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HOUSE JOURNAL  
OF THE  
LEGISLATIVE ASSEMBLY  
OF THE  
TERRITORY OF COLORADO.

---

EIGHTH SESSION.

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CONVENED AT DENVER, JANUARY 3RD, 1870.

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PUBLISHED BY AUTHORITY.

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HOUSE JOURNAL  
LEGISLATIVE ASSEMBLY

TERRITORY OF COLORADO

SEVENTH SESSION

PRINTED BY  
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# HOUSE JOURNAL

OF THE

## LEGISLATIVE ASSEMBLY OF COLORADO.

### EIGHTH SESSION.

MONDAY, JANUARY 3RD, 1870.

*Library*  
At the Eighth Session of the Legislative Assembly of Colorado Territory, the House of Representatives met at Denver, the seat of Government of said Territory, on Monday, the 3rd day of January, A. D. 1870, pursuant to law.

The House was called to order by Mr. C. H. McLaughlin, the Speaker of the House of Representatives of the Seventh Session, the Chief Clerk of the House of Representatives of the Seventh Session being absent.

On motion of Mr. Lynch, of Clear Creek County, A. D. Cooper was elected Chief Clerk *pro tem.*

On motion of Mr. Bearce, of Arapahoe County, Mr. Geo. W. Mann, of Summit County, was elected Speaker *pro tem.*

On motion, Messrs. Taylor, Bearce and Lea were elected a committee on credentials.

On motion, a recess of ten minutes was had.

On the re-assembling of the House the committee on credentials reported the following named gentlemen entitled to seats as members of the House of Representatives, at the Eighth Session of the Legislative Assembly of Colorado Territory, as follows:

137388



First District, Weld and Larimer Counties—Mathew L. Taylor.

Second District, Arapahoe and Douglass Counties—G. W. Miller, H. B. Bearce, C. C. Gird and S. H. Elbert.

Third District, Boulder County—J. H. Wells.

Fourth District, Jefferson County—A. H. DeFrance.

Fifth District, Boulder and Gilpin Counties—Thomas J. Graham.

Sixth District, Gilpin County—T. J. Campbell, H. E. Lyon, A. E. Lea and J. F. Topping.

Seventh District, Clear Creek County—John T. Lynch and D. B. Myers.

Eighth District, Summit County—Geo. W. Mann and A. D. Bevan.

Ninth District, Park County—C. M. Mullen and J. G. Randall.

Tenth District, Lake County—D. L. Vandiver and J. C. Hall.

Eleventh District, Conejos, Costilla and Saguache Counties—Manuel Lucero, Clement Trujillo and Wm. H. Meyer.

Twelfth District, Huerfano and Las Animas Counties—Filepe Baca.

Thirteenth District, Fremont County—Wm. Sheppard.

Fourteenth District, Pueblo and El Paso Counties—J. B. Rice.

On motion the report was received.

Mr. Elbert moved to adjourn until 10 a. m. to-morrow.

Lost.

Mr. Bearce called attention to the name of D. C. Vandiver, stating that he understood it should have been D. L. Vandiver, but as the certificate was in the first name, the House should order the change.

Mr. Campbell moved that the change be made.

Mr. Elbert objected, as it was the duty of the Secretary of the Territory to make the correction. The House had no evidence of any error in name.

Mr. Miller replied, saying that the House was the only judge of the qualification of its members.

The motion prevailed.

Mr. Lynch moved to adjourn until 9 a. m. to-morrow.

Lost.

Mr. Taylor moved to proceed to permanent organization.

The ayes and nays being called for by Mr. Elbert, the motion prevailed; ayes, 15; nays, 10.

Mr. Randall moved a call of the House, and being ruled out of order, he appealed to the House.



The Chairman was sustained by ayes, 14; nays, 11.

Mr. Taylor nominated Geo. W. Miller, of Arapahoe County, for Speaker.

Mr. Wells moved to adjourn, and the ayes and nays were called for.

Ayes, 11. Nays, 15.

Motion lost.

Mr. Wells nominated W. H. Meyer, of Conejos county, for Speaker.

Mr. Meyer arose and withdrew his name.

Mr. Randall moved to lay the motion to elect a Speaker on the table until 11 a. m. to-morrow.

Motion declared out of order.

Messrs. Taylor and Lynch were appointed tellers.

Mr. Elbert nominated John B. Rice, of Pueblo county, for Speaker.

Mr. Elbert moved that the first ballot be an informal one.

Lost.

Ayes, 11. Nays, 15.

Mr. Mullen moved to adjourn till 2 o'clock to-morrow.

Motion declared out of order.

An appeal was made and the chair sustained.

Ayes, 13. Nays, 12.

Mr. Elbert rose to a question of privilege. It was customary for Legislative bodies to take an oath of office before proceeding to business. He therefore moved that Gov. McCook, or some other person duly qualified, be invited to administer the oath of office.

The chair declared him out of order, and he appealed to the House.

The House sustained the chair.

Ayes, 15. Nays, 10.

Mr. Wells rose, stating that he voted in the affirmative, and moved a reconsideration, which was declared out of order by the chair.

Appealed.

The appeal was declared out of order.

A motion was made to adjourn, and declared out of order, and the balloting for Speaker commenced.

The first ballot resulted as follows:

Geo. W. Miller had 14 votes; John B. Rice 10; J. H. Wells

1. Geo. W. Miller was declared elected.

On motion of Mr. Elbert, Messrs. Lynch and Campbell were appointed to escort the Speaker elect to the chair.

Messrs. Elbert and Campbell were appointed a committee to wait on His Excellency the Governor, who duly administered the oath of office to the Speaker, and afterwards to the members.



Several nominations for Chief Clerk were made, and the first ballot resulted as follows:

Wm. M. Slaughter had 15 votes; W. J. Kram 6; J. F. Boyd 4; H. F. Miller 1.

Wm. M. Slaughter was declared duly elected.

For Assistant Clerk—A. M. Barnard had 15 votes; E. P. Kinney 5; J. A. Pierce 4; J. F. Boyd 1, and H. F. Miller 1.

A. M. Barnard was declared duly elected.

For Engrossing Clerk—Thos. A. McCrystal had 15 votes; E. J. Smith 9, and A. D. Cooper 2.

Thos. A. McCrystal was declared duly elected.

For Enrolling Clerk—J. D. McIntyre had 16 votes; John Shock 7, and R. Y. Fovre 3.

John D. McIntyre was declared duly elected.

For Sergeant-at-Arms—W. W. Remine had 16 votes; C. S. Hall 7; J. A. Connor 2, and G. W. Leas 1.

W. W. Remine was declared duly elected.

Masters H. F. Bearce and M. Arbuckle were elected Pages.

For Fireman—B. Montes had 14 votes; Thomas Smith 11, and Rev. Mr. Thomson 1.

B. Montes was declared duly elected.

Joseph Bosea was elected by acclamation as Interpreter.

Rev. G. S. Adams was elected Chaplain by acclamation.

The House then adjourned until 11 a. m. to-morrow.

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TUESDAY, JANUARY 4TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Topping and Hall.

Prayer by the Chaplain.

Journal of the preceding day read and approved.

Quorum present.

On motion of Mr. Bearce, the officers elect of the House were called, and the oath of office was administered to them by the Speaker.

On motion of Mr. Lynch, a committee of three was appointed to inform the Council that the House was organized and ready to proceed to business.

The Speaker announced Lynch, Bevan and Graham as said committee.

Mr. Campbell moved that the rules adopted for the government of the last House of Representatives, govern the proceedings of this House, until other rules are adopted.



Carried.

On motion of Mr. Taylor, a committee consisting of Taylor, Elbert and Lyon were appointed on rules.

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

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

SIR: I am instructed by the Council to inform the House of Representatives that the Council is fully organized, and ready to proceed to business.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Lea moved that the communication from the Council be received and entered on the Journal.

Carried.

Mr. DeFrance offered the following resolution :

*Resolved, That the Ex-Governors of the Territory, Delegates in Congress, Members of the Legislature, Supreme Judges and Members of the press be invited to seats within the bar of the House during the session.*

A message was received from the Council, informing the House that a committee had been appointed by the Council, to act in conjunction with a committee appointed on the part of the House, to wait upon His Excellency the Governor, and inform him that both Houses were fully organized and ready to meet in joint convention, to hear any communication His Excellency may wish to make.

On motion of Mr. Mullen, a committee of three was appointed to act in conjunction with the committee appointed by the Council, to wait upon His Excellency the Governor, and ascertain at what hour he would deliver his message.

Mullen, Elbert and Campbell were appointed said committee.

Mr. Mullen, from the committee appointed to wait on the Governor, reported that His Excellency the Governor would communicate his message to both Houses in joint convention, at 3 o'clock p. m.

On motion, the report of the committee was received, and committee discharged.

On motion, the resolution offered by Mr. DeFrance was adopted.

On motion of Mr. Wells, a committee of three was appointed on joint rules, consisting of Wells, DeFrance and Lea.



On motion of Mr. Campbell, the House adjourned until 3 o'clock p. m.

## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

On motion of Mr. Bearce, a committee of three, consisting of Bearce, Graham and Gird, was appointed to inform the Council that the House was in session and ready to meet the Council in joint convention, to hear the message of His Excellency the Governor.

The committee returned and the Sergeant-at-Arms announced the presence of the Council. They were admitted to seats upon the floor of the House.

The President of the Council took the chair, and called the joint convention to order.

On motion, a special committee of three, to wait upon and escort the Governor to the House, was appointed.

The President appointed on said committee, Hahn, Elbert and Campbell.

The committee returned with His Excellency Gov. McCook, who was conducted to the President's chair, and delivered to the Joint Assembly his message.

After hearing the message, Mr. Loveland moved that the convention do not dissolve.

Motion carried.

The Speaker resumed the chair and called the House to order.

Mr. Taylor moved to adjourn to ten o'clock to-morrow. Mr. Mullen moved to amend by saying eleven o'clock to-morrow.

The vote was taken on the amendment and declared lost, by the Speaker.

A division was called for.

Amendment lost.

The vote was then taken on the original motion to adjourn to ten o'clock a. m., to-morrow. Carried.

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WEDNESDAY, JANUARY 5TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.



Absent—Mr. Campbell.

Journal of preceding day read and approved.

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

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

SIR: I have the honor to inform your Honorable Body that the Council has passed a joint resolution, relative to purchase of matting for the floors of the House and Council Chambers, and respectfully ask the concurrence of the House. The same is herewith transmitted.

Respectfully,

A. O. PATTERSON,  
Clerk of Council.

Committee on Rules submitted the following report:

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

Your committee appointed to prepare rules for the government of the House have performed that duty, and beg leave to submit the following report:

M. S. TAYLOR,  
HENRY E. LYON,  
SAM. H. ELBERT.

Mr. Mann moved the report be received and adopted.

Mr. Lynch moved to amend by taking up the report of the committee and considering it by sections.

Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Jan. 5th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that the Council has passed a joint resolution to appoint a committee of three, to confer with a like committee on the part of the House in relation to printing the Governor's message and Auditor's and Treasurer's reports, and would respectfully ask the concurrence of your Honorable Body, a copy of which is herewith transmitted.

Respectfully,

A. O. PATTERSON,  
Secretary of Council.



Mr. Mann moved as a substitute for motion of Mr. Lynch, that the report of the committee on Rules be ordered printed.

Mr. DeFrance moved that the whole matter be postponed until two o'clock p. m., to-morrow.

Motion lost.

The vote was then taken on the substitute offered by Mr. Mann, which being decided in the affirmative, the substitute was declared adopted.

A message from the Secretary of the Territory was presented by the Speaker, and read as follows:

TERRITORY OF COLORADO, SECRETARY'S OFFICE, }  
Denver, January 4th, 1870. }

HON. GEO. W. MILLER, Speaker of the House of Representatives:

SIR: I have the honor to invite your attention to the subjoined instructions from the Treasury Department of the United States, in relation to the public printing, now on file in my office. Extract: "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. You will therefore suggest to the presiding officers 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."

Messrs. Byers & Daily, of the *Rocky Mountain News*, have been appointed by me to do the printing of your House during the present session, and will execute all work which your committee on Printing (with due regard to the foregoing instructions), may order. Reports of Territorial officers, together with the daily journal, will be sent to this office.

I am also authorized by the department to furnish each member of the Legislature with one newspaper during the session. The members of your House will please hand their names to the Chief Clerk, with the name of the newspaper for which they desire to subscribe. All postage of members will also be paid by the United States.

Letters and papers should be franked and placed in the hands of the Sergeant-at-Arms, who will see them properly stamped and mailed.

Very respectfully, your obedient servant,  
FRANK HALL,  
Secretary of Colorado.



On motion of Mr. Elbert, the communication was ordered to be entered on the journal.

C. J. Resolution No. 1 was read, and on motion of Mr. Elbert, was laid on the table.

On motion of Mr. Elbert, a committee of three was appointed to wait on the Secretary of the Territory, and request him to have matting placed upon the floor of the House, to deaden the sound of noise in the hall.

Messrs. Elbert, Wells and Meyer were appointed said committee.

The House concurred in Council Joint Resolution No. 2, and upon motion of Mr. Taylor, Messrs. Taylor, Bearce and Campbell were appointed a committee to act with the committee appointed by the Council, relating to the printing of the Governor's message.

Mr. Lea offered the following resolution:

*Resolved*, That the Clerk of the House be instructed to furnish each member of this House, in addition to the paper now allowed by the Government of the United States, one copy of any of the daily papers of the Territory.

Mr Taylor moved to amend by saying "daily or weekly," instead of daily.

Mr. Mann moved to lay the resolution and amendment on the table.

Motion carried.

Mr. Taylor moved to adjourn to 2 o'clock p. m.

Mr. Elbert moved to amend by adjourning to Friday.

Amendment lost.

The vote was then taken on the original motion of Mr. Taylor.

Motion carried.

House adjourned to 2 o'clock p. m.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Elbert.

The committee on Joint Rules and Regulations reported the rules adopted at the last session of the General Assembly, as the joint rules of this session.

On motion of Mr. Taylor, the report of the committee was adopted.



Mr. Hall moved that the thanks of this House be tendered to Mr. C. H. McLaughlin, as Speaker *pro tem*, and to Mr. A. D. Cooper, Chief Clerk, *pro tem*, for their services during the temporary organization of the House.

Motion carried.

Mr. Taylor gave notice that on to-morrow, or some future day, he would introduce a bill, to be entitled "An act to amend the eighty-eighth chapter of an act, entitled An act for revising and consolidating the general Statutes of the Territory of Colorado."

Mr. Taylor offered House Joint Resolution No. 1, which was read.

Mr. Mann moved to lay the resolution on the table.

Ayes and nays called for.

Ayes—Bevan, Baca, Elbert, Gird, Hall, Lynch, Myers, Mann, Mullen, Randall, Shepperd and Topping—12.

Nays—Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Meyer, Rice, Taylor, Trujillo, Vandiver, Wells and Bearce—13.

Motion lost.

Mr. Lea gave notice that on to-morrow or some future day, he would introduce a bill to extend the elective franchise to the women of Colorado Territory.

Mr. Wells moved the following amendment to House Joint Resolution No. 1, as follows: That the resolution be amended so as to read that the Secretary of the Council and Clerk of the House, be instructed to furnish to each member of their Houses respectively, two daily papers other than the one provided by the United States; to be selected by the members individually.

The vote was taken on the amendment.

Motion lost.

Resolution laid over under the rule.

Mr. Bearce gave notice that on to-morrow or some future day, he would introduce a bill to promote Agriculture by Artesian Irrigation.

On motion of Mr. Bearce, House adjourned until 11 o'clock a. m., to-morrow.

Approved.

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THURSDAY, JANUARY 6TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Mr. Graham moved that on account of the noise made by putting carpet in the hall, the House adjourn until three o'clock p. m.

Motion carried.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Bevan.

Journal of preceding day read and approved.

Committee on Printing, through their chairman, Mr. Taylor, submitted the following report:

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

The committee on Printing, appointed to act with a like committee on the part of the Council, would respectfully report that they have conferred with the committee on the part of the Council, and have agreed upon the following Joint Resolution, and respectfully recommend its adoption.

Respectfully submitted,

M. S. TAYLOR,

T. J. CAMPBELL,

H. B. BEARCE.

The resolution submitted by the committee was read a first time, and on motion of Mr. Elbert, the rules were suspended and the resolution read a second and third times and put upon its passage.

Ayes and nays demanded.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyons, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—Randall—1.

So the resolution passed.

Mr. Meyer gave notice that on to-morrow or some future day, he would introduce a bill for the repeal of an act concerning the County Commissioners of Costilla and Conejos counties.

Mr. Lucero gave notice that on to-morrow or some future day, he would introduce a bill for An act to prevent the introduction of stock for the purpose of grazing in the county of Conejos.

Mr. Mullen gave notice that on to-morrow or some future day, he would introduce a bill for an act entitled An act to



amend an act, entitled An act concerning mines and minerals, approved February 9th, 1866, chapter 62 of the Revised Statutes of Colorado Territory.

Mr. Graham gave notice that on to-morrow or some future day, he would introduce a bill for an act entitled An act to amend an act, entitled An act to establish the University of Colorado, approved November 7th, 1861.

Mr. DeFrance gave notice that on to-morrow or some future day, he would introduce a bill for An act to amend the 28th chapter of the Revised Statutes of the Territory of Colorado, concerning elections and the registry of votes. Also, notice of a bill for An act to amend the 18th chapter of an act, entitled An act for revising and consolidating the general Statutes of the Territory of Colorado, approved January 10th, 1868.

Mr. Bevan gave notice that on to-morrow or some future day, he would introduce a Joint Resolution, tendering the thanks of the Legislative Assembly of Colorado Territory to General Carr, for his eminent services in the late Indian campaign.

Mr. Taylor moved the rules be suspended, and House Joint Resolution No. 1 be taken up and read a second and third times and passed.

Motion to suspend the rules lost.

The resolution was then read a second time.

Mr. Taylor introduced House Bill No. 1, which was read a first time.

The Speaker announced the following standing committees:

*Agriculture and Manufactures*—Messrs. Bearce, Rice, Lucero, Topping and Graham.

*Territorial Affairs*—Messrs. Elbert, DeFrance, Mann, Taylor and Baca.

*Education*—Messrs. Graham, Baca, Bevan, Elbert, Myers.

*Federal Relations*—Messrs. DeFrance, Wells, Campbell, Lynch and Vandiver.

*Printing*—Messrs. Campbell, Randall, Bearce, Hall and Taylor.

*Rules and Joint Rules*—Messrs. Lynch, Mann, Lea, Lyons and Randall.

*Military Affairs*—Messrs. Mann, Mullen, Trujillo, Myers and Lyons.

*Roads and Bridges*—Messrs. Bevan, Hall, Meyers, Topping and Gird.

*Indian Affairs*—Messrs. Mullen, Graham, Rice, Lea and Shepperd.

*Ways and Means*—Messrs. Campbell, Wells, Lucero, Gird and DeFrance.



*Judiciary*—Messrs. Taylor, Elbert, DeFrance, Wells and Mullen.

*Elections and Apportionment*—Messrs. Bevan, Trujillo, Myers, Taylor and Elbert.

*Counties and County Lines*—Messrs. Meyer, Wells, Baca, Gird and Mann.

*Corporations*—Messrs. Wells, Campbell, Bearce, Vandiver and Lea.

*Mines and Minerals*—Messrs. Vandiver, Lynch, Randall, Lyons and Bevan.

*Territorial Prisons*—Messrs. Rice, Lucero, Graham, Shepperd and Bearce.

*Library*—Messrs. Lyons, Lynch, Trujillo, Vandiver, and Topping.

*Engrossment*—Messrs. Hall, DeFrance and Meyer.

*Enrollment*—Messrs. Lynch, Campbell and Topping.

Mr. Wells moved the House adjourn to Saturday morning, at ten o'clock.

Motion lost.

Mr. DeFrance moved to adjourn to to-morrow morning, at ten o'clock.

Carried.

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FRIDAY, JANUARY 7TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Minutes of preceding day read and approved.

On motion of Mr. Graham, a committee of three were appointed to procure printed copies of the rules of the House.

Messrs. Graham, Shepperd and Meyer were appointed said committee.

Mr. Mann gave notice that on to-morrow or some future day, he would introduce a Joint Memorial, asking the President of the United States for the establishment of a military post, at or near the confluence of the Blue and Grand Rivers, in Summit county, in Colorado Territory.

Mr. Bearce gave notice that on to-morrow or some future day, he would introduce a bill for An act to preserve game in the Territory of Colorado.

Mr. Hall gave notice that on to-morrow or some future day, he would introduce a bill for the repeal of certain sections of



chapter 80 of the Revised Statutes, which relate to the importation of Texas cattle into the Territory of Colorado.

Mr. Lynch gave notice that on to-morrow or some future day, he would introduce a bill for An act to amend an act, entitled An act to establish a Territorial Assay Office in the Territory of Colorado, approved January 10th, 1868.

Mr. Topping gave notice that on to-morrow or some future day, he would introduce a bill for An act to amend the 54th chapter of the Revised Statutes, concerning liens.

Mr. Campbell gave notice that on to-morrow or some future day, he would introduce a bill for the removal of the capital from Denver to Golden City.

Mr. Lyon gave notice that on to-morrow or some future day, he would introduce a bill authorizing the Territorial Government of Colorado to settle with and pay a certain military company (known as Tyler's Rangers), for services rendered in defense of the Territory against hostile Indians.

Mr. Bearce introduced the following resolution :

*Resolved*, That the Sergeant-at-Arms be instructed to change the Speaker's desk to the west side of the hall, and open up the entrance on F street for the use of members, and that the change be made when the House adjourns.

Mr. Taylor moved that the resolution be taken up and acted upon.

Carried.

Mr. Bearce moved the adoption of the resolution.

Ayes and nays demanded.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Lea, Lyons, Lynch, Lucero, Mann, Mullen, Rice, Taylor, Topping, Trujillo, Vandiver and Wells—17.

Nays—Elbert, Gird, Hall, Myers and Randall—5.

So the resolution was adopted.

Mr. Graham, chairman of special committee on procuring printed copies of rules, reported as follows:

Your committee, to whom was referred the matter of procuring printed copies of the rules for the use of members, pending their adoption, would respectfully submit that they have performed the duty assigned them, and would report that Byers & Dailey assure your committee that they will place in the hands of the Clerk, printed copies of the Rules for the use of all the members and clerks, prior to the assembling of the House in the afternoon.



Mr. DeFrance moved the report be received and the committee discharged.

Carried.

H. B. No. 2 was introduced and read the first time.

Mr. Shepperd gave notice that on to-morrow, or some future day, he would introduce a bill to amend chapter 7 of the Revised Statutes of Colorado.

H. B. No. 1 was read the second time.

H. J. R. No. 1 was read the third time.

Mr. Wells moved that H. J. R. No. 1 be put upon its passage.

Ayes and nays demanded.

Ayes—Bearce, Bevan, Campbell, DeFrance, Gird, Graham, Lyons, Lucero, Meyer, Randall, Rice, Taylor, Trujillo, Vandiver and Wells—15.

Nays—Baca, Elbert, Hall, Lea, Lynch, Myers, Mann, Mullen, Shepperd and Topping—10.

Those voting for the passage of the resolution were,

Ayes—Bevan—1.

Nays—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyons, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver and Wells—24.

So the resolution was lost.

Mr. Taylor introduced H. J. R. No. 3, which was read the first time, and on motion of Mr. Bearce, the rules were suspended, and H. J. R. No. 3 was read the second and third times, and put upon its passage. Those voting for the resolution were,

Ayes—Bevan, Bearce, Baca, DeFrance, Graham, Lea, Lucero, Mann, Meyer, Rice, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—15.

Nays—Campbell, Elbert, Gird, Hall, Lyons, Lynch, Myers, Mullen, Randall, Shepperd and Topping—11.

So the resolution passed.

Mr. Graham introduced the following resolution :

*Resolved*, That the Sergeant-at-Arms be authorized to employ an assistant Sergeant-at-Arms, and an assistant Fireman if necessary.

Mr. Lynch moved to lay the resolution on the table.

Ayes and nays demanded.

Ayes—Elbert, Gird, Hall, Lynch, Myers, Mullen, Randall, Rice, Shepperd, Topping and Wells—11.

Nays—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Lea, Lyons, Lucero, Mann, Meyers, Taylor, Trujillo, Vandiver and Mr. Speaker—15.

So the motion to lay on the table was lost.

Mr. Lynch moved to refer the resolution to the committee on Ways and Means.

Lost.

Ayes and nays demanded on the passage of the resolution.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Lea, Lyons, Lucero, Mann, Meyer, Taylor, Trujillo, Vandiver and Mr. Speaker—15.

Nays—Elbert, Gird, Hall, Lynch, Myers, Mullen, Randall, Rice, Shepperd, Topping and Wells—11.

So the resolution was adopted.

Mr. Graham moved the House adjourn till 2 o'clock p. m.  
Carried.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Elbert.

Mr. Meyer gave notice that on to-morrow, or some future day, he would introduce a joint resolution for the relief of the county of Costillo.

Mr. Mullen gave notice that on to-morrow, or some future day, he would introduce a bill for an act to amend section 24 of article 4 of chapter 77, of the Revised Statutes of Colorado Territory.

Mr. Topping gave notice that on to-morrow, or some future day, he would introduce a bill for an act to amend chapter 31 of the Revised Statutes of Colorado Territory, in reference to fees and salaries.

Mr. Lynch gave notice that he would on to-morrow, or some future day, introduce a bill for an act to amend an act entitled an act regulating elections.

Mr. Campbell gave notice that on to-morrow, or some future day, he would introduce a bill to change the name of Thomas Cox to Thomas Martin.

Mr. Graham introduced H. B. No. 2, which was read the first time by its title.

Mr. Lynch made the following motion :

Moved that the Governor's Message be referred as follows :

That part relating to the re-organization of the counties of Pueblo, Huerfano and Las Animas, be referred to the committee on Counties and County Lines.

That part relating to the General Incorporation law, be referred to the committee on Judiciary.



That part relating to Military Affairs, be referred to the committee on Incorporations.

That part relating to Elections and Registry laws, be referred to the committee on Judiciary.

That part relating to the Agricultural interests of the Territory, be referred to the committee on Agriculture and Manufactures.

That part relating to Public Instruction, be referred to the committee on Education.

That part relating to the compensation of Territorial officers, be referred to the committee on Ways and Means.

That part relating to Federal Affairs, be referred to the committee on Elections.

That part relating to Female Suffrage, be referred to a Special committee, consisting of Mann, Taylor and Bevan.

That part relating to Railroads, be referred to the committee on Ways and Means.

That part relating to Immigration, be referred to a Special committee, to be appointed by the House.

Mr. Elbert introduced H. B. No. 4.

Mr. Taylor moved that H. B. No. 1 be ordered engrossed.

Mr. Mullen moved that the report of the committee on Rules be taken up and considered by sections.

Carried.

Mr. Mann moved to strike out rule 49.

Motion withdrawn.

Mr. Mullen moved to amend Rule No. 3, by placing in parenthesis at the end of the rule the words "except on appeals from his own decisions."

Motion carried, and Rule No. 3 was so amended.

Mr. Wells moved that Rules Nos. 13 and 14 be recommitted to the committee on Rules.

Carried.

Mr. Wells moved to amend Rule 20.

Lost.

Mr. Mullen moved that clauses No. 10 and 11, in Rule No. 42, be reversed.

Carried.

Mr. Wells moved to amend Rule No. 46, by capitalizing the word Executive, and placing a comma after it.

Carried.

Mr. Bearce moved to amend Rule 52 by striking out the word "nine," in said rule, and inserting "ten" in lieu thereof.

Carried.

Mr. Wells moved that Rule No. 53 be stricken out.

Carried.

Mr. Randall offered the following, to be inserted in lieu of Rule 53, stricken out.

“That two or more members of this House shall have the liberty to dissent and protest against any act or resolution which they may think injurious to the public, or to any individual, and to have the reason of their dissent entered on the Journal.”

Lost.

Mr. Randall then moved the adoption of the following as a resolution:

“That two or more members of this House shall have the liberty to dissent and protest against any act or resolution which they may think injurious to the public, or to any individual, and to have the reason of their dissent entered on the Journal.”

Lost.

Mr. Mullen moved that the committee on Rules retire and consider, and report immediately on rules 13 and 14, and that during the same time the House take a recess of ten minutes.

Carried.

The House took a recess of ten minutes.

The Speaker called the House to order.

Mr. Taylor, from the committee on Rules, reported rules 13, 14 and 15 back to the House without amendment.

On motion the report was adopted.

Mr. Randall offered the following resolution, on leave of the House:

*Resolved*, That the Joint Rules of the Council and House of Representatives, together with the standing committee of both Houses, be appended to the rules of this House, and that the Chief Clerk be authorized and instructed to carry this resolution into effect, by having one hundred copies printed for the use of the House.

On motion the resolution was adopted.



Message from the Council:

COUNCIL CHAMBER, January 7th, 1870.

*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 H. J. R. No. 2.

Respectfully,

A. O. PATTERSON,

Secretary.

Mr. Campbell moved to adjourn until Monday at 10 o'clock a. m.

Carried.

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MONDAY, JANUARY 10TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Lynch.

Journal of preceding day read, corrected and approved.

Mr. Hall, chairman of committee on Engrossment, reported

H. B. No. 1 back to the House correctly engrossed.

Mr. Topping gave notice, that on to-morrow, or some future day, he would introduce a bill to provide for the education of Cornelia H. Young, a blind girl, of Gilpin county.

Mr. Taylor gave notice that on to-morrow, or some future day, he would introduce a bill entitled an act to establish and locate an Agricultural College.

Mr. Lucero gave notice that on to-morrow, or some future day, he would introduce a bill to amend the eightieth chapter of the Revised Statutes of Colorado.

Mr. Meyer gave notice that on to-morrow, or some future day, he would introduce a bill to amend sections 8 and 9, of chapter 31, of the Revised Statutes of Colorado, concerning Jurors and Witnesses.

Mr. DeFrance gave notice that on to-morrow, or some future day, he would introduce a bill for an act entitled an act concerning Territorial Revenue.

Also, for a bill entitled an act to repeal chapter 85, of the Revised Statutes of Colorado Territory, concerning traitors.

Mr. Graham gave notice that on to-morrow, or some future

day, he would introduce a bill to amend chapter 48 of the Revised Statutes of Colorado, relating to Judgments and Executions.

Mr. Taylor offered the following resolution :

*Resolved*, That in addition to the one hundred copies of the rules ordered printed, there be fifty copies printed in the Spanish language.

Adopted.

Mr. Lea gave notice of a bill to amend section 1 of chapter 33, of the Revised Statutes of Colorado Territory.

Mr. DeFrance gave notice of a bill entitled an act to dissolve the bonds of matrimony between James Upp and Mary A. Upp.

Mr. Campbell moved the reference of the Governor's Message to the appropriate committees.

Mr. Mann moved to amend by referring the message to the committee of the Whole house, to-morrow morning at 10 o'clock a. m.

Mr. Lea moved that the House go into committee of the Whole, on the Governor's message.

Lost.

The vote was then taken on the amendment offered by Mr. Mann, which was carried.

So the Message was referred to the committee of the Whole House to-morrow.

Mr. Meyer introduced H. J. R. No. 5, which was read the first time.

Mr. Bevan introduced H. J. R. No. 4, which was read the first time.

Mr. Mann moved that H. J. R. No. 4 be considered engrossed and that the rules be suspended, and the resolution be read the second and third times and put upon its passage.

Carried.

So the resolution was read the second and third times, and put upon its passage.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—None.

So the resolution passed.

Title agreed to.

Mr. DeFrance introduced H. B. No. 5, which was read the first time.



Mr. Meyer introduced H. B. No. 6, which was read the first time.

Mr. Campbell introduced H. B. No. 7, which was read the first time.

H. B. No. 4 was read the first time.

Mr. Taylor moved the House go into committee of the Whole for the consideration of H. B. No. 1.

Carried.

The House went into committee of the Whole.

Mr. Elbert in the chair.

After some time spent therein, the committee rose, and the Speaker resumed the chair.

The chairman of the committee made the following report:

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

The committee of the Whole, to whom was referred H. B. No. 1, An act to amend chapter 88 of an act entitled an act for revising and consolidating the General Statutes of the Territory of Colorado, beg leave to report that they have had the same under consideration, and report the same back to the House with the recommendation that it be referred to the committee on Judiciary.

S. H. ELBERT,  
Chairman.

Mr. Mullen moved that the report of the committee of the Whole be concurred in.

Carried.

Mr. Wells moved to adjourn.

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

Lost.

The vote was then taken on the motion of Mr. Wells.

Carried.

The House was declared adjourned until to-morrow morning at 10 o'clock.

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TUESDAY, JANUARY 11TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—None.

Journal of preceding day read, corrected and approved.

Mr. Trujillo gave notice that on to-morrow, or some future day, he would introduce a bill authorizing Justices of the Peace

of the counties of Costillo and Conejos, to have animals kept under control at certain seasons, and to protect the branch of agriculture from being injured.

Mr. Shepperd gave notice that on to-morrow, or some future day, he would introduce A bill for an act to dissolve the bonds of matrimony heretofore existing between Lewis Bierce and Hassie E. Bierce.

Mr. Hall gave notice that on to-morrow, or some future day, he would introduce a bill for the protection of Trout fish in Lake county.

Mr. Mullen gave notice that on to-morrow, or some future day, he would introduce a bill for an act entitled an act to amend chapter 6 of the Revised Statutes of Colorado Territory.

Mr. Elbert gave notice that on to-morrow, or some future day, he would introduce a bill for An act to amend an act entitled an act to incorporate the Colorado Seminary.

The Sergeant-at-Arms announced a message from the Council, which was read as follows :

COUNCIL CHAMBER, January 10th, 1870.

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

SIR : I am instructed by the Council to inform your Honorable Body, that they have concurred in H. J. R. No. 3. The same is herewith transmitted.

Very respectfully,

Your obedient servant,

A. O. PATTERSON,

Secretary.

Mr. Elbert also gave notice of a bill for an act providing for appeals from the Probate Court to the Supreme Court. Also a bill for an act to amend chapter 23, concerning "Descents and distributions of the Revised Statutes.

Mr. Bearce gave notice that on to-morrow, or some future day, he would introduce a bill entitled An act to amend an act to incorporate the Colorado Territorial Agricultural Society.

Also a bill for An act to amend section 12 of chapter 18, of the Revised Statutes of Colorado Territory.

Also a bill for an act to repeal section 11 of an act to amend an act, entitled an act concerning criminal jurisprudence, approved January 10th, 1868.

Mr. Lyon gave notice that on to-morrow, or some future day, he would introduce a bill to amend sections 26, 27, 29, 37 and



42, of chapter 71, of the Revised Statutes of Colorado Territory.

Mr. Vandiver gave notice that on to-morrow, or some future day, he would introduce a bill for an act to dissolve the bonds of matrimony heretofore existing between Robert Hardie and Laura A. Hardie.

Mr. Lucero introduced H. B. No. 8, which was read the first time.

Mr. DeFrance introduced H. B. No. 9, which was read the first time.

Mr. Bearce moved that the rules be suspended, and all bills be read the first time by their title.

Motion withdrawn.

H. B. No. 10 was introduced by Mr. DeFrance, and read the first time.

Mr. DeFrance also introduced H. B. No. 11, which was read the first time.

Mr. Hall introduced H. B. No. 12, which was read the first time.

Mr. Meyer introduced H. B. No. 13, which was read the first time.

Mr. Bearce moved a suspension of the rules, and that H. B. Nos. 2 and 3 be read the second time by their titles.

Carried.

H. B. No. 2 was read the second time by the title.

H. B. No. 3 was read the second time by the title.

Mr. Mullen moved that the House resolve itself into the committee of the Whole, on the special order of the day.

Carried.

So the House went into committee of the Whole.

Mr. Bearce in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The committee of the Whole submitted the following report :

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

The committee of the Whole House have had under consideration the Governor's message, and would respectfully report progress and ask leave to sit again.

H. B. BEARCE,  
Chairman.

The report of the committee was concurred in by the House.  
Mr. Mann moved that the House take a recess of ten minutes.

Carried.

So the House took a recess of ten minutes.

The Speaker called the House to order.

Mr. Wells moved that the Governor's message be made the Special order of the day for to-morrow, at 2 o'clock p. m.

Lost.

Mr. Bearce moved that the House go into committee of the Whole, for the consideration of the Governor's message.

Carried.

So the House went into committee of the Whole.

Mr. Bearce in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House then submitted the following report:

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

The committee of the Whole House have had under consideration the Governor's message, and would respectfully report progress, and ask leave to sit again.

H. B. BEARCE,  
Chairman.

The House concurred in the report of the committee.

Mr. Wells moved that the House go into committee of the Whole, on the general order of the day.

Lost.

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

Carried.

House adjourned until 2 o'clock p. m.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mann and Campbell.

Mr. Wells moved that the House resolve itself into the committee of the Whole, on the general order of the day.

Carried.

So the House went into the committee of the Whole.

Mr. Lynch in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.



The chairman of the committee of the whole House submitted the following report :

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

The committee of the Whole House have had under consideration H. B. Nos. 2 and 3, and would respectfully report as follows :

That H. B. No. 2 be referred to the committee on Incorporations, with the amendments proposed.

That H. B. No. 3 be referred to the committee on Judiciary.

J. T. LYNCH,  
Chairman.

The House concurred in the report of the committee.

Mr. Wells moved that Mr. Graham be added to the committee on Incorporations.

Carried.

M. Myers moved to adjourn.

Motion withdrawn.

Mr. Lynch, chairman of the committee on Enrollment, made the following report :

*Mr. Speaker :* Your committee on Enrollment beg leave to report H. J. R. No. 2, relative to printing the Governor's message, Auditor's report, Treasurer's report, and the report on Agriculture, correctly enrolled.

J. T. LYNCH,  
Chairman.

Mr. Meyer moved to adjourn until 10 o'clock to-morrow morning.

Carried.

The House was declared adjourned.

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WEDNESDAY, JANUARY 12TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Bevan, Lucero, Meyer and Trujillo.

Mr. Bevan appeared and took his seat.

Journal of preceding day read and approved.

Mr. Wells, from the committee on Incorporations, submitted the following report:

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

From the committee on Incorporations, I would report that your committee have had under consideration H. B. No. 2, and would respectfully report the same back with the following amendment, to-wit: In the eighth line of section 1 of the engrossed bill, or the third line of section 1 of the printed copy, strike out the words "Boulder City," and insert in lieu thereof the word "Burlington," and your committee would recommend that the bill do pass as amended.

JOHN H. WELLS,  
Chairman.

Mr. Campbell asked leave for time to submit a minority report on H. B. No. 2, which was granted by the House.

Mr. Lynch, from the committee on Enrollment, reported H. J. R. No. 3 correctly enrolled, but no title in the bill.

Mr. Campbell moved the Enrolling committee be authorized to correct the bill by adding the title of the bill, and then to have it correctly enrolled.

Carried.

Mr. Taylor, from committee on Judiciary, submitted the Majority report as follows:

*Mr. Speaker:* A majority of the Judiciary committee, to whom was referred H. B. No. 1, a bill for An act to amend the eighty-eighth chapter of an act, entitled An act for revising and consolidating the General Statutes of the Territory of Colorado, have had the same under consideration, and would recommend it be amended as follows: In section 1st add the following: "*Provided further*, That the petition and affidavit herein referred to, may be made by the agent or attorney of the party applying for the change." In section 2 insert after the words "subject matter," in the sixth line, the following: "and of the amount involved in the suit," and with these amendments would recommend the bill do pass.

M. S. TAYLOR, Chairman.  
SAM. H. ELBERT,  
JOHN H. WELLS,  
A. H. DEFRANCE.

Mr. Mullen submitted the following report:



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

The minority of the Judiciary committee, to whom was referred H. B. No. 1, to amend chapter eighty-eight of the Revised Statutes of this Territory, concerning changes of venue, would most respectfully submit, that together with the majority of said committee, we have had under consideration said bill, and do respectfully submit that it has been shown by experience, that the act concerning changes of venue, which was no doubt conceived in a spirit of justice, has been so perverted in the practice of the courts of this Territory, so productive of oppression, and so productive of perjury, and without the hope of convicting any one therefor, a bare fear or belief of prejudice or other cause as alleged in any petition for a change of venue, being sufficient a fact resting solely in the mind of the individual making the affidavit to any petition for a change of venue, and incapable of being disproved from its very nature, should have its provisions curtailed rather than extended.

That suits usually instituted in the Probate Courts of this Territory, owing to their limited jurisdiction, involve necessarily small amounts ; and to extend the provisions of this act, concerning the change of venue to them, and thus throw open the door to fraud and perjury, and provide the debtor with the means of harassing his creditors, will, it is believed, in many instances, force suitors to abandon their claims, rather than be dragged at great loss of time and expense of moving (often more than the amount claimed in such a suit,) to any adjoining county, to say nothing of the inconvenience attendant thereto. And while the right of change of venue is eminently just in criminal cases, for which such a law was easily made and provided, where the accused should have all the rights and safe guards of life and liberty thrown around him ; and also in civil suits involving large amounts, as in cases usually in the District Court.

The minority of your committee is doubtful of that wisdom that would extend the provisions of such an act to every petty suit in any Probate Court.

In regard to the grounds of a change of venue as contained in the act concerning the same, it is believed that none of them exist, or if existing in some cases, it is believed that they have not worked any hardships of such an extent as to warrant this legislation in granting an unrestricted change of venue in all our Probate Courts, thereby opening the doors to every suitor, and giving any debtor a chance to prolong his suit by change of venue and in continuance, often thereby defeating the object for which Probate Courts were established, for name-



ly: immediate justice, and your committee would recommend the immediate re-commitment of H. B. No. 1.

C. M. Mullen and Mr. Randall moved the adoption of the minority report.

Mr. Mann moved the adoption of the majority report.

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

COUNCIL CHAMBER, Jan. 11th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that they have passed H. J. R. No. 4, returning thanks to Gen. Carr and his command. The same is herewith transmitted.

Very respectfully, your obd't servant,

A. O. PATTERSON,  
Secretary of Council.

Mr. Lynch moved H. B. No. 3 with amendments proposed, with the majority and minority reports made on the same, be placed on the general file for consideration of committee of the Whole.

Motion lost.

Mr. Mann moved the adoption of the majority report.

Ayes and nays demanded.

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lucero, Mann, Myers, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—19.

Nays—Bevan, Lynch, Meyer, Mullen and Randall—5.

So the majority report was adopted.

Mr. Taylor, from committee on Judiciary, submitted the following report:

*Mr. Speaker:* A majority of your committee on Judiciary, to whom was referred H. B. No. 3, a bill for An act to amend the eighteenth chapter of an act entitled An act revising and consolidating the General Statutes of Colorado Territory, have had the same under consideration, and have amended the same by adding the following section, to be numbered "2:"

"The benefit of this act shall extend to all companies heretofore organized under the general incorporation acts of this Territory, as well as those hereafter to be organized," and with



this amendment would report the same back to the House with the recommendation that it do pass as amended.

M. S. TAYLOR,  
JOHN H. WELLS,  
A. H. DEFRANCE,  
C. M. MULLEN.

Mr. Lynch moved the adoption of the report of the committee on Judiciary.

Carried.

So the report was adopted.

Mr. Mann gave notice that on to-morrow, or some future day, he would introduce a bill for an act to amend section 30 of chapter 66, of the Revised Statutes.

Mr. Bearce gave notice that on to-morrow, or some future day, he would introduce a bill to amend chapter 21 of the Revised Statutes, relating to counties and county officers.

Also a bill entitled an act concerning county warrants.

Mr. Topping introduced H. B. No. 14, which was read the first time by the title.

Mr. Shepperd introduced H. B. No. 15, which was read the first time.

Mr. Mann introduced H. J. M. No. 1, which was read the first time.

Mr. Elbert introduced H. B. No. 17, which was read the first time.

Mr. Bearce introduced H. B. No. 18, which was read the first time.

Mr. Mullen introduced H. B. No. 19, which was read the first time.

Mr. Vandiver introduced H. B. No. 20, which was read the first time.

Mr. Bearce introduced H. B. No. 21, which was read the first time.

Mr. Trujillo introduced H. B. No. 22, which was read the first time.

H. J. R. No. 5 was read the second time by its title, under a suspension of the rules.

H. B. No. 4 was read the second time by its title, under a suspension of the rules.

H. B. No. 5 was read the second time by its title, under a suspension of the rules.

H. B. No. 6 was read the second time by its title, under a suspension of the rules.

H. B. No. 7 was read the second time by its title, under a suspension of the rules.



H. B. No. 8 was read the second time by its title, under a suspension of the rules.

H. B. No. 9 was read the second time by its title, under a suspension of the rules.

H. B. No. 10 was read the second time by its title, under a suspension of the rules.

H. B. No. 11 was read the second time by its title, under a suspension of the rules.

H. B. No. 12 was read the second time by its title, under a suspension of the rules.

H. B. No. 13 was read the second time by its title, under a suspension of the rules.

Mr. Taylor moved a suspension of the rules, and that H. J. R. No. 5 be put upon its passage.

Carried.

The roll was called on the passage of the resolution.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Mann, Meyer, Shepperd, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—17.

Nays—Elbert, Gird, Hall, Lynch, Myers, Mullen, Randall, Rice and Topping—9.

So the resolution passed.

Title agreed to.

H. B. No. 1 was ordered engrossed as amended, for a third reading.

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

Carried.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—None.

Mr. DeFrance moved that H. B. No. 1 be ordered engrossed as amended.

Carried.

Mr. DeFrance moved that H. B. No. 3 be ordered engrossed as amended.

Carried.

The Speaker announced House Joint Committee on Enrollment, Mann and Rice.

Mr. Mann moved that Mr. Taylor have leave to give notice of the introduction of a bill.

Carried.

M. Taylor gave notice that on to-morrow, or some future



day, he would introduce a bill for an act entitled an act relating to the competency of witnesses in civil cases.

Mr. Taylor moved that the House resolve itself into committee of the Whole, on the general file.

Carried.

The House went into committee of the Whole.

Mr. Mann in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole made the following report.

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. No. 4, A bill for an act to amend the school law, and would refer the same back to the House with the recommendation that it be referred to the committee on Education.

Also H. B. No. 5, A bill for an act to amend the election law, with the recommendation that it be referred to a Special committee.

Also H. B. No. 6, and would refer the same back to the House with the recommendation that it be referred to the committee on Counties and County lines.

Also H. B. No. 7, A bill for an act to change the name of Thomas Cox, and refer the same back to the House, with the recommendation that it be referred to the committee on Incorporations.

Also H. B. No. 8, A bill for an act to amend section 1 of chapter 80, of the Revised Statutes, and would refer the same back to the House with the recommendation that it be referred to the committee on Counties and County lines.

Also H. B. No. 9, An act concerning Territorial Revenue, and would report the same back to the House with the recommendation that it be referred to the committee on Ways and Means.

Also H. B. No. 10, A bill for an act to dissolve the bonds of matrimony heretofore existing between James Upp and Mary A. Upp, and would report the same back to the House with the recommendation that it be referred to the committee on Rules and Joint Rules.

Also H. B. No. 11, and would report the same back to the House with the recommendation that it be referred to the committee on Federal Relations.

Also H. B. No. 12, and would report the same back to the House with the recommendation that it be referred to the committee on Agriculture.

Also H. B. No. 13, and would report the same back to the House with the recommendation that it be referred to the committee on Counties and County lines.

GEO. W. MANN,  
Chairman.

On motion of Mr. Wells, the report of the committee was concurred in.

Mr. DeFrance moved that a special committee of five be appointed to take H. B. No. 5 under consideration.

Carried.

The Speaker announced as said committee, DeFrance, Sheperd, Mann, Lea and Bearce.

Mr. Lynch moved that leave be granted Mr. Taylor to introduce without previous notice, H. J. R. No. 6.

Carried.

Mr. Taylor introduced H. J. R. No. 6, which was read the first time.

Mr. Taylor moved that the House adjourn.

Carried.

House declared adjourned.

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THURSDAY, JANUARY 13TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Mr. Graham.

Journal of the preceding day read and approved.

Mr. Hall, from the committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment have engrossed H. B. No. 1, also H. B. No. 3, and ask leave to report the same correctly engrossed.

J. B. HALL,  
Chairman.

Mr. DeFrance, from the committee on Federal Relations, submitted the following report:

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

SIR: Your committee on Federal Relations, to whom H.



B. No. 11 was referred, have had the same under consideration and would respectfully report the same back to the House, with the recommendation that the same be passed by the House.

Respectfully,

A. H. DEFRANCE,  
Chairman.

Mr. DeFrance moved that H. B. No. 11 be ordered engrossed for a third reading.

Carried.

Mr. Meyer, from the committee on Counties and County lines, submitted the following report.

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

SIR: From the committee on Counties and County lines, I would report that your committee have had under consideration H. B. No. 6, and would respectfully report the same back with the recommendation that the same do pass without amendment.

Also H. B. No. 8, and would respectfully recommend that the same do pass without amendment.

Your committee would further recommend that chapter 31, of the Revised Statutes of Colorado, be referred to the committee on Territorial Affairs, with instructions to examine into and report upon the advisability of reducing the fees of officers, witnesses and jurors within this Territory, all of which is respectfully submitted.

W. M. H. MEYER.  
Chairman.

Mr. Meyer moved that H. B. Nos. 6, 8 and 13 be ordered engrossed.

Carried.

Mr. Elbert moved that H. B. No. 4 be ordered engrossed.

Carried.

Mr. Elbert, from the committee on Education, submitted the following report:

*Mr. Speaker :* Your committee on Education, to whom was referred H. B. No. 4, beg leave to report that they have had the same under consideration, and report the same back to the House with the recommendation that it pass.

S. H. ELBERT.  
Chairman.



The following communication was received from the Secretary of the Territory of Colorado:

TERRITORY OF COLORADO, SECRETARY'S OFFICE, }  
 Denver, Jan. 13th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives :*

SIR: I have the honor to transmit herewith the advance copies of the Governor's message, in pamphlet form, for the use of the House of Representatives. A full supply covering the order of your committee on printing, will be ready for distribution to-morrow.

I am requested by His Excellency the Governor, to ask that two copies of each printed bill introduced by the members of the House, be sent to this office on the day of introduction.

Very respectfully,

Your obedient servant,

FRANK HALL,

Secretary of Colorado Territory.

Mr. Elbert moved that the communication from the Secretary be spread upon the journal.

Carried.

Mr. Baca gave notice that on to-morrow, or some future day he would introduce a bill to provide for a term of the District Court in the counties of Las Animas and Huerfano.

Mr. Campbell gave notice that on to-morrow, or some future day, he would introduce a bill for an act concerning mining claims acquired prior to the year 1866.

Also a bill for an act concerning Tunnel sites.

Mr. Gird gave notice that on to-morrow, or some future day, he would introduce a bill for an act to amend section 18, in chapter 20, of an act to define County Boundaries and locate County Seats.

Mr. Mullen gave notice that on to-morrow, or some future day, he would introduce a bill entitled an act to define and regulate vacancies in county offices, and certain offices of Colorado Territory.

Mr. Bearce gave notice that on to-morrow, or some future day, he would introduce a bill for an act to compensate Mark A. Shaffenburg, U. S. Marshal of Colorado Territory, for the capture and detention of Giles Lydle, Marshall Williams, and John Murray.

Mr. Taylor introduced H. B. No. 16, which was read the first time.



Mr. Topping introduced H. B. No. 23, which was read the first time.

Mr. Elbert introduced H. B. No. 24, which was read the first time.

Mr. Lea introduced H. B. No. 25, which was read the first time.

Mr. Bearce introduced H. B. No. 26, which was read the first time.

Also H. B. No. 27, which was read the first time.

Also H. B. No. 28, which was read the first time.

Mr. Hall reported from the committee on Engrossment, H. B. No. 1 correctly engrossed as amended.

Mr. DeFrance moved an amendment to H. B. No. 1.

Mr. Taylor moved that H. B. No. 1 be referred to the committee on Engrossment.

Motion withdrawn.

Mr. DeFrance moved that H. B. No. 1 be amended as follows:

That the first section of chapter 88, of the Revised Statutes of Colorado Territory, concerning venue, be and the same is hereby amended by inserting the words "or Probate," between the words "District" and "Court," on the second line from the top of said section, and by adding to said section the following words, to-wit: "Provided further, that the petition and affidavit herein referred to may be made by the agent or attorney of the party applying for the change."

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Jan. 13th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body, that the Council has passed C. B. No. 6, An act to repeal sections 10, 11 and 12 of chapter 80, of the Revised Statutes of Colorado, in which you are respectfully requested to concur. The same is herewith transmitted.

Respectfully,

A. O. PATTERSON,  
Secretary of Council.

Mr. Wells called for the reading of H. B. No. 1, and the bill was read for information.

Mr. Mann, chairman of joint committee on Enrolled Bills, reported as follows:



*Mr. Speaker:* Your joint committee on Enrolled Bills, beg leave to report that they have examined the enrollment of H. J. R. No. 2, relating to the printing of the Governor's message, also H. J. R. No. 3, relative to newspapers, and find them correctly enrolled, and would say that they have, at 11 o'clock to-day, January 13th, 1870, placed both the above entitled H. J. Resolutions in the hands of His Excellency the Governor, for his approval, to become a law, and the same now await his consideration.

GEO. W. MANN,  
Chairman.

Mr. Elbert moved that H. B. No. 1, with amendments, be referred to the committee on Judiciary.

Carried.

Mr. Lea moved that H. B. No. 25 be recalled from the printer, and that the rules be suspended and the bill read the second time.

Carried.

Mr. DeFrance moved that H. B. No. 3 be read the third time, and put upon its passage.

Carried.

H. B. No. 3 was read the third time, and put upon its passage.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Gird, Hall, Lea, Lyon, Lynch, Lucero, Mann, Mullen, Meyer, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—Elbert, Myers and Randall—3.

So the bill passed.

Title agreed to.

Mr. Campbell moved that the Governor's message be made the special order for 2 o'clock.

Carried.

Mr. Wells moved that the House adjourn until 2 o'clock p. m.

Carried.

The House was declared adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bevan, Elbert and Mullen.

Mr. Taylor, chairman of the committee on Judiciary, submitted the following report:



*Mr. Speaker*: Your committee on Judiciary, to whom was referred H. B. No. 1, A bill for an act to amend chapter 88 of an act entitled an act for revising and consolidating the General Statutes of the Territory of Colorado, have had the same under consideration, and would respectfully recommend that the same be amended so that section 1 of the bill shall read as follows:

"SECTION 1. That the first section of the eighty-eighth chapter, of the Revised Statutes of Colorado Territory, concerning venue, be and the same is hereby amended by inserting the words "or Probate" between the words "District" and "Court," on the second line from the top of said section, and by adding to said section the following words, to-wit: Provided further, that the petition and affidavit herein referred to, may be made by the agent or attorney of the party applying for the change," and that the same do now pass as amended.

M. S. TAYLOR,  
Chairman.

Mr. Mann moved that the report on H. B. No. 1, with amendments proposed, be concurred in.

Carried.

Mr. DeFrance moved that H. B. No. 1, with amendments, be referred to the committee on Engrossment.

Carried.

Mr. Taylor moved that the House go into committee of the Whole, for the consideration of the Governor's message.

Carried.

The House resolved itself into committee of the Whole.

Mr. Bearce in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker*: Your committee of the Whole House, to whom was referred the Governor's message, have had the same under consideration, and would respectfully report progress, and ask leave to sit again at 2 o'clock p. m. to-morrow.

H. B. BEARCE,  
Chairman.

The House concurred in the report of the committee of the Whole.

Mr. Meyer moved that the House adjourn.

Carried.

The House was declared adjourned.

FRIDAY, JANUARY 14TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Prayer by the Chaplain.

Journal of the preceding day read and approved.

Mr. Hall, chairman of the committee on Engrossment, reported as follows:

*Mr. Speaker:* Your committee on Engrossment have examined H. B. Nos. 1, 4, 6, 8, 11 and 13, and beg leave to report the same correctly engrossed.

J. B. HALL,  
Chairman.

Mr. Wells, chairman of the committee on Incorporations, made the following report:

*Mr. Speaker:* Your committee on Incorporations have had under consideration H. B. No. 7, and recommend that the same do pass with the following amendment: In the second line of section 1, after the word "Cox" insert "of Gilpin county."

Respectfully submitted,

JOHN H. WELLS,  
Chairman.

Mr. Mann gave notice, on behalf of Hon. A. D. Bevan, as follows:

*Mr. Speaker:* I hereby give notice that on to-morrow, or some future day, I will introduce a joint resolution inviting Chinese immigration into Colorado Territory.

A. D. BEVAN.

Mr. Rice gave notice that on to-morrow, or some future day, he would introduce a bill for the repeal of section 16 of chapter 55, of the Revised Statutes of Colorado Territory, in reference to limitations.

Mr. Taylor gave notice that on to-morrow, or some future day, he would introduce a bill for an act to change the time of holding the District Court in Weld county.

Mr. Lea moved that the thanks of this assembly be tendered



to Hon. Wm. Gilpin, for favors received at his hands in the shape of important pamphlets.

Carried.

Mr. Bearce introduced H. B. No. 29, which was read the first time.

Also H. B. No. 30, which was read the first time.

On motion Mr. Vandiver was allowed to introduce, without previous notice being given, H. B. No. 31, which was introduced and read the first time.

C. B. No. 6, an act to repeal sections 10, 11 and 12, of chapter 80, of the Revised Statutes, was read the first time.

On motion of Mr. DeFrance, the rules were suspended, and the following bills were read the second time by their title:

H. B. No. 21 was read the second time by its title.

H. B. No. 17 was read the second time by its title.

H. B. No. 14 was read the second time by its title.

H. B. No. 18 was read the second time by its title.

H. B. No. 22 was read the second time by its title.

H. B. No. 19 was read the second time by its title.

H. B. No. 15 was read the second time by its title.

H. J. R. No. 6 was read the second time by its title.

H. J. M. No. 1 was read the second time.

Mr. Campbell moved that H. B. No. 7 be amended by inserting "of Gilpin county" after the word "Cox."

Carried.

Mr. Campbell moved that H. B. No. 7 be considered engrossed and put upon its passage.

Carried.

So the bill was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Gird, Graham, Hall, Lea, Lyon, Lucero, Myers, Mann, Mullen, Meyer, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—Lynch—1.

So the bill passed.

Title agreed to.

Mr. Wells moved that the rules be suspended, and that H. B. No. 2 be taken up.

Motion withdrawn.

Mr. Lynch moved that the minority of the committee, to whom H. B. No. 2 was last referred, be allowed until Monday next to submit their report.

Carried.

H. B. No. 6 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—23.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 1 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Meyer, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, and Wells—3.

Nays—Lea, Mullen, and Mr. Speaker—3.

So the bill passed.

Title agreed to.

H. B. No. 8 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, DeFrance, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 4 was, on motion of Mr. Lynch, re-committed to the committee on Education.

H. B. No. 11 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lynch, Lucero, Myers, Mann, Meyer, Shepperd, Taylor, Trujillo, Vandiver, Wells, and Mr. Speaker—18.

Nays—Gird, Hall, Mullen, Rice and Topping—5.

So the bill passed.

Title agreed to.

H. B. No. 13 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—23.

Nays—None.

So the bill passed.

Title agreed to.

Mr. Taylor gave notice that on to-morrow, or some future day, he would introduce a bill for an act to amend the license law.



Mr. Mullen moved that the House go into committee of the Whole, on general file.

Carried.

The House resolved itself into committee of the Whole.

Mr. Wells in the chair.

After some time spent therein the committee rose.

The Speaker resumed the chair.

The committee of the Whole submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration the matters referred to it, and have instructed me to report as follows:

That H. B. No. 17 be referred to the committee on Territorial Affairs. That H. B. No. 21 was amended by transposing the words "September" and "January," in the third section, and recommend that it be referred to the committee on Agriculture. Also that H. J. M. No. 1 be amended by adding certain words as follows:

*Resolved,* That the Governor be requested to forward a copy of this memorial, with a like memorial from the citizens of Lake, Park and Summit Counties, to the President of the United States, also to our Delegate in Congress. And your committee would report the same back with the recommendation that it pass as amended.

Also H. J. R. No. 6, and report the same back with the recommendation that it do pass, and would further respectfully report progress and ask leave to sit again.

JOHN H. WELLS,  
Chairman.

On motion, the report of the committee of the Whole was concurred in.

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

Carried.

The House was declared adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bevan and Campbell.

A petition in reference to Texas cattle was read, and on motion of Mr. Elbert was referred to the committee on Agriculture.

Mr. Mullen moved that the House go into committee of the Whole on general file.

Carried.

So the House went into committee of the Whole.

Mr. Wells in the Chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration the following bills:

H. B. No. 20, and would report the same back with the recommendation that it be referred to a special committee of three.

Also H. B. No. 15, and would report the same back with the recommendation that it be referred to a special committee of three.

Also H. B. No. 19, and would report the same back with the recommendation that it be referred to the committee of Judiciary.

Also H. B. No. 22, and would report the same back with the recommendation that it be referred to the committee on Agriculture.

Also H. B. No. 18, and would report the same back with the recommendation that it be referred to the committee on Incorporations.

Also H. B. No. 14, and would report the same back with the recommendation that it be referred to the committee on Ways and Means.

Also H. B. No. 25, and would report the same back with the recommendation that it be referred to the special committee to whom was referred H. B. No. 5. All of which is respectfully submitted.

J. H. WELLS,  
Chairman.

The House concurred in the report of the committee of the Whole.

The Speaker announced the following special committees on H. B. No. 20: Hall, Vandiver and Mullen. On H. B. No. 15: Shepperd, Rice and Lynch.

Mr. Lea moved that the House resolve itself into committee of the Whole, on the special order of the day, to-wit: the consideration of the Governor's message.

Carried.

The House resolved itself into committee of the Whole.

Mr. Bearce in the chair.



After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration the Governor's message, and beg leave to report progress, and ask leave to sit again on Monday at two o'clock p. m., and that the consideration of the Governor's message be the special order for said day.

H. B. BEARCE,  
Chairman.

On motion, the report of the committee was concurred in.

Mr. Wells moved that the House adjourn until to-morrow at 10 o'clock.

Mr. Elbert moved to amend by saying Monday at 10 o'clock.

The question being on the amendment, the vote was taken and the motion on amendment carried.

So the House was declared adjourned until Monday at 10 o'clock a. m.

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MONDAY, JANUARY 17TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Gird, Elbert, Lea, and Lynch.

Journal of preceding day read and approved.

Mr. Vandiver presented a petition numerously signed, praying the establishment of a new county, to be called Carson county, which on motion, was received and referred to committee on Counties and County Lines.

Mr. Taylor also presented a petition numerously signed, for the establishment of Carson county, which was received, and on motion, referred to committee on Counties and County Lines.

Mr. Bearce, from committee on Agriculture, submitted the following report:

*Mr. Speaker:* Your committee on Agriculture, to whom was referred H. B. No. 22, have had the same under consideration, and would report the same back with the following amendment, to-wit: Insert the words "Huerfano and Las An-

imas" between the words "Costilla" and "and," on the first line of the printed copy of said bill, and would recommend the same do pass as amended.

H. B. BEARCE,  
Chairman.

Mr. Myers gave notice that on to-morrow or some future day, he would introduce a bill for the publication of the laws of this Territory in the Spanish language.

Mr. Campbell gave notice that on to-morrow or some future day, he would introduce a bill for an act, entitled An act to provide for the disposition of revenue arising from fines, penalties and forfeitures.

Mr. Taylor gave notice that on to-morrow or some future day, he would introduce a bill for an act, entitled An act relating to appropriations.

Mr. Lyon gave notice that on to-morrow or some future day, he would introduce a bill for An act authorizing the Board of County Commissioners of Gilpin and Clear Creek counties, to levy a special tax.

Mr. Bevan introduced H. J. R. No. 7, which was read a first time.

Mr. Taylor introduced H. B. No. 32, which was read a first time by its title.

Mr. Rice introduced H. B. No. 33, which was read a first time by its title.

C. B. No. 6 was read a second time, and on motion of Mr. Topping, was referred to committee on Agriculture.

Mr. Bearce moved the rules be suspended, and that all bills on the second reading be read by their title only.

Carried.

H. B. No. 29 was read a second time.

Mr. Mullen moved H. B. No. 16 be referred to the committee on Judiciary.

Motion withdrawn.

H. B. No. 30 was read a second time by title.

H. B. No. 23 was read a second time by title.

H. B. No. 27 was read a second time by title.

H. B. No. 24 was read a second time by title.

H. B. No. 26 was read a second time by title.

H. B. No. 28 was read a second time by title.

H. B. No. 22 was reported on by committee on Agriculture, and amendment recommended to the bill.

Amendment concurred in by the House.

Mr. Meyer moved that H. B. No. 22 as amended, be referred to committee on Engrossment, with orders to engross the same as amended for a third reading.



Carried.

H. J. R. No. 6 was read a third time, and being put upon its passage, the ayes and nays were called for on the passage of the resolution.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Mann, Meyer, Taylor, Trujillo, Vandiver and Mr. Speaker—15.

Nays—Hall, Lynch, Myers, Mullen, Randall, Rice, Shepperd, Topping and Wells—9.

So the resolution passed, and on motion, title was agreed to.

Mr. Mullen moved the House do now go into committee of the Whole on the general order of the day.

Motion carried, and the House resolved itself into committee of the Whole.

Mr. Campbell in the chair.

After some time spent therein the committee rose.

The Speaker resumed the chair, when the chairman of the committee submitted the following report :

*Mr. Speaker :* Your committee of the Whole House have had under consideration H. B. No. 24, and would report the same back without amendment, and recommend it be referred to the committee on Judiciary.

Also, H. B. No. 28, and would report the same back with the recommendation that it do pass.

Also, H. B. No. 27, and would report the same back with the recommendation that it be referred to the committee on Ways and Means.

Also, H. B. No. 23, and would report the same back with the recommendation that it be referred to the committee on Judiciary.

Also, H. B. No. 30, and would report the same back with the recommendation that it be referred to the committee on Printing.

Also, H. B. No. 26, and would report the same back with the recommendation that it be referred to the committee on Agriculture.

Also, H. B. No. 16, and would report the same back with the recommendation that it be referred to the committee on Judiciary.

Also, H. B. No. 29, and would report the same back with the recommendation that it be referred to the committee on Printing. All of which is respectfully submitted.

T. J. CAMPBELL,  
Chairman.

On motion, the report of the committee of the Whole House was concurred in.

Mr. Lea moved the committee on Printing be requested to wait on the Secretary of the Territory, and confer with him in regard to the printing of House Bills, &c.

Carried.

Mr. Wells moved to adjourn to 2 o'clock p. m.

Carried, and House declared adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—none.

Mr. Elbert moved a committee of three be appointed to wait on the Secretary, in regard to the public printing.

Lost.

Mr. Wells gave notice that on to-morrow or some future day, he would introduce a bill to repeal chapter 33 of the Revised Statutes.

Mr. Randall offered the following resolution :

*Resolved*, That the fifth line of House Rule No. 50 be corrected by striking off the letter "s," from the word laws, which on motion, was adopted.

Mr. Bevan gave notice that on to-morrow or some future day, he would introduce a bill for An act defining the rights of miners', and the liabilities of mill men in certain cases.

Mr. Lynch introduced the following resolution :

*Resolved*, That we, the members of the Territorial Legislature of Colorado, do hereby extend to ex-Governor John Evans and H. M. Teller, an invitation to lecture on the railroad interests of this Territory, the time to be set by themselves. *And further resolved*, That the Speaker of the House be requested to inform the gentlemen above named of the passage of this resolution at his earliest convenience, and request them to designate the time when it will be convenient to deliver said lectures.

On motion, the resolution was adopted.

Mr. Mann moved the House do now go into committee of the Whole on the special order of the day, viz: the consideration of the Governor's message.

Carried.



So the House resolved itself into committee of the Whole.

Mr. Bearce in the chair.

After a time spent therein the committee rose.

The Speaker resumed the chair, when the chairman of the committee submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration the Governor's message, and would report as follows: That that portion referring to Indian Affairs be reported back with the recommendation that it be referred to the committee on Indian Affairs, and that said committee be requested to report a memorial addressed to the President of the United States, asking for the establishment of military posts in Colorado, at suitable places, for the protection of our borders, and that a copy of said memorial be forwarded to each Senator in Congress. And that portion relating to woman suffrage be made the special order for Wednesday, January 19th, at 2 o'clock p. m. And that all other portions of said message be referred by the Speaker to the appropriate standing committees.

H. B. BEARCE,  
Chairman.

The House concurred in the report of the committee of the Whole House.

A message from the Governor was announced by the Sergeant-at-Arms, which was received and read as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, January 17th, 1870. }

*To the Hon. the Speaker of the House of Representatives of Colorado Territory:*

SIR: I have the honor to inform you that I have approved of date of January the 15th, House Joint Resolution providing for printing message and reports. Also, a Joint Resolution for supplying the Assembly with additional newspapers.

I have the honor to be,

Very respectfully,

Your obed't servant,

EDWARD M. MCCOOK,  
Governor.

Mr. Elbert moved the message be spread upon the journal.

Carried.

Mr. Elbert asked leave to introduce a bill without previous notice.

Leave granted.

Mr. Elbert introduced H. B. No. 34.

On motion the rule was suspended, and H. B. No. 34 was read a first and second times by their title and ordered printed.

Mr. Wells moved House do now adjourn.

Carried, and House declared adjourned.

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TUESDAY, JANUARY 18TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bearce, Bevan and Campbell.

Journal of preceding day read and approved.

Mr. Rice presented a petition from citizens of Pueblo county, asking the repeal of the "Texas cattle" law, which was read, and on motion of Mr. Graham, was referred to the committee on Agriculture.

Mr. Bearce presented a petition of citizens of Arapahoe county, relative to turning Cherry Creek, which was read, and on motion of Mr. Taylor, was referred to committee on Agriculture.

Mr. Hall, chairman of committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment ask leave to report H. B. No. 22 correctly engrossed.

J. B. HALL,  
Chairman.

Mr. Elbert, chairman of committee on Territorial Affairs, submitted the following report:

*Mr. Speaker:* Your committee on Territorial Affairs, to whom was referred H. B. No. 17, a bill for An act to amend an act, entitled An act to incorporate the Colorado Seminary, beg leave to report that they have had the same under consideration, and report the same back to the House with the following amendment: Insert after the word "six," in the first section of the bill, the words "of an act to incorporate the Colorado Seminary." With this amendment your committee recommend that the bill do pass.

S. H. ELBERT,  
Chairman.



On motion, the bill was ordered engrossed as amended.

Mr. Rice gave notice that on to-morrow or some future day, he would introduce a bill to repeal so much of section 4 of chapter 45 as refers to Hardscrabble Creek.

Mr. Graham gave notice that on to-morrow or some future day, he would introduce a bill asking relief for Mary Adella McFarlane, a deaf and dumb orphan girl of Boulder county, and for other purposes.

Mr. Lynch gave notice that on to-morrow or some future day, he would introduce a bill to amend the charter of Georgetown; also, a bill to amend chapter 48 of the Revised Statutes of Colorado.

Mr. Campbell asked leave to submit the minority report from committee on Incorporations, which was granted.

Mr. Campbell then submitted the following report :

*Mr. Speaker :* The undersigned, a minority of the committee on Incorporations, to whom was referred H. B. No. 2, beg leave to submit the following report :

Your committee is of the opinion that the location of the University of Colorado should not be changed without good and sufficient reason; and as no good reason has been furnished to your committee for such a change, the majority of the committee recommending a change of location from Boulder to Burlington, have not given any reason in favor of that step; and your committee are unable to discover what reason they have, if any, for making such a change. It is quite evident that the first Legislature of Colorado preferred Boulder to any other point as the seat of the University, and no objections have been since made by the people of Boulder county or elsewhere against such location; and there is no satisfactory evidence before your committee that the change is desired, even by the people of the village of Burlington. Your committee would also say, that in their opinion, that as between Boulder and Burlington there can be no question of the natural and other advantages of the former over the latter. The position of Boulder, at the base of the mountains, must be exceedingly eligible for such a purpose; and its position also central and accessible to all points in northern Colorado. The facilities for erecting the necessary College buildings are incomparably greater and better than at Burlington. The former place has several excellent stone quarries, almost within the town; a good supply of limestone within a short distance; within five miles of the finest coal fields in Colorado, and lumber abundant, cheap and convenient.

By reason of these advantages, your committee is satisfied



that the necessary buildings can be erected at much less expense at Boulder than at Burlington. Your committee would also state, that the citizens of the town of Boulder and vicinity have agreed to contribute the sum of ten thousand dollars in money and in lands in aid of said University. Your committee beg leave to call the attention of the House to the accompanying petitions and documents from the citizens of Boulder county. Your committee would therefore recommend that the amendment recommended by the majority of the committee be rejected, and that H. B. No. 2 be passed without amendment.

Respectfully submitted,

THOS. J. CAMPBELL,  
THOS. J. GRAHAM.

Mr. Wells moved H. B. No. 2 with majority and minority report, be placed on general file.

Carried.

Mr. Bevan introduced H. B. No. 35, which was read a first time by title.

Mr. Elbert introduced H. B. No. 36 (leave being granted) without previous notice, which was read the first time by title.

Mr. Campbell introduced H. B. No. 37, which was read first time by title.

Mr. Wells introduced H. B. No. 38, which was read first time by title.

Mr. Hall introduced H. B. No. 39, which was read first time by title.

Mr. Meyer introduced H. B. No. 40, which was read first time by title.

Also, H. B. No. 41, which was read first time by title.

Mr. Lyon introduced H. B. No. 42, which was read first time by title.

Mr. Lynch, on leave of the House, without previous notice, introduced H. B. No. 43, which was read first time by title.

Mr. Gird introduced H. B. No. 44, which was read first time by title.

H. B. No. 33 was read a second time.

Mr. DeFrance moved a suspension of the rule, that all bills on second reading be read by title only.

Carried.

H. B. No. 32 was read a second time by title only.

Mr. Meyer moved that H. B. No. 32 be referred to committee on Judiciary.

Carried.

H. J. R. No. 7 was read a second time by title.



H. J. M. No. 1 was read a third time, and the question being on its passage, the ayes and nays were called for on the passage of the Memorial.

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—none.

So the Memorial passed and title agreed to.

H. B. No. 28 was read a third time, and on motion of Mr. Elbert, was referred to a special committee of three, consisting of Messrs. Bearce, Elbert and DeFrance.

Mr. Taylor moved the House go into committee of the Whole on general file.

Carried.

So the House resolved itself into committee of the Whole.

Mr. Mullen in the chair.

After a time spent therein the committee rose.

The Speaker resumed the chair, when the chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. No. 33, and would report the same back to the House with the recommendation that it be referred to the committee on Judiciary.

Also, H. B. No. 2, and would report progress, and ask leave to sit again for the consideration of said bill.

C. M. MULLEN,  
Chairman.

On motion, the report of the committee of the Whole House was concurred in.

Mr. Taylor moved the House do now adjourn to 2 o'clock p. m.

Carried, and House declared adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bearce, Graham, Lucero, Myers, Randall, Rice and Topping.

Communication of Speaker of the House to Ex-Governor Evans was read; also Governor Evans' reply, and on motion, was ordered spread on the journal, as follows:

HOUSE OF REPRESENTATIVES, DENVER, Jan. 17, 1870.

*Gov. Evans—Sir:* It becomes my duty, under a resolution of this date, to inform you that you are invited by the House of Representatives of Colorado Territory, to address said body on the railroad interests of the Territory, and that you signify the time that will suit you so to do.

I am your obedient servant,

GEORGE W. MILLER,  
Speaker of the House.

To which the following was replied :

DENVER, January 18th, 1870.

*Hon. Geo. W. Miller, Speaker of the House of Representatives :*

SIR: I am in receipt of your communication to me, the invitation of the Honorable body over which you preside, to address it on the railroad interests of our Territory.

In reply I have to say that if convenient to the House of Representatives, I will comply with the invitation at 2 o'clock p. m. on Thursday next. Please return to the House my thanks for the honor conferred by their invitation.

Very respectfully,

Your obedient servant,

JOHN EVANS.

On motion the time designated by Ex-Gov. Evans, was accepted by the House.

Mr. Mann moved that a reconsideration be had of the vote by which H. J. M. No. 1 was passed, for the purpose of attaching to said memorial a resolution.

Carried.

Mr. Taylor moved that the author of H. J. R. No. 1 be authorized to attach the resolution proposed to the memorial.

Carried.

The Sergeant-at-Arms announced a message from the Council, which was read as follows :

COUNCIL CHAMBER, January 18th, 1870.

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

SIR: I am instructed to inform the House that the Council has passed H. B. No. 6, an act for the repeal of an act concerning the County Commissioners of the counties of Costillo and Conejos.



Also H. B. No. 11, an act to repeal an act concerning traitors.

Also H. B. No. 13, an act to amend chapter 31 of the Revised Statutes.

The same are herewith transmitted.

Respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Campbell moved that the House go into committee of the Whole, on the general order of the day.

Carried.

House went into committee of the Whole.

Mr. Mullen in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. No. 2, and would respectfully report the same back to the House with the following amendment: That section 1 of said bill be amended by inserting the name of "T. J. Graham," as one of the Board of Trustees, after the name of "G. Berkley," in said section, and would recommend the same do pass as amended.

Also H. J. R. No. 7, and would report the same back with the recommendation that it be referred to the committee on Agriculture.

C. M. MULLEN,  
Chairman.

The House concurred in the report of the committee of the Whole.

Mr. Topping moved that the rules be suspended, and that H. B. No. 2 be considered engrossed, and that the bill be read a third time and put upon its passage.

Carried.

H. B. No. 2 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Campbell, DeFrance, Elbert, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Rice, Shepherd, Taylor, Topping, Vandiver and Mr. Speaker—19.

Nays—Gird, Lea, Meyer, Randall, Trujillo and Wells—6.

So the bill passed.

Title agreed to.

Mr. Mann moved that the rules be suspended and that H. J.

M. No. 1 be read the first, second and third times by its title, considered engrossed, and put upon its passage.

Carried.

So the bill was read the first, second and third times by its title and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—None.

So the memorial passed.

Title agreed to.

On leave Mr. Taylor offered the following resolution :

*Resolved*, That Ex-Gov. William Gilpin be tendered the use of this Hall, and be invited to address both branches of the Legislature upon the subject of the removal of the National Capitol, said address to be delivered upon some evening selected by himself, and that a committee of three be appointed to wait upon him and inform him of this invitation.

Adopted.

The chair announced Taylor, Shepperd and Lynch as said committee.

Mr. DeFrance moved that the House adjourn.

Carried.

The House was declared adjourned.

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WEDNESDAY, JANUARY 19TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Prayer by the chaplain.

Absent—None.

Journal of the preceding day read and approved.

A petition was received from Oliver Evans Wood, relative to mail facilities, was read, and on motion was referred to the committee on Territorial Affairs.

A petition was received from Mr. Otto, relative to the division of Saguache county, and on motion was referred to the committee on Counties and County Lines.

Mr. Bearce, chairman of the committee on Agriculture submitted the following report :



*Mr. Speaker:* Your committee on Agriculture, to whom was referred H. B. No. 21, entitled an act to preserve game in Colorado Territory, have had the same under consideration, and beg leave to report the same back to the House with the following amendment, to-wit: Strike out the word "two" after the word "seventy," in section 1, in the third line in the printed bill, and insert the word "three," and recommend that the bill with the amendment do pass.

H. B. BEARCE,  
Chairman.

Mr. Taylor, chairman of the special committee appointed to wait upon Ex-Governor Gilpin, submitted the following report:

*Mr. Speaker:* Your special committee, appointed to wait upon Ex-Governor Gilpin and advise him of the invitation extended him by a resolution of this House, have performed their duty, and beg leave to report that it will be the pleasure of Gov. Gilpin to deliver his address on Monday next.

Very respectfully,

M. S. TAYLOR.

Mr. Bearce, from the special committee to whom was referred H. B. No. 28, an act concerning county warrants, submitted the following report:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 28, an act concerning county warrants, beg leave to report that they have had the same under consideration and are of the opinion that the object sought to be accomplished by the bill, is already sufficiently provided for by the Statutes of limitation. Your committee, therefore, recommend that the bill be indefinitely postponed,

H. B. BEARCE.  
S. H. ELBERT.  
A. H. DEFRANCE.

Mr. Hall, from the special committee to whom was referred H. B. No. 20, submitted the following report:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 20, have had the same under consideration, and beg leave to report the same back to the House with the recommendation that it do pass.

J. B. HALL.  
C. M. MULLEN.  
D. L. VANDIVER.



Mr. Lynch, from the special committee to whom was referred H. B. No. 15, made the following majority report:

*Mr. Speaker:* A majority of your special committee, to whom was referred H. B. No. 15, to dissolve the bonds of matrimony between Lewis Bearce and Hassie E. Bearce, beg leave to report that they have had the same under consideration, and have come to the conclusion that while there can be no question as to the right of the legislature to grant divorces, at the same time we believe it unwise and the precedent a bad one, and are of the opinion that the courts are the proper tribunal to adjust such matters, and would therefore report said bill back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted,  
JOHN T. LYNCH.  
J. B. RICE.

Mr. Shepperd, from the same special committee, submitted a minority report on H. B. No. 15 as follows:

*Mr. Speaker:* I wish to submit a minority report on H. B. No. 15. I have examined said bill in committee with the other members, and believe that the case is a meritorious one, and that the legislature has the right to grant divorces, and would therefore ask the House to pass said bill dissolving the bonds of matrimony between the parties mentioned in said bill.

WM. SHEPPERD.

Mr. DeFrance, from the special committee to whom was referred H. B. Nos. 5 and 25, submitted the following:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 5, beg leave to submit the following report:

Your committee are of the opinion, upon an examination of the bill and its purposes, that the end sought can be more readily attained by a separation of the subjects, the matter therein contained being heterogeneous. \* \* \* \* \*

\* \* \* \* \* This brings your committee to the consideration of the third and vital question contained in the original bill—the extension to women of the right of suffrage. To attain this purpose, your committee have drafted a separate bill which we report back to the House as a substitute for H. B. No. 25, which was also referred to this your committee. But to the question of Woman Suffrage,



however much men may ridicule the question, and however much they may seek in that way to avoid its decision and ignore its importance in the future political economy of the country, the fact can no longer be disguised that the question of the right of the women of America to a voice in the political affairs of the government under which we live, is the one great vital question of the day. Negro Suffrage has gone into the past, and no longer supplies food for political discussion. In its wake, and as one of its necessary corollaries, follows the question of Female Suffrage.

The decade which has just closed has wrought one immense revolution, if it failed in another. Some eight hundred thousand names have been added to the voting list of the country, in the persons of liberated slaves and free negroes. However bitterly the adoption of this measure may have been opposed, and however nauseous the draught may now be to many of us, the question of Freedmen Suffrage may be denominated a dead issue. The declaration that the ballot should follow the bayonet was too plausible for successful opposition, and we now witness a whole country bow to the solution.

As a remedy for this supposed evil, as some say, but on much higher grounds, as is said by others, your mothers, wives and sisters, now step into the arena and demand of you the right to participate equally with you in the power and privilege of political affairs. They demand it as their right. They do not beg it as a concession. They say, and in much truth, that one of the main corner-stones in your temple of freedom, cemented and fixed there by the noblest blood of your most noble ancestry, is the declaration that representation should go with taxation. They pay their taxes—you levy them, direct their amount, and the purpose for which they shall be expended. Your wife owns the house in which you live, and its contents, and the horse and carriage which you in common use for your pleasures. Your colored servant who lights your fires and cares for those horses, but who does not own an article of property beyond his scanty wardrobe, votes at all your elections and directs the taxes to be paid by your wife on this property, and how the money thus paid shall be expended, and that too, without intelligence enough to know the difference between a democracy and despotism, or to give you the least possible idea of what is meant by the word Constitution.

Is this right? Is this justice? But to this it is replied that there can be no general rule without its exceptions, and that no municipal regulation can be made that will not work injustice to some; that women generally do not wish to vote; that their delicacy revolts at the idea of contact with rough man-



hood in their struggles to reach the window; and last, but not least, that their gentler sensibilities will be blunted in these contests, and they degraded, rather than society elevated by their enfranchisement. This logic, we think, will not bear the touch-stone of criticism. Are woman degraded by their constant contact with the sterner sex in our churches, our schools, our vehicles of public travel, or our ball rooms, if you please?

Certainly not, but on the contrary, their presence invariably tends to the suppression of follies, indecencies, and even brutalities, which males, alas! are but too prone to indulge in. Can any Colorado man dare for one moment doubt the blissful influence of woman? Look, for instance, at Denver ten years since, and compare it with Denver of to-day. Then the citizens were all males, and riot and bloodshed, drunkenness and debauchery, were the characteristics of society. Now, after the influx of its thousands of refined and educated women, no New England village is more noted for the elegance of its society, and the peace and quiet of its places of public resort and thoroughfares. Did not woman with her moral influence work this change? Can any one in his senses doubt? Woman was not degraded by her contact with rough, uncouth manhood here, but by her benign influence, elevated the standard of morals, and brought these same men to her own higher level. Put into her hands the ballot and learn the fact early which must eventually come to your knowledge, that whatever is touched by woman, is dignified and ennobled by the contact. The disgraceful scenes which too frequently occur at your places of voting will cease, and soon the hustings will be as peaceful and quiet as your other places of public resort. Let woman vote and three of the cancers upon the body politic will speedily disappear. We mean the drinking saloon, the gambling house and the brothel. The standard of *political* morals will be elevated. The successful politician will no longer be the bar-room brawler or the worthless debauchee. Politicians will attain a higher level. Your laws will still be made and executed by men, but by men who will at least be too discreet, if not too honest, to offend the sensibilities of the fair constituents to whom they look for future success, by excesses which now too often characterize the lives of those high in office.

But to the proposition that woman should be allowed a direct voice in the administration of our public affairs, it is replied by those who adopt the old times condition of the sexes, without once stopping to think for themselves, that none should be allowed to control our Legislature and thereby levy war, except those who can shoulder the musket and fight in the ranks.



If this be a true test what will you do with the aged and infirm? Can a country only be saved by blood, by bayonets, by the thunders of artillery? Where in all the long lists of the illustrious of the last decade stands the name of any one, amongst those who contributed to the salvation of the country, so high as that of Salmon P. Chase? He never carried a musket; he never heard the roar of cannon, the thud of the Minnie ball, or the scream of the shell. Yet if the question was this day put to the American people, what single individual contributed the most toward the suppression of the rebellion, the reply would be almost, if not entirely, unanimous—Salmon P. Chase. Let once the proper influence of woman be felt in our Legislative halls, and without stooping one inch from the high standard of honor and dignity which should characterize a nation, war would cease with all its scenes of bloodshed and sorrow. Must you retain control of the Legislative and Executive departments of the Government in order that you may cut each other's throats? How much more would it become the acts of a great Christian nation, whose mission should be to cultivate the arts of peace, to admit into its organization such influences as might and would tend to make you more and more like that Divine Master whom you as a nation profess to follow and worship.

The question of female suffrage is a question which must be solved by the American people, sooner or later, and that in the affirmative. It is now only a question of time, and to you who are the Representatives of pioneers in all else, is presented the question, will you also be the pioneers in this? or will you be the followers of others? Will you occupy a high niche in that temple, which must ere long be erected to woman's worth and woman's virtues and intelligence, or will you be content to occupy a lower place? Solve this problem by extending this right, and look to the gratitude of the women of the Republic for your reward. It will speedily fill up the waste places of your valleys and mountains with a teeming population. It will give you character and notoriety abroad, and in all lands and for all time will be a living advertisement of the progress, the liberality and the intelligence of Colorado and her people.

For these reasons your committee, with the exception of Mr. Mann, who dissents herefrom, would most respectfully report back to the House this substitute for H. B. No. 25, with the recommendatian that it pass.

A. H. DEFRANCE,  
Chairman.

Mr. Shepperd asked until to-morrow to submit a minority report of H. B. Nos. 5 and 25, which was granted.



Mr. Meyer gave notice that on to-morrow, or some future day, he would introduce a bill for the relief of Joan Lucero, a blind girl, of Conejos county.

Also a bill for the relief of Ramon Espinosa, a lunatic, of Conejos county.

Also a bill for the relief of Francisco Heceara, a blind girl of Costilla county.

Mr. Shepperd gave notice that on to-norrow, or some future day, he would introduce a bill for the relief of Benjamin F. Smith, County Treasurer of Fremont county, Colorado Territory.

Also a bill for the relief of Fremont county, Colorado Territory.

Also a bill for the relief of Samuel Hartsel, of Fremont county, Colorado Territory.

Mr. Randall gave notice that on to-morrow, or some future day, he would introduce a bill for an act to amend chapter 77 of the Revised Statutes of Colorado, Approved Jan. 10th, 1868.

Mr. Mullen gave notice that on to-morrow, or some future day, he would introduce a bill to provide against the spread of contagious diseases among the neat cattle of Colorado Territory.

Mr. Lynch introduced H. B. No. 45, which was read the first time.

Mr. DeFrance called for the reading of Substitute for H. B. No. 5, which was read the first time.

Also for the reading of the Substitute for H. B. No. 26, which was read the first time.

Leave being granted without previous notice being given, Mr. Taylor introduced H. B. No. 46, which was read the first time.

H. B. No. 35 was read the second time.

Mr. Topping moved that the rules be suspended, and that all bills on the second reading be read a second time by title only.

Carried.

A message from the Council was announced by the Sergeant-at-Arms, which was read as follows:

COUNCIL CHAMBER, January 19th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body, that they have passed H. B. No. 2, an act to establish the University of Colorado, and to amend chapter 87,



of the Revised Statutes of Colorado Territory. The same is herewith transmitted.

Very respectfully,

Your obedient servant,

A. O. PATTERSON,

Secretary.

H. B. No. 36 was read the second time by its title only.

H. B. No. 37 was read the second time by its title only.

H. B. No. 38 was read the second time by its title only.

H. B. No. 39 was read the second time by its title only.

H. B. No. 40 was read the second time by its title only.

H. B. No. 42 was read the second time by its title only.

The report of the committee on Agriculture, on H. B. No. 21, was considered, and on motion the bill and amendment reported was ordered placed on general file.

The report of the special committee, to whom was referred H. B. No. 28 was considered, and on motion the report of the committee was adopted and the bill indefinitely postponed.

The report of the special committee, to whom was referred H. B. No. 20, was considered.

Mr. Hall moved that H. B. No. 20 be put upon its passage.

Mr. Elbert moved to amend by ordering H. B. No. 20 to be placed on the general file.

The vote being taken on the amendment of Mr. Elbert, was carried in the affirmative, and the bill placed on general file.

H. B. No. 22 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—None.

So the bill passed.

Title agreed to.

Mr. Elbert moved that the Sergeant-at-Arms be instructed to procure printed copies of Council bills sent to the House.

Carried.

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

Carried.

The House was declared adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bearce, Elbert, Graham and Mann.

Leave being granted, Mr. Taylor introduced the following resolution:

*Resolved*, That the committee on Printing be authorized to have fifty copies of the majority report of the committee to whom H. B. No. 25 was referred, printed.

The ayes and nays being called for, a vote on the passage of the resolution resulted as follows:

Ayes—Bevan, Baca, De France, Gird, Graham, Lea, Lyon, Lynch, Lucero, Mann, Mullen, Myers, Shepperd, Taylor, Trujillo, Vandiver and Mr. Speaker—17.

Nays—Campbell, Hall, Meyer, Randall, Rice, Topping, and Wells—7.

So the resolution passed.

Mr. Lea moved that the House go into committee of the Whole, on the special order of the day, viz: The consideration of that portion of the Governor's message relating to Female Suffrage.

Carried.

The House resolved itself into committee of the Whole.

Mr. Graham in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker*: Your committee of the Whole House, have had under consideration that portion of the Governor's message relating to Woman Suffrage, and would respectfully report as follows: That the committee have decided to rise without submitting any recommendation to the House.

Respectfully,

T. J. GRAHAM.

Chairman.

The House concurred in the report of the committee of the Whole.

Mr. Taylor moved to adjourn.

Carried.

House was declared adjourned.



THURSDAY, JANUARY 20TH, 1870

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Mr. Elbert.

Journal of the preceding day read and approved.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Jan. 20th, 1870.

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

SIR: I am instructed by the Council to return H. J. M. No. 1 to your Honorable Body, and request that the same may be properly engrossed before it is returned to the Council.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Taylor moved that H. J. M. No. 1, be ordered engrossed.  
Carried.

Mr. Shepperd submitted the following report:

*Mr. Speaker:* I wish to submit the following report on H. B. Nos. 5 and 25: I have examined said bills in committee with the other members, and beg leave to dissent from the majority of said committee, or to that part of said bill, or so much thereof as relates to the repeal of the Registry laws of this Territory, and believing as I do that the law now existing is the only safe-guard for preserving the purity of the ballot box, so sacred to every true American citizen, I recommend that so much of said bill as relates to the repeal of the Registry law, do not pass. The majority report relating to Female Suffrage is concurred in. Also that portion of the majority report relating to chapter 28 and section 26 of said chapter, requiring any voter when challenged, to take oath that he has not, since the fifteenth day of March, 1864, knowingly aided, encouraged or assisted, and will not hereafter in any manner, aid, encourage or assist any person or persons, nor the so-called Confederate States, nor any of them, in any act of rebellion against the Government of the United States, be and are hereby repealed.

I concur with the majority report to repeal said section, for the reason already stated on this floor, that while I yield to

no man in my attachment to the government that fosters and protects me in common with all loyal citizens, I can cordially with the mantle of charity cover the faults of an erring brother, and extend to him the hand of friendship and brotherly love, and welcome him back to the enjoyment of the privileges I enjoy, and while I cultivate the spirit set forth in the language of our late lamented President Lincoln, charity to all and enmity to none, I heartily endorse the noble sentiment of our Chief Magistrate, already stated in the majority report, "let us have peace."

Respectfully submitted,

W. M. SHEPPERD.

The minority report was ordered to be placed on general file with H. B. Nos. 5 and 25.

Mr. Taylor gave notice that on to-morrow, or some future day, he would introduce a bill for an act to make a division of Weld county into two counties.

Mr. Graham gave notice that on to-morrow, or some future day, he would introduce a bill to amend chapter 58 of the Revised Statutes of Colorado, relating to marks and brands.

Mr. Randall gave notice that he would on to-morrow, or some future day, introduce a bill for an act to repeal an act entitled an act to establish a Territorial Assay Office in the Territory of Colorado, approved January 10th, 1868.

Mr. Rice introduced H. B. No. 47, which was read the first time.

Mr. Mullen introduced H. B. No. 48, which was read the first time.

Mr. Miller introduced H. B. No. 49, which was read the first time.

Mr. Mullen moved that the House go into committee of the Whole, on general file.

Carried.

The House resolved itself into committee of the Whole.

Mr. Randall in the chair.

After some time spent therein the committee rose.

The Speaker resumed the chair.

The committee of the Whole submitted the following report :

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. Nos. 29, 30, 35, 36, 37, 38 and 39, and have made some progress, and ask leave to sit again.

J. G. RANDALL,

Chairman.



On motion, the report of the committee of the Whole was concurred in.

Mr. Wells moved that an invitation be extended to the Council to meet at the Hall of Representatives, at 2 o'clock p. m., to hear the address of Hon. Ex-Gov. Evans.

Carried.

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

Carried, and House declared adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bearce, Baca, Lynch, Trujillo and Wells.

Taylor, Gird and Wells were appointed a committee to wait on Ex-Gov. Evans and conduct him to the chair.

On motion of Mr. Lea, the House resolved itself into committee of the Whole, on the special order of the day, viz: To hear the address of Ex-Gov. Evans.

Mr. Campbell in the chair.

After hearing the address of Ex-Gov. Evans, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had an address from Gov. Evans, on the Railroad interests of Colorado.

T. J. CAMPBELL,  
Chairman.

The report of the committee was ordered spread upon the journal.

Mr. Wells moved that a vote of thanks be tendered Ex-Gov. Evans for his able address.

Carried.

Mr. Mullen moved that the House go into committee of the Whole, on general file.

Carried.

The House went into committee of the Whole.

Mr. Randall in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole made the following report.

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. No. 29, and would report the same back to the House with the recommendation that it be referred to the committee on Judiciary.

Also H. B. No. 30, and would report the same back to the House, with the recommendation that it be referred to the committee on Ways and Means.

Also H. B. No. 35, and would report the same back and recommend its reference to the committee on Mines and Minerals.

Also H. B. No. 36, and report the same back and recommend that it be referred to the committee on Federal Relations.

Also H. B. No. 37, and report the same back and recommend that it be referred to the committee on Ways and Means.

Also H. B. No. 38, and report the same back and recommend it do pass.

Also H. B. No. 39, and report the same back and recommend that it be referred to the committee on Territorial Affairs.

Also H. B. No. 40, and report the same back and recommend that it do pass.

Also H. B. No. 21, and recommend that it do pass.

Also H. B. No. 20, and report the same back and recommend that it be re-committed to the same special committee to whom the said bill was last referred.

All of which is respectfully submitted.

J. G. RANDALL,  
Chairman.

On motion the report was concurred in, and the bills referred to the committees recommended.

Mr. Wells moved to adjourn.

Carried.

The House was declared adjourned.

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FRIDAY, JANUARY 21ST, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Bearce and Randall.

Journal of the preceding day read and approved.

A message from the Council was announced and read as follows.



COUNCIL CHAMBER, Denver, January 20th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that they have passed C. B. No. 14, an act to dissolve the bonds of matrimony between John Ritchie and Margaret Ritchie, and respectfully ask the concurrence of the House.

Also have passed H. B. No. 1, with the following amendment:

SECTION 3. This act shall apply with full force to all cases now pending in all of said District or Probate Courts. Change the number of section 3 to section 4.

Also have amended the title so as to read "A bill for an act to amend chapter 88 of the Revised Statutes of Colorado Territory, concerning venue."

The same are herewith transmitted.

Respectfully,

Your obedient servant,

A. O. PATTERSON,

Secretary.

Mr. Hall, chairman of the committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment have examined H. B. No. 17, and H. J. M. No. 1, and beg leave to report the same correctly engrossed.

J. B. HALL,

Chairman.

H. J. M. No. 1 was transmitted to the Council.

Mr. Lynch, chairman of the committee on Enrollment, submitted the following report:

*Mr. Speaker:* Your committee on Enrollment beg leave to report that they have examined H. J. R. No. 4, H. B. No. 11, and H. B. No. 13, and find the same correctly enrolled.

J. T. LYNCH,

Chairman.

Mr. Mullen moved that the House instruct the committee on Agriculture to report on C. B. No. 6 immediately.

Mr. Elbert moved to amend by saying to-morrow instead of immediately.

Mr. Taylor moved to lay both motions on the table.

Ayes and nays being called for on the motion to lay on the table, the vote resulted as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Mann, Meyer, Taylor, Topping, Wells and Mr. Speaker—15.

Nays—Elbert, Gird, Hall, Lynch, Myers, Mullen, Randall, Rice, Shepperd, Trujillo, and Vandiver—11.

So the motion to lay on the table prevailed.

Mr. Campbell, chairman of the committee on Ways and Means, submitted the following report:

*Mr. Speaker:* Your committee on Ways and Means, to whom was referred H. B. No. 27, have had the same under consideration and beg leave to report it back to the House with the recommendation that it do pass.

T. J. CAMPBELL,  
Chairman.

Mr. Rice gave notice that on to-morrow, or some future day, he would introduce a bill for the relief of Juoun Maria Espinosa, a blind girl, of Pueblo county.

Leave being granted without previous notice, Mr. Bearce introduced H. J. R. No. 8, a bill for the relief of the assignees of C. G. Cox, which was read the first time.

Mr. Topping introduced H. B. No. 50, which was read the first time.

Mr. Graham introduced H. B. No. 51, which was read the first time.

Also H. B. No. 52, which was read the first time.

Leave being granted without previous notice being given, Mr. Taylor introduced H. B. No. 53, which was read the first time.

Mr. Mann moved that the rules be suspended, and that H. B. No. 53 be read the second time, considered engrossed, and placed on general file.

Carried.

H. B. No. 53 was read the second time and considered engrossed.

C. B. No. 14 was read the first time.

Substitute for H. B. No. 5 was read the second time.

Mr. Campbell moved that the rules be suspended, and that all bills on second reading be read by title only.

Carried.

Substitute for H. B. No. 25 was read the second time by title only.

H. B. No. 41 was read the second time by title only.

H. B. No. 43 was read the second time by title only.



H. B. No. 44 was read the second time by title only.

H. B. No. 45 was read the second time by title only.

H. B. No. 46 was read the second time by title only.

Mr. DeFrance moved that the House concur in the amendment proposed by the Council to H. B. No. 1.

The ayes and nays were called for, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Meyer, Randall, Shepperd, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—21.

Nays—Bevan, Lea, Mullen, Rice—4.

So the amendments proposed by the Council to H. B. No. 1 were concurred in.

H. B. No. 17 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—25.

Nays—None.

So the bill passed.

Title agreed to.

Mr. Bearce moved to recall H. B. No. 21 from the committee on Engrossment.

Motion carried and bill recalled.

Mr. Wells moved that the House go into committee of the Whole, for the consideration of H. B. No. 53.

Carried.

So the House went into committee of the Whole.

Mr. Lyon in the Chair

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. No. 53, and would report the same back with the recommendation that it be referred to a special committee of five, all of which is respectfully submitted.

H. E. LYON,  
Chairman.

On motion, the report of the committee was concurred in.

The Speaker announced as special committee on H. B. No. 53, Wells, Taylor, DeFrance, Meyer and Rice.



Mr. Elbert moved that the special committee be instructed to report a separate bill, relative to appropriations for printing the laws in the Spanish language.

Mr. Campbell moved to amend by saying that the committee make no report, with reference to printing the laws in the Spanish language.

A vote was taken on the amendment offered by Mr. Campbell, and carried in the affirmative, and the committee was instructed accordingly.

On motion the House was declared adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—None.

Leave being granted, Mr. Bearce called up H. B. No. 21, which, on motion of Mr. Bearce, was re-committed to the committee on Agriculture.

Mr. Campbell moved that Green McCafferty, a soldier who served under General Jackson in the war of 1812, and who was in the battle of New Orleans and other actions fought during said war, who is now standing in the lobby of this House, be invited to a seat on the floor of this House during the session.

Carried.

Mr. Mann introduced to the Speaker and members of the House Mr. Green McCafferty.

The Speaker, in a few appropriate remarks, welcomed the venerable veteran soldier of Gen. Jackson's army.

Mr. Mullen moved that the House go into the committee of the Whole, on general file.

Carried.

House went into committee of the Whole.

Mr. Lea in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report :

*Mr. Speaker :* Your committee of the Whole House have had under consideration Substitute for H. B. No. 5, and would respectfully report the same back, and recommend that it be placed on general file for consideration, when printed copies are procured.



Also Substitute for H. B. No. 25, and would report the same back and recommend that it be re-committed to the special committee reporting the same to the House.

Your committee would further report progress, and ask leave to sit again for the consideration of H. B. Nos. 41, 45, 43, 46, 44 and 15.

Very respectfully,  
A. E. LEA,  
Chairman.

The House concurred in the report of the committee of the Whole.

Mr. DeFrance moved to adjourn.

Carried, and House declared adjourned.

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SATURDAY, JANUARY 22ND, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—None.

Journal of preceding day read and approved.

Mr. Bearce, chairman of the committee on Agriculture, submitted the following amendment to H. B. No. 21:

*Mr. Speaker:* Your committee on Agriculture, to whom was referred H. B. No. 21, would report the same back with the following amendments, to-wit:

That section 1 be amended to read "until the first day of October, 1873," instead of "1872."

Also in section 1, second line, add after the word "kill," "any Quail on."

H. B. BEARCE,  
Chairman.

Mr. Hall, chairman of committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment have examined H. B. No. 38, a bill for an act to repeal chapter 33 of the Revised Statutes of Colorado. Also H. B. No. 42, a bill for an act to authorize the board of county commissioners of Gilpin and Clear Creek counties, to levy a special tax. Also H. B. No. 27, an act to amend chapter 21 of the Revised Statues,

relating to Counties and County Officers, and beg leave to report the same correctly engrossed.

J. B. HALL,  
Chairman.

Mr. Bearce, from the committee on Agriculture, submitted the following report :

*Mr. Speaker :* Your committee on Agriculture, to whom was referred C. B. No. 6, a bill entitled an act to repeal sections 10, 11 and 12 of chapter 80, of the Revised Statutes, would report that they have had the same under consideration and recommend that it do pass.

H. B. BEARCE,  
Chairman.

Mr. Lynch, chairman of the committee on Enrollment, submitted the following report :

*Mr. Speaker :* Your committee on Enrolled Bills beg leave to report that they have examined H. B. Nos. 1, 2 and 6, and find the same correctly enrolled.

JOHN T. LYNCH,  
Chairman.

Mr. Campbell, chairman of the committee on Ways and Means, submitted the following report :

*Mr. Speaker :* Your committee on Ways and Means have had under consideration H. B. No. 30, and recommend the following amendment :

That the word "thousand," in the first line of section 2, be stricken out, and that the words "eighteen hundred" be inserted in lieu thereof; and further, that H. B. No. 30, as amended, do pass.

THOS. J. CAMPBELL,  
Chairman.

Mr. Wells, chairman of the special committee to whom was referred H. B. No. 53, submitted the following report :

*Mr. Speaker :* Your special committee to whom was referred H. B. No. 53, have had the same under consideration, and would respectfully report that they find the same multifarious in its provisions, and would respectfully offer the accompanying bill as a substitute for the one referred to your committee



so far as the same relates to the pay of the officers of the Legislative Assembly. So far as the other provisions of the said bill are concerned, your committee have taken no action. All of which is respectfully submitted.

JOHN H. WELLS,  
Chairman.

Mr. Hall gave notice that on to-morrow, or some future day, he would introduce a bill to provide for the relief of certain parties who captured and killed the guerrilla Espinosa.

Mr. Elbert gave notice that on to-morrow, or some future day, he would introduce a bill for an act concerning evidence.

Mr. Campbell gave notice that on to-morrow, or some future day, he would introduce a bill for an act legalizing the assessment and levy of city taxes in the cities of Central and Black Hawk, in Gilpin county, Colorado Territory, and for the collection of the same.

Mr. Shepperd introduced H. B. No. 54, which was read the first time.

Also H. B. No. 55, which was read the first time.

Mr. Randall introduced H. B. No. 56, which was read the first time.

Also H. B. No. 57, which was read the first time.

Leave being granted without previous notice being given, Mr. Wells introduced H. J. R. No. 9, which was read the first time.

Mr. Rice introduced H. B. No. 58, which was read the first time.

C. B. No. 14 was read a second time.

Mr. Shepperd moved that C. B. No. 14 be referred to a Special committee of three.

Carried.

The Speaker announced Shepperd, Vandiver and Hall said committee.

Mr. Lea moved that the House go into committee of the Whole, for the consideration of H. B. No. 53.

Carried.

The House resolved itself into committee of the Whole.

Mr. Graham in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration Substitute for H. B. No. 53, and would

report back said substitute for H. B. No. 53 as amended, with the recommendation that it do pass.

Respectfully,

T. J. GRAHAM.

Chairman.

Mr. Taylor moved a call of the House.

The roll was called.

Absent—Bevan and Lea.

The Sergeant-at-Arms was dispatched after the absentees.

Mr. Elbert moved that all further proceedings under the call be dispensed with.

Motion lost.

The Sergeant-at-Arms announced Bevan and Lea present, when further proceedings under the call were dispensed with.

Mr. DeFrance moved to adjourn.

Carried.

The House was declared adjourned until Monday morning at 10 o'clock, January 24th, 1870.

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MONDAY, JANUARY 24TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Gird and Mullen.

Journal of preceding day read and approved.

Mr. Campbell presented a petition from the city Council of Central City, which was read and ordered spread on the journal.

Mr. Campbell moved that the petition of the Central City Council be referred to a special committee.

Carried.

The Speaker announced Campbell, Lea, Lyon and Topping said committee.

Mr. Rice presented a petition from the citizens of Pueblo county, which was read and ordered spread on the journal.

Mr. Elbert moved that the petition of the citizens of Pueblo county be referred to the committee on Agriculture.

Carried.

Mr. Wells, chairman of the committee on Incorporations, submitted the following report:

*Mr. Speaker:* Your committee on incorporations have had under consideration H. B. No. 34, an act to amend chapter 84



of the Revised Statutes, and would respectfully report the same back with the recommendation that it do pass without amendment.

J. H. WELLS,  
Chairman.

The Speaker referred portions of the Governor's message to the following standing committees:

That portion relating to Finance, was referred to the committee on Ways and Means.

That portion relating to Indian Affairs, was referred to the committee on Indian Affairs.

That portion relating to the Reservation System, was referred to the committee on Territorial Affairs.

That portion relating to an Organized Territory was referred to the committee on Judiciary.

That portion relating to the General Incorporation Act, was referred to the committee on Incorporations.

That portion relating to the Militia, was referred to the committee on Military Affairs.

That portion relating to the Election and Registration laws, was referred to the committee on Elections and Apportionments.

That portion relating to Agriculture, was referred to the committee on Agriculture.

That portion relating to Mining, was referred to the committee on Mines and Minerals.

That portion relating to public Instruction, was referred to the committee on Education.

That portion relating to the Compensation of Territorial Officers, was referred to the committee on Territorial Affairs.

That portion relating to the Election of Local Officers, was referred to the committee on Federal Relations.

That portion relating to Female Suffrage, was referred to the committee on Elections and Apportionments.

That portion relating to Railroads, was referred to the committee on Roads and Bridges.

That portion relating to Immigration, was referred to the committee on Ways and Means.

The Reports of Territorial Officers, was referred to the committee on Judiciary.

Leave being granted without previous notice being given, Mr. Myers introduced H. B. No. 59, which was read the first time.

Mr. Campbell introduced H. B. No. 60, which was read the first time.



Mr. Elbert introduced H. B. No. 61, which was read the first time.

H. B. No. 47 was read the second time.

Mr. Bearce moved that the rules be suspended, and that all bills on second reading be read a second time by title only.

Carried.

H. B. No. 50 was read the second time by title only.

H. B. No. 51 was read the second time by title only.

H. B. No. 52 was read the second time by title only.

H. B. No. 48 was read the second time by title only.

H. J. R. No. 8 was read the second time by title only.

The report of the committee on Agriculture, to whom was referred H. B. No. 21, was considered, and on motion the amendments reported by the committee was concurred in, and the bill ordered engrossed as amended.

The report of the committee to whom was referred H. B. No. 34, was considered and on motion concurred in, and the bill ordered engrossed.

The report of the committee on Agriculture, to whom was referred C. B. No. 6, was considered, and on motion the bill was ordered placed on the general file.

H. B. No. 30, amendment adopted, and bill ordered engrossed.

Mr. Campbell moved H. B. No. 30 with amendments be placed on general file.

Lost.

H. B. No. 27 was read a third time, and on motion of Mr. Bearce, was referred to a special committee of three, consisting of Bearce, Elbert and Gird.

H. B. No. 38 was read a third time, and on motion of Mr. Topping, was referred to a special committee of three, consisting of Topping, Wells and Graham.

H. B. No. 42 was read a third time and put upon its passage, when the ayes and nays were taken on the passage of the bill.

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Graham, Hall, Lea, Lyons, Lynch, Lucero, Myers, Mann, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—23.

Nays—none.

So the bill passed and title agreed to.

The substitute for H. B. No. 53 under order of unfinished business, was taken up.

Mr. Lynch withdrew the call for the ayes and nays as moved by him on the vote about to be taken on the motion that the House concur in the report of the committee of the Whole on Saturday, January 22nd, 1870.



Mr. Taylor moved that the report of the chairman of the Whole House, as made on substitute for H. B. No. 53 on January 2nd, 1870, together with the substitute, be referred to a special committee of three.

Carried.

Mr. Lea moved the committee be instructed to report instantler.

Lost.

The Speaker announced Wells, DeFrance and Lea as special committee on substitute for H. B. No. 53.

On motion of Mr. Elbert, Mr. Taylor was added to the special committee on substitute for H. B. No. 53. Also, on motion of Mr. Elbert, Mr. Mann was added to said committee.

Mr. Bearce moved that Mr. Elbert be added to said committee.

Carried.

Mr. DeFrance moved the House adjourn to 2 o'clock p. m.

Carried, and House declared adjourned to 2 o'clock p. m.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bearce, Mann and Topping.

The Sergeant-at-Arms announced a message from the Council, which was read, as follows:

COUNCIL CHAMBER, January 24th, 1870.

*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, to-wit: H. B. No. 8, An act to amend section one of chapter 80 of the Revised Statutes of Colorado, with the following amendments: adding after the word "Territory," in the last line of section one the words "for the purpose of grazing in said county of Conejos." H. B. No. 7, a bill for An act to change the name of Thomas Cox. The concurrence of your honorable Body is respectfully requested to the amendment to H. B. No. 8. The same are herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. DeFrance moved a suspension of the rule, that special committee on substitute for H. B. No. 53 may report.



Mr. Wells, from the special committee on substitute for H. B. No. 53, submitted the following report:

*Mr. Speaker:* Your special committee, to whom was referred substitute for H. B. No. 53, have had the same under consideration, and recommend that the bill be amended by adding to section 2 of said bill the following words: "the Assistant Sergeant-at-Arms of each House eight dollars"; and your committee do further recommend that the bill do pass as amended. Mr. Elbert and the chairman of the committee dissenting. All of which is respectfully submitted.

JOHN H. WELLS,  
Chairman.

Mr. Elbert submitted the following minority report, on substitute for H. B. No. 53:

*Mr. Speaker:* A minority of the special committee, to whom was referred substitute for H. B. No. 53, beg leave to report that they have had the same under consideration, and report the same back to the House without amendment, and recommend that it do pass. The minority of your committee further recommend, that the subject of the payment of all other officers of the House not provided for within said bill, be referred to a committee of three.

S. H. ELBERT.

Mr. Lynch moved the minority report be adopted, and called for the ayes and nays.

Mr. DeFrance moved to lay the motion of Mr. Lynch on the table.

The ayes and nays being called for, the vote resulted as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Lea, Lyon, Lucero, Mann, Meyer, Taylor, Trujillo, Vandiver and Mr. Speaker—14.

Nays—Elbert, Gird, Graham, Hall, Lynch, Myers, Mullen, Randall, Rice, Shepperd, Topping and Wells—12.

So the motion to lie on the table prevailed.

Mr. Wells moved the Clerk of the House be instructed to invite the members of the Council to meet in the Hall of Representatives this p. m., at 7½ o'clock, to hear Hon. Wm. Gilpin lecture on the removal of the National Capitol.

Mr. Taylor moved the House go into committee of the Whole for the consideration of substitute for H. B. No. 53, and the majority report thereon.



Carried, and House resolved itself into committee of the Whole.

Mr. Wells in the chair.

After a time spent therein the committee rose.

The Speaker in the chair, when the chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* . Your committee of the Whole House have, in obedience to the instructions of this House, had under consideration H. B. No. 53, and adopted the following amendment to be inserted in place of the amendment reported by the special committee, to whom was referred the bill in question, thus wording, to-wit: All officers and assistants, elected or employed by the authorities of either House, which are not paid or provided for by the United States, shall receive the sum of eight dollars per day, for the number of days actively employed, and would report the same back with the recommendation that it pass as amended in committee of the Whole.

JOHN H. WELLS,  
Chairman.

On motion, the report of the committee of the Whole House was concurred in.

Mr. Lea moved the rules be suspended, and H. B. No. 53 be considered engrossed with the amendments adopted, and that the bill be read a third time and put upon its passage.

Mr. Randall called for the ayes and nays.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Mann, Myers, Rice, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—17.

Nays—Elbert, Gird, Hall, Lynch, Meyer, Mullen, Randall, Shepperd and Topping—9.

So the motion to suspend the rules not having two-thirds of the votes cast, was lost.

Mr. Wells moved the House adjourn to 7½ o'clock this evening.

Carried, and House declared adjourned.

#### EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Elbert.

Mr. Wells moved a committee of three be appointed to wait upon Ex-Governor Wm. Gilpin, and inform him the House of

Representatives were in session and ready to listen to an address from him. Carried, and the Speaker announced Wells, Taylor and Lucero said committee.

Mr. Mann moved the House go into committee of the Whole upon the special order of the day.

Carried, and the House resolved itself into committee of the Whole.

Mr. Mann in the chair.

The committee appointed to wait upon Ex-Governor Gilpin, appeared within the bar of the House and introduced the Hon. Ex-Governor Gilpin to the chairman of the committee. The Hon. Ex-Governor was introduced by the chairman to the House, and proceeded to deliver his address.

After hearing the address the committee rose.

The Speaker resumed the chair, when the chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House convened pursuant to prior order, at 7½ o'clock p. m., January 24, 1870, have heard the address of Ex-Governor Gilpin upon the subject of the removal of the National Capitol.

Respectfully submitted,  
GEO. W. MANN,  
Chairman.

Report of committee was ordered spread on the journal.

Mr. Taylor moved a vote of thanks of the House be tendered to Ex-Governor Gilpin, for the delivery of his interesting address.

Carried.

Mr. Campbell moved to adjourn.

Carried, and House declared adjourned to to-morrow morning at 10 o'clock

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TUESDAY, JANUARY 25TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Lea, Mullen and Topping.

Journal of preceding day read and approved.

A message from the Council was announced by the Sergeant at-Arms, which was read as follows:



COUNCIL CHAMBER, Denver, January 24th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that the Council has passed the following bills, to-wit:

C. B. No. 2, a bill for an act to amend an act entitled an act providing for a change of venue in civil cases.

Also C. B. No. 4, a bill for an act to repeal an act to encourage the destruction of wolves.

Also C. B. No. 29, a bill for an act to change the name of Allyn J. Goodrich to Allyn J. Collier.

Also C. B. No. 30, a bill for an act to change the name of John H. Smith to John H. McCune.

Also C. B. No. 32, a bill for an act to repeal a part of section 26 of chapter 28, of the Revised Statutes of Colorado.

The concurrence of the House is respectfully requested. The same are herewith transmitted.

Respectfully,

A. O. PATTERSON,  
Secretary.

H. B. No. 8, as amended by the Council, was read.

Mr. Myers moved that the amendment to H. B. No. 8 be concurred in.

Carried.

Mr. Campbell gave notice that he would on to-morrow, or some future day, introduce a bill for an act to amend chapter 60, of the Revised Statutes of Colorado, entitled married women.

Mr. Shepperd introduced H. B. No. 62, which was read the first time.

C. B. No. 4 was read the first time.

C. B. No. 30 was read the first time.

C. B. No. 32 was read the first time.

C. B. No. 2 was read the first time.

Mr. Wells moved a call of the House.

The roll was called.

Absent—Elbert, Lea, Mullen and Topping.

The Sergeant-at-Arms was dispatched after the absentees.

Mr. Graham moved that Mullen be excused on account of sickness.

The Sergeant-at-Arms announced the absentees present.

Mr. Campbell moved that all further proceedings under the call be dispensed with.

Carried.

The Speaker called Mr. Campbell to the chair.

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

Lost.

Question.

Carried.

The main question being before the House, the vote was declared in the affirmative, and the House agreed to take a recess of fifteen minutes, at 3 o'clock p. m. of to-day.

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

Motion withdrawn.

Mr. DeFrance moved a suspension of the rules, and that all bills on second reading be read by title only.

Carried.

H. B. No. 49 was read the second time by title only.

H. B. No. 54 was read the second time by title only.

H. B. No. 55 was read the second time by title only.

H. B. No. 56 was read the second time by title only.

H. B. No. 57 was read the second time by title only.

H. B. No. 58 was read the second time by title only.

H. J. R. No. 9 was read the second time by title only.

Mr. Wells moved that the House go into committee of the Whole, on general file.

Carried.

So the House resolved itself into committee of the Whole.

Mr. Rice in the chair.

After a time spent therein the committee rose.

The Speaker resumed the chair, when the chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. Nos. 41, 45 and 52, and would report progress, and would ask leave to sit again for the consideration of H. J. R. No. 9, C. B. No. 6, and H. B. Nos. 58, 57, 56, 55, 54, 49, 53, and substitute for H. B. No. 5, all of which is respectfully submitted.

J. B. RICE,  
Chairman.

On motion, the report of the committee of the Whole was concurred in.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:



COUNCIL CHAMBER, Denver, Jan. 25th, 1870.

*Hon. Geo. W. Miller, Speaker of the House of Representatives :*

SIR: I am instructed to inform your Honorable Body that the Council has passed the following bills, to-wit:

H. J. R. No. 1, to the President of the United States. H. B. No. 17, a bill for an act to amend an act entitled an act to incorporate the Colorado Seminary.

Also have passed a Substitute for H. B. No. 22, an act authorizing the Justices of the Peace of the counties of Costillo, Huerfano, Las Animas and Conejos to have animals kept under control, &c. The concurrence of the House is respectfully requested. The same are herewith transmitted.

Very respectfully,

Your obedient servant,

A. O. PATTERSON,

Secretary.

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

Carried.

The House was declared adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Elbert, Mullen and Randall.

Mr. Campbell moved that the rules be suspended and that Substitute for H. B. No. 53 be taken up, considered engrossed as amended, and read a third time and put upon its passage.

Carried.

Substitute for H. B. No. 53 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, De France, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Mann, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—18.

Nays—Lynch, Myers, Meyer, Rice, Shepperd, Topping—6.

So the bill passed.

Title agreed to.

Mr. Campbell moved that the House go into the committee of the Whole, on general file.

Carried.

So the House resolved itself into committee of the Whole.

Mr. Rice in the chair.



After a time spent therein the committee rose.

The Speaker resumed the chair, when the chairman of the committee submitted the following report :

*Mr. Speaker:* Your committee of the Whole House have had under consideration C. B. No. 6, and would report progress, and ask leave to sit again for the consideration of H. J. R. No. 9, H. B. Nos. 58, 57, 56, 55, 54, 49, and Substitute for H. B. No. 5, all of which is respectfully submitted.

J. B. RICE,  
Chairman.

Mr. Taylor moved that the House adjourn.

Lost.

Mr. Bearce moved that the House take a recess of fifteen minutes.

Carried.

The House took a recess of fifteen minutes.

The Speaker resumed the chair.

Mr. Lynch offered the following resolutions :

*Resolved,* That this House tender to Mr. Willard Teller an invitation to deliver a lecture before the House, at his earliest convenience, on Woman Suffrage.

*Resolved,* That the Speaker of the House appoint a committee of three to wait on Mr. Teller, and have him designate the time when he can deliver said lecture, and report the same to the House, and also that the ladies be invited to attend.

That Mr. Campbell and Gov. Hinsdale be invited to reply to Mr. Teller on the same evening.

Mr. Bearce moved that the resolution just read be laid on the table. Carried.

Mr. Bearce moved that the use of this House be tendered to Mr. Teller, to deliver an address on Woman Suffrage, at his own convenience, and that Mr. Hinsdale be invited to attend.

Carried.

Mr. Elbert moved that an invitation be extended to Rev. Mr. Wells also.

Lost.

Mr. Graham presented the following resolution :

*Resolved,* That the use of this House be tendered to, and that an invitation is hereby extended to any one who may desire to address this House on the subject of Female Suffrage.

On motion the resolution was adopted.



Mr. Bearce, from the committee on Agriculture, to whom was referred H. B. No. 26, submitted the following report:

*Mr. Speaker:* Your committee on Agriculture, to whom was referred H. B. No. 26, entitled an act to promote arable agriculture by artesian irrigation, have had the same under consideration, and beg leave to report the same back to the House with the recommendation that the bill do pass with the amendments thereunto attached.

H. B. BEARCE,  
Chairman.

Mr. Elbert moved that the report be received, and the bill as amended be ordered engrossed with amendments included, and then printed.

Carried.

Mr. Campbell moved to adjourn.

Carried.

The House was declared adjourned.

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WEDNESDAY, JANUARY 26TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Prayer by the chaplain.

Absent—Lea and Wells.

Journal of preceding day read and corrected, by striking out all that portion relative to ticket agents, and then approved.

Mr. Meyer presented a petition from the citizens of Las Animas county, praying for the passage of a joint memorial to the Congress of the United States, for the establishment of a Land Office in the city of Trinidad, in Las Animas county, which was read, and on motion, was referred to the committee on Counties and County Lines.

Mr. DeFrance presented a petition from the members of the Colorado Volunteer Militia, asking for an appropriation to pay for services of said C. V. M., in guarding supply trains in the year A. D. 1868, which was read, and on motion was referred to the committee on Military Affairs.

Mr. Hall, chairman of the committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment beg leave to report that H. B. Nos. 21, 26, 30 and 34 are correctly engrossed.

J. B. HALL, Chairman.



Mr. Meyer, chairman of the committee on Counties and County Lines, submitted the following report :

*Mr. Speaker :* Your committee on Counties and County Lines have, in accordance with the directions of this House, had under consideration H. B. No. 31, an act to establish the county of Carson and to define the boundaries of certain other counties, and would respectfully offer the substitute therefor accompanying this report, and your committee recommend that the substitute do pass. Respectfully submitted.

WM. H. MEYER,  
Chairman.

Mr. Elbert, chairman of the committee on Territorial Affairs, submitted the following report :

*Mr. Speaker :* Your committee on Territorial Affairs to whom was referred the petition of Oliver E. Woods, beg leave to report that they have had the same under consideration, and report the same back to the House with the recommendation that it be indefinitely postponed.

S. H. ELBERT,  
Chairman.

The Speaker announced the special committee to wait on Mr. Willard Teller and Hon. Mr. Hinsdale, and invite them to address the House on the subject of Woman Suffrage, consisting of Shepperd, Lynch and Campbell.

Mr. Mann, chairman of the committee on Joint Enrollment, submitted the following report ;

*Mr. Speaker :* Your Joint committee on Enrolled Bills, beg leave to report that they have examined the enrollment of H. B. No. 1, an act to amend chapter 88 of the Revised Statutes.

Also H. B. No. 2, an act entitled an act to amend an act to establish the University of Colorado.

Also H. B. No. 6, an act for the repeal of an act concerning County commissioners of the counties of Costilla and Conejos.

Also H. B. No. 11, an act to repeal an act concerning traitors, embraced within the eighty-fifth chapter of the Revised Statutes.

Also H. B. No. 13, an act to amend chapter 31 of the Revised Statutes of Colorado.

Also H. J. R. No. 4, a resolution offering thanks to General Carr and the officers and soldiers of his command ; and do find said bills correctly enrolled, and would further report that we



have placed said bills in the hands of his Excellency the Governor, at 12 o'clock on January 25th, 1870, and the same now await his approval.

Respectfully submitted,  
 GEO. W. MANN.  
 J. B. RICE.  
 Committee.

Mr. Meyer moved that the rules be suspended, and that the Council Substitute for H. B. No. 22 be read the first and second times, considered engrossed, read a third time and put upon its passage.

Carried.

Council Substitute for H. B. No. 22 was read the first and second times, considered engrossed, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver and Mr Speaker—25.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 63 was read the first time

Leave being granted without previous notice being given, Mr. Elbert introduced H. B. No. 64, which was read the first time.

H. B. No. 65 was read the first time.

C. B. No. 2 was read the second time.

C. B. No. 4 was read the second time.

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

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

C. B. No. 32 was read the second time.

Mr. Meyer moved that the rules be suspended and that all bills on second reading be read by title only.

Carried.

H. B. No. 61 was read the second time by title only.

H. B. No. 59 was read the second time by title only.

The Substitute reported by the committee on Counties and County Lines for H. B. No. 31 was accepted, and read the first time and ordered printed.

The report of the committee on Territorial Affairs, relative to mail facilities, was considered, and on motion was concurred in and the subject indefinitely postponed.

Mr. Elbert moved that H. B. No. 26, just reported correctly engrossed, be ordered placed on the general file when printed.



Carried.

H. B. No. 34 was read the third time.

Mr. Elbert moved that the House go into committee of the Whole, for the consideration of H. B. No. 34.

Carried.

The House resolved itself into committee of the Whole.

Mr. Topping in the chair.

After some time spent therein the committee rose.

The Speaker resumed the chair.

The committee of the Whole submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. No. 34, and would report the same back without amendment, and recommend that it do pass.

J. F. TOPPING,  
Chairman.

On motion, the report of the committee of the Whole was concurred in.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Jan. 26th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that the Council has passed H. B. No. 3 with the following amendments, viz:

By striking out all of section 1 and inserting a new section in said bill.

Also have stricken out all of section 3 and inserted a new section. The concurrence of the House is respectfully requested.

Also have passed C. B. No. 19, a bill for an act to change the boundaries of the counties of Costilla, Conejos and Saguache. The concurrence of your Honorable body is respectfully requested. The same are herewith transmitted.

Very respectfully,  
A. O. PATTERSON,  
Secretary.

Mr. Elbert moved that H. B. No. 34 be put upon its passage.

Carried.

H. B. No. 34 was put upon its passage, the vote resulting as follows:



Ayes—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Trujillo, Vandiver and Wells—20.

Nays—DeFrance, Hall, Taylor, Topping and Mr. Speaker—5.  
So the bill passed.

Title agreed to.

Mr. Campbell moved to adjourn.

Carried.

The House was declared adjourned until to-morrow morning at 10 o'clock.

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THURSDAY, JANUARY 27TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Bevan, Mann and Taylor.

Journal of the preceding day read and approved.

Mr. DeFrance moved that H. B. No. 3 with the amendments proposed by the Council, be placed on general file.

Carried.

Mr. Hall gave notice that he would on to-morrow, or some future day, introduce a bill for an act to provide for the payment of certain Colorado Volunteer Militia, and parties who furnished transportation and supplies for the same.

Mr. Lea gave notice that he would on to-morrow, or some future day, introduce a bill for an act to dissolve the bonds of matrimony heretofore existing between Darius Jordon and Corilla F. Jordon.

Also that he would introduce a bill for an act to amend an act regulating the title to Water Powers and Land Claims.

Also that he would introduce a bill for an act to amend an act concerning mines and minerals.

Mr. DeFrance gave notice that he would on to-morrow, or some future day, introduce a bill entitled an act to repeal section 103 of chapter 50, of the Revised Statutes of Colorado Territory.

Also a bill entitled an act to amend chapter 78 of the Revised Statutes of Colorado Territory.

Mr. Campbell offered the following resolution:

*Resolved*, That the Secretary be requested to furnish the committee on Federal Relations an abstract of the number of votes



cast for Delegate to Congress at the three last general elections.

On motion the resolution was adopted.

Mr. Lynch, chairman of the committee on Enrollment, submitted the following report :

*Mr. Speaker :* Your committee on Enrollment beg leave to report that they have examined H. B. Nos. 7, 8 and 17, and H. J. R. No. 1, and find them correctly enrolled.

J. T. LYNCH,  
Chairman.

Mr. Meyer introduced H. B. No. 66, which was read the first time.

Mr. Hall introduced H. B. No. 67, which was read the first time.

C. B. No. 19 was read the first time.

H. B. No. 21 was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 30 was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—22.

Nays—None.

So the bill passed.

Title agreed to.

The Sergeant-at-Arms announced a message from the Governor, which was read as follows :

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, January 26th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives :*

SIR: I have the honor to inform you that I have approved the following acts and joint resolutions, certified to have originated in the House of Representative, viz :

An act to amend chapter 88 of the Revised Statutes of Col-



orado Territory, concerning venue, approved January 25, 1870.

An act to amend an act entitled an act to establish the University of Colorado, approved Nov. 7, 1861, and further, to amend chapter 87 of the Revised Statutes of Colorado Territory, approved January 25th, 1870.

An act for the repeal of an act concerning the County Commissioners of Costilla and Conejos counties.

An act to repeal an act concerning Traitors, embraced within chapter 85 of the Revised Statutes of Colorado Territory, approved January, 1868, approved January 25th 1870.

An act to amend chapter 31 of the Revised Statutes of Colorado Territory, approved January 25th, 1870.

Joint Resolution of thanks to Brevet Maj-Gen. E. A. Carr, U. S. A., and the officers and soldiers of his command, approved January 25th, 1870.

I have the honor to be,

Very respectfully,

Your obedient servant,

EDWARD M. McCOOK,

Governor.

Mr. Wells moved that the House go into committee of the Whole, on general file.

Carried.

House went into committee of the Whole.

Mr. Rice in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report :

*Mr. Speaker :* Your committee of the Whole House have had under consideration H. B. No. 41, and would report the same back to the House with the recommendation that it be referred to the committee on Judiciary.

Also H. B. No. 45, and would report the same back with the recommendation that it be referred to the committee on Judiciary.

Also H. B. No. 43, and would report the same back with the recommendation that it be referred to the committee on Mines and Minerals.

Also H. B. No. 46, and would report the same back without recommendation.

Also H. B. No. 44, and would report the same back with the recommendation that it do pass.

Also H. B. No. 15, and would report the same back with the recommendation that it lie on the Speaker's table.

Also H. B. No. 47, and would report the same back with the



recommendation that it be referred to the committee on Judiciary.

Also H. B. No. 48, and would report the same back with the recommendation that it be referred to the committee on Mines and Minerals.

Also H. B. No. 50, and would report the same back with the recommendation that it be referred to a special committee of three.

Also H. B. No. 51, and would report the same back with the recommendation that it be referred to a special committee of three.

Also H. B. No. 52, and would report the same back with the recommendation that it be referred to the committee on Territorial Prisons.

Also C. B. No. 6, and would report the same back with the recommendation that it be referred to a special committee of five, said committee to be appointed by the House with instructions to report on Friday next, at 2 o'clock p. m.

Also H. J. R. No. 9, and would report the same back with the recommendation that it be referred to the committee on Ways and Means.

Also H. J. R. No. 8, and would report the same back with the recommendation that it be referred to the committee on Ways and Means.

Also Substitute for H. B. No. 5, and would report the same back with the recommendation that it be referred to a committee of three.

Also H. B. No. 26, and would report the same back with the recommendation that it be re-committed to the committee of the Whole House.

Also H. B. No. 49, and would report the same back with the recommendation that it be referred to the same committee to whom was referred C. B. No. 6.

Also H. B. Nos. 24 and 55, and would report the same back with the recommendation that they be referred to the committee on Ways and Means.

Also H. B. No. 56, and would report the same back with the recommendation that it be referred to the committee on Education.

Also H. B. No. 57, and would report the same back with the recommendation that it be referred to the committee on Judiciary.

Also H. B. No. 58, and would report the same back with the recommendation that it be referred to the committee on Ways and Means.

Also H. B. No. 59, and would report the same back with the



recommendation that it be referred to the committee on Judiciary.

Also H. B. No. 61, and would report the same back with the recommendation that it be referred to the committee on Judiciary.

Also C. B. No. 2, and would report the same back with the recommendation that it be referred to the committee on Judiciary.

Also C. B. No. 4, and would report the same back with the recommendation that it be referred to the committee on Agriculture.

Also C. B. No. 29, and would report the same back with the recommendation that it do pass.

Also C. B. No. 30, and would report the same back with the recommendation that it do pass.

Also C. B. No. 32, and would report the same back with the recommendation that it do pass.

Also H. B. No. 3, and would report the same back with the recommendation that it be referred to the committee on Judiciary.

All of which is respectfully submitted.

J. B. RICE,  
Chairman.

On motion, the House concurred in the report of the committee of the Whole.

Leave being granted without previous notice being given, Mr. Lynch introduced H. J. R. No. 10, which was read the first time, and on motion the rules were suspended and the bill read the second time by title, considered engrossed, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—20.

Nays—none.

So the bill passed.

Title agreed to.

Mr. Bearce moved that a Special committee of five be appointed, to whom C. B. No. 6 and H. B. No. 49 were ordered to be referred.

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

Carried, and House declared adjourned to 2 o'clock p. m.



## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Graham, Elbert and Mullen.

Mr. Taylor, chairman of committee on Judiciary, asked leave to make a report.

Leave granted, and Mr. Taylor submitted the following report:

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

Your committee on Judiciary, to whom was referred H. B. Nos. 32, 33, 29, 24 and 23, have had the same under consideration, and beg leave to report as follows:

We have amended H. B. No. 32, by striking out the word "lottery," in section 1, and inserting in lieu thereof the word "sample."

We have stricken out all of section 2; also, in section 3, we have stricken out the word "shows," and inserted the word "or." We have also stricken out the words "and grocery."

To H. B. No. 29, we offer the following amendments:

Amend the 1st section of said bill by striking out the words "and figures eleven of An act to amend an act concerning criminal jurisprudence, approved Jan. 10th, 1868," and inserting instead thereof the words "two hundred and sixty-five of chapter seventy-two of the Revised Statutes of Colorado Territory." We have amended the title so as to read as follows: "A bill for An act to repeal section 265 of chapter seventy-two of the Revised Statutes of Colorado Territory."

H. B. No. 23 we have amended by adding the following sections:

SECTION 4. Failure to file the notice provided for in section 1 of this act shall be deemed to work a forfeiture of all rights under this act, and the act to which this is amendatory, as against *bona fide* purchasers.

SEC. 5. This act shall take effect and be in force from and after its passage.

H. B. Nos. 29, 32 and 23 we report back with the recommendation that they do now pass as amended.

H. B. No. 24 we report back with the recommendation that it pass without amendment.

H. B. No. 33 we report back with the recommendation that it do not pass. All of which is respectfully submitted.

M. S. TAYLOR,  
Chairman.



With leave of the House Mr. Wells, from committee appointed to investigate the accounts of the Territorial Auditor and Territorial Treasurer, submitted the following report:

*To the Honorable Legislative Assembly of Colorado Territory:*

The undersigned would respectfully report that they were duly appointed a committee to investigate the accounts of the Auditor and Treasurer of the Territory, in pursuance of the provisions of chapter nine of the Revised Statutes.

That your committee assembled at the office of the Auditor in Denver, on the twenty-eighth day of December, 1869, and after being duly sworn, according to law, entered upon their duties.

Your committee do not deem it necessary to report the separate receipts and expenditures in detail, as that devolves upon the Auditor and Treasurer respectively, and our figures could be but a repetition of the figures of those officers. But your committee are particularly desirous of calling the attention of your Honorable Body to the following points, to-wit:

The Auditor's books (see his report page one) show the balance in the Treasury to be \$27,962.47, while the books of the Treasurer show a balance of only \$24,381.73, (see report, page 51). The question naturally arises to your minds what causes the discrepancy? The reply is: In the first instance, defective legislation. By reference to the Revised Statutes (pages 463 and 470) it will be seen that not only the Auditor but the Territorial Assayer, Brigadier-General of Militia, and in some instances the County Treasurers of the various counties, may draw directly on the Territorial Treasury without having their claims pass through the hands of the Auditor. This will account for the manner in which discrepancies between the books of the Auditor and Treasurer might occur.

The Auditor in his report (page 30) has called your attention to the fact that at one time there were *two* persons exercising the functions of Auditor. It is needless to say that there can be but one Auditor at a time, but it may be a very nice question to decide as to which one of the two at that time was really Auditor.

With this question your committee have had nothing to do, as it happened some years since, and your committee do not understand that they have the power to go back of the last settlement made with the Commissioners whose report is embodied in the report of the Auditor this year.

Your committee also conceive that they have no power to count the money in the Treasury, but have power only to examine and compare the books of the Auditor and Treasurer,



and report. First, as to whether the books of those officers are properly kept. Second, as to whether the claims allowed by the Auditor during the past year have been properly allowed, and third, as to whether the amounts paid out by the Treasurer have been lawfully paid upon warrants lawfully drawn.

Upon these points your committee can report with some degree of clearness and certainty, as the books and vouchers in the hands of those officers are sufficient data upon which to base a report.

The system of book-keeping in vogue in the Auditor's office is complicated and difficult of comprehension, but when once understood, seems to be sufficiently complete. Your committee would recommend that it be simplified if possible.

The Commission which made a settlement with the Auditor and Treasurer last year assumed the right to *audit* and allow certain claims which arose out of the Indian difficulties of 1868. Your committee are of the opinion that that Commission had greater powers in the premises than your committee, and are of the further opinion that the claims presented and allowed were just, and in equity and good conscience should be paid by the Territory, but whether they were *lawfully* paid or not, is left for your Honorable Body to determine. If the above mentioned claims were lawfully allowed, then the books of the Auditor are correct, and no improper or illegal claims have been allowed during the past year.

The Treasurer's books we also find correct for the past year, and that no unlawful warrants have been paid so far as your committee can determine. It must be borne in mind that your committee have had no authority to examine the accounts of the Territorial Assayer, nor of the Military Board, or various County Treasurers who may have drawn on the Treasury during that time. For this reason it is impossible for your committee to determine what causes the discrepancy between the books of the Auditor and Treasurer, except as it is explained orally by those officers.

Your committee therefore recommend that such steps be taken as will in future preclude any and all officers from drawing money from the Treasury except through the Auditor; and also that a Commission be appointed with full power to make a thorough examination of the books and papers of the Auditor, Treasurer, Assayer, and all other officers who may have ever heretofore drawn on the Treasury, to examine into the matter of the so-called "Graham warrants," to send, if necessary, for persons and papers, to count the money in the Treasury, and finally, to cancel vouchers and authorize such entries to be made in the books of the Auditor, Treasurer, and other



officers, if necessary, as will exhibit a full, fair, and complete statement of the exact financial condition of the Territory upon the books of the Auditor and Treasurer.

Your committee, in justice to the Auditor and Treasurer, must say that they have no reason to suspect any "irregularities" on the part of those officers, or either of them, but simply desire to call the attention of your Honorable Body to the fact that dishonest officers, by collusion, might for years carry on a system of frauds, which, under existing laws, could not be detected. All of which is respectfully submitted.

CHAS. A. COOK,  
GEO. W. MILLER,  
JOHN H. WELLS.  
Committee.

Mr. Campbell moved the report be received and entered on the journal.

Carried.

Mr. DeFrance moved the House proceed to appoint the special committee of five, to whom was referred C. B. No. 6 and H. B. No. 49 by ballot, and that the five persons receiving the highest vote be declared elected said committee.

The ballot was taken, and Wells, Vandiver, Campbell, Bevan and Lucero were elected said committee.

Mr. Taylor moved to adjourn.

Lost.

Mr. DeFrance moved the House take up C. B. No. 32, and it be read a third time and put upon its passage.

Carried, and C. B. No. 32 was read a third time, and the question being on the passage of the bill, the ayes and nays were taken.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Hall, Lea, Lyons, Lynch, Lucero, Mann, Randall, Shepperd, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—19.

Nays—Gird, Myers, Rice and Topping—4.

So the bill passed and title agreed to.

Mr. Shepperd moved to adjourn.

Carried, and House declared adjourned.

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FRIDAY, JANUARY 28TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.



Absent—None.

Journal of the preceding day read and approved.

A message from the Council was announced and read as follows.

COUNCIL CHAMBER, Denver, January 27th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that the Council has passed C. B. No. 22, a bill for an act to amend chapter 76 of the Revised Statutes of Colorado. The concurrence of the House is respectfully requested.

Also have passed H. B. No. 42, a bill for an act to authorize the boards of county Commissioners of the counties of Gilpin and Clear Creek, to levy a special tax.

The same are herewith transmitted.

Respectfully,

Your obedient servant,

A. O. PATTERSON,

Secretary.

The Sergeant-at-Arms announced a message from the Council, which was read, as follows:

COUNCIL CHAMBER, January 28th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has passed C. B. No. 35, a bill for an act to change certain streets and alleys in the town of Pueblo.

Also C. B. No. 36, a bill for an act to amend an act to create a Board of Registry of Elections. The concurrence of the House is respectfully requested. The same are herewith transmitted.

Very respectfully,

A. O. PATTERSON,

Secretary.

Mr. Wells, chairman of the special committee to whom was referred C. B. No. 6 and H. B. No. 49, submitted the following report :

*Mr. Speaker :* Your special committee, to whom was referred C. B. No. 6 and H. B. No. 49, in relation to the intro-



duction of Texas cattle, have had the same under consideration, and have had some evidence on one side, but there being no one present to represent or produce evidence on the other side, your committee are of the opinion that it would not be doing justice to the people interested the other way, to recommend any final action until they have had an opportunity to be heard.

Your committee, therefore, ask an extension of time with the permission to sit again, all of which is respectfully submitted.

JOHN H. WELLS,  
Chairman.

Mr. DeFrance moved that the committee appointed to report on C. B. No. 6 and H. B. No. 49, be allowed until Tuesday next to make their report, and that C. B. No. 6 and H. B. No. 49, be made the special order for Tuesday next, at 2 o'clock p. m.

Mr. Mullen moved to amend by saying 2 o'clock this afternoon.

Lost.

The Speaker rose and the vote was being put on the original motion, when Mr. Elbert moved an amendment by saying that the committee report to-day at 2 o'clock p. m. on C. B. No. 6.

The Speaker declared Mr. Elbert's motion out of order, for the reason that the vote was being taken.

Mr. Elbert appealed from the decision of the chair, and the question being, shall the decision of the chair be the decision of the House, the vote resulted as follows:

Ayes—Bevan, Campbell DeFrance, Graham, Lea, Lyon, Lucero, Mann, Taylor and Vandiver—10.

Nays—Bearce, Baca, Elbert, Gird, Hall, Lynch, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, and Wells—15.

So the appeal was sustained.

The vote was then taken on the amendment offered by Mr. Elbert, which resulted as follows:

Ayes—Bearce, Baca, Elbert, Gird, Hall, Lynch, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, and Trujillo—14.

Nays—Bevan, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Taylor, Topping, Vandiver, Wells and Mr. Speaker—12.

So the amendment offered by Mr. Elbert was carried.

Mr. Campbell introduced H. B. No. 68, which was read the first time.

Leave being granted without previous notice being given,



Mr. Bearce introduced H. B. No. 70, which was read the first time.

Mr. DeFrance introduced H. B. No. 71, which was read the first time.

Also H. B. No. 72, which was read the first time.

C. B. No. 22 was read the first time.

C. B. No. 35 was read the first time.

C. B. No. 36 was read the first time.

C. B. No. 19 was read the second time.

Mr. Shepperd moved that the rules be suspended, and the remaining bills on second reading be read by title only.

Carried.

H. B. No. 31 was read the second time by title only.

H. B. No. 60 was read the second time by title only.

H. B. No. 62 was read the second time by title only.

H. B. No. 63 was read the second time by title only.

H. B. No. 64 was read the second time by title only.

H. B. No. 65 was read the second time by title only.

H. B. No. 66 was read the second time by title only.

H. B. No. 67 was read the second time by title only.

Mr. Shepperd moved that H. B. No. 62 be referred to the committee on Ways and Means.

Carried.

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

Carried.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bearce, Elbert, Mann, Mullen, Meyer and Randall.

The report of the committee on Judiciary, regarding H. B. Nos. 32, 33, 24, 23 and 29, was taken up and considered, and the House concurred in the report of the committee, and H. B. Nos. 32, 24, 23 and 29 were ordered engrossed as amended and placed on general file when reported correctly engrossed.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, January 28th, 1870.

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

SIR: I am instructed to inform your Honorable body that the Council has passed Substitute for H. B. No. 53, with two



amendments to section 2 and one amendment to section 4 of said bill. The concurrence of the House is respectfully requested. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

The communication was ordered entered on the journal.

Mr. Mullen moved to take up the special order of the day, being C. B. No. 6, and the report of the special committee thereon.

Carried.

Mr. Wells, from the special committee to whom was referred C. B. No. 6 and H. B. No. 49, submitted the following report:

*Mr. Speaker:* Your special committee, to whom was referred all of the bills in relation to the importation of cattle, have had the same under consideration, and in obedience to the orders of the House, do report C. B. No. 6 back with the recommendation that it do pass without amendment, all of which is respectfully submitted.

J. H. WELLS,  
Chairman.

Mr. Taylor moved that the report of the committee be received, and that C. B. No. 6, and the report of the committee, be made the special order for Tuesday next, at 2 o'clock p. m.

Mr. Mullen moved to amend by saying half-past two o'clock p. m. of to-day.

The vote on Mr. Mullen's amendment being put, the amendment was lost.

The vote was then taken on the original motion of Mr. Taylor's, and declared in the affirmative.

C. B. No. 29 was read a third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Gird Graham, Hall, Lea, Lyon, Lucero, Meyer, Mann, Mullen, Rice, Shepperd, Taylor, Trujillo, Vandiver, Wells, and Mr. Speaker—21.

Nays—Mr. Lynch—1.

So the bill passed.

Title agreed to.

C. B. No. 30 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Myers, Mullen, Rice, Shepperd, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—20.



Nays—Lynch and Mann—2.

So the bill passed.

Title agreed to.

Mr. Taylor moved that H. B. No. 44 be considered engrossed, read the third time, and put upon its passage.

Carried.

H. B. No. 44 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Randall, Rice, Shepperd, Taylor, Trujillo, Vandiver, Wells, and Mr. Speaker—23.

Nays—none.

So the bill passed.

Title agreed to.

Substitute for H. B. No. 53 was taken up.

Mr. Mann moved that the amendments to Substitute for H. B. No. 53 be concurred in.

Mr. Taylor moved to amend by referring Substitute for H. B. No. 53 with amendments, to the committee of the Whole.

Carried.

The House resolved itself into committee of the Whole.

Mr. Campbell in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration Substitute for H. B. No. 53 as amended by the Council, and would report the same back with the recommendation that a committee of three be appointed on the part of the House, to confer with a like committee on the part of the Council, in reference to said bill.

T. J. CAMPBELL,  
Chairman.

On motion, the report of the committee of the Whole House was concurred in.

The Speaker announced DeFrance, Wells and Lea, as the committee of conference on Substitute for H. B. No 53.

The Speaker announced the special committee on H. B. No. 57, Graham, Taylor and Lucero.

Also special committee on H. B. No. 50, Topping, Hall and Lyon.

Also special committee on Substitute for H. B. No. 5, De France, Taylor and Lea.



Leave being granted without previous notice being given, Mr. Campbell introduced H. B. No. 73, which was read the first time.

Mr. Mullen asked leave to introduce a petition, and leave being granted the petition was read in part.

Mr. Taylor moved that the House reject the petition.

Mr. Elbert moved that the petition be referred to a special committee to whom was referred C. B. No. 6, and H. B. No. 49.

Motion lost.

The vote being taken on the original motion of Mr. Taylor, was declared in the affirmative.

So the original motion was adopted.

Mr. Taylor moved that the House resolve itself into the committee of the Whole, for the consideration of H. B. No. 26.

Carried.

So the House went into committee of the Whole.

Mr. Lynch in the Chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. No. 26, and would report progress and ask leave to sit again.

J. T. LYNCH,  
Chairman.

On motion, the report of the committee was concurred in.

Mr. Graham asked the House to excuse Mr. Campbell on tomorrow.

Mr. Campbell was excused.

Mr. Mullen moved that the House go into committee of the Whole, on general file.

Carried.

The House went into committee of the Whole.

Mr. Campbell in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole made the following report.

*Mr. Speaker:* Your committee of the Whole House have been in session for the consideration of bills on the general file, and would report progress and ask leave to sit again.

T. J. CAMPBELL,  
Chairman.



The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Jan. 28th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has passed Council Substitute for C. B. No. 10, and the concurrence of your honorable body is respectfully requested. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

The message was ordered entered on the journal.

Mr. Myers moved that the House adjourn.

Carried.

The House was declared adjourned.

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SATURDAY, JANUARY 29TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Campbell, Graham, Myers, Mullen, Taylor and Topping.

Journal of preceding day read and approved.

A communication was received from Mr. H. M. Teller, which was read as follows:

CENTRAL CITY, COL., Jan. 25th, 1870.

*Hon. Geo. W. Miller, Speaker of the House of Representatives:*

SIR: I am in receipt of your communication of the 19th inst., in which you inform me that I am invited by the House of Representatives to address that body on the Railroad interests of the Territory. Please tender to the Honorable members of the House of Representatives my thanks for the honor conferred, and assure them that I fully distrust my ability to entertain them on the subject, and that I beg leave to decline consuming their valuable time.

Very respectfully,

H. M. TELLER,



Mr. Elbert moved that the communication of Mr. H. M. Teller be received and entered on the journal.

Carried.

Mr. Bearce presented a petition, signed by J. B. Kenedy and others, asking that townships 4, 5 and 6 south, in range 69 west, be attached to Arapahoe county.

Mr. Gird moved that the petition just read be received and referred to the committee on Counties and County Lines.

Carried.

Mr. Meyer, chairman of the committee on Counties and County Lines, submitted the following report:

*Mr. Speaker:* Your committee on Counties and County Lines, to whom was referred the petition from the citizens of the county of Las Animas, would respectfully report that they have had the same under consideration, and have prepared a memorial to the President of the United States, praying for the location of a Land Office in the town of Trinidad, in said county of Las Animas, which is herewith submitted, and would recommend that the same do pass, all of which is respectfully submitted.

WM. H. MEYER,  
Chairman.

Mr. Mann, chairman of the joint committee on Enrolled Bills, submitted the following report:

*Mr. Speaker:* Your committee on Enrolled Bills, beg leave to report that they have examined the enrollment of H. B. No. 7, an act to change the name of Thomas Cox.

Also H. B. No. 8, an act to amend section 1 of chapter 8, of the Revised Statutes of Colorado.

Also H. B. No. 17, a bill for an act to amend an act, entitled an act to incorporate the Colorado Seminary.

Also H. J. M. No. 1, to the President of the United States, for the establishment of a military post, and find the said bills and memorial correctly enrolled, and have placed the same in the hands of the Governor at 2 o'clock p. m., January 28th, and the same now await his approval to become a law.

Respectfully submitted,

GEO. W. MANN,  
Chairman.

Mr. Elbert, chairman of the committee on Territorial Affairs, submitted the following report:

*Mr. Speaker:* Your committee on Territorial Affairs, to



whom was referred H. B. No. 39, a bill for an act to provide for the protection of fish in Colorado Territory, beg leave to report that they have had the same under consideration, and report the same back to the House with the recommendation that it do pass as amended.

S. H. ELBERT,  
Chairman.

Mr. Vandiver, chairman of the committee on Mines and Minerals, submitted the following report:

*Mr. Speaker:* Your committee on Mines and Minerals have had under consideration H. B. No. 35, and report the same back with the recommendation that it do pass.

D. L. VANDIVER,  
Chairman.

Mr. Bevan moved that the report of the committee on Mines and Minerals be received, and that H. B. No. 35 be engrossed for a third reading.

Carried.

Mr. Bearce gave notice that he would on to-morrow, or some future day, introduce a bill for an act additional to chapter 18, of the Revised Statutes, respecting corporations.

Mr. Randall offered the following resolution:

*Resolved,* That fifty copies of the report of the committee appointed to examine the accounts of the Auditor and Treasurer, be printed for the use of this House.

Mr. Lynch moved that the resolution just read be adopted.

Carried.

Substitute for C. B. No. 10 was read the first time.

Mr. Bearce moved that the rules be suspended and all bills on second reading be read by title only.

Carried.

C. B. No. 22 was read the second time by title only.

C. B. No. 35 was read the second time by title only.

C. B. No. 36 was read the second time by title only.

The report of the committee on Territorial affairs was considered, in relation to H. B. No. 39, and the bill with amendments was ordered engrossed.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Jan. 29th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has passed C. B. No. 16, a bill for an act entitled an act to amend chapter 71, of the Revised Statutes of Colorado. The concurrence of the House is respectfully requested. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

The message was ordered entered on the journal,

The report of the committee on Counties and County Lines, in relation to H. J. M. No. 2, was considered, and on motion of Mr. Meyer, the report was concurred in, and the rules were suspended and the bill read the first and second times, considered engrossed, read a third time, and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Gird, Hall, Lea, Lyon, Lynch, Lucero, Mann, Myers, Randall, Rice, Shepherd, Trujillo, Vandiver, Wells and Mr. Speaker—20.

Nays—None.

So the Memorial passed.

Title agreed to.

Mr. Wells moved that the House go into committee of the Whole, on general file.

Carried.

So the House resolved itself into committee of the Whole.

Mr. Randall in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration substitute for H. B. No. 31, and would report the same back with the recommendation that it be placed on general file, for consideration on Monday next.

Also H. B. No. 60, and would report the same back with the recommendation that it be indefinitely postponed.

Also H. B. No. 63, and would report the same back with the recommendation that it be referred to the committee on Mines and Minerals.

Also H. B. Nos. 64 and 65, and would report the same back with the recommendation that they be referred to the committee on Judiciary.



Also H. B. Nos. 66 and 67, and would report the same back with the recommendation that they be referred to the committee on Ways and Means.

Also C. B. No. 19, and would report the same back with the recommendation that it do pass.

J. G. RANDALL,  
Chairman.

On motion, the report of the committee of the Whole House was concurred in.

Leave being granted, Mr. Lea introduced H. B. No. 74, which was read the first time.

Mr. DeFrance moved that the House adjourn.

Carried.

The House was declared adjourned until Monday at 10 o'clock a. m.

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MONDAY, JANUARY 31st, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—DeFrance, Gird and Wells.

Journal of preceding day read and approved.

Mr. Taylor presented an invitation from the Fakir of Vishnu, inviting the members of the Legislative Assembly of Colorado Territory to attend a soiree, Monday evening, January 31st, 1870, at the Denver Theatre.

On motion of Mr. Lea, the invitation was accepted, and the Clerk of the House was requested to inform the gentleman that his invitation would be accepted.

The Speaker of the House presented an invitation from Rev. Bishop Randall, inviting the members of the House of Representatives of Colorado Territory to attend a lecture, at Wolfe's Hall, on Tuesday evening, Feb. 1st, 1870, at 8 o'clock.

Mr. Rice offered the following resolution :

*Resolved*, That the use of this Hall be tendered to C. L. Hall, Esq., of El Paso, on next Friday evening, at 7½ o'clock, for the purpose of delivering an address on the subject of Female Suffrage.

Resolution adopted.

Mr. Myers gave notice that he would, on to-morrow or some future day, introduce a bill to dissolve the bonds of matrimony between Robert C. Oliver and Flora O. R. Oliver.

Mr. Lea introduced H. J. R. No. 11, which was read a first time.

Mr. Bearce, with leave, without previous notice, introduced H. B. No. 75, which was read a first time.

Mr. Meyer, with leave of House, introduced H. J. M. No. 3, which was read a first time.

Mr. Bevan, with leave, without previous notice, introduced H. B. No. 76, which was read a first time.

Mr. Elbert introduced H. B. No. 77, which was read a first time.

Mr. Lyon, with leave, without previous notice, introduced H. B. No. 78, which was read a first time.

Mr. Randall introduced H. B. No. 79, which was read a first time.

Mr. Taylor, with leave, without previous notice, introduced H. B. No. 80, which was read a first time.

Mr. Sheppard introduced H. B. No. 81, which was read a first time.

Mr. Lea introduced H. B. No. 82, which was read a first time.

C. B. No. 16 was read a first time.

C. B. No. 10 was read a first time.

Mr. Lea moved a suspension of the rules, that all bills on second reading be read a second time by title only.

Carried.

H. B. No. 72 was read a second time by title only.

H. B. No. 68 was read a second time by title only.

H. B. No. 74 was read a second time by title only.

H. B. No. 69 was read a second time by title only.

H. B. No. 70 was read a second time by title only.

H. B. No. 71 was read a second time by title only.

H. B. No. 73 was read a second time by title only.

C. B. No. 19 was read a third time, and on motion, was referred to committee on Counties and County Lines.

The Sergeant-at-Arms announced a message from the Governor, which was read, as follows :

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, January 29th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives :*

SIR: I have the honor to inform the House of Representa-



tives that I have approved and signed the following bills and joint resolutions, which originated in that body, viz:

An act to change the name of Thomas Cox to Thomas Martin.

House Joint Memorial to the President of the United States, for the establishment of a military post in Summit county, Colorado.

I would also respectfully return, for the correction of a clerical error, an act to amend an act entitled an act to incorporate the Colorado Seminary, said bill being signed by the Speaker of the House, as Speaker of the Council and House of Representatives.

I have the honor to be,

Very respectfully,

Your obedient servant,

EDWARD M. McCOOK,

Governor.

Also a veto message from the Governor, which was read as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, January 29th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to return herewith, without my approval, An act to amend section 1 of chapter 80 of the Revised Statutes of Colorado, which amendment provides for the collection of a certain amount *per head* on every head of cattle and sheep "imported" into the county of Conejos, in this Territory.

My objections to its becoming a law are, that this act, as well as the section of the act to which it is amendatory, is clearly in violation of the constitution of the United States, in contravention of the organic act of Colorado, and contrary to public policy and natural justice.

It has been expressly and frequently adjudged that the provision in the constitution of the United States, which declares that "the citizens in each State shall be entitled to all the privileges and immunities of the citizens of the several States," prohibits a State or Territory from making any discrimination between citizens and non-residents, in the assessment of taxes upon the same species of property.

In harmony with the constitution, the organic act of the Territory (see sec. 6) declares "nor shall the land or *other prop-*

erty of non-residents be taxed higher than the lands or other property of residents; nor shall any discrimination be made in taxing different kinds of property; but *all* property subject to taxation, *shall be in proportion to the value of the property taxed.*" This language is so simple and direct that it would be impossible to mistake its meaning. It clearly signifies that the Legislature can impose a tax only in conformity to a *uniform rule, based upon the value of the property taxed*, and precludes that body from adopting any system of taxation, which will not fall upon citizens and non-resident property owners alike, or upon either, except in proportion to the value of their property. This bill as presented for my approval, not only ignores the principle of a just equality in the imposition of taxes, as required by the sixth section of the organic act, but by making an unwarrantable distinction between resident and non-resident owners of stock; also departs from that uniform rule of taxation heretofore constitutionally prescribed by the Legislature in their Revenue law; and I think that "class legislation," though always reprehensible, should be especially avoided, even if constitutional, when its tendency may be to keep the property of non-residents out of the Territory, and thereby necessarily increase the rate of taxation upon the property of residents.

Leaving out of view all questions as to the constitutionality of this bill, its unfairness becomes manifest when the fact is considered that the value *per head* of cattle and sheep varies most materially; and under the provisions of this act it is possible, and even probable, that while one person would pay taxes at the rate of but one or two *per cent.* upon the value of property, another owning less valuable stock, would be compelled to pay five or six *per cent.* upon its value.

As the Legislative power of the Territory extends only "to all rightful subjects of legislation, consistent with the constitution of the United States, and the provisions of the organic act," the Legislature, in the passage of this bill, has, in my opinion, clearly transcended the prescribed limits of its authority, and consequently I am compelled to withhold from it my official sanction.

In order to show the construction placed by the Congress of the United States upon legislation of this character, I would respectfully call the attention of your Honorable Body to "An act to repeal an act of the Legislature of New Mexico, imposing a capitation tax on bovine cattle," approved April 10, 1869,



(United States Statutes at large for 1869, page 44, chapter 21)  
a copy of which act I append.

I have the honor to be,

Your very obedient servant,

EDWARD M. MCCOOK,  
Governor.

Chapter 21, Statutes at large.

An act to repeal an act of the Legislature of New Mexico,  
imposing a capitation tax on bovine cattle:

*Be it enacted by the Senate and House of Representatives of the  
United States in Congress assembled:*

That the act of the Legislature of the Territory of New Mexico, of February 3, 1869, and all other laws and parts of laws of said Legislature imposing a capitation tax on bovine cattle introduced into the said Territory from other Territories or States, or the Republic of Mexico, be, and the same are hereby disapproved and repealed.

Approved April 10, 1869.

On motion, both the foregoing messages from His Excellency the Governor were ordered entered on the journal.

On motion, H. B. No. 17, An act to amend an act to incorporate the Colorado Seminary, which was returned by the Governor on account of clerical error, was re-committed to the committee on Enrollment for correction.

Mr. Graham moved the House go into committee of the Whole on the general file.

Mr. Mann in the chair.

After a time spent therein the committee rose.

The Speaker resumed the chair, when the chairman of the committee of the Whole submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration C. B. No. 22, and would report the same back, and recommend the same be referred to a special committee of five.

Also, C. B. No. 35 and 36, and would report the same back and recommend they be placed on the general file for to-morrow.

Also, substitute for H. B. No. 31, and would report the same back and recommend it do pass.

GEO. W. MANN,  
Chairman.

On motion, the report of the committee of the Whole House was concurred in.

The Speaker announced DeFrance, Lynch, Elbert, Lea and Rice as a special committee on C. B. No. 22.

Mr. Bearce moved to adjourn to 2 o'clock p. m.

Carried, and House declared adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Elbert

Mr. Bearce moved the House go into committee of the Whole, for the special consideration of H. B. No. 26.

Carried, and House resolved itself into committee of the Whole.

Mr. Lynch in the chair.

After a time spent therein the committee rose.

The Speaker resumed the chair, when the chairman of the committee of the Whole House submitted the following report :

*Mr. Speaker:* Your committee of the Whole House, to whom was referred H. B. No. 26, have had the same under consideration, and would report the same back with the following amendments, to-wit: Amend section four as follows: In line three of said section of the printed copy, strike out the words "be a," between the words "shall" and "warrant," and insert in lieu thereof the words "authorize the Auditor to draw his."

Also, in fifth line of section nine of said bill, strike out the words "be a," between the words "shall" and "warrant," and insert in lieu thereof the words "authorize the Auditor to draw his."

Also, in section nine, by striking out the words "set forth," in section three and third line of printed copy, and insert the word "requirements" in lieu thereof.

Also amend section three in third line of said section and inserting the word "four" in lieu thereof.

Also, by striking out the word "color," after the word "live" on fourth line of printed copy, and would recommend the adoption of said amendments, and that the bill as amended do pass.

JOHN T. LYNCH,  
Chairman.



On motion, the report of the committee of the Whole House was concurred in.

Mr. Bearce moved the rules be suspended, and that H. B. No. 26 be considered engrossed as amended, read a third time and put upon its passage, on which motion the ayes and nays were called.

Ayes—Bearce, Bevan, Baca, Campbell, Elbert, Graham, Lea, Lyon, Lynch, Lucero, Mann, Meyer, Topping, Vandiver and Mr. Speaker—15.

Nays—DeFrance, Gird, Hall, Myers, Mullen, Randall, Rice, Shepperd, Taylor and Trujillo—10.

So the motion to suspend the rules, not having received two-thirds of the votes cast, was declared lost.

Mr. Graham, on leave of the House, offered the following resolution:

*Resolved*, That an invitation be, and the same is hereby extended to the Rev. Charles Campbell, of Valmont, Boulder county, Colorado, to deliver a lecture on the subject of Education, and that the use of this Hall is hereby tendered him for that purpose, and lecture to take place on Monday evening next, Feb. 7.

On motion, the resolution was adopted.

Mr. Elbert, with leave, without previous notice, introduced H. B. No. 83, which was read a first time.

Mr. Mann, with leave, without previous notice, introduced H. B. No. 84, which was read a first time.

Mr. Campbell with leave of the House, offered the following resolution:

*Resolved*, That the Hon. Wm. Sheppard be invited to address the members of the Legislature on the subject of Temperance, and that the use of this Hall be tendered him for that purpose.

On motion, the resolution was adopted.

Mr. Taylor, with leave, gave notice that he would, on tomorrow or some future day, introduce a bill to compel Railroad Companies to fence their tracks in this Territory, and to protect the grazing lands from sparks from the locomotives.

The Sergeant-at-Arms announced a message from the Council, which was read, as follows:

COUNCIL CHAMBER, Denver, January 31st, 1870.

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

SIR: I am instructed by the Council to inform your Honor-

able Body that the Council has passed C. B. No. 11, a bill for An act to employ volunteers. The concurrence of your Honorable body is respectfully requested. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,

Secretary.

Mr. Taylor moved to adjourn to 2 o'clock p. m., to-morrow. Carried, and House declared adjourned to 2 o'clock to-morrow.

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TUESDAY, FEBRUARY 1ST, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Bearce, Campbell, Lucero, Mann and Shepperd.

Mr. Taylor moved that the reading of the journal of the preceding day be dispensed with.

Carried.

A message from the Council was announced by the Sergeant-at-Arms, which was read as follows:

COUNCIL CHAMBER, Denver, Jan. 31st, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has appointed Hahn, Loveland, and Nesmith, a committee to act with a like committee appointed by your Honorable body, to consider the Substitute for H. B. No 53.

Very respectfully,

A. O. PATTERSON,

Secretary.

Also the following message was received from the Council, and read at the same time.



COUNCIL CHAMBER, Denver, February 1st, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that the Council has passed H. B. No. 34, a bill for an act to amend chapter 84, of the Revised Statutes.

Also H. B. No. 44, an act to amend section 18, in chapter 20, of an act to define County Boundaries and locate the County Seats in Colorado Territory. The same is herewith transmitted.

Respectfully,  
A. O. PATTERSON,  
Secretary.

Mr. Hall, chairman of the committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment, to whom was referred H. B. Nos. 23, 24, 29, 32 and 39, beg leave to report the same correctly engrossed.

J. B. HALL,  
Chairman.

Mr. Taylor, Chairman of the committee on Judiciary, submitted the following report:

*Mr. Speaker:* Your committee on Judiciary, to whom was referred H. B. Nos. 3, 59, 47, 57, 65 and 64, have had the same under consideration, and beg leave to make the following report:

H. B. No. 3 we report back with the recommendation that the amendments passed by the Council to section 1 of said bill, be not concurred in. The amendment passed by the Council to section 3 of said bill, we report back with the recommendation that it be concurred in.

H. B. No. 59 we report back with the recommendation that it be indefinitely postponed.

H. B. No. 47 we report back with the recommendation that it do pass.

H. B. No. 57 we report back with the recommendation that it be indefinitely postponed.

H. B. No. 65 we report back with the recommendation that it be indefinitely postponed.

H. B. No. 64 we report back with the recommendation that it do pass.

C. B. No. 2 we report back with the recommendation that it do pass. All of which is respectfully submitted.

M. S. TAYLOR,  
Chairman.

Mr. Lynch, chairman of the committee on Enrollment, submitted the following report :

*Mr. Speaker :* Your committee on Enrollment beg leave to report that they have examined H. B. No. 42, H. J. R. No. 2, H. J. R. No. 3, and Council Substitute for H. B. No. 22, and find them correctly enrolled.

J. T. LYNCH,  
Chairman.

Mr. Meyer, chairman of the committee on Counties and County Lines, submitted the following report :

*Mr. Speaker :* Your committee on Counties and County Lines, to whom was referred C. B. No. 19, would report that they have had the same under consideration, and would recommend that the same do pass without amendment.

W. M. H. MEYER,  
Chairman.

Mr. Wells, chairman of the special committee to whom was referred H. B. No. 49, submitted the following report :

*Mr. Speaker :* Your special committee to whom was referred H. B. No. 49, have had the same under consideration, and would report the same back with the recommendation that it do not pass.

J. H. WELLS,  
Chairman.

Mr. Graham, chairman of the special committee to whom was referred H. B. No. 51, submitted the following report :

*Mr. Speaker :* Your special committee, to whom was referred H. B. No. 51, beg leave to report that they have had the same under consideration, and would recommend that it do pass.

T. J. GRAHAM.  
M. S. TAYLOR.  
M. LUCERO.

Committee.

Mr. Taylor moved that the veto message of His Excellency



the Governor, relative to H. B. No. 8, be made the special order for to-morrow at 2 o'clock p. m.

Carried.

Mr. Hall gave notice that on to-morrow, or some future day, he would introduce a bill for an act to provide for the payment of the expenses incurred in the apprehension of fugitives from justice.

Mr. Gird gave notice that on to-morrow, or some future day, he would introduce a bill for an act to dissolve the bonds of matrimony existing between Robert McDonald and Elizabeth McDonald.

Mr. Bearce gave notice that on to-morrow, or some future day, he would introduce a bill for an act to amend chapter 64 of the Revised Statutes.

Mr. Taylor offered the following resolution:

*Resolved*, By the House of Representatives, that the Engrossing Clerk be, and is hereby authorized to employ an assistant.

A vote being taken on the adoption of the resolution, resulted as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Graham, Lea, Lyon, Mann, Taylor, Topping, Vandiver, Wells and Mr. Speaker—13.

Nays—Elbert, Gird, Hall, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd and Trujillo—12.

So the resolution was adopted.

Mr. Bearce offered the following resolution:

*Be it Resolved by the House of Representatives*, That the Chief Clerk be and is hereby authorized to employ another assistant clerk.

A vote was taken on the adoption of the resolution, which resulted as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Graham, Hall, Lea, Lyon, Myers, Meyer, Rice, Taylor, Topping, Vandiver, Wells, and Mr. Speaker—17.

Nays—Gird, Lucero, Mann, Mullen, Randall, Shepperd, Trujillo—8.

So the resolution was adopted.

Mr. Graham gave notice that on to-morrow, or some future day, he would introduce a bill for an act to encourage the growing of stock in Colorado.

Leave being granted without previous notice being given, Mr. Elbert introduced H. B. No. 85, which was read the first time.

Leave being granted without previous notice being given, Mr. Bearce introduced H. B. No. 86, which was read the first time.

Mr. Meyer introduced H. B. No. 87, which was read the first time.

Leave being granted without previous notice being given, Mr. DeFrance introduced H. B. No. 88, which was read the first time.

C. B. No. 11 was read the first time.

Mr. Meyer moved a suspension of the rules, and that all bills on the second reading be read by title only.

Carried.

Substitute for C. B. No. 16 was read the second time by title only.

H. B. No. 75 was read the second time by title only.

Mr. Bearce moved that H. B. No. 75 be referred to the committee on Incorporations.

Carried.

H. J. M. No. 3 was read the second time by title only.

Mr. Meyer moved that the rules be suspended, and that H. J. M. No. 3 be considered engrossed, read the third time, and put upon its passage.

Carried.

The bill was considered engrossed, read the third time, and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Lyon, Lucero, Mann, Meyer, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—15.

Nays—Elbert, Gird, Hall, Lynch, Myers, Mullen, Randall, Rice and Topping—9.

So the memorial passed.

Title agreed to.

Mr. Wells moved to reconsider the vote just taken.

Carried.

Mr. Myers moved that H. J. M. No. 3, be laid on the Speaker's table.

Carried.

Mr. Elbert moved that the House go into committee of the Whole, on the special order of the day.

Carried.

The House resolved itself into committee of the Whole.

Mr. Elbert in the chair.

After some time spent therein the committee rose.

The Speaker resumed the chair.

The committee of the Whole submitted the following report:



*Mr. Speaker*: Your committee of the Whole House, to whom was referred C. B. No. 6, have had the same under consideration, and would report the same back to the House with the recommendation that it do pass.

Also have had under consideration H. B. No. 49, and would report the same back without recommendation.

S. H. ELBERT,  
Chairman.

On motion, the report of the committee of the Whole was concurred in.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 1st, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has passed C. B. No. 38, a bill for an act to amend chapter 28 of the Revised Statutes, respecting elections.

Also have passed C. B. No. 42, a bill for an act to repeal certain portions of section 1 of article 2, of chapter 54, of the Revised Statutes of Colorado. The concurrence of your Honorable body is respectfully requested. The same are herewith transmitted.

Very respectfully,  
A. O. PATTERSON,  
Secretary.

Mr. Mann moved to adjourn.  
Carried, and House declared adjourned.

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WEDNESDAY, FEBRUARY 2ND, 1870.

House met pursuant to adjournment.  
Speaker in the chair.  
Roll called.  
Prayer by the chaplain.  
Absent—Bearce, Mullen and Taylor.  
Journal of Monday read and approved. Also journal of Tuesday read and approved.  
Mr. Wm. C. Rippey was appointed second assistant Clerk of

the House yesterday, as provided for by the resolution adopted on that day.

Mr. Lynch presented a petition relative to the Probate Courts to be presented to the United States Senate and House of Representatives.

On motion the Sergeant-at-Arms was instructed to pass the petition to the Speaker of the House and the members thereof, for the purpose of obtaining their signatures to said petition.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 2nd, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that they have passed H. J. M. No. 2, which is herewith returned. Also C. B. No. 45, in which they ask your concurrence. C. C. R. No. 1, in which they ask your concurrence. The same are herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Bearce, chairman of the committee on Agriculture, submitted the following report:

*Mr. Speaker:* Your committee on Agriculture, to whom was referred C. B. No. 4, would report the same back with the recommendation that it do pass.

H. B. BEARCE,  
Chairman.

Mr. Graham, chairman of the committee to whom was referred H. B. No. 4, submitted the following report:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 4, beg leave to report the same back to the House with the recommendation that it do pass.

T. J. GRAHAM,  
Chairman.

Mr. DeFrance, chairman of the committee on conference for the consideration of Substitute for H. B. No. 53, submitted the following report:



*Mr. Speaker:* Your committee to whom was referred Substitute for H. B. No. 53 and the amendments thereto, passed by the Council, have conferred with the Council committee upon the same, and would respectfully report the agreement of the committee upon the justice of the amendments proposed, Mr. Wells upon the part of the House committee dissenting.

A. H. DEFRANCE,  
Chairman.

Mr. Wells, from the committee on conference on Substitute for H. B. No. 53, submitted the following minority report:

*Mr. Speaker:* As one of the quasi-committee of conference appointed to meet a like committee on the part of the Council, to explain the reasons for the amendments of the Council to Substitute for H. B. No. 53, I desire to submit a minority report as follows:

The reason given by the committee from the Council for the amendment to section 2 of said bill was, that the Assistant Secretary of the Council does more work than the Secretary, and, therefore, should have at least as much pay. This reason is not satisfactory to the minority of your committee, as it puts mere manual clerk labor on a par with official responsibility.

The Irish laborer, who digs ditches and works on the Railroad, undoubtedly does more work, in the form of manual labor, than the section boss who controls a hundred men, and sees that their labor is disposed to the best advantage. But I apprehend that it would not be contended for a moment that the Irish laborer should have the same pay as a section boss. So with a chief clerk of a legislative body; he assumes the responsibility and receives the credit; if any of the assistant clerks, (when there are more than one) makes a blunder, the Chief Clerk has to shoulder the blame. For this reason he is compelled to oversee their work, and see that it is done right. In the first instance this is an arduous duty, and official responsibility should command a premium in pay. All of which is respectfully submitted.

J. H. WELLS.

Mr. Rice, chairman of the committee to whom was referred H. B. No. 52, submitted the following report:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 52, have had the same under consideration, and report the same back to the House with the recommendation that it do not pass; but at the same time would most respectfully recom-

mend that this legislature pass a general law for the relief of the deaf, dumb and blind of our Territory, by establishing by proper legislation an accumulative fund for that purpose. All of which is most respectfully submitted.

J. B. RICE,  
Chairman.

Mr. Campbell, chairman of the committee on Ways and Means, submitted the following report:

*Mr. Speaker:* Your committee on Ways and Means have had under consideration H. B. No. 87, and have amended the same by inserting the words "of Gilpin County," after the word "officers," on the first line of the first section, and by striking out the words "the proper counties," on the second line of said section, and inserting in lieu thereof the words "said county," and with these amendments recommend that the bill do pass.

Also have considered H. B. No. 62, and report it back to the House with the recommendation that it do pass.

Also have considered H. B. Nos. 54, 55, 58, 66 and 67, and report them back to the House with the recommendation that they be indefinitely postponed. All of which is respectfully submitted.

T. J. CAMPBELL,  
Chairman.

Mr. DeFrance moved that the House concur in the Council amendments to Substitute for H. B. No. 53.

Carried.

Mr. Lea moved that a committee of three be appointed for the purpose of inquiring why the reports of the Superintendent of Public Instruction and Territorial Librarian are not included in the pamphlet containing the reports of the Auditor and other Territorial Officers.

Carried.

The Speaker announced Lea, Gird and Graham as said committee.

Mr. Lyon gave notice that he would on to-morrow, or some future day, introduce a bill for an act for the education of the blind of Colorado.

Mr. Bearce gave notice that he would on to-morrow, or some future day, introduce a bill for an act entitled an act to encourage the growth of fruit and forest trees.

Mr. DeFrance offered the following resolution:

*Resolved by the House of Representatives of Colorado Territory:*  
That the committee on Printing of this House, are hereby au-



thorized to procure one thousand copies of the Hon. G. W. Miller's address upon the stock interests of this Territory, delivered on Tuesday last, to be printed for the use of the members of this House, and the general dissemination of the statistics therein contained.

Mr. Mullen moved a call of the House.

The call was made.

Absent—Bevan, Hall and Taylor.

The Sergeant-at-Arms was dispatched after the absentees, and returned announcing the absentees present.

Further proceedings under the call were dispensed with.

The resolution offered by Mr. DeFrance was put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Shepperd, Taylor, Topping, Trujillo, Vandiver and Wells—20.

Nays—Mr. Rice—1.

So the resolution passed.

Mr. Lea offered the following resolution:

*Resolved*, That the committee on Printing be, and are hereby authorized to have printed one thousand copies of the Hon. H. B. Bearce's speech on Artesian Irrigation, for the use of the House and general dissemination.

Mr. Lynch moved that the resolution just read be laid on the table. Carried.

Leave being granted without previous notice being given, Mr. Mann introduced H. J. R. No. 12, which was read the first time.

Leave being granted without previous notice being given, Mr. Topping introduced H. B. No. 89, which was read the first time.

Leave being granted without previous notice being given, Mr. Rice introduced H. B. No. 90, which was read the first time.

Leave being granted without previous notice being given, Mr. Meyer introduced H. B. No. 92, which was read the first time.

H. B. No. 91 was introduced and read the first time.

Mr. Lynch moved that H. J. R. No. 12 be read a second time, considered engrossed, read a third time, and put upon its passage. Carried.

H. J. R. No. 12 was read a second and third times and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—Campbell, Meyer and DeFrance—3.

So the resolution passed.

Title agreed to.

C. B. No. 38 was read the first time.

C. B. No. 42 was read the first time.

Mr. Mullen moved that the rules be suspended, and all bills on second reading be read by title only.

Carried.

C. B. No. 11 was read the second time by title only.

H. C. R. No. 1 was read a second time by title only.

H. B. No. 76 was read the second time by title only.

H. B. No. 3, with the report thereon was considered, and on motion the report was concurred in.

H. B. No. 59 with the report thereon was considered, and on motion the report was concurred in.

H. B. No. 47 with the report thereon was considered, and on motion the report was concurred in, and the bill ordered engrossed preparatory to a third reading.

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

Carried.

The House was declared adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bearce, Bevan, Elbert, Graham and Topping.

H. B. No. 57 with the report thereon was considered, and on motion was re-committed to the committee on Judiciary, with instructions to report a substitute therefor.

The ayes and nays being called for, the vote resulted as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver and Wells—24.

Nays—Graham and Mr. Speaker—2.

So the motion prevailed and the bill was re-committed to the committee on Judiciary.

Mr. Hall, chairman of the committee on Engrossment, submitted the following report:



*Mr. Speaker*: Your committee on Engrossment beg leave to report H. B. No. 26 correctly engrossed.

J. B. HALL,  
Chairman.

H. B. No. 65 with the report thereon was considered.

Mr. DeFrance moved that the report on said bill be concurred in.

The ayes and nays being called, the vote resulted as follows:

Ayes—Bearce, Bevan, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Mann, Shepperd, Taylor, Vandiver and Wells—14.

Nays—Baca, Campbell, Lea, Myers, Mullen, Meyer, Randall, Rice, Topping, Trujillo and Mr. Speaker—11.

So the motion was carried, and the report on H. B. No. 65 was concurred in.

H. B. No. 64 with the report thereon was considered, and on motion the report was concurred in and the bill ordered engrossed preparatory to a third reading.

C. B. No. 2 with the report thereon was considered, and on motion the report was concurred in.

H. B. No. 51 with the report thereon was considered.

Mr. Wells moved to amend by striking out in section 1 of said bill the words "section ten of."

Mr. Meyer moved that H. B. No. 51, with the amendment offered by Mr. Wells, be referred to a committee of five, with instructions to report a substitute for the same.

Carried.

The Speaker announced Wells, Gird, Meyer, Bearce and Rice a special committee to whom was referred H. B. No. 51.

C. B. No. 19 with the report thereon was considered, and on motion the report was concurred in.

H. B. No. 37 with the report thereon was considered, and on motion the report was concurred in, and the bill ordered engrossed preparatory to the third reading.

H. B. No. 62 with the report thereon was considered, and on motion the report was concurred in, and the bill ordered engrossed preparatory to the third reading.

H. B. Nos. 54 and 55, with the report thereon, were considered.

Mr. Shepperd moved that the report be not concurred in.

Mr. Mullen moved to amend by re-committing H. B. Nos. 54 and 55 to the committee on Ways and Means.

Motion prevailed, and H. B. Nos. 54 and 55 were re-committed to the committee on Ways and Means.

The Sergeant-at-Arms announced a message from the Council, which was read as follows :

COUNCIL CHAMBER, Denver, Feb. 2nd, 1870.

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

SIR: I have the honor to inform your Honorable body that the Council has passed C. B. No. 39, a bill to establish a School of Mines, and respectfully ask your concurrence. The same is herewith transmitted.

Very respectfully,  
A. O. PATTERSON,  
Secretary.

H. B. No. 58 with the report thereon was considered, and on motion the report was concurred in.

H. B. No. 66 with the report thereon was considered, and on motion the report was concurred in.

H. B. No. 67 with the report thereon was considered, and on motion the report was concurred in.

H. B. No. 52 with the report thereon was considered, and on motion the report was concurred in, and a committee consisting of Mullen, Graham, Rice, Gird and Lynch were appointed to draft a bill as recommended by the report.

H. B. No. 4 with the report thereon was considered, and on motion the report was concurred in, and the bill ordered engrossed preparatory to a third reading.

C. B. No. 4 with the report thereon was considered, and on motion was referred to the committee on Agriculture.

Leave being granted without previous notice being given, Mr. Meyer introduced H. B. No. 93, which was read the first time.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 2nd, 1870.

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

SIR: I have the honor to inform you that the Council has passed H. B. No. 30. The same is herewith transmitted.

Respectfully,  
Your obedient servant,  
A. O. PATTERSON,  
Secretary.



C. B. No. 6, was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver and Mr. Speaker—24.

Nays—Mr. Lucero—1.

So the bill passed.

Title agreed to.

H. B. No. 26 was taken up.

Mr. DeFrance offered the following amendment to the bill:

Amend by inserting between the words "them" and "having," on the third line of section three, from the beginning of the printed copy, the following words, to-wit: "In this Territory, and at a point distant from any river or other considerable stream of water, by the nearest direct line not less than six miles."

The ayes and nays being called for, a vote was taken on the amendment, which resulted as follows:

Ayes—DeFrance, Hall, Mann, Taylor, Trujillo and Vandiver—6.

Nays—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Topping and Mr. Speaker—19.

So the amendment was lost.

Mr. Taylor offered the following amendment to H. B. No. 26:

Amend by inserting between the words "them" and "having," on the third line of section three of the printed copy, the words "at a distance from Denver city of not less than six miles."

The ayes and nays being called for the amendment was put upon its passage, the vote resulting as follows:

Ayes—DeFrance, Mann and Taylor—3.

Nays—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver and Mr. Speaker—22.

So the amendment was lost.

The Sergeant-at-Arms announced a message from the Council, which was read, as follows:

COUNCIL CHAMBER, Denver, February 2nd, 1870.

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

SIR: I am instructed by the Council to inform your Hon-

orable body, that they have passed H. J. R. No. 12. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

C. B. No. 39 was introduced and read the first time.

Mr. DeFrance moved to adjourn.

The ayes and nays demanded.

Ayes—DeFrance and Taylor—2.

Nays—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, and Mr. Speaker—22.

So the motion to adjourn was lost.

Mr. Taylor moved a call of the House, which was had.

Absent—Mr. Wells.

The Sergeant-at-Arms was dispatched after the absentee.

Mr. Campbell moved that all further proceedings under the call be dispensed with.

Carried.

Mr. Lynch moved the previous question.

Mr. Taylor moved to adjourn.

The ayes and nays being called for on the motion to adjourn, the vote resulted as follows:

Ayes—DeFrance and Taylor—2.

Nays—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, and Mr. Speaker—23.

So the motion was lost.

Mr. Lynch moved the previous question.

Mr. DeFrance moved a call of the House.

The call was made.

Absent—Mr. Wells.

The Sergeant-at-Arms was dispatched after the absentee.

Mr. Campbell moved that further proceedings under the call be dispensed with.

The ayes and nays being called for, the vote resulted as follows:

Ayes—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, and Mr. Speaker—23.

Nays—DeFrance and Taylor—2.

So the motion prevailed, and proceedings under the call were dispensed with.



Mr. Taylor moved to adjourn.

The Speaker decided Mr. Taylor out of order.

Mr. Taylor appealed from the decision.

The ayes and nays were called.

Ayes—Bearce, Bevan, Baca, Campbell, Elbert Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo and Vandiver—22.

Nays—DeFrance and Taylor—2.

So the Speaker was sustained.

Mr. Taylor moved a recess until 10 o'clock to-morrow.

The Speaker decided Mr. Taylor out of order.

Mr. Taylor appealed from the decision of the chair.

A vote was taken on the appeal, which resulted as follows:

Ayes—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Hall, Lea, Lynch, Lucero, Lyon, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, and Vandiver—23.

Nays—Mr. DeFrance—1.

Mr. Lynch moved the previous question.

The ayes and nays being called, a vote was taken, which resulted as follows:

Ayes—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo and Vandiver—23.

Nays—Mr. DeFrance—1.

So the previous question was sustained.

H. B. No. 26 was put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, and Mr. Speaker—22.

Nays—DeFrance, Hall and Taylor—3.

So the bill passed.

Title agreed to.

Leave being granted, Mr. Vandiver reported as follows:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 43, have had the same under consideration, and have agreed to report a substitute therefor.

D. L. VANDIVER,  
Chairman.

Mr. DeFrance moved that H. B. No. 49 be referred to a special committee of five.

Carried.

Mr. Lynch moved that the Substitute for H. B. No. 43 be read the first time and printed.

Carried.

Substitute for H. B. No. 43 was read the first time.

Mr. Meyer moved to adjourn.

Carried.

The House was declared adjourned until to-morrow morning at 10 o'clock.

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THURSDAY, FEBRUARY 3RD, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Mr. Campbell.

Journal of the preceding day read and approved.

Mr. Bearce presented a petition from the ladies in regard to Woman Suffrage, which was received and read.

Mr. Lea presented a petition from the ladies of Gilpin county in regard to Woman Suffrage, which was received and read.

Mr. Bearce moved to make the petitions just read the special order for to-morrow at 2 o'clock.

Ayes and nays demanded.

Ayes—Bearce, Bevan, DeFrance, Hall, Lea, Lynch, Myers, Mullen, Rice, Shepperd, Topping, Vandiver and Wells—13.

Nays—Baca, Campbell, Elbert, Gird, Graham, Lucero, Mann, Meyer, Randall, Taylor, Trujillo and Mr. Speaker—12.

So the motion prevailed.

Mr. Wells moved that all bills relating to Woman Suffrage be made the special order for to-morrow, at 2 o'clock p. m.

Carried.

Mr. Graham presented a petition praying for the appointment of an Analytical Chemist for the inspection of liquors, which was received and read, and on motion referred to the committee on Agriculture.

Mr. Wells, chairman of the committee on Incorporations, submitted the following report:

*Mr. Speaker:* Your committee on Incorporations have, in obedience to the wishes of this House, had under consideration H. B. No. 18, which we have amended as follows: Add to the bill,



"SECTION 2. That section 1 of said chapter 18 be amended by inserting after the word "tunnels," in line five of said section, the words "insure against loss by fire."

Also amend the title by inserting after the word "section" the words "one and," and adding the letter "s" to the said word "section." Your committee recommend that the bill do pass as amended.

Your committee have also had under consideration H. B. No. 75, and recommend that the same do pass.

J. H. WELLS,  
Chairman.

Mr. Shepperd, chairman of the special committee to whom was referred C. B. No. 14, submitted the following report:

*Mr. Speaker:* Your special committee, to whom was referred C. B. No. 14, have had the same under consideration, and would report the same back with the recommendation that it do pass.

WM. SHEPPERD,  
Chairman.

H. B. No. 3, as amended by the Council, was considered, and on motion a committee of conference, consisting of DeFrance, Taylor and Wells, was appointed to confer with a like committee on the part of the Council, relative to said bill.

Leave being granted, Mr. Bearce submitted the following report on C. B. No. 4.

*Mr. Speaker:* Your committee on Agriculture have had under consideration C. B. No. 4, and would report the same back and recommend that it do pass with the following amendment, to-wit:

SECTION 2. Add between the words "after" and "its," the words "15th day of March, 1870."

H. B. BEARCE,  
Chairman.

Mr. Campbell offered the following resolution:

*Resolved,* That we have night sessions after this week, and that Tuesday be named as the day after which no new bills shall be introduced.

Adopted.

Mr. Bearce introduced H. J. R. No. 11, which was read the first time.



Mr. Hall introduced H. B. No. 94, which was read the first time.

Leave being granted without previous notice being given, Mr. Mullen introduced H. B. No. 95, which was read the first time.

Leave being granted without previous notice being given, Mr. DeFrance introduced H. B. No. 99, which was read the first time.

Leave being granted without previous notice being given, Mr. Taylor introduced H. B. No. 96, which was read the first time.

Leave being granted without previous notice being given, Mr. Bearce introduced H. B. No. 97, which was read the first time.

Also introduced H. B. No. 98, which was read the first time.

C. C. R. No. 1 was read the first time.

C. B. No. 45 was read the first time.

Mr. DeFrance moved that the rules be suspended, and all bills on second reading be read by title only.

Carried.

C. B. No. 38 was read the second time by title only.

C. B. No. 39 was read the second time by title only.

C. B. No. 42 was read the second time by title only.

H. B. No. 78 was read the second time by title only.

H. B. No. 79 was read the second time by title only.

H. B. No. 80 was read the second time by title only.

H. B. No. 81 was read the second time by title only.

H. B. No. 77 was read the second time by title only.

H. B. No. 82 was read the second time by title only.

C. B. No. 4 with the report thereon was considered.

Mr. Elbert moved that the report be adopted, and the bill placed on general file.

Carried.

C. B. No. 14 with the report thereon was considered.

Mr. Shepperd moved that the report be concurred in, and the bill read a third time and put upon its passage.

Carried.

C. B. No. 14 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Gird, Hall, Lea, Lucero, Myers, Meyer, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—19.

Nays—Campbell, Lynch, Mann, Mullen, Randall and Taylor—6.

So the bill passed.

Title agreed to.



H. B. No. 18 with the report thereon was considered.

Mr. Bearce moved that the report on said bill, with amendments thereto be concurred in, and ordered engrossed preparatory to a third reading.

Carried.

H. B. No. 75 with the report thereon was considered.

Mr. Bearce moved that the report be concurred in, the bill considered engrossed, read a third time and put upon its passage.

Carried.

Mr. Elbert moved to re-consider the vote which placed H. B. No. 75 upon its third reading and passage.

Lost.

Mr. Lynch moved that H. B. No. 75 be referred to a special committee of three.

Lost.

Mr. Shepperd moved to adjourn.

Lost.

Mr. Elbert moved that H. B. No. 75 be referred to a special committee of four, with Mr. Bearce as chairman.

The ayes and nays being called for, the vote resulted as follows:

Ayes—Bevan, DeFrance, Elbert, Gird, Graham, Hall, Lynch, Myers, Mullen, Randall, Shepperd, Taylor and Mr. Speaker—13.

Nays—Bearce, Baca, Campbell, Lea, Lucero, Mann, Meyer, Rice, Topping, Trujillo, Vandiver and Wells—12.

So the motion prevailed.

The Speaker announced Bearce, DeFrance, Elbert and Lynch as a committee to whom was referred H. B. No. 75.

Leave being granted, Mr. DeFrance submitted the following report:

*Mr. Speaker:* Your special committee to whom was referred Substitute for H. B. No. 5, beg leave to submit the following report:

Your committee would recommend that the said bill be amended by striking out the first section thereof, and that section 2 be amended so as to read as follows: "That it shall not be lawful for any voter, after the passage of this act, to vote at any election unless he shall have resided in the precinct (or ward) in which he offers to vote, for ten days, and in the county thirty days previous to such election," and be numbered section 1.

Also that sections 3, 4, and 5 of said substitute be numbered respectively 2, 3 and 4, and that with the adoption of these

amendments the bill do pass. All of which is most respectfully submitted, together with the amendments proposed.

A. H. DEFRANCE,  
Chairman.

Leave being granted, Mr. Campbell submitted the following report:

*Mr. Speaker:* Your committee on ways and means have had under consideration H. B. No. 9, and report the same back to the House with a substitute, and with the recommendation that said substitute do pass.

T. J. CAMPBELL,  
Chairman.

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

Carried.

The House was declared adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Topping.

The chairman of the committee on Engrossment submitted the following report:

*Mr. Speaker:* Your committee on Engrossment beg leave to report H. B. No. 35 as correctly engrossed.

J. B. HALL,  
Chairman.

C. B. No. 19 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Mann, Meyer, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—16.

Nays—Elbert, Gird, Hall, Lynch, Myers, Müllen, Randall, Rice, Shepperd and Topping—10.

So the bill passed.

Title agreed to.

C. B. No. 2 was read the third time.

Mr. Taylor moved to refer C. B. No. 2 to a special committee of three.

Carried.



The Speaker appointed Taylor, DeFrance and Elbert as said committee.

H. B. No. 24 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—26.

Nays—None.

So the bill passed.

Title agreed to.

Mr. Taylor, chairman of the special committee to whom was referred C. B. No. 2, submitted the following report:

*Mr. Speaker:* Your special committee to whom was referred C. B. No. 2, have had the same under consideration, and have amended the same, and recommend that it do pass.

M. S. TAYLOR,  
Chairman.

On motion the report was concurred in.

Mr. Taylor moved that C. B. No. 2, as amended, be considered engrossed and put upon its passage.

Carried.

C. B. No. 2 was put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—26.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 32 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Myers, Mullen, Meyer, Randall, Rice, Taylor, Topping, Trujillo, Vandiver and Mr. Speaker—22.

Nays—Lynch, Shepperd and Wells—3.

So the bill passed.

Title agreed to.

H. B. No. 39 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann,

Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—26.

Nays—none.

So the bill passed.

Title agreed to.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 3rd, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has passed C. B. No. 48, to change the name of J. F. Porter.

Also C. B. No. 50, to amend chapter 18 of the Revised Statutes.

Also C. B. No. 47, to reduce the charter of Denver.

Also C. C. R. No. 2, to appoint a special committee.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Taylor moved that the Clerk of the House be instructed to inform the Council that the copy of H. B. No. 30, as sent to the House by the Council, is not the copy sent by the House to the Council.

Carried.

The Speaker announced as a special committee on H. B. No. 49, DeFrance, Lynch, Bearce, Bevan and Lucero.

Mr. Elbert moved that the House go into committee of the Whole on the special order of the day.

Carried.

The House resolved itself into committee of the Whole.

Mr. Graham in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole made the following report.

*Mr. Speaker:* Your committee of the Whole House have had under consideration the veto message of the Governor, in regard to H. B. No. 8, and would report the same back and recommend that the veto message be concurred in.

T. J. GRAHAM,  
Chairman.



On motion the report was concurred in.

The Sergeant-at-Arms announced a message from the Governor.

H. B. No. 8 was put upon its passage, the vote resulting as follows:

Ayes—None.

Nays—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo and Vandiver—25.

So the bill did not pass.

Mr. Bearce, from a special committee, submitted the following report:

*Mr. Speaker:* Your committee beg leave to report H. B. No. 75 back to the House with the recommendation that it do pass with the following amendments: Strike out after the words in section 1, the words "That saving associations, monetary corporations, having for their object the accumulation of money, to be invested or loaned in real estate or other property, and banking corporations with power to deal in money, exchange and private securities," and insert in lieu thereof the words, "That the Colorado Savings, Building and Loan Association, and all similar associations with like constitutions and by-laws." Strike out in section 2, in the second line, after the words "bank of discount" the words "and deposit."

Also in the last line in section 4, strike out the words "date of approval of such act of Congress," and insert in lieu thereof the words "first day of June, A. D. 1870."

H. B. BEARCE,  
Chairman.

Leave being granted, Mr. Campbell introduced H. B. No. 100.  
Mr. Lea moved to adjourn.

Lost.

Mr. Mann moved to adjourn until 7½ o'clock p. m.

Lost.

Mr. DeFrance moved that the House go into committee of the Whole, on the general file.

Carried.

The House resolved itself into committee of the Whole.

Mr. Lynch in the chair.

After some time spent therein the committee rose.

The Speaker resumed the chair.

The committee of the Whole submitted the following report:



*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. No. 68, and would report the same back with the recommendation that it be referred to the committee on Mines and Minerals.

Also have had under consideration H. B. No. 74, and would report the same back and recommend that it be referred to a special committee.

Also have had under consideration H. B. No. 73, and would report the same back and recommend that it be referred to the committee on Ways and Means.

Also H. B. No. 70, and would report the same back and recommend that it be referred to the same committee to whom was referred C. B. No. 22.

Also H. B. No. 71, and would report the same back and recommend that the bill as amended do pass.

Also H. B. No. 70, and would report the same back and recommend that the bill as amended do pass.

Also H. B. No. 69, and would report the same back and recommend that it be referred to the committee on Roads and Bridges.

Also C. B. No. 35, and would report the same back and recommend that it do pass.

Also C. B. No. 36, and would report the same back and recommend that it be referred to the committee on Elections.

Also Substitute for C. B. No. 16, and report the same back and recommend that it be referred to the committee on Judiciary.

Also H. B. No. 29, and would report the same back and recommend that it do pass as amended.

Also H. B. No. 23, and would report the same back and recommend that it do pass as amended.

Also, C. B. No. 11, and would report the same back and recommend that it be referred to the committee on Military Affairs.

Also H. B. No. 76, and would report the same back and recommend that it do pass.

Also, H. C. R. No. 1, and would report the same back and recommend that it be indefinitely postponed.

Also, C. B. No. 39, and would report the same back and recommend that it be referred to a special committee of three.

Also, C. B. No. 38, and would report the same back and recommend that it be referred to the committee on Elections.

Also, C. B. No. 42, and would report the same back and recommend that it be referred to the committee on Mines and Minerals.

Also, H. B. No. 77, and would report the same back and rec-



commend that it be referred to the committee on Mines and Minerals.

Also, H. B. No. 78, and would report the same back and recommend that it be referred to the committee on Military Affairs.

Also, H. B. No. 79, and would report the same back and recommend that it be referred to the committee on Judiciary.

Also, H. B. No. 80, and would report the same back and recommend that it do pass.

Also, H. B. No. 81, and would report the same back and recommend that it be referred to a special committee of three.

Also, H. B. No. 82, and would report the same back and recommend that it be referred to the committee on Mines and Minerals. All of which is respectfully submitted.

J. T. LYNCH,  
Chairman.

On motion, the report of the committee of the Whole House was concurred in.

Mr. Taylor moved the Engrossing Clerk be instructed to furnish this House with an engrossed copy of H. B. No. 30, on to-morrow morning.

Carried.

The Speaker announced Lea, Rice and Vandiver as special committee on H. B. No. 74.

Also, special committee on C. B. No. 39 DeFrance, Mann and Lynch.

Also, on H. B. No. 81 Elbert, Mullen and Bevan.

Mr. Bearce moved the amendments reported by the committee on H. B. No. 75 be concurred in.

Carried.

Mr. Graham moved that all bills reported back by the committee of the Whole House, with the recommendation that they pass, be ordered engrossed.

Carried.

Mr. Bearce moved H. B. No. 75 as amended be considered engrossed and put upon its passage.

Carried, and the bill was considered engrossed, and put upon its passage.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—none.

So the bill passed and title agreed to.

Mr. Graham moved to adjourn.

Carried, and House declared adjourned.

FRIDAY, FEBRUARY 4TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—none.

Journal of preceding day read and approved.

Mr. Lea presented a petition from ladies of Gilpin county, in regard to Woman Suffrage.

The petition was read, and made the special order of to-day, with other similar petitions, at 2 o'clock p. m.

Mr. Speaker presented a petition from citizens of Douglas county, which was received and read, and referred to the committee on Elections and Apportionments.

Mr. Hall, chairman of committee on Engrossment, reported as follows:

*Mr. Speaker:* Your committee on Engrossment beg leave to report H. B. Nos. 4, 30, 31, 37 and 62 correctly engrossed.

J. B. HALL,  
Chairman.

Mr. Vandiver, chairman of committee on Mines and Minerals, reported as follows:

*Mr Speaker:* Your committee on Mines and Minerals, to whom was referred H. B. No. 48, have had the same under consideration and report a substitute therefor, and recommend that it do pass.

D. L. VANDIVER,  
Chairman.

On motion, the report just read was adopted.

The Sergeant-at-Arms announced a message from the Council, which was read, as follows:

COUNCIL CHAMBER, Feb. 4th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that the Council insists upon its amendment to section 10 of H. B. No. 3, and have appointed a committee of conference to confer with a like committee to be appointed by this Honorable Body. Council committee consists of Butler,



Steck and Loveland. I am instructed by the Council to inform you that the Council has passed H. J. R. No. 10, amending the same to read H. C. R. No. 10, in which they ask the concurrence of this Honorable Body. The same is herewith transmitted. H. B. No. 3 is herewith transmitted.

A. O. PATTERSON,  
Secretary.

Mr. Steck moved the following, which was adopted:

That C. B. No. 2 be returned to the House with the information that no communication was received from the Clerk of the House, or sent to the Council accompanying the said bill, as to what action was taken therein by the House. C. B. No. 2 in accordance with the above resolution is herewith returned.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Lea, chairman of select committee, reported as follows:

*Mr. Speaker:* Your select committee, to whom was referred H. B. No. 74, have had the same under consideration, and report the same back and recommend that it do pass.

A. E. LEA,  
Chairman.

Mr. DeFrance, chairman of committee to whom was referred C. B. No. 39, reported as follows:

*Mr. Speaker:* Your committee to whom was referred C. B. No. 39, would report the same back, and recommend that it do pass.

A. H. DEFRENCE,  
Chairman.

Mr. Elbert, chairman of special committee, to whom was referred H. B. No. 81, reported as follows:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 81, have had the same under consideration and report the same back, and recommend that it do pass as amended.

S. H. ELBERT,  
Chairman.

On motion, the report was concurred in, and H. B. No. 81 was ordered engrossed preparatory to a third reading.

Mr. Hall, chairman of special committee, to whom was referred H. B. No. 20, reported as follows:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 20, have had the same under consideration and report the same back, and recommend that it do pass.

J. B. HALL,  
Chairman.

M. Hall moved H. B. No. 20 be ordered engrossed, preparatory to a third reading.

Carried.

The following communication was received and read from the Secretary:

TERRITORY OF COLORADO, SECRETARY'S OFFICE, }  
Denver, Feb. 3d, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives:*

SIR: In obedience to a resolution passed by the House of Representatives, on the 27th ultimo, received at this office on the first inst., I have the honor to transmit herewith abstracts of election returns, for the years 1867, 1868 and 1869.

Very respectfully,

Your obedient servant,

FRANK HALL,  
Secretary of Colorado.

Mr. Campbell moved the abstracts furnished by the Secretary be referred to the committee on Federal Relations.

Carried.

Mr. Campbell moved the amendments proposed by the Council to H. J. R. No. 10 be concurred in.

Ayes and nays demanded.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—26.

Nays—none.

So the amendment was concurred in.

Mr. Wells gave notice that he would, on to-morrow or some future day, introduce a bill for An act to establish the office of Inspector of Machinery, and regulate the management of steam boilers.

Mr. Bearce introduced H. B. No. 102, which was read a first time.



Mr. Bearce introduced H. B. No. 101, which was read a first time.

Mr. Shepperd, with leave, without previous notice, introduced H. B. No. 103, which was read a first time.

Mr. Rice, with leave, without previous notice, introduced H. B. No. 104, which was read a first time.

Mr. Lynch, with leave, without previous notice, introduced H. B. No. 107, which was read a first time.

Leave being granted without previous notice being given, Mr. Graham introduced H. B. No. 105, which was read the first time.

Mr. Lyon introduced H. B. No. 106, which was read the first time.

Leave being granted without previous notice being given, Mr. Graham introduced H. B. No. 108, which was read the first time.

H. B. No. 100 was read the first time.

Substitute for H. B. No. 48 was read the first time.

On motion H. B. No. 108 was read the second time by title only.

C. C. R. No. 2 was read the first time.

C. B. No. 50 was read the first time.

C. B. No. 48 was read the first time.

C. B. No. 47 was read the first time.

Mr. Lea moved that the rules be suspended, and all bills on second reading be read by title only.

Carried.

C. C. R. No. 1 was read the second time by title only.

C. B. No. 45 was read the second time by title only.

H. B. No. 91 was read the second time by title only.

H. B. No. 92 was read the second time by title only.

H. B. No. 88 was read the second time by title only.

H. B. No. 90 was read the second time by title only.

H. B. No. 87 was read the second time by title only.

H. B. No. 89 was read the second time by title only.

H. B. No. 86 was read the second time by title only.

H. B. No. 85 was read the second time by title only.

H. B. No. 83 was read the second time by title only.

Mr. Elbert moved to refer H. B. No. 83 to a special committee of three.

Said committee were Elbert, Bevan and Shepperd.

Carried.

H. B. No. 84 was read the second time by title only.

Mr. Bevan moved that H. B. No. 84 be referred to a special committee of three.

Carried.

The Speaker appointed Bevan, Mann and Myers on said committee.

Mr. Meyer moved that H. B. No. 92 be referred to a special committee of three.

Carried.

The Speaker appointed Meyer, Trujillo and Baca as said committee.

Mr. Myers moved that H. B. No. 87 be referred to a special committee of three.

Carried.

The Speaker appointed Myers, Gird and Mullen as said committee.

Mr. Gird moved that H. B. No. 91 be referred to a special committee of three.

Carried.

The Speaker appointed Gird, Rice and Hall as said committee.

H. B. No. 93 was read a second time by title only.

H. B. No. 95 was read the second time by title only.

On motion the bill was referred to a special committee of three, consisting of Hall, Topping and Lea.

Substitute for H. B. No. 43 was read the second time by title only.

Mr. Vandiver moved that the rules be suspended, and the bill considered engrossed preparatory to a third reading.

Carried.

H. J. R. No. 12 was read the second time by title only.

H. B. No. 94 was read the second time by title only.

H. B. No. 97 was read the second time by title only.

Mr. Mullen moved that said bill be referred to a special committee of three.

Carried.

The Speaker appointed Mullen, Bevan and Lynch as said committee.

Mr. Hall moved that H. B. No. 94 be referred to the committee on Territorial Affairs.

Carried.

Mr. Graham moved that H. B. No. 108 be referred to a special committee of three.

Carried.

The Speaker appointed as said committee Graham, Wells and Trujillo.

C. B. No. 39, with the report thereon, was considered, and on motion the report was concurred in.

Mr. Elbert moved that C. B. No. 39 be placed on the general file.



Lost.

Mr. DeFrance moved that C. B. No. 39 be read the third time and put upon its passage.

Carried.

C. B. No. 39 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver and Mr. Speaker—25.

Nays—None.

So the bill passed.

Title agreed to.

Mr. Lea moved that H. B. No. 74 be considered engrossed, read the third time and put upon its passage.

Carried.

H. B. No. 74 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Meyer, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver and Mr. Speaker—19.

Nays—Lynch, Myers, Mann and Randall—4.

So the bill passed.

Title agreed to.

Mr. Shepperd moved that H. B. No. 15 be taken from the Speaker's table, considered engrossed, read the third time, and put upon its passage.

Carried.

H. B. No. 15 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Hall, Lea, Lyon, Lucero, Meyer, Rice, Shepperd, Topping, Vandiver and Mr. Speaker—17.

Nays—Lynch, Mann, Taylor and Wells—4.

So the bill passed.

Title agreed to.

Mr. DeFrance moved that Substitute to H. B. No. 5, with the report thereon, be placed on general file.

Carried.

Substitute for H. B. No. 9, with the report thereon, was considered, and on motion the report was concurred in.

Mr. DeFrance moved that Substitute for H. B. No. 9 be read the first and second times, and placed on the general file.

Carried.

Substitute for H. B. No. 9 was read the first time.

Substitute for H. B. No. 9 was read the second time.

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

The House was declared adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Baca, Lucero, Meyer and Trujillo.

Leave being granted without previous notice being given, Mr. DeFrance introduced H. B. No. 109, which was read the first time.

Mr. DeFrance moved that the rules be suspended and that H. B. No. 109 be read the second time by title only, considered engrossed, read the third time, and put upon its passage.

Carried.

H. B. No. 109 was read the second time by title only.

H. B. No. 109 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Rice, Randall, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—none.

So the bill passed.

Title agreed to.

Mr. Graham, Chairman of the special committee to whom was referred H. B. No. 108, submitted the following report:

*Mr. Speaker:* Your special committee to whom was referred H. B. No. 108, a bill for an act to change the name of Mary Adella McFarland and for her relief, would beg leave to report that they have had the same under consideration, and would beg leave to report the same back to the House with the recommendation that it do pass. All of which is most respectfully submitted.

T. J. GRAHAM,  
Chairman.

The report of the committee on H. B. No. 108 was, on motion concurred in.

Mr. Elbert submitted the following report:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 83, a bill for an act to dissolve the bonds of matrimony be-



tween Chauncy Bailey and Sarah A. Bailey, beg leave to report that they have had the same under consideration, and would report the same back to the House with the recommendation that it do pass.

S. H. ELBERT,  
Chairman.

On motion the report was concurred in.

Mr. Elbert moved that H. B. No. 83 be ordered engrossed, preparatory to a third reading.

Carried.

Mr. Graham moved that H. B. No. 108 be ordered engrossed preparatory to a third reading.

Carried.

H. B. No. 35 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—23.

Nays—None.

So the bill passed.

Title agreed to.

Substitute for H. B. No. 43 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Campbell, DeFrance, Elbert, Graham, Hall, Lyon, Lynch, Myers, Mann, Mullen, Randall, Topping, and Vandiver—15.

Nays—Baca, Gird, Lucero, Meyer, Rice, Trujillo and Wells—7.

So the bill passed.

Title agreed to.

Substitute for H. B. No. 31 was read the third time, and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Gird, Graham, Hall, Lea, Lyon, Lucero, Mann, Meyer, Rice, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—19.

Nays—Elbert, Lynch, Meyer, Mullen, Randall, Shepperd and Topping—7.

So the bill passed.

Title agreed to.

The chairman of the committee on Engrossment submitted the following report:

*Mr. Speaker:* Your committee on Engrossment, to whom

was referred H. B. No. 80, have had the same under consideration, and report the same correctly engrossed.

J. B. HALL,  
Chairman.

H. B. No. 62 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—None.

So the bill passed.

Title agreed to.

The Sergeant-at-Arms announced a message from the Governor, which was read as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, February 4th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to inform you that I have this day approved the following bill, certified to have originated in the House of Representatives, viz:

An act to provide for the payment of members and officers of the Legislative Assembly of Colorado Territory:

I have the honor to be,

Very respectfully,

Your obedient servant,

EDWARD M. McCOOK,  
Governor.

On motion the message was ordered entered on the journal.

Mr. Taylor moved that H. B. No. 80 be read a third time and put upon its passage.

Carried.

H. B. No. 80 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—25.

Nays—None.

So the bill passed.

Title agreed to.



H. B. No. 37 was read the third time, and on motion was referred to the committee on Ways and Means.

H. B. No. 35 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—26.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 29 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Mann, Meyer, Randall, Shepperd, Taylor, Trujillo, Vandiver, Wells, and Mr. Speaker—22.

Nays—Myers, Mullen, Rice and Topping—4.

So the bill passed.

Title agreed to.

H. B. No. 23 was read the third time, and on motion was referred to the committee on Judiciary.

H. B. No. 4 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—26.

Nays—none.

So the bill passed.

Title agreed to.

Mr. Lea moved that the special order of to-day at 2 p. m., be made the special order for Tuesday, February 8th, at 7½ o'clock p. m.

The ayes and nays were demanded.

Ayes—Bearce, Bevan, Baca, DeFrance, Graham, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Shepperd, Trujillo, Vandiver and Mr. Speaker—16.

Nays—Campbell, Elbert, Gird, Hall, Mann, Randall, Rice, Taylor, Topping and Wells—10.

So the motion was carried.

Mr. Wells moved that all bills relating to Woman Suffrage, now in the hands of the committee, be reported on by Tuesday, at 10 o'clock a. m.

The ayes and nays were demanded.

Ayes—Campbell, Elbert, Gird, Hall, Lyon, Mann, Randall, Rice, Taylor, Topping and Wells—11.

Nays—Bearce, Bevan, Baca, DeFrance, Graham, Lea, Lynch, Lucero, Myers, Mullen, Meyer, Shepperd, Trujillo, Vandiver and Mr. Speaker—15.

So the motion was lost.

Mr. DeFrance moved that the House go into committee of the Whole on general file.

Carried.

The House resolved itself into committee of the Whole.

Mr. Taylor in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole made the following report.

*Mr. Speaker:* Your committee of the Whole House have had under consideration C. B. No. 4, with the report thereon, and would report the same back and recommend that it be referred to the committee on Judiciary.

Also H. B. No. 5, and would report the same back and recommend that it be referred to a special committee of three.

Also Substitute for H. B. No. 9, with the report thereon, and would report the same back and recommend that it be referred to the committee on Ways and Means.

Also C. C. R. No. 1, and would report the same back and recommend that it do pass.

Also C. B. No. 45, and would report the same back and recommend that it be referred to a special committee of three.

Also H. B. No. 88, and would report the same back and recommend that it be referred to a special committee of three.

Also H. B. No. 90, and would report the same back and recommend that it be indefinitely postponed.

Also H. B. No. 89, and would report the same back and recommend that it be referred to a special committee of three.

Also H. B. No. 85, and would report the same back and recommend that it be referred to the committee on Judiciary.

Also H. B. No. 84, and would report the same back and recommend that it be referred to a special committee of three.

Also H. B. No. 93, and would report the same back and recommend that it be referred to the committee on Elections and Apportionments.

M. S. TAYLOR,  
Chairman.

On motion, the report of the committee of the Whole House was concurred in.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:



COUNCIL CHAMBER, Denver, Feb. 4th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has concurred in House amendments to C. B. No. 2.

Very respectfully,  
A. O. PATTERSON,  
Secretary.

The Speaker announced Topping Lyon and Lea as special committee on C. B. No. 45.

Also on H. B. No. 89, Campbell, Lyon and Topping.

Also on H. B. No. 88, DeFrance, Lucero and Graham.

Also on H. B. No. 84, Mullen, Bevan and Shepperd.

Mr. Shepperd moved a call of the House.

A call of the House was made.

Absent—Campbell, Gird, Graham, Lea and Wells.

Mr. Bearce moved that further proceedings under the call be dispensed with.

Carried.

Mr. Mullen moved that that portion of rule No. 19 relative to smoking, be suspended during the rest of the session.

Lost.

Mr. Vandiver, chairman of committee on Mines and Minerals, reported as follows:

*Mr Speaker:* Your committee on Mines and Minerals beg leave to report that they have had under consideration H. B. No. 77, an act amendatory of chapter 18, of the Revised Statutes, and to encourage the construction of Railroads, and would report the same back with the following amendments, to-wit: Strike out the word "one," in the third line of section 5 of the printed copy, and insert the word "three" in lieu thereof, and with these amendments your committee would recommend that said bill be made the special order of the day, for to-morrow at 2 o'clock.

Respectfully submitted,  
D. L. VANDIVER,  
Chairman.

Leave being granted, Mr. Bevan submitted the following report:

*Mr. Speaker:* Your special committee have had under con-

sideration H. B. No. 86, and would report the same back and recommend that it do pass.

A. D. BEVAN,  
Chairman.

Mr. Bevan moved that H. B. No. 86 be ordered engrossed for a third reading.

Carried.

Mr. Lynch moved that the House concur in the report of the committee on H. B. No. 77.

Carried.

Mr. Taylor moved that C. C. R. No. 1 be read the third time and put upon its passage.

Carried.

C. C. R. No. 1 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Gird, Graham, Hall, Lea, Lyon, Lynch, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo and Vandiver—21.

Nays—none.

So the resolution passed.

Title agreed to.

Mr. Lynch, chairman of the committee on Enrollment, submitted the following report:

*Mr. Speaker:* Your committee on Enrollment beg leave to report that they have examined Substitute for H. B. No. 53, a bill for an act to provide for the payment of members and officers of the Legislative Assembly of Colorado.

Also H. J. R. No. 2, a bill for the establishment of a land district.

Also H. B. No. 44, an act to amend section 18, in chapter 20, of an act to define county boundaries and locate county seats.

Also H. B. No. 34, a bill for an act to amend chapter 84 of the Revised Statutes, and find the same correctly enrolled.

Respectfully submitted,

J. T. LYNCH,  
Chairman.

Mr. Mann, from the committee on Joint Enrollment, submitted the following report:

*Mr. Speaker:* Your joint committee on Enrolled bills, beg leave to report that they have examined the enrollment of C. B. Nos. 6, 19, 39, 30 and 32, also Substitute for H. B. No. 53,



and find the enrollment correct, and would further report that they have placed the same in the hands of the Governor, at 2½ o'clock p. m., February 4th, and the same now await his approval to become laws.

Respectfully submitted,  
G. W. MANN,  
Chairman.

Mr. Topping moved to adjourn.

Carried.

The House was declared adjourned.

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SATURDAY, FEBRUARY 5TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Mr. Hall.

Journal of preceding day read and approved.

Mr. Hall, chairman of committee on Engrossment, reported as follows:

*Mr. Speaker:* Your committee on Engrossment have examined H. B. Nos. 18, 20, 47, 64, 71, 76, 83 and 81, and beg leave to report the same correctly engrossed.

J. B. HALL,  
Chairman.

Mr. Topping, chairman of special committee, reported as follows:

*Mr. Speaker:* Your special committee, to whom was referred C. B. No. 45, report the same back and recommend that it do pass.

Also, have had under consideration H. B. No. 38, and would report the same back and recommend that it be indefinitely postponed.

J. F. TOPPING,  
Chairman.

Mr. Myers, chairman of special committee, reported as follows:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 87, have had the same under consideration and report the same back and recommend that it do pass.

D. B. MYERS,  
Chairman.

Mr. Mullen, chairman of special committee, to whom was referred H. B. No. 84, reported as follows:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 84, have had the same under consideration and would report the same back and recommend that it be indefinitely postponed.

C. M. MULLEN,  
Chairman.

Mr. Meyer, chairman of special committee, to whom was referred H. B. No. 92, reported as follows:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 92, have had the same under consideration and would report the same back and recommend that it do pass.

WM. H. MEYER,  
Chairman.

Mr. DeFrance, chairman of committee to whom was referred H. B. No. 88, reported as follows:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 88, have had the same under consideration and would report the same back and recommend that it do pass.

A. H. DEFRANCE,  
Chairman.

Mr. Hall gave notice that he would, on to-morrow or some future day, introduce a bill for An act concerning Territorial Revenue in the counties of Lake and Park.

Mr. Campbell, with leave, without previous notice, introduced H. B. No. 110, which was read a first time.

C. B. No. 48 was read a second time, and on motion, was referred to a special committee, consisting of Gird, Mullen and Elbert.

Mr. Hall moved all bills on second reading be read by title only.

Carried.



C. B. No. 47 was read a second time by title only.

C. B. No. 50 was read a second time by title only, and on motion, C. B. No. 50 was referred to the committee on Incorporations.

C. C. R. No. 2 was read a second time by title only.

H. B. No. 105 was read a second time by title only, and on motion, was referred to committee on Agriculture.

H. B. No. 104 was read a second time by title only.

H. B. No. 103 was read a second time by title only.

H. B. No. 102 was read a second time by title only.

H. B. No. 101 was read a second time by title only.

H. B. No. 100 was read a second time by title only.

H. B. No. 98 was read a second time by title only.

H. B. No. 96 was read a second time by title only, and on motion, was referred to a special committee, consisting of Elbert, Taylor, Shepperd and Gird.

H. B. No. 99 was read a second time by title only.

H. J. R. No. 11 was read a second time by title only.

Mr. Taylor, chairman of committee on Judiciary, reported as follows:

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

Your committee on Judiciary, to whom was referred H. B. Nos. 61, 16, 23, 57, 41 and 45, have had the same under consideration and would respectfully make the following report:

Amend H. B. No. 61 by striking out the words "after first making oath himself," on the third line from the bottom of section one of the original bill, and inserting in lieu thereof the following: "said party, his agent or attorney, shall first make oath," and with this amendment recommend that it do pass.

H. B. No. 23 we report back with the following amendment: Amend the title of the bill by striking out the words "section three of." Also, by adding the following section, which shall be numbered section two (2):

That section 24 of said act be amended by striking out all between the word "article," in the second line of said section and the word "unless," in the third line of said section, and by striking out the word "six" and inserting the word "twelve," in the fourth line of said section, and with these amendments recommend that it do pass.

H. B. No. 57 we report back with the recommendation that it do not pass.

H. B. No. 41 we report back with the following amendments: Amend section first by striking out the word "second," in the 15th line and inserting the word "first," and by striking out the word "June" in the 16th line and inserting the word



"April." In section second amend as follows: Strike out the second line of section second of the printed copy of the bill and insert as follows: "The counties of Greenwood and Bent are attached to the county of Pueblo for judicial purposes," and with these amendments recommend that it do pass.

H. B. No. 45 we report back with the following amendment: Amend section 1st of the bill so that it shall read as follows: That section eleven of chapter forty-eight of the Revised Statutes be amended by striking out the following words, in the 9th line of said section: "if there be no such newspaper printed in the county," and with this amendment recommend that it do pass.

C. B. No. 16 we have amended as follows: add to section 11 the following: "Appeal bonds shall be conditioned the same as appeal bonds required in cases appealed from the District Court," and with this amendment recommend that it do pass. All of which is most respectfully submitted.

M. S. TAYLOR,  
Chairman.

Mr. Campbell, chairman of committee on Ways and Means reported as follows:

*Mr. Speaker:* Your committee on Ways and Means have considered C. B. No. 10, and report it to the House with the recommendation that it do pass.

Also, have considered H. B. No. 54, and would report the same back and recommend that it do pass.

Also, have considered H. J. R. No. 8, and report it to the House with the recommendation that it be amended by striking out all of section 1st after the figures 1867, and by changing the title of the bill so as to read "For the relief of J. M. Veasey," instead of for the relief of C. G. Cox. Also, by adding the following section, to-wit:

This act to take effect and be in force from and after its passage, and that with these amendments recommend that it do pass.

Also, have considered H. B. No. 40, and would report it to the house with the recommendation that it be indefinitely postponed. All of which is respectfully submitted.

T. J. CAMPBELL,  
Chairman.

Mr. Bevan moved H. J. R. No. 11 be considered engrossed, read a third time and put upon its passage.

Carried.

H. J. R. No. 11 was read a third time, and the question being on the passage of the bill the ayes and nays were called.



Ayes—Bearce, Baca, Campbell, Elbert, Gird, Graham, Lyon, Lynch, Lucero, Myers, Mann, Meyer, Randall, Rice, Shepherd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—20.

Nays—none.

So the resolution passed and the title was agreed to.

H. B. No. 61 with report thereon was considered, and on motion, the report was adopted.

H. B. No. 23 with report thereon was considered, and on motion, the report was concurred in.

H. B. No. 57 with report thereon was considered, and on motion, the report was concurred in.

H. B. No. 41 with report thereon was considered, and on motion, the report was concurred in, and H. B. No. 41 was ordered engrossed for a third reading.

H. B. No. 45 with report thereon was considered, and on motion, the report was concurred in, and H. B. No. 45 was ordered engrossed preparatory to a third reading.

C. B. No. 16 with report thereon was considered, and on motion, the report was concurred in.

The Sergeant-at-Arms announced a message from the Council, which was read, as follows:

COUNCIL CHAMBER, Denver, Feb. 5th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body, that the Council has passed C. B. No. 17, an act legalizing a certain action of the Board of County Commissioners of Clear Creek County.

Also C. B. No. 56, a bill for an act to amend chapter 3, of the Revised Statutes of Colorado, concerning aliens. The concurrence of your Honorable body is respectfully requested.

Also have passed H. B. No. 21, with amendments.

Also have passed Substitute for H. J. R. No. 5. The concurrence of your Honorable body is respectfully requested.

Also have passed H. B. No. 109.

The same are herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Elbert moved that the rules be suspended, and that C. B. No. 16 be read the third time and put upon its passage.  
Carried.

C. B. No. 16 was read the third time and put upon its passage, the vote resulting as follows:



Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—none.

So the bill passed and the title was agreed to.

Mr. Lynch, with leave, without previous notice, introduced H. B. No. 111, which was read a first time.

Mr. Wells, with leave, without previous notice, introduced H. B. No. 112, which was read a first time.

Mr. Bearce, with leave, submitted the following report :

*Mr. Speaker :* Your special committee, to whom was referred H. B. No. 27 would report that they have had the same under consideration, and would report the same back and recommend that it do pass as amended.

H. B. BEARCE,  
Chairman.

On motion, the report on H. B. No. 27 was concurred in, and H. B. No. 27 was ordered engrossed preparatory to a third reading.

C. B. No. 10 with report thereon was considered, and on motion, the report was concurred in, and C. B. No. 10 was ordered engrossed preparatory to a third reading.

H. B. No. 54 with report thereon was considered, and on motion the report was concurred in, and H. B. No. 54 was ordered engrossed preparatory to a third reading.

H. J. R. No. 8 with report thereon was considered, and on motion, the report was concurred in, and H. J. R. No. 8 was ordered engrossed preparatory to a third reading.

H. B. No. 40 with report thereon was considered, and on motion, the report was concurred in.

H. B. No. 92 with report thereon was considered, and on motion, the report was concurred in, and H. B. No 92 was ordered engrossed preparatory to a third reading.

H. B. No. 88 with report thereon was considered and on motion the report was concurred in, and H. B. No. 88 was ordered engrossed preparatory to a third reading.

H. B. No. 38 with report thereon was considered, and on motion, the report was concurred in, and H. B. No. 38 was indefinitely postponed.

Substitute for H. B. No. 5 was referred to a special committee, consisting of DeFrance, Mann and Meyer.

Mr. Shepperd moved to adjourn to 2 o'clock p. m.

Carried.



## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Mann.

C. B. No. 45 with report thereon was considered, and on motion, the report was concurred in, and C. B. No. 45 was ordered engrossed preparatory to a third reading.

H. B. No. 87 with report thereon was considered, and on motion, the report was concurred in, and H. B. No. 87 was ordered engrossed preparatory to a third reading.

H. B. No. 84 with report thereon was considered, and on motion, the report was concurred in.

C. B. No. 10 was read a third time, and on motion, was laid over till Monday.

Mr. Taylor, with leave, reported as follows:

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

Your committee on Judiciary, to whom was referred H. B. No. 16, have had the same under consideration, and beg leave to make the following report:

We have amended the bill as follows:

“This act shall be in force from and after its passage: *Provided*, It shall not apply to cases pending at the passage thereof in the District Courts on appeal from Justices of the Peace; nor to cases at issue at the passage thereof in the District and Probate Courts,” and with this amendment recommend that it do pass. All of which is most respectfully submitted.

M. S. TAYLOR,  
Chairman.

H. B. No. 54 was read a third time, and the question being upon the passage of the bill the ayes and nays were called.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo and Vander—22.

Nays—Myers, Mann, Wells and Mr. Speaker—4.

So the bill passed and the Title was agreed to.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 5th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that they have concurred in House amendment to substitute for C. B. No. 16.

Very respectfully,

A. O. PATTERSON,

Secretary.

Mr. Taylor moved the report on H. B. No. 16 be concurred in, and H. B. No. 16 be ordered engrossed preparatory to a third reading.

Carried.

Mr. Meyer moved the vote which laid C. B. No. 10 over till Monday be re-considered, and that C. B. No. 10 be read a third time and put upon its passage.

Carried.

C. B. No. 10 was read a third time.

Mr. Mullen moved a call of the House.

The call was had.

Absent—Elbert, Gird, Randall, Shepperd and Taylor.

Mr. Bevan moved further proceedings under the call be dispensed with.

The ayes and nays were demanded.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Mann, Meyer, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—16.

Nays—Hall, Lynch, Myers, Mullen, Rice and Shepperd—6.

So the motion was carried, and further proceedings under the call were dispensed with, and the ayes and nays were called on the passage of C. B. No. 10.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Graham, Hall, Lea, Lyon, Lynch, Lucero, Mann, Meyer, Rice, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—19.

Nays—Myers, Mullen and Randall—3.

So the bill passed and the title was agreed to.

C. B. No. 45 was read a third time, and the question being upon the passage of the bill the ayes and nays were called.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—none.

So the bill passed and the title was agreed to.



H. B. No. 76 was read a third time, and the question being upon the passage of the bill the ayes and nays were called.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lynch, Lyon, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—23.

Nays—none.

So the bill passed and the title was agreed to.

Mr. Topping, with leave, submitted the following report:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 89, would respectfully report the same back and recommend that it do pass.

J. F. TOPPING,  
Chairman.

Mr. Hall, with leave reported as follows:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 95, have had the same under consideration, and would report the same back and recommend that it do pass as amended.

J. B. HALL,  
Chairman.

Mr. Hall moved H. B. No. 95 be ordered engrossed preparatory to a third reading.

Carried.

Mr. Gird, from special committee, reported as follows:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 91, have had the same under consideration, and report the same back and recommend that it do pass.

C. C. GIRD,  
Chairman.

Mr. Bearce moved to re-consider the vote by which H. B. No. 27 was ordered engrossed.

Carried, and H. B. No. 27 was ordered back to the House.

Mr. Lynch moved the House go into the committee of the Whole on the special order of the day.

Carried.

So the House resolved itself into the committee of the Whole.

Mr. Mann in the chair.

After some time spent therein the committee rose and the Speaker resumed the chair, and the chairman of the committee of the whole House reported as follows:

*Mr. Speaker:* Your committee of the Whole House had under consideration H. B. No. 77, and would report the same back and recommend that section 1st be adopted. And your committee ask leave to sit again at 7½ o'clock this evening, for the further consideration of H. B. No. 77.

G. W. MANN,  
Chairman.

On motion, the report of the committee of the Whole House was concurred in.

Mr. Mann, chairman of committee on Enrollment, reported as follows:

*Mr. Speaker:* Your joint committee on Enrolled Bills, beg leave to report that they have examined the enrollment of H. B. Nos. 22, 34 and 44. Also, H. J. M. No. 2. Also, C. B. Nos. 2, 35 and 39 and find the enrollment correct, and would further report that they have placed the said Bills and Memorials in the hands of His Excellency the Governor, at 2½ o'clock p. m., February 5th, and the same now await his approval to become laws.

Respectfully submitted,  
GEO. W. MANN,  
Chairman.

Mr. Graham moved H. J. M. No. 4 be read a first and second times by title only, considered engrossed, read a third time and put upon its passage.

Carried.

H. J. M. No. 4 was read a first time.

H. J. M. No. 4 was read a second time.

H. J. M. No. 4 was read a third time, and on motion, was referred to the committee on Education.

Mr. Bearce, with leave, without previous notice, introduced H. B. No. 113, which was read a first time, and on motion, the rules were suspended and H. B. No. 113 was read a second time by title only, and referred to the committee on Agriculture.

Mr. Lynch moved to re-consider the vote which made H. B. No. 77 the special order for 7½ o'clock Feb. 5th, 1870, and that it be referred to a special committee, consisting of Lynch, De France, Bearce, Mullen, Graham and Campbell.

Carried.

Mr. Campbell moved to adjourn.

Carried, and House declared adjourned.



MONDAY, FEBRUARY 7TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—Mullen and Taylor.

Journal of the preceding day read and approved.

The Speaker presented a petition from the citizens of Douglas county, which was referred to the same special committee to whom H. B. No. 49 was referred.

Mr. Hall, chairman of the committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment have examined H. J. R. No. 8, H. B. Nos. 23, 45, 86 and 108, and beg leave to report the same correctly engrossed.

J. B. HALL,  
Chairman.

Mr. Campbell, chairman of the committee on Ways and Means, submitted the following report:

*Mr. Speaker:* Your committee on Ways and Means have had under consideration H. B. No. 37, and have amended the same by inserting the following words after section 1:

“Sec. 2 This act shall apply to Gilpin county only.”

And by striking out the words “section 2,” and inserting in lieu thereof the words “section 3.” With these amendments the bill is reported back to the House with the recommendation that it do pass.

Also have considered Substitute for H. B. No. 9, and report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

T. J. CAMPBELL,  
Chairman.

Mr. Mann, chairman of the committee to whom was referred H. B. No. 78, submitted the following report:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 78, a bill for an act to provide for the payment of Captain C. M. Tyler's Rangers, and would respectfully report that they have had the same under consideration, and have amended the same by adding the following words to section three, after the word “them:” “Payable five years after the issue of such war-

rant or warrants, with interest at the rate of ten per cent. per annum." Also strike out the word "company," wherever it occurs, and insert the word "Rangers" instead, and with these amendments report the bill back with the recommendation that it do pass.

Respectfully submitted,  
G. W. MANN,  
Chairman.

Mr. Bearce, chairman of the committee on Agriculture, submitted the following report:

*Mr. Speaker:* Your committee on Agriculture, to whom was referred H. B. No. 113, have had the same under consideration, and would report the same back with the recommendation that it do pass.

H. B. BEARCE,  
Chairman.

Mr. Graham, chairman of the committee to whom was referred H. J. M. No. 4, submitted the following report:

*Mr. Speaker:* Your committee to whom was referred H. J. M. No. 4, would beg leave to report that they have had the same under consideration, and would respectfully report the same back to the House with the recommendation that the same do pass with the following amendment: strike out the figures "100,000," in that portion referring to the number of inhabitants in the Territory, and insert "90,000" in lieu thereof, all of which is respectfully submitted.

T. J. GRAHAM,  
Chairman.

Mr. DeFrance, chairman of the committee to whom was referred H. B. No. 72, and C. B. No. 22, submitted the following report:

*Mr. Speaker:* Your special committee to whom was referred C. B. No. 22 and H. B. No. 72, would most respectfully recommend that C. B. No. 22 be amended as follows:

Amend section 1 so that the same shall read as follows: That section 15 of chapter 76 of the Revised Statutes, be and the same is hereby amended by striking therefrom the word "rods," on the fourth line from the bottom of said section, and insert in lieu thereof the word "yards," and by adding to said section the following: "Provided that this section shall not



apply to the counties of Gilpin, Clear Creek, Summit, Park and Lake; and further, insert the following section, to be numbered "section 2.:"

"That chapter 76 be further amended by striking out the word "June," in section 26, and inserting the word "April" in lieu thereof. That sections 2 and 3 be numbered 3 and 4 respectively, and with these amendments your committee would most earnestly recommend the passage of this bill. And should this bill with these amendments pass, your committee would in that event recommend the indefinite postponement or H. B. No. 72, which is similar in its provisions to said C. B. No. 22, and which is hereby reported back to the House.

Most respectfully,

A. H. DEFANCE,  
Chairman.

Mr. Gird, chairman of the special committee to whom was referred C. B. No. 48, submitted the following report :

*Mr. Speaker :* Your committee to whom was referred C. B. No. 48, would report the same back and recommend that it do pass.

C. C. GIRD,  
Chairman.

Council Substitute for H. J. R. No. 5 was read the first time.

Council Substitute for H. J. R. No. 5 was read the second time by title only, under a suspension of the rules, and on motion was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Mann, Meyer, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—Lynch, Myers and Mullen—3.

So the resolution passed.

Title agreed to.

H. B. No. 21, as amended by the Council, was considered, and on motion was placed on the general file.

Mr. Lucero introduced H. J. R. No. 13, which was read the first time.

Mr. Campbell gave notice that on to-morrow, or some future day, he would introduce a bill for an act to amend the charter of Central City, and the same and the several acts amendatory thereto.

Mr. Wells gave notice that on to-morrow, or some future



day, he would introduce a bill for an act to create the county of Colfax, and for other purposes.

Mr. Mann, chairman of the committee on Joint Enrollment, submitted the following report:

*Mr. Speaker:* Your committee on Enrolled Bills beg leave to report that they have examined the enrollment of C. B. Nos. 10, 14, 16, and 45, and find the enrollment correct; and would further report that they have placed the same in the hands of the Governor, at 11 o'clock a. m., February 7th, and the same now await his approval to become laws.

Respectfully submitted,

G. W. MANN,  
Chairman.

Mr. Hall introduced H. B. No. 115, which was read the first time.

Also H. B. No. 114, which was read the first time.

Leave being granted without previous notice being given, Mr. Meyer introduced H. B. No. 116, which was read the first time.

Leave being granted without previous notice being given, Mr. Elbert introduced H. B. No. 117, which was read the first time.

Leave being granted without previous notice being given, Mr. Bearce introduced H. B. No. 118, which was read the first time, and on motion was read a second time by title only, and referred to a special committee, consisting of Bearce, Meyer and Taylor.

Mr. Elbert moved that H. B. No. 117 be read the second time by title only, and referred to a special committee.

Carried.

H. B. No. 117 was read the second time by title only, and referred to Elbert, Randall, and Shepperd.

C. B. No. 17 was read the first time.

C. B. No. 56 was read the first time.

Mr. Elbert moved that the rules be suspended, and the 14th and 15th order of business taken up.

Carried.

H. B. No. 27 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—Mr. Hall—1.



So the bill passed.

Title agreed to.

H. B. No. 64 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—22.

Nays—Mr. Campbell—1.

So the Bill passed.

Title agreed to.

H. B. No. 47 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Lyon, Lynch, Lucero, Myers, Mullen, Randall, Rice, Shepperd, Topping, Trujillo and Wells—18.

Nays—DeFrance and Vandiver—2.

So the bill passed.

Title agreed to.

H. B. No. 20 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Gird, Hall, Lyon, Lucero, Myers, Rice, Shepperd, Topping, Trujillo, Vandiver and Mr. Speaker—17.

Nays—Campbell, Graham, Lynch, Mann, Mullen, Randall, and Wells—7.

So the bill passed.

Title agreed to.

H. B. No. 81 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lucero, Myers, Meyer, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—19.

Nays—Campbell, Lynch, Mann and Mullen—4.

So the bill passed.

Title agreed to.

H. B. No. 83 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lucero, Myers, Meyer, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—21.

Nays—Campbell, Lynch, Mann and Randall—4.

So the bill passed.

Title agreed to.

H. B. No. 41 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver and Mr. Speaker—21.

Nays—Gird, Graham, Taylor and Wells—4.

So the bill passed.

Title agreed to.

H. B. No. 18 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—none.

So the bill passed.

Title agreed to.

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

Carried.

The House was declared adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bearce, Campbell, Graham, Lea, Mullen, and Taylor.

Mr. Hall, chairman of the committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment would report H. B. No. 95 correctly engrossed.

J. B. HALL,  
Chairman.

Leave being granted without previous notice being given, Mr. Lynch introduced H. B. 119, which was read the first time, and on motion the rules were suspended and the bill read the second time by title only, and ordered printed.

Mr. Lea submitted the following report:

*Mr. Speaker:* Your committee on Rules and Joint Rules, to whom was referred H. B. No. 10, return it with the recommendation that it do pass. Your committee have taken much evidence with care, and after a thorough investigation are sat



isfied that it would be a truly benevolent action on the part of the House to pass the bill.

A. E. LEA,  
Chairman.

The Sergeant-at-Arms announced a message from the Council, which was read as follows :

COUNCIL CHAMBER, Denver, Feb. 7th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that they have passed H. B. No. 29, a bill to repeal section 265 of chapter 22, of the Revised Statutes of Colorado. The same is herewith transmitted.

I am also instructed to return H. B. No. 75, in order to have the same properly engrossed before returning it to the Council.

Also that the Council has laid on the table H. B. No. 15, and indefinitely postpone H. B. No. 62.

Very respectfully,  
A. O. PATTERSON,  
Secretary.

H. B. No. 16 was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—Mr. Campbell—1.

So the bill passed.

Title agreed to.

H. B. No. 108 was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 86 was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bevan, Baca, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Myers, Meyer, Rice, Shepperd, Trujillo, Vandiver and Mr. Speaker—17.

Nays—Campbell, Lynch, Mullen, Randall and Wells—5.

So the bill passed.

Title agreed to.

H. B. No. 45 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Topping and Mr. Speaker—18.

Nays—Campbell, Lucero, Mann, Meyer, Trujillo and Vandiver—6.

So the bill passed.

Title agreed to.

H. B. No. 95 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bevan, Baca, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver and Mr. Speaker—21.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 61 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo and Mr. Speaker—22.

Nays—None.

So the bill passed.

Title agreed to.

H. J. R. No. 8 was read the third time and referred to a special committee of three, consisting of Elbert, DeFrance, and Bearce.

H. B. No. 23 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Graham, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, and Mr. Speaker—21.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 92 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Graham, Hall, Lyon, Lucero, Myers, Meyer, Rice, Topping, Trujillo and Vandiver—16.



Nays—Campbell and Mann—2.

So the bill passed.

Title agreed to.

H. B. No. 88 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bevan, Baca, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lucero, Myers, Meyer, Rice, Topping, Trujillo, Vandiver and Mr. Speaker—16.

Nays—Mann and Randall—2.

So the bill passed.

Title agreed to.

H. B. No. 27 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—24.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 48, under a suspension of the rules, was read the second time by title only, considered engrossed, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Hall, Lyon, Lynch, Lucero, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—Mr. Myers—1.

So the bill passed.

Title agreed to.

H. B. No. 107 was read the second time, and ordered engrossed preparatory to a third reading.

H. B. No. 111 was read the second time by title only.

H. B. No. 110 was read the second time by title only, and on motion was referred to the committee on Ways and Means.

H. B. No. 106 was read the second time by title only, and on motion was placed on the general file.

H. B. No. 10, with the report thereon, was considered, and on motion the report was concurred in, the rules suspended, the bill read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lucero, Meyer Shepperd, Topping, Trujillo, and Vandiver—16.

Nays—Campbell, Lynch, Mann, Rice, Taylor and Wells—6.

So the bill passed and title agreed to.

C. B. No. 22, with the report thereon, was considered, and

on motion the report was concurred in, and under a suspension of the rules was read the third time and referred to the same committee who had it before under consideration

The Sergeant-at-Arms announced a message from the Council, which was read as follows :

COUNCIL CHAMBER, Denver, Feb. 7th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that they have passed Substitute for H. B. No. 31, a bill to establish the counties of Greenwood and Bent, and to define the boundaries of other counties. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

H. J. M. No. 4, with the report thereon, was considered, and on motion the report was concurred in, the amendments adopted, and the bill read the third time, considered engrossed, and put upon its passage, the vote resulting as follows :

Ayes—Bevan, Baca, DeFrance, Elbert, Gird, Graham, Lyon, Lynch, Lucero, Mann, Randall, Shepperd, Topping, Vandiver and Mr. Speaker—14.

Nays—Myers and Rice—2.

So the memorial passed.

Title agreed to.

Mr. Elbert, chairman of the special committee to whom was referred H. J. R. No. 8, reported the same back amended, and on motion the amendment was concurred in and the bill ordered engrossed for a third reading.

H. B. No. 113 was reported back by the committee on Agriculture, with the recommendation that it do pass, and on motion the report was concurred in, the bill ordered engrossed, read a third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Bevan, Campbell, DeFrance, Elbert, Graham, Hall, Lyon, Lynch, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver and Mr. Speaker—16.

Nays—Gird and Myers—2.

So the bill passed.

Title agreed to.

Mr. Campbell moved that the rules be suspended, and that C. B. No. 17 be taken up.

Carried.



C. B. No. 17 was read the second time, and on motion was referred to Campbell, Lynch and Topping.

Leave being granted, Mr. Campbell introduced H. B. No. 120, which was read the first time.

Leave being granted, Mr. Randall introduced H. B. No. 121, which was read the first time.

Mr. Bearce moved that the House go into committee of the Whole on general file.

Carried.

The House resolved itself into committee of the Whole.

Mr. Lynch in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole made the following report.

*Mr. Speaker:* Your committee of the Whole House, to whom was referred H. B. No. 98, would report the same back and recommend that it do pass.

Also H. B. No. 111, and would report the same back and recommend that it be referred to the committee on Incorporations.

Also H. B. No. 103, and would report the same back and recommend that it be referred to the committee on Judiciary.

Also H. B. No. 21, and would report the same back and recommend that it be referred to the committee on Agriculture.

Also H. B. No. 100, and would report the same back and recommend that it be referred to the committee on Judiciary.

Also H. B. No. 99, and would report the same back and recommend that it be referred to the committee on Ways and Means, with instructions that they report the same back at 10 o'clock to-morrow morning.

Also H. B. No. 104, and would report the same back and recommend that it be referred to the committee on Judiciary, with instructions to report thereon at 10 o'clock to-morrow. Also on H. B. No. 100 at the same time.

Also H. B. 102, and report the same back and recommend that it do pass.

Also H. B. No. 101, and would report the same back and recommend that it be referred to the committee on Judiciary.

Also H. B. No. 106, and would report the same back and recommend that it be referred to the committee on Education.

Also C. C. R. No. 2, and would report the same back and recommend that it do pass.

Very respectfully,

J. T. LYNCH,  
Chairman.

Leave being granted, Mr. Bevan submitted the following reports:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 93, have had the same under consideration, and would report the same back without recommendation.

A. D. BEVAN,  
Chairman.

*Mr. Speaker:* Your committee to whom was referred H. B. No. 69, have had the same under consideration, and would report the same back and recommend that it be indefinitely postponed.

A. D. BEVAN,  
Chairman.

Leave being granted, Mr. Bearce submitted the following report:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 118, have had the same under consideration, and would report the same back and recommend that it do pass.

H. B. BEARCE,  
Chairman.

Leave being granted, Mr. DeFrance submitted the following report:

*Mr. Speaker:* Your committee, to whom was referred C. B. No. 22, would report the same back without recommendation.

A. H. DEFRANCE,  
Chairman.

Mr. DeFrance moved that C. B. No. 22 be put upon its passage.

Carried.

C. B. No. 22 was put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Myers, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—18.

Nays—None.

So the bill passed.

Title agreed to.

Leave being granted, Mr. Wells submitted the following report:

*Mr. Speaker:* Your committee to whom was referred H. B.



No. 51, have had the same under consideration, and would respectfully report the same back by substitute, with the recommendation that the substitute do pass.

Respectfully submitted,

J. H. WELLS,  
Chairman.

Mr. Wells moved to adjourn.

Carried.

House was declared adjourned.

TUESDAY, FEBRUARY 8TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent--Baca, Meyer and Topping.

Journal of preceding day read and approved.

Mr. Taylor presented a petition from the citizens of Denver, relative to changing the Justices of the several judicial districts of Colorado Territory, which was read, and on motion was referred to a special committee, consisting of Elbert, Sheperd, Gird and Taylor.

Mr. Taylor, chairman of the committee on Judiciary, submitted the following report:

*Mr. Speaker:* Your committee on Judiciary, to whom was referred H. B. Nos. 103, 101, 100, and 104, have had the same under consideration, and beg leave to make the following report:

H. B. No. 103 we report back with the recommendation that it do pass.

H. B. No. 100 we report back with the recommendation that it be indefinitely postponed.

H. B. No. 104 we report back with the following amendment: Amend section 2 by striking out the first three lines of the printed copy, to, and including the word "jurisdiction," and substitute the following: "when boundaries of counties have been or shall be changed, the administration of estates shall belong to the county where the personal estate, or the greater portion thereof may be found," and with this amendment recommend that it do pass.

H. B. No. 101 we report back with the recommendation that

it do pass, Mr. DeFrance dissenting. All of which is respectfully submitted.

M. S. TAYLOR,  
Chairman.

Mr. Bearce, chairman of the committee on Agriculture, submitted the following report:

*Mr. Speaker:* Your committee, to whom was referred H. J. R. No. 7, have had the same under consideration, and recommend that it do pass.

H. B. BEARCE,  
Chairman.

Mr. DeFrance, chairman of the committee on Federal Relations, submitted the following report:

*Mr. Speaker:* Your committee on Federal Relations, to whom was referred H. B. No. 36, would report the same back to the House without recommendation.

A. H. DEFANCE,  
Chairman.

Mr. Lynch, chairman of the special committee to whom was referred H. B. No. 77, asked leave to report.

Mr. DeFrance moved that the report of the committee on H. B. No. 77 be not now received.

Carried.

Mr. Hall, chairman of the committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment have examined H. B. Nos. 89, 98 and 107, and H. J. R. No. 8, and find the same correctly engrossed.

J. B. HALL,  
Chairman.

Mr. Campbell, chairman of the committee on Ways and Means, submitted the following report:

*Mr. Speaker:* Your committee on Ways and Means have considered H. B. No. 55, and report the same back to the House with the recommendation that it be indefinitely postponed.

Also have had under consideration H. B. No. 94, and report it back to the House without recommendation.

Also have considered H. B. No. 110, and report it back to the House with the recommendation that it do pass.



Also have considered H. B. Nos. 9 and 73, and report them back to the House with the recommendation that they lie on the table. All of which is respectfully submitted.

T. J. CAMPBELL,  
Chairman.

Mr. Wells, chairman of the committee on Incorporations, submitted the following report:

*Mr. Speaker:* Your committee on Incorporations, to whom was referred C. B. No. 50, have had the same under consideration, and would report the same back with the recommendation that it do pass.

Also H. B. No. 111, and would report the same back without recommendation.

J. H. WELLS,  
Chairman.

Mr. Campbell, chairman of the committee on C. B. No. 17, submitted the following report:

*Mr. Speaker:* Your committee to whom was referred C. B. No. 17, beg leave to report that they have had the same under consideration, and would report the same back with the following amendment:

Amend section 2 by striking out of the second line of said section the word "fifty," and insert in lieu thereof the words "twenty-five," and with this amendment your committee would recommend that said bill do pass.

T. J. CAMPBELL,  
J. T. LYNCH,  
J. F. TOPPING.  
Committee.

Mr. Elbert, chairman of the committee on H. B. No. 117, submitted the following report:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 117, have had the same under consideration, and would report the same back with the recommendation that it do pass.

S. H. ELBERT,  
Chairman.

A message was received from the Secretary of the Territory, which was read as follows;

TERRITORY OF COLORADO, SECRETARY'S OFFICE, }  
 Denver, Feb. 8th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives :*

SIR: I have the honor to inform you that the Territorial Seal now used in this office is nearly worn out through nine years of active service, and to request that the proper authority be granted to procure new engravings of the die plates. An impression of the seal is transmitted herewith for your examination.

Very respectfully,  
 Your obedient servant,  
 FRANK HALL,  
 Secretary of Colorado.

Mr. Randall introduced H. J. R. No. 14, which was read the first time, and on motion was referred to a special committee of three, consisting of Randall, Elbert and DeFrance.

Mr. Taylor offered the following resolution:

*Resolved*, by this House, that the resolution by which no bills shall be introduced after Tuesday of this week, be, and the same is hereby rescinded.

Mr. Taylor moved the adoption of the resolution.

The resolution was withdrawn.

Leave being granted without previous notice being given, Mr. Lynch introduced H. B. No. 122, which was read the first time, and on motion the rules were suspended, the bill read the second time, and placed on the general file.

Mr. Graham introduced H. B. No. 123, which was read the first time, and on motion the rules were suspended, and the bill read the second time by title only, and placed on the general file.

Leave being granted, Mr. Rice introduced H. B. No. 124, which was read the first time, and Mr. Rice moved that the rules be suspended and the bill read the second time by title only and placed on general file.

The ayes and nays were called for, the vote resulting as follows:

Ayes—Bearce, Bevan, Campbell, DeFrance, Graham, Lea, Lyon, Meyer, Rice, Taylor, Trujillo—11.

Nays—Elbert, Gird, Hall, Lynch, Myers, Mann, Mullen, Randall, Shepperd, Topping, Vandiver and Mr. Speaker.—12.

So there not being two-thirds voting in the affirmative, the rules were not suspended.



C. B. No. 56 was read the second time by title only.

Mr. Hall moved that the rules be suspended and that all bills on the second reading be read by title only.

Carried.

H. B. No. 114 was read the second time by title only.

H. B. No. 115 was read the second time by title only.

H. B. No. 112 was read the second time by title only.

H. B. No. 120 was read the second time by title only.

H. B. No. 116 was read the second time by title only.

C. B. No. 17, with the report thereon, was considered, and on motion the report was concurred in.

Mr. Topping moved to reconsider the vote by which the House refused to suspend the rules for the consideration of H. B. No. 124.

The ayes and nays were called.

Mr. Campbell moved a call of the House.

The call was made.

Absent—Mr. Baca, who, on motion was excused.

Further proceedings under the call were dispensed with.

The ayes and nays being called on the motion to reconsider the vote on suspending the rules, the vote resulted as follows:

Ayes—Bearce, Bevan, Campbell, DeFrance, Graham, Lea, Lyon, Lynch, Lucero, Myers, Meyer, Rice, Taylor, Topping, Wells and Mr. Speaker—16.

Nays—Elbert, Gird, Hall, Mann, Mullen, Randall, Shepperd, Trujillo and Vandiver—9.

So the motion to reconsider the vote was lost.

C. B. No. 42, with the report thereon, was considered, and on motion the report was concurred in.

H. B. Nos. 63 and 82, with the reports thereon, were considered, and on motion the bills were laid on the Speaker's table.

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

Carried.

The House was declared adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Gird, Mann, Randall and Trujillo.

Leave being granted, Mr. Taylor reported as follows:

*Mr. Speaker:* Your committee on Judiciary, to whom was referred H. B. Nos. 85, 19, and 79, and C. B. No. 4, have had

the same under consideration, and most respectfully make the following report:

C. B. No. 4 we report back to the House with the recommendation that it do not pass.

H. B. No. 79 we report back with the recommendation that it do pass.

H. B. No. 19 we report back with the recommendation that it be indefinitely postponed.

H. B. No. 85 we report back with the recommendation that it do pass.

All of which is most respectfully submitted.

M. S. TAYLOR,  
Chairman.

Leave being granted, Mr. Vandiver submitted the following report:

*Mr. Speaker:* Your committee on Mines and Minerals, to whom was referred C. B. No. 42, have had the same under consideration, and would report the same back with the recommendation that it do pass.

Also H. B. Nos. 82 and 63, and would report the same back without recommendation.

D. L. VANDIVER,  
Chairman.

Leave being granted without previous notice being given, Mr. Bearce introduced H. B. No. 125, which was read the first time, and on motion the rules were suspended and the bill read the second time by title only, and referred to the committee on Agriculture.

Leave being granted without previous notice being given, Mr. Meyer introduced H. J. M. No. 5, which was read the first time.

Mr. Hall, chairman of the committee on Engrossment, submitted the following report:

*Mr. Speaker:* Your committee on Engrossment beg leave to report H. B. Nos. 75 and 102, and C. C. R. No. 2 correctly engrossed.

J. B. HALL,  
Chairman.

H. B. No. 82, with the report thereon, was considered.

Mr. Lea moved an amendment to the bill, which was adopted, and the same with amendment was referred to a committee of five, consisting of Topping, Lea, Bevan, Mann and Hall.



The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 8th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that they have passed H. B. No. 39, to protect fish in certain counties of the Territory.

Also H. B. No. 47, to amend section four of the Revised Statutes. The same are herewith returned.

I am also instructed to say that the Council has passed C. B. No 51, a bill for an act to dissolve the bonds of matrimony existing between John Littleton and Colista B. Littleton. The concurrence of your Honorable body is respectfully requested.

The same are herewith transmitted.

Respectfully,

A. O. PATTERSON,  
Secretary.

C. B. No. 50, and the report thereon, was considered, the report concurred in and the bill ordered printed.

H. B. No. 117, with the report thereon, was considered, and on motion the report was concurred in and the bill ordered engrossed for a third reading.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Feb. 8th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body, that the Council has concurred in House amendments to sections 1 and 2 of C. B. No. 22.

Also that they have passed Substitute for H. B. No. 43, for the relief of Clear Creek, Summit, Park, Lake and El Paso counties. The same are herewith returned to your Honorable body.

Respectfully,

Your obedient servant,  
A. O. PATTERSON,  
Secretary.

H. B. No. 55, with the report thereon, was considered, and on motion was laid on the Speaker's table.

H. B. No. 99, with the report thereon, was considered, but no action was had thereon.

Mr. Elbert, chairman of the committee to whom was referred H. J. R. No. 14, also the message from the Secretary of the Territory, reported as follows:

*Mr. Speaker:* Your committee to whom was referred H. J. R. No. 14, beg leave to report the same back and recommend that it do pass.

S. H. ELBERT,  
Chairman.

Leave being granted, Mr. Graham submitted the following report:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 106, a bill for the education of the blind, deaf and dumb, would respectfully report the same back with a substitute for the same, and would respectfully recommend the passage of the substitute.

T. J. GRAHAM,  
Chairman.

Mr. Gird submitted the following report:

*Mr. Speaker:* Your special committee to whom was referred H. B. No. 91, beg leave to report that they have had the same under consideration, and recommend that the same do pass.

C. C. GIRD,  
Chairman.

Mr. Lynch, chairman of the committee to whom was referred H. B. No. 77, asked leave to report.

Mr. DeFrance objected.

Mr. Mullen moved that Mr. Lynch be allowed to submit his report.

The ayes and nays were called for, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Elbert, Gird, Graham, Hall, Lynch, Myers, Mann, Mullen, Randall, Rice, Shepperd and Mr. Speaker—15.

Nays—Campbell, DeFrance, Lucero, Meyer, Taylor, Topping, Trujillo and Wells—9.

Those voting in the affirmative not being two-thirds of all the votes cast, the motion was lost.



Mr. Mann moved to adjourn until 10 o'clock to-morrow morning.

Carried, and House declared adjourned.

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WEDNESDAY, FEBRUARY 9TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Shepperd and Vandiver.

Journal of preceding day read and approved.

A message from the Governor was received.

Mr. Campbell presented a petition from Mr. Norrid, relative to the Freedmen of the South, which was received, read and on motion was referred to a special committee of three, consisting of Bearce, Campbell and Wells.

Mr. Mann, chairman of the committee on Joint Enrollment, submitted the following report:

*Mr. Speaker:* Your joint committee on Enrolled bills beg leave to report that they have examined the enrollment of H. B. No. 109, and find the same correct, and would further report that they have placed said bill in the hands of the Governor, at 6 o'clock p. m., February 8th, and the same now awaits his approval to become a law.

Respectfully submitted,

G. W. MANN,  
Chairman.

A petition, protesting against the removal of Judge Eyster, was read and referred to a special committee, consisting of Elbert, Taylor, Gird and Shepperd.

Mr. Lea, chairman of the Select committee, submitted the following report:

*Mr. Speaker:* A majority of your committee, to whom was referred H. B. No. 82, with but one exception, beg leave to return said bill with the recommendation that it do pass.

A. E. LEA,  
G. W. MANN,  
A. D. BEVAN,  
J. B. HALL.

Mr. Topping asked leave to submit a minority report, which

was granted, and he was given until to-morrow morning to submit the same.

Mr. Lynch submitted a majority report on H. B. No. 77, as follows:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 77, an act amendatory of chapter 18 of the Revised Statutes, and to encourage the construction of Railroads, beg leave to report that they have had the same under consideration and have failed to come to any agreement thereon as a committee.

A portion of your committee, through their chairman, have agreed to report the same back with the following amendments:

Amend section 2 by adding to said section the following: "Provided, that all Railroad companies organized under the provisions of the General Incorporation law of this Territory, or State, shall commence work on said Railroad within two years, and prosecute the same with diligence, and complete said Railroad within six years."

Amend section 4, by striking out of the fifth line of the printed copy the words, "and until the earnings of such road shall exceed the necessary expenses of operating the same,"

Amend section 5 by striking out all after the word "levy," in the second line of said section.

Amend section 6 by striking out the words, "of a per centage on the earnings over the necessary expenses of their Railroad," in the third line of said section, and insert in lieu thereof the following: "or list of its property in each county, city, or other municipality."

Amend section 7 by striking out the word "earning," in the third line, and insert in lieu thereof the words "value of the property." Also the fourth line of said section, by striking out the words "over and above the necessary expenses of operating the same." Also in the sixth line, by striking out the words "each, which the business," and insert in lieu thereof the words "the property." Also in the seventh line of said section, by striking out the words "would indicate."

Strike out all of section eight.

Amend section 11 by adding to said section the following: "and if loss of life occur from any such obstruction, such person or persons, shall, upon conviction thereof, be imprisoned for life."

Strike out all of section twelve.

With these amendments, a portion of your committee would recommend that said bill do pass.

Respectfully submitted,  
J. T. LYNCH, Chairman.



The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 9th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that they have passed H. B. No. 80, to establish an Agricultural College. The same is herewith transmitted.

I am also instructed to inform you that the Council has passed C. B. No. 46, regulating elections. The concurrence of your Honorable body is respectfully requested. The same are herewith transmitted.

Very respectfully,  
A. O. PATTERSON,  
Secretary.

Mr. DeFrance, from the minority of the committee to whom was referred H. B. No. 77, asked for time to submit a minority report.

Mr. Campbell moved a call of the House.

The call was made.

Absent—Bevan, Taylor and Vandiver.

The Sergeant-at-Arms was dispatched after the absentees.

Mr. Lynch moved that further proceedings under the call be dispensed with.

Lost.

The Sergeant-at-Arms announced the absentees all present, with the exception of Mr. Vandiver, who was sick.

On motion Mr. Vandiver was excused, and further proceedings under the call were dispensed with.

Mr. DeFrance moved that the minority of the committee, to whom was referred H. B. No. 77, be allowed until to-morrow morning to make their report.

The ayes and nays were called for.

Ayes—Bevan, Baca, Campbell, DeFrance, Graham, Hall, Lyon, Lucero, Myers, Taylor, Topping, Trujillo and Mr. Speaker—13.

Nays—Bearce, Elbert, Gird, Lea, Lynch, Mann, Mullen, Meyer, Randall, Rice, Shepperd and Wells—12.

So the motion prevailed.

Mr. Lynch moved that H. B. No. 77, with the majority and minority reports thereon, be made the special order for to-morrow at 2 o'clock p. m.

The ayes and nays were called.

Ayes—Bearce, Bevan, Elbert, Gird, Hall, Lea, Lyon, Lynch, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Wells, and Mr. Speaker—17.

Nays—Baca, Campbell, DeFrance, Graham, Lucero, Taylor, Topping and Trujillo—8.

So the motion prevailed, and H. B. No. 77, with the reports thereon, was made the special order for to-morrow at 2 o'clock p. m.

Mr. Wells, chairman of the Special committee, reported as follows:

*To the Legislative Assembly of Colorado Territory:*

GENTLEMEN: Your Special committee have, in obedience to the provisions of Council Concurrent Resolution No. 2, cancelled all of the vouchers paid during the year 1869, and have caused the proper entries to be made in the books of the Auditor and Treasurer, certifying their accounts to be correct for that year.

Very respectfully submitted,

CHAS. A. COOK.

GEO. W. MILLER.

JOHN H. WELLS.

Committee.

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

Carried.

The House was declared adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Topping and Vandiver.

Mr. DeFrance, chairman of the Special committee, reported as follows:

*Mr. Speaker:* Your committee to whom was referred H. B. No. 49, would respectfully report the same back to the House with the following amendments:

Amend the first eight sections of the same, so that they may read as follows: \*(here insert the first eight sections as amended). Strike out sections 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, of said bill, and with these amendments your committee would respectfully recommend the passage of said bill.

A. H. DEFANCE, Chairman.

\*No copy of sections received.—Printer.



Mr. Mullen, chairman of the special committee to whom was referred H. B. No. 97, reported as follows:

*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 97, beg leave to report that they have had the same under consideration, and would report the bill back with the following amendments, and most respectfully recommend that the bill as amended do pass.

C. M. MULLEN,  
Chairman.

Mr. Gird, chairman of special committee, reported as follows:

*Mr. Speaker:* Your special committee, to whom was referred C. B. No. 47, would report the same back without recommendation.

C. C. GIRD,  
Chairman.

Mr. DeFrance moved that the report of the committee on H. B. No. 49, be concurred in.

Carried.

Mr. Elbert moved that the House go into committee of the Whole, for the consideration of H. B. No. 49 as amended.

Carried.

The House went into committee of the Whole.

Mr. Wells in the chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

*Mr. Speaker:* Your committee of the Whole House have had under consideration H. B. No. 49 with the amendments thereto, as reported by the special committee to whom the same had been referred, and report the same back with certain amendments, and recommend that the bill do pass as amended.

J. H. WELLS,  
Chairman.

On motion the report was concurred in, and H. B. No. 49 was ordered engrossed for a third reading.

Mr. Gird moved that H. B. No. 36 be ordered engrossed for a third reading.

Carried.

Mr. Graham moved that H. B. No. 123 be taken from the general file, and referred to the committee on Judiciary.

Carried.

Mr. Bearce moved that H. B. No. 98 be taken up, read the third time and put upon its passage.

Carried.

H. B. No. 98 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Lyon, Lucero, Myers, Randall, Shepperd, Taylor, Trujillo and Mr. Speaker—16.

Nays—Lynch, Mullen, Meyer, and Wells—4.

So the bill passed.

Title agreed to.

Mr. Lynch moved that H. B. No. 119 be taken from the general file and referred to the committee on Judiciary.

Carried.

A message from the Governor was read as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
DENVER, February 8th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to inform you that I have this day approved and signed the following bills, certified to have originated in the House of Representatives of Colorado Territory, viz:

An act to amend chapter 84 of the Revised Statutes of Colorado Territory.

An act to amend section 18, in chapter 20, of an act to define County Boundaries, and locate the County Seats in Colorado Territory.

An act for the protection of growing crops.

A Joint Memorial for the establishment of a Land District.

I have the honor to be,

Very respectfully,

Your obedient servant,

EDWARD M. McCOOK,

Governor.

H. J. R. No. 7, with the report thereon, was considered, and on motion the report was concurred in.

Mr. Mullen moved to adjourn.

Mr. Wells moved to amend by saying 10 o'clock to-morrow morning.

Carried.

The House was declared adjourned.



THURSDAY, FEBRUARY 10TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mullen, Hall, Lynch and Lucero.

Journal of preceding day read and approved.

The Sergeant-at-Arms announced a message from the Council, as follows:

COUNCIL CHAMBER, Denver, Feb. 9th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that the Council has passed substitute for C. B. No. 57, a bill for An act relating to the Judges of the Supreme Court of Colorado Territory. Also, C. B. No. 67, a bill for An act to provide for the drainage of mines. Also, C. B. No. 63, a bill for An act amendatory of chapter 18 of the Revised Statutes. Also, C. B. No. 43, to amend chapter 31 of the Revised Statutes. The concurrence of your Honorable Body is respectfully requested. The same are herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Hall, chairman of committee on Engrossment, reported as follows:

*Mr. Speaker:* Your committee on Engrossment beg leave to report H. B. Nos. 36, 110, 111 and 117 as correctly engrossed.

J. B. HALL,  
Chairman.

Mr. Mann, chairman of committee on Joint Enrollment, reported as follows:

MR. SPEAKER: Your joint committee on Enrolled Bills, beg leave to report that they have examined the enrollment of H. B. No. 42. Also, Council Bill No. 22. Also, H. C. R. No. 10, and find them correctly enrolled and would further report, that they placed the said bills and resolution in the hands of the Governor, at 3 o'clock p. m., Feb. 9th, and the same now await his approval to become laws.

Respectfully submitted,

GEO. W. MANN,  
Chairman.

Mr. Bearce, chairman of committee on Agriculture, reported as follows:

*Mr. Speaker:* Your committee on Agriculture, to whom was referred H. B. No. 125, have had the same under consideration, and would report the same back and recommend it do pass.

H. B. BEARCE,  
Chairman.

On motion, the report of the committee on H. B. No. 125 was concurred in.

Mr. Bearce, chairman of special committee, to whom was referred H. B. No. 21, reported

We have had the said bills under consideration, and would report the same back and recommend that the House do concur in the Council amendments to said bill, except the amendment to section one, in line four, to strike out the word "dead," in which amendment they recommend that the House do not concur.

H. B. BEARCE,  
Chairman.

On motion, the report of the committee on H. B. No. 21 was concurred in.

Mr. DeFrance, chairman of committee on substitute for H. B. No. 25 reported as follows:

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

Your committee to whom was referred House Bill No. 25, having had the same under consideration, would recommend the following amendments to said bill:

First, strike out section two and add the following sections to said bill, to be numbered sections 2, 3 and 4, (here insert the sections)\* and with the adoption of these amendments would recommend the passage of the bill; believing that the wishes of the people of this Territory will be better consulted and subserved by the passage of this measure with the amendments proposed, (which provide for its submission to the qualified electors, including women of the Territory, for ratification or rejection) than by the passage of the bill without this provision, would respectfully submit the same for the consideration of this House.

Respectfully,

A. H. DEFANCE,  
Chairman.

\*No copy of sections received.—Printer.



Mr. DeFrance moved the report on substitute for H. B. No. 25 be concurred in, and the amendments proposed be added to the bill

Carried.

The Sergeant-at-Arms announced a message from the Governor, which was read as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, Feb. 10th; 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to inform you that I have this day approved and signed the following act, certified to have originated in the House of Representatives of Colorado Territory, viz:

An act to authorize the Board of County Commissioners of the counties of Gilpin and Clear Creek to levy a special tax.

I have the honor to be,

Very respectfully,

Your obedient servant,

EDWARD M. MCCOOK,

Governor.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, February 10th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has passed C. B. No. 62, a bill for an act to provide for common schools.

Also C. B. No. 59, a bill for an act to amend the act of the Legislative Assembly of Colorado Territory, approved January 10th, 1868, on pages 474—5, of the Revised Statutes.

Also C. B. No. 60, a bill supplementary to an act entitled judgments and executions. The concurrence of your honorable body is respectfully requested. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,

Secretary.

The following notices were presented by the Speaker:

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

SIR: I have the honor to inform your honorable body that

in accordance with a resolution passed by the House on the 7th day of January, 1870, I have, on the 20th day of January, employed August Fogus as Assistant Sergeant-at-Arms.

Most respectfully,

WM. W. REMINE,  
Sergeant-at-Arms.

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

SIR: I have the honor to inform your Honorable body that in accordance with the provisions of a resolution passed by the House on February 1st, I have this day, February 1st, employed Chas. W. McIntyre as my assistant.

Very respectfully,

T. A. McCRYSTAL,  
Engrossing Clerk.

C. B. No. 51 was read the first time.

Mr. Topping moved that the rules be suspended, and that C. B. No. 51 be read the second time by title only, read the third time, and put upon its passage.

Carried.

C. B. No. 51 was read the second time by title only.

C. B. No. 51 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Gird, Graham, Lea, Lyon, Lucero, Myers, Mullen, Rice, Shepperd, Topping, Vandiver and Mr. Speaker—15.

Nays—Campbell, Lynch, Meyer, Randall, Taylor and Trujillo—6.

So the bill passed.

Title agreed to.

Mr. Gird moved that H. B. No. 36 be taken up, read the third time, and put upon its passage.

Carried.

H. B. No. 36 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Campbell, Gird, Graham, Hall, Lea, Lyon, Mullen, Randall, Rice, Shepperd, Taylor, Topping, Vandiver and Mr. Speaker—16.

Nays—Baca, Lynch, Lucero, Myers, Meyer and Trujillo—6.

So the bill passed.

Title agreed to.

On motion the rules were suspended and C. B. No 56 was taken from the general file, read the third time and put upon its passage, the vote resulting as follows:



Ayes—Bevan, Baca, Campbell, DeFrance, Graham, Hall, Lea, Lyon, Lynch, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—21.

Nays—Mr. Gird—1.

So the bill passed.

Title agreed to.

Mr. Bevan moved that H. J. R. No. 7, be considered engrossed, read the third time and put upon its passage.

Carried.

H. J. R. No. 7 was reported in the hands of the committee on Engrossment.

Mr. Lynch moved that the rules be suspended, and that C. B. No. 17 be taken from the general file, read the third time, and put upon its passage.

Carried.

C. B. No. 17 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, Elbert, Gird, Graham, Hall, Lyon, Lynch, Myers, Mann, Mullen, Randall, Rice, Shepperd, Topping, and Vandiver—17.

Nays—DeFrance, Lea, Lucero, Meyer, Taylor, Trujillo, Wells and Mr. Speaker—8.

So the bill passed.

Title agreed to.

Mr. Elbert, moved that the rules be suspended and H. B. No. 55 be taken from the Speaker's table, considered engrossed, read the third time, and put upon its passage.

Carried.

H. B. No. 55 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Campbell, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Myers, Mullen, Randall, Rice, Shepperd, Topping and Vandiver—16.

Nays—Baca, DeFrance, Lucero, Mann, Meyer, Taylor, Trujillo, Wells and Mr. Speaker—9.

So the bill passed.

Title agreed to.

Mr. Lea moved that the rules be suspended and that H. B. No. 78 be considered engrossed, read the third time and put upon its passage.

Carried.

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

The ayes and nays were called for.

Ayes—Bearce, Baca, Campbell, Hall, Lynch, Lucero, Meyer, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—12.

Nays—Elbert, Gird, Graham, Lea, Lyon, Myers, Mullen, Randall, Rice, Shepperd, and Topping—11.

So the motion was carried and the House declared adjourned until 2 o'clock p. m.

## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Baca, Graham and Trujillo.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 10th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has passed H. B. No. 16, a bill for an act relating to the competency of witnesses in civil cases.

Also H. B. No. 75, a bill for an act additional to chapter 18 of the Revised Statutes, respecting corporations.

Also H. B. No. 10, an act to dissolve the bonds of matrimony heretofore existing between James Upp and Mary A. Upp. The same are herewith returned.

Also have passed C. C. R. No. 3, respecting the appeal of Gilpin county from the decision of the Territorial Auditor. The concurrence of your Honorable body is respectfully requested. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 10th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has passed H. B. No. 27, an act to amend chapter 21 of the Revised Statutes.

Also H. B. No. 74, an act to dissolve the bonds of matrimony between Darius Jordan and Corilla T. Jordan.



Also H. B. No. 81, an act to dissolve the bonds of matrimony between William Braught and Mary Braught.

Also H. B. No. 83, an act to dissolve the bonds of matrimony between Chauncy Bailey and Sarah A. Bailey. The same are herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. DeFrance moved that the House go into committee of the Whole on Substitute for H. B. No. 25.

Mr. Lynch moved to amend by saying H. B. No. 77, on which the ayes and nays were called.

Ayes—Bearce, DeFrance, Graham, Lea, Lyon, Lynch, Myers, Mullen, Shepperd, Topping and Mr. Speaker—11.

Nays—Baca, Bevan, Campbell, Elbert, Gird, Hall, Lucero, Mann, Meyer, Randall, Rice, Taylor, Trujillo and Wells—14.  
So the motion was lost.

Mr. Taylor, on leave, reported as follows:

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

Your committee of conference, appointed to act with a like committee on the part of the Council, have performed that duty, and beg leave to report H. B. No. 3 back with the recommendation that it pass as amended by the Council.

Very respectfully,

M. S. TAYLOR,  
Chairman.

Leave being granted, Mr. DeFrance reported as follows:

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

House Bill No. 77, having been referred to a special committee of six, consisting of Lynch, Bearce, Miller, Campbell, Graham and DeFrance, and a report having been made by a part of said committee favorable to the passage of said bill, with certain amendments proposed by them, we, the undersigned members of your committee, beg leave to submit the following report, to wit:

That we dissent entirely from the views expressed in said report, for good and substantial reasons. First, because we believe the bill detrimental to the interests of Colorado and her people. Second, we believe the bill to be unconstitutional. Third, if the bill should become a law, it would check the interests which it is intended to promote, and retard the con-

struction of railroads in our midst, and operate for the benefit of a few individuals to the injury of the many.

Respectfully,

A. H. DEFRANCE,  
T. J. GRAHAM,  
T. J. CAMPBELL.

Mr. Randall moved that the rules be suspended and C. B. No. 62 be read the first and second times by title only, read the third time, and put upon its passage.

Carried.

C. B. No 62 was read the first time, also was read the second time by title only.

C. B. No. 62 was read the third time, and referred to the committee on Education.

Mr. Lea moved that the rules be suspended, and Substitute for H. B. No. 25, as amended, be considered engrossed, read the third time, and put upon its passage.

Mr. Elbert moved to amend by saying that the House go into committee of the Whole on Substitute for H. B. No. 25.

The ayes and nays were demanded.

Ayes—Bearce, Bevan, DeFrance, Elbert, Gird, Hall, Lyon, Lynch, Myers, Mullen, Randall, Rice, Shepperd, Topping, Wells and Mr. Speaker—16.

Nays—Baca, Campbell, Graham, Lea, Lucero, Meyer, Taylor and Trujillo—8.

So the motion prevailed.

The House resolved itself into committee of the Whole.

Mr. Lynch in the Chair.

After some time spent therein, the committee rose.

The Speaker resumed the chair.

The chairman of the committee of the Whole House submitted the following report:

MR. SPEAKER: Your committee of the Whole House have had under consideration Substitute for H. B. No. 25, and would report the same back and recommend that it be indefinitely postponed.

JOHN T. LYNCH,  
Chairman.

Mr. Taylor moved that the report of the committee of the Whole House be concurred in.

Mr. Mullen moved a call of the House.

The call was made.

Absent—Mr. Vandiver.



The Sergeant-at-Arms was dispatched after absentees.

The Sergeant-at-Arms announced Mr. Vandiver sick.

On motion Mr. Vandiver was excused, and further proceedings under the call dispensed with.

The vote was then taken on the motion that the report of the committee of the Whole House be concurred in.

Ayes—Baca, Campbell, Elbert, Gird, Graham, Hall, Lyon, Lucero, Mann, Meyer, Randall, Rice, Taylor, Trujillo, and Wells—15.

Nays—Bearce, Bevan, DeFrance, Lea, Lynch, Myers, Mullen, Shepperd, Topping and Mr. Speaker—10.

So the motion prevailed and the report was concurred in.

Leave being granted, Mr. Mann reported as follows:

MR. SPEAKER: Your joint committee on Enrolled Bills beg leave to report that they have examined the enrollment of C. B. Nos. 51 and 56, and find the enrollment correct, and would further report that they have placed the said bills in the hands of the Governor, at 5 o'clock, February 10th, and the same now await his approval to become laws.

Respectfully submitted,

G. W. MANN,  
Chairman.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, February 10th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body, that they have passed Substitute for H. B. No 48, relating to pre-emptions, which is herewith transmitted.

Also have passed C. J. M. No. 1, relative to the reservation of Fort Collins.

Also C. B. No. 61, an act amendatory of an act entitled attachments.

Also C. B. No. 66, an act to amend chapter 22 of the Revised Statutes, entitled criminal jurisprudence.

Also C. B. No. 68, an act requiring compensation for injury or death to persons by neglect of others.

Also C. B. No. 72, an act to amend chapter 59 of the Revised Statutes, entitled marriages.

Also C. B. No. 75, an act relating to Sheriffs.

Also C. B. No. 81, an act for the relief of Georgetown, Colorado.

Also C. B. No. 82, an act amendatory to incorporate the Apex and Gregory Wagon Road Company.

Also C. B. No. 85, an act to provide for the payment of the per diem of Geo. A. Hinsdale and Wm. M. Roworth. The concurrence of your Honorable body is respectfully requested. The same are herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

COUNCIL CHAMBER, Denver, Feb. 10th, 1870.

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

SIR: I am instructed by the Council to inform the House that they have passed C. B. No. 84, an act to establish the counties of Bent and Greenwood.

The concurrence of your Honorable body is respectfully requested. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. DeFrance moved to adjourn until 7½ o'clock p. m.

Carried.

The House was declared adjourned.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Lea and Mann.

Leave being granted, Mr. Taylor submitted the following report:

MR. SPEAKER: Your committee on Judiciary, to whom was referred H. B. Nos. 123 and 119, have had the same under consideration and beg leave to make the following report:

H. B. No. 119, an act to amend chapter 48 of the Revised Statutes, we report back with the recommendation that it do pass.

H. B. No. 123, we report back without recommendation.

M. S. TAYLOR,  
Chairman.

Mr. Lynch submitted the following report:



MR. SPEAKER: Your committee on Enrollment beg leave to report that they have examined H. B. No. 29, Substitute for H. J. R. No. 5, Substitute for H. B. No. 31, H. J. R. No. 12, Substitute for H. B. No. 43 and H. B. No. 27, and find them correctly enrolled.

Respectfully submitted,  
J. T. LYNCH,  
Chairman.

Mr. Hall, from the committee on Engrossment, reported as follows:

MR. SPEAKER: Your committee on Engrossment beg leave to report H. J. R. No. 7 correctly engrossed.

J. B. HALL,  
Chairman.

C. B. No. 67 was read the first time, and the rules being suspended, the bill was read the second time by title, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—None.

So the bill passed.

Title agreed to.

C. B. No. 84 was read the first time.

C. B. No. 85 was read the first time.

On motion of Mr. Rice the rules were suspended, and C. B. No. 84 was read the second time by title only, was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—none.

So the bill passed.

Title agreed to.

Mr. Campbell moved a suspension of the rules and that Substitute for H. B. No. 9 be taken up.

Carried.

Substitute for H. B. No. 9 was taken up, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—none.

So the bill passed.

Title agreed to.

The Sergeant-at-Arms announced a message from the Council, as follows:

COUNCIL CHAMBER, Denver, Feb. 10th, 1870.

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

SIR: I am instructed by the Council to request your Honorable body to return H. B. No. 27, for the purpose of reconsideration.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Taylor moved that the House concur in the Council amendments to H. B. No. 21.

Carried.

So the amendments to H. B. No. 21 were concurred in.

On motion the rules were suspended and H. B. No. 37 was considered engrossed, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—None.

So the bill passed.

Title agreed to.

On motion of Mr. Elbert, the rules were suspended and C. B. No. 59 was read the first, second and third times and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—none.

So the bill passed.

Title agreed to.

On motion of Mr. DeFrance, the rules were suspended and



C. B. No. 63 was read the first, second and third times and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—None.

So the bill passed.

Title agreed to.

Mr. DeFrance moved that the committee on Enrollment be requested to return H. B. No. 27 to the House.

Lost.

On motion of Mr. Lynch the rules were suspended and H. B. No. 122 was read the first, second and third times and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—25.

Nays—None.

So the bill passed.

Title agreed to.

On motion of Mr. Lyon H. B. No. 78 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—24.

Nays—Mr. Hall—1.

So the bill passed.

Title agreed to.

On motion of Mr. Bearce the rules were suspended, and C. B. No. 57 was read the first, second and third times and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, Gird, Lyon, Lucero, Mann, Meyer and Trujillo—10.

Nays—DeFrance, Elbert, Graham, Hall, Myers, Mullen, Randall, Rice, Shepperd, Taylor, Topping, Vandiver, Wells, and Mr. Speaker—14.

So the bill did not pass.

On motion of Mr. Bevan, the rules were suspended and H. J. R. No. 7 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bevan, DeFrance, Elbert, Gird, Hall, Lyon, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd and Wells—14.

Nays—Baca, Campbell, Taylor, Topping, Trujillo and Vandiver—6.

So the resolution passed.

Title agreed to.

Mr. Rice moved that the rules be suspended and H. B. No. 104 be considered engrossed as amended, read the third time and put upon its passage.

Carried.

H. B. No. 104, as amended, was considered engrossed, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—23.

Nays—None.

So the bill passed.

Title agreed to.

Mr. Taylor moved that the rules be suspended, and H. B. No. 93 be read the third time.

The ayes and nays were called.

Ayes—Bearce, Baca, Campbell, DeFrance, Graham, Lucero, Meyer, Rice, Taylor, Trujillo, and Mr. Speaker—11.

Nays—Bevan, Elbert, Gird, Hall, Lyon, Lynch, Myers, Mullen, Randall, Shepperd, Topping, Vandiver and Wells—13.

So the motion to suspend the rules was lost.

On motion the rules were suspended and H. J. R. No. 8 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Bevan, Baca, Campbell, Elbert, Gird, Graham, Lyon, Lynch, Lucero, Myers, Mann, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—21.

Nays—DeFrance and Mullen—2.

So the resolution passed and the title was agreed to.

On motion the rules were suspended and H. B. No. 89 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver and Wells—19.

Nays—Mr. Lynch—1.

So the bill passed.

Title agreed to.

Mr. Campbell moved that the rules be suspended, and H. B. No. 110 be read a second time by title only, read the third time and put upon its passage.

The ayes and nays were called.



Ayes—Campbell, Elbert, Lyon, Randall, Rice, Topping and Vandiver—7.

Nays—Bearce, Baca, DeFrance, Gird, Graham, Hall, Lynch, Mann, Mullen, Meyer, Shepperd, Trujillo, and Wells—13.

So the motion to suspend the rules was lost.

The vote by which C. B. No. 57 was lost was reconsidered, and the bill referred to a special committee, consisting of Bearce, Elbert and Wells.

Mr. DeFrance moved to adjourn.

The ayes and nays were called.

Ayes—DeFrance, Lucero, Mann, Meyer, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—9.

Nays—Bearce, Bevan, Campbell, Elbert, Gird, Graham, Hall, Lyon, Lynch, Myers, Mullen, Randall, Rice, Shepperd and Topping—15.

So the motion was lost.

C. B. No. 85 was read the first time.

C. B. No. 82 was read the first time.

C. B. No. 75 was read the first time.

C. B. No. 72 was read the first time.

C. B. No. 68 was read the first time.

C. B. No. 66 was read the first time.

C. B. No. 61 was read the first time.

C. B. No. 81 was read the first time.

C. C. R. No. 3 was read the first time.

C. B. No. 64 was read the first time.

C. B. No. 60 was read the first time.

C. B. No. 43 was read the first time.

C. B. No. 46 was read the first time.

C. J. M. No. 1 was read the first time.

Mr. Wells moved to adjourn.

Lost.

On motion, the rule was suspended, and C. J. M. No. 1 was read the second time; also read a third time, and the question being on the passage of the memorial, the ayes and nays were called.

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Myers, Mullen, Meyer, Randall, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—21.

Nays—none.

Mr. Bearce moved the rule be suspended, and H. B. No. 118 be considered engrossed, read a third time and put upon its passage.

Carried, and H. B. No. 118 was read a third time, and the question being on the passage of the bill the ayes and nays were called.

Ayes—Bearce, Baca, DeFrance, Elbert, Graham, Hall, Lyon, Lucero, Myers, Meyer, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—14.

Nays—Lynch, Mann, Mullen, Randall and Taylor—5.

So the bill passed and the title was agreed to.

Mr. Mullen moved the rule be suspended, and H. B. No. 97 be considered engrossed, read a third time and put upon its passage.

The ayes and nays were called for.

Ayes—Bearce, Elbert, Gird, Hall, Lyon, Lynch, Myers, Mann, Mullen, Randall, Shepperd, Topping and Mr. Speaker—14.

Nays—Baca, Campbell, DeFrance, Graham, Lucero, Meyer, Taylor, Trujillo, Vandiver and Wells—10.

So the motion was lost.

The Sergeant-at-Arms announced a message from the Council, as follows:

COUNCIL CHAMBER, Feb. 10th 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that the Council has passed C. B. No. 10, over the veto of the Governor, of this date. They respectfully ask your action on the same. Said C. B. No. 10 is herewith transmitted.

A. O. PATTERSON,  
Secretary.

Mr. Taylor moved to adjourn until to-morrow at 9 o'clock a. m.

Mr. Elbert moved to amend, by saying 10 o'clock a. m. to-morrow.

The vote was taken and the amendment was carried, and the House was declared adjourned.

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FRIDAY, FEBRUARY 11TH, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent—none.

Journal of preceding day read and approved.



The Sergeant-at-Arms announced a message from the Council, as follows :

COUNCIL CHAMBER, Feb. 11th, 1870.

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

SIR: I am instructed by the Council to inform you that they have passed H. B. No. 26, to promote Arable Agriculture by Artesian Irrigation. Also, C. B. No. 85, for the relief of Geo. A. Hinsdale and Wm. M. Roworth. The concurrence of your Honorable Body is respectfully requested. The same are herewith transmitted.

Very respectfully,  
A. O. PATTERSON,  
Secretary.

Also, message from the Council as follows :

COUNCIL CHAMBER, Feb. 11th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that they have passed H. B. No. 32, to amend chapter 53 of the Revised Statutes, the same being amended. The concurrence of your Honorable Body is respectfully requested. The same is herewith transmitted. Also, H. B. No. 41, the same being amended. The same is respectfully herewith transmitted, and the concurrence of your Honorable Body is respectfully requested.

Respectfully,  
A. O. PATTERSON,  
Secretary.

On motion of Mr. Wells, H.B. No. 112. was taken up, considered engrossed, read a third time, and the question being on the passage of the bill the ayes and nays were called.

Ayes—Baca, DeFrance, Elbert, Gird, Lynch, Randall, Rice, Shepperd, Trujillo and Wells—10.

Nays—Bearce, Campbell, Graham, Hall, Lea, Lyon, Lucero, Myers, Mann, Mullen and Topping—11.

So the bill did not pass.

Mr. Lynch moved the rules be suspended, and H. B. No. 81 be taken up, read 1st 2nd and 3d times and put upon its passage.

Lost.

Mr. Wells moved the House adjourn to 2 o'clock p. m.

Lost.

On leave, Mr. Graham reported as follows:

MR. SPEAKER: Your committee to whom was referred C. B. No. 62, a bill for An act to provide for common schools, have had the same under consideration, and report as follows: We report the same back to the House with the following amendments: Insert the following section between sections 34 and 35 of said bill:

"When there are twenty-five or more children of foreign descent, or speaking other than the English language, within any school district, the Board of Directors, with the approval of the County Superintendent of schools, *may* establish a school wherein *both* the languages so spoken and the English language shall be taught. Where there are twenty-five or more colored children in any school district, the Board of Directors thereof, with the approval of the County Superintendent of schools, may provide a separate school for the instruction of such colored children," and would recommend the passage of the bill as amended.

T. J. GRAHAM,  
Chairman.

On motion, the report of the committee was concurred in and the amendments adopted.

On motion, a call of the House was had.

Absent—Bevan, Taylor and Vandiver.

The Sergeant-at-Arms reported that Bevan and Vandiver could not be found.

On motion, further proceedings under the call were dispensed with.

Mr. Bearce offered the following amendment to C. B. No. 62:

Strike out section 1 and insert in lieu thereof: "That the Territorial Treasurer, by virtue of his office, is hereby declared ex-officio Superintendent of Public Instruction," which on motion, was adopted.

Mr. Campbell moved to strike out section 4 of C. B. No. 62.

Lost.

C. B. No. 62 being put upon its passage, the vote resulted as follows:

Ayes—Bearce, Baca, DeFrance, Gird, Graham, Lyon, Lucero, Mann, Meyer, Rice, Taylor, Trujillo, Wells and Mr. Speaker—14.

Nays—Campbell, Elbert, Hall, Lea, Lynch, Myers, Mullen, Randall, Shepperd and Topping—10.



So the bill passed.

Title agreed to.

Mr. Randall introduced on leave the following resolution :

*Be it Resolved*, That the thanks of this House be tendered to the newspaper reporters for the impartial manner in which they have reported the proceedings of this House.

The ayes and nays were called for.

Ayes—Elbert, Gird, Hall, Lynch, Myers, Mullen, Randall, Rice, Shepperd and Wells—10.

Nays—Bearce, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Mann, Meyer, Taylor and Topping—11.

So the resolution did not pass.

C. B. No. 57, with the amendments thereto, was considered engrossed, read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Randall, Rice, Shepperd, Topping, Trujillo, Wells and Mr. Speaker—22.

Nays—none.

So the bill passed.

Title agreed to.

Mr. Taylor offered the following resolution :

*Resolved*, That the Enrolling Clerk be, and is hereby authorized to employ as many assistants as is necessary to discharge the duties devolving upon the Enrolling Clerk, and that said assistants draw pay from February 10th, 1870.

The resolution was adopted.

Mr. DeFrance moved that the rules be suspended, and H. B. No. 49 read the third time and put upon its passage.

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Mann, Meyer, Rice, Taylor, Topping, Trujillo and Mr. Speaker—18.

Nays—Myers, Mullen, Shepperd and Wells—4.

So the rules were suspended.

H. B. No. 49 was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Baca, DeFrance, Elbert, Graham, Lea, Lyon, Lynch, Lucero, Mann, Meyer, Topping, Trujillo, and Mr. Speaker—14.

Nays—Gird, Hall, Myers, Mullen, Randall, Rice, Shepperd, Taylor and Wells—9.

So the bill passed.

Title agreed to.

Mr. Lynch moved that the rules be suspended and that C. B. No. 81 be read the second and third times and put upon its passage.

Motion lost.

Mr. Mann, from the committee on Joint Enrollment, submitted the following report:

*Mr. Speaker:* Your committee on Joint Enrollment report that they have examined the enrollment of Council Bills Nos. 59, 63, 67 and 84, and find the said bills correctly enrolled, and would further say, that they have placed the same in the hands of the Governor, at 11 o'clock a. m., February 11, and the same now await his approval to become laws.

Respectfully,

G. W. MANN,  
Chairman.

Also from the same committee, the following report:

*Mr. Speaker:* Your joint committee on Enrolled Bills beg leave to report that they have examined the enrollment of H. B. No. 29, also Substitute for H. B. Nos. 31 and 43, also H. J. R. Nos. 5 and 12, and find the said bills and resolutions correctly enrolled, and would further report that they have placed the said bills and resolutions in the hands of the Governor, at 10 o'clock p. m. February 10th, and the same now await his approval to become laws.

Respectfully submitted,

G. W. MANN,  
Chairman.

The following message from the Governor was received:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
DENVER, February 11th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to inform you that I have this day approved and signed the following bills, certified to have originated in the House of Representatives of Colorado Territory, viz:

"An act for the relief of Costilla county."

"House Concurrent Resolution requesting the President of the United States to nominate John D. McIntyre, of the county



of Arapahoe, Colorado Territory, a cadet at large to the Military Academy of the United States."

I have the honor to be,

Very respectfully,

Your obedient servant,

EDWARD M. McCOOK,

Governor.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 11th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that they have passed C. B. No. 41, to provide for collection of revenue.

Also C. B. No. 65, to remove the Territorial Library.

Also C. B. No. 71, to repeal section 40 of chapter 50, of the Revised Statutes.

Also C. J. M. No. 3.

Also C. B. No. 80, to amend chapter 6, of the Revised Statutes.

Also C. B. No. 78. Also C. B. No. 73. Also C. B. No. 70. Also C. B. No. 52. Also C. B. No. 83. Also C. J. R. No. 3.

The concurrence of your Honorable body is respectfully requested. The same are herewith transmitted.

Very respectfully,

A. O. PATTERSON,

Secretary.

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

The ayes and nays were called.

Ayes—Bearce, Campbell, DeFrance, Elbert, Graham, Hall, Lea, Lyon, Lynch, Lucero, Mann, Meyer, Randall, Taylor, Topping, Trujillo and Mr. Speaker—17.

Nays—Gird, Myers, Mullen, Shepperd and Wells—5.

So the motion to adjourn prevailed.

The House was declared adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bevan, Mann, Meyer and Vandiver.

The message from the Governor to the Council, announcing his refusal to sign and approve C. B. No. 10, was taken up.

Mr. DeFrance moved that C. B. No. 10 become a law, the objections of the Governor to the contrary notwithstanding.

On motion the ayes and nays were called for on the previous motion.

Mr. Lynch moved a call of the House.

The call was made.

Absent—Mr. Bevan.

The Sergeant-at Arms was dispatched after absentees.

The Sergeant-at-Arms returned and reported Mr. Bevan sick, and unable to attend.

On motion further proceedings under the call were dispensed with.

The ayes and nays were then called on the motion to pass C. B. No. 10, the objections of the Governor notwithstanding.

Ayes—Bearce, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Mann, Meyer, Taylor, Trujillo, Vandiver, Wells, and Mr. Speaker—15.

Nays—Elbert, Gird, Hall, Lynch, Myers, Mullen, Randall, Rice, Shepperd and Topping—10.

So the motion to pass C. B. No. 10 over the veto of the Governor not having received two-thirds of all the votes cast, was lost, and C. B. No. 10 was not passed over the veto of the Governor.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Denver, Feb. 11th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body, that they have passed H. B. No. 64. Also H. B. No. 95. Also H. J. M. No. 4. The same are herewith transmitted.

Respectfully,

A. O. PATTERSON,  
Secretary.

Mr. DeFrance moved that the rules be suspended and H. B. Nos. 93, 99, 100, 102, 125, 117, 41, 85, 26, also C. B. Nos. 43, 50, 42, 48, 66, 85, 81, 82 and 65 be taken under consideration and put upon their passage.

Mr. Mullen moved to amend by striking out H. B. No. 93 from the bills just enumerated.



Motion carried, and H. B. No. 93 was stricken out.

Mr. Mann, chairman of the committee on Joint Enrollment, reported as follows:

*Mr. Speaker:* Your joint committee on Enrolled Bills, beg leave to report that they have examined the enrollment of H. B. Nos. 16, 27, 39, 45, 81 and 83, and find the said bills correctly enrolled, and would further report that they have placed the same in the hands of His Excellency the Governor, at 4 o'clock p. m., February 11th, and the same now await his approval to become laws.

Respectfully submitted,

GEO. W. MANN,  
Chairman.

The vote was then taken on the motion of Mr. DeFrance to take into consideration H. B. Nos. 99, 100, and others.

Carried.

The Sergeant-at-Arms announced a message from the Council, which was read as follows:

COUNCIL CHAMBER, Feb. 11th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body, that the Council has passed C. B. No. 86, in which they respectfully ask your concurrence.

Also C. B. No. 74. Also C. J. M. No. 2. Also C. B. No. 77. The same are herewith transmitted.

Also H. B. No. 118. The same is herewith returned.

Respectfully,

A. O. PATTERSON,  
Secretary.

H. B. No. 99 as amended, was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Lea, Lyon, Lynch, Lucero, Myers, Mann, Meyer, Rice, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—20.

Nays—Mr. Mullen—1.

So the bill passed.

Title agreed to.

H. B. No. 100 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Gra-

ham, Hall, Lea, Lyon, Lynch, Lucero, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—Mr. Myers—1.

So the bill passed.

Title agreed to.

H. B. No. 102 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—None.

So the bill passed.

Title agreed to.

H. B. No. 125 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—25.

Nays—none.

So the bill passed.

Title agreed to.

H. B. No. 41, as amended by the Council, was read and the amendments concurred in.

H. B. No. 85 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—Mr. Mullen—1.

So the bill passed.

Title agreed to.

H. B. No. 26, as amended by the Council, was read, and on motion the amendments were concurred in.

H. B. No. 117 was read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—none.

So the bill passed.

Title agreed to.



C. B. No. 43 was read the second time by title only.

C. B. No. 43 was read the third time and referred to the committee on Judiciary.

The Sergeant-at-Arms announced a message from the Council, as follows :

COUNCIL CHAMBER, Feb. 11th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body, that the Council has passed H. B. No. 89, for the relief of Geo. R. Mitchell. The same is herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

C. B. No. 50 was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Campbell, DeFrance, Elbert, Graham, Lea, Lyon, Myers, Mann, Mullen, Meyer, Randall, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—17.

Nays—Gird, Lynch, Rice, Shepperd, and Taylor—5.

So the bill passed.

Title agreed to.

C. B. No. 42 was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Myers, Mann, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—23.

Nays—None.

So the bill passed.

Title agreed to.

C. B. No. 48 was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—25.

Nays—None.

So the bill passed.

Title agreed to.

C. B. No. 66 was read the second time by title only, was read the third time and put upon its passage, the vote resulting as follows :

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—None.

So the bill passed.

Title agreed to.

The Sergeant-at-Arms announced a message from the Governor, which was read as follows :

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, February 11th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives of Colorado Territory:*

SIR: I have the honor to inform you that I have this day approved and signed the following bill, certified to have originated in the House of Representatives of Colorado Territory, viz:

An act to amend chapter forty-five (45), section four (4), of the Revised Statutes of Colorado Territory.

I have the honor to be,

Very respectfully,

Your obedient servant,

EDWARD M. McCOOK,

Governor.

C. B. No. 85 was read the second time by title only, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Gird, Graham, Lea, Lyon, Lucero, Myers, Mann, Meyer, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—19.

Nays—Lynch, Mullen and Randall—3.

So the bill passed.

Title agreed to.

C. B. No. 81 was read the second time by title only, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Baca, Campbell, DeFrance, Elbert, Gird, Graham, Lea, Lyon, Lynch, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—21.

Nays—None.

So the bill passed.

Title agreed to.



C. B. No. 82 was read the second time by title only, read the third time and put upon its passage, the vote resulting as follows:

Ayes—Bearce, Baca, Campbell, DeFrance, Elbert, Graham, Lynch, Lucero, Mann, Mullen, Randall, Shepperd, Topping, Vandiver, and Mr. Speaker—15.

Nays—Lea, Myers, Trujillo, and Wells—4.

So the bill passed.

Title agreed to.

C. B. No. 65 was read the first time.

C. B. No. 65 was read the second time by title only.

Mr. DeFrance moved to adjourn until 7½ o'clock this evening.

Carried.

The House was declared adjourned until 7½ o'clock this evening.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Bevan and Campbell.

The Sergeant-at-Arms announced a message from the Council, as follows:

COUNCIL CHAMBER, Denver, Feb. 11th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that the Council has receded in their amendment to H. B. No. 21, and concurred in the amendments to C. B. No. 57. H. B. No. 21 is herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Taylor, with leave, reported as follows:

*Mr. Speaker:* Your committee on Judiciary, to whom was referred C. B. No. 43, a bill for An act to amend chapter 31 of the Revised Statutes, entitled "Fees and Salaries," have had the same under consideration, and would most respectfully report the same back with the recommendation that it do pass.

Most respectfully submitted,

M. S. TAYLOR,  
Chairman.

On motion, the report was concurred in.

Mr. DeFrance moved the rule be suspended, and C. B. No. 43 be read a third time and put upon its passage.

Carried.

C. B. No. 43 was read a third time, and the question being upon the passage of the bill the ayes and nays were called.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Graham, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—Gird and Rice—2.

So the bill passed and the title was agreed to.

On motion, the rule was suspended, and C. B. No. 83 was read a first, second and third times, and the question being upon the passage of the bill the ayes and nays were called.

Ayes—Bearce, Bevan, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—23.

Nays—none.

So the bill passed and the title was agreed to.

On motion, C. C. R. No. 3 was read a second time by title only, and read a third time, and the question being upon the passage of the resolution the ayes and nays were called.

Ayes—Baca, Campbell, DeFrance, Elbert, Gird, Graham, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells, and Mr. Speaker—22.

Nays—none.

So the resolution passed and the title was agreed to.

The Sergeant-at-Arms announced a message from the Governor, which was read as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, February 11th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to inform you that I have this day approved and signed the following bills, certified to have originated in the House of Representatives of Colorado Territory, viz:

An act to dissolve the bonds of matrimony heretofore existing between James Upp and Mary A. Upp.

An act to change the name of Mary Adella McFarland, of Boulder county, and for her relief.



An act to dissolve the bonds of matrimony heretofore existing between William Braught and Mary Braught.

An act for the relief of Arapahoe county.

House Joint Resolution, concerning Chinese Immigration.

An act to amend section second (2) of chapter fifty-three of the Revised Statutes of Colorado Territory.

I have the honor to be,

Very respectfully,

Your ob't servant,

EDWARD M. McCOOK,  
Governor.

Mr. Mann, chairman of committee on Enrollment, reported as follows:

*Mr. Speaker:* Your committee on Enrolled Bills, beg leave to report that they have examined the enrollment of H. B. Nos. 21, 26, 64, 75, 74, 95 and 80. Also, substitute for H. B. No 48, and find the same correctly enrolled, and would further report that they have placed the said bills in the hands of His Excellency the Governor, at 9 o'clock p. m., Feb. 11th, and the same now await his approval to become laws.

Respectfully submitted,

G. W. MANN,  
Chairman.

Sergeant-at-Arms announced a message from the Governor, which was read as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, February 11th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to inform you that I have this day approved and signed the following bills, certified to have originated in the House of Representatives of Colorado Territory, namely:

Substitute for H. B. No. 43.

H. B. No. 74.

H. B. No. 83.

H. B. No. 118.

I have the honor to be,

Very respectfully,

Your obedient servant,

EDWARD M. McCOOK,  
Governor.

The Sergeant-at-Arms announced a message from the Governor, which was read as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
 Denver, Feb. 11th, 1870. }

*Hon. Geo W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to inform you that I have this day approved and signed the following bills, certified to have originated in the House of Representatives of Colorado Territory, namely:

An act relating to the competency of witnesses in civil cases.

An act to provide for the protection of fish in Colorado Territory.

An act to repeal section two hundred and sixty-five (265) of chapter twenty-two (22) of the Revised Statutes of Colorado Territory.

House Joint Resolution, concerning the jurisdiction of Probate Courts.

I have the honor to be,  
 Very respectfully,  
 Your ob't servant,  
 EDWARD M. McCOOK,  
 Governor.

Mr. Campbell moved the rules be suspended, and that C. B. No. 74 be read a third time and put upon its passage.

The ayes and nays were called on suspending the rules.

Ayes—Bevan, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Meyer, Rice, Taylor and Trujillo—13.

Nays—Elbert, Gird, Hall, Lynch, Myers, Mann, Mullen, Randall, Shepperd, Topping, Vandiver, Wells and Mr. Speaker—12.

So the motion to suspend the rules, not having two-thirds of the votes cast, was lost.

Mr. DeFrance moved the rules be suspended, and that H. B. No. 93 be read a third time and put upon its passage.

Ayes—Bearce, Baca, Campbell, DeFrance, Graham, Lea, Lyon, Lucero, Meyer, Rice, Taylor, Trujillo and Mr. Speaker—13.

Nays—Elbert, Gird, Hall, Lynch, Myers, Mann, Mullen, Randall, Shepperd, Topping, Vandiver and Wells—12.

So the motion to suspend the rules, not having two-thirds of all the votes cast, was lost.

Mr. Topping moved the rules be suspended, and C. B. No. 65



be read a third time and put upon its passage, upon which the ayes and nays were called.

Ayes—Campbell, DeFrance, Graham, Lea, Lyon, Lynch, Lucero, Meyer, Rice, Topping, Trujillo and Mr. Speaker—12.

Nays—Bearce, Baca, Elbert, Gird, Hall, Myers, Mullen, Randall, Shepperd, Taylor, Vandiver and Wells—13.

So the motion to suspend the rules not having two-thirds of all the votes cast, was lost.

Mr. Bearce moved to suspend the rules, and that H. B. No. 107 be read a third time and put upon its passage.

Lost.

Mr. Topping moved the House take a recess of 15 minutes.

Carried, and House took a recess of 15 minutes.

Speaker resumed the Chair and called the House to order.

Mr. Taylor moved the rules be suspended and that C. B. No. 86 be read a first, second and third time and put upon its passage.

Carried.

So C. B. No. 86 was read a first and second time by title, read a third time, and the question being upon the passage of the bill the ayes were, Messrs. Baca, DeFrance, Elbert Gird, Lynch, Myers, Mann, Mullen, Randall, Rice, Shepperd, Taylor, Topping, Vandiver, Wells, and Mr. Speaker—16.

Nays were Messrs. Campbell, Graham, Lea, Lyon, Lucero, Meyer, Trujillo—7.

So the bill passed and title was agreed to.

The Sergeant-at-Arms announced a message from the Council, which was read as follows :

COUNCIL CHAMBER, Feb. 11th, 1870.

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

SIR: I am instructed by the Council to inform your Honorable body that they have passed H. B. Nos. 36, 35, 23, and H. J. R. No. 11. Also, H. B. Nos. 76, 54, 37, 117, 61, 55, 122, 108, 88, and H. J. R. No 7, all of which are herewith transmitted.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr. Mann, Chairman of committee on Joint Enrollment, reported as follows:

*Mr. Speaker :* Your committee on Enrolled Bills beg leave to

report that they have examined the enrollment of H. B. Nos. 27, 61, 88, also, H. J. R. No. 11 and No. 4, and find the enrollment correct, and would further report that they have placed the said Bills and Resolutions in the hands of his Excellency, the Governor, on Friday, Feb. 11th, and the same now await his approval to become laws, and would further report that they have examined the Enrollment of H. B. Nos. 54, 23, 41, 85, 35, 113, 55, 117, 37, 122; also, H. C. R. No. 2, and H. J. R. No. 8, and find the same correctly enrolled, and would report that they have placed the same in the hands of his Excellency, the Governor, on Friday, Feb. 11th, 1870, and the same now await his approval to become laws.

Respectfully submitted,

G. W. MANN,  
Chairman.

The following communication from the Auditor was received and read as follows:

TREASURY DEPARTMENT, AUDITOR'S OFFICE, }  
Denver, Feb. 10th, 1870. }

*Honorable George W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to transmit herewith, for the information of your Honorable body, the papers in the case of appeal of Gilpin County from the decision of this Office in reference to a claim of said county for expenses because of a lunatic pauper in said County, and which form the basis of Council Concurrent Resolution No. 3.

Very respectfully,

N. F. CHEESEMAN.

Auditor.

Mr. Elbert moved the rules be suspended, and H. B. No. 41 be taken up and put upon its passage.

Ayes and nays were called for.

Ayes—Baca, DeFrance, Elbert, Gird, Hall, Lynch, Myers, Mann, Mullen, Randall, Rice, Shepperd, Taylor, Topping and Wells—15.

Nays—Bearce, Campbell, Graham, Lea, Lyon, Lucero, Meyer, Trujillo, Vandiver and Mr. Speaker—10.

So the rules were not suspended, there not having been two-thirds voting in the affirmative.

The Sergeant-at-Arms announced a message from the Council, as follows:



COUNCIL CHAMBER, Denver, February 10th, 1870.

*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. 62.

Very respectfully,  
A. O. PATTERSON,  
Secretary.

Mr. Wells moved the rules be suspended, and C. B. No. 60 be read a third time and put upon its passage.

Carried.

The Sergeant-at-Arms announced a message from the Governor, as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
DENVER, February 11th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives of Colorado Territory :*

SIR: I have the honor to inform you that I have this day approved and signed the following bills, certified to have originated in the House of Representatives of Colorado Territory, namely:

An act additional to chapter eighteen of the Revised Statutes, entitled Corporations.

An act to preserve game in Colorado.

An act to promote Arable Agriculture by Artesian Irrigation.

An act entitled An act to amend chapter ninety of the Revised Statutes of Colorado Territory.

An act to change the name of Stephen Walter Ralph, of Arapahoe county, to Clarence Ralph.

An act for the relief of pre-emptors and locators of veins or lodes of quartz or other rock, on the mineral lands of the public domain.

I have the honor to be,

Very respectfully,

Your ob't servant,

EDWARD M. McCOOK,  
Governor.

The Sergeant-at-Arms announced a message from the Council, as follows:

COUNCIL CHAMBER, Denver, Feb. 11th, 1870.

*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. 28, to establish a Territorial Assay Office. Your concurrence is respectfully requested. Also, C. B. No. 69, to provide for the general expenses of the Territory for the years 1870 and 1871. The same is herewith transmitted. Also H. B. No. 85. The same is herewith transmitted. Also, have passed H. B. No. 113, an act to incorporate the Colorado Agricultural Society. The same is herewith transmitted. Also, have passed H. C. R. No. 2. The same is herewith returned.

Very respectfully,

A. O. PATTERSON,

Secretary.

C. B. No. 60, was read, 1st, 2d and 3d times, and the question being on the passage of the bill, the ayes were, Myers, Mann, Mullen, Randall, Vandiver, Wells, and Mr. Speaker—7.

Nays—Baca, Campbell, Elbert, Graham, Lea, Lyon, Lynch, Lucero, Meyer, Rice, Shepperd and Trujillo—12.

So the bill did not pass.

Mr. Mann, on leave, introduced H. C. R. No. 2, and on motion the rules were suspended, and H. C. R. No. 2, was read one, two and three times, and the question being upon its passage, the ayes were, Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Shepperd, Trujillo, Vandiver, Wells and Mr. Speaker—22.

Nays—None.

So the resolution passed and title agreed to.

Mr. Wells moved to take a recess, subject to the call of the Speaker.

Carried.

The Sergeant-at-Arms announced a message from the Council. The speaker called the House to order, when the following message was read.

COUNCIL CHAMBER, Feb. 11th 1870.

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

SIR: I am instructed by the Council to inform your Honorable Body that the Council has passed H. J. R. No. 8. The same is herewith transmitted.



Also H. B. No. 49, and the same is returned.

Very respectfully,

A. O. PATTERSON,  
Secretary.

Mr Lynch moved the rules be suspended and C. B. No. 46, and C. J. R. No. 3, be put upon their passage.

Motion withdrawn.

C. B. No. 69, was taken up and on motion the bill was referred to the committee of the Whole House, Mr. Elbert in the Chair. After a time the committee rose.

The Speaker resumed the Chair, when the Chairman of the Committee of the Whole reported as follows :

*Mr. Speaker :* Your Committee of the Whole House have had under consideration C. B. No. 69, and would report the same back with the recommendation it do pass.

S. H. ELBERT,  
Chairman.

The report of the committee was concurred in, and on motion of Mr. Taylor, C. B. No. 69, was read three times, and the question being on the passage of the bill, the ayes were, Bearce, Baca, Campbell, DeFrance, Elbert, Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mullen, Meyer, Randall, Rice, Shepperd, Taylor, Trujillo, Vandiver, Wells and Mr. Speaker—23.

Nays—none.

So the bill passed and the title was agreed to.

Mr. Elbert offered the following Resolution :

*Resolved,* That the thanks of this House are due and are hereby tendered to the Honorable Geo. W. Miller, for the faithful, impartial and able manner in which he has discharged the duties of Speaker of the House during the present session.

A message was received from the Governor as follows :

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, Feb. 11th, 1870. }

*To the Honorable Geo. W. Miller, Speaker of the House of Representatives :*

SIR: I have the honor to inform you that I have approved and signed the following bill, certified to have originated in the House of Representatives, namely :

House Joint Memorial in relation to the University of Colorado.

I have the honor to be,  
 Very respectfully,  
 Your obedient servant,  
 EDWARD M. McCOOK,  
 Governor.

The following message was received from the Council :

COUNCIL CHAMBER, Feb. 11th, 1870.

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

SIR: I am instructed to inform your Honorable body that the Council has appointed Messrs Webster and Stearns as a Committee of Conference in reference to the hour of adjournment.

Very respectfully,  
 A. O. PATTERSON,  
 Secretary.

The Speaker appointed Messrs. Campbell and Randall as Committee of Conference on the part of the House, with reference to the adjournment of the two Houses.

Mr. Bearce moved the rules be suspended and C. B. No. 64 be taken up.

Carried, and C. B. No. 64, was read a second and third time and the question being on the passage of the bill the ayes were, Bearce, Baca, Campbell, DeFrance, Elbert Gird, Graham, Hall, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Shepperd, Taylor, Topping, Trujillo, Vandiver, Wells and Mr. Speaker—24.

Nays—Rice—1.

So the bill passed and title agreed to.

A message as follows was received from the Governor :

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
 Denver, February 11th, 1870. }

*Honorable Geo. W. Miller, Speaker of the House of Representatives :*

SIR: I have the honor to inform you that I have approved and signed the following bill, certified to have originated in the House of Representatives of Colorado Territory, namely:



An act entitled "An act for the relief of Geo. R. Mitchell, of Gilpin County."

I have the honor to be,  
Very respectfully,  
Your obedient servant,  
EDWARD M. McCOOK,  
Governor.

On motion of Mr. Campbell, a committee of two were appointed to wait on His Excellency the Governor and enquire if he had any further communication to make to the House.

Committee consisted of Messrs. Campbell and Randall.

Mr. Mann, from committee on Joint Enrollment, reported as follows:

*Mr. Speaker:* Your Joint Committee on Enrolled Bills beg leave to report that they have examined the enrollment of H. B. Nos. 10, 89 and 118, and find the said bills correctly enrolled; and would further report, that they have placed the same in the hands of the Governor at 10½ o'clock P. M., Feb. 11, 1870, and the same now await his approval to become laws.

Respectfully submitted,  
GEO. W. MANN,  
Chairman.

On motion the rules were suspended and C. B. No. 41 was taken up and read a third time, and the question being on the passage of the bill, the ayes were, Bearce, Baca, DeFrance, Elbert, Hall, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Shepperd, Taylor, Topping, Trujillo, Vandiver and Mr. Speaker—19.

Nays—none.

So the bill passed and title was agreed to.

Mr. Taylor offered the following Resolution:

*Be it Resolved,* That the thanks of this House are hereby tendered to the clerks and officers of this House for the gentlemanly manner in which they have performed their duties.

On motion the Resolution was adopted.

Mr. Shepperd moved to take a recess of five minutes.

Carried.

Mr. Taylor, with leave, offered the following Resolution:

*Be it Resolved by the House of Representatives, the Council concurring,* That the Secretary of the Territory be, and he is hereby, authorized to procure the printing of all Laws, Memo-



rials and Joint Resolutions, passed at the Eighth Session of the Legislative Assembly.

On motion the Resolution was adopted.

Mr. Elbert moved the rules be suspended and C. J. R. No. 3 be put upon its passage.

Mr. Shepperd moved a call of the House.

The call was had, there being none absent, all further proceedings under the call were, on motion, dispensed with.

The vote was then taken on the motion to suspend the rules so that C. J. R. No. 3 might be taken up and put upon its passage, and the ayes and nays being called, the ayes were, Bearce, Campbell, DeFrance, Elbert, Gird, Graham, Lea, Lyon, Lynch, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Taylor, Topping, Trujillo, Vandiver and Mr. Speaker—21.

Nays—Baca, Shepperd and Wells—3.

So the rules were suspended, and C. J. R. No. 3 was read first, second and third times and the question being on the passage of the Resolution, the ayes were, Bearce, Campbell, DeFrance, Graham, Lea, Lucero, Myers, Mann, Mullen, Meyer, Randall, Rice, Taylor, Topping, Trujillo, Vandiver and Mr. Speaker—18.

Nays—Baca, Shepperd and Wells—3.

So the Resolution passed and title was agreed to.

A message was announced and read from the Governor, as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, February 11th, 1870. }

*Honorable Geo. W. Miller, Speaker of the House of Representatives:*

SIR: I have the honor to inform you that I have approved and signed the following bills, certified to have originated in the House of Representatives, namely:

“A bill for an act for the relief of Fremont County.”

“Joint Resolution concerning Artesian Wells.”

“House concurrent Resolution concerning the per diem and allowance of secretaries and clerks after the adjournment of the Legislature.”

“An act to change the name of Frank Martin Douglass, to Frank Desselem Cook.”

“An act to amend an act, entitled an act to incorporate the town of Georgetown.”

“An act to amend chapter 25 of the Revised Statutes relating to District Courts,” and also chapter 31, relating to Supreme Court.



A bill for "An act to amend chapter fifty-four of the Revised Statutes of Colorado Territory."

"Joint Resolution for the relief of J. M. Veasey."

"An act concerning Evidence."

"An act entitled an act to amend chapter 70 of the Revised Statutes of Colorado Territory."

"An act to amend an act entitled an act to incorporate the Colorado Territorial Agricultural Society."

"An act defining rights and liabilities of miners and mill men in certain cases."

"An act to amend chapter 21 of the Revised Statutes relating to Counties and County officers."

I have the honor to be,

Very respectfully,

Your ob't servant,

EDWARD M. McCOOK,  
Governor.

Mr. Taylor moved the House take a recess of five minutes.  
Carried.

House took a recess.

The Speaker resumed the Chair, when the Chairman of the committee on Enrollment submitted the following report :

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

SIR: Your committee on Enrollment beg leave to report that they have examined H. B. No. 16, H. B. No. 83, H. B. No. 81, H. B. No. 47, H. B. No. 3, H. B. No. 26, H. B. No. 80, H. B. No. 74, H. B. No. 64, substitute for H. B. No. 48, H. B. No. 95, H. B. No. 78, H. B. No. 21, H. B. No. 10, H. B. No. 89, H. B. No. 118, H. J. R. No. 7, H. B. No. 76, H. B. No. 108, H. B. No. 36, H. B. No. 41, H. J. R. No. 8, H. B. No. 38, H. B. No. 85, H. B. No. 55, H. B. No. 113, H. B. No. 122, H. B. No. 117, H. B. No. 37, H. B. No. 61, H. J. R. No. 11, H. J. M. No. 4, and find the same correctly enrolled.

Respectfully,

J. T. LYNCH,  
Chairman.

Mr. Mann reported as follows :

*Mr. Speaker:* Your joint committee on Enrolled Bills, beg leave to report that they have examined the enrollment of H. B. Nos. 36, 76 and H. J. R., No. 7, and find the enrollment correct, and would further report, that they have placed the said

bills and resolution in the hands of the Governor, February 11th, and the same now await his approval to become laws.

Respectfully submitted,

GEO. W. MANN,  
Chairman.

The Sergeant-at-Arms announced a message from the Governor, as follows:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY, }  
Denver, February 11th, 1870. }

*Hon. Geo. W. Miller, Speaker of the House of Representatives :*

SIR: I have the honor to inform you that I have signed the following bill, certified to have originated in the House of Representatives :

An act to dissolve the bonds of matrimony heretofore existing between Truman G. Storer and Delilah B. Storer.

I have the honor to be,

Very respectfully,

Your ob't servant,

EDWARD M. McCOOK,  
Governor.

The committee of conference, appointed to confer with the Council relative to adjournment, having returned and reported the Council ready to adjourn, and the committee appointed to wait upon the Governor, having announced to the House that His Excellency, the Governor of Colorado, had no further communications to make to either House of the Legislative Assembly of the Territory of Colorado, Mr. DeFrance moved that the House adjourn *sine die*.

The motion was carried, and the House adjourned *sine die*.

WM. M. SLAUGHTER,  
Chief Clerk.



