER CUMMINGS. Governor of Colorado Ter.

H. B. No. 36, An act concerning Fence Viewers, Was ordered engrossed. Mr. Breath moved, That the House adjourn until 2 o'clock, p. m. Carried.

# AFTERNOON SESSION. 1000 to 7000 to 700

House met pursuant to adjournment. Speaker in the chair. Mr. Graham moved,

That H. B. No. 54, An act enabling the Judges of Courts to collect Fees, Be recommitted to a Select committee for further amendment.

Carried. And Speaker appointed Messrs. Graham, Norris and Grimes. Mr. Ball, from committee on Counties and County Lines, sub-A resolution relating to the Codifying of gniwolor A

Cobrugry 2.

Carried.

Mr. Speaker: Your committee to whom was referred H. B. No. 63, beg leave to report the same back to the House with the accompanying petition, without recommendation.

D. J. BALL, Chairman.

Report received and adopted. Land boyong a system is the control of the control o

An act supplemental to an act entitled, An act to provide for the payment of the Officers and Men of the First Regiment of Colorado Mounted Militia,

Was read a third time, and

The question being on its final passage, and and and

The aves and navs were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Henry Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebar, ger and Speaker 21.

So the bill passed and title agreed to. ded tenings are H. B. No. 61, An act to provide for the Payment of the First Regiment of Colorado Mounted Militia,
Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Henry Johnson, Keys, Locke, Martine, Mandragen, Norris and Speak er-20. Mr. Breath moved,

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 56,

An act to incorporate Union Lodge No. 1, of the Independ ent Order of Odd Fellows, of Denver,

Was read third time, and

The question being on its final passage, inchesting semination of the ayes and navs were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall Henry, Johnson, Keys, Locke, Martine, Mandragen and Norris

Nays, Mr. Speaker—1.

So the bill passed, and the title agreed to. It is a large bridge H. J. R. No. 5,

A resolution relating to the Codifying of the Laws, and hadden

Was read third time, and

The question being on its final passage,

. B.

with

for

to! 16104

dge,

nry bar'

19.00

tof.

dge,

nry

157 end-

lge, all,

The ayes and nays were: The ayes and nays were: Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Johnson, Keys, Locke, Martine, Mandragen and Norris—18. Nays, Mr. Speaker-1. So the bill passed, and the title agreed to.

Message from the Governor: EXECUTIVE DEPARTMENT, Denver, February 1st, 1866. Hon. E. N. Stearns, Speaker of the House of Representatives: SIR: I have the honor to inform the House of Representalives that I have approved and signed the following bill, which 18 certified to have originated in that body: An act to incorporate the Denver and Turkey Creek Wagon Road Company. C. B. No. 7, Your Obedient Servant, and to llid A
ALEXANDER CUMMINGS, benogtang visitalished of the beyon attrover. And the ayes and nays being ordered and called, they were On motion, sold and the district distri Was recommitted to the committee on Education.
H. B. No. 15. An act regulating Irrigating Ditches — nozadol bas Hall vio Was read third time. Was read third time. Mr. Breath offered the following amendment: "This act shall not be construed as applying to any ditch company organized under the general act of incorporation, or any special act." Adopted.

And the bill being on its final passage, and in depend of the ages and nays were:

The ages and nays were:

Proof Ball Barela Colvin Dodge. Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrang, Fosher, Gardner, Graham, Grimes, Gregory, Hall,

Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker-21. So the bill passed, and the title agreed to.

An act to amend an act entitled, An act concerning Lode Claims, approved November 7th, 1861, Was read third time, and

Was read third time, and The question being on its final passage, allowed bas enit

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker-21.

Nays, none.

So the bill passed, and the title agreed to.

Mr. Graham introduced the following resolution:

Resolved, That the House hereby calls the attention of the Council to the Construction Act, section 4, page 107, of the laws of the first session, of said section doing away with the necessity of a section to every bill, showing when the same shall take effect, Mol odt borgis bas bevorgge evad I tadt eavi

Adopted. O recorporate the Denver and Turker O batqobA C. B. No. 7,

A bill for an act to regulate the Fees of Clerks of the several District Courts of Colorado Territory,

Was taken up.

Mr. Norris moved that it be indefinitely postponed.

And the ayes and nays being ordered and called, they were: Ayes, Messrs. Bergen, Breath, Ball, Barela, Gardner, Graham,

Henry, Keys, Locke, Martine, Mandragen, Norris and Speaker

Nays, Messrs. Colvin, Dodge, Ehrhart, Fosher, Grimes, Gregory, Hall and Johnson-8.

So the bill was indefinitely postponed.

The House now went into committee of the Whole.

Mr. Gardner in the chair.

After some time spent therein, the committee rose.

By permission, Mr. Graham introduced

H. B. No. 69,

An act to amend an act entitled, An act to incorporate St. John's Church in the Wilderness, approved November 6th, 1861. On motion,

The House adjourned until 9 o'clock, a. m., to-morrow. my, Johnson, Keys Locke, Martine, Mandragen, Norris and

# SATURDAY, FEBRUARY 3d, 1866.

House met pursuant to adjournment. Speaker in the chair. 1881, day redmewood bevorges smist?

Absent, Messrs. Fosher, Grimes, Gregory, Hall, Locke, Martine and Nuckolls.

re,

ad

10

10

e

e

Quorum present.

Journal read and approved. auditedus a betroque aved , to No.

Mr. Henry was excused for an hour.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have considered H. B. No. 66. an act to incorporate the Fremont Ditch and Irrigating Com-Read second time, and

Also, C. B. No. 47, an act for submitting an act incorporating

And recommend their passage. seeing land att noge tog had Also, H. B. No. 67, an act to incorporate the Frankstown and Giles Station Wagon Road Company, and recommend its passage by filling the blanks in section 3 as follows: "one dollar," "twenty-five cents," "seventy-five cents," "twenty-five cents," "five cents per head."

MATT. RIDDLEBARGER, Chairman.

Report received. Mr. Gardner, from the committee of the Whole, submitted the following report:

Mr. Speaker: Your committee of the Whole have had under consideration H. B. No. 63, and recommend that the following

section be added as section 5:

"That at the next general election the qualified voters of said county shall vote for or against the division of said county; if a majority shall appear in favor of such division, this act shall then be in full force and effect; if a majority of such votes shall appear against such division, then this act shall be void and of no effect."

And your committee report the bill with the amendment back to the House, and recommend it be referred to the com-

mittee on Counties and County Lines.

Also, C. J. R. No. 3, and recommend that the same be amended by striking out "Saturday, the 3d," and inserting "Friday, the 9th," instead, and recommend it pass as amended.

Also, H. B. No. 65, and recommend it pass without amend-

ment.

## J. F. GARDNER, Chairman.

Mr. Graham, from the Select committee, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B.

No. 54, have reported a substitute for the bill for the consideration of the House. don of the House.

Report received.

Substitute ordered engrossed. Substitute ordered engrossed.

H. B. No. 69, I form dat I demonstrated address of the as Read second time, and

Also, C. B. No. 47, an act for submitting an act inoitom aong

138

Was read third time, ..... stov s of walk lost lo vito ed

And put upon its final passage. Resear right brommoner barA

The ayes and nays were:
Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker -19.

MAYT. RIDDLEBARGER . snon , syN So the bill passed, and the title agreed to.

H. B. No. 63

Was referred to the committee on Counties and County Lines. C. B. No. 47 Was referred to the committee of the Whole.

Mr. Speaker: Your committee of the Whole 18, oN. A. L.Der Consideration to adjourning out To. 63, and recigning distribution of the consideration to adjourning out to adjourn out to adjourn out to adjourning out to adjourn out to adjourn out to adjourn out to adjourning out to adjourn out to

Was read third time, and

section be added as section 5: The question being on its final passage, two out is sail"

The ayes and nays were:
Ayes, Messrs: Bergen, Breath, Barela, Colvin, Dodge, Ehr hart, Fosher, Graham, Grimes, Hall, Henry, Keys, Martine and Mandragen 14.
Nays, Messrs. Gardner, Gregory, Johnson, Locke, Norris and

And your committee report the bill with the .6. And your back to the House, and recombatqobs asymptotically and or of the House, and recombatqobs asymptotic and recombatqobs.

H. B. No. 65,

mittee on Counties and County Lines. An act to amend an act concerning Ejectments, I. O .calA

Was read third time, and and vabruta? " too gaislits yd be The question being on its final passage, has bestern "de edt

The ayes and nays were:
Ayes, Messrs. Breath, Barela, Colvin, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker—17.

Nays, Messrs. Dodge and Ball—2.
So the bill passed, and the title agreed to.

H. B. No. 66,

An act to incorporate the Fremont Ditch and Irrigating Com-

Was read third time, and

The question being on its final passage, roger bus 74.07.8.0

The ayes and nays were: Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker-21.

Navs. none.

e,

ar

So the bill passed, and the title agreed to.

Denver, February 2d, 1866. 78 .o. H. H.

An act to incorporate the Frankstown and Giles Station Wagon Road Company, Was read third time, and arotal of ronon off svad I : and

The question being on its final passage, age eved I seds sevis

The ayes and nays were and in betaniging evad of beltitree ora Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Gardner, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker 17. lo aresino redto

Nays, Messrs. Ball and Fosher—2.

So the bill passed, and the title agreed to ground of the AA Mr. Ball, from the committee on Enrolled Bills, submitted An act to incorporate the South Boulder and D: gniwoHof ent gating and Ditch Company.

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to wit : of sognosni of toe nA

H. B. No. 37, an act to incorporate the South Boulder and

Dry Creek Irrigating Ditch Company, 1884 VIOV

H. B. No. 39, an act to incorporate the Boulder and Weld County Ditch Company, AGNA XAJA

H. B. No. 40, an act to amend an act entitled, An act to amend an act concerning Fences, approved February 9th, 1865. H. B. No. 41, an act to incorporate the Coal Creek and Black

Hawk Wagon Road Company.

H. B. No. 43, an act to amend an act entitled, An act to incor-

porate the City of Central.

H. J. R. No. 3, a joint memorial relating to Mail Contracts. H. B. No. 14, an act to amend an act fixing the Compensation of Members of the Legislative Assembly, and other Officers of H. B. No. 58, an act empowering the citizentityrotire obrado Respectfully submitted: an evel of wanted Respectfully submitted.

D. J. BALL, Chairman.

Report received and adopted. melagare tos as 10.00 . H. H. House went into committee of the Whole on the General words, " Entitled, An act amendatory of an act entitled, An, slift Mr. Johnson in the chair word by vorgas selections and in income

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have considered C. B. No. 47, and report the same back to the House and recommend its passage.

B. F. JOHNSON, Chairman. Ehrhert, Rosher, Gardner, Gral

Report received and adopted. Message from the Governor:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, ) Denver. February 2d, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, which

are certified to have originated in that body:

An act to amend section 6 of an act entitled, An act fixing the Compensation of Members of the Legislative Assembly, and other Officers of Colorado Territory, approved February 10th, 1865.

An act to incorporate the Boulder and Weld County Ditch

Company.

An act to incorporate the South Boulder and Dry Creek Irrigating and Ditch Company.

An act to amend an act entitled. An act to amend an act con-

cerning Fences.

An act to incorporate the Coal Creek and Black Hawk Wagon Road Company.

Very Respectfully, Your Obedient Servant,

ALEXANDER CUMMINGS, Governor of Colorado Territory.

Message from the Council:

COUNCIL CHAMBER, February 2d, 1866.

To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

H. B. No. 58, an act empowering the citizens of School District No. 4, Boulder county, to levy an additional Tax for School

purposes in said District.

H. B. No. 64, an act supplementary to an act approved January 24th, 1866, amended in the title by adding thereto the words, "Entitled, An act amendatory of an act entitled, An act regulating Elections, approved November 6th, 1861." dol. all

And has concurred in amendments to H. B. No. 29.

And has passed H. B. No. 10, an act to incorporate the Trinidad Town Company.

H. B. No. 33, an act to incorporate the Ni Wat and Black

Hawk Wagon Road Company. Dellorge berebro High

H. B. No. 50, an act to amend an act entitled, An act to incorporate the Excelsior Ditch Company, approved March 11th. 1864

C. B. No. 44, an act supplemental to an act concerning Weights and Measures.

They are herewith transmitted. I all public laironean A

Very Respectfully, soited hold as violing CHARLES G. COX, moidon no

Secretary of the Council.

Mr. Norris introduced ... eggssag Isad sti nogs to?

H. J. R. No. 6,

A resolution of Inquiry. Areath, syring A resolution of Inquiry. On motion of Mr. Fosher, O mader O reathers , realed and

The rules were suspended, abata Manital aloot, acadol.

And the resolution was put upon its final passage.

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Martine, Mandragen, Norris and Speaker An set to incorporate the National Gold and Silver 12010g

Navs, none.

So the resolution was adopted. The sould be be be to be the sould be be to be the sould be t

The Speaker appointed Messrs. Norris, Ehrhart and Henry as a committee on the part of the House to confer with a like committee from the Council. An act to incorporate the Central and Emptynoitom no res

The House adjourned until 2 o'clock, p. m. Read second time, and referred to the committee on Incor

#### AFTERNOON SESSION. By permission, Mr. Bergen introduced

House met pursuant to adjournment.

Speaker in the chair. Mist V J and stanogrami of the in A

Mr. Riddlebarger, from the committee on Incorporations. submitted the following of bearing but submitted the following of bearing but bearing bearing

Mr. Speaker: Your committee have had under consideration C. B. No. 42, and refer it back to the House with the recommendation that it do pass ogsor I all obsequence of the aA

MATT. RIDDLEBARGER, Chairman Read second time, and referred to the committee on Incor-

Report adopted, and Bill ordered on third reading. On motion,

And has passed H. B. No. 10, an act to incor 64 .out. B. Hini-Was taken up,

dad Town Company.

Bill ordered enrolled. Boy Company. Way Wall

H. B. No. 50, an act to amend an act entitled, 18. No. 50, Read second time, and referred to the committee on Territorial Affairs.

By permission, Mr. Henry introduced as At .O. . 8 . . O.

H. J. M. No. —,

Veights and Measures. A memorial asking the President to appoint a citizen of this Territory as Chief Justice. , yffultoogeoff yroV

On motion, XOO . O STATION OF

The rules were suspended, and

The memorial was read second and third times, and

Put upon its final passage. hoomboring airrow. AM The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker-20. seg land at neguting asy noithform of the A

Nays, Mr. Ball—1.

So the memorial was adopted ord agent Aresold sort

By permission, Mr. Colvin introduced Daniel H. B. No. 70,

An act to incorporate the National Gold and Silver Mining Company of Colorado.

Read second time, and referred to the committee on Incor-The Speaker appointed Messrs. Norgis Ehithart anoitrogy

as a committee on the part of the bridge introduced and lo trap of no settimento a za

H. B. No. 71,

An act to incorporate the Central and Empire City Express

Read second time, and referred to the committee on Incorporations.

By permission, Mr. Bergen introduced

H. B. No. 72,

An act to incorporate the St. Vrains, Left-Hand and Columbia Hill Ditch Company, times only mort repradelibill ..

Read second time, and referred to the committee on Incorporations.

By permission, Mr. Norris introduced TOY THE ASSOCIATION

C. B. No. 42, and refer it back to the House, 87 to N. H. om-An act to incorporate the Prospecting, Mining and Exchange Company of Colorado.

Read second time, and referred to the committee on Incorporations.

Bill ordered on third reading.

The Sergeant-at-Arms announced the following Message from the Council: and the beyond meder D. TM

> COUNCIL CHAMBER, February 3d, 1866. on being on its final passage,

To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

C. B. No. 54, an act relating to Abandoned Claims. C. B. No. 53, an act concerning Mines and Minerals.

C. J. R. No. 3, a joint resolution to attend the Funeral of L. B. McLain, M. D., on February 4th, A. D. 1866.

Very Respectfully, CHARLES G. COX,

Secretary of the Council.

The rules were suspended, and 1999w ayan bag says of P

C. J. R. No. 3, A joint resolution to attend the Funeral of L. B. McLain, M. D., on February 4th, A. D. 1866,

Was read third time, and Unanimously adopted. so the bill passed, and the title agreed to. On motion,

C. B. No. 41

Was taken from the table, and referred to the committee on Judiciary.

By permission, Mr. Gardner introduced

V H. B. No. 74,

An act to amend an act entitled, An act to establish the Common School Laws.

Read second time, and referred to the committee on Education.

C. B's Nos. 52 and 53,

Read second time, and referred to the committee of the C. B. No. 42, The maibal no oothimmion most disast

An act to incorporate the Peruvian Gold and Silver Mining Company of Colorado,

Was taken up for consideration.

S. M. BREATH, Chairman.

Mr. Ball offered to amend, by striking out, in the eighth line of the Preamble, the word "are," and insert the words "claim to be," in lieu thereof. Amendment adopted. salitag eds bus seconing dans tol gois

Mr. Hall moved a reconsideration of the vote by which the amendment was adopted.

Carried.

Mr. Graham moved that the amendment be laid on the table. Carried.

The bill was read third time, and

The question being on its final passage,

The ayes and nays were: Ayes, Messrs. Bergen, Breath, Barela, Colvin, Ehrhart, Fosher, Graham, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker-17.

Nays, Messrs. Dodge and Gardner—2.

Mr. Ball was excused.
So the bill passed, and the title agreed to.

An act to provide for submitting an act to incorporate the City of Black Hawk, to vote, &c.,

Was read third time, and

The question being on its final passage,

The ayes and nays were: Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—19.

Nays, none.

Unanimously adopted. So the bill passed, and the title agreed to.

On motion,
The House adjourned until Monday, at 10 o'clock, a. m.

#### V H. B, No. 14 MONDAY, FEBRUARY 5th, 1866.

By permission, Mr. Gardner introduced

mon School Laws.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present. Journal read and approved.

Mr. Breath from committee on Indian Affairs submitted the An act to incorporate the Peruvisa Gold : tropped and incorporate the Peruvisa Gold :

Mr. Speaker: Your committee to whom was referred Resolution asking compensation for horses pressed into the service of the First Colorado Mounted Militia would report, that the Legislature have no evidence before them upon which to base an appropriation for such purposes, and the parties having horses pressed into said service, should present their claims to the Adjutant General of this Territory, who will be able to assist them in obtaining their rights. Carried.

Respectfully submitted.

le.

0-

ie,

he

d

February 5. Report received and adopted.

Mr. Henry, from Judiciary committee, submitted the following report: Mr. Hall, from Select committee on

Mr. Speaker: Your committee have had under consideration C.B. No. 41, an act regulating proceedings in Action of Replevin, and respectfully submit the accompanying substitute, and P. No. 27, baye had demended without amendment. bad evad, 72 ov . S.

Duammooor oft diw esuall od J.o W. HENRY, Chairman Lut

PRANK HALL Chair, oals

Mr. Speaker: Your committee to whom was referred Council substitute for H. B. No. 38, an act concerning the practice in the District and Probate Courts, and to provide for a term of the Supreme Court, and for other purposes, have had the same under consideration, and respectfully report it back to the House with amendments, and recommend it pass as amended J. W. HENRY, Chairman

Reports received and adopted.

Mr. Riddlebarger, from committee on Incorporations, sub-Mr. Henry, from committee on Conferent griwollo adt bettim

Mr. Speaker: Your committee have had under consideration H. B. No. 70, An act to incorporate the National Gold and Silver Mining and Prospecting Company of Colorado.

Also, H. B. No. 71, An act to incorporate the Central and Empire City Express Company, and recommend their passage. MATT RIDDLEBARGER, Chairman,

Sin: I have the honor to inform the House of Representa-Mr. Speaker: Your committee on Territorial Affairs to whom was referred C. B. No. 44, have had the same under consideration, and report the same back to the House with the recommendation that it pass without amendment.

Respectfully submitted. Justibed Tho Y

DALMAND SHOWAX JOHN FOSHER, Chairman.

Report received and adopted.

Mr. Keys, from committee on Engrossment submitted the following:

Mr. Speaker: Your committee on Engrossment beg leave to report H. B. No. 36, and substitute for H. B. No. 54, as correctly Mr. Nuckolls gave notice that he would, on to-mbesorger

THOMAS KEYS, Chairman.

A bill to incorporate the Bear River Wagon Ofoad and Ferry

Report received and adopted no yraioibul mon yraeH .TM

Mr. Hall, from Select committee on

C. B. No. 27.

Submitted the following report: Himmoo wo Y : reshould all

C.B. No. 41, an act regulating proceedings in Action of Repley-Mr. Speaker: Your Select committee to whom was referred C. B. No. 27, have had the same under consideration, and respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

FRANK HALL, Chairman.

Lickeport received. w mod w of soddimmos mo Y : sodbod & . M

Mr. Hall, from committee on Federal Relations, submitted the District and Probate Courts, and to provide for a te: gniwollof

Supreme Court, and for other purposes, have had the same Mr. Speaker: Your committee to whom was referred C. B. No. 40, have had the same under consideration, and respectfully recommend that it pass. . //

FRANK HALL, Chairman.

d Report received and adopted. mos most repredeliblish and

Mr. Henry, from committee on Conference on ollot and besting

C. B. No. 22,

Requested further time. Wed soffing to Y : solvey A.M.

H. B. No. 70, An act to incorporate the National Goldstan II. Message from the Governor mod gaite ground base gained not

Also, H. B. No. 71, An act to incorporate the Central and EXECUTIVE DEPARTMENT, COLORADO TERRITORY, mountain Substantis Denver, January 5th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives: SIR: I have the honor to inform the House of Representatives that I have approved and signed a bill entitled,

"An act to amend an act entitled, An act to incorporate the

City of Central, approved March 11th, 1864.

Very Respectfully, noditive and it tout noitsbuom

Your Obedient Servant, ALEXANDER CUMMINGS,

Governor of Colorado Ter.

Mr. Keys, from committee on Kugrossment , noitom no

The House concurred in Council amendments to

And bill ordered engrossed, and substitute of the H. B. No. 59, and substitute of the transfer of the H. B. No. 59, and substitute of the transfer of the tran

Mr. Nuckolls gave notice that he would, on to-morrow, or some subsequent day, introduce

A bill to incorporate the Bear River Wagon Road and Ferry Company.

Mr. Hall gave notice that he would introduce

A Joint Memorial to the Congress of the United States, in relation to the admission of Colorado as a State.

Mr. Gregory gave notice that he would introduce at some

5.

C.

t-

d-

18

A bill to incorporate the Platte Canon and South Park Wagon Road Company.

Mr. Hall having given previous notice, introduced

H. J. M. No. 4,

A Joint Memorial to the Congress of the United States, ask-

ing for our admission as a State.

Read second time, and referred to committee of the Whole

By permission, Mr. Johnson introduced

H. B. No. 75,

A bill for an act amendatory of an act providing for the collection of taxes from non-resident stock owners, approved March 11, 1864.

Read second time, and referred to committee on Agriculture.

Also, H. B. No. 76,

An act authorizing the Commissioners of Weld county to select a site for the erection of a Court House for temporary

Read second time, and referred to committee on Judiciary.

C. B. No. 44,

C. B. No. 44, An act concerning Weights and Measures,

Was read a third time, and amended in sections 1 and 2, And the question being on its final passage as amended,

The ayes and nays were:

Ayes, Messrs. Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Nuckolls—18.

Nays, Messrs. Gregory, Riddlebarger and Speaker—3.

Messrs. Bartells and Hall excused.

So the bill passed and title agreed to. The Brazell Boy A

H. B. No. 36,

ham, Hall, Henry, Johnson

An act concerning Fence Viewers,
Was read a third time, and
The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Breath, Gardner, Keys, Mandragen.

Riddlebarger and Speaker—7.

Nays, Messrs. Ball, Barela, Dodge, Ehrhart, Fosher, Graham. Grimes, Gregory, Hall, Henry, Johnson, Martine, Norris and Nuckolls-14. Mr Colvin excused. H movemoni of belowing in all size of So, the bill was lost

Council has concurred in House amendantsol saw Ilid add of. H. B. No. 54,

An act enabling the Judges of Courts to collect Fees, Was read a third time.

Mr. Graham offered the following amendments: Mariot A

"And be it further enacted, That an Executive Clerk may be employed by the Governor of the Territory, and there is hereby appropriated five hundred dollars for the purpose of paying said Clerk, and the Auditor of the Territory is hereby instructed to draw a warrant of five hundred (500) dollars in favor of the Governor of the Territory.

The ayes and nays being called on the amendment, they

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Ehrhart, Graham, Hall, Henry, Johnson, Martine, Nuckolls and Riddlebarger-13.

Nays, Messrs. Dodge, Fosher, Gardner, Grimes, Gregory,

Keys, Mandragen, Norris and Speaker-9.

So the amendment was adopted.

Mr. Henry moved,

To adjourn until 2 o'clock, this afternoon.

And House adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment. Speaker in the chair.

H. B. No. 54,

Was taken up, and read at length with amendments.

Mr. Henry moved

A reconsideration of the vote by which the amendment was adopted.

Motion lost.

The bill being ordered on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Ball, Colvin, Dodge, Ehrhart, Graham, Hall, Henry, Johnson, Nuckolls and Riddlebarger-11.

Nays, Messrs. Bergen, Breath, Barela, Fosher, Gardner, Gregory, Keys, Locke, Martine, Mandragen, Norris and Speaker—12.

So the bill was lost.

Message from the Council. Bright Street and Speaker.

mader D. redeol real Council Chamber, January 3d, 1866.

To the Honorable the Speaker of the House of Representatives. SIR: I am directed to inform your Honorable Body that the Council has concurred in House amendments to C. J. R. No. 3,

be

eıg nin

BY et. e-

er

A resolution to adjourn, &c., and has passed the following bills:

An act to amend an act entitled, An act to define County Boundaries and County Seats, approved Nov. 1st, 1861.

H. B. No. 34, An act to survey and locate a portion of the boundary lines between the counties of Pueblo, Huerfano and Fremont.

H. B. No. 44, An act to change and locate the boundary lines of Fremont Hall, Henry, Johnson, Keys, Nuckolls and Speaker 11. vinuo

H. B. No. 57.

An act to amend an act entitled, An act to protect and regulate the irrigation of lands, approved Nov. 5th, 1861.

H. B. No. 59,

H. B. No. 59, An act to incorporate the Pennsylvania Gold and Silver Mining Company of Colorado.

Amended by striking out the word "Exclusive," in section 2.

C. J. R. No. 4,

A joint resolution to provide for payments of freights and charges upon weights and measures.

They are herewith transmitted. They are herewith transmitted.

Respectfully submitted,

CHARLES G. COX,

berehinder eved sled W. od to some Secretary of the Council.

B. No. 70, beacon 9 mits

An act to incorporate the National Gold and Silver Mining Company of Colorado, it of Igirome M s. 4. o. M. L. H. oslA ba Was read a third time, and noise imba of braser ni setats bet

The question being on its final passage, and sham ed it tank

The ayes and nays were:

The ayes and nays were:
Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker-22.

Navs, none.

H. B. No. 71, An act to incorporate the Central and Empire City Express Company, Carried.

Was read a third time, and ibs of beyont regredelibbis . TM

Passed unanimously, and the title agreed to.

C. B. No. 40, An act to amend an act relating to Counties and County Officers, approved Nov. 6th, 1861, 7881, 1st yanual guibne rasy

Was read at length mos of borrefor has sent brosses bask Mr. Locke moved,

To amend, by striking out the word "seven," and inserting the word "five," instead.

Mr. Henry moved,

To lay the amendment on the table. as business of the all Motion lost.

The question being on Mr. Locke's amendment,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Fosher, Gardner, Locke, Martine, Mandragen and Norris-11.

Nays, Messrs. Breath, Dodge, Ehrhart, Graham, Gregory, Hall, Henry, Johnson, Keys, Nuckolls and Speaker—11.

So the motion was lost,

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Nuckolls and Speaker—15.

Nays, Messrs. Bartells, Barela, Fosher, Locke, Martine, Man-

dragen and Norris-7.

House now went into committee of the Whole on the Gene-

ral File. Mr. Breath in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: Your committee of the Whole have considered C. B. No. 52, concerning Lode Claims.

Also, C. B. No. 41, an act regulating Proceedings in Replev-

in, and recommend that they pass. It also good of the if A

Also, H. J. M. No. 4, a Memorial to the Congress of the United States, in regard to admission as a State, and recommend that it be made the special order for Wednesday, for 2 o'clock. Respectfully submitted.
S. M. BREATH, Chairman.

Ebrhart, Fosher, Gardner, Graham, Gregory, Hall, Menry, John

Report received and adopted. A control of old a roll and

On motion,

Mr. Fosher was excused.

Mr. Colvin moved,

That when we do adjourn, we adjourn to meet at 7 o'c ock, this evening, for the purpose of considering C. B. No. 53.

Carried.

Mr. Riddlebarger moved to adjourn, mit brids a been as W i assed unanimously, and the title agreed to.

Mr. Hall introduced,

H. B. No. 77, an act making an appropriation for the fiscal year ending January 1st, 1867. 1881, 1881 word bevorga 2199

Read second time, and referred to committee of the Whole.

he

er,

rt,

n,

n-

e-

b-

ed

V-

d ۲.

On motion of Mr. Colvin,

The House adjourned until 7 o'clock, p. m. . H. nous ablance ding to section 1, as follows: That the sum of three hundred

#### and twenty-eight dolla: NOISEER DNINGYEI cents, be appropriated

House met at 7 o'clock, pursuant to adjournment.oggide bas Speaker in the chair. To speaker off busmmoor bus & bus &

House went into committee of the Whole for the consideration of C. B. No. 53.

Mr. Henry in the chair.

After some time spent therein, the committee rose and reported as follows:

Mr. Speaker: The committee of the Whole House have had under consideration C. B. No. 53, an act entitled An act concerning Mines and Minerals, and have instructed me to report the same back to the House, by amending section 9, by inserting a substitute for the same, and by adding section 21, and with the amendments recommend that it pass.

grounds for a A bolding dos as J. W. HENRY, Chairman.

ing Probate Courts and Justices of the Peachevisor tropan-

Mr. Fosher moved, to adjourn 81, dill deall bevouges, seis

And have passed C. B. No. 56, no act to am .teol noitoMon-

Mr. Hall moved,

That the appropriation bill No. 77, be made the special order of the day, for to-morrow morning, at 10 o'clock, a. m. CHARLES G. COX,

Carried.

On motion,

The House adjourned until 10 o'clock, a. m. to-morrow. Mr. Keys, from committee on Education, submitted the fol-

# TUESDAY, FEBRUARY 6th, 1866.

72, entitled an act to amend an act, entitled An act to establish House met pursuant to adjournment. -b Speaker in the chair. Niw eggszang zir brommooor bus noits

Prayer by the Chaplain! bevorgge solit off of bbA : atnom

tion I, between the word "system" and "be," in the lies IloRac, Absent, Messrs. Bartells, Barela, Fosher and Martine.

Quorum present. IN SAMOHI

Journal read and approved.

On motion,

The House went into committee of the Whole, for the consideration of H. B. No. 77. After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under enrolled bills for his approval, to-wit:

consideration H. B. No. 77, and have amended the same, by adding to section 1, as follows: That the sum of three hundred and twenty-eight dollars and twenty-eight cents, be appropriated to pay freight and charges, upon Scales and Weights, ordered and shipped as Territorial Goods; Also, by striking out sections 2 and 3, and recommend the passage of the bill as amended

. Armin O. LILAHON ANA STOR the Whole for the considera-

Report adopted, and
Bill ordered engrossed as amended.
Message from the Council:

bad evad evadl electrical Chamber, February 16th, 1866.
-noo tak an helitine som as 5. 3. 3. 3. on oitsrebisnes rebus

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that
the Council has indefinitely postponed the following bills:

H. B. No. 15, an act regulating Irrigating Ditches.

H. B. No. 66, an act to amend an act, entitled An act concerning Probate Courts and Justices of the Peace in certain Courties, approved March 11th, 1864.

And have passed C. B. No. 56, an act to amend an act, con-

cerning Licenses.

They are herewith transmitted. He worked age of the Total Nery Respectfully, or worked to the total age.

CHARLES G. COX, boirts

Secretary of the Council.

Mr. Keys, from committee on Education, submitted the following report:

Mr. Speaker: Your committee to whom was referred H. B. No. 72, entitled an act to amend an act, entitled An act to establish the Common School System, have had the same under consideration, and recommend its passage, with the following amendments: Add to the title "approved Nov. 7th, 1861; and in section 1, between the word "system" and "be," in the third line, insert "approved Nov. 7th, 1861."

THOMAS KEYS, Chairman.

Report received.

-biMr. Ball, from committee on implementation of H. B. No. 77. After some time specification of H. B. No. 77. After some time specification of H. B. No. 77. After some time specification of H. B. No. 77.

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to-wit:

6.

ad-

ed

ted

ed ns

at

S:

n-

n-

n-

1-

0.

3-

the amendments, so far as they refer to expuncing section 5 of H.B. No. 34, an act to survey and locate a portion of the Boundary Lines between the Counties of Pueblo, Huerfano and Fremont.

H. B. No. 44, an act to change and locate the Boundary Line

of Fremont County.

H. B. No. 57, an act to amend an act, entitled An act to Protect and Regulate the Irrigating of Lands, approved Nov. 5, 1861. H. B. No. 59, an act to incorporate the Pennsylvania Gold and Silver Mining Company of Colorado.

Respectfully submitted.

ord eved silled bellowed no contimb. J. BALL, Chairman.

sented to His Excellency, the Governor, the following correctly

Report adopted. : lavorgas aid not allie bellorme Mr. Bergen, from the Committee on Agriculture submitted Boulder Wagon Road Company.

the following:

Mr. Speaker: Your committee on Agriculture have had before them H. B. No. 68, a bill for an act concerning Grazing Rights, and recommend that it do pass without amendment.

Respectfully submitted.

-tooni of Jos a A beliling to meT. C. BERGEN, Chairman,

H. B. No. 58, an act empowering the citiz batqobs troop Ris-

Mr. Riddlebarger, from the committee on Incorporations, H. J. M. No. 3, a Joint Memorial to the Hon. Wm. Dennison,

Mr. Speaker: Your committee have considered H. B. No. 72 and 73, and recommend their passage bettimdus yllulteeneed MATT. RIDDLEBARGER, Chairman.

Report received and adopted. Minority report on C. B. No. 27:01 of bessler essell of T

Mr. Speaker: The undersigned, a minority of the Select Committee, to whom was referred C. B. No. 27, an act to provide for the Registration of Voters, have had the same under consideration and would respectfully recommend its passage without Counties and County lines. amendment.

(YNODARDO GIVA ACTION Second time, and referred to com-B. R. COLVIN: O solding

C. B. No. 55, read second time, and referred to committee of Mr. Henry, from Special Committee submitted the following: C. J. M. No. 2 read second time and referred to committee on

Mr. Speaker: Your Special Committee appointed to sconfer With a like committee from the Council, to consider the pro-Posed Council amendments to House Bill No. 22, have had the same under consideration, and report the same back to the House with a recommendation that the House do not concur in

Mebruary 6. the amendments, so far as they refer to expunging section 5 of article 1st of said act. Your committee would recommend that the House do concur in all other amendments proposed by the Council to said bill.

J. W. HENRY, Chairman. H. B. No. 57, an act to amend an act, entitled An act to Pro-

.10 Report received age sheat to unitarized out other and the soot

Mr. Ball, from committee on Enrollment, submitted the following: Silver Mining Company of Colorado.

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly Enrolled Bills, for his approval:

H. B. No. 29, an act to incorporate the Middle Park and South

Boulder Wagon Road Company.

H. B. No. 33, an act to Incorporate the Ni Wot and Black Hawk Wagon Road Company. Hid a 80 of All H mode and

H. B. No. 10, an act to incorporate the Trinidad Town Com-

pany.

H. B. No. 50, an act to amend an act, entitled An act to incorporate the Excelsior Ditch Company, approved March 11, 1864.

H. B. No. 58, an act empowering the citizens of School District No. 4, Boulder County, to levy an additional tax for School purposes in said District.

H. J. M. No. 3, a Joint Memorial to the Hon. Wm. Dennison,

P. M. General of the United States.

Respectfully submitted. gazag rieds brommoor has 37 bas

separability JEEDS ASSAURICITY D.T.J. BALL, Chairman.

On motion,

The House refused to recede from its amendments to C. B. No. 44.

Mr. Graham moved, mint a bonoissaban off cashaga and

That the House insist on its amendments to C. B. No. 44. the Registration of Voters, have had the same under beirra va-

C. B. No. -, read second time, and referred to committee on Counties and County lines.

C. B's Nos. 45 and 50, read second time, and referred to com-

mittee on Judiciary.

C. B. No. 55, read second time, and referred to committee of Mr. Henry, from Special Committee submitted the slodW adt

C. J. M. No. 2 read second time and referred to committee on Federal Relations, a softmood friends and Y : reshood and

-o By permission, Mr. Colvin introduced attimuo salil a driw

posed Council amendments to House Bill No. 287 oN . H he A bill for an act to reinstate James Curran in all the rights House with a recommendation that the House do not concur in

6.

of nat

he

01-

·ely

th

k

n-

r-

5-

01

2,

n

of a citizen of Colorado Territory, and the privilege of the elective franchise. Also, H. B. No. 79, rot noises empensation for , 79, rot land

An act to amend an act entitled An act to apportion the Territory of Colorado into Council and Representative Districts. approved August 15th, 1862. If no gried won neitenp od 1

Mr. Gregory, having given previous notice, introduced Aves, Messrs. Bergen, Bastells, Brea

H. B. No. 80,

A bill to incorporate the Platte Canon and South Park Wagson, Locke, Martine, Mandragen, Norris, Nuyunagmon no

Also, H. B. No. 81,

An act amendatory of an act entitled An act concerning Lost Goods and Estrays.

Mr. Nuckolls, having given previous notice, introduced

H. B. No. 82,

An act to incorporate the Bear River Wagon Road and Ferry EXECUTIVE DEPARTMENT, Colorado Territory, enil

H. B's Nos. 78 and 79,

Read second time, and referred to committee on Elections and Apportionments. H. B's Nos. 80 and 82, I amolul of round oil oved I : and

Read second time, and referred to committee on Incorporafied to have originated in that body; tions. H. B. No. 81, OD awoT habining and the or A

Read second time, and referred to committee on Agriculture. On motion,

The House adjourned until 2 o'clock, p. m. ing Company of Colorado.

#### A Memoral M. I mos AFTERNOON SESSION. dt of lagromel A An act to incorporate the Ni Wot and Black Hawle Wagon

House met pursuant to adjournment. .vasquoo bso H Speaker in the chair. To all oldesol bus ognade of tes aA

C. B. No. 53,

Taken up and considered. anomio and remognes of the nA

Amendments offered by the committee were adopted.

Mr. Fosher moved the following amendment: with the mines of

That any person who shall knowingly jump any claim or claims, after such discovery shall have been made in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than \$200, nor more than \$1,000, and shall not be allowed to possess, improve, or dispose of any such claim or claims.

Mr. Norris moved to lay the amendment on the table.

Motion lost. 1000 to romewor)

Question being on the amendment, it was lost.

Mr. Breath offered to amend as follows: 87.04.9 H Referred to committee of the Whole. That the said sum of four dollars allowed the County Clerk, shall be considered full compensation for recording the discovery claim, and the claims set apart for the School and the Miners' Relief and Poor Funding Hamro otni oberelo

The question now being on its final passage as amended,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Fosher, Graham, Grimes, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Nuckolls, and Speaker -20.

Nays, Messrs. Ehrhart and Keys-2. 10 violations to a na

Mr. Gardner excused.

So the bill passed and the title agreed to.

Message from the Governor.

EXECUTIVE DEPARTMENT, Colorado Territory, Denver, February 6th, 1866.

committee on Elections To the Honorable the Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, certified to have originated in that body:

An act to incorporate the Trinidad Town Company. A

An act to incorporate the Middle Park and South Boulder Wagon Road Company.

An act to incorporate the Pennsylvania Gold and Silver Min-

ing Company of Colorado.

A Memorial to the Hon. William Dennison, P. M. General. An act to incorporate the Ni Wot and Black Hawk Wagon Road Company.

An act to change and locate the Boundary Lines of Fremont

County.

An act to empower the citizens of School District No. 4, in Boulder County, to levy an additional tax for School purposes r. Fosher moved the following amendment: trivitaid bias ni

An act to amend an act entitled An act to incorporate the Excelsion Ditch Company, approved March 11th, 1864, amislo

An act to Survey and Locate portions of the Boundary Lines between the counties of Pueblo, Huerfano, and Fremont.

An act to amend an act entitled An act to Protect and Regulate the Irrigation of Lands, approved Nov. 5th, 1861. Sowolls

Very Respectfully, elder add no man ALEX ANDER; CUMMINGS, and

Governor of Colorado Territory. Question being on the amendment, it was lost.

H. B. No. 73,

Mr. Breath offered to amend as follows: Referred to committee of the Whole.

rk, ovin-

in,

nncer

tati-

er n-11

nt in es e

S 1

By permission Mr. Norris introduced H. B. No. 83,

An act to amend an act entitled An act relating to Notaries Roll called. Public, approved March 4th, 1861.

Read second time, and referred to committee of the Whole.

C. B. No. 52,

An act concerning Abandoned Claims, as has hear learnot Was read a third time and passed unanimously.

C. B. No. 41,

An act regulating proceedings in Actions of Replevin, Was read a third time, and passed unanimously. Bridges, to whom was referred C

H. B. No. 68,

An act concerning Grazing Rights, Toget diguel is small out amendment, and recommend

Was read a third time.

Mr. Bartells moved that the bill be referred to a select committee.

Carried.

And Speaker appointed as such committee, Messrs. Ehrhart, Norris, Grimes, Bergen and Gregory, molar abaren ed to enter Mr. Ball offered the following resolution: ninth line, the words "keep a bool

Resolved, That the committee on Printing be instructed to have printed for the use of members of this Legislature, one hundred copies of the following bills, to wit: C. B. No. 53, an act concerning Mines and Minerals; and C. B. No. 5, an act for the benefit of Public Schools: provided, always, that the Council does concur in the amendments made by the House to said Report received and adopted. C. B. No. 53.

Mr. Fosher moved a reconsideration of the vote by which H. B. No. 54 was lost.

The ayes and nays being ordered and called, were:

Ayes, Messrs. Bartells, Ball, Colvin, Dodge, Fosher, Graham, Grimes, Hall, Henry, Johnson, Nuckolls, and Riddlebarger-12. Nays, Messrs. Bergen, Breath, Barela, Ehrhart, Gardner, Gregory, Keys, Locke, Martine, Mandragen, Norris and Speakmitted the following report: er-12.

Motion lost.

Mr. Speaker: Your committee to whom was On motion, The House adjourned until to morrow at 10 o'clock. same back to the House with the recommendation that it do

#### D. J. BALL, Chairman. WEDNESDAY, FEBRUARY 7th, 1866. Report adopted.

House met at 10 o'clock, a. m., pursuant to adjournment. following:

H. B. No. 88,

F

r

Speaker in the chair.

se Prayer by the Chaplain. A belitime ton na bnome of ton nA Roll called.

Public, approved March 4th, 1861. Absent, Messrs. Fosher and Gregory. na panis bacons bacal

Quorum present.

Journal read and approved. Benoblass A. guinteence Jes 4 A. Mr. Graham, from committee on Agriculture submitted the following report: C. B. No. 41, An act regulating proceedings in Actions of Replevin

Mr. Speaker: Your committee on Roads and Highways and Bridges, to whom was referred C. B. No. 55, after considering the same at length, report the same back to the House without amendment, and recommend that it do pass. The boot as W

Also, H. B. No. 81, and recommend the following amend-

ments:

In section 5th, at the end of the 4th line, insert "in which he shall register all descriptions of animals returned to him, the name of the person taking up the same, the time, appraisers' value, costs, with the appraisers' names;" and strike out in the ninth line, the words "keep a book for the same," and insert in lieu thereof, after the word "shall" the words "enter the same in a book kept for the purpose, called an entry book, and it will be"; and with the above amendments, recommend that the bill do pass.

H. J. GRAHAM, Chairman.

eil does concur in the amendments made by the House to said Report received and adopted.

And bill ordered engrossed with the amendments.

Mr. Keys, from committee on Engrossment, submitted the following report: It to noitershierosor a hevon redect . TM.

H.B.No. 51 was lost. Mr. Speaker: Your committee on Engrossment beg leave to report H. B. No. 77 as correctly engrossed.

Al-rogradolbbis bas allows THOMAS KEYS, Chairman.

Mr. Ball, from committee on Counties and County Lines, submitted the following report:

Mr. Speaker: Your committee to whom was referred C. B. No. 17, have examined the same, and beg leave to report the same back to the House with the recommendation that it do pass.

D. J. BALL, Chairman.

WEDNIESDAY, FEBRUARY 7th, 1866. Report adopted.

Mr. Hall, from committee on Federal Relations, submitted the following:

the

ind

ng

out

nd-

he

he

rs

he

ert

he

nd

at

10

0

)-

Mr. Speaker: Your committee to whom was referred C. J. M. No. 2, have had the same under consideration, and respectfully And title agreed to. recommend its passage. FRANK HALL, Chairman.

Adopted. Message from the Council.

COUNCIL CHAMBER, February 6th, 1866.

Mr. Hall, from committee on Printing, To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has indefinitely postponed H. B. No. 49, an act to in-Corporate Towns and Villages. and to two etamizottina to these

H. B. No. 61, an act to provide for the payment of the First

Colorado Mounted Militia. 9 .005,42 od bluow soigos 000,1 rol And has passed C. B. No. 49, An act to apportion the Territory of Colorado. bottimdis yllulteogeoff.

They are herewith transmitted. Very Respectfully,

> CHARLES G. COX, viscer tropes Secretary of the Council.

On motion, The House concurred in Council amendments to H. B. No. 22, except the striking out of section 5 in article 1.

And the bill was sent to Council with the request that they would recede from that amendment. The source of the same of the sa

Read second time, and referred to committee on Territorial Affairs.

C. B. No. 50 read second time and referred to committee of Mr Johnson moved to adjourn. the Whole.

Mr. Henry moved, that

H. J. R. No. 4 be taken up and referred to committee on Printing, with instructions to ascertain what the probable costs of 500 or 1000 copies of the laws of 1864, '65, and '66, in the Spanish language, would amount to. The or horom orboot and

Carried. Mr. Johnson introduced bas says edt tot belles dissert. Mr.

H. B. No. 84, An act to submit the Herd Law of Weld County to a vote of ergen, Bartella, Breath, Ball, Bar, slqoaq adt

Read second time, and referred to committee of the Whole. C. B. No. 17,

Was read a third time. Goder, Grand Street Was read a third time.

Mr. Norris moved that the bill be referred to Mr. Ehrhart, as a special committee on correction.

C. J. M. No. 2,

Was read a third time, and passed unanimously, over 2.01

And title agreed to.

H. B. No. 72, JAH MMAST

An act to incorporate the St. Vrains, Left-Hand, and Columbia Ditch Company,

Was read a third time.

Mr. Graham moved to adjourn.

COUNCIL CHAMBER Enwardhiw noitoM

Mr. Hall, from committee on Printing,

Submitted the following report: a reshould said aldonomall said of

Mr. Speaker: Your committee have made an estimate of the cost, or approximate cost of printing the laws in English, and would report that for 500 copies, the cost would be \$3,000; and for 1,000 copies, would be \$4,500. Printing the same in Spanish would cost about 25 per cent. more.

Respectfully submitted, obsided to val

FRANK HALL, Chairman.

Mr. Henry moved, that

a special committee on correction.

Report received. O. D. ZHIHAHO

Mr. Fosher renewed his motion to adjourn,

And called for the ayes and nays.

Ayes, Messrs. Ehrhart, Fosher, Graham, Henry, Johnson, Locke, Martine, Mandragen, Nuckolls and Riddlebarger—10.

Nays, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Gardner, Grimes, Gregory, Hall, Keys, Norris and Speaker—14.

So the motion was lost. of hours for here, said here so here!

On motion,

The bill was read at length, omit bacces beer 00. oM. H. D

Mr Johnson moved to adjourn.

Motion lost.

10 Mr. Graham movedpolor bas que modat ed 1.04 .A. L. H

Printing, with instructions to ascendate of the dill of the Tarter of the Parts of

of 500 or 1000 copies of the laws of 1864, '65, atel noitoMbe

Mr. Locke moved to adjourn mome bloom, spangas dains 2

Motion lost.

Mr. Breath called for the ayes and nays on the final passage. Carried.

The ayes and nays were wall broll out simdue of ton at

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Grimes, Gregory, Hall, Keys, Mandragen, Norris, Riddlebarger and Speaker—15.

Nays, Messrs. Ehrhart, Fosher, Graham, Johnson, and Martine 5. 11 11 of berrelet of life of the form and the

Excused, Messrs. Gardner, Henry, Locke and Nuckolls-4. So the Bill passed and title agreed to gaide gaod bas Mr. Bartells moved to adjourn.

m-

he

ad

nd

n-

n,

11,

Z)

Mr. Riddlebarger moved,
That the House take a recess until 2 o'clock, p. m.

# 2 o'clock, P. M.

Time of recess having expired, the House was called to order 

H. J. M. No. 4,

A Joint Memorial to the Congress of the United States, asking for the admission of Colorado as a State,

Having been made the special order of the day, for 2 o'clock,

was taken up and considered.

Mr. Breath moved the Memorial be put on its final passage. Call of the House ordered. III to ogsessom Isioogs a to soiqoo

Roll called.

Roll called.

Absent, Messrs. Bartells and Fosher. Jisogxil Laravin U and

Sergeant-at-Arms despatched after absentees.

Returned in a short time and reported Messrs. Fosher and Bartells present. of Jeouper a obata I oga admont owt emo?

On motion, Further proceedings under the case were dispensed with. Message from the Council. quality to the same of the council of th

## COUNCIL CHAMBER, February 7th, 1866.

To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has passed the following bills: a heroffe redsoff .TM

C. B. No. 51,

An act providing for an extra compensation of the Gilpin county Assessors for A. D. 1865.

C. B. No. 54,
An act to incorporate the Rocky Mountain Pioneer Friction Engine and Endless Railway Company, boniateus guisd but

H. B. No. 65, 10 obutiled us off

An act to amend An act concerning Ejectments.

H. B. No. 66, An act to incorporate the Fremont Ditch and Irrigating Com-

Pany. Mossrs. Bergen Bartells, Breath B. No. 67, and Gries Grand An act to incorporate the Frankstown and Giles Station Wagon Road Company.

H. P. No. 70 Mr. Hall accepted Mr. Fosher's substitute. , 70. 70. H. H. H. B. No. 70,

An act to incorporate the National Gold and Silver Mining and Prospecting Company. And H. B. No. 71,

H. B. No. 71,

An act to incorporate the Central and Empire City Express Company, has been indefinitely postponed.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

rebro of bellas asw sauell off besigned guiven seeds to omil

Message from the Governor.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, Denver, February 7th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives: SIR: I have the honor to transmit herewith one hundred copies of a special message of His Excellency, the President of the United States to Congress, dated Dec. 11th, 1865, concerning the Universal Exposition to be held at Paris, in the year 1867, forwarded by the Honorable the Secretary of State for the use of the Legislative Assembly.

Some two months ago I made a request to Mr. Derby, agent in New York, to have space allotted for the Exposition of Colorado products. I have no doubt it will be available for any

citizen who desires, to forward specimens.

Very Respectfully,

Your Obedient Servant,

ALEXANDER CUMMINGS,
Governor of Colorado Ter.

Mr. Fosher offered a substitute for

H. J. M. No. 4.

Mr. Henry offered a substitute for the substitute. County Assessors for A. D. 1865.

Mr. Ball moved,

That Mr. Henry's substitute be indefinitely postponed.

Mr. Norris called for the previous question,
And being sustained by two others,

The question was then on the substitute of Mr. Henry. The ayes and nays were: 111/01109 Jos n.A. busina of

Ayes, Messrs. Barela, Henry, Locke, Martine, Mandragen and Riddlebarger—6.

Nays, Messrs. Bergen, Bartells, Breath, Ball, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Johnson, Keys, Norris, Nuckolls and Speaker—18.

So the substitute was lost.

Mr. Hall accepted Mr. Fosher's substitute. 07.07.81.H

ng

SS

ed

of

ng 37, se

nt 1-

14

en

je,

The question now being on the final passage of the Memorial as substituted by Mr. Fosher, beyong youll and

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Colvin, Dodge, Fosher, Gardner, Graham, Gregory, Hall, Johnson, Keys, Norris, Nuckolls and Speaker—16.
Nays, Messrs. Barela, Ehrhart, Grimes, Henry, Locke, Mar-

tine, Mandragen and Riddlebarger-8. Mandragen and Riddlebarger-8.

So the Memorial was adopted or the Mail of the Mail of

Mr. Hall moved, meads rafts bedetageob emi A-ta-mangred to That the House now take up bennuter omit trods a ni

H. B. No. 77, An act making an appropriation for the fiscal year ending January, 1st, 1867. Town Has out robon aguibesoriq reditu'll

Carried.

Mr. Bartells moved, To strike out "four and one half," and insert "four," in lieu Amendments adopted.

Amendments adopted.

Mr. Nuckolls moved, not should be stricken out.

That section 4 be stricken out.

Carried.

Mr. Nuckolls offered an additional section.

Adopted.

On motion, The bill was considered, engrossed, and put on its final pas-

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker—23.

So the bill passed and title agreed to.

On motion,

C. B. No. 38, and we said to setting

C. B. No. 38, Was referred to committee of the Whole House.

Mr. Stearns moved,

That the House do now adjourn to meet at 7 o'clock, this evening, to go into committee of the Whole on the General File.

Carried.

And House adjourned. 27 N. J. H garyas vd baoms o'T

Question now being noiseas parinavation, Mr. Norris moved, House met pursuant to adjournment, glitan enogleog off

Speaker in the chair. land edt no gnied won neitsenp edT Mr. Henry moved, realer and real and betatited as a That the chairman of the Territorial Committee be instructed at once on the Apportionment Bill. 19310d . 2320 A 234 Posher, Gardner, Graham, Gregory, Hall, Johnson, Birra Call of the House ordered, and called son bas allowed, air Nays, Messrs. Barela, Ehrhart, Grimes thesds erew ered ar-Messrs. Graham, Barela, Martine, Mandragen, Ehrhart, Bartells, Locke, Hall and Johnson. Sergeant-at-Arms despatched after absent members. H In a short time returned and reported all present except Messrs. Johnson and Gregory. On motion, Further proceedings under the call were dispensed with. Mr. Nuckolls moved, The previous question.

Mr Breath moved, "Med one bus rue" "Mr Breath moved, "Med one bus rue" "The previous question." To amend by saying 2 o'clock, to-morrow. toitoes at doesn't Amendments adopted. Mr. Ball moved, To amend by saying 10 o'clock, to-morrow. allowed and Both amendments lost. Mr. Fosher moved,
That both Council and House bills be brought before the House. Call of the House ordered. Absent, Messrs. Gregory and Johnson. Sergeant-at-Arms despatched after absentees. Johnson present.
On motion, and an announced Messrs. Gregory and Johnson present. Further proceedings under the call were dispensed with. Question now being on instructing committee on Territorial Affairs to report forthwith, On motion. The House went into committee of the Whole. A H.O. Mr. Riddlebarger in the chair. and furmed of bourster as W Mr. Stearns moved, Committee arose. That the House do no adjourn of annoths won ob sevel ed tad T Isr That C. B. No. 49, veil lo estimmos otal on ot guiasve Be made the special order of this evening. Mr. Norris moved, To amend by saying H. B. No. 79. bearinging senoth back Motion lost. Question now being on Mr. Ball's motion, Mr. Norris moved, To postpone until 2 o'clock, to morrow. susung tem esnoth

Motion lost.

Mr. Ehrhart moved,

To adjourn until to-morrow, at 10 o'clock, a. m.

Ct-

ar-

ept.

he

nd

ial

Motion lost. Mr. Ball amended his motion by saying C. B. No. 49,

Be made the special order for this evening.

To adjourn until 10 o'clock, to-morrow.

Motion lost.

Mr. Graham, move The question now recurring on Mr. Ball's motion,

Mr. Hall moved, To adjourn until 20 minutes before 10 o'clock.

Motion withdrawn.

Mr. Bartells moved,

Mr. Posher moved to adjourn. To adjourn until 10 o'clock to-morrow.

Motion lost.

Motion lost. Mr. Fosher, from committee on Territorial Affairs, submitted the following report:

Mr. Speaker: Your committee have considered C. B. No. 49, and beg leave to report the same back to the House without tol yeb ed lo tobao laisoge o JOHN FOSHER, Chairman.

Report received.

Mr. Hall moved, That the House go into committee of the Whole, for the consideration of C. B. No. 49.

Mr. Graham moved,

To adjourn.

Motion lost 381 de Manage Maria Maria Maria Question recurring on Mr. Hall's motion,

Mr. Graham moved, meneroq w A zoolo'o 01 ta tom osnoH

A call of the House. Which being had, there were found absent, Mr. Bartells.

Sergeant-at-Arms ordered to find him.

Returned and reported that Mr. Bartells could not be found.

Mr. Hall moved,

That further proceedings under the call be dispensed with. Chair decided that further proceedings could not be dis-An act to amend An act concerning Incenses, . Aiw beareq

Mr. Ball appealed from decision, as smit bridt a bear as W

Speaker decided that appeal could not be entertained.

Mr. Graham moved to adjourn. Graham moved to adjourn.

Motion lost.

Sergeant-at-Arms despatched again after Mr. Bartells.

Mr. Hall moved

Mr. Fosher moved to adjourn. Mr. Ahrbart moved. Motion lost. Sergeant-at-Arms announced Mr. Bartells. Mr. Nuckolls moved,
That Mr. Bartells be fined two dollars. Motion lost. Mr. Graham moved to adjourn.

Motion lost Mr. Graham moved, The rules be suspended, and we take up won neither padT It was put and carried C. B. No. 49 for consideration. Mr. Riddlebarger moved, That the motion be laid on the table." Of little introjbs of Carried. Mr. Fosher moved to adjourn.

Motion lost.

Mr. Fosher moved to adjourn.

Motion lost. On motion, The House went into committee of the Whole.

Mr. Norris in the chair. After some time spent therein, the committee arose and re-

ported that they had had a very lucid discussion on C. B. No.

49, had not made much progress, and asked leave to sit again. Mr. Henry moved, That C. B. No. 49, be made the special order of the day, for

10 o'clock, to-morrow.

Carried. On motion,

The House adjourned until 10 o'clock to-morrow.

## THURSDAY, FEBRUARY 8th, 1866. of moitold

House met at 10 o'clock A. M., pursuant to adjournment. Speaker in the chair. Roll called. M. mands band oney enough had gained doid W Absent—Messrs. Grimes and Gregory—2.

Journal read and approved.

On motion,

The rules were suspended, and a spathosomer roofstuff and T Obsir desided that further droceed

C. B. No. 56,

An act to amend An act concerning Licenses, Addis beauted

Was read a third time, and ofaisoil good bolleages Hall am

The question being upon its final passage, belief to lead The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Bartells, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Hall, Henry,

Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls Avos, Mosars. Borgon, Bartolls, Bread, sovA

Nays, none.

ry 8.

M

M

M

re-

No. n.

for

per

in,

ry,

Nays, none.
So the bill passed and title agreed to.

C. B. No. 55,

C. B. No. 55, An act to incorporate the South Platte River and Bridge Was read a third time, and the bassage and lid ods of the The question being on its final passage, and the desired and the control of the con

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Fosher, Gardner, Graham, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Riddlebarger—21.

Nays, Mr. Ehrhart—1.

So the bill passed and title agreed to.

Mr. Hall moved

Mr. Hall moved That we now go into committee of the Whole for the con-II. B. No. 55, an act to amend an act on itself of N. H. II

C. B. No. 49.
Mr. Bartells moved a call of the House.

Absent—Mr. Gregory. Absent—Mr. Gregory.
Sergeant-at-Arms dispatched after him.

Returned, and

Reported that Mr. Gregory's family was sick and that he could not leave. Samuel W all ai derud a delot Modernor

On motion,

Further proceedings under the call were dispensed with.

On motion,

Mr. Gregory was excused.

The question now being on Mr. Hall's motion to go into Committee of the Whole,

Motion carried, and

Motion carried, and House went into Committee of the Whole,

Mr. Norris in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee have had C. B. No. 49 under consideration, and report a substitute and recommend its pas-GEORGE W. NORRIS, Chairman.

Mr. Graham moved that the rules be suspended and the substitute be put on its final passage.

Carried.

The ayes and nays were ! Onit all on old ayed mounted

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Johnson, Norris, Nuckolls and Speaker—16.

Nays, Messrs, Barela, Fosher, Henry, Keys, Locke, Martine,

Mandragen and Riddlebarger-8.

So the bill passed and title agreed to.

Mr. Graham moved a reconsideration of the vote by which C. B. No. 49 was passed.

Motion lost.

Mr. Ball, from committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to wit: H. J. M. No. 4, "a Joint Memorial asking the President to appoint a citizen of this Territory as Chief Justice."

H. B. No. 55, an act to amend an act entitled An act concern-

ing Lode Claims, approved November 7th, 1861.

H. B. No. 56, an act to incorporate Union Lodge No. 1, of

the Independent Order of Odd Fellows of Denver.

H. B. No. 62, an act to repeal An act granting the exclusive right to Joseph M. Jaynes and Joseph V. Garcia, to maintain a Ferry across the Rio Grande, at Paso-del-Puerto.

H. B. No. 69, an act to amend an act entitled An act to incorporate St. John's Church in the Wilderness, approved Novem-

ber 6th, 1861.

H. B. No. 65, an act to amend An act concerning Ejectments. H. B. No. 66, an act to incorporate the Fremont Ditch and Irrigating Company.

H. B. No. 67, an act to incorporate the Frankstown and Giles

Station Wagon Road Company.

H. B. No. 70, an act to incorporate the National Gold and Silver Mining and Prospecting Company.

Respectfully submitted.

D. J. BALL, Chairman.

Committee on Counties and County Lines submitted the following:

Mr. Speaker: Your committee to whom was referred H. B. No. 63, have examined said bill and beg leave to report the same back to the House with the recommendation that it do pass with the accompanying addition to section three, of said bill.

D. J. BALL, Chairman.

ge,

n,

ie,

ch

J-

ely

at

r-

1-

f

e

a

C. B. No. 27, an act to provide for the regi. barqoba trongs TE.

On motion,

The rules were suspended and the General File was taken up Mr. Gregory moved to lay the bill on the tabliband and considered last entire tabliba

H.B. No. 73,

An act to incorporate the Prospecting, Mining and Exchange Company of Colorado, Tuo estador I bas totated ent me est Was read a third time, and but two omerque ed to mret

The question being on its final passage, and bridt a bear bas.

The ayes and nays were is to be to descript a manhagem A

Ayes, Messrs. Bergen, Breath, Ball, Barela, Ehrhart, Graham. Gregory, Henry, Johnson, Keys, Locke, Norris, Riddlebarger and Speaker 14.

Nays, Messrs. Dodge, Fosher, Grimes, Martine, Mandragen

and Nuckolls-6.

So the bill passed and title agreed to.

C. B. No. 51, an act providing for an extra compensation of the Gilpin County Assessor for the year A. D. 1865, Was read a third time, and

The question being on its final passage, a nommod edit dail.
The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Mandragen, Norris, Nuckolls and Speaker-19.

Nays, Messrs. Barela and Martine Barbush , shinal , shoot So the bill passed and title agreed to, and aread aven

Speaker called Mr. Graham to the Chair. Deseg Hid odt o? H. B. No. 83, an act to amend an act entitled

Mr. Stearns was excused until evening a silder seinston of

Message from the Council.

## Council Chamber, February 7th, 1866.

By permission of the House,

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed the following bills: Dentholds earned and

C. B. No. 57, an act to amend An act to Establish the Common School System. .NOISSES DNINEYS

C. B. No. 59, an act to provide for a Census of Colorado Territory.

C. B. No. 60, an act to change the time of the meeting of the Legislature of Colorado Territory. Islamino ,86 .01 .1 They are herewith transmitted and to estimmoo s of berrel

rio A bas yandi , CHARLES G. COX, on-ot plools's ?

Secretary of the Council.

On motion,

C. B. No. 27, an act to provide for the registration of voters, was taken up and read a third time.

Mr. Hall moved to indefinitely postpone.

Mr. Gregory moved to lay the bill on the table. anobiggod base

Carried.

Council substitute for H. B. No. 38, an act concerning practice in the District and Probate Courts, and to provide for 2 term of the Supreme Court, and other purposes, was taken up and read a third time.

Amendments proposed by Judiciary Committee were adopted,

and bill considered, engrossed, and being on its final passage, it

was passed unanimously.

H. B. No. 63, an act to create the county of Los Animos and locate the boundaries thereof, was read a third time and passed unanimously.

C. J. R. No. 4, a resolution to provide for the payment of Freights and Charges upon Weights and Measures, was read a

third time and passed unanimously. ORR A VIGGO might off of

H. B. No. 74, an act to amend an act entitled An act to establish the Common School Law was read a third time, and the question being on its final passage, when but sove off

The ayes and nays were:
Ayes, Messrs. Bergen, Bartells, Breath, Barela, Colvin,
Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Henry, Locke, Martine, Mandragen and Norris-16.

Nays, Messrs. Ball, Grimes, Hall, Johnson and Nuckolls-5.

So the bill passed and title agreed to.

H. B. No. 83, an act to amend an act entitled An act relative to Notaries Public, approved October 24th, 1861.

On motion,

The bill was laid on the table. By permission of the House,

Mr. Graham introduced H. B. No. 85, an act to Repeal certain acts therein named.

The bill was indefinitely postponed.

On motion,

The House adjourned until 7 o'clock this evening. C. B. No. 57, an act to amend An act to Establish the Common School System ... NOISESS DRINGYS

SIR: I'am directed to

House met at 7 o'clock p. m., pursuant to adjournment.

Speaker in the chair. C. B. No. 38, Criminal Jurisprudence, was taken up and referred to a committee of three, with instructions to report at 9 o'clock, to-morrow-Messrs. Graham, Henry and Norris.

Mr. Mandragen moved to adjourn.

ters.

y 8.

racor a rup

ted, e, it

ssed ad a

and

tabthe

vin, ary,

\_5. ive

reat

same under consideration, and beg leave to reportsol noitoMte Mr. Riddlebarger, from committee on Incorporations, submitted the following report! MOHT

Mr. Speaker: Your committee on Incorporations have considered H. B. No. 80, also, H. B. No. 82, and recommend their passage without amendment.

MATT RIDDLEBARGER, Chairman.

Report adopted, and bills ordered on third reading. vs ad? Mr. Ehrhart, the Special committee of one, to whom was referred C. B. No. 17, submitted the following report:

Nays, Messrs. Ball, Dodge, Fosher, Grimes, Hall, Henry and Mr. Speaker: The Select committee to whom was referred C. B. No. 17, entitled an act to amend an act entitled An act to define the County Boundaries and locate County Seats in Colorado Territory, approved November 1st, 1861, have examined the same, and recommend its passage with the following amend-Denver, Mebruary 8th, 1: stnem.

In section one strike out all after the word "point," in the fourth line, and insert "due south of a point three miles east of the mouth of the South Arkansas river, thence north through said point to the southern boundary of Park County;" and that section ten, of the same act, be amended by striking out all between the words "to," in the fourth line, and "thence," in the fifth line, and inserting in lieu thereof "the north-east corner of Lake County;" and between the words "south" and "to," in the sixth line, "along the eastern boundary of said county." but 

Report adopted, and bill ordered engrossed for third reading. Mr. Hall, from committee on Federal Relations, submitted

the following report: I guitnery doe nA leoque of doe nA

Joseph M. Jaynes and Joseph V. Garcia to meintain a Mr. Speaker: Your committee to whom was referred H. J. R. No. 4, have had the same under consideration, and respectfully report the same back to the House with the recommendation that it do not pass. wood droibed o rue

BOVIEWIND SHOWAXS FRANK HALL, Chairman.

Report adopted. Mr. Keys, from committee on Education, submitted the following report:

Mr. Speaker: Your committee to whom was referred H. B. No. 52, an act concerning the Territorial Library, have had the same under consideration, and beg leave to report a substitute therefor, and recommend its passage, mort repredelibbil . M.

THOMAS KEYS, Chairman.

Mr. Speaker: Your committee on Incorpo.betqober roogan-C. B. No. 60, an act for changing the time of meeting of the Legislature,

Was read a third time, and THE THAM

The question being on its final passage,

The ayes and nays were: berebro allid bas, betgobs troogs! Ayes, Messrs. Bergen, Breath, Barela, Colvin, Ehrhart, Gardner, Graham, Gregory, Johnson, Keys, Martine, Mandragen, Nuckolls, Riddlebarger and Speaker-15.

Nays, Messrs. Ball, Dodge, Fosher, Grimes, Hall, Henry and

Mr. Speaker: The Select committee to whom walk rairrol

of So the bill passed and title agreed to a bolitine Thom . I ..

-o Message from the Governor as soirsbruod ytmoo odt onfoh

rado Territory, approved November 1st, 1861, have examined -boom EXECUTIVE DEPARTMENT, COLORADO TERRITORY, as only Denver, February 8th, 1866.

In section one strike out all after the word "point," in the Hon. E. N. Stearns, Speaker of the House of Representatives: SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, certified to have originated in that Body: ame and to not notices

An act to amend an act entitled An act to Incorporate St. John's Church in the Wilderness, approved Nov. 6th, 1861.

An act to Incorporate Union Lodge No. 1, of the Independent Order of Odd Fellows of Denver to odd gools" outlined States to

appoint a citizen of this Territory as Chief Justice. An act to amend an act entitled An act concerning Lode

Claims, approved Nov. 7th, 1861. oottimore mort, Hall .IM.

An act to repeal An act granting the exclusive right to Joseph M. Jaynes and Joseph V. Garcia to maintain a Ferry across the Rio Grande, at Paso-del-Puerto, approved Nov. 6th, No. 4, have had the same under consideration, and respect 1881

noitebnammoo Very Respectfully, and of sland ames and proget

Your Obedient Servant, sq ton ob ti tadi

STORTION TO ALEXANDER CUMMINGS, Governor of Colorado Ter.

C. B. No. 59, an act to provide for a census of Colorado Ter-

Was read a third time, and

The question being on its final passage, no Y and the desired of the state of the s

8.

ate

bes

he

rd-

en,

nd

ta-

era

St

自治

id-

to

de

to

ry

h,

T.

On motion, Mr. Hall and Ball were excused for the evening. M. . sov A C. B. No. 17, an act to amend an act entitled An act to define County Boundaries and locate County Seats in Colorado Territory, approved Nov. 1st, 1861, apple of the system Was read a third time, and The question being on its final passage, well and The ayes and nays were: Ayes, Messrs. Bartells, Breath, Ehrhart, Graham, Norris and Speaker—6. Nays, Messrs. Bergen, Barela, Colvin, Dodge, Grimes, Gregory, Johnson, Locke, Martine and Mandragen-10. Excused, Fosher, Gardner and Nuckolls. Speaker in the chair. So the bill was lost. C. B. No. 37-was taken up, and On motion, Was referred to a Special committee, consisting of Messrs. Fosher, Grimes and Bartells, with instructions to report at 12 o'clock to-morrow. C. B. No. 22, An act relating to the Drainage of Mines, Was read a third time, and referred to Special committee, consisting of Messrs. Dodge, Norris and Nuckolls. 10001 of event passage with the following amendment C. B. No. 54, An act to incorporate the Rocky Mountain Pioneer Friction Engine and Endless Chain Railway Company, Was read a third time, and I sidt to have you at bonimes The question being on its final passage, 19bour betutite it 10 The ayes and nays were: Plus to shoomsibal dous Ha and Ayes, Messrs. Bergen, Breath, Colvin, Dodge, Fosher, Gardner, Graham, Grimes, Johnson, Locke, Nuckolls and Speaker 12. Nays, Messrs. Bartells, Barela, Ehrhart, Gregory, Martine, Report adopted. Mandragen and Norris-7. So the bill passed and title agreed to many vd , nivlo . M H. J. M. No. 5, H. B. No. 84, An act to submit the Herd Law of Weld County to a vote of cerning the Pacific Railway the people, Was read a third time and passed unanimously. H. B. No. 81, An act amendatory to an act entitled An act concerning Lost Goods and Estrays, Was read a third time and passed unanimously. zelor od? H. J. M. No. D, H. B. No. 52, An act concerning the Territorial Library, one best as W Was read a third time, and : erew eyen bas seys off The question being on its final passage, Tell arrend sov A

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Barela, Colvin, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Johnson, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker-18.

Nays, Mr. Dodge. 1881 dat vol bevorgen grotime!

On motion,
The House adjourned until 10 o'clock to-morrow. On motion,

### FRIDAY, FEBRUARY 9th, 1866.

Ayes, Messra Bartells, Proath, Whrhart, Graham, Norris and

House met pursuant to adjournment. To nedecol heausell

Speaker in the chair.

Prayer by the Chaplain.

Drawer is the Chaplain.

On motion,
The reading of the Journal was dispensed with.

Special committee submitted the following report:

Mr. Speaker: The Special committee to whom was referred C. B. No. 38, an act relating to Criminal Jurisprudence, beg leave to report the same back to the House, and recommend its passage with the following amendments, by adding to section 227: Provided, That nothing in this section shall be so construed as to effect any indictment or suit now pending and undetermined in any court of this Territory, and which was found or instituted under the provisions of the act hereby repealed; but all such indictments or suits shall be prosecuted to final judgment under the provisions of the act hereby repealed.

H. J. GRAHAM. GEO. H. NORRIS.

Committee.

Report adopted.

Mr. Colvin, by permission, introduced

H. J. M. No. 5,

A Joint Memorial to the Congress of the United States concerning the Pacific Railway.

Mr. Henry, by permission, introduced by bridge been self

H. J. R. No. 7,

A resolution in regard to the printing of the laws.

On motion,

The rules were suspended, and how omit bride a been saW

H. J. M. No. 5,

Was read second and third time and put on its final passage.

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Bartells, Barela, Colvin,

7 9.

in,

on,

18.

ed

eg

ts

111 n-

ed

al

Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Nuckolls and Riddlebarger—22.

Nays, Messrs. Norris and Speaker-2.

So the Memorial passed and title agreed to.

On motion,

The rules were suspended, and the man of the man or C.B. No. 38, to the act the under the act of guitanexe rol

An act concerning Criminal Jurisprudence,

Was read a third time by its title.
The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Ehrhart, Gardner, Graham, Gregory, Hall, Keys, Mandragen, Norris and Speaker—13.

Nays, Messrs. Barela, Colvin, Dodge, Grimes, Henry, Locke,

Martine, Nuckolls and Riddlebarger 9. So the bill passed and title agreed to.

On motion, swamping of the state of the stat

The rules were suspended, and risdo odd ni radsoq2

H. J. R. No. 7,

A resolution relative to the Printing of the Laws,

Was put on its final passage. The ayes and nays were:

Ayes, Messrs. Ball, Barela, Colvin, Ehrhart, Gardner, Graham, Grimes, Hall, Henry, Johnson, Locke, Martine, Mandragen, Nuckolls and Riddlebarger-15.

Nays, Messrs. Bergen, Breath, Gregory, Keys and Norris-5.

Speaker excused.

So the resolution was adopted.

On motion,

The rules were suspended, and The General File taken up.

H. B. No. 82,

An act to incorporate the Bear River Wagon Road and Ferry Company, Was read a third time, and silding of passingding son and

The question being on its final passage, daining out at your

The ayes and nays were:

Ayes, Messrs. Bergen, Barela, Dodge, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker 19 Speaker—19.

Nays, Messrs. Bartells, Breath, Ball, Colvin and Ehrhart-5.

So the bill passed and title agreed to.

C. B. No. 50, XOO . D MILES

An act creating a lien in favor of Mechanics, in certain cases, Was read the third time and passed unanimously.

Dodge, Ehrhart, Kosher, Gardner, Graham, Gri08.oN. H. W. An act to incorporate the Platte Canon and South Park Wagon Road Company, Was read a third time, and sould has since A street sould

Passed unanimously and title agreed to a lairously edd of

C. B. No. 45,

An act to amend An act prescribing rules and regulations for executing the trust arising under the act of Congress in regard to Town Lots on United States Land, approved March 11th, 1864.

Was read a third time, and

Passed unanimously and storal appeal steady soy A On motion, and storal storal appeal steady and The House adjourned until 3 o'clock, p. m.

### AFTERNOON SESSION. A MOTOR NO. OR MANAGEMENT MANAGEMENT

House met at 3 o'clock, pursuant to adjournment. Speaker in the chair. Message from the Council.

## COUNCIL CHAMBER, February 8th, 1866.

To the Honorable the Speaker of the House of Representatives :

Sir: Lam directed to inform the House that the Council has passed

H. J. M. No. 4,

A Joint Memorial to the Congress of the United States, for the admission of Colorado, with amendments as thereto attached. H. B. No. 72,

An act to incorporate the St. Vrains, Left-Hand, and Columbia Hill Ditch Company, without amendment. or to a A

C. B. No. 61.

An act authorizing the publication of the laws of the Territory, in the Spanish language. and sti no guied noite up of T

C. B. No. 58,

An act to incorporate the National Exploring and Mining Company of Colorado, Table Hall Viogoti Semiro mad

A resolution to print 500 copies of the Governor's Message. They are herewith transmitted, all allowed line and every Respectfully, all bas horses lid out of

CHARLES G. COX, on .O.A. E. sees and to ni somedood to rovel a Secretary of the Council. Park

ry 9.

tions

nre-

Ulth,

out to oghet out Council Chamber, February 9th, 1866. To the Honorable the Speaker of the House of Representatives:

Sir: I am directed to inform your Honorable Body, that the Council has refused to concur in House amendments to Council Substitute for

H.B. No. 28, o graderoed

And appointed a committee of Conference.
And has passed additional strain harmony and appointed a committee of Conference.

H. B. No. 73,

An act to incorporate the Prospecting, Mining, and Exchange Company of Colorado, amended in section 3, and amendments thereto attached.

It is herewith transmitted.

Respectfully, CHARLES G. COX, it omos works

Secretary of the Council.

Special committee of Conference on

of dead erest of troops blow one, not stopped on the country of th

To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has receded from its amendments to

H. B. No. 22, An act to reduce the law incorporating the city of Denver, etc., and to amend the same by striking out section 5.

And has passed House Substitute to bus smit brids a base as W

C. B. No. 49, An act to apportion the Territory of Colorado into Council and Representative districts, amended, and the amendments attached thereto. tached thereto. They are herewith transmitted we also to the biest non most xst

Very Respectfully, noiterebiseoo rot qu next asy CHARLES G. COX, om Had .TM CHARLES G. COA,
Secretary of the Council.

COUNCIL CHAMBER, February 9th, 1866.

To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has passed the following bills: H. B. No. 78,

C. B. No. 62,
An act to amend an act entitled, An act to provide for the collection of the Revenue, approved Nov. 7th, 1861. C. B. No. 63,

An act to provide for holding a term of the Supreme Court

has

for led. ım-

ri-

ng

ge.

of Colorado Territory-to assign districts to the Judge of the Territory.

And has concurred in House amendments to

C. B. No. 50,

An act creating a lien in favor of Mechanics in certain cases. Very Respectfully,

CHARLES G. COX, To Sparing and

Secretary of the Council.

Speaker appointed Messrs. Norris, Nuckolls and Hall as a Special committee of Conference on

An act to incorporate the Prospecting, Mining 82nd Kxonalleo

On motion,
The House went into committee of the Whole, for the consideration of

C. B. No. 63.

Respectfully. After some time spent therein, the committee arose and submitted the following report:

Mr. Speaker: The committee of the Whole have had C. B. No. 63 under consideration, and would report the same back to the House with the recommendation that it do pass. edt tadt vhod eldstonell moy C. NUCKOLLS, Chairman.

On motion.

The Enrolling Clerk was instructed to employ as many Clerks as he deemed necessary to complete the business. Was read a third time, and attricted as no H bearing and back

C. B. No. 63,

Being on its final passage, it was passed unanimously.

H. B. No. 75,

An act amendatory of an act providing for the collection of tax from non-resident stock owners, approved March 11th, 1864, was taken up for consideration.

Mr. Ball moved,

That it be indefinitely postponed.

Motion lost.

Mr. Johnson moved,

That it be laid on the table.

To the Honorable the Speaker of the House of Representation no

On motion,
Council amendments to all a privoled edit besseq and from O

H. B. No. 73,

Were concurred in.

Special committee to whom was referred

C. B. No. 57,

Submitted the following: a gaibled rol obivorq of the al-

he

9.

es.

a

011-

ib-

to

B.

ny

of 64, Mr. Speaker: Your Special committee, to whom was referred C. B. No. 57, have had the same under consideration, and recommend the following substitute for section 1st: "Strike out section 6th, and insert the following sections, respectively, 6th, 7th, 8th; also change section 7th of said bill, to section 9th. With the above amendments, your committee recommend that the bill do pass. Wagon Road Company. Very Respectfully,

Respectfully submitted.

theyred theibe JOHN FOSHER, Chairman.

ALEXANDER CUMMINGS, Report received and adopted,

And bill ordered on third reading and final passage.

The ayes and nays were: Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Keys, Locke and Mandragen-18.

Nays, Messrs. Johnson, Martine, Norris, Nuckolls, Riddlebar-

House met at 7 o'eloek, p. m., pursuant to artsaked and Speaker in the chair. of begreat and title agreed to.

Mr. Barela moved, That the rules be suspended, and House Substitute to

C. B. No. 49 Be taken up and considered.

Mr. Bartells moved, passage land sti no guisd noise question of That the motion be laid on the table we syan bus sove of T

Ayes, Messrs, Bergen, Breath, Ball, Colvin, Dottol noitoMrt. The question now being on the suspension of the rules,

dlebarger and Speaker-1 Motion lost. Mr. Bartells moved that the rules be suspended, and

C. B. No. 62 be taken upon slitt has bessed say Ilid off o? Motion lost.

Mr. Colvin moved that the rules be suspended, and grand

Call of the House ordered, and had. Motion lost.

There were absent, Messrs. Martine and Syom mosch TM That the bar be closed, and members not allowed to go out-

aide of the barro all announced all prash or time returned and announced all prash or Call of the House ordered and had.

Absent, Mr. Keys oraw lles odt rebuu senibeeoorg redern'T

Sergeant-at-Arms sent after Mr. Keysom regradelbhist all Message from the Governor of hotourism ed drell ad t tall'

certified copy of EXECUTIVE DEPARTMENT, Colorado Territory, (7) Denver, February 9th, 1866.

Mr. Graham moved, Hon E. N. Stearns, Speaker of the House of Representatives: Sin: I have the honor to inform the House of Representa-

tives that I have approved and signed the following bills, certified to have originated in that body t bad eved . To .o. H.O. An act to amend An act concerning Ejectments of business An act to incorporate the Fremont Ditch and Irrigating Comth, 8th; also change section 7th of said bill, to section vine An act to incorporate the Frankstown and Giles Station the bill do pass. Wagon Road Company. Very Respectfully, bestimdes yllishedges I ALEXANDER CUMMINGS, betgo Governor Colorado Ter. And bill ordered on third reading and final passage. The aves and nays were: On motion, The House adjourned until 7 o'clock, p. m. 1. 81889M, 89VA Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Keys, Lonoiseas brinavan-18. Nays, Mesers, Johnson, Martine, Norris, Nucleolls, Rid lleber-House met at 7 o'clock, p. m., pursuant to adjournment is 198 Speaker in the chair. of beergs of the besseq flid ed to 2 Mr. Barela moved, Mr. Ball moved, That the rules be suspended, and C. B. No. 58 be put on its O. B. No. 49 final passage. Be taken up and considered, Carried. Mr. Bartells moved, agesage, beyon self-street The ayes and nays were lat and no bial od noitom and that That the motion be laid on the ayes and nays were lat the laid of th Ayes, Messrs. Bergen, Breath, Ball, Colvin, Dodge, Ehrhart, Fosher, Graham, Grimes, Henry, Johnson, Keys, Norris, Rid-Motion lost. dlebarger and Speaker—15. Mr. Bartells moved that the rules be suspended snon, So the bill was passed and title agreed to the de So. N. St. D. Motion lost. On motion, Mr. Colvin moved that the rules be suspend, 6, bayen Motion lost. Call of the House ordered, and had. There were absent, Messrs. Martine and Bartells and J. TM. Sergeant at Arms despatched after absentees, and edit ten'l In a short time returned and announced all present. It to abis Call of the House ordered and had. On motion, Further proceedings under the call were dispensed with Mr. Riddlebarger moved, A. T. Kater Mr. Riddlebarger moved, A. T. M. Sergeant at Arms sent after Mr. That the Clerk be instructed to procure from the Council a EXECUTIVE DEPARTMENT, Colorado T.91.00.

Denver, February 3sol noitoM

Mr. Graham moved,

That the rules be suspended, and C. B. No. 62 be taken up. Sin: I have the honor to inform the House often Motion lost.

cer-

TOO

om-7th

ion ods

r

oa

SH

F

its

art, id-

bis

OB

On motion, Mr. Nuckells moved The Journal of vesterday was read and approved, Mr. Ball, from committee on Enrollment, submitted the following report:

bo Mr. Speaker; Your committee on Enrolled Bills, have presented to His Excellency the following correctly enrolled bill, for his approval, to-wit:

H. B. No. 73, An act to incorporate the Prospecting, Mining, "Respectfully submitted abortai madari) .Th noise image val DAVID J. BALL, Chairmanois

Resolved, By the House of Representatives of moitom aory The House took a recess of 20 minutes of that obsolo fo cellency, Alexander Cummings, Governor of the Territory, adlime of recess having expired his bas yestruos arolina edt Legislative Assembly, and for risk ad the emures respective of the That the Clerk be instructed to procure a certified copy of Resolved further, That the Scereck, of A. Droft stutisdual Carried. Excellency with a copy of this resolution. And Clerk sent a message to the Council to that effect. On motion, of The rules were suspended, and oitulosor of to voos a bul Was taken up and Council amendments were concurred in. The House took a recess until 10 o'clock.' noitom no

H. J. M. No. 4, was taken up. Call of the House ordered and had guivan asser to smiT There were absent, none. riade of benurser restages of

Mr. Ball, from committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills have fur Mon Speaker ( Your committee) on Enrolled Bills, have presented to His Excellency, the Governor, the following correctly enrolled bill, for his approval, to-wit: A. H. bra 48.04. A. H.

H. B. No. 72, An act to incorporate the St. Vrains, Left-Hand and Columbia Hill Ditch Company.

Respectfully submitted.

To see The Tollowing resolution of the following resolutio

Question now being on the suspension of the rules for the Passage of H. J. M. No. 4, in there be a committee of M. J. M. No. 4, in a space of the latter of the state o A Joint Memorial to the Congress of the United States, in regard to the admission of Colorado as a State, is world of fajw The motion was lost. adjourn, sine die. Mr. Nuckolls moved,

That the Clerk proceed to the Council, and procure a certified copy of House Substitute for C. B. No. 49 nort Ilsd .TM : troper guive! Motion lost.

Mr. Colvin moved,

That a committee of three be appointed to procure a certified copy of C.B. No.4900 guiwollor the following copy of C.B. No.4900 guiwollor the following for his approval, to-wit:

Carried.

And Speaker appointed as such committee, Messrs. Grimes, and Exchange Company, of Colorado. Barela and Johnson.

By permission, Mr. Graham introduced the following resolu-

Resolved, By the House of Representatives of the Territory of Colorado, that the thanks of this Body be tendered His By cellency, Alexander Cummings, Governor of the Territory, the the uniform courtesy and kindly bearing on his part toward the Legislative Assembly, and for the earnestness with which he has labored for the welfare of our young community, in the wise suggestions as to needed legislation. Tod stroll off tail

Resolved further, That the Secretary of the House furnish Is

Excellency with a copy of this resolution. And Clerk sent a message to the Council to that effect

And a copy of the resolution was sent to His Excellency, the overnor. Was taken up and Council amendments were conoitom On Governor.

The House took a recess until 10 o'clock. H. J. M. No. 4, was taken up.

Time of recess having expired, berebro eswoH ent to Ila The Speaker resumed the chair. . snon , the absent start Report of Enrolling Committee: estimmes mort lied . M

: troper gainel Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to wit : you leave to be better H. B. No. 84, and H. B. No. 77, Isverggs and rot Hid bellowe

R. B. No. 72, An act to incorporate bettimduz will and St. No. 72, An act to incorporate bettimduz will be a constant of the control of the c

. Jasqaro D. J. BALL, i Chairman. Respectfully submitted

On motion,

By permission, Mr. Graham introduced the following resolu-

Question now being on the suspension of the rules for the Resolved, That there be a committee of three appointed to inform the Council that the House has finished its labors, and wish to know at what hour it is the pleasure of the Council to The motion was lost. adjourn, sine die.

Resolved, That these resolutions be spread upon batqobA And Speaker appointed Messrs. Graham, Ehrhart and Breath as such committee. Adopted.

Mr Graham offered the following resolution:

Resolved, That there be a committee of two appointed to wait upon His Excellency, the Governor, and ask if he has any further communications to make to the Legislative Assembly, in view that the time draws near for adjournment, sine die.

Adopted.

And Speaker appointed as such committee, Messrs. Norris and Grimes.

H. J. M. No. 5, H. B. No. 52, H. B. No. 74,

Mr. Hall introduced the following resolution:

Resolved, That in the person of our Honorable Speaker, Dr. E. N. Stearns, we recognize the perfect embodiment of all those principles which elevate the mind and ennoble the character: and believing that his uniform kindness and affability has contributed largely to the harmony which has prevailed throughout the present session, we, the members of the Legislative Assembly of Colorado Territory, return to him our sincere thanks and heartfelt wishes for his future prosperity.

Unanimously adopted. Mr. Hall offered the following resolutions:

Resolved, That our worthy Chief Clerk, C. J. McDevitt, Esq., is entitled to the highest consideration for the very able manner In which he has discharged the arduous labors of his office.

Resolved, further, That to the Assistant Clerk, Joseph T. Boyd, our earnest thanks are hereby tendered, together with our esteem, individually and collectively.

Resolutions unanimously adopted.

The committee appointed to wait on the Council, relative to adjourning, reported that they had discharged the duties imposed upon them, and that the Council would adjourn at 12 o'clock, p. m.

Report received, and committee discharged timened cals I Mr. Hall offered the following resolutions: one M thiol. A

Resolved, That to our special artist and Sergeant-at-Arms, We give admiration for his talents, and esteem for his many good qualities. good qualities.

Resolved, further, That to our Fireman and Messenger we feel indebted for more than we have time at this late hour to enumerate.

Mahe 1 His

ry 9.

certi.

tified

sente

imes, bas

solu.

itory Ex-, for

the hibe

Mr

The H 10

Ca Th M preectly 9ta98

an. solu-

deto land iloto

Resolved, That these resolutions be spread upon the Journal And Speaker appointed Messrs, Graham, Ehrl. saugH sidt fo

as such committee. Adopted.

Mr Ball, from committee on Enrollment, submitted the fol-Resolved, That there be a committee of two appointed griwol

Mr. Speaker: Your committee on Enrolled Bills, have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to-wit:

H. J. M. No. 5, H. B. No. 52, H. B. No. 74.

Respectfully submitted. D. J. BALL, Chairman.

Messages from the Council.

each lie to member Council Chamber, February 9th, 1866.

To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has passed to snedmen of the message of

H.B. No. 77,
An act relating to appropriations for the fiscal year ending January 1st, A. D. 1867, amended by striking out sections 2 and 3. Unanimously adopted.

The bill is herewith transmitted.

CHARLES G. COX, Tello light .TM

peH, thiveGoM. L.O. Strell) loid yet Secretary of the Council.

The manner of the Council Chamber, February 9th, 1866.

To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform your Honorable Body that the Council has indefinitely postponed

H. B. No. 81,

An act amendatory to an act concerning Lost Goods and Es-

And has passed House Bills Nos. 52, 63, 74, 84, and H. J. M. No. 5.

I also transmit herewith, H. J. M. No. 4,

A Joint Memorial to the Congress of the United States, for the admission of Colorado.

Very Respectfully,
Your Obedient Servant, CHARLES G. COX,

lool ow regreered but asmeril The Secretary of the Council. indebted for more than we have time at this late hour to enu-

merate.

nal

y 9.

Fo1-

retIy

he

192

10

S-

ľ

-i-On motion, the House took a recess of half an hour of torial Library, and Cabinet, approved Nov. 6th, 1861.
Also, an act to amend arbaciqxargnivad sesses, of amin and The Speaker resumed the chair manager yay

Mr. Ball, from committee on Enrollment, submitted the fol-ALEXANDER CUMMINEgriwol

Mr. Speaker: Your committee on Enrolled Bills, have presented to His Excellency, the Governor, the following correctly

enrolled bills for his approval, to-wit:

H. B. No. 63, and also H. B. No. 22, an act to reduce the daw incorporating the City of Denver, and the several acts amendatory thereof, into one act, and to amend the same enexitie edit of Respectfully submitted and of believe vestures bus

Mr. Norris, from Special committee, submitted the following report:

Adopted. Mr. Speaker: Your Special Committee of Conference on H. B. No. 38, beg leave to report that we recommend that the House recede from its amendments, proposed by the House. . 1866. H. NORRIS, Chairman.

Hon. E. N. Steams, Speaker of the House of Rebaviager troops Message from the Governor to info round advert I said

tives that I have approved and signed the following bill: of bas and one of into one act and to

amend the same. Hon. E. N. Stearns, Speaker of the House of Representatives: SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, certified to have originated in that body:

An act to incorporate the St. Vrains, Left-Hand and Colum-

bia Hill Ditch Companyer eniwelled edt bettimdes Hell TM An act to incorporate the Prospecting, Mining, and Exchange

Company of Colorado from H of tot stand to not the legal voters of Weld county, an act entitled. An act for the protection of farmers against the depredations of stock, in the counties of Douglass and Weld, aptender to the Hon, W. H. Gale, our c. 4881, dtl, dark bayorq An act relating to Appropriations for the fiscal year ending Joint Memorial to the Congress of the United States.

An act to establish the County of Los Animos, and locate the cords, and a copy presented to the Hon. W. Hograd sairabnuod

An act to amend an act entitled, An act to establish a Territorial Library, and Cabinet, approved Nov. 6th, 1861.

Also, an act to amend an act to repeal the above act it of I

The Speaker resumed the chyllydo and best the dol. Mr. Ball, fron, travel trained or over the following travel trained the following travel tr

ALEXANDER CUMMINGS, imol Governor of Colorado Ter-

Mr. Henry submitted the following resolution sill of betree

Your committee on Enrolled Bills, have pre-

Resolved. By the House of Representatives of the Territory of Colorado, that the thanks of the House are hereby tendered to the citizens of Golden and Denver Cities, for their kindness and courtesy, extended to the members thereof, during the present session.

Resolved, further, That a copy of this resolution be spread upon the Journal of this House.

Adopted. Message from the Governor Coronvers B. No. 38, beg leave to report that we recommend that the

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, Denver, February 9th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives: SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bill:

An act to reduce the law incorporating the City of Denver, and the several acts amendatory thereof into one act and to amend the same.

Hon. E. N. Steeres, Speaker of Hully Respectfully, or speaketives:
-steerese M. Steerese Manual Your Obedient Servant,

itres allid gaiwollol odt beatexander cummings. Governor of Colorado Ter.

bis Hill Ditch Constitution and Exchange An act to incorporate the Prospecting, Mining, and Exchange

A resolution of thanks to the Honorable Wm. H. Gale, Associate Justice of the United States, for the Territory of Colorado. That in behalf of the people we represent, we, the members of the House of Representatives of Colorado Territory, hereby

An act to incorporate the St. Vrains, Left-Hand and Colum-

tender to the Hon. W. H. Gale, our cordial and unqualified approbation of his acts, performed during the brief term of his Judicial Administration, upon the Supreme Bench of this Territory. Setal belief of this Territory.

Resolved, 2nd. That this resolution be spread upon the re-

cords, and a copy presented to the Hon. W. H. Gale. 29118bano

1-

19

55

10

d

a-

T

0.

's y

is

Mr. Specker: Your committee on Envelled Bills, batqobAre-Mr. Henry submitted the following resolution! sill of betase Lis approval to-wit:

Resolved, That a vote of thanks be extended to Kellogg's Band for their kindness in furnishing music for our entertain-DAVID J. BALL, Chairman.

Mr Fosher submitted the following resolution:

Resolved, That the thanks of this House are hereby tendered to the Hon. Sam. H. Elbert, Secretary of this Territory, and Hon. E. M. Ashley, Assistant Secretary, for their uniform kindness and gentlemanly deportment to members of this House during the present session! of rond and signed the rollowing bill, certitives that I have approved and signed the following bill, certi-

whod toot ai beterieiro ovad ot beft Message from the Council of the of th

COUNCIL CHAMBER, February 9th, 1866.

ALEXANDER CUMMINGS. To the Honorable the Speaker of the House of Representatives: SIR: I am directed to inform the House that the Council has adopted C. J. R. No. 7, 7s estimated laised mort sirro N. M. It is herewith transmitted vollor old betimder, represent the

Very Respectfully,

All nogu fies of botale CHARLES G. COX, : who was a line Extremely and to the series if he desires to make any further communications to this House, beg leave to report that

Company of Colorado.

Message from the Governor. How H sill vd bemrolni ors volt no further communications to make to this House.

EXECUTIVE DEPARTMENT, Colorado Territory, orallow odt not schridt od so Denver, February 9th, 1866. At of the people, and he wishes them a prosperous journey to

Hon. E. N. Stearns, Speaker of the House of Representatives! riods

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following Joint Resolution, certified to have originated in that body and out tent

Joint Resolution authorizing the Governor to have all laws, etc., passed by the Legislative Assembly, for the year 1866, published Tilly and the second s

Your Obedient Servant,

· ALEXANDER CUMMINGS. Governor of Colorado Ter.

Report from committee on Enrolled Bills:

Adopted.

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following billy for his approval, to-wit:

H. B. No. 70, an act to incorporate the National Gold and Band for their leindness in furnishing. Respectfully submitted.

DAVID J. BALL, Chairman.

Message from the Governor, offer edt bettimdes redeo'T rM

berefred EXECUTIVE DEPARTMENT, Colorado Territory bas , roting T sint to yesteres Denver, February 9th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives; Day SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bill, certified to have originated in that body:

An act to incorporate the National Gold and Silver Mining

Company of Colorado.

. Dost Your Obedient Servant; Mozgo

ALEXANDER CUMMINGS.

sed lieuro O ent tade senoti est to Governor of Colorado Ter. T Mr. Norris, from Special committee appointed to, wait upon the Governor, submitted the following report: driwered at il

Mr. Speaker: Your committee, appointed to call upon His Excellency, the Governor, asking if he desires to make any further communications to this House, beg leave to report that they are informed by His Excellency, the Governor, that he has no further communications to make to this House.

He returns his congratulations to the House, for the manner they have performed their duties—as he thinks, for the welfare of the people, and he wishes them a prosperous journey to Hon. E. N. Slearns, Speaker of the House of Representament right

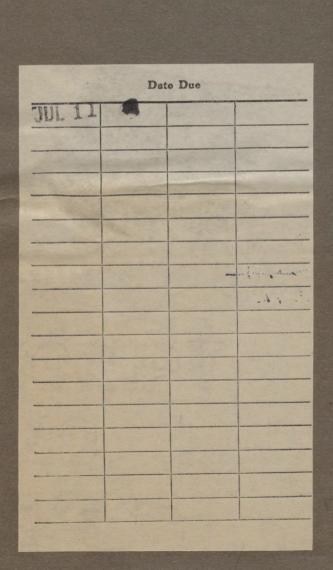
GEO. H. NORRIS, Chairman.

The Committee appointed to wait on the Council, reported that the Council had already adjourned yest of boffifred moistile On motion of Mr. Henry, and gaising the moitules of thick the House adjourned, sine die, vitalsiged, and vd besseq cote C. J. McDEVITT bedsilding

Governor of Colorado Ter.

the Chief Clerk of the House.

Report from committee on Enrolled Bills:



GOVERNMENT DOCUMENTS
LIMITED CIRCULATION

328.788 C710

188152



