COUNCIL JOURNAL

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF COLORADO,

NINTH SESSION,

CONVENED AT DENVER, ON THE 1ST DAY OF JANUARY, 1872.

PUBLISHED BY AUTHORITY.

CENTRAL CITY:
D. C. COLLIER, PRINTER, REGISTER OFFICE.
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NINTH SESSION.

DENVER, MONDAY, JANUARY 1st, 1872—2 o'clock P. M.

At the Ninth Session of the Legislative Assembly of the Territory of Colorado, the Council met at Denver, the seat of Government of said Territory, the first day of January, A. D. 1872, at 2 o'clock P. M., pursuant to law.

Council called to order by A. O. Patterson, Secretary of the Council of the Eighth Session.

Roll called.

Quorum present.

Mr. N. P. Hill was nominated as temporary Chairman.

Carried.

Moved by Mr. J. E. Bates, that Mr. George T. Clark be elected Secretary *pro tem.*

Carried.

Mr. Parmelee moved that the Committee on Credentials be elected by ballot.

Carried.

Messrs. Parmelee, Bates, Wisebart, and Stover, were nominated for Committee on Credentials.

Messrs. Paul and Gallup were appointed as tellers.

Messrs. Parmelee, Bates, and Wisebart, were elected, as follows:

Bates received.....9 votes
Wisebart " .....9 "
Parmelee " .....7 "

Mr. Chilcott moved to take a recess of ten minutes.

Carried.

The Committee on Credentials made the following report:

Mr. President:

The undersigned, your committee elected to report on the credentials of Members of the Council for its present session, would respectfully report that they have examined the credentials presented, and find that the following persons have been elected, and are entitled to seats in this Council.

Joseph E. Bates and Francis Gallup, from the First Council District.

William C. Stover, from the Second Council District.

Allison H. De France, from the Third Council District.

Nathaniel P. Hill and Benjamin W. Wisebart, from the Fourth Council District.

Edward C. Parmelee, from the Fifth Council District.

Madison W. Stewart, from the Sixth Council District.

George M. Chilcott, from the Seventh Council District.

J. Marshall Paul, from the Eighth Council District.

Jesus Maria Garcia, from the Ninth Council District.

Silverio Suasso, from the Tenth Council District.

Jose Victor Garcia, From the Eleventh Council District.

Respectfully submitted,

JOSEPH E. BATES,
BENJAMIN W. WISEBART,
EDWARD C. PARMELEE,

Mr. Gallup moved to adopt the report of the Committee on Credentials.

Seconded and carried.

Hon. Frank Hall, Secretary of Colorado Territory, appeared and administered the oath to the members elect.

Mr. Bates moved to proceed to the election of permanent President.

Seconded and carried.

The President *pro tem.* appointed Messrs. Parmelee and Bates as tellers.

Mr. Chilcott and Mr. Stover were nominated as candidates for President.

The following was the result of the first formal ballot for President of the Council.

George M. Chilcott received 9 votes; William C. Stover received 3 votes.

The Chair declared Mr. George M. Chilcott elected President of the Council.

Mr. Wisebart moved that Messrs. Bates and Paul be appointed a committee to conduct Mr. Chilcott to the chair.

Seconded and carried.

Mr. Chilcott, with a short speech, took the chair.

Mr. Wisebart moved that we now proceed to the election of Secretary of the Council.

Mr. Edward L. Salisbury was nominated.

Messrs. Wisebart and Stewart were appointed by the Chair as tellers.

The following was the result of the first ballot for Secretary.

Mr. Edward L. Salisbury received 10 votes, and was declared by the President, duly elected.

Mr. Chase Withrow and Mr. J. L. Ringnaud were nominated for Assistant Secretary.

The following was the result of the ballot for Assistant Secretary:

Chase Withrow received 8 votes; J. L. Ringnaud received 5 votes.

Mr. Chase Withrow was declared duly elected Assistant Secretary of the Council.

Mr. Paul nominated Robert N. Daniels for Sergeant-at-Arms.

Mr. De France nominated R. R. Fellon.

The following was the result of the ballot for Sergeant-at-Arms:

Robert N. Daniels received 9 votes; R. R. Fellon received 4 votes.

The Chair declared R. N. Daniels duly elected Sergeant-at-Arms.

Mr. Stewart nominated S. N. Sanders for Enrolling Clerk.

The following was the result of the first ballot for Enrolling Clerk:

S. N. Sanders received 12 votes.

The Chair declared S. N. Sanders duly elected as Enrolling Clerk of the Council.

Mr. Wisebart nominated as Engrossing Clerk, Elmore H. Starrette.

The following was the result of the ballot for Engrossing Clerk:

Mr. E. H. Starrette received 11 votes.

The Chair declared E. H. Starrette duly elected Engrossing Clerk of the Council.

Mr. Paul nominated Charles A. Ralston as Page.

Mr. De France nominated Willie Loveland.

Result of first ballot:

Charles A. Ralston received 8 votes; Willie Loveland received 4 votes.

The Chair declared Charles A. Ralston duly elected Page.

The Council proceeded to the election of Interpreter.

Mr. Garcia nominated Celestino Dominguez.

Result of first ballot for Interpreter:

Celestino Dominguez received 12 votes.

The Chair declared Celestino Dominguez duly elected Interpreter.

Messrs. J. V. Garcia and J. M. Garcia nominated John Chares for Fireman.

Mr. Suasso nominated S. Apadaca.

Result of the first ballot for Fireman:

Mr. John Chares received 8 votes; Mr. S. Apadaca received 4 votes.

The Chair declared John Chares duly elected Fireman.

Mr. Gallup placed in nomination Rev. Winfield Scott for Chaplain.

Result of the first ballot for Chaplain:

Rev. Winfield Scott received 12 votes.

The Chair declared Rev. Winfield Scott duly elected as Chaplain.

The officers of the Council were then sworn.

Mr. Wisebart moved that the thanks of the Council be extended to Mr. George T. Clark, for his services as Secretary *pro tem.*

Mr. Dominguez was sworn in as Interpreter *pro tem.*

Mr. John Chares was sworn in as Fireman of the Council.

Mr. Bates moved that the Council adjourn until to-morrow at 10 o'clock A. M.

Seconded and carried.

Adjourned.

TUESDAY, JANUARY 2, 1872—10 o'clock A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Minutes read and approved.

Mr. Paul moved that the rules of the eighth session be adopted for the government of the Council for the ninth session.

Seconded by Bates.

Mr. De France wished to examine the rules before adopting them.

Mr. Paul withdrew the motion.

Mr. Wisebart moved that the Clerk read the rules of the eighth session.

Seconded and carried.

Rules read.

Mr. Parmelee moved that the rules of the eighth session be adopted for the government of this, until other rules were decided upon.

Seconded and carried.

Mr. Hill moved to amend by altering the 23d rule,

And to add to the standing committees a committee on "Stock Growing Interests."

Mr. Parmelee moved that a Committee on Rules be appointed for the Council.

Mr. Hill moved to report on joint rules.

Seconded and carried.

Messrs. Hill, Parmelee, and Paul were appointed by the Chair as such committee.

Mr. Hill moved that the Council proceed to the election of another page.

Seconded and carried.

Mr. Hill nominated Eugene Chamberlain.

Mr. De France nominated Willie Loveland.

Mr. Bates nominated Willie Chandler.

The Chair appointed Messrs. Stewart and Wisebart tellers.

Result of first ballot:

Chandler received	5	votes.
Loveland "	2	"
Chamberlain "	6	"

Result of second ballot:

Chandler received	4	votes.
Loveland "	7	"
Chamberlain "	2	"

Willie Loveland was declared duly elected, by the Chair, as Page.

Mr. Parmelee moved that the Secretary be instructed to inform the House that the Council was organized and ready to proceed to business.

Seconded and carried.

Message delivered to the House.

Mr. Bates moved that a recess of ten minutes be taken.

Seconded and carried.

Council called to order by the Chair.

Mr. Wisebart moved to adjourn till 2 P. M.

Seconded and carried.

AFTERNOON SESSION.

Council met pursuant to adjournment.

President in the Chair.

Quorum present.

Oath administered to S. N. Sanders, as Enrolling Clerk.

Mr. Bates offered the following resolution:

Resolved, That the Governor and Secretary of the Territory, and Judges of the Supreme Court, ex-Members of the Legisture, and members of the press, be invited within the bar of the Council.

Mr. Parmelee moved its adoption.

Seconded and carried.

Mr. De France moved that the House be informed that the Council has appointed a joint Committee on Rules.

Seconded and carried.

Committee from the House informed the Council that the House was now organized and ready to proceed to business.

Mr. Parmelee offered the following resolution:

Resolved, That a committee of three be appointed to act with a like committee on the part of the House, to wait upon His Excellency, the Governor, to inform him that both Houses are now organized and ready to receive any communication he may wish to make to the Legislative Assembly.

Mr. Bates moved the adoption of the resolution.

Seconded and carried.

Messrs. Parmelee, Bates, and De France, were appointed by the Chair, as committee from the Council.

The committee appointed to wait upon the Governor, made the following report:

Mr. President:

Your committee appointed to act with a committee from the House, to wait upon the Governor, would report that they have attended to that duty, and that the Governor will meet the Legislative Assembly in joint convention, at 2 o'clock P. M., to-morrow.

ED. C. PARMELEE,
A. H. DE FRANCE,
J. E. BATES,
Committee.

Mr. Stewart moved that the report of the committee be received, and the committee discharged.

Seconded and carried.

Mr. Gallup moved to adjourn until to-morrow, at 2 o'clock P. M.

Seconded and carried.

Adjourned.

WEDNESDAY, JANUARY 3, 1872—2 P. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Messrs. Bates, De France, and Gallup.

Minutes read and approved.

Messrs. Bates, De France, and Gallup appeared and took their seats.

Oath administered to Willie Loveland, as Page.

Council attended joint convention of Council and House, to receive the Governor, and hear the reading of the Governor's message.

Joint convention organized, President of Council presiding.

Mr. Hill, of the Council, moved that a committee of three be appointed to inform His Excellency, the Governor of Colorado Territory, that the two Houses of the Legislature are in joint session, and ready to receive any communication he might have to make.

Seconded and carried.

Mr. Hill, of the Council, and Webster and Gardner, of the House, were appointed such committee.

The Governor appeared and was presented to the convention.

Reading of the message by the Governor:

Fellow Citizens of the Council and House of Representatives:

Since my last message to your Legislative Body, the Territory has enjoyed a degree of peace, good order, and prosperity, unexampled in our past history. All portions of the Territory have felt the quickening influence of fresh developments and new energy; and through the mercy of a kind Providence we have escaped those calamities which have visited other portions of our common country.

It will be your high privilege during the present session, not only to preserve, by wise legislation, the standard of progress we have reached, but also to still further foster and encourage those agencies which have built up the fortunes and prosperity of our people.

IMMIGRATION.

I desire to call your attention to a recommendation embodied in my last message to the Legislature, suggesting that some provision be made for the publication and dissemination of all statistics relative to our soil, climate and productions, which may be valuable to those seeking information with a view to emigration. I am prepared now to recommend that the Legislature go still further, and immediately provide for the appointment of a Commissioner or Commissioners, whose duty it shall be to make every effort to induce immigration to the Territory, and suitably provide for the immigrants after reaching here. The plan for this organization need not be either a complicated or an expensive one, but no matter what amount of labor and expense may be involved, if the encouragement of immigration has become a necessity, that necessity must be recognized and provided for.

Now, more than ever, do we need an immigrant aid system, thoroughly organized, on such a basis as will attract to our Territory a population that will develop the resources with which nature has so bountifully endowed us; and now, more than heretofore, will it be necessary for us to make every effort to secure our proportion of the emigration seeking new homes in America; for we have earnest and intelligent competitors, not only in the States and Territories of the Northwest, but in those of the South, which, like Virginia and North Caro-

lina, have at last awakened to the necessity for making vigorous and well-directed efforts to induce immigration to their States, and are issuing such influences as they command, to secure a portion of the immigration that has heretofore been exclusively absorbed by the West.

The question of immigration, and how to dispose of the immigrant after reaching our shores, though always important, has, since the last session of your body, become a subject of deep national interest and universal discussion. At a convention held in Indianapolis last winter, in which almost every State and Territory in the Union was represented, and in which I had the honor of representing your Territory as a delegate, measures were inaugurated by which abuses connected with our present immigrant system were brought to the attention of the President and Congress of the United States; and the President has recognized the importance of affording these people additional information and protection, by calling the matter to the attention of Congress, in his recent annual message, and asking for some legislative action in their favor. Should this wise recommendation be acted upon, as it doubtless will be, the result must be a large and immediate increase in the number of immigrants seeking homes in the United States, and unless we make prompt and vigorous efforts now to induce a portion of this immigration to come to us, it will be lost forever; and should the tide once seek another channel, we may never again be able to divert it to our own. No doubt a great deal has been accomplished through the efforts of different colonization societies which have located in the Territory; their growth and prosperity have been almost miraculous, but if we wish to keep pace with the older and more populous communities around us, we must follow their example and inaugurate like systems to those which they have tested and found effective in securing additional population.

The Superintendent of Immigration of the young and vigorous State of Nebraska, informed me recently, that since the passage of a law establishing a board of Immigration Commissioners for that State, their population has increased more than fifty per cent., and was still rapidly increasing. With such energetic and determined competitors as Kansas and Nebraska, between us and the East, we will be compelled to either follow their example or see in future the greater portion of immigrants seeking homes in this part of the West, intercepted and appropriated before they reach our borders.

RAILROADS.

Since the last meeting of the Legislature, four hundred and twenty-two and a half miles of railroad, owned by five different companies, have been completed within the Territory, and are now successfully operated. I am glad to say that the construction of each one of these roads has materially added to the prosperity of the Territory.

The completion of a portion of the narrow-gauge road, and its successful operation for the last two months, has not only consummated a great public good to the people of the country through which it passes, but it has demonstrated the practicability of building a system of railways economical in construction, and peculiarly adapted to the wants of this country; a class of roads that will eventually penetrate to the hearts of all the best counties which constitute the great mineral belt, bringing their base of supplies to the very mouths of the mines, and giving to the whole of what is now a comparatively isolated section, cheap transportation and supplies. It has already annexed the fertile and productive South to the rest of the Territory; and as it is still further pushed forward by its projectors, it will secure to Colorado, against all competitors, the yearly increasing trade of New Mexico and the further Southwest.

It is certainly a source of congratulation that citizens of Colorado have been the pioneers in this novel and most successful enterprise; an enterprise which practically assures the future of all portions of our Territory, should its maturity fulfill the promise of the present.

My attention has been called to the fact that controversies have arisen between some of the county authorities and certain railway companies, in relation to taxes assessed against the lands and other property of these corporations. I hope that legislative wisdom may devise some means by which these differences may be equitably adjusted without involving either the counties or the companies in a protracted and expensive litigation.

FINANCES.

The report of the Territorial Treasurer, dated January 28, 1869, showed the indebtedness and liabilities of the Territory to be at that time over $10,000. Since then this indebtedness has been paid off, and it gratifies me to be able to state that the Territory is without debt of any character, and at this time has a surplus remaining in the Treasury of $55,104 32.

I would call your attention to the various suggestions made in the report of the Auditor and Treasurer, and also recommend that some legislation be had which will reconcile the discrepancies existing between the accounts of those two officers, which discrepancies arose in the year 1867, during the administration of one of my predecessors, and have never yet been satisfactorily adjusted. I would recommend that the Governor be authorized to make an examination at any time he may deem necessary for the good of the public service, of the books, papers, accounts, and vouchers of any of these officers.

INDIAN AFFAIRS.

Shortly after the adjournment of the last Legislature, I was relieved, at my own suggestion, from further duty as Superintendent of Indian Affairs; believing, as I did, that both the interests of the people of the Territory, the General Government, and the Indians, would be better subserved by separating the offices of Governor and Superintendent as widely as possible. Some time afterwards, in compliance with instructions received from the Secretary of the Interior, I made a report to the Commissioner of the General Land Office, dated September 9, 1871, in which his attention was called to the fact that twenty-seven million, three hundred and twenty-two thousand, one hundred and seventy and a half acres of the Territorial area was rendered useless to the Government for purposes of sale or settlement, by reason of unadjusted Mexican land grants, and the large area set aside as an Indian reservation. This reservation comprises about nineteen million, seventy-seven thousand, one hundred and twenty acres, or thirty thousand square miles, while the number of Utes who pretend to occupy it will not exceed five or six thousand. You can form a better idea of the magnitude of the public domain within this Territory, from which white settlers are excluded, when I state that it comprises an area larger than the States of Maryland, Delaware, Massachusetts and New Hampshire combined.

I think that it would not be improper to lay this matter before the President, through legislative action, in the shape of a memorial. If the first step towards the civilization of the Indian is to be instruction in those industrial and agricultural pursuits which will to some extent civilize and christianize him, and at the same time relieve the government from the burden of his support, it seems to me that the better way to accomplish this desirable end, would be to limit him to a reservation of reasonable proportions, instead of giving him so much

country to roam over that he will be encouraged to preserve his old nomadic habits, and seek subsistence by war and the chase, rather than through agricultural and pastoral pursuits. Though the numbers of the Ute Tribe are insignificant when compared with that of the other uncivilized tribes, their reservation is the largest on the continent. While they number but about one-forteith of the Indians under the jurisdiction of the United States, their reservation comprises more than one-fifth of all the lands set aside for the occupation of the different tribes, which would give to each head of a family among the Utes of Colorado, about thirty square miles, or over twenty thousand acres of land for his homestead.

During the past year we have been free from savage incursions, and the Territory has shown the effects of this unusual peace, by a large increase in wealth, population, and prosperity.

The Secretary of the Interior, in his last annual report to the President of the United States, has suggested that all the roving tribes be located upon reservations, within the limits of what is now known as the Indian Territory. Even should this eminently sound recommendation of the honorable Secretary not be adopted as the future policy of the government, I think it possible to secure a new treaty with the Utes, either greatly reducing the vast area of their present reservation, or else providing for their removal further south, and outside of the limits of the Territory, thus opening the whole of their country to white settlement.

Although not a paradise, this reservation is as fertile in soil and genial in climate as any country I have seen west of the Missouri, and once opened to the miner, I think it will prove as rich in gold, silver, coal, copper, and iron, as any other portion of the Territory.

I would again call your attention to the propriety of asking Congress to make some provisions for reimbursing those who have suffered from Indian outrages. No class of our citizens have suffered more deeply, or waited so patiently for redress.

ADJUTANT GENERAL.

I call your attention to the report of the Adjutant General, and some recommendations which he makes. Although a militia law can be found upon the pages of the statute book, it is now, and always has been, a dead letter; and I presume that so long as the Territory is sparsely populated, it will be impossible to perfect any creditable military organization. I would suggest, however, that the military fund now in the treasury, (the amount of which can be ascertained from the report of the

Auditor) and such as may be hereafter collected, be placed at the disposal of the governor, to be disbursed by him for the benefit of any volunteer companies which may hereafter organize and uniform; or be used in the event of any emergency arising, which calls for the presence of troops; the disposition made of such fund to be reported to the Legislature at each session, and accompanied by proper vouchers.

I would also call your attention to the fact that no authentic records are among the archives of the Territory, relating to the Colorado volunteers who served during the war of the rebellion. As a matter of justice to these brave men, full sets of muster rolls should be procured and filed in the office of the Adjutant General.

EDUCATION.

The school law which was passed at the last session of the Legislature has to a great extent answered the expectations of its friends. I refer you to the comprehensive report of the Superintendent of Public Instruction for a detailed statement of its practical working. One objection which has been frequently urged against emigrating to Colorado with families, has been the supposed want of sufficient educational facilities. You may gather from the report of the Territorial Superintendent that Colorado is at least as well and probably better provided in this respect than most of the Western States; and although the system has been in operation but two years, it gives such promise of permanent usefulness as has surprised its warmest advocates. Its success has so far conclusively demonstrated the fact that our people fully appreciate the benefits of a free school system. As the commissioners for some of the counties have neglected or refused to levy the school tax, as provided by law, I would recommend that an act be passed imposing a fine, or such other penalty as your body may deem necessary, upon any County Commissioners who fail to carry out the provisions of the school law to its fullest extent. I would also recommend that the law be so amended as to provide for the apportionment of the school fund in proportion to the actual attendance of scholars at the different schools, and also that the Superintendent of Public Instruction be authorized to appoint County Superintendents wherever County Commissioners fail to fill vacancies.

The commissioners appointed by the third section of "An Act to establish a school of mines," approved February 10 1870, have briefly reported to me that they have received from

the Territorial Treasury the amount appropriated by said act for the erection of a building, and that they have expended the same in the construction of a substantial edifice of brick, which has not been entirely completed for want of funds to finish the same. It is partly occupied, however, by the library, the herbarium, and cabinets of specimens in natural history, together with the philosophical apparatus of the institution. They also express a hope that I will commend the matter to the consideration of the Legislature, and suggest the propriety of a further appropriation for finishing the building and furnishing it with the proper apparatus.

I do not deem it advisable to recommend any further appropriation for this purpose, until the Commissioners may have submitted some definite plan indicating the objects they have in view, accompanied by an estimate of the amount of money possibly required to carry out these objects. Without this the Legislature might be induced to make appropriations from year to year, which may not result in any definite good to the people or the Territory.

I submit a copy of the report of these Commissioners, with the other public documents forwarded to your body.

TERRITORIAL ASSAY OFFICE.

The report of the Territorial Assayer, herewith submitted, contains no statistics whatever in relation to the mining industries of the country, but is confined simply to a statement of the business affairs of his office, and the number of assays made during the past two years. I have, however, obtained from the director of the United States assay office at Denver, statistics showing the actual amount of gold and silver bullion passed through the office since my last message to the Legislature, and also the approximate amount produced by the different mines in the Territory, and shipped through the express companies and other sources, to Europe and the East:

Amount passed through the mint	$2,124,693 25
Amount from all other sources	6,213,306 75
Total	$8,338,000 00

Which shows an increase in the mineral production of the Territory of about fifty per cent. over the years 1868-9.

Throughout the whole mining region new discoveries are being made almost daily. In many instances old mines, which had been abandoned for years, have been reopened and are now

successfully and profitably worked. New capital is coming into the country, and fresh enterprises have been projected for the smelting and reduction of our ores. The mining interests of the Territory are more prosperous than ever before; the coming year will show an increase in productiveness, much larger than the increase during any year past, and the experience of the last two years has demonstrated the fact that our mineral wealth of coal, iron, gold, silver, copper and lead, is not exceeded by that of any other State or Territory in the Union.

The development of our agricultural and other industrial interests has kept pace with the mining interests. I would suggest the propriety of offering small premiums for new classes of products, and encouraging by every means in your power the work which has been commenced and so successfully prosecuted, through the instrumentality of the Territorial Agricultural Society. While I would not recommend the appropriation of any large sums of money for this purpose, I yet believe that the future interests of the Territory would be subserved by the pursuits of a policy on the part of the Legislature which will encourage enterprising citizens to make such experiments as may result in the permanent advancement of the agricultural and mining interests of the Territory.

LIBRARY.

Previous to the appointment of the present Librarian, the public library was one of the most discreditable institutions connected with the Territorial government. It was composed, apparently, of a collection of almost everything except books. Since the present incumbent entered upon the discharge of his duties he has done much to make the library at least partially respectable. At present it comprises about two thousand two hundred volumes, composed mostly of that interesting class of literature found in patent office and law reports, congressional journals and legislative journals of the different States. The librarian has entered upon his duties in the true spirit of an officer who desires to discharge his obligations for the public good. I ask at your hands a careful consideration of the recommendations he offers, and would most earnestly recommend that an increased appropriation be made to be expended in the purchase of standard scientific and other works. It is better either to place the library upon a basis that will insure its future public usefulness, or else abandon it altogether. Unless it is the intention of the legislature to make it a permanent institution which will make it a credit alike to the intelligence

and liberality of the Territory, the present expenditure for its support had better be discontinued.

PENITENTIARY.

In compliance with the provisions of an act of congress approved January 10, 1871, and also an act of the Colorado legislature, entitled "an act relating to the penitentiary and persons convicted of crimes, and to provide therefor," approved February 11, 1870, a contract was entered into between the government of the United States, represented by Mark A. Shaffenburg, United States Marshal, on the one part, and Edward M. McCook, Governor, James B. Thompson, auditor, and Marmaduke Green, district attorney of the third judicial district, commissioners on behalf of the Territory, which provided for the maintenance and support by the United States, of all persons convicted of crime in said Territory, and sentenced to imprisonment in the penitentiary; said support to be paid for at the rate of $7 per week for each person. This was the price fixed by the attorney general of the United States in his instructions to the marshal, and no option was left the commissioners on the part of the Territory, but to enter into a contract for this sum. After this contract had been signed, I issued my proclamation directing the removal to the penitentiary of all persons sentenced to imprisonment therein for crimes against the Territory. There are now confined there twenty-one territorial prisoners. I am unable to furnish the legislature with any information as to the manner in which they are employed, their sanitary condition, or any other facts relating to them, as no report in that connection has been received by me from any source. I would recommend that hereafter the commissioners be authorized to make a thorough examination of the prison at least once a year.

I would also call your attention to the fact that a specific appropriation will be necessary for the amount already due the government of the United States for the maintenance of prisoners, and also for the amount that will become due during the next two years.

In the Appendix marked A, you will find the names of persons pardoned by me since the session of the last Legislature, and the reasons which influenced me in extending to them the executive clemency.

TERRITORIAL OFFICERS.

I would again call your attention to the fact that I regard the compensation of some of the Territorial officers as insuffi-

cient. Neither the Auditor nor the Treasurer receive a compensation at all proportionate to the responsibilities they are called upon to assume, or the labor they are compelled to perform. The fact that the Territory has been so well served by these officers, is the best argument that can be advanced in favor of their being well paid.

I would also request that some law be passed which will definitely confer upon the executive the power to remove officers of his own appointment, for any malfeasance or neglect of official duty. Although the law, as it now stands, may confer this power by implication, yet I would prefer that the intention of the Legislature should be specifically expressed.

I would also ask that the Legislature make an appropriation of a sufficient amount to enable me to employ a clerk or secretary. While Superintendent of Indian affairs, the Superintendent's clerk discharged the duties of secretary to the Governor without any additional compensation. Since then I have been compelled to employ a clerk at my own personal expense. As the amount paid by me for executive office rent, clerk hire, fuel, lights, stationery, and other contingent expenses, much more than exhausts not only the contingent fund of $1,000 per annum allowed me by the government, but the most of my official salary, I feel justified in asking the Legislature for this appropriation, more particularly as the duties a clerk would be called upon to perform are almost entirely for the benefit of the Territory, and not of the general government.

NEED OF REFORM IN LEGISLATION.

A cursory examination of very many laws in force, will convince you that much of our legislation is of a crude and ill digested character. I am fully aware that laws which have been for a considerable time in force, and attended with results that in the main have been beneficent, should not be hastily changed; and yet I think that experience has demonstrated and the public good requires, that certain alterations in what is known as the "Practice Act," should be made so that proceedings in our courts may be more simplified, expenses of litigation diminished, and the trial of controversies accelerated. It is a fact that will not be questioned, that in the matter of legal improvement we have not kept pace with Great Britain. We have all the harshness, all the technicality, all the hair-splitting of the common law, without any of the reforms that have been grafted on it within the last fifty years in the country where it originated. Is it wise for us to jealously retain all the errors that have been lopped off elsewhere, and reject all

the improvements that have been adopted by others? Notwithstanding the boast that the common law is the perfection of reason, history records the fact that a British Parliament was compelled, no less than twelve times, to interpose statutes of amendments to the "Practice Act," in order to get rid of those subtle chicaneries which crept into the proceedings of their courts of justice.

The time was when this same common law, which is the "perfection of reason," would not allow the prisoner to bring evidence against the witnesses of the crown. Under the same common law the witnesses of the prisoner were not allowed to be examined under oath, nor the prisoner on trial for his life to be heard by counsel, although if the action were civil in its nature, and the amount involved did not exceed five shillings, he could summon witnesses and employ the ablest counsel. In England, happily, one piece of cruelty and folly has given way after another.

Much money has been withheld from investment in Colorado, under the apprehension that here the law's delays were so serious as to hinder the collection of debts. The difficulties, if any exist, are not found in the collection laws, but in the practice act. If an attorney files a declaration on a promissory note and happens to omit some averment which the Court deems material, the other party is entitled to a six months' continuance. This is contrary to good reason and sound policy, and so long as these facilities for obtaining delays exist, not only in the trial of moneyed actions, but in all others, the prosperity of the Territory will be retarded. I would recommend that you pass an act providing that the Court may, at any time, in its discretion, and at any time as may be deemed proper, for the furtherance of justice, direct the name of any party to be added to or struck out of any pleading, or to correct any mistake in name, description, or legal effect; any material allegation to be inserted, struck out, or modified, so as to conform the pleadings to the facts proved, when the amendment does not substantially effect the claim or defense; and to further provide that no amendment of a pleading shall entitle a party to a continuance, unless he file an affidavit distinctly showing in what respect the party asking for the continuance has been prejudiced in his preparation for trial by the amendment. Laws to this effect obtain in almost all the States of the Union, and have been followed by the most beneficial results, and now, at a time when the bars of Pennsylvania and Kentucky, and the press of Illinois are moving in the direction of legal reform, and brushing away the cobwebs that have grown so thickly around the common law, let Colorado move

also to the front, and inaugurate and carry out those changes which will elevate in the public esteem our legal practice, and make our courts temples, where the highest considerations are not the subtle technicalities of black-letter lawyers, but the preservation and advancement of the rights of the people.

Before quitting this subject I desire to call your attention to another topic of kindred character. The present law in reference to changes of venue should be substantially amended. As it now stands it offers too many sweeping opportunities for perjury and abuse. All that is necessary for a party to do in order to obtain a change of venue, is to file an affidavit stating that he believes he cannot obtain a fair trial; he is not required to state any fact, but simply to give his naked belief, and on an affidavit of this character, the Court has no power to refuse the change. The judge may have knowledge that the affidavit is false, and that the application is made for delay, but he is powerless in the premises; he has no discretion whatever, as the statute is imperative. A person charged with crime, and not desiring to be tried, may secure postponement by swearing that he believes he cannot have a fair trial; the court is compelled to send the case to some other county or district, and in the meantime the witness may be spirited away, the public forgets the offense, the district attorney is compelled to enter a *nolle prosequi*, the prisoner is discharged, the law unvindicated, and justice made a farce and a mockery. Is it not time that this thing should be remedied? To suffer it to remain as now is to place honest men at the mercy of knaves.

THE GRAND JURY SYSTEM.

For some time back a feeling has been steadily gaining strength in this country unfriendly to a continuance of the grand jury system. The people are beginning to regard it as hostile to the spirit of our institutions, and are inquiring for a substitute, which, while it will be just as effective, will be much less expensive, and less objectionable. At present, before a person can be condemned of felony, twenty-four men must concur in pronouncing him guilty—twelve grand jurors must concur in finding a presentment—and twelve petit jurors must agree in finding its truth, before the accused can be punished. The method of the investigation, as carried on by a grand jury, is calculated to render it offensive and odious. It suggests too strongly the terrors of the Star Chamber and the Spanish Inquisition; it is secret and one-sided. The law does not permit the witnesses for the accused to be present; in fact the jurors are sworn to keep secret their own counsel and that

of their fellows, and formerly it was deemed felony for any of the grand jury to divulge the names of the persons whom they were about to present. Being armed with power co-extensive with the limits of the county, they can summon before them every citizen, and on mere suspicion, rigorously inquire into the conduct of every man. It not unfrequently happens that individuals, actuated by pique, and eager to gratify personal animosity, prefer charges before this inquest; the machinery of the law is put in motion, witnesses summoned, the investigation prosecuted, and a bill found; a trial in the district court follows, and in very many, probably a majority of cases, the defendant is acquitted. The fact, however, that a grand jury has found a bill of indictment goes far toward convincing some at least those who make the presentment, that the accused is really guilty, and this belief is based on purely *ex parte* testimony. The further fact that a person's conduct is undergoing or has undergone investigation, is well calculated to impair his credit and destroy his standing among his fellows. Notwithstanding the stringency of the oath which witnesses and grand jurors are required to take, the facts, somehow, nearly always leak out; parties are formed, and curbstone discussions as to the probable guilt or innocence of the suspected persons are diligently carried on, and you all know that discussions of this kind are, without exception, fatal to the subject of them.

Independent of these considerations, there are others; first the enormous expense. A grand jury consists generally of twenty-three members; they are entitled to as much *per diem*: add to this the cost of witnesses and attendants, and at every term of court it reaches a respectable amount. Besides, is it not a serious hardship that busy tradesmen and industrious mechanics should be taken from their avocations and detained several days at a time, upon an inquiry, which is followed generally by no useful results to the jurymen themselves, or any person else.

As a substitute for the grand jury system, I would recommend the passage of a law authorizing and empowering the district attorney in all cases of misdemeanor or minor offenses against the Territorial laws, to file in court an information predicated on the affidavit of the prosecuting witness. This would retain every result now realized by an indictment. District attorneys would thus be called upon to take a responsible part in the great judicial drama, and see justice administered in its purest and most enlightened form. Their action would be exposed to the searching scrutiny of their neighbors and the court, and a degree of care heretofore unknown, will be induced in the institution of criminal proceedings; the number of very

petty prosecutions will be decreased, and trial will be had in those cases only where conviction is almost sure to follow the presentment of an information. We will, by this act, be relieved of the burdensome expenses incident to the present system, and at the same time expedite the clearing of the criminal calendar. The legislation I would recommend is no new experiment. In Kansas, some years ago, they inaugurated this reform, and a movement in favor of its adoption is making headway in almost all the States.

In this connection I would further recommend that in all preliminary examinations had before justices of the peace in criminal cases, the justice be required to reduce the evidence of witnesses to writing, and when so taken to certify the correctness of the same, and file it with the clerk of the district court, to be used in the future trial of the case, should the witnesses die or otherwise depart the Territory.

THE DEFENDANT A WITNESS IN HIS OWN BEHALF.

Reforms are said to consist not so much in doing something new, as in undoing something old; not so much in the enactment of new laws, as in the repeal of old ones. Two years ago the Legislature, with commendable wisdom, abrogated the old common law rule which excluded parties in civil suits from testifying, and thereby allowed those who knew most about the case to impart their information to the court and jurors. The conservatism that invested this old rule with peculiar sanctity, has vanished; and public opinion, which is always quick to appreciate salutary reform, is now overwhelmingly in favor of the present practice. That the results of the change have been beneficial, is evidenced by the fact that it has greatly saved the time of the court and of parties litigant; has simplified the trial of causes; has discouraged dishonest litigation, and has promoted the development and elucidation of truth. The time has come, when, in my judgment, another forward step in the path of progress should be taken, and when the defendant in criminal cases should be endowed with the same privileges with which those in civil cases are invested. This is certainly no new doctrine. In no civilized country on the globe, save those where the English language is spoken, is a prisoner accused of crime prohibited from testifying in his own behalf. In all countries except those which boast the superior civilization of the Anglo-Saxon race, the accused is allowed to submit to the tribunal before which he stands for trial, his own version, explanation, or denial, and these are received, considered, and allowed such credit as they are entitled to.

So early as 1859, the State of Maine, ever ready to reap the just advantages of true reform, passed an act enabling the defendant in any criminal prosecution for libel, nuisance, simple assault or assault and battery, to offer himself as a witness; and in 1863 the law as to the admission of testimony was further extended, and it was enacted that "in the trial of any indictments, complaints or other proceedings against persons charged with the commission of crimes or offenses, the persons so charged shall, at his own request, and not otherwise, be deemed a competent witness, the credit to be given to his testimony being left solely to the jury, under the instruction of the court;" and Chief Justice Appleton, a man of large experience and great legal erudition, speaking of the changes effected by those enactments, says: "So far as I can judge, they are favorable to the ascertainment of truth—the great end for which judicial proceedings are instituted. I anticipate from them a greater certainty of correct decisions in criminal proceedings. The guilty will be less likely to escape, and the danger of the unjust conviction of the innocent will be diminished." This reform so happily inaugurated in the State of Maine, has met with a ready adoption in some of the other States. It is to-day the rule in Michigan, and I believe also in California and New York, and why should it not be the rule here? One of the fundamental axioms of the law is, that every man accused of crime shall be presumed innocent until his guilt is established by the judgment of his peers. With this cardinal doctrine forever flaming in our temples of justice, we still persist in an inconsistant practice as heartless and cruel as ever disgraced a savage people. If a party is innocent until adjudged guilty, why seal up his lips? Why deny to the accused the opportunity of explaining his conduct? Why brand him with the mark of infamy and proclaim that simple accusation shall work a forfeiture of all rights, and especially of that highest and most sacred right—the vindication of his character from aspersion and assault? You are ever ready and swift to hear from him a confession of guilt, or any admission that redounds to his injury; why not also be willing to hear from him an avowal of his innocence? How often has it happened, when two are jointly indicted for the same crime, that the prosecutor, finding it impossible to convict either on extraneous evidence, proposes to one that if he will confess the crime and inculpate the other, he shall go free? The love of liberty and the hope of escape are too strong, either for his friendship or his nerves; he yields to the temptation; recounts his evidence; discloses all that the public prosecutor and a jury are willing to accept as facts, and goes free, while his associate, more unfortunate,

but not more criminal, wears his life away in prison, or loses it on the scaffold. Did you ever hear of the prosecutor, or the people, advising a prosecuting witness to give testimony consistent with the innocence of himself or fellows, although in every word or detail that testimony should be true? Never! That would be an innovation on the "sacred common law" which for centuries, to the disgrace of civilization and outrage of humanity, denied to the prisoner the benefit of counsel, and which, to this day, padlocks his lips, when life, liberty, and honor, are at stake.

Is there a citizen or lawyer who can read what is known as the Old State Trials of England, without shuddering and disgust? And why? Because they are the black and dismal records of judicial despotism and legalized outrages; because they represent a period in history when the cramped, narrowed, and fettered condition of the law stripped the accused of all rights and privileges, save those of being dumb on the trial and on the scaffold. Let us have the courage to shake off these relics of a cruel and barbarous age; let us strive to conform our legislation to those high dictates of humanity which best become an enlightened and Christian people, and so act that our children, looking back upon our labors, will find but little to condemn and much to commend.

I sincerely trust that your honorable body will take early action on this subject.

I have sometimes thought that the ends of justice would be subserved if a majority of a jury should be authorized to render verdicts in civil cases. The decisions of the majority govern incorporations, legislatures, Congress, and the Supreme Court of the United States; and I have never yet heard any good reason assigned why the majority of a jury should not be permitted to make up the verdict in civil cases. Certain it is that as the law now stands, one obstinate or corrupt juror can prevent the signing of a verdict, and defeat the ends of justice. I simply call your attention to this subject, without making any special recommendation.

APPEALS FROM JUSTICES' COURTS.

I am informed by those most competent to know, that the manner of appeals from justices courts is one of the crying abuses of our judicial system. Two-thirds of all the appeals from these inferior tribunals are apparently taken for purposes of delay; the result is that the dockets of the district courts are burdened with a great number of small and unimportant cases, and parties are compelled to incur great expense in tak-

ing witnesses there to await trial. I would, therefore, most urgently recommend the passage of an act requiring those who desire to take an appeal, to file, as an indispensable preliminary to this step, an affidavit of merit; and to further swear that they have good cause of action or defense, and that the appeal is not for delay. Many of the abuses which now obtain could be corrected by the passage of a *certiorari* law; cases should then go to the district court in much the same manner as they now reach the supreme court. They would be heard on the record: the attendance of witnesses would be dispensed with, and the judge could dispose of them rapidly. The interests of suitors would, in my judgment, be greatly subserved by a measure of this kind.

Another evil greatly complained of by the courts, and which I believe requires correction, is the exemption from jury service because of membership in fire companies. The number of our "gallant firemen" has become so great that the character of our juries is said to be materially deteriorating; consequently, I would suggest, either that the law granting this exemption be repealed, or the number of firemen be limited so that a few men may be left who are really competent for jury service.

MISCELLANEOUS.

During the last session of our Legislature, fifty-one general laws, twenty-three private acts, and fourteen memorials and joint resolutions, passed that body and were approved by me. Of this number thirty-seven general laws, fifteen private acts, and nine memorials and joint resolutions, were not presented for my signature until the last night of the session. Some of the more important, such as the revenue and school laws, were only placed in my hands within a few minutes of the time fixed for adjournment; thus compelling me to approve those acts without a thorough examination, or else leave the Territory, during the next two years, without either revenue or schools.

I most respectfully submit that a mass of enrolled bills, which in print makes 176 closely printed pages, cannot be satisfactorily examined in an hour or two, even by a Territorial Governor; neither do I believe that bills hurried through during the last impatient hours of an expiring session, are always of a character to bear the close scrutiny of the people.

I hope that you, gentlemen, may be able to complete the more important part of your legislative labors some days before the time fixed by law for your adjournment.

I recommend the repeal of the first and second sections of

"An act to amend chapter twenty-two of the Revised Statutes of Colorado Territory, entitled an act concerning criminal jurisprudence." Approved February 11, 1870.

I would also recommend the passage of a law which will protect our people against further losses from irresponsible insurance companies. The amount of premiums paid insurance companies during the past year, by the people of Arapahoe county alone, reaches the sum of $139,950. I have not ascertained the amount paid by other portions of the Territory, neither can I learn what proportion of this money was paid into the treasuries of companies which have since failed, but the sum is large. Some provision can be made by which insurance companies doing business here will be required to deposit with the Territory such securities as will guarantee to our citizens the payment of any losses for which these companies may become liable in the future. This, I believe, is the law in nearly every State of the Union,

I recommend the repeal of section sixty-one of the revenue law, approved February 11, 1870, which makes taxes delinquent after the first day of January each year, and adds a penalty of twenty-five per cent. for non-payment. This penalty is excessive. In fact, all the penalties imposed by the revenue law are exceptionally severe.

I think the time for payment of taxes should be extended to the first of March. Their collection is now enforced at a period of the year when great scarcity of money prevails among all classes except the wealthiest, and during the time elapsing between the first of January and the first of March this tax money might as well be in the pockets of the people as in the vaults of the county and Territorial Treasurers. It belongs to the people, anyhow, and if suffering, or even inconvenience, is caused by forcing them to pay at this particular time of the year, I think it the duty of the Legislature to afford all the relief in their power.

The appropriation made by the last Legislature for the purpose of encouraging agriculture by artesian irrigation, has not been expended. The reasons for this are explained in the report of the board provided for by said act.

Before closing my message I desire to say a word in favor of protecting our game—birds, beasts, and fishes—all of which are being wantonly destroyed, both in and out of season; and unless some law is passed inflicting such severe penalties as will stop this useless and pitiless destruction, the buffalo, elk, deer, antelope, and trout, will soon become extinct, and Colorado be robbed of one among the many attractions she to-day possesses. I have heard persons who oppose the passage of a

game law, say that such an enactment would be useless. because the savage would slaughter the game thus protected. But this assertion is not borne out by facts; on the contrary. the Indian entirely lacks, in this one particular, the wasteful cruelty and unsportsmanlike attributes which seem to characterize the professional hunter, and the orthodox tourist.

I trust that every member of your honorable body will concur with me in the hope that the next Legislative Assembly which meets at the Capitol of Colorado may represent the people of a sovereign State; and should such be your sentiment, I recommend that it be embodied in a proper memorial, and forwarded to our territorial delegate for presentation to the Congress of the United States.

I hope your session will be a harmonious and useful one, and assure you that I will co-operate with your body in every effort to establish the present, and build up the future prosperity of the Territory.

EDWARD M. McCOOK.

APPENDIX.

John Schelper, sentenced to imprisonment for eighteen months for larceny, at November term, 1868, district court of Gilpin county. Pardoned May 24th, 1870, a few days before the expiration of his term, on petition of the sheriff and influential citizens of the county.

Jose Sylvester Raymond, sentenced at July term, 1870, of district court of Las Animas county, to one year's imprisonment for larceny. Pardoned September 1st, 1870, on representation made by the district attorney, and petition signed by more than two hundred citizens of the county.

W. H. Bennett, sentenced at December term, 1870, of district court of Weld county, to one year's imprisonment in county jail, for larceny. Pardoned April 5th, 1871, on petition of district judge, attorney, and prosecuting witnesses.

Victor Gonzales, sentenced at December term of district court of Pueblo county, to one year's imprisonment in county jail, for attempt to commit rape. Pardoned May 6th, 1871. on petition of district judge and attorney, and several hundred citizens of the county.

William Howe, sentenced at November term, 1870, of district court of Gilpin county, to one year's imprisonment for larceny. Pardoned May 29th, 1871, on petition of district judge, attorney, sheriff, foreman of grand jury, and many influential citizens of the county.

Mr. De France, of the Council, moved that the Convention adjourn *sine die*.

Seconded and carried.

Council called to order.

Mr. Bates moved that the Council adjourn till to-morrow at 10 o'clock A. M.

Seconded and carried.

Adjourned.

THURSDAY, JANUARY 4, 1872—10 A. M.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Members all present in their seats.

Quorum present.

Journal of Tuesday, the 2d, approved.

Journal of Wednesday, read, corrected, and approved.

Mr. Hill presented the report of the Committee on Rules:

Mr. President:

The committee appointed to prepare and present permanent rules for the Council, would respectfully recommend the adoption of the rules of last session, after amending section forty (40) by adding the words "and railroads," to the Committee on Incorporations, and "Stock-growing," to the Committee on Agriculture.

Respectfully submitted,
N. P. HILL,
ED. C. PARMELEE,
JAS. MARSHALL PAUL.

Mr. Wisebart moved that the report be received.

Carried.

Mr. Wisebart moved that the report be adopted.

Carried.

Mr. Parmelee offered the following resolution:

Resolved, That the time for the meeting of the Council, daily, shall be at 10 o'clock A. M. and 2 o'clock P. M., until otherwise ordered.

Mr. Stewart moved the suspension of the rules, and that the resolution be adopted.

Carried.

The President announced the Standing Committees of the Council, as follows:

Judiciary—Messrs. J. M. Paul, J. E. Bates, A. H. De France.

Finance, Ways, and Means—Messrs. N. P. Hill, J. E. Bates, Wm. C. Stover.

Education—Messrs. Francis Gallup, A. H. De France, M. W. Stewart.

Military Affairs—Messrs. E. C. Parmelee, Jose Victor Garcia, B. W. Wisebart.

Expenditures—Messrs. M. W. Stewart, Jesus Maria Garcia, Francis Gallup.

Highways and Bridges—Messrs. Jose Victor Garcia, B. W. Wisebart, J. Marshall Paul.

Corporations and Railroads—Messrs. J. E. Bates, A. H. De France, B. W. Wisebart.

Territorial Library—Messrs. B. W. Wisebart, Silverio Suasso, E. C. Parmelee.

Elections—Messrs. J. E. Bates, J. M. Paul, Jesus Maria Garcia.

Counties—Messrs. B. W. Wisebart, Jose Victor Garcia, M. W. Stewart.

Federal Relations—Messrs. J. E. Bates, E. C. Parmelee, Wm. C. Stover.

Agriculture and Stock-growing—Messrs. M. W. Stewart, W. C. Stover, J. M. Paul.

Mining Interest—Messrs. N. P. Hill, E. C. Parmelee, J. M. Paul.

Indian Affairs—Messrs. J. E. Bates, Silverio Suasso, Wm. C. Stover.

Printing—Messrs. E. C. Parmelee, Jesus Maria Garcia, B. W. Wisebart.

Penitentiary—Messrs. J. M. Paul, A. H. De France, Silverio Suasso.

Emigration—Messrs. Wm. C. Stover, Francis Gallup, N. P. Hill.

Enrolled and Engrossed Bills—Messrs. A. H. De France, E. C. Parmelee.

Mr. Parmelee offered the following resolution:

Resolved, That the several subjects contained in the message of his Excellency Governor Edward M. McCook, be referred by the President to the respective appropriate committees of the Council.

And moved the suspension of the rules and its adoption.

Carried.

Mr. Bates moved that 500 copies be printed in English and

500 in Spanish, of the Governor's message, for the use of the Council.

Carried.

Mr. Wisebart moved that the Secretary be instructed to furnish each member of the Council with a copy of the list of the Standing Committees of the Council.

Carried.

Mr. Parmelee moved that the Secretary of the Council be instructed to furnish each member of the Council one copy of any of the daily or weekly papers of the Territory.

Carried.

Mr. Stewart offered the following resolution:

Resolved, That the Secretary furnish a copy of all resolutions offered in the Council, to the interpreter.

Mr. Gallup moved a suspension of the rules and adoption of the resolution.

Carried.

Mr. Paul gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled "An act concerning changes of venue." Also, that on to-morrow or some subsequent day, he would introduce a bill entitled "An act concerning variances and amendments."

Mr. Parmelee gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act to amend chapter seventy-one (71) of the Revised States of Colorado."

Also, a bill for "An act to amend chapter sixty-one (61) and forty-eight (48) of Revised Statutes of Colorado."

Mr. Hill gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act to amend the practice act, on the subject of removing judgments from the probate court and justices' court, in Gilpin and Clear Creek counties.

Mr. J. V. Garcia gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled "An act to have the Statutes of Colorado printed in the Spanish language."

Mr. Hill moved that the Council adjourn.

Carried.

Adjourned.

AFTERNOON SESSION.

2 o'clock P. M.

Council met pursuant to adjournment.

Roll called.

Absent—Messrs. De France, J. M. Garcia, J. V. Garcia, and Paul.

Quorum present.

Mr. Hill made the following report.

Mr. President:

Your committee appointed to act with a like committee on the part of the House on joint rules, would report that they have attended to that duty, and would recommend the adoption of the joint rules of the eighth session of the Legislative Assembly, with the following additions:

Add to Rule 14, "Bills appropriating moneys for the payment of officers of the government, shall be confined to that purpose exclusively; and no law shall embrace more than one subject which shall be expressed in its title.

Rule 15, "No joint rule of the Council and House of Representatives shall be suspended, altered, or amended, without the concurrence of two-thirds of members elected to each house."

And your committee would recommend that the rules of the Council, and joint rules of the Council and House of Representatives, when printed, shall embrace a list of the Standing Committees of both houses.

N. P. HILL,
JAS. MARSHALL PAUL,
ED. C. PARMELEE,

Mr. Bates moved that the report be adopted and the committee discharged.

Carried.

The President announced that the recommendations contained in the Governor's message, were referred by him to the following committees:

That part relating to Emigration, to the Committee on Emigration.

That part relating to Finance, to the Committee on Finance, Ways and Means.

That part relating to Indians, to the Committee on Indian Affairs.

That part relating to the Adjutant General, to the Committee on Military Affairs.

That part relating to Education, to the Committee on Education.

That part relating to Territorial Assay Office, to the Committee on Mines and Mining.

The part relating to the Library, to the Committee on Territorial Library.

That part relating to the Penitentiary, to the Committee on the Penitentiary.

That part relating to Territorial Affairs, to the Committee on Finance, Ways, and Means.

That part relating to Legislative Reform, included under the several headings, "Reform in Legislation," "Grand Jury System," "The defendant a witness in his own behalf," "Appeals from Justices' Courts," to the Committee on Judiciary.

That part under the head of "Miscellaneous," to each member of the Council.

Mr. Bates offered the following report:

To the Legislative Assembly of Colorado Territory:

The undersigned would respectfully report that they were duly appointed a committee to examine the accounts of the Territorial Auditor and Treasurer, in pursuance of the provisions of chapter nine (9) Revised Statutes.

That your committee assembled at the office of the Auditor in Denver, on the 26th day of December, 1871, 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 disbursements; as they will appear in the reports of the Auditor and Treasurer, which will be laid before your honorable bodies.

Your committee have made a thorough examination of the books, papers, accounts, and vouchers, and official transactions of the Auditor and Treasurer, for the fiscal years of 1870 and 1871, and beg leave to report that they found all the accounts and vouchers presented by the Auditor, correct in every particular; and respectfully wish to commend the Auditor for the manner in which the books have been kept, and for his care in auditing claims against the Territory. We cannot find that any useless expenditure has been made, or any fraudulent or fictitious accounts allowed in the past two fiscal years.

No unlawful warrants have been paid by the Treasurer; and his books and the Auditor's agree, except in such cases as will be found in a statement below.

The Treasurer, upon commencing his duties in the year 1870. opened an entire new set of books, and each and every voucher being entered in detail, your committee have been enabled to perform their work much more readily and easily than they could have done under the old system of book-keeping in the Treasurer's office. The system adopted by the Treasurer is simple and plain.

The difference existing between the Auditor's and Treasurer's books, commenced in the year 1867, and is as follows:

TERRITORIAL TREASURER IN ACCOUNT WITH COLORADO TERRITORY.

To balance in Treasury, as per Treasurer's report		$50,897 42	
To Graham's Warrants	$3,580 74		
To Assay Office Warrants paid directly by Treas.	625 00		
To Discrepancy in acc'ts	4 16		
	$4,209 90		
Contra. By Warrant outstanding drawn on newspaper fund	3 00		
		$4,206 90	
Auditor's balance			$55,104 32

Your committee respectfully recommend that a committee from among the members of the present Legislative Assembly be appointed to adjust these differences between the accounts of the Auditor and Treasurer, and to cause the proper entries to be made in their books.

In conclusion, your committee have to congratulate the Territory upon the efficient manner in which the affairs of the Treasury Department have been conducted by the Auditor and Treasurer, during the past two years.

Respectfully submitted,
J. E. BATES,
JOHN G. RANDALL,
J. H. BATCHELLOR,
Committee.

Denver, January 4th, 1872.

Mr. De France moved that the report be received and spread upon the journal.

Carried.

Mr. De France moved that the Governor's message and all papers and reports accompanying the same, be spread upon the journal.

Carried.

The following communication from the Secretary of Colorado, was received and read:

SECRETARY'S OFFICE,
Denver, January 4, 1872.

To the Honorable, the President of the Council:

Sir: I have the honor to direct your attention, and that of the Honorable Council, to the annexed copy of instructions recently received by me from the Treasury Department of the United States, viz:

1st. "Reports of Territorial officers may be printed, if desired, by the Legislature, but the cost, including paper and binding, must be paid by the Territory. It will not be allowed in your accounts."

2d. "Hereafter the following items heretofore allowed as part of the legislative expenses, will be discontinued, to wit: newspapers and postage stamps for members and officers of the General Assembly."

The Governor's message I am authorized to publish in pamphlet, in numbers to meet the requirements of the Legislature, as also all bills, rules, regulations, etc., etc.; the only exceptions made in this class of printing being memorials, petitions, speeches, and other documents having no necessary connection with the duties of legislation.

"The Denver *Tribune* Association," of this city, has been designated by me to do the printing of the Council during the present session, and will execute promptly all work which your committee, under the proper observance of the foregoing instructions, may order.

The Secretary of the Council is hereby requested to furnish this office with a certified copy of his daily journal, *weekly*, during your session, to be printed at the expense of the United States.

Prior to the receipt of the instructions first indicated respecting the printing of the reports of Territorial officers, under the conviction that the expense of their publication would be defrayed by the General Government, I had made all suitable arrangements for their issuance in pamphlet form, in advance of the session just convened, the Auditor, Treasurer, Librarian, and School Superintendent, having furnished duplicates

for that purpose, and to the end that previous embarrassments in the way of legislation, arising from the detention of these reports in the hands of committees and printers, might be removed. While the work was being done, the supplemental orders above referred to came to hand, but I directed it to be continued to completion, under the belief that the Legislature when the facts governing said action were made known, would provide for the payment of the same.

The reports, as printed, will soon be ready for distribution, and, when received at this office, will at once be transmitted for legislative approval and consideration.

I have the honor to be,
Very Respectfully,
Your obedient servant,
FRANK HALL,
Secretary of Colorado.

Mr. Bates moved that the communication be referred to the standing Committee on printing.

Carried.

Mr. Stewart moved the adoption of the following resolution, under the suspension of the rules.

Resolved, That one hundred copies of the permanent rules of the Council, and joint rules of the Council and House, be printed in the English language, and fifty copies in the Spanish language, for the use of the Council.

Carried.

Mr. Bates gave notice that on to-morrow or some subsequent day, he would introduce a bill to change the name of the Denver Horse Railroad Company, to the "Denver City Railway Company."

Mr. Paul moved that the Council adjourn.

Carried.

Adjourned.

FRIDAY, JANUARY 5, 1872—10 A. M.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Quorum present.

Minutes of Thursday, read, corrected, and approved.

Mr. J. M. Garcia gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled "An act to

repeal section ninety-eight (98) of an act concerning the assessment and collection of revenue," approved February 11th, 1870.

Also, a bill entitled "An act to dissolve the bonds of matrimony heretofore existing between Quirino Maes and Maria B. Maes.

Mr. Gallup gave notice that on to-morrow or some subsequent day, he would present a bill for the purpose of encouraging the growth of forest, shade, and ornamental trees, in Colorado.

Also, that on to-morrow or some subsequent day, he would introduce a bill for the purpose of encouraging and promoting immigration to Colorado.

Also, that on to-morrow or some subsequent day, he would present a joint resolution for the erection of public buildings upon the capitol grounds at Denver.

Mr. Suasso gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled "An act concerning irrigation under ditches in the county of Huerfano."

Mr. Chilcott gave notice that on to-morrow or some subsequent day, he would introduce a bill to amend "An act entitled 'Venue.'"

Also, that on to-morrow or some subsequent day, he would introduce a bill to amend the law in relation to probate court.

Also, that on to-morrow or some subsequent day, he would introduce a bill for the relief of Thomas T. Tobin.

Also, that on to-morrow or some subsequent day, he would introduce a bill in relation to marks and brands.

Mr. Gallup gave notive that on to-morrow or some subsequent day, he would introduce a bill to introduce a bill dissolving the bonds of matrimony existing between Henry Stanly and Theresa Stanly.

Council Bill No. 1 was read the first time.

The following message was received from the House:

House of Representatives, January, 5, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed Concurrent Resolutions Nos. 1 and 2, in which the concurrence of your body is respectfully requested.

The resolutions are transmitted herewith.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

Council Bill No. 2 read the first time.

Council Bill No. 3, read the first time.

Mr. Paul moved that the bill read this morning, be printed.

Carried.

Mr. Gallup gave notice that on to-morrow or on some subsequent day, he would present a bill to make section forty-eight (48) of chapter eighteen (18), Revised Statutes of Colorado, applicable to certain corporations as bodies politic.

Mr. Wisebart offered Joint Resolution No. 1, of Council, by unanimous consent.

Mr. Paul moved that C. R. No. 1 be printed.

Carried.

Mr. Stewart moved that the Council adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Mr. J. V. Garcia moved a suspension of the rules to consider Concurrent Resolutoin No. 1, of the House.

Carried.

Mr. Suasso moved the adoption of the resolution.

Carried.

Mr. De France moved a suspension of the rules and adoption of the following resolution.

Resolved, That two hundred printed copies of each bill or joint resolution introduced in the Council, be procured after the first and before the second reading thereof, for the use of the House of Representatives and Council, except in cases otherwise ordered by the Council.

Carried.

Mr. Hill moved that when the Council adjourn it adjourn to meet Tuesday morning, at 10 o'clock.

Carried.

Mr. Bates gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act to amend chapter seventy (70) of the Revised Statutes of Colorado Territory, entitled 'Practice.'"

Also, that on to-morrow or some subsequent day, he would introduce a bill for the payment of David J. Martin, former

Acting Territorial Treasurer, for services as ex-officio Superintendent of Public Instruction and Territorial Librarian of Colorado Territory.

Mr. De France moved that the Council adjourn.

Carried.

Adjourned.

TUESDAY, JANUARY 9, 1872—10 A. M.

Council met pursuant to adjournment.

President in the Chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Mr. M. W. Stewart.

Journal of Friday, January 6th, read, corrected, and approved.

Mr. Stewart appeared and took his seat.

The Committee on Printing made the following report:

Mr. President:

The Committee on Printing have examined C. J. R. No. 1, and C. Bs. Nos. 1 and 2, and find the same correctly printed. In C. B. No. 3, in lines Nos. 2 and 4, the word "under" should read "undue." Otherwise it is correctly printed.

ED. C. PARMELEE,
Chairman.

Mr. Parmelee gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act to amend chapter twenty-eight (28) of the Revised Statutes of Colorado."

Mr. Wisebart gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled "A bill concerning the taxing of shares of stockholders in banking associations."

Also, "An act to amend chapter twenty-eight (28) of the Revised Statutes entitled 'Elections.'"

Also, "An act amendatory to chapter six (6) of the Revised Statutes."

Mr. J. M. Garcia gave notice that on to-morrow or some subsequent day, he would introduce a bill to locate and establish a Territorial road in Las Animas county.

Mr. Paul gave notice that on to-morrow or some subsequent

day, he would introduce a bill entitled "An act entitled an act to amend chapters six (6) and forty-eight (48) of Revised Statutes of Colorado, and so much of said chapters as relates to garnishees."

Also, that on to-morrow or some subsequent day, he would introduce a bill entitled "An act to amend chapter twenty-seven (27) of the Revised Statutes of Colorado, entitled 'Ejectments.'"

Mr. De France gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled "An act concerning Golden City, and to change the name thereof to Golden."

Also, a bill entitled "An act concerning license."

Also, a bill entitled "An act amendatory of the election laws, and to repeal the registry law."

Mr. Gallup gave notice that on to-morrow or some subsequent day, he would introduce a bill to amend chapter eighty-four (84) of the Revised Statutes of Colorado.

Mr. Bates gave notice that on to-morrow or some subsequent day, he would introduce a bill for an act amendatory to an act entitled "An act concerning justices and constables," to increase the jurisdiction of justices of the peace of Arapahoe county, Colorado Territory.

Mr. J. M. Garcia introduced C. Bs. Nos. 5 and 6.

C. Bs. Nos. 5 and 6 were read the first time.

Mr. J. M. Garcia introduce C. B. No. 7.

C. B. No. 7 was read the first time.

Mr. Hill gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled "An act to amend chapter twenty-six (26) of the Revised Statutes of Colorado Territory, relating to divorce and alimony."

Council Bills Nos. 1, 2, and 3, were read the second time, and referred to Committee of the Whole.

Council Joint Resolution No. 1 was read the second time, and referred to Committee of the Whole.

House Concurrent Resolution No. 2, read.

Mr. Parmelee moved that Concurrent Resolution No. 2, of the House, be adopted.

Carried.

Mr. Hill took the chair.

Mr. Chilcott introduced C. B. No. 8.

Mr. Chilcott introduced C. B. No. 9.

C. B. No. 8 was read the first time.

C. B. No. 9 was read the first time.

Mr. Paul moved the suspension of the rules, and that C. J. R. No. 1 be read the third time and passed.

Mr. Parmelee moved that the title of C. J. R. No. 1 be amended so as to read as follows:

"To provide for a settlement of differences between the accounts of the Territorial Auditor and Treasurer."

Carried.

The following communication from the Auditor of the Territory of Colorado, was received:

TREASURY DEPARTMENT, TERRITORY OF COLORADO,
AUDITOR'S OFFICE, Denver, Jan. 8, 1872.

Secretary of the Council Ninth Legislative Assembly of Colorado Territory:

Sir: I have the honor to transmit, herewith, for the information of the Assembly, the following documents referred to in my report of January 1st, 1872, viz:

Bills of United States Marshal for keeping Territorial prisoners, during the year 1871; communications from County Clerks relative to disposition of "Wagon Road Fund;" and deposition of F. A. Bogue, Superintendent of Construction of the Georgetown and Snake River Wagon Road.

Will you have the kindness to return the paperrs eferred to for files of my office.

Respectfully,
JAMES B. THOMPSON,
Auditor.

Mr. Parmelee moved that the communication be received and the papers laid on the table.

Carried.

Communication from the President of the Colorado Central Railroad Company.

COLORADO CENTRAL RAILROAD COMPANY,
Golden, Colorado, January 8th, 1872.

To the Honorable Council and House of Representatives of Colorado Territory:

GENTLEMEN: In behalf of the Directory of the Colorado Central Railroad Company, I have the honor to tender an invitation to the two Houses of the Territorial Legislature to take an excursion trip over the Colorado Central Railroad, to Golden City and return. Upon the acceptance of this invitation, and the day selected being notified to the Company,

we shall be pleased to place a special train at your disposition for the excursion trip.

Respectfully,
Your obedient servant,
HENRY M. TELLER,
President Col. Cent'l R. R. Co.

Mr. Parmelee moved that the communication be received and the invitation accepted.

Carried.

Mr. De France offered the following resolution and moved its adoption.

Resolved, By the Council of Colorado Territory, the House concurring.

That the invitation of the Colorado Central Railroad Company, just read, be accepted, and that Saturday, the 13th of January, 1872, at 2 o'clock, be fixed at the time for said excursion trip to commence.

Unanimous consent given and resolution adopted.

Mr. De France moved that the Committee on Printing be allowed to use discretion as to the number of copies of divorce bills that shall be printed.

Carried.

Communication from the President of the Denver Pacific Railroad read:

DENVER PACIFIC RAILWAY, PRESIDENT'S OFFICE, }
Denver, January 9th, 1872. }

Hon. G. M. Chilcott, President of the Council:

SIR: Please invite the members and officers of the honorable body over which you preside, to an excursion to the coal mines at Erie, on the Denver and Boulder Valley Railway, and to the towns of Evans and Greeley, on the Denver Pacific Railway, on Saturday next, the 13th instant. Should this invitation be accepted, a notice of the programme for the occasion will be communicated.

I have the honor to be,
Very respectfully,
Your obedient servant,
JOHN EVANS,
President D. P. R. & T. Co.

The following communication from the Secretary of the Territory was received and read:

TERRITORY OF COLORADO, SECRETARY'S OFFICE,
Denver, January 9th, 1872.

Hon. Geo. M. Chilcott, President of the Council:

SIR: I have the honor to transmit herewith, advance copies of the Governor's message and Treasurer's report, for the use of the Council. A full supply of printed messages and reports of Territorial officers, for general circulation, will be placed upon your table as soon as received from the printers—probably during the present week.

Very respectfully,
FRANK HALL,
Secretary of Colorado.

Mr. Parmelee moved that the resolution of Mr. De France concerning the communication of the President of the Colorado Central Railroad Company, be reconsidered.

Carried.

Mr. Parmelee moved that the resolution be laid upon the table.

Carried.

Mr. Bates moved that the communication from the President of the Denver Pacific Railway Company be received, and the invitation accepted.

Carried.

Mr. Parmelee moved that the printing of C. B. No. 6 be dispensed with.

Mr. Gallup gave notice that on to-morrow or some subsequent day, he would introduce a bill to amend chapter twenty-two (22) of the Revised Statutes of Colorado.

Also, that on to-morrow or some subsequent day, he would introduce a bill to "regulate the sale of poisons."

Mr. De France moved that a committee of two, from the Council, be appointed to act with a like committee from the House, to fix upon a time for the excursion tendered by the Colorado Central Railroad.

Carried.

Messrs. De France and Parmelee were appointed a committee on the part of the Council.

Mr. Paul took the chair.

First reading of C. B. No. 10.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 9th, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed by the House to inform your honorable body that a committee of three, consisting of Messrs. Bacon, Elder, and Maxwell, of the House, have been appointed to confer with a committee of the Council, to invite General R. A. Cameron, now in town, to address the two houses on the subject of immigration, in the hall of the House, this evening, at 7:30o'clock.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Paul moved that a committee of three be appointed to act in conjunction with the committee of the House upon the matter.

Carried.

Mr. Stover moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION. 2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Gallup and J. V. Garcia.

Messrs. Gallup and Garcia appeared and took their seats.

Mr. De France moved that the Council go into Committee of the Whole.

Carried.

Council went into Committee of the Whole, Mr. De France Chairman.

Report of committee:

Mr. President:

Your Committee of the Whole have had under consideration Council Bill No. 1, and report the same back to the Council with the recommendation that it do pass.

Also, Council Bill No. 2, and report the same back with the

recommendation that it be referred to the Committee on Judiciary.

Also, Council Bill No. 3, and report the same back to the Council, with the recommendation that it be referred to the Committee on Judiciary.

A. H. DE FRANCE,
Chairman.

Mr. Paul moved that the report be adopted.

Carried.

Mr. De France moved that the motion adopting the report of the Committee of the Whole, be reconsidered.

Carried.

Mr. De France moved to amend the motion to adopt the report so that the same shall read as follows:

"That so much of the report of the Committee of the Whole as relates to C. B. No. 1, be not adopted, and as much as refers to C. Bs. Nos. 2 and 3 be adopted; and that C. B. No. 1 be placed on file.

Carried.

Mr. De France moved that C. B. No. 1 be referred to a special committee, consisting of Messrs. Hill, Wisebart, and Parmelee.

Carried.

Mr. Paul moved to adjourn.

Carried.

Adjourned.

WEDNESDAY, JANUARY 10, 1872—10 o'clock A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Journal read, corrected, and approved.

Memorial from the County Commissioners of Gilpin county, Colorado, concerning grand juries, presented by Mr. Hill, read and referred to Judiciary Committee.

The Judiciary Committee made the following report:

Mr. President:

The Judiciary Committee respectfully report C. B. No. 2 and C. B. No. 3, with the recommendation that they do pass,

with this amendment: the words "or nature of the action," to be inserted after the word "defence," on the fifth line, section six, C. B. No. 2.

J. MARSHALL PAUL,
J. E. BATES,
A. H. DE FRANCE.

Mr. De France moved that the report be laid upon the table and made the special order for 2 o'clock P. M.

Carried.

Mr. Hill offered the following report:

Mr. President:

Your committee to whom was referred C. B. No. 1, have had the same under consideration, and refer the same back to the Council, with the recommendation that it do pass.

N. P. HILL,
B. W. WISEBART,
ED. C. PARMELEE.

Mr. De France moved that the report be adopted.

Carried.

Mr. Stewart gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act to contribute to the support of a school journal for Colorado Territory."

Mr. Gallup gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act entitled an act to prevent prize fights and fights among game animals."

Mr. Chilcott gave notice that on to-morrow or some subsequent day, he would introduce a bill in relation to fencing.

Also, that on to-morrow or some subsequent day, he would introduce a bill in relation to driving, herding, and rounding.

Also, that on to-morrow or some subsequent day, he would introduce a bill for "An act in relation to costs in criminal cases."

Mr. Hill gave notice that on to-morrow or some subsequent day, he would introduce a bill concerning appeals from Probate Courts to the District Court, in forcible entry and detainer cases.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, January 10, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body, that the House has accepted an invitation from the Hon. H. M. Teller, President of the Colorado Central Railroad, to make an excursion trip over said road to Golden City and return; and that a committee of two of the House, consisting of Messrs. Elder and Welch, has been appointed thereon, to confer with a like committee from the Council, to make arrangements to carry out the invitation.

And also, that the House has accepted an invitation from the Hon. John Evans, President of the Denver Pacific Railroad and Telegraph Company, to make an excursion trip over said road to the coal mines at Erie, and to the towns of Evans and Greeley, on Saturday next, the 13th inst.

Very respectfully,
JAS. G. COOPER,
Chief Clerk.

HOUSE OF REPRESENTATIVES, January 10, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed by the House to inform your honorable body that the House has passed H. B. No. 6, entitled "An act to legalize and make valid the special election held in the town of Boulder, and to authorize the President of the Board of Trustees to issue certain bonds thereunder."

The concurrence of the Council is respectfully requested.

The bill is herewith transmitted.

Very respectfully,
JAS. G. COOPER,
Chief Clerk.

House Bill No. 6, "To legalize and make valid the special election held in the town of Boulder, and to authorize the President of the Board of Trustees to issue certain bonds thereunder," read the first time.

Mr. De France moved that the rules be suspended, and H. B. No. 6 put upon the second and third reading, and passed.

Carried.

H. B. No. 6 read the second time.

H. B. No. 6 read the third time.

H. B. No. 6 passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Paul, Stewart, Suasso, Wisebart, and Mr. President—11.

Messrs. Parmelee and Stover were excused from voting.

Mr. De France moved that the title be agreed to.

Carried.

Mr. Parmelee moved that the printing of C. B. No. 14 be dispensed with.

Carried.

The following communication was received and read:

TERRITORY OF COLORADO, SECRETARY'S OFFICE,
Denver, January 10, 1872.

Hon. Geo. M. Chilcott, President of the Council:

SIR: In obedience to the instructions of Concurrent Resolution No. 1, received at this office on the 9th instant, I have the honor to transmit herewith, for the use of the Council, an installment of stamped wrappers—value, fifty dollars. Further supplies will be furnished from time to time, upon the orders of your Sergeant-at-arms, or other proper authority.

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

Mr. De France moved that but fifty copies each of C. Bs. Nos. 21 and 22. be printed.

Carried.

C. B. No. 6 read second time, and referred to Committee of the Whole.

Mr. Wisebart moved that 100 copies of C. B. No. 11; 50 copies of C. B. No. 12; 100 copies of C. B. No. 13, be ordered printed for the Council.

Carried.

Mr. Paul moved that the rules be suspended and C. B. No. 1 be put on its second and third reading, and considered engrossed.

Carried.

C. B. No. 1 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Mr. Wisebart introduced C. B. No. 11, "Concerning the taxing of shares of stockholders in banking associations."

Mr. Wisebart introduced C. B. No. 12, "An act amendatory to chapter six (6) of the Revised Statutes."

Also, C. B. No. 13, "An act to amend chapter twenty-eight (28) of the Revised Statutes entitled 'Elections.'"

Mr. Bates introduced C. B. No. 14, "An act to change the name of the Denver Horse Railroad Company."

Also, C. B. No. 15, "An act for the payment of D. J. Martin, former acting Territorial Treasurer, for services as ex-officio Superintendent of Public Instruction and Territorial Librarian of Colorado Territory.

Also, C. B. No. 16, "An act to amend chapter seventy (70) of the Revised Statutes entitled 'Practice.'"

Mr. Parmelee introduced C. B. No. 17, "An act to amend chapter twenty-eight (28) of the Revised Statutes."

Mr. Suasso introduced C. B. No. 18, "An act to regulate ditches in the county of Huerfano."

Mr. Paul introduced C. B. No. 19, "An act to amend chapter twenty-seven (27) of the Revised Statutes."

Mr. De France introduced C. B. No. 20, "An act amendatory of the election laws, and to repeal the registry law.

Also, C. B. No. 21, "An act concerning Golden City and to change the name thereof to Golden."

Also, C. B. No. 22, "An act concerning 'License.'"

Mr. Hill introduced C. B. No. 23, a bill to amend chapter twenty-six (26) of the Revised Statutes of Colorado.

Mr. Gallup introduced C. B. No. 24, "An act regulating the sale of poisons."

Also, C. B. No. 25, "A bill for an act to amend chapter eighty-four (84) of the Revised States."

Also, C. B. No. 26, "An act to amend chapter twenty-two (22) of the Revised Statutes."

C. B. No. 11 read the first time.
C. B. No. 12 read the first time.
C. B. No. 13 read the first time.
C. B. No. 14 read the first time.
C. B. No. 15 read the first time.
C. B. No. 16 read the first time.
C. B. No. 17 read the first time.
C. B. No. 18 read the first time.
C. B. No. 19 read the first time.
C. B. No. 20 read the first time.
C. B. No. 21 read the first time.
C. B. No. 22 read the first time.
C. B. No 23 read the first time.

C. B. No. 24 read the first time.
C. B. No. 25 read the first time.
C. B. No. 26 read the first time.
Mr. De France moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock P. M.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Gallup, De France and Hill.
Messrs. Gallup and De France appeared and took their seats.
The following communications were received and read:

DENVER, January 10, 1872.

Honorable George M. Chilcott, President of the Council:

SIR: Yourself and members of the Council are cordially invited to attend the Public School Concert, to be held on next Friday evening, at the Denver Theater.
Members of the Council accepting the invitation will please call at H. Hamilton's music store, on Friday morning, and secure their seats.

Most respectfully,
Board of Directors of Public Schools,
First District, East Denver,
R. G. BUCKINGHAM, Pres't,
JOHN C. ANDERSON, Treas.,
GUS. OPITZ, Secretary,

Mr. Wisebart moved that the invitation be accepted.
Carried.
Mr. De France moved that the report of the Judiciary Committee made the special order for 2 o'clock P. M., be postponed and made the special order for for to-morrow at 2 P. M.
Carried.
Council resolved itself into Committee of the Whole, on motion of Mr. Paul. Mr. Paul took the chair.
Committee of the Whole arose and made the following report:

Mr. President:

Your Committee of the Whole having had under consideration C. B. No. 14, respectfully report that it be referred back with the recommendation that it do pass.

Also, C. B. No. 6 be referred back, and committed to the Committee on Judiciary.

J. M. PAUL,
Chairman.

Mr. Paul moved that C. B. No. 14 be put upon its second and third reading, considered engrossed, and passed, under suspension of the rules.

C. B. No. 14 read second and third time.

C. B. No. 14 passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Mr. Hill absent.

Mr. Hill appeared and took his seat.

Title agreed to.

Mr. De France moved to adjourn.

Carried.

Adjourned.

THURSDAY, JANUARY 11.

Council met pursuant to adjournment.

Prayer by Chaplain.

Roll called.

Quorum present.

Absent—Mr. Bates.

Mr. Bates appeared and took his seat.

Journal read and approved.

Mr. Parmelee gave notice that on to-morrow or some subsequent day, he would introduce a "Bill for an act to amend an act entitled an act to incorporate the town of Georgetown."

Mr. Hill introduced C. B. No. 27. "An act concerning appeals from Probate Courts to District Courts, in forcible entry and detainer cases."

Mr. Stewart introduced C. B. No. 28, "An act to contribute to the support of a school journal for Colorado Territory."

Mr. Parmelee introduced C. B. No. 29, "A bill for act to amend chapters six (6) and forty-eight (48) of the Revised Statutes of Colorado Territory."

Mr. Gallup introduced C. B. No. 30, "A bill for an act to prevent prize fights and fights among game animals."

Also, Council Bill No. 31, "A bill to dissolve the bonds of matrimony between James Stanley and Theresa Stanley."

Mr. Wisebart gave notice that on to-morrow or some subsequent day, he would introduce "A bill entitled a bill for the collection of taxes in Gilpin county."

C. B. No. 27 read the first time.
C. B. No. 28 read the first time.
C. B. No. 29 read the first time.
C. B. No. 30 read the first time.
C. B. No. 31 read the first time.

The Committee on Printing made the following report:

Mr. President:

Your Committee on Printing would report C. Bs. Nos. 4, 5, 7, 9, 10, 11, 12, 15, 16, 17, and 18, correctly printed.

And C. B. No. 8 correct, except in line six, section five, the word "prayer" should read "papers."

ED. C. PARMELEE,
Chairman.

Report adopted.
C. B. No. 4 read the second time.
C. B. No. 5 read the second time.
C. B. No. 7 read the second time.
C. B. No. 8 read the second time.
C. B. No. 9 read the second time.
C. B. No. 10 read the second time.
C. B. No. 11 read the second time.
C. B. No. 12 read the second time.
C. B. No. 15 read the second time.
C. B. No. 16 read the second time.
C. B. No. 17 read the second time.
C. B. No. 18 read the second time.
All referred to Committee of the Whole.
Mr. DeFrance moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuat to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Mr. De France.

Report of Judiciary Committee special order for 2 P. M., considered.

Mr. De France took his seat.

Mr. De France moved to amend C. B. No. 2 by striking out section six (6) thereof, and number sections 7, 8, and 9, sections 6, 7, and 8, respectively.

Carried.

Mr. Paul moved that an additional section be added to C. B. No. 1, entitled "Section 9. This act shall take effect from and after its passage."

Mr. De France moved to amend by substituting the word "publication," for "passage."

Amendment carried by the following vote:

Yeas—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Stover, Suasso, and Wisebart—8.

Nays—Messrs. Bates, Hill, Paul, Stewart, and Mr. President—5.

Mr. De France moved that C. B. No. 2 be engrossed and ordered for third reading.

Carried.

The following message was received and read.

House of Representatives, January 11, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed Council Joint Resolution No. 1.

Also, H. B. No. 3, "An act to provide for the appointment of County Attorneys. The concurrence of the Council in the last named, is respectfully requested.

The said C. J. R. No. 1, and H. B. No. 3, herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Council Bill No. 3 read.

Mr. Hill moved that C. B. No. 3 be amended.

Amendment to Council Bill No. 3:

That the second section be stricken out, and the following inserted in lieu thereof:

SEC. 2. Where a party applies for change of venue on account of the prejudice of the judge, it shall be competent for the judge so challenged to set down the cause for trial, on a day fixed, not exceeding, however, ten days from the date of the application, and he may thereupon call upon one of the other judges to try said cause. Before the judge shall call upon any other judge to try such cause, he shall give to the parties or their counsel an opportunity to choose an attorney to hear said cause, and if the parties agree upon an attorney to try said cause, he shall be selected, if willing to serve.

And that the bill be further amended by adding,

SEC. 4. This act shall take effect from and after its passage.

Mr. De France moved that C. B. No. 3, together with the amendment offered, be referred to the Committee on Judiciary, and that Council Bill No. 9 be referred to the same committee with instructions to report at the earliest convenience.

On motion of Mr. Hill the Council went into Committee of the Whole on the general file, with Mr. Bates in the chair.

Committee of the Whole arose and made the following report:

Mr. President:

The Committee of the Whole make the following report:

That it has considered the following bills, and recommend the disposition of them as follows:

That C. B. No. 4 be referred to the Committee on Judiciary.

That C. B. No. 5 be referred to Committee on Finance, Ways and Means.

That C. B. No. 7 be made the special order for Monday morning next at 10½ o'clock.

That C. B. No. 8 be referred to the Committee on Judiciary.

That C. B. No. 10 be referred to a select committee, consisting of Messrs. Hill, Gallup, and De France.

That C. B. No. 11 be referred to the Committee on Finance, Ways, and Means.

That C. B. No. 12 be referred to the Committee on Judiciary.

That C. B. No. 15 be referred to the Committee on Finance, Ways, and Means.

That C. B. No. 16 be referred to the Committee on Judiciary.

That C. B. No. No. 17 be reported back to the Council, with the recommendation that it do pass.

That C. B. No. 18 be referred to the Committee on Counties.

Respectfully submitted,

J. E. BATES,

Chairman.

Mr. Paul moved that the report be adopted.
Carried.
The following report was read:

Mr. President:

Your Committee to whom was refeared C. B. 6, respectfully report, and recommend that the same be indefinately postponed.

Respectfully,
J. MARSHALL PAUL,
J. E. BATES,
Committee.

Mr. Wisebart moved that the report be adopted.
Carried.
Mr. Parmelee moved that the rules be suspended and C. B. No. 17 be considered engrossed, read the second and third times, and put upon its passage.
Carried.
The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 11, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that H. J. M. No. 1, herewith transmitted, has passed this House.
The concurrence of the Council is respectfully requested.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Bates moved that H. J. M. No. 1 be read the first time.
Carried.
Memorial read.
Mr. Parmelee moved that the rules be suspended, H. J. M. No. 1 be read the second and third time, and put upon its final passage.
Carried by the following vote:
Yeas—Messrs. Bates, Gallup, Hill, Parmelee, Paul, Stewart, Stover, and Mr. President—8.
Nays—Messrs. De France, J. M. Garcia, Suasso, and Wisebart—4.
Mr. J. V. Garcia excused.
Mr. Paul moved that H. J. M. No. 1 be considered read the econd time.

Mr. De France moved that H. J. M. No. 1 be considered read the third time.

Mr. Stover moved that H. J. M. No. 1 be referred to Committee on Territories.

Lost by the following vote:

Yeas—Messrs. De France, J. M. Garcia, Stover, Suasso, and Wisebart—5.

Nays—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Paul, Stewart, and Mr. President—8.

H. J. M. No. 1 was then passed by the following vote:

Yeas—Messrs. Bates, Gallup, Parmelee, Paul, Stewart, and Mr. President—6.

Nays—Messrs. De France, J. M. Garcia, Stover, Suasso, and Wisebart—5.

Messrs. J. V. Garcia and Hill excused.

The title was agreed to.

C. B. No. 17 read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Wisebart, and Mr. President—9.

Nays—Messrs. De France, J. M. Garcia, Stover, and Suasso—4.

Title agreed to.

Mr. Bates moved to adjourn.

Carried.

Adjourned.

FRIDAY, JANUARY 12, 1872—10 o'clock A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Messrs. Wisebart and Stover, after consideration, asked that their votes on the passage of H. J. M. No. 1 be changed from no to yea.

Unanimous consent given.

The Committee on Printing reported as follows:

Mr. President:

Your Committee on Printing have examined C. Bs. Nos. 13, 19, 20, 21, and 22, and find the same correctly printed.

ED. C. PARMELEE,
Chairman.

Mr. Bates moved that the report be adopted.

Carried.

Mr. De France moved that the rules be suspended, and that the following resolution be adopted:

Resolved, That it is the sense of this body that under the joint rules adopted by both houses of the Legislature, a standing committee of two from each house should be appointed to act as a Committee on Enrollment, and that the same dispenses with the necessity of a separate Council Committee on Enrollment.

Adopted.

Messrs. Stewart and Stover were appointed the committee on the part of the Council.

Mr. De France gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act concerning actions on bonds, bills, notes, and other instruments in writing."

Also, for "An act concerning married women."

Also, for "An act concerning joint contracts."

Mr. Wisebart gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act entitled an act to amend an act entitled an act to incorporate the city of Central."

Mr. Parmelee introduced C. B. No. 32, "An act entitled an act to amend an act incorporating the town of Georgetown."

House Bill No. 3 read the first time.

C. B. No. 32 read the first time.

C. B. No. 13 read the second time.

C. B. No. 19 read the second time.

C. B. No. 20 read the second time.

C. B. No. 21 read the second time.

And all referred to Committee of the Whole.

By unanimous consent Mr. Bates introduced C. B. No. 33, "An act concerning justices and constables, and to increase the jurisdiction of justices of the peace in the county of Arapahoe."

C. B. No. 33 read the first time.

The following report was read:

Mr. President:

Your Committee on Engrossment would respectfully report, that they have examined Council Bill No. 2, and find the same correctly engrossed.

A. H. De FRANCE,
Chairman.

C. B. No. 2, on motion of Mr. Hill, by unanimous consent, was read the third time and put upon its passage by the following vote:

Yeas—Messrs. Bates, De France, J. M. Garcia, J. V. Garcia, Hill, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—17.

Nays—Messrs. Gallup and Parmelee—2.

Title was agreed to.

Mr. De France introduced C. B. No. 34, "An act concerning actions on bonds, bills, notes, and other instruments in writing."

Also, C. B. No. 35, "An act concerning married women."

Also, C. B. No. 36, "An act concerning joint contracts."

C. B. No. 34 read the first time.

C. B. No. 35 read the first time.

C. B. No. 36 read the first time.

Mr. Bates moved that the Council take a recess of fifteen minutes.

Carried.

Council called to order.

Mr Parmelee moved the Secretary be instructed to return to the House H. B. No. 3, with the request that the same be properly engrossed.

Carried.

Committee on Finance reported as follows:

Mr. President:

Your Committee on Finance, to whom was referred C. B. No. 15, have had the same under consideration, and report the same back to the Council, with the recommendation that it do pass.

N. P. HILL,
J. E. BATES,
W. C. STOVER,
Committee.

Mr. De France moved the adoption of the report.

Carried.

Mr. De France moved that C. B. No. 15 be engrossed preparatory to the third reading.

Carried.

Mr. Garcia moved that the Council adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Mr. Parmelee.
The Judiciary Committee reported as follows:

Mr. President:

Your committee to whom was referred C. B. No. 16, respectfully report, with the recommendation that it do pass, with these amendments: That an additional section be added to said bill, entitled section three, which shall be as follows: "In any case where the plaintiff has produced his evidence and rests his case, the court may, on application of the defendant, if of the opinion that the evidence produced will not support a verdict, non-suit the plaintiff; but such non-suit shall not be a bar to another action."

That section 3, so numbered in the bill shall be designated as section 4.

J. MARSHALL PAUL,
J. E. BATES,
A. H. DE FRANCE.
Committee.

Mr. De France moved a suspension of the rules and that the report be adopted.
Carried.
Mr. De France moved a suspension of the rules and that C. B. No. 16 be engrossed and put upon its third reading.
Carried.
Mr. De France moved that C. B. No. 21 be taken from the general file and referred back to the introducer as a committee of one.
Carried.
Mr. Parmelee appeared and took his seat.
The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 12th, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that

H. B. No. 10, entitled a bill for "An act to amend chapter eighty-eight (88) of the Revised Statutes of Colorado,

Also, H. B. No. 11, entitled "An act to amend chapter fifty (50) of the Revised Statutes of Colorado, have passed the House.

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Very respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Paul gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled "An act to secure liens to mechanics and others and to repeal all other acts in relation thereto."

Mr. Gallup gave notice that on to-morrow or some subsequent day, he would introduce "An act to prevent cruelty to animals."

Also, "An act to amend section one (1) of article two (2) of chapter eighteen (18) of the Revised Statutes of Colorado."

Mr. Hill in the chair.

Mr. Chilcott introduced C. B. No. 37, "An act relating to costs in criminal cases."

Mr. Gallup moved that the rules be suspended, and that C. B. No. 26 be withdrawn from the general file.

Carried.

The Committee on Printing made the following report:

Mr. President:

Your Committee on Printing would report that they have examined C. Bs. Nos. 23, 25, 26, 27, 28, 29, and 31, and find them correctly printed.

In C. B. No. 24 the word "such" is left out of printed bill, between the words "every" and "offence," in line seventeen (17) of section two (2).

In C. B. No. 30, the title of the bill has been added in the printed copy. Otherwise they are correct.

ED. C. PARMELEE,
Chairman.

The report was adopted.

The Committee on Counties reported as follows:

Mr. President:

Your Committee on Counties, to whom was referred C. B. No. 18, respectfully report that they have had the said bill under advisement, and respectfully return it to the Council with the recommendation that it do pass.

B. W. WISEBART,
Chairman.

Mr. De France moved the suspension of the rules, and that C. B. No. 18 be engrossed and put to its third reading.

Carried.

Mr. De France moved that the Council resolve itself into the Committee of the Whole.

Carried.

The committee arose and made the following report:

Mr. President:

Your Committee of the Whole would respectfully report that it has had under consideration the following bills, and would recommend that they be disposed of as follows:

That C. B. No. 13 be referred to the Committee on Elections.

That C. B. No. 19 be referred to the Judiciary Committee.

That C. B. No. 20 be referred to the Committee on Elections.

That C. B. No. 22 be referred to the Committee on Finance, Ways, and Means.

Respectfully,
M. W. STEWART,
Chairman.

The report of the committee was adopted.

Mr. De France moved that the rules be suspended and the report adopted.

Carried.

Special committee reported:

Mr. President:

Your special committee to whom was referred C. B. No. 26, beg leave to report that they have had the same under consideration, and have made the following amendments:

Change section two (2) of the original bill to read "section three (3)," and amend by a new section numbered two (2), which is herewith transmitted.

F. GALLUP,
Chairman.

Mr. Paul moved that the report be accepted.

Carried.

Mr. Gallup asked the unanimous consent of the Council to introduce C. Bs. Nos. 38 and 39, and that they be read the first time.

Carried.

C. B. 38 was introduced by Mr. Gallup, a bill for "An act to amend section one (1) of article two (2) of chapter eighteen (18) of the Revised Statutes of Colorado, entitled 'Corporations.'"

C. B. No. 39 was introduced by Mr. Gallup, a bill for "An act to prevent cruelty to animals."

C. B. No. 38 read the first time.

C. B. No. 39 read the first time.

Mr. Paul moved that the rules be suspended, and that C. B. No. 37 be read the first time.

Carried.

C. B. No. 37 read the first time.

Mr. Stewart moved that the Council adjourn until Monday next at 10 A. M.

Carried.

Adjourned.

MONDAY, JANUARY 15, 1872—10 A. M.

Council met pursuant to adjournment.

President in the Chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Mr. De France.

Journal read and approved.

A memorial concerning immigration was presented by the President and referred to Committee on Immigration.

Mr. Wisebart introduced C. B. No. 41, "An act to enable the Commissioners of the County of Gilpin to levy a special tax."

House Bill No. 10, a bill for "An act to amend chapter eighty-eight (88) of the Revised Statutes of Colorado Territory," read the first time.

H. B. No. 11, "An act to amend chapter fifty (50) of the Revised Statutes of Colorado Territory," read the first time.

C. B. No. 41 read the first time.

C. B. No. 23 read the second time.

C. B. No. 24 read the second time.

C. B. No. 25 read the second time.
C. B. No. 27 read the second time.
C. B. No. 28 read the second time.
C. B. No. 29 read the second time.
C. B. No. 30 read the second time.
C. B. No. 31 read the second time.
And all referred to Committee of the Whole.
Mr. Hill in the chair.

C. B. No. 42 was introduced by Mr. Chilcott, under suspension of the rules, "An act to regulate the branding, herding, and care of stock."

C. B. No. 42 read the first time.

Mr. Stewart moved that 500 copies of C. B. No. 42 be ordered printed for the use of the Council.

Mr. Wisebart called for the reading of the bill.

Reading interrupted by special order for 10:30, to consider C. B. No. 7.

Mr. J. M. Garcia moved the following amendments:

Amend in section one (1), first line, by striking out the words "eight thousand dollars," and inserting the words "six thousand dollars."

In section two (2), line five (5), strike out "two hundred." and insert the words "three hundred."

In section three (3), line one (1), strike out the words "one hundred and fifty," and insert the words "three hundred."

Mr. Parmelee moved that the amendment be amended by adding,

And striking out the word "eight," in line eight (8) of section four (4), and inserting the word "six," and that the whole amendment be considered by divisions.

Carried.

Mr. Wisebart moved that C. B. No. 7 be referred to a special committee, consisting of Messrs. Hill, Parmelee, and J. V. Garcia.

Carried.

Reading of C. B. No. 42 continued.

Mr. Stewart moved that 500 copies of C. B. No. 42 be printed for the use of the Council.

Carried.

Mr. Gallup moved that the rules be suspended, that C. Bs. Nos. 24 and 25 be considered engrossed, read the third time, and put on their passage.

Carried.

C. B. No. 24 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia.

Hill, Paul, Stewart, Suasso, Wisebart, and Mr. President—10.
Nays—Messrs. Parmelee and Stover—2.
Title agreed to.
C. B. No. 25 read the third time.
Mr. Hill moved that C. B. No. 25 be re-referred to Committee of the Whole, and made the special order for 2:30 P. M.
Carried.
Mr. De France appeared and took his seat.
Mr. De France reported the following:

Mr. President:

Your Committee on Engrossment respectfully report C. B. No. 15 correctly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. Paul moved that C. B. No. 15 be read the third time, and put upon its passage under a suspension of the rules.
Mr. Wisebart moved that it be made the special order for to-morrow at 2 P. M.
Carried.
Mr. Wisebart moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION. 2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Mr. Hill.
Mr. Hill appeared and took his seat.
Special order for 2:30 P. M. to consider C. B. No. 25 in Committee of the Whole.
On motion of Mr. Hill the Council resolved itself into Committee of the Whole.
Mr. Bates in the Chair.
The Committee arose and made the following report:

Mr President:

Your Committee of the Whole, have had under consideration C. B. No. 25, which was made the special order, respect-

fully recommend that it be referred to a special committee consisting of Messrs. Gallup and De France.

Respectfully,

J. E. BATES,

Chairman.

Mr. Wisebart moved the suspension of the rules, and that the report of the committee be adopted.

Lost by the following vote:

Yeas—Messrs. Bates, J. V. Garcia, Hill, Parmelee, Paul, Suasso, Wisebart, and Mr. President—8.

Nays—Messrs. De France, Gallup, J. M. Garcia, Stewart, and Stover—5.

Mr. Stewart moved that C. B. No. 25 be referred to a select committee of one—Mr. Gallup.

Carried.

Mr. Wisebart moved that the Council resolve itself into the Committee of the Whole on general file.

Carried.

Mr. Wisebart in the chair.

The committee arose and made the following report:

Mr. President:

Your Committee of the Whole have had under consideration the following bills, and recommend as follows:

That C. B. No. 23 be referred to the Committee on Judiciary.

That C. B. No. 27 be referred to the Committee on Judiciary.

That C. B. No. 28 be referred to the Committee on Education.

That C. B. No. 29 be referred to the Committee on Judiciary.

That C. B. No. 30 be referred back to the Council, with the recommendation that it do pass.

That C. B. No. 31 be referred back to the Council, with the recommendation that it be indefinitely posptoned.

Respectfully,

B. W. WISEBART,

Chairman.

Mr. De France moved a suspension of the rules, and that the report be adopted.

Carried.

Mr. Gallup moved that the rules be suspended, that C. B. No. 30 be considered engrossed. read the third time, and put on its passage.

Carried.

C. B. No. 30 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Bates read the following report:

Mr. President:

Your committee to whom was referred C. B. No. 13, beg leave to report that they have had the same under consideration, and return the same to the Council with the recommendation that it do pass.

J. E. BATES,
J. MARSHALL PAUL,
JESUS MARIA GARCIA,
Committee.

Mr. Wisebart moved that the rules be suspended, and the report adopted.

Carried.

Mr. Wisebart moved that the rules be suspended, and that C. B. No. 13 be considered engrossed, read the third time, and put upon its passage.

Carried.

C. B. No. 13 read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. De France moved that the motion passed by the Council on the 12th instant, returning H. B. No. 3 to the House requesting that it be properly engrossed, be reconsidered.

Lost.

Mr. Paul moved to adjourn.

Carried.

Adjourned.

TUESDAY, JANUARY 16, 1872.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.
Journal read and approved.
Mr. DeFrance read the following report.:

Mr. President:

Your Committee on Engrossed Bills to whom was referred C. B. No. 17 & 18 respectfully report the same properly engrossed.

A. H. DE FRANCE,
Chairman.

Report of a committee on enrolled bills.

Mr. President:

Your Joint Committee on Enrolled Bills report that they have examined Council Joint Resolution No. 1 and find the same correctly enrolled, and that the same was placed in the hands of His Excellency, the Governor of Colorado Territory, on Monday the 15th instant at the hour of 4 o'clock P. M., and now awaits his signature.

M. W. STEWART,
Chairman.

Judiciary Committee report.

Mr. President:

Your committee beg leave to report that they have had C. Bs. Nos. 4, 8, 12, and 19 under consideration and recommend that Nos. 4, 8, and 19 do pass, and No. 12 be indefinitely postponed.

JAS. MARSHAL PAUL,
J. E. BATES.
A. H. DE FRANCE.
Committee.

Printing Committee report:

Mr. President:

Your Committee on Printing would report C. Bs. Nos. 32, 33, 34, 35, 36, 37, 38, 39, and 40, correctly printed.
The Bills are herewith submitted.

ED. C. PARMELEE.
For Committee.

Your Committee on Printing would report C. B. No. 41 correctly printed, except in line six (6) the word "special" should be "separate."

Herewith submitted.

ED. C. PARMELEE,
Chairman.

Finance Committee report:

Mr. President:

Your Committee on Finance to whom was referred C B. Nos. 22, respectfully report the same back with the recommendation that it do pass.

N. P. HILL,
J. E. BATES,
W. L. STOVER,
Committee.

Mr. De France moved a suspension of the Rules and that the report be adopted.

Carried.

Mr. De France read report of Special Committee on C B. No. 21 as follows:

Mr. President:

Your Committee to whom was referred C. B. No. 21, respectfully report the same back to the Council with the recommendation that section three (3) thereof be amended so as to read as follows, to wit:

Sec. 3. Any one of the four blocks or parcels of land on said public square may be used by said town as a site for a public school house for such town, or may at the option of the board of trustees of said town, be conveyed in the manner provided by section three (3) of article one (1) of chapter eighty-four, of the Revised Statutes of Colorado to the school district in which such town may be situated to be used and occupied by said school district as a site for a public school house, for such district, and such block or parcel of said public square, shall be designated and selected for such purpose by the said board of trustees, within three (3) months after the passage of this act.

Any other one of said blocks may be used and occupied by the said County of Jefferson as a site for a court house, and jail for such County.

And that sections four, (4,) five, (5,) and seven, (7,) of said

bill be stricken out and section six (6) be numbered section four (4.)

With these amendments your committee would recommend the passage of said bill.

A. H. De FRANCE,
Chairman.

Mr. Wisebart offered the following resolutions:

Whereas, On the thirteenth day of January, 1872, the Legislature of Colorado were invited to and did participate in one of the pleasantest excursions ever had in the West.

And whereas, To the Hon. John Evans and the management of the Denver Pacific Railway, are we indebted for the pleasure of said excursion.

Therefore be it

Resolved, That the thanks of the Council are eminently due and hereby tendered to the Hon. John Evans, and through him to the management of the Denver Pacific Railway Co., for the unequaled magnificence and liberality with which we were entertained on that occasion.

And be it further

Resolved, That our thanks are also tendered to the citizens of Greeley for their charming hospitality received during our brief sojourn in their beautiful town.

Mr. Parmelee moved the adoption of the resolution.

Carried.

Mr. De France introduced by unanimous consent C. B. No. 44.

An act concerning costs in criminal examinations before Justices of the Peace.

Mr. Stover gave notice that on to-morrow or some subsequent day he would introduce a bill to amend section fifty-seven (57) and sections sixty-one (61) and sixty-three, (63) chapter forty-eight (48) of the Revised Statutes relating to an act to provide for Homesteads in Colorado Territory.

Mr. Chilcott gave notice that on to-morrow or some subsequent day, he would introduce a bill in relation to County boundaries.

C. B. No. 44 read the first time.
C. B. No. 10 read the second time.
C. B. No. 11 read the second time.
C. B. No. 32 read the second time.
C. B. No. 33 read the second time.
C. B. No. 34 read the second time.
C. B. No. 35 read the second time.
C. B. No. 36 read the second time.

C. B. No. 37 read the second time.
C. B. No. 38 read the second time.
C. B. No. 39 read the second time.
C. B. No. 40 read the second time.
C. B. No. 41 read the second time.
And referred to Committee of the Whole.
C. B. No. 16 read the third time.
And passed by the following vote:
Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.
The title was agreed to.
C. B. No. 18 was read the third time and passed by the following vote:
Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President—13.
The title was agreed to.
Mr. De France moved a suspension of the rules and that C. B. No. 22 be ordered engrossed.
Carried.
Mr. Bates moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
Roll called.
Quorum present.
President in the chair.
Absent—Messrs. Hill, Gallup, Wisebart, and Bates.
Special order for 2 P. M., C. B. No. 15.
C. B. No. 15 read.
Messrs. Hill, Gallup, Wisebart, and Bates appeared and took their seats.
The following messages from the House were received and read.

HOUSE OF REPRESENTATIVES, January 16, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that

C. B. No. 14 has passed the House, also C. B. No. 17, with certain amendments endorsed thereon; viz: by striking out section two (2) and changing section three (3) to section two (2) have passed this House, and have also passed the following House Bills, viz:

H. B. No. 7, a bill for an "Act to provide for the recording of patents," and H. B. No. 14, a bill for an "Act to provide for the keeping and feeding of prisoners." The concurrence of the Council is respectfully requested in these bills last spoken of.

Bills herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

House of Representatives, January 16, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that H. B. No. 3 is herewith returned correctly engrossed.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Wisebart moved that special order for 2 P. M., to consider C. B. No. 15 be postponed until to-morrow 2.15 P. M.

Carried.

Mr. Stewart in the chair.

Mr. Gallup made the following report:

Mr. President:

Your special committee to whom was referred C. B. No. 25, begs leave to return said bill with the following as a substitute.

All of which is respectfully submitted.

F. GALLUP,
Committee.

Report received.

The following message from the Governor was read:

Territory of Colorado, Executive Department,
Denver, January 16, 1872.

Hon. Geo. M. Chilcott, President of the Council:

Sir: I have the honor to inform you that I have this day

approved and signed Council Joint Resolution No. 1, certified to have originated in the Council of the Territory of Colorado.

I have the honor to be,

Your very obedient servant,

EDWARD M. McCOOK,

Governor.

By unanimous consent of the Council, Mr. Bates gave the following notice and introduced the following bills:

That on to-morrow or some subsequent day he would introduce a bill for an "Act to amend chapter eighteen (18) of the Revised Statutes of Colorado Territory:"

Also a bill for an "Act to enable the City of Denver to organize and maintain school districts within the corporate limits of said city:"

Also a bill for an "Act to reduce the law incorporating the City of Denver, and the several acts amendatory thereof into one act, and to amend the same.

Mr. Bates introduced C. B. No. 45, a bill for an "Act to amend chapter eighteen (18) of the Revised Statutes of Colorado Territory:"

Also C. B. No. 46, a bill for an "Act to enable the City of Denver to organize and maintain school districts within the corporate limits of said city:"

Also C. B. No. 47, a bill for an "Act entitled an act to amend an act to reduce the law incorporating the City of Denver and the several acts amendatory thereof, into one act, and to amend the same."

Mr. Hill offered the report of special committee to consider C. B. No. 10.

Mr. De France presented a report of the Committee on Engrossed Bills, as follows:

Mr. President:

Your Committee on Engrossed Bills, respectfully report C. Bs. Nos. 21 and 22 correctly engrossed.

A. H. DE FRANCE,

Chairman.

Mr. De France moved a suspension of the rules, and that C. B. No. 21 be read the third time, and put upon its passage.

Carried.

C. B. No. 21 read the third time, and passed by the following vote:

Yeas—Messrs. De France, Gallup, J. M. Garcia, J. V. Gar-

cia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Title agreed to.

Mr. Bates, by unanimous consent, offered C. J. R. No. 2. "In the matter of the reception of the Grand Duke Alexis," and it was read the first time.

Mr. Hill moved that the rules be suspended, the resolution adopted, considered engrossed, read the second and third time, and put upon its passage.

Carried.

C. J. R. No. 2 read the second time.

C. J. R. No. 2 read the third time, and was passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Nays—Mr. De France—1.

Title agreed to.

Mr. De France moved that C. B. No. 10 report be adopted, amendments agreed to, rules suspended, and bill engrossed for third reading.

Carried.

Mr. President:

The special committee to whom was referred Council Bill No. 10, respectfully report it back to the Council with the following amendments, and recommend that, with these amendments, it do pass.

That after the words "suppression of fires," in the fourth (4th) line of section one (1), the words "or for milling or manufacturing purposes," be inserted, and that sections two (2) and three (3) be stricken out, and the following inserted in their place.

Sec. 2. That any incorporated town or city shall have the power and authority to grant the right of way to such corporations or bodies politic, over such portions of any street, alley, avenue, or public property, as may be necessary for the construction of a canal, or ditch, or for laying water pipes by such corporations or bodies politic.

Sec. 3. Nothing in this act contained shall be so construed as to authorize the taking and condemnation of any street, alley, or other public way, or of any park or public square, or of any part or portion thereof, situated in such town or city, without the consent of the legal authorities of such town or city, nor shall any such street, alley, public way, park, or public

square, or any part thereof, be so taken and condemned by any incorporated company without such consent.

SEC. 4. This act shall take effect and be in force from and after its passage.

N. P. HILL,
Chairman.

Mr. Bates moved that the Council resolve itself into Committee of the Whole on general file.

Carried.

Mr. Gallup in the chair.

Committee arose and made the following report:

Mr. President:

The Committee of the Whole having had under consideration the following bills, do recommend:

That H. B. No. 10 be referred to the Committee on Judiciary:

That H. B. No. 11 be referred to the Committee on Judiciary:

That C. B. No. 32 be referred to the Committee on Corporations:

That C. B. No. 33 be referred to the Committee on Judiciary:

That C. B. No. 34 be referred to the Committee on Judiciary:

That C. B. No. 35 be referred to the Committee on Judiciary:

That C. B. No. 36 be referred to the Committee on Judiciary:

That C. B. No. 37 be referred back to the Council with the recommendation that it do pass:

That C. B. No. 38 be referred to the Committee on Incorporations and Railroads:

That C. B. No. 39 be referred to the Committee on Finance, Ways, and Means:

That C. B. No. 40 be referred to the Judiciary Committee:

That C. B. No. 41 be referred to the Committee on Finance, Ways, and Means.

Respectfully,
FRANCIS GALLUP,
Chairman.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, January, 16, 1872

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that H. B. No. 17, "An act concerning the prosecution of misdemean-

ors and crimes not capital or infamous:"

Also, H. B. No. 20, "An act legalizing a certain act of N. H. Gage, as a justice of the peace:"

Also, H. B. No. 21, "An act to legalize the appointment of David Parlan as probate judge of Boulder county, by the county commissioners of said county:"

Have passed the House.

The concurrence of the Council is respectfully requested.

The bills are herewith transmitted.

Very respectfully,
JAS. G. COOPER,
Chief Clerk.

HOUSE OF REPRESENTATIVES, January 16, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that C. J. R. No. 2 has passed this House.

The same is herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Committee on the part of the House—Messrs. Elder, Welch, Givens, and Randolph.

The President appointed Messrs. Bates, Hill, and Stewart, a committee to act with the House committee, under C. J. R. No. 2.

Mr. Stewart moved to adjourn.

Carried.

Adjourned.

WEDNESDAY, JANUARY 17, 1872—10 A. M.

Council met pursuant to adjournment.

President in the Chair.

Prayer by the Chaplain.

Roll called.

Absent—Mr. Bates.

The following report was read:

Mr. President:

Your Committee on Printing would report C. B. No. 42

correctly printed. Bills herewith transmitted.

The report of the Judiciary Committee was adopted, except as to C. B. No. 12.

Mr. De France moved that C. B. No. 12 be re-referred to the Committee on Judiciary.

Carried.

The following report of special committee read:

Mr. President:

Your special committee to whom was referred Council Bill No. 7, beg leave to report that they have carefully examined the said bill, and respectfully offer the following as a substitute, with a recommendation that it do pass.

N. P. HILL,
ED. C. PARMELEE,
JOSE VICTOR GARCIA,
Committee.

Mr. Paul moved a suspension of the rules, and that the report be adopted.

Mr. Paul moved the adoption of the report of Gallup, a committee of one to consider C. B. No. 25.

Carried.

Mr. Hill, by unanimous consent, no previous notice having been given, introduced C. B. No. 48, a bill for "An act concerning foreclosures of mortgages:"

Also, C. B. No. 51, a bill for "An act concerning the practice of law."

Mr. Stover introduced C. B. No. 50, "An act to amend an act entitled an act to provide for homesteads in Colorado."

Mr. Wisebart introduced C. B. No. 49, "An act relating to the competency of the accused as a witness in criminal cases."

H. B. No. 7 read the first time.
H. B. No. 14 read the first time.
H. B. No. 17 read the first time.
H. B. No. 20 read the first time.
H. B. No. 21 read the first time.
C. B. No. 45 read the first time.
C. B. No. 46 read the first time.
C. B. No. 47 read the first time.
C. B. No. 48 read the first time.
C. B. No. 49 read the first time.
C. B. No. 50 read the first time.
C. B. No. 51 read the first time.
H. B. No. 3 read the second time.

C. B. No. 42 read the second time.

And all referred to Committee of the Whole.

Mr. De France moved that Substitute Bills Nos. 7 and 25 be now read the second time, and ordered printed.

Carried.

Messrs. J. V. Garcia and Suasso spoke in favor of C. B. No. 7.

C. B. No. 22 read the third time, and passed by the following vote:

Yeas—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Title agreed to.

Mr. Paul moved that C. B. No. 37 be recommitted to Committee on Judiciary.

Carried.

Mr. Parmelee moved that the Council concur with the House to C. B. No. 17, striking out section two (2), and changing section three (3), to section two (2).

Carried.

Mr. De France moved that the Council adjourn.

Carried.

Adjourned.

AFTERNOON SESSION. 2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Mr. Bates.

Printing Committee reports:

Mr. President:

Your Committee on Printing would report C. Bs. Nos. 43, and 44 correctly printed.

The bills herewith transmitted.

ED. C. PARMELEE,
Chairman.

Mr. President:

Your Committee on Engrossed Bills, respectfully report C. B. No. 10 correctly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. Paul moved a suspension of the rules, and that C. B. No. 10 be read the third time and put upon its passage.

Carried.

C. B. No. 10 read the third time and passed by the following vote:

Yeas—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Title agreed to.

Mr. Wisebart moved that the special order for 2:15 P. M. be postponed until to-morrow at 2:15 P. M.

Carried.

The following message was received from the House:

House of Representatives, January 17, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that H. B. No. 28, "An act to suthorize the district court to allow fees to counsel assigned to prisoners, in certain cases," has passed this House.

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Hill reported on C. B. No. 5.

Mr. De France moved a suspension of the rules, adoption of the report, that C. B. No. 5 be read the first time, and ordered engrossed.

Carried.

Mr. Stover presented the report of Committee on Immigration:

That C. M. No. 1, and bill accompanying, was delivered without recommendation.

Memorial and bill read.

On motion of Mr. Hill, the rules were suspended, report received, and the memorial and bill laid upon the table.

Mr. Hill moved to adjourn.

Carried.

Adjourned.

THURSDAY, JANUARY 18, 1872.

Council met pursuant to adjournment.
President in the chair.
Prayer by Chaplain.
Roll called.
Quorum present.
Absent—Mr. Bates.
The following reports were read:

Mr. President:

Your Committee on Engrossed Bills report C. Bs. Nos. 4 and 5 properly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. President:

Your Joint Committee on Enrollment report that they have examined C. J. R. No. 2 and found the same correctly enrolled and placed the same in the hands of His Excellency, the Governor of Colorado Territory, at the hour of 12 M. on Wednesday the 17th day of January, 1872.

M. W. STEWART,
Chairman.

Mr. Bates appeared and took his seat.

Mr. Stover gave the following notice:

That on to-morrow or some subsequent day, he would introduce a bill to amend the county lines of Larimer and Weld counties.

Mr. De France gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act entitled an act concerning the probate court of Jefferson county.

Also, a bill for "An act concerning revenue and the collection thereof."

H. B. No. 28 read the first time.
C. B. No. 42 read the second time.
C. B. No. 43 read the second time.
C. B. No. 44 read the second time.
H. B. No. 3 read the second time.
H. B. No. 7 read the second time.
H. B. No. 14 read the second time.
H. B. No. 17 read the second time.
H. B. No. 20 read the second time.

H. B. No. 21 read the second time.

And all referred to Committee of the Whole.

Mr. De France moved a suspension of the rules, and that H. B. No. 21 be read the third time, and put upon its passage.

Carried.

H. B. No. 21 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President—13.

Title agreed to.

C. B. No. 4 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 8 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

By unanimous consent, Mr. Bates made the following report:

Mr. President:

Your Committee on Corporations, to whom was referred C. B. No. 32, would report that they have examined said bill, and report it back to the Council with the recommendation that it do pass.

J. E. BATES,
A. H. DE FRANCE,
B. W. WISEBART,
Committee.

Mr. Parmelee moved a suspension of the rules, and adoption of the report.

Carried.

Mr. Parmelee moved that C. B. No. 32 be ordered engrossed preparatory to the third reading.

Carried.

By unanimous consent Mr. Bates offered the following report:

Mr. President:

Your Committee on Corporations, to whom was referred C. B. No. 38, would report that they have examined said bill, and report it back to the Council, with the recommendation that it do pass.

J. E. BATES,
A. H. DE FRANCE,
B. W. WISEBART,
Committee.

Mr. Wisebart moved a suspension of the rules, and adoption of the report.

Carried.

On motion of Mr. Bates the Council resolved itself into the Committee of the Whole.

Mr. Parmelee in the chair.

The Committee arose and made the following report:

Mr. President:

Your Committee of the Whole would report that they have had under consideration:

H. B. No. 3, "An act to provide for the appointment of county attorneys," and recommend that it be referred to the Committee on Judiciary:

Also, H. B. No. 7, "A bill to provide for the recording of patents," and recommend that it be referred to a special committee consisting of Messrs. Parmelee, Hill, and Paul:

Also, H. B. No. 14, a bill for "An act to provide for the keeping and feeding of prisoners," and recommend that it be referred to Committee on Finance, Ways, and Means:

H. B. No. 17, "An act concerning the prosecution of misdemeanors, and crimes not capital or infamous," and recommend that it be referred to a special committee, consisting of Messrs. Wisebart, Hill and Parmelee:

H. B. No. 20, "An act to legalize the acts of N. H. Gage, as justice of the peace," and recommend that it be referred back with the recommendation that it do pass:

C. B. No. 42, regulating the branding, herding, and care of stock, and recommend that it be referred to Committee on Agriculture and Stock:

C. B. No. 43, "A bill to amend an act to incorporate the City of Central," and recommend that it do pass.

C. B. No. 44, "An act concerning costs in criminal examinations before justices of the peace," and recommend that it do pass.

ED. C. PARMELEE,
Chairman.

Mr. Bates moved the suspension of the rules and adoption of the report.

Carried.

Mr. De France moved the suspension of the rules, and that C. B. No. 44 be considered engrossed, read the third time, and put upon its passage.

Carried.

C. B. No. 44 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Wisebart, and Mr. President—12.

Absent—Mr. Suasso.

Title agreed to.

Mr. Paul moved the suspension of the rules, and that H. B. No. 20 be considered engrossed, read the third time, and put upon its passage.

Carried.

H. B. No. 20 read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Wisebart, and Mr. President—11.

Not voting—Messrs. J. V. Garcia and Suasso.

Title agreed to.

Mr. Parmelee moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Bates, Gallup, Paul, Hill, Stewart, and Stover.

Messrs. Bates, Paul, and Gallup, appeared and took their seats.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, January 18th, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that this House has passed C. B. No. 1, amended as follows:

The words "counties of Gilpin and Clear Creek," in sections one (1) and nine (9), stricken out, and the words "county of Gilpin," inserted in lieu thereof.

The concurrence of the Council is respectfully requested.

Also, the House has passed Council Bills Nos. 16, 18, and 21.

Also, amended the title of C. B. No. 30, by striking out the words "and fights among game animals." Also amended bill by striking out section one (1), and inserting the following in lieu thereof:

"SEC. 1. Any person who shall promote or engage in any prize fight, shall be liable to arrest and prosecution, and upon conviction thereof shall be punished by confinement in the penitentiary or county jail, for a term of not less than ten days nor exceeding one year; or by fine not exceeding one thousand dollars; or by both such fine and imprisonment."

Also, amend section two (2) by striking out the words "and the fights among fowls or animals," in lines fourteen (14) and fifteen (15), of said section.

Also, by striking out section three (3) and substituting section four (4) in lieu thereof; section four (4) to be numbered "section three (3)."

See engrossed amendments, appended to bill.

The concurrence of the Council is respectfully requested.

Also, the House has passed H. B. No. 19, entitled "An act supplemental to an act entitled an act to incorporate the Holladay Overland Mail and Express Company," Approved February 5th, 1866.

Also, the House has passed H. B. No. 25, a bill for "An act concerning school bonds."

The concurrence of the Council is respectfully requested.

The five Council Bills, as also the two House Bills, are transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Parmelee moved that the Council concur in the House amendments to C. B. No. 1.

Carried.

Mr. Wisebart moved that the House amendments to C. B. No. 30 be concurred in.

Lost.

Special order for 2:15 P. M. taken up.

Mr. Paul moved that C. B. No. 15 be read the third time and put upon its final passage.

Messrs. Stewart and Stover appeared and took their seats.

On motion of Mr. Parmelee, and by unanimous consent of the Council, the words "by an oversight," in the first (1st) line of the preamble, were stricken out.

Also, the words "Superintendent of Public Instruction," in the seventh (7th) line of section one (1), were stricken out, and the word "Treasurer" inserted in their stead.

Mr. Wisebart moved to recommit the bill to the Committee on Finance, Ways, and Means.

Lost.

The question recurring on the motion of Mr. Paul, that the bill be read the third time and put upon its final passage, was carried.

C. B. No. 15 was read the third time as amended, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stewart, Stover, and Suasso—10.

Nays—Mr. Wisebart and Mr. President—2.

Absent—Mr. Hill—1.

On motion of Mr. Parmelee the title was amended by striking out the words "Superintendent of Public Instruction, and."

Title agreed to as amended.

On motion of Mr. Bates the Council adjourned until 10 o'clock to-morrow morning.

FRIDAY, JANUARY 19, 1872.

Council met pursuant to adjournment.

President in the chair.

Prayer by Chaplain.

Roll called.

Quorum present.

Journal read and approved.

Reports of Committees.

Mr. President:

Your Committee on Printing would report that they have examined C. B. Nos. 45, 46, 47, 49, and 50, and substitute for C. B. No. 7, and find the same correctly printed.

Also substitute for C. B. No. 25, and find that the word "reside," in printed bill at end of line three (3), section two (2) should read "revised."

The bills are herewith submitted.

ED. C. PARMELEE,
For Committee.

Mr. Stewart made the following report:

Mr. President:

Your Joint Committee on enrollment report that they have examined Council Bills Nos. 14, and 17. and find the same correctly enrolled, and placed the same in the hands of His Excellency the Governor of Colorado Territory, on Wednesday January 17th, 1872, at the hour of 5 P. M., and they now await his signature.

M. W. STEWART,
For Committee.

Mr. Hill offered report of Finance Committee on C. B. No. 41.

H. B. No. 19 read the first time.
H. B. No. 25 read the first time.
H. B. No. 28 read the second time.
C. B. substitute No. 7 read the second time.
C. B. substitute No. 25 read the second time.
C. B. No. 45 read the second time.
C. B. No. 46 read the second time.
C. B. No. 47 read the second time.
C. B. No. 49 read the second time.
C. B. No. 50 read the second time.
And referred to Committee of Whole.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, January 18th, 1872.

To the Honorable, the President of the Council:

I am instructed to inform your honorable body that the House has passed C. B. No. 2, transmitted herewith:

Also H. B. No. 1 entitled "An act to provide for the appointment of sheep inspectors:"

Also H. B. No. 38, entitled "A bill for an act to exempt irrigating ditches from taxation:"

Also H. B. No. 39, entitled "A bill for an act to repeal sec

tion sixteen (16), chapter fifty-five (55) of the Revised Statutes of Colorado.

The concurrence of the Council is requested.

The one Council Bill and three House Bills transmitted herewith.

JAS. G. COOPER,
Chief Clerk.

Mr. Hill in the chair.

C. B. No. 38 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, Stover, Suasso, and Wisebart—10.

Absent—Mr. President, DeFrance, and Paul.

Title agreed to.

C. B. No. 43 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, Stover, and Wisebart—9.
dent—4.

Absent—Mr. President, De France, Paul, and Suasso.

Title agreed to.

Mr. Bates in the chair.

On motion of Mr. Hill the Council resolved itself into Committe of the Whole.

Mr. Bates in the chair.

The committee arose and made the following report:

Mr. President:

Your Committee of the Whole having had under consideration the following bills, do recommend that substitute for C. B. No. 7 be reported back to the Council with the recommendation that it be amended as follows, and that with said amendments it do pass.

Strike out section six (6) and insert the following:

SEC 6. That the sum of three thousand and twenty (3,020) dollars remaining in the Spanish Printing fund as reported by the Auditor and Treasurer of the Territory, and if the same shall not be sufficient, the additional sum of two thousand (2,000) dollars, or so much thereof as shall be necessary to carry into effect the provisions of the foregoing sections, are hereby appropriated for such purpose.

Also in line two (2) of section five (5), strike out the words "twenty-five" and insert "fifty," and in line three (3) of the same section, strike out the word "seventy-five" and insert "fifty."

That C. B. No. 50 be referred to the Committee on Judiciary.

That C. B. No. 49 be referred to the Committee on Judiciary.

That C. B. No. 47 be referred to the Committee on Education.

That C. B. No. 46 be referred to the Committee on Education.

That C. B. No. 45 be referred to the Committee on Judiciary.

That H. B. No. 28 be reported back with the recommendation that it do pass.

Respectfully,
J. E. BATES,
Chairman.

On motion of Mr. Gallup the report was adopted.

Carried.

By unanimous consent Mr. Gallup gave the following notice:

That he would on to-morrow or some subsequent day, present a bill for "An act entitled an act to authorize the board of County Commissioners of Arapahoe County to borrow money to build a county jail."

Mr. Wisebart moved that substitute for C. B. No. 7 be ordered engrossed and made the special order for 3 o'clock P. M.

Carried.

Mr. Parmelee moved to adjourn.

Carried.

AFTERNOON SESSION—2 P. M.

Council met pursuant to adjournment.

Mr. Hill in the chair.

Roll called.

Quorum present.

Absent—De France, Paul, Gallup, and Mr. President.

Mr. Gallup appeared and took his seat.

Mr. Parmelee moved that the rules be suspended and that C. B. No. 41 be considered engrossed, read first, second, and third times and put on its passage.

Carried.

C. B. No. 41 read the first time.

C. B. No. 41 read the second time.

C. B. No. 41 read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, Stover, Suasso, and Wisebart—10.

Absent—Messrs. De France, Paul, and Mr. President.

Title was agreed to.

Mr. Wisebart moved that H. B. No. 28 be read the third time and put upon its passage.

Carried.

H. B. No. 28 read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, Stover, Suasso, and Wisebart—10.

Absent—Messrs. Paul, De France, and Mr. President.

Title was agreed to.

Mr. Gallup offered the report of the Committee on Education.

Mr. Bates moved that the Council take a recess of twenty-five minutes.

Carried.

Council called to order at three P. M.

The Committee on Engrossment made the following report:

Mr. President.

Your Committee on Engrossment would report that they have examined substitute for C. B. No. 5, "An act concerning Territorial Revenue;" also, substitute for C. B. No. 7, "An act providing for the publication of the Laws of the Territory of Colorado, in the Spanish language, and find them correctly engrossed."

The bills are herewith submitted.

ED. C. PARMELEE,
For Committee.

Special order for 3 P. M., substitute for C. B. No. 7.

J. M. Garcia moved that substitute for C. B. No. 7 be read the third time and put upon its passage.

Carried.

Substitute for C. B. No. 7 read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, Stover, Suasso, and Wisebart—10.

Title was agreed to.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, January 19, 1872.

Hon. G. M. Chilcott, President of the Council of Colorado Territory:

SIR: I have the honor to inform you that on the 18th of January, I approved and signed Council Joint Resolution No. 2; also, that I have this day approved and signed:

C. B. No. 17, "An act to amend chapter twenty-eight (28) of the Revised Statutes of Colorado:"

C. B. No. 14, "An act to change the name of the Denver Horse Railway Company."

All of which are certified to have originated in the Legislative Council.

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

Mr. Wisebart moved a suspension of the rules, and that special committee report on H. B. No. 17 be read.

Carried.

Mr. Bates moved a suspension of the rules, and adoption of the report.

Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 19, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House declines to recede from its action on the proposed amendments to C. B. No. 30, and has appointed a committee of three, consisting of Messrs. Elder, Randolph, and Cooper, to confer with a committee from the Council thereon.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The bill has been referred to the Committee on Conference.

Mr. Gallup moved that a committee of three (3) be appointed to confer with the House Committee on H. B. No. 30.

Carried.

Messrs. Gallup, Wisebart, and Stover were appointed committee.

Mr. Wisebart moved that the rules be suspended, and that

the amendments to H. B. No. 17 be adopted. Bill read third time and put upon its passage.

Amendments adopted by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hilll, Parmelee, Stewart, Stover, Suasso, and Wisebart—10.

H. B. No. 17 read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, Stover, Suasso, and Wisebart—10.

Title agreed to.

Mr. Wisebart moved a suspension of the rules, and that H. B. No. 19 be read the second and third times and put upon its passage.

Carried.

H. B. No. 19 read the second time.

H. B. No. 19 read the third time.

Mr. Wisebart moved that H. B. No. 19 be referred to Committee on Incorporations and Railroads.

Carried.

Mr. Stewart moved to adjourn.

Carried.

SATURDAY, January 20, 1872—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Mr. Hill.

Journal read and approved.

Mr. Paul presented a petition from the citizens of Saguache county against a fence law.

Mr. Parmelee presented the report of the Committee on Printing:

Mr. President:

Your Committee on Printing would report that they have examined C. B. No. 48, "An act concerning the foreclosure of mortgages," and find that in line one (1), section seven (7), the second word should read "incumbrancers," instead of incumbrances:

Also, C. B. No. 51, "An act concerning the practice of law," and find in line six (6) section eight (8), the seventh and four-

teenth words in said line should read "any" instead of "A." Bills herewith transmitted.

ED. C. PARMELEE,
For Committee.

Mr. De France presented a report of the Committee on Engrossed Bills:

Mr. President:

Your Committee on Engrossed Bills respectfully report C. B. No. 19 correctly engrossed.

A. H. DE FRANCE,
Chairman.

J. M. Garcia gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act to change the name of George W. Martin to George W. Dillett."

By unanimous consent, the report of the Committee on Education, amending C. B. No. 28 was read.

Mr. Parmelee moved that C. B. No. 28 be recommitted to Committee on Education.

Carried.

H. B. No. 1 read the first time.

H. B. No. 25 read the second time.

Mr. De France moved that H. B. No. 25 be referred to Committee on Education.

Carried.

C. B. No. 5 read the third time.

Mr. J. M. Garcia moved that C. B. No. 5 be made the special order for 2:30 P. M.

Carried.

Mr. Paul, by unanimous consent, recorded his vote on the passage of C. B. No. 7, as "yea."

Mr. Bates, by unanimous consent, presented the following notice of "A bill to amend an act entitled an act to reduce the law incorporating the city of Denver, and the several acts amendatory thereof, into one act, and to amend the same." Approved February 10th, 1865, and introduced the same as C. B. No. 52.

On motion of Mr. Bates, the rules were suspended, and C. B. No. 52 was read the first time.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, January 19, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that

H. B. No. 42, entitled "An act to regulate the sale of poisons," has passed the House.

The concurrence of the Council is respectfully requested.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

HOUSE OF REPRESENTATIVES, January, 19, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the following resolution has been adopted by this House.

Resolved, That the following be added to the standing rules of the House, and that the Council be notified of the passage of the rule, and requested to adopt it:

"No bill amending the Revised Statutes or laws of Colorado Territory, by striking out and inserting less than an entire section shall be considered."

The concurrence of the Council is respectfully requested.

Very respectfully,

JAS. G. COOPER,

Chief Clerk.

Mr. Gallup moved a suspension of the rules, and that the report of the Judiciary Committee be adopted.

Carried.

Report read, as follows:

Mr. President:

Your committee to whom were referred C. Bs. Nos. 33, 34, and H. B No. 11, recommend their passage, with the following amendments:

The words, "or on any book account," to be added after the word "money," in line two (2), of section one (1), C. B. No. 34, printed title, and that H. B. No. 11, section thirty-eight (38) chapter fifty (50), shall read as follows: "Appeals from judgments of justices of the peace to the district court shall be granted in all cases except on judgment confessed, provided the party praying the appeal, shall, within twenty days from the rendering of the judgment from which he desires to take an appeal, enter into bond, with security to be approved and conditioned as hereinafter provided, and pay the costs of granting the appeal, only.

J. MARSHALL PAUL,

J. E. BATES,

A. H. DE FRANCE,

Committee.

Mr. Paul moved that C. B. No. 34 be ordered engrossed for the third reading.

Carried.

Mr. De France moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Mr. Hill.

Report of Committee:

Mr. President:

Your Committee on Corporations and Railroads beg leave to report that they have had under consideration H. B. No. 19, and report the same back with the recommendation that it do pass.

J. E. BATES,
A. H. DE FRANCE,
B. W. WISEBART,
Committee.

Mr. Wisebart moved the suspension of the rules and adoption of the report.

Carried.

Mr. Wisebart moved the suspension of the rules, and that H. B. No. 5 be read the third time and passed.

Carried.

H. B. No. 5 read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Absent—Mr. Hill.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 20, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that C.

B. No. 44 has passed this House:

Also, that further consideration of C. B. No. 22 has respectfully been indefinitely postponed by the House.

Bills transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Special order for 2:30 P. M., S. C. B. No. 5.

Substitute for C. B. No. 5 read the third time.

On motion of Mr. De France, substitute for C. B. No. 5 was referred to Committee on Finance, Ways, and Means.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 20, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that H. B. No. 37, "An act to authorize the county commissioners of El Paso county to levy a special tax of two (2) mills on the dollar, for the purpose of building a jail in said county," has passed the House.

The concurrence of the Council is respectfully requested.

Bills herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. De France moved a suspension of the rules, and that C. B. No. 5 be taken from the general file and referred to a special committee of one—Mr. Gallup.

Carried.

Mr. Wisebart moved to adjourn.

Carried.

Adjourned.

MONDAY, JANUARY 22, 1872—10 A. M.

Council met pursuant to adjournment.

President in the Chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Mr. Gallup.

Journal read, corrected, and approved.
Mr. Stewart read the following report:

Mr. President:

Your committee to whom was referred C. B. No. 42, report that they have had the same under advisement, and recommend that it be considered in Committee of the Whole House.

M. W. STEWART,
Chairman.

Mr. Stewart moved the adoption of the report.
Carried.
Mr. DeFrance presented the following report.:

Mr. President:

Your Committee on Engrossment would report that they have examined C. B. No. 32, "An act to amend an act entitled an act to incorporate the town of Georgetown:
Also, C. B. No. 34, "An act concerning actions on bonds, bills, and other instruments in writing," and find the same correctly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. Bates offered the report of committee appointed under C. J. R. No. 1.
Report read.

To the Honorable Legislative Assembly of Colorado Territory:

Your committee appointed under Council Joint Resolution No. 1, approved January 16, 1872, to adjust the differences between the accounts of the Auditor and Treasurer of Colorado Territory, and to complete a settlement commenced December 26, 1871, beg leave to make the following report, to wit:
They have directed the Treasurer to credit the assay office fund, and charge the general fund, with the sum of six hundred and twenty-five (625) dollars, being the amount of warrants paid by him in the year 1870, but accounted for in the Auditor's report of 1869. The Treasurer, in opening his new set of books, had taken the Auditor's balances as correct, instead of the Treasurer's; so that, upon payment of said warrants in 1870, it made a difference between the books of

the present Auditor and Treasurer, of six hundred and twenty-five (625) dollars. This amount credited upon the Treasurer's books will make the Auditor and Treasurer agree on the assay fund account. Your committee have further directed the Auditor to credit the Treasurer with the sum of thirty-five hundred and eighty dollars and seventy-four cents ($3,580.74), being the amount paid on the issue of what is known as the "Graham warrants," issued in the year 1867; and they have also directed the Auditor to charge the general revenue fund with the sum of one dollar and sixteen cents ($1.16), difference of balance existing between the Auditor and Treasurer during the years 1868 and 1869. We have also to report that we have cancelled the warrants issued by the Treasurer during the past fiscal years of 1870 and 1871; we have also caused a copy of this settlement, together with a copy of our report of January 4th, 1872, to be entered in the books of the Auditor and Treasurer.

Respectfully submitted.

JOSEPH E. BATES,
Member of the Council;
JOHN G. RANDALL,
Member of the House of Representatives;
J. H. BATCHELLOR,
Member of the House of Representatives;
Committee.

DENVER, Colorado Territory, January 20th, 1872.

Mr. De France introduced C. B. No. 53, "An act concerning revenue."

Mr. Wisebart, by unanimous consent of the Council, gave notice and introduced C. B. No. 54, "An act granting certain powers to county commissioners in regard to railroad bonds."

Mr. Gallup introduced C. B. No. 55, "An act to encourage the growth of forest trees."

Also, C. B. No. 66, a bill for "An act to authorize the board of county commissioners of Arapahoe county to borrow money to build a county jail."

Mr. Parmelee gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act entitled an act concerning judgments and liens."

H. B. No. 37 read the first time.
H. B. No. 38 read the first time.
H. B. No. 39 read the first time.
H. B. No. 42 read the first time.
C. B. No. 53 read the first time.
C. B. No. 54 read the first time.

C. B. No. 55 read the first time.
C. B. No. 56 read the first time.
H. B. No. 1 read the first time.
C. B. No. 48 read the first time.
C. B. No. 51 read the first time.
And all referred to Committee of the Whole.
C. B. No. 11 read the third time.
On motion of Mr. Paul, H. B. No. 11 was committed to Committee on Judiciary.
C. B. No. 19 read the third time.
C. B. No. 32 read the third time.
C. B. No. 34 read the third time.
C. B. No. 19 was passed by the following vote:
Yeas—Messrs. Bates, De France, J. M. Garcia, J. V. Garcia. Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.
Nays—Mr. Gallup—1.
Title agreed to.
C. B. No. 32 was passed by the following vote:
Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia. J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, and Wisebart—12.
Nays—Mr. President—1.
The title was agreed to.
C. B. No. 34 was passed by the following vote:
Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Paul, Stewart, Stover, Suasso, and Wisebart—11.
Nays—Mr. Parmelee and Mr. President—2.
Title agreed to.
Mr. De France offered the following report:

Mr. President:

Your committee appointed to confer with a like committee from the House, and report a day suitable and convenient to make the excursion trip to Golden City and vicinity, so cordially extended by the Colorado Central Railroad Company to the members of both houses, would respectfully report Saturday, the 3rd day of February, 1872, as such day; the excursion to leave Denver at 9½ sharp.

A. H. DE FRANCE,
ED. C. PARMELEE,
Committee.

Report adopted by unanimous consent.

Mr. Gallup offered the following report:

Mr. President:

Your special committee to whom was referred substitute for Council Bill No. 25, having had the same under consideration, would refer the same back to the Council, with the recommendation that it do pass, with the following amendment:

Strike out of the first (1st) line, in section four (4), of printed bill, the words, "chapter twelve," and insert "article twelve (12) of chapter eighty-four (84)."

Also, strike out of same section, line five (5), the following words: "Inhabitants of cities and towns upon the public lands," and insert the words "The citizens of towns upon the lands of the United States, under certain circumstances."

Also, strike out of said section four (4), line six (6), after the date 1844, the word "also," and insert "or of the act of Congress entitled an act for the relief of the inhabitants of cities and towns upon the public lands;" approved:

Also, after the word "and," in section four (4), line six (6), insert the following "of the act of."

All of which is respectfully submitted.

F. GALLUP,
Committee.

On motion of Mr. De France, the rules were suspended, the report adopted, and the bill ordered engrossed for the third reading.

Mr. Stewart moved that the Council resolve itself into Committee of the Whole.

Carried.

Mr. Hill in the chair.

The committee arose.

Mr. Paul moved that when the Council adjourn, it adjourn till 10 A. M. to-morrow.

Carried.

Mr. Stewart, by unanimous consent, presented C. J. M. No. 1, relating to Spanish land grants; and it was read the first time.

Mr. Wisebart moved the suspension of the rules, and that the report of the Committee of the Whole be adopted.

Carried.

Mr. President:

Your Committee of the Whole having had under considera-

tion the following bills, do recommend:

That C. B. No. 51 be referred to the Committee on Judiciary.

That C. B. No. 42 be amended as follows:

Strike out section five (5), and insert the following, to wit:

"No stallion, nor any Texan or Mexican bull, nor any inferior bull, ram, or boar, shall be permitted to run at large, except in the counties of Huerfano, Las Animas, Costilla, and Conejos. The owner or person having the same in charge, may be fined for each offense not less than fifty (50) dollars, nor more than two hundred (200) dollars; and it shall be lawful to castrate any such animal found running at large; provided, that if any person shall castrate such animal or animals, and it shall, on proper evidence before any competent court in said county, be proven to the satisfaction of said court that said animal was not of inferior stock, said party shall be liable for damages to the amount of triple the value of said animal so castrated, and costs of suit."

Strike out sections six (6) and seven (7).

Strike out section ten (10), and insert the following, to wit:

"Animals such as are usually branded, shall be branded on either side with the owner's brand. All county brands shall be recorded in the county where the owners reside. No evidence of ownership by brands shall be permitted in any court in this Territory, unless the brand shall have been recorded as provided in this act. There shall also be a Territorial brand for each county in this Territory, as follows: For the county of Arapahoe the letter A; for the county of Weld, the letter W; for the county of Larimer, the letter L; for the county of Boulder, the letter B; for the county of Jefferson, the letter J; for the county of Gilpin, the letter G; for the county of Clear Creek, the letter C; for the county of Summit, the letter S; for the county of Lake, the letter O; for the county of Park, the letter P; for the county of Saguache, the letter N; for the county of Conejos, the letter U; for the county of Costilla, the letter T; for the county of Huerfano, the letter H; for the county of Las Animas, the letter M; for the county of Pueblo, the letter I; for the county of Fremont, the letter F; for the county of Bent, the letter R; for the county of Greenwood, the letter K; for the county of Douglas, the letter D; for the county of El Paso, the letter E; which brand shall be placed on the shoulder of the same side upon which is placed the owner's brand; provided that nothing in this section shall be so construed as to require the branding of thoroughbred stock, or horses, or cattle, not running at large."

Strike out section eleven (11), and insert the following:

Sec. 11. Any person desiring to use any brand, shall make

and sign a certificate setting forth a fac simile and description of the brand which he desires to use, and shall file the same for record in the office of the county clerk of the county wherein he resides, who shall record the same in a book to be kept by him for that purpose, and from and after the filing of such certificate, the person filing the same, shall, within such county, have the exclusive right to use such brand for the purpose aforesaid.

Strike out section thirteen (13), and insert the following:

SEC. 13. Animals affected with contagious diseases shall be removed by the owner, or person in charge thereof, to some secure inclosure, or they shall be herded ten miles away from any farm, or other herd of cattle or sheep. Every person who shall wilfully neglect or refuse to remove diseased stock, or herd them away from any farm or other herd of cattle, shall be liable for treble the damages sustained by any person whose animals become infected by such contagious disease.

Strike out section fifteen (15) and insert the following:

SEC. 15. When the stock of any person in Colorado shall be driven off its range, against his will, by the drovers of any drove, and the same shall be found among such drove, every person engaged as drovers shall be liable to indictment as for larceny, and may be fined in any sum not exceeding one thousand dollars, and shall be liable for damages to the amount of two hundred (200) dollars for each head so driven off, together with all costs accruing on the trial of said cause, and said herd or stock shall be held liable for the same, or a sufficient number to cover all damages and costs.

Strike out section eighteen (18) and insert the following:

SEC. 18. The said probate judges shall have power, on ample notice given, to order that cattle be gathered together, or rounded-up, at such times and places as shall be convenient and desirable to the stock-owners within the county, and under such rules and regulations as the said judge shall provide, and under his care and supervision; provided that said round-ups shall not occur oftener than twice in each year.

And that with the amendments it do pass; and that it be ordered engrossed as amended, for the third reading.

That H. B. No. 1 be referred to Committee on Agriculture and Stock-growing.

That C. B. No. 38 be referred to the Committee on Judiciary.

Respectfully,

N. P. HILL,
Chairman.

Mr. Batas moved to adjourn.

Carried.

Adjourned.

TUESDAY, JANUARY 23,—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Journal read, corrected and approved.
Mr. Parmelee made the following report:

Mr. President:

Your Committee on Printing have examined C. B. No. 52 and find the same correctly printed.
Herewith submitted.

ED. C. PARMELEE,
For Committee.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, January 22, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that substitute for C. B. No. 7 has passed the House.
The bill is transmitted herewith.

Respectfully,
JAS. W. COOPER,
Chief Clerk.

HOUSE OF REPRESENTATIVES, January 22, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that C. B. No. 13 has passed the House:
Also, H. J. M. No. 2, "To the Congress of the United States:"
Also, H. J. M. No. 3, "To the President of the United States in relation to removal of the Indians," have passed this House.
The concurrence of the Council is respectfully requested.

The three bills are transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

HOUSE OF REPRESENTATIVES, January 22, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has concurred in Council amendments to H. B. No. 17.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Report of Enrollment Committee:

Mr. President:

Your Joint Committee on Enrollment report that they have examined C. Bs. Nos. 1, 2, 10, 16, 18, and twenty-one, and find the same correctly enrolled, and have placed the same in the hands of His Excellency the Governor of Colorado Territory, on Monday, January 22, 1872, at the hour of 12 M., and they now await his signature.

M. W. STEWART,
Chairman.

Report of Committee.

Mr. President:

Your Committee to whom was referred Council Bill No. 20, respectfully recommend that it be referred back to the Committee of the whole house for further action.

J. E. BATES,
JAS. MARSHALL PAUL,
JESUS MARIA GARCIA,
Committee.

Mr. De France moved a suspension of the rules and that the report of the Committee on C. B. No. 20 be considered.

Mr. Parmelee moved that the report be adopted.

Mr. Hill moved that the report on C. B. No. 20 be made special order for 2:30 P. M.

Carried.

The Committee on Education report as follows:

Mr. President:

Your Committee on Education to whom was referred Council Bill No. 28, respectfully represent that they have had the same under consideration, and report the same back to the Council with the recommendation that it do pass with the following amendments:

In section one (1), line seven (7) printed bill, strike out the words "School Officer," and insert "County Superintendent and Secretary of each School District:"

Also, same section and line, strike out all of said line after the words "Public use:"

Also, strike out all of line eight (8) and nine (9) to and including the words "Said district:'

Also, strike out of section two (2) in line two (2) after the word "Superintendent," the words "And the publisher of the said Colorado Monthly:"

Also, strike out of section two (2), line three (3), the word "Officer" and insert the word "Secretary."

All of which is respectfully submitted.

FRANCIS GALLUP,
Chairman.

Your Committee on Education report as follows:

Mr. President:

Your Committee on Education to whom was referred House Bill No. 25, respectfully represent that they have had the same under consideration and report the same back to the Council with the recommendation that it do pass.

FRANCIS GALLUP,
Chairman.

Your Special Committee report as follows:

Mr. President:

Your Special Committee to whom was referred H. B. No. 7, have examined the same and would recommend that the words "One dollar" in line four (4) of section four (4) be stricken out and the words "Three dollars" be inserted in lieu thereof.

ED. C. PARMELEE,
N. P. HILL,
J. MARSHALL PAUL,
Committee.

J. M. Garcia introduced C. B. No. 57, a bill for "An act to change the name of George W. Martin to George W. Dillett.

Mr. Paul gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act entitled an act for payment of rent of Supreme Court Clerk's office."

Mr. Suasso gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act entitled an act providing for the fireing of hay stacks left on the field."

Mr. Stover gave notice that on to-morrow or some subsequent day he would introduce a bill " To vacate a portion of a Territorial road or highway in Larimer County:

Also "A bill to locate roads or highways on each and all section lines in Larimer County."

Mr. Gallup gave notice that on to-morrow or some subsequent day, he would present a bill for "An act entitled an act for the support and better regulation of common schools in the City of Denver."

Mr. Parmelee introduced C. B. No. 60, a bill for "An act to amend an act concerning judgments and liens."

Also, by unanimous consent without notice, C. B. No. 61, a bill for "An act providing for the release of mortgages and trust deeds."

C. B. No. 57 read the first time.
C. B. No. 58 read the first time.
C. B. No. 59 read the first time.
C. B. No. 60 read the first time.
C. B. No. 61 read the first time.
H. J. M. No. 2 read the first time.
H. J. M. No. 3 read the first time.
C. B. No. 52 read the second time.
H. B. No. 37 read the second time.
H. B. No. 38 read the second time.
H. B. No. 39 read the second time.
H. B. No. 42 read the second time.
And referred to Committee of the Whole.

Mr. Paul moved a suspension of rules and that H. J. M. No. 2 be read the second and third times and put upon its passage.

Carried.

H. J. M. No. 2 read the second time.

H. J. M. No. 2 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Parmelee moved a suspension of the rules and that H. J. M. No. 3 be read the second and third times and put upon its passage.

Carried.

H. J. M. No. 3 read the second time.

H. J. M. No. 3 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Gallup moved a suspension of the rules, that the report of the Committee on Education be adopted, and that C. B. No. 28 be ordered engrossed for the third reading.

Carried.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, January 22, 1872.

Hon. Geo. M. Chilcott, President of the Council:

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 Legislative Council of Colorado Territory.

C. B. No. 2, "An act concerning variances and amendments."

C. B. No. 1, "An act concerning *certiorari* from Justices and Probate Courts."

C. B. No. 10, "An act to make section forty-eight (48) of chapter eighteen (18) Revised Statutes of Colorado, applicable to certain corporations or bodies politic."

C. B. No. 16, "An act to amend chapter seventy (70) of the Revised Statutes of Colorado Territory entitled practice."

C. B. No. 8, "An act regulating ditches in the County of Huerfano."

C. B. No. 21, "An act concerning Golden City and to change the name thereof to Golden."

I have the honor to be
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

Mr. Paul moved to adjourn.

Carried.

AFTERNOON SESSION—2 P. M.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Bates, Hill and Gallup.
Mr. Stover moved that a committee of two be appointed to investigate the matter of the omission of the House to amend H. J. M. No. 1, though concurred in.
Carried.
Messrs. Stover, and Parmelee were appointed as such committee.
The Committee on Enrollment made the following report:

Mr. President:

Your Joint Committee on Enrollment report that they have examined Council Bill No. 44 and find the same correctly enrolled and have placed the same in the hands of His Excellency the Governor of Colorado Territory this 23d day of January, 1872, at the hour of 12 M., and it now awaits his signature.

M. W. STEWART,
Chairman.

The following communication was received and read.

DENVER, Tuesday, Jan. 23, '72.

To the Honorable, the President of the Council:

SIR: The Denver City Water Company respectfully tender to you and your honorable body an invitation to be present to-morrow at 3 P. M., at an exhibition of the Holly system as established at their works recently erected in this city.

Respectfully,
JAMES ARCHER,
President.

Mr. Wisebart moved that the invitation be accepted.
Carried.
Mr. Hill moved a suspension of the rules, that C. B. No. 62 be introduced without notice and read the first time.
C. B. No. 62 read the first time.
Mr. Stover by unanimous consent introduced C. B. No. 63 without notice.

Mr. Stover moved that the rules be suspended and C. B. No. 63 read the first time.

Carried.

C. B. No. 63 read the first time.

The following message received from the House:

HOUSE OF REPRESENTATIVES, January 23d, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 38, also substitute for C. B. No. 41.

Latter bill herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. President presented the biennial report of the Colorado Agricultural Society.

On motion of Mr. Bates, the reading of report was dispensed with and the report referred to the Committee on Agriculture.

Mr. Bates moved a suspension of the rules and that C. B. No. 64 be introduced without notice, "A bill for an act to provide for a further execution of the trust relating to the Town site of Denver and to regulate the same," and that the bill be read the first time.

Carried.

C. B. No. 64 read the first time.

Special order for 2:30 P. M., C. B. No. 20.

Mr. Parmelee moved to adopt the report of Committee on Elections and that C. B. No. 20 be placed on general file.

Adopted by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

On motion of Mr. Gallup the report of Committee on H. B. No. 25 was adopted by unanimous consent.

Mr. De France moved that the rules be suspended and that H. B. No. 25 be read the third time.

Carried.

H. B. No. 25 read the third time.

Mr. Wisebart moved that H. B. No. 25 be made special order for 2:30 P. M. to-morrow.

Carried.

Mr. Gallup by unanimous consent introduced C. B. No. 65,

no previous notice having been given and it was read the first time.

Mr. Paul by unanimous consent, no notice having been given introduced C. B. No. 66 and it was read the first time.

Mr. J. V. Garcia gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act for the relief of the Counties of Saguache, Conejos and Costilla."

The following communication received and read.

MANAGER'S OFFICE, DENVER THEATRE,
Denver, Jan. 23, '72.

Hon. G. M. Chilcott, President of the Council of Colorado Territory:

DEAR SIR: We respectfully tender to the members of the Council a complimentary entertainment at our theatre on Thursday evening, Jan. 25, 1872.

Very Truly,
Your obedient servant,
C. D. & G. T. HOLMES,
Managers.

On motion of Mr. De France the invitation was accepted and thanks of the Council expressed.

Mr. Gallup by unanimous consent no previous notice having been given, introduced C. J. R. No. 3, "For the relief of F. Gallup and E. S. Gallatin," which was read the first time.

Mr. Bates moved to adjourn.

Carried.

WEDNESDAY, JANUARY 24, 1872—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Journal read, corrected, and approved.
The following report was read:

Mr. President.

Your Committee on Printing would report:

C. B. No. 53, "An act concerning revenue;

C. B. No. 54, "An act granting certain powers to county commissioners, in regard to railroad bonds:"

C. B. No. 55, "An act to encourage the growth of forest trees;"

C. B. No. 56, "An act to authorize the board of county commissioners of Arapahoe county to borrow money to build a county jail;"

Also, C. J. M. No. 1 to Congress; as correctly printed.

ED. C. PARMELEE,
For Committee.

Mr. President:

Your Committee on Engrossed Bills beg leave to report that C. B. No. 42 is correctly engrossed.

A. H. DE FRANCE,
Chairman.

The following message was received and read:

HOUSE OF REPRESENTATIVES, January 24, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 35, "An act to amend section twenty-eight (28), of chapter eighteen (18), Revised Statutes of Colorado Territory:"

Also, H. B. No. 43, a bill for "An act entitled an act to permanently locate the county seat of Huerfano county."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Stover gave notice that on to-morrow or some subsequent day, he would introduce "A bill to create a board of immigration for Colorado Territory."

Mr. Paul introduced C. B. No. 68, "An act for the payment of rent of Supreme Court Clerk's office."

Mr. Hill introduced C. B. No. 67, a bill for "An act to enable the citizens of Black Hawk and Central to obtain a supply of water for fire and other purposes."

C. B. No. 67 read the first time.

C. B. No. 68 read the first time.
C. B. No. 53 read the second time.
C. B. No. 54 read the second time.
C. B. No. 55 read the second time.
C. B. No. 56 read the second time.
H. B. No. 11 read the second time.
C. B. No. 42 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. De France moved that C. B. No. 27, be referred to a select committee consisting of Messrs. Hill, Parmelee and Wisebart.

Carried.

Mr. Wisebart moved that the Council now resolve itself into Committee of the Whole.

Carried.

Mr. Wisebart in the chair.

The committee arose and made the following report:

Mr. President:

Your Committee of the Whole, having had under consideration the following memorial and bills, do recommend:

That C. J. M. No. 1 be referred to Committee on Agriculture and Stock-raising.

That C. B. No. 52 be referred to the Committee on Judiciary.

That C. B. No. 53 be referred to the Committee on Corporations and Railroads.

That C. B. No. 54 be referred to the Committee on Corporations and Railroads.

That C. B. No. 55 be referred to the Committee on Agriculture and Stock-growing.

That C. B. No. 56 be reported back to the Council with the recommendation that it do pass.

That H. B. No. 37 be reported back, with the recommendation that it do pass.

That H. B. No. 38 be amended by inserting the words "or mining," after the word irrigating, in line two (2), section one (1), and that it be referred as amended, to the Committee on Finance, Ways, and Means.

That H. B. No. 39 be amended as follows:

By adding to section one (1), "Provided that no right of action which shall have been barred by the section which shall

have been hereby repealed, or which might have been barred thereby if suit had been instituted thereon, shall be deemed to be revived by the provisions of this act."

Strike out section two (2) and add the following:

SEC. 2. Provided nothing herein contained shall affect any action now pending in any court of this Territory, and, as amended, that it be referred to the Committee on Judiciary.

That H. B. No. 42 be referred back, with the recommendation that it do pass.

That C. B. No. 20 be reported back with the recommendation that it be referred to a special committee, consisting of Messrs. Hill, Parmelee, and De France.

Respectfully,
B. W. WISEBART,
Chairman.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, January 24th, 1872.

Honorable George M. Chilcott, President of the Legislative Council 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 Legislative Council of Colorado Territory: C. B. No. 44, "An act concerning costs in criminal examinations before justices of the peace."

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

Mr. De France moved a suspension of the rules, and that the report of the Committee of the Whole be adopted:

Carried.

Mr. Gallup moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Stover, Bates, and Gallup.

Mr. De France presented a report of the Committee on Engrossed Bills:

Mr. President:

Your Committee on Engrossed Bills respectfully report substitute for C. B. No. 25 correctly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. Stover appeared and took his seat.

Mr. De France moved that the rules be suspended, that C. B. No. 25 be read the third time, and put upon its passage.

Carried.

C. B. No. 25 read the third time, and passed by the following vote:

Yeas—Messrs. De France, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—11.

Absent—Messrs. Bates and Gallup.

Title was agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 24th, 1872.

To the Honorable, the President of the Council:

I am instructed to inform your honorable body that the House has passed C. B. No. 15:

Also, that the House refuses to recede from its amendments to C. B. No. 30, "An act to prevent prize fights, etc:"

Also, that the House has passed H. B. No. 13, for "An act to enable the Territory of Colorado to purchase a certain number of a Report of Law Cases, etc, by the Hon. Moses Hallett, Reporter.

The concurrence of the Council is respectfully requested in the latter bill.

The three bills are transmitted herewith.

Very respectfully,
JAS. G. COOPER,
Chief Clerk.

Messrs. Bates and Gallup appeared and took their seats.

On motion of Mr. Parmelee, the motion ordering C. B. No. 45 engrossed, was reconsidered.

By unanimous consent, no previous notice having been given, Mr. Parmelee introduced C. B. No. 69, a bill for "An act to change the first and second judicial districts, and to provide for the time of holding courts therein."

On motion of Mr. Parmelee the rules were suspended and C. B. No. 69 read the first time.

Under suspension of the rules, Mr. Paul offered the report of committee on C. B. No. 12.

Mr. Paul, under suspension of the rules, gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act entitled an act to amend an act entitled an act to amend chapter twenty-five (25) of the Revised Statutes relating to district courts, and also chapter thirty-one (31) of the Revised Statutes relating to the Supreme Court." Approved February 11, A. D. 1870.

Under suspension of the rules Mr. Wisebart moved that the Council concur in the House amendment to C. B. No. 30.

Carried.

The following message was received from the House:

House of Representatives, January 24, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed H. B. No. 61, "An act to prescribe the time of holding the district court in the second judicial district.

The concurrence of the Council is respectfully requested.

Bill transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Special order for 2:30 P. M., H. B. No. 25, read.

Mr. Paul, by unanimous consent, moved to amend H. B. No. 25, by adding Park, Lake and Pueblo counties."

Carried.

H. B. No. 25 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

By unanimous consent, Mr. Gallup gave notice that on tomorrow or some subsequent day, he would introduce a bill for "An act entitled an act to authorize the calling of special terms of the district court, for the trial of criminal cases."

Mr. Gallup moved a suspension of the rules, and that H. B. No. 42 be read the third time and passed.

Carried.

H. B. No. 42 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Absent—Mr. Hill.

Title agreed to.

Mr. Parmelee moved a suspension of the rules, and that H. B. No. 37 and C. B. No. 56 be read the third time and put upon their passage.

Carried.

H. B. No. 37 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Absent—Mr. Hill.

Title agreed to.

C. B. No. 56 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Absent—Mr. Hill.

Title agreed to.

Mr. Bates moved a suspension of the rules, and that C. B. No. 45 be read the third time and put upon its passage.

Carried.

C. B. No. 45 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stewart, Stover, Suasso, and Wisebart—11.

Nays—Mr. President—1.

Absent—Mr. Hill.

Title agreed to.

Mr. Wisebart called for the reading of the report of Committee on substitute for C. B. No. 12.

Mr. Wisebart moved a suspension of the rules, and that the

report be adopted and substitute for C. B. No. 12 be read the second time.

Carried.

Substitute for C. B. No. 12 read the second time.

Mr. Stewart offered the report of the Committee on Agriculture and Stock-growing, on H. B. No. 1.

Mr. De France moved to adjourn.

Carried.

Adjourned.

THURSDAY, JANUARY 25, 1872—10 A. M.

Council met pursuant to adjournment.

President in the Chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Journal read and approved.

Mr. Parmelee presented a petition for aid to the Georgetown, Middle Park, and White River Road Company, and moved that it be received and referred to Committee on Roads and Bridges.

Carried.

Committee reports.

Mr. President:

Your Committee on Printing would report C. B. No. 57, "An act to change the name of George W. Martin to George W. Dillett:"

C. B. No. 58, "An act to amend chapter twenty (20) of the Revised Statutes of Colorado in relation to Bent County:"

C. B. No. 59, "An act to locate the county seat of Bent County:"

C. B. No. 60, "An act concerning judgments and liens:"

C. B. No. 61, "An act providing for the release of mortgages and trust deeds:"

C. B. No. 62, "An act to enable Gilpin County to provide water for milling, mining, fire, domestic, and other purposes:"

C. B. No. 63, "An act to aid and assist the agricultural college of Colorado:"

C. B. No. 64, "An act to provide for the further execution of the trust relating to the town site of Denver, and to regulate the same:"

C. B. No. 65, "An act for the support and better regulation

of common schools in the city of Denver," correctly printed:

Also, have examined C. B. No. 66, "An act to provide for the drainage of mines," and find in line two (2) of section four (4) of printed bill the word "draining" should read "drainage," otherwise is correct.

The Bills are herewith submitted.

ED. C. PARMELEE,
For Committee.

The Committee on Agriculture and Stock Growing report as follows:

Mr. President:

Your Committee on Agriculture and Stock Growing to whom was referred the report of the Colorado Agricultural Society, offer the following resolution:

Resolved, That the Secretary of Colorado Territory be directed to procure the printing of two hundred copies of said report for use of the Council and House of Representatives.

M. W. STEWART,
Chairman.

Mr. President:

The Committee on Agriculture and Stock Growing reported as follows:

Your Committee on Agriculture and Stock Growing to whom was referred H. B. No. 1, report that they have had the same under advisement, and recommend that it be considered in Committee of the Whole House.

M. W. STEWART,
For Committee.

On motion of Mr. Stewart the report was adopted.

J. M. Garcia introduced C. B. No. 71, "A bill for an act concerning the Trinidad and Ratoon mountain road."

Mr. Chilcott gave notice that he would on to-morrow or some subsequent day introduce "A bill authorizing the County Commissioners to levy a special tax for the purpose of building a bridge across the river at Pueblo."

Mr. Chilcott introduced C. B. No. 72, "A bill for an act for the relief of Thomas J. Tobins."

H. B. No. 13 read the first time.

H. B. No. 61 read the first time.

C. B. No. 70 read the first time.
C. B. No. 71 read the first time.
C. B. No. 72 read the first time.
H. B. No. 35 read the second time.
H. B. No. 43 read the second time.
H. B. No. 7 read the second time.
C. B. No. 57 read the second time.
C. B. No. 58 read the second time.
C. B. No. 59 read the second time.
C. B. No. 60 read the second time.
C. B. No. 62 read the second time.
C. B. No. 63 read the second time.
C. B. No. 64 read the second time.
C. B. No. 65 read the second time.
C. B. No. 66 read the second time.
C. B. No. 61 read the second time.

And referred to Committee of the Whole.

H. B. No. 11 considered engrossed read the third time and lost by the following vote:

Yeas—Messrs. Paul and Stewart—2.

Nays—Messrs. Bates, De France, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stover, Suasso, Wisebart, and Mr. President—10.

Substitute for C. B. No. 12 considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Not voting—Mr. Gallup.

Title was agreed to.

Mr. Parmelee moved that in consequence of the illness of the Enrolling Clerk, that the Committee on Enrollment be authorized to employ a clerk.

Carried.

The Committee on Printing report as follows:

Mr. President:

Your Committee on Printing would report C. J. R. No. 3, "For the relief of F. Gallup and E. L. Gallatin:"

And, C. B. No. 68, "For the payment of rent of the Supreme Court Clerk's office," correctly printed.

ED. C. PARMELEE,
For Committee.

By unanimous consent the report of the Printing Committee was adopted.

Mr. Gallup moved the suspension of rules and that C. J. R. No. 3 be read the second time and put on the general file.

Carried.

C. J. R. No. 3 read the second time.

Mr. Hill offered a majority report of the Committee on Finance, Ways and Means, on C. B. No. 11.

Mr. Bates offered a minority report on the same bill.

Mr. Wisebart moved the adoption of the majority report.

Finance Committee report.

Mr. President:

The majority of the Committee on Finance to whom was referred Council Bill No. 11 after giving the same due consideration beg leave to offer the following amendments:

Strike out from line three (3) of section three (3) the words "the cashier and his sureties," and substitute the words "such bank:"

Strike out from line one (1) of section four (4) the words "cashier or his sureties," and insert the word "bank:"

Strike out from line three (3) of section (4) the words "cashier or his sureties either jointly or severally," and insert the words "bank;" and with these amendments recommend that it do pass.

N. P. HILL,
Chairman.
W. C. STOVER,

Messrs. Hill, Bates, and Wisebart spoke at length upon the merits of the bill.

Majority report adopted.

Mr. Paul moved to adjourn.

Carried.

AFTERNOON SESSION—2 P. M.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Mr. Paul by unanimous consent presented C. J. M. No. 2, "To the Secretary of the Treasury in respect to the U. S. Mint at Denver."

M. Stover by unanimous consent introduced without previous notice C. B. No. 73.

Messrs. J. M. Garcia, Bates, and Hill appeared and took their seats.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 25, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed Council Bill No. 19, also C. B. No. 32, and C. B. No. 33.

Bills transmitted herewith.

JAS. G. COOPER,
Chief Clerk.

On motion of Mr. Paul, the Council resolved itself into Committee of the Whole.

Mr. Paul in the chair.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 25, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that substitute for C. B. No. 25 has passed the House.

Bills herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The committee arose and made the following report:

Mr. President:

Your Committee of the Whole, having had under consideration the following resolutions and bills, do recommend:

That C. J. R. No. 3 be referred to the Committee on Finance, Ways, and Means.

That C. B. No. 57 be reported back with the recommendation that it do pass.

That C. B. No. 58 be amended as follows: That the words "held in said county," be added to section one (1), and that it be reported back with the recommendation that it do pass as amended.

That C. B. No. 59 be reported back with the recommendation that it do pass.

That C. B. No. 60 be referred to the Committee on Judiciary.

That C. B. No. 61 be reported back with the recommendation that it do pass.

That C. B. No. 62 be reported back with the recommendation that it do pass.

That C. B No. 63 be referred to the Committee on Finance, Ways, and Means.

That C. B. No. 64 be referred to a special committee, consisting of Messrs. Bates and Gallup.

That C. B. No. 65 be referred to a special committee, consisting of Messrs. Hill and Wisebart.

That C. B. No. 66 be referred to the Committee on Mining Interests.

That H. B. No. 1 be reported back with the recommendation that it do lie on the table.

That H. B. No. 7 be reported back with the recommendation that it do pass.

That H. B. No. 35 be referred to the Committee on Judiciary.

That H. B. No. 43 be referred to the Committee on Counties.

Respectfully,

J. MARSHALL PAUL,

Chairman.

Mr. Wisebart moved that the report of the Committee of the Whole be adopted.

Carried.

Mr. Stewart moved that the rules be suspended, and that C. B. No. 58 be considered engrossed, read the third time, and put upon its passage.

Carried.

C. B. No. 58 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Paul, Stewart, Suasso, Wisebart, and Mr. President—10.

Nays—Messrs. Parmelee and Stover—2.

Not voting—Mr. Hill.

Title agreed to.

Mr. Stewart moved a suspension of the rules that C. B. No. 59 be considered engrossed, read the third time, and put on its passage.

Carried.

C. B. No. 59 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J.

V. Garcia, Hill, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—11.

Nays—Mr. Parmelee—1.

Not voting—Mr. Bates.

Title agreed to.

Mr. Wisebart moved a suspension of the rules, and that C. B. No. 61 be considered engrossed, read the third time and put upon its passage.

Carried.

C. B. No. 61 was read the third time and passed by the following vote:

Yeas—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stover, Suasso, Wisebart, and Mr. President—11.

Nays—Mr. Stewart—1.

Not voting—Mr. Bates.

Title agreed to.

Mr. Paul, under a suspension of the rules, gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act entitled an act to amend chapter twenty (20) of the Revised Statutes.

Mr. Hill moved a suspension of the rules, and that C. B. No. 62 be considered engrossed, read the third time, and put upon its passage.

Carried.

C. B. No. 62 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Wisebart moved that C. B. No. 57 be considered engrossed, read the third time, and put upon its passage, under suspension of the rules.

Carried.

C. B. No. 57 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Bates moved to adjourn.

Carried.

Adjourned.

FRIDAY, JANUARY 26, 1872—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Journal read, corrected, and approved.
The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 26, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that H. B No. 48, a bill for "An act to create the county of Grand;"

Also, H. B. No. 51, a bill for "An act amendatory of and supplemental to an act to reduce the law incorporating the city of Denver, and the several acts amendatory thereof, into one act, and to amend the same." Approved February 10, 1865; have been passed by this House.

The concurrence of the Council is respectfully requested.

Two bills transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following reports were presented:

Mr. President:

Your Joint Committee on Enrollment, report that they have examined C. Bs. Nos. 38, 41, and 7, and find the same correctly enrolled, and have placed the same in the hands of His Excellency, the Governor of Colorado Territory, on Thursday, the 25th day of January, 1872, at the hour of 4 P. M., and they now await his signature.

M. W. STEWART,
Chairman.

Mr. President:

Your Committee on Engrossed Bills, respectfully report C. Bs. Nos. 35, 49, 37, 28, and 9 correctly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. J. V. Garcia introduced C. B. No. 74, a bill for "An act for the relief of the counties of Conejos, Costilla, and Saguache."

Mr. Suasso gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act to regulate the herding of stock in the county of Huerfano."

C. B. No. 69 read the first time.

C. B. No. 70 read the first time.

C. B. No. 71 read the first time.

C. B. No. 72 read the first time.

C. B. No. 73 read the first time.

C. B. No. 74 read the first time.

H. B. No. 48 read the first time.

H. B. No. 51 read the first time.

Under suspension of the rules, the report of Committee on Agriculture, recommending that 200 copies of the Colorado Agricultural Society Report be printed, was amended by adding 800 additional copies, and adopted.

H. B. No. 61 read the second time.

On motion of Mr. De France H. B. No. 13 was referred to Committee on Finance.

C. J. M. No. 2 read the second time.

C. B. No. 68 read the second time.

H. B. No. 61 and C. B. No. 60 was referred to the Committee of the Whole.

H. B. No. 7 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart Stover, Suasso, Wisebart, and Mr. President—13.

Title amended on motion of Mr. De France, to read "An act to provide for the recording of government patents."

Title agreed to as amended.

C. B. No. 9 was read the third time.

Mr. De France moved to amend section three (3), by adding "The provisions of this section shall not apply to probate courts.'.

Carried.

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President—13.

The Title was agreed to.

C. B. No. 28 was read the third time and passed by the following vote:

C. B. No. 9 passed as amended, by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President.—12.

Nays—Mr. Hill—1.

Title agreed to.

C. B. No. 35 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 37 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, and Mr. President—12.

Nays—Mr. Wisebart—1.

The title was agreed to.

C. B. No. 49 read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Paul, Stewart, Stover, Suasso, and Wisebart—11.

Nays—Mr. De France and Mr. President—2.

Title agreed to.

Under the suspension of the rules the report of the Judiciary Committee was presented and read.

Under suspension of the rules, Mr. Wisebart offered the following report:

Mr. President:

Your Committee on Counties to whom was referred H. B. No. 43, beg leave to report that they have had the same under consideration, and respectfully report it back to the Council, with the recommendation that it do pass.

B. W. WISEBART,

Chairman.

By unanimous consent, Mr. Gallup offered a memorial from citizens of Fremont county, praying the passage of "An act restricting the issuing of licenses for the sale of spirituous liquors."

Mr. De France moved that the rules be suspended, no previous notice having been given, that C. B. No. 75 be introduced, read the first, second, and third times, and put upon its passage.

Carried.

C. B. No. 75 read the first time.

C. B. No. 75 read the second time.

C. B. No. 75 read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Gallup, by unanimous consent, offered a report of the Committee on Education:

Mr. President:

Your Committee on Education, to whom was referred C. B. Nos. 46 and 47, would beg leave to refer the same back to the Council, with the recommendation that they be referred to a special committee, consisting of Messrs. Hill and Wisebart.

All of which is respectfully submitted.

FRANCIS GALLUP,
Chairman.

Mr. De France moved a suspension of the rules, and that the report be adopted.

Carried.

Under suspension of the rules, the Committee on Agriculture and Stock-growing reported.

Mr. Stover moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. De France, Hill, Parmelee, and Paul.

Mr. Bates moved a suspension of the rules, and that C. B. No. 11 be taken up and made the special order for Monday at 2 o'clock P. M.

Carried.

Messrs. Paul and De France appeared and took their seats.

The Committee on Enrollment made the following report:

Mr. President:

Your Joint Committee on Enrollment report that they have examined C. B. No. 13 and find the same correctly enrolled, and have placed the same in the hands of His Excellency the Governor of Colorado Territory, this 26th day of January, 1872, at the hour of 12 M., and they now await his signature.

M. W. STEWART,
Chairman.

Mr. Paul, by unanimous consent introduced C. B. No. 76, "An act entitled an act to amend chapter twenty (20) of the Revised Statutes."

Messrs. Hill and Parmelee appeared and took their seats.

Your Committee on Printing reported:

Mr. President:

Your Committee on Printing would report C. Bs. Nos. 67, 69, 70, 71, 72, and 73, correctly printed.

The bills are herewith submitted.

ED. C. PARMELEE,
For Committee.

The following message was received from the House:

House of Representatives, January 26, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that C. Bs. Nos. 8, 34, and 56, have passed the House:

Also, that H. B. No. 53, "A bill in relation to the adopted child of Isador K. Kastor and Jetta Kastor," has passed the House:

The concurrence of the Council is respectfully requested.

The four bills transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Paul, by unanimous consent, gave notice that on tomorrow or some subsequent day, he would introduce a bill entitled "An act concerning the granting of injunctions."

Mr. Gallup, by unanimous consent, introduced C. B. No. 77, a bill for "An act to amend chapter twenty-two (22) Revised Statutes of Colorado."

C. B. No. 77 read the first time.

Also, C. B. No. 78, introduced by unanimous consent by Mr. Gallup, a bill for "An act entitled an act to authorize the calling of special terms of the district courts, for the trial of criminal cases."

Mr. President announced a message from the Governor, requiring a secret session.

Mr. Bates moved that the Council now go into executive session.

Carried.

After some time spent in executive session the Council resumed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 26, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that C. B. No. 43 has passed the House:

Also, that substitute for H. B. No. 36, a bill for "An act to amend sections twenty-seven (27) and thirty (30), of chapter seventy-six (76), Revised Statutes of Colorado:"

Also, H. B. No. 45, "A bill in relation to the adopted child of Allan McNamee:"

Also, H. B. No. 47, a bill for "An act to prevent fraud in the letting of public contracts;"

Also, H. B. No. 49, for "An act to authorize the Governor to examine the books, papers, etc., of the Auditor and Treasurer:"

Also, H. B. No. 52, a bill for "An act concerning the floating of timber on the streams of this Territory;"

The concurrence of the Council in those last spoken of, is respectfully requested.

The six bills transmitted herewith.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

Mr. Bates moved the suspension of the rules, and that H. B. No. 51 be read the second and third time and put upon its passage.

Carried.

H. B. No. 51 read the second time.

H. B. No. 51 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title was agreed to.

Mr. Paul moved a suspension of the rules, and that H. B. No. 53 be read the first, second, and third times, and put on its passage.

Carried.

H. B. No. 53 read the first time.

H. B. No. 53 read the second time.

H. B. No. 53 read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Stover moved a suspension of the rules, and that H. B. No. 45 be read the first, second, and third times, and put upon its passage.

Carried.

H. B. No. 45 read the first time.

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

H. B. No. 45 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Wisebart moved a suspension of the rules, and that H. B. No. 43 be read the third time and put upon its passage.

Carried.

H. B. No. 43 read the third time.

By unanimous consent, section third (3d), of H. B. No. 43, was stricken out and the bill passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

After striking out the word "permanently," from the title, the title was agreed to.

Mr. Gallup moved a supension of the rules, and that H. B. No. 47 be read first, second, and third times, and put upon its passage.

Carried.

H. B. No. 47 read the first time.

H. B. No. 47 read the second time.

H. B. No. 47 read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, and Suasso—10.

Nays—Messrs. De France, Wisebart, and Mr. President—3.

Title agreed to.

Mr. Wisebart moved to adjourn.

Carried.

Adjourned.

WEDNESDAY, JANUARY 27, 1872—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Mr. Gallup.

Memorial of citizens of Fremont County referred to Committee on Education:

Memorial of citizens of Jefferson County praying for annexation to Arapahoe County, referred to Committee on Counties.

Mr. Gallup appeared and took his seat.

On motion of Mr. Stewart the following report was adopted:

Mr. President:

Your Committee on Agriculture and Stock Growing to whom was referred C. B. No. 55, report that they have had the same under consideration and recommend that it do pass.

Respectfully submitted.

M. W. STEWART.
Chairman.

On motion of Mr. Bates the following report was adopted:

Mr. President:

Your Committee to whom were referred Council Bills Nos. 48, 51, 52, and 60 respectfully recommend that C. Bs. Nos. 48, 52, and 60 do pass and that C. B. No. 51 be amended by striking out all of section eight (8) between the word "them" in line four (4) and the word "unless" in line seven (7), and in lieu thereof insert the following:

The defendant or defendants so served and notice filed as aforesaid, shall be deemed to be in default and his, her, or their right to plead to such action shall be deemed barred, and no

such defendant or defendants shall be permitted to plead to, or defend such action.

Respectfully submitted.

JAS. MARSHAL PAUL,
Chairman.

The Committee on Engrossed bills report as follows:

Mr. President:

Your Committee on Engrossed bills respectfully report C. B. No. 11 correctly engrossed.

A. H. DE FRANCE,
Chairman.

The Committee on Mining Interests report as follows:

Mr. President:

Your Committee on Mining Interests to whom was referred Council Bill No. 66, beg leave to offer the following substitute with the recommendation that it do pass.

N. P. HILL,
Chairman.

Mr. Parmelee by unanimous consent moved that the report be received and adopted.

Carried.

Mr. Wisebart by unanimous consent, no notice having been given, introduced C. B. No. 79, "A bill for an act to increase and improve the Territorial Library:"

Mr. Stover introduced C. B. No. 80, "A bill for an act to vacate and abandon a certain part of a Territorial road in Larimer County:"

Mr. Suasso introduced C. B. No. 81, "A bill for an act to amend an act for the protection of growing crops." Approved February 8, 1870:

Mr. Bates by unanimous consent, no notice having been given, introduced C. B. No. 82, "A bill for an act concerning evidence:"

C. B. No. 83, "A bill for an act requiring Territorial officers to reside at the Capitol:"

Also, C. B. No. 84, "A bill for an act concerning libraries:"

Mr. Stover gave notice that on to-morrow or some subsequent day he would introduce "A bill to amend chapter eighty-two (82) of an act to provide for the assessment and collection of Revenue, laws of 1870:"

And introduced C. B. No. 85, "A bill for an act to repeal section eighty-six (86) of chapter twenty-eight (28) of the Revised Statutes of Colorado concerning the time of holding elections:"

Mr. Gallup introduced C. B. No. 87, "A bill for an act entitled an act to provide for the erection of Capitol buildings:"

Mr. Parmelee introduced by unanimous consent, no previous notice having been given, C. B. No. 86, "A bill for an act to amend chapter nine (9) of the Revised Statutes of Colorado:"

Substitute for H. B. No. 36 read the first time.

H. B. No. 49 read the first time.

H. B. No. 52 read the first time.

C. B. No. 84 read the first time.

C. B. No. 87 read the first time.

C. B. No. 81 read the first time.

C. B. No. 78 read the first time.

C. B. No. 76 read the first time.

C. B. No. 79 read the first time.

C. B. No. 80 read the first time.

C. B. No. 85 read the first time.

C. B. No. 86 read the first time.

C. B. No. 82 read the first time.

C. B. No. 83 read the first time.

C. J. M. No. 2 read the second time.

H. B. No. 48 read the second time.

C. B. No. 67 read the second time.

Substitute for C. B. No. 66 read the second time.

C. B. No. 72 read the second time.

C. B. No. 73 read the second time.

C. B. No. 69 read the second time.

C. B. No. 70 read the second time.

All referred to Committee of the Whole.

J. M. Garcia moved that C. B. No. 71 be referred to a special committee of three (3) to be appointed by the chair.

Carried.

Messrs. J. M. Garcia, J. V. Garcia, and Stewart appointed as such committee.

Mr. Hill moved that the rules be suspended and that substitute for C. B. No. 66 be considered engrossed and read the third time and put upon its passage.

Carried.

Substitute for C. B. No. 66 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Hill moved that the rules be suspended and that C. B. No. 67 be considered engrossed, taken up and read the third time and put upon its passage.

Carried.

C. B. No. 67 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Nays—Mr. Parmelee—1.

The title agreed to.

The following message received and read from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, January 26, 1872.

Hon. Geo. M. Chilcott, President of the Legislative Council:

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 Legislative Council, viz:

C. B. No. 13, "An act to amend chapter twenty-eight (28) of the Revised Statutes, entitled 'elections:"

C. B. No. 38, "An act to amend section one (1) of article two (2), chapter seventeen (17) of the Revised Statutes of Colorado Territory:"

Substitute for C. B. No. 7, "An act providing for the publication of the laws of the Territory in the Spanish language:"

Substitute for C. B. No. 41, "An act to enable the Commissioners of Gilpin and Clear Creek Counties to levy a special tax:"

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

Mr. De France moved that C. Bs. Nos. 48, 51, 52, and 60 be ordered engrossed.

Carried.

The following bills were referred to the following committees:

H. B. No. 48 referred to Committee on Counties:

H. B. No. 61 referred to Committee on Judiciary:

C. B. Nos. 69 and 70 referred to Committee on Judiciary:

C. B. Nos. 68 and 72 referred to Committee on Finance:

C. B. No. 73 referred to Committee on Immigration:

Mr. Paul moved a suspension of the rules and that C. J. M.

No. 2 be considered engrossed and read the third time and put upon its passage.

Carried.

C. J. M. No. 2 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia. J. V. Garcia, Hill, Stover, Suasso, Wisebart, and Mr. President—11.

Absent—Messrs. Parmelee, and Stewart—2.

Title agreed to.

Mr. De France moved to adjourn until Monday morning at 10 o'clock.

Carried.

Adjourned.

MONDAY, JANUARY 29, 1872—10 A. M.

Council met pursuant to adjournment.

President in the Chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Journal read and approved.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 29, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that Substitute for C. B. No. 66 has passed the House:

Also, that H. B. No. 55, "A bill for an act concerning damages," has passed this House:

The concurrence of the Council is respectfully requested.

Also, that the House has concurred in amendments made by Council to H. Bs. Nos. 7 and 43.

Bills herewith transmitted.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

Report of Committee on Printing.

Mr. President:

Your Committee on Printing would report C. Bs. Nos. 76, 79, and 80, correctly printed:

C. B. No. 77, in line sixteen (16), section five (5), the word "time" should read "term:"

C. B. No. 78, in line one (1), section two (5), the word "time" should read "term:"

ED. C. PARMELEE,
For Committee.

Mr. Wisebart in the chair.

Mr. Chilcott introduced C. B. No. 88, "An act to authorize the Excelsior Ditch Company to reorganize:"

Also, by unanimous consent, no notice having been given, C. B. No. 89, "An act to authorize the County Commissioners of Pueblo County to levy a special tax for the purpose of building a bridge across the Arkansas river."

Mr. Suasso introduced C. B. No. 90, "An act compelling those putting up hay to fence the same."

Mr. Bates by unanimous consent, no notice having been given, introduced C. B. No. 91, "A bill for an act concerning criminal proceedings."

H. B. No. 55 read the first time.
C. B. No. 88 read the first time.
C. B. No. 89 read the first time.
C. B. No. 90 read the first time.
C. B. No. 91 read the first time.
Substitute for H. B. No. 36 read the second time.
H. B. No. 49 read the second time.
H. B. No. 52 read the second time.
C. B. No. 76 read the second time.
C. B. No. 77 read the second time.
C. B. No. 78 read the second time.
C. B. No. 79 read the second time.
C. B. No. 80 read the second time.
And referred to Committee of the Whole.

Mr. Gallup moved that C. B. No. 55 be considered engrossed and put upon its third reading.

Carried.

C. B. No. 55 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Suasso, Wisebart, and Mr. President—12.

Nay—Mr. Stover.

Title was agreed to.

Mr. Paul by unanimous consent introduced C. B. No. 92, "An act to secure liens to mechanics and others and to repeal all other acts in relation thereto, and it was read the first time.

Report of Joint Committee on Enrollment:

Mr. President:

Your Joint Committee on Enrollment report that they have examined C. Bs. Nos. 30, 32, 25, and 15, and find the same correctly enrolled, and have placed the same in the hands of his Excellency, the Governor of Colorado Territory, on Saturday January 27, 1872, at the hour of 12 M., and they now await his signature.

M. W. STEWART,
Chairman.

J. V. Garcia was by unanimous consent excused from acting on the special committee C. B. No. 71.

Mr. De France appointed in his place.

Mr. Paul moved that the Council resolve itself into Committee of the Whole on general file.

Carried.

Mr. Stover in the chair.

The following message was received from the House:

President in the chair.

House of Representatives, January 29, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that H. B. No. 66, "A bill for an act concerning irrigation in El Paso County" has passed this House.

The concurrence of the Council is respectfully requested.

Bill transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Stover in the chair.

The committee arose and made the following report:

Mr. President:

Your Committee of the Whole, having had under consideration the following bills, do recommend:

That substitute for H. B. No. 36 be referred to Committee on Highways and Bridges:

That H. B. No. 49 be referred to the Committee on Finance,

Ways, and Means:

That H. B. No. 52 be reported back to the Council with the recommendation that it do pass:

That C. B. No. 76 be referred to the Committee on Counties:

That C. B. No. 77 be referred to the Committee on Judiciary:

That C. B. No. 78 be referred to the Committee on Judiciary:

That C. B. No. 63 be referred to the Committee on Territorial Library:

That C. B. No. 80 be referred to the Committee on Highways and Bridges:

Respectfully,

W. C. STOVER,
Chairman.

Mr. Bates moved that the report of the Committee of the Whole be adopted.

Carried.

Mr. Bates by unanimous consent introduced a petition of the citizens of Colorado in relation to C. B. No. 11, and it was referred to the Committee on Finance.

Mr. Gallup moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 P. M.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Paul and Gallup.

Special order for 2 P. M., C. B. No. 11.

C. B. No. 11 read the third time.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 29, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that H. B. No. 64, "A bill for an act in relation to the publishing of detailed statements by the County Commissioners" has passed the House.

The concurrence of the Council is respectfully requested.

Bill herewith submitted.

JAS. G. COOPER,
Chief Clerk.

Mr. Bates moved that C. B. No. 11 be recommitted to a special committee of three appointed by the Chair with instructions to report at 10:30 to-morrow morning.

Carried.

Messrs. Bates, Wisebart, and De France appointed as such committee.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, January 29, 1872.

Hon. G. M. Chilcott, President of the Legislative Council:

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 Legislative Council of Colorado Territory:

C. B. No. 15, "An act for the payment of D. J. Martin," former acting Territorial Treasurer, for services as Ex-Officio Librarian of Colorado Territory:

C. B. No. 30, "An act to prevent prize fights."

I have the honor to be
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

Mr. Paul offered the following resolution:

That the Hon. William Gilpin be requested to deliver an address on the "Geography of Colorado," before the Legislature, in the room adjacent to the Council Chamber, to-morrow evening at 7½ o'clock.

On motion of Mr. Parmelee under suspension of the rules the resolution was adopted.

Mr. Bates moved to adjourn.

Carried.

Adjourned.

TUESDAY, JANUARY 30, 1872.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

The Committee on Printing report:

Mr. President.

Your Committee on Printing would report C. Bs. Nos 81, 82, 83, 84, 85, 86, and 87, correctly printed.

ED. C. PARMELEE,
For Committee.

Mr. Paul presented report of the Judiciary Committee.

Mr. Wisebart presented report of the Committee on Counties.

On motion of Mr. Wisebart the following report was adopted:

Mr. President:

Your Committee on Counties to whom was referred H. B. No. 48, beg leave to report that they have had the same under consideration and would suggest the creation of another County at the time and at the point designated in said bill, is all together useless, because of the insufficiency of the population, and of the further fact that the people of the proposed new County now enjoy every right and privilege that could be accorded them.

Your Committee would therefore recommend that H. B. No. 48 do not pass.

All of which is respectfully submitted.

B. W. WISEBART,
Chairman.

On motion of Mr. Wisebart the report was adopted.

Mr. Parmelee gave notice that on to-morrow or some subsequent day, he would introduce "a bill for An act to amend chapter seventeen (17) of the Revised Statutes."

Mr. Stewart gave notice that he would on to-morrow or some subsequent day introduce "A bill for an act amendatory of an act to incorporate the Colorado Territorial Agricultural Society."

Mr. Hill by unanimous consent, no notice having been given introduced C. B. No. 93, "A bill for an act to amend chapter nine (9) of the Revised Statutes, and for other purposes:"

Also C. B. No. 94, "A bill for an act to amend chapter thirty-five (35) of the Revised Statutes entitled forcible entry and detainer."

Mr. Parmelee by unanimous consent introduced C. B. No. 96, "A bill for an act to amend chapter seventeen (17) of the Revised Statutes."

Mr. Paul introduced C. B. No. 95, "An act concerning Injunctions."

Mr. Stewart by unanimous consent introduced C. B. No. 97, "An act amendatory of an act to incorporate the Colorado Territorial Agricultural Society.

H. B. No. 64 read the first time.

H. B. No. 66 read the first time.

C. B. No. 93 read the first time.

C. B. No. 94 read the first time.

C. B. No. 95 read the first time.

C. B. No. 96 read the first time.

C. B. No. 97 read the first time.

H. B. No. 55 read the second time.

C. B. No. 88 read the second time.

C. B. No. 89 read the second time.

And referred to Committee of the Whole.

H. B. No. 48 read the third time.

H. B. No. 52 read the third time.

H. B. No. 48 lost by the following vote:

Yeas—Messrs. Gallup, Parmelee, Paul, and Mr. President—4.

Nays—Messrs. Bates, De France, J. M. Garcia, J. V. Garcia, Hill, Stewart, Stover, Suasso, and Wisebart—9.

H. B. No. 52 was passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Special order for 10:30 A. M., C. B. No. 11.

The Special Committee on C. B. No. 11 reported the following amendments:

Mr. President:

Your Special Committee appointed to consider Council Bill No. 11, beg leave to report that they have had the same under consideration and respectfully offer the following amendments for the consideration of the Council:

That section one (1) of said bill be amended so as to read as follows:

Sec. 1. There shall be levied and assessed by the Territorial, County, and Municipal authorities in this Territory upon all bank stock or stock in any moneyed corporation, of loan or discount, on each share thereof owned by any individual, body corporate, corporation, or society, a sum equal to but not greater in proportion to the value thereof than is levied and assessed upon other moneyed capital or personal property in

the hands of or owned by individuals in this Territory:

That section two (2) be amended to read as follows, to wit:

SEC 2. All the bank stock or shares held and owned by any individual, body corporate, corporation, or society in what are known as National banks, or Banking associations organized and doing business under the act of Congress entitled an "Act to provide a National currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof, approved June 3d, 1864," shall be included in the valuation of the personal property and effects of every such individual, body corporate, corporation, or society in the levy and assessment of taxes, in the County, City, or Town where such Banking association or Bank is located and not elsewhere, whether such holder or owner thereof reside in such County, City, Town, or not; and it shall be lawful for the Territorial, County, Town, and Municipal authorities to levy and assess upon such stock or each share thereof owned by any such individual, body corporate, corporation, or society, a sum equal to but not greater according to the value thereof, than is levied and assessed upon other moneyed capital or personal property in the hands of individual citizens in this Territory, *Provided*, that the tax so imposed under this act upon the value of shares of said National banks does not exceed the rate imposed upon the value of the shares in any of the Banks or Banking associations organized under the authority of this Territory, *Provided* also, that nothing in this act shall exempt the real estate of such Banking associations from either Territorial, County, or Municipal taxes to the same extent, according to the value, as other real estate is taxed:

That section three (3) shall read as follows to wit:

SEC. 3. The Cashier of the bank whose stock or shares are taxed, shall when the tax so assessed is due, pay to the collector thereof of the authorities so levying and assessing such tax, the amount of tax due on all the stock or shares of the shareholders of such bank:

If such tax be not paid the bank shall be liable for the same with interest thereon at the rate of twenty-five (25) per cent. per annum, from the time such tax shall become delinquent until paid:

That section four (4) shall read as follows, to wit:

SEC. 4. In case such bank shall neglect or refuse to pay such tax or interest if any has accrued, it shall be lawful for the collector of any County, City, or Town to which such tax is due, to sue in his own name for the use of such County, City, or Town, such bank in any court of this Territory having jurisdiction of the amount claimed in an action of

debt for the same, and if judgment is recovered against the banks in any such suit, said bank shall pay the cost. The prosecuting officer of any County, City, or Town shall prosecute such case upon the request of the collector thereof. Any judgment rendered in this class of cases, shall have the same force and effect as a judgment rendered in such actions between individuals:

That section five (5) shall read as follows, to wit:

SEC. 5. *And be it further enacted*, that the provisions of this act, shall apply to stock in all other corporations doing business within this Territory, whether the same be organized under the laws of this Territory, or any other State or Territory in the United States, or in any foreign country.

J. E. BATES,
B. W. WISEBART,
A. H. DE FRANCE,
Committee.

Mr. De France moved that under suspension of the rules, the report of the committee be considered by divisions.

Section one was adopted.

Section two was adopted.

Section three was adopted.

Section four was adopted.

Section five was not adopted.

Mr. De France moved a suspension of the rules, and that C. B. No. 11 be read the second time and ordered engrossed.

Carried.

C. B. No. 11 read the second time.

The following report was read:

Mr. President:

Your Committee on Engrossed Bills respectfully report Council Bills Nos. 48, 51, 52, and 60 correctly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. De France moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.
Quorum present.
Committee reports.

Mr. President:

Your Committee on Printing would report C. Bs. Nos. 90 and 91 correctly printed.

ED. C. PARMELEE,
For Committee.

Mr. President:

Your Committee on Engrossed Bills, respectfully report C. B. No. 11 correctly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. Hill presented a report of the Committee on Finance.

Mr. Gallup offered the report of the Treasurer of the Colorado Agricultural Society and it was referred to Committee on Agriculture.

Mr. Stewart moved that the whole report of the Society be ordered printed.

Mr. Hill presented the report of the Finance Committee.

Mr. Gallup presented a memorial from the citizens of El Paso County:

Also a memorial from the citizens of Denver.

Mr. De France moved that H. B. No. 66 be read the second and third times and put on its passage under suspension of the rules.

H. B. No. 66 read the second time.

H. B. No. 66 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. V. Garcia, Paul, Stewart, Stover, Suasso, and Wisebart—9.

Nay—Mr. Parmelee.

J. M. Garcia, Hill and Mr. President not voting.

Title was agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 29, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that

C. B. No. 75 has passed the House.
Bill transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Wisebart moved a suspension of the rules, and that C. B. No. 11 be read the third time and put upon its passage which was lost by the following vote;

Yeas—Messrs. De France, J. M. Garcia, Hill, Parmelee. Stewart, Stover, Suasso, and Wisebart—8.

Nays—Messrs. Bates, Gallup, J. V. Garcia, Paul, and Mr. President—5.

Mr. De France moved to adjourn.
Carried.
Adjourned.

THURSDAY, February 1, 1872.

Council met pursuant to adjournment.
President in the chair.
Prayer by Chaplain.
Roll called.
Quorum present.
Journal read and approved.
Absent—Mr.Gallup.

J. M. Garcia introduced a petition concerning the Ratoon mountain toll road.

Referred to special committee J. M. Garcia, De France and Stewart.

Mr. Stover presened a petition of the citizens of Larimer County in favor of atbandoning a Territorial road and establishing roads on section:

Also a county petition from the same County.
Both referred to Committee on Highways and Bridges.
Committee on Judiciary reported.
Committee on Finance reported.
Report of Special Committee.

Mr. President:

The Committee to whom were referred Council Bills Nos. 46, 47, and 65 beg leave to report that after careful consideration, they recommend that C. B. No. 46 be amended as follows

and that with the amendments it do pass; and that Council Bills Nos. 47 and 65 do not pass.

N. P. HILL,
B. W. WISEBART,
Committee.

Mr. Gallup moved that the report and papers be laid upon the table.

Lost.

Mr. Bates moved the adoption of the report.

Carried by the following vote:

Yeas—Messrs. Bates, De France, J. M. Garcia, Hill, Paul, Suasso, and Wisebart—7.

Nays—Messrs. Gallup, Parmelee, Stewart, and Stover—4.

Excused—J. V. Garcia, and Mr. President.

Finance Committee.

Mr. President:

The Committee to whom were referred C. B. No. 39, and H. B. No. 14, respectfully refer the same back to the Council with the recommendation that they do pass.

N. P. HILL,
J. E. BATES,
W. C. STOVER,
Committee.

Mr. Gallup moved the adoption of the report as to C. B. No. 39.

Carried.

Mr. De France moved that it be postponed as to H. B. No. 14.

Carried.

The Committee on Highways and Bridges report:

Mr. President:

Your Committee on Highways and Bridges to whom was referred Substitute for House Bill No. 36, beg leave to report that they have had the same under consideration, and report it back to the Council with the recommendation that it do pass.

All of which is respectfully submitted.

JOSE VICTOR GARCIA,
Chairman.

Mr. Paul moved the adoption of the report.

Carried.

Mr. Suasso gave notice that on to-morrow or some subsequent day, he would introduce "A bill entitled an act to make the road on the Albeyta Pass in Huerfano County a Territorial road.

Mr. Hill by unanimous consent, no notice having been given, introduced C. B. No. 99, "A bill for an act to amend an act entitled an act to incorporate the city of Black Hawk. Approved March 11, 1864.

Mr. Paul by unanimous consent, no previous notice having been given, introduced C. B. No. 100, "A bill for an act to define the boundaries and provide for the reorganization of North Park County, and Middle Park County.

C. B. No. 99 was read the first time.

C. B. No. 100 was read the first time.

C. B. No. 74 read the second time and referred to Committee on Highways and Bridges.

C. B. No. 93 read the second time and referred to Committee on Finance.

C. B. No. 94 read the second time and referred to Committee on Judiciary.

C. B. No. 95 read the second time and referred to Committee on Judiciary.

C. B. No. 96 read the second time and referred to Committee on Judiciary.

C. B. No. 97 read the second time and referred to Committee on Agriculture.

C. B. No. 36 read the third time and passed by the following vote:

Yeas—Messrs. De France, Gallup, J. V. Garcia, Paul, Stewart, Wisebart, and Mr. President—7.

Nays—Messrs. Bates, J. M. Garcia, Hill, Parmelee, Stover, and Suasso—6.

Title agreed to.

C. B. No. 39 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President—13.

The Title was agreed to.

C. B. No. 46 was read the third time, considered engrossed and passed by the following vote:

Yeas—Messrs. Bates, De France, J. M. Garcia, Hill, Paul, Suasso Wisebart, and Mr. President—8.

Nays—Messrs. Gallup, Parmelee, Stewart, and Stover—4.

Excused—J. V. Garcia.

Title agreed to.

C. B. No. 64 read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Hill, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—10.

Nays—Messrs. De France, J. M. Garcia, and Parmelee—3.

Title agreed to.

C. B. No. 81 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 84 considered engrossed and read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 85 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 88 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

The title was agreed to.

C. B. No. 89 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 90 considered engrossed and read the third time.

On motion of Mr. Hill, C. B. No. 90 was recommitted to a special committee—Messrs. De France and Suasso.

C. B. No. 91 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, J. M. Garcia, J. V. Garcia, Paul, Stewart, Stover, and Suasso—7.

Nays—Messrs. De France, Hill, Parmelee and Mr. President—4.

Excused—Mr. Wisebart.
Title agreed to.
Mr. Parmelee moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 P. M.

Council met pursuant to adjournment.
Roll called.
Quorum present.
Mr. Stewart by unanimous consent, no notice have been given, introduced C. B. No. 101, "A bill for an act entitled Fences and Enclosures."
And the bill was read the first time.

Special Committee to whom was referred C. B. No. 90 reported.

Mr. President:

Your committee to whom was referred C. B. No. 90 would recommend that section one (1) be amended to read as follows:
SEC. 1. All hay stacked on any common or unenclosed land in the County of Huerfano, in this Territory, shall be enclosed with a substantial fence at least five and one half feet high:
That section three (3) be amended to read as follows:
SEC. 3. The owner or owners of any hay so stacked as aforesaid who shall neglect to fence the same as provided in this act, shall not be entitled to maintain any action against the owners of any stock for damage done to such hay by said stock:
That with these amendments the bill do pass.

A. H. DE FRANCE,
S. SUASSO,
Committee.

On motion of Mr. De France the report was adopted.
Bill read the second time and ordered engrossed.
On motion of Mr. De France the House amendments to C. B. No. 9 were concurred in.

The following message was received from the House:

House of Representatives, January 31, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that Council Bills Nos. 35, 49, and 57 have passed the House:

Also that C. B. No. 37 has passed the House, amended by striking out sections one (1) and two (2), and renumbering the sections.

The concurrence of the Council is respectfully requested.

Also that further consideration of C. B. No. 45 has been indefinitely postponed by the House:

Also that the House has refused to pass C. B. No. 61.

Bills transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. De France moved that the House amendments to C. B. No. 37 be concurred in.

Carried.

Committee on Finance reported.

Mr. President:

Your Committee to whom were referred Council Bills Nos. 86 and 93 report the same back to the Council with the recommendation that C. B. No. 93 do pass, and that C. B. No. 86 do not pass.

N. P. HILL,
W. C. STOVER,
J. E. BATES,
Committee.

Report received by unanimous consent.

Mr. Parmelee moved that C. B. No. 93 be amended by inserting in line six (6), section one (1), the words "one hundred" instead of the word "fifty."

Mr. De France moved to amend by inserting before the word "fifty" and in line six (6), section one (1), the words "one hundred and."

Mr. Parmelee accepted the amendment and the motion was carried.

Mr. Paul moved that C. B. No. 93 be made the special order for 2 P. M. to-morrow.

Lost.

Mr. Parmelee moved that C. B. No. 93 be considered engrossed as amended, read the third time and put upon its passage under suspension of the rules.

Carried.

C. B. No. 93 read the third time.

On motion of Mr. Wisebart, by unanimous consent, all that portion of section three (3) following the ninth word in line ten (10), was stricken out and the bill passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, Hill, Parmelee, Stewart, Stover, Suasso, Wisebart and Mr. President.—10.

Nays—Messrs. J. V. Garcia, and Paul—2.

Absent—Mr. J. M. Garcia.

Title agreed to.

Mr. Bates in the chair.

Mr. Chilcott by unanimous consent, no notice having been given, introduced C. B. No. 102, "An act to amend chapter forty-five (45) of the Revised Statutes of Colorado."

C. B. No. 45 read the first time.

Mr. Wisebart moved that the report of Committee on Finance be adopted under suspension of the rules.

Carried.

Report of Committee.

Mr. President:

Your Committee to whom was referred H. B. No. 38 offer the following amendments, to wit:

After the word "irrigation" in section one (1), strike out the words "or mining" and insert instead thereof, the words "and that only."

And with these amendments the Committee recommend that the bill do pass.

N. P. HILL,
J. E. BATES,
W. C. STOVER,
Committee.

On motion of Mr. Wisebart the rules were suspended, and H. B. No. 38 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stover, Suasso, Wisebart, and Mr. President—12.

Nays—Mr. Stewart.

Title agreed to.

On motion of Mr. Wisebart, the rules were suspended and the following report adopted.

Mr. President:

Your Committee to whom was referred House Bill No. 35, recommend its passage with the following amendments:

That the word "reincorporate" shall read "incorporate" in line five (5) of printed bill:

And the following added to the last line of section one (1), printed bill, "And the act to which this is amendatory."

J. MARSHALL PAUL,
Chairman.

The amendments made and H. B. No. 35 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, J. M. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Absent—Mr. J. V. Garcia.

Title agreed to.

Mr. Paul by unanimous consent offered the following report of the Committee on Judiciary on C. B. No. 48:

That the word "twenty-one" in section twenty-one (21), line two (2) of printed bill shall be stricken out and the word "nineteen" inserted.

On motion of Mr. De France, the report was adopted under suspension of the rules, and C. B. No. 48 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, J. V. Garcia, Hill, Paul, Stewart, Stover, Suasso, and Wisebart—9.

Nays—Messrs. Gallup, Parmelee, and Mr. President—3.

Absent—Mr. J. M. Garcia.

Title agreed to.

Mr. Bates moved to adjourn.

Carried.

Adjourned.

FRIDAY, February 2, 1872—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by Chaplain.

Roll called.

Quorum present.

Journal read and approved.

Mr. Stover offered a petition of the citizens of Larimer County for a Fence law.

Referred to Committee on Agriculture.

Also a petition of the citizens of Cache la Poudre against section line roads.

Referred to Committee on Highways and Bridges.

Mr. Wisebart offered the report of the Territorial Library Committee on C. B. No. 79.

Mr. Paul offered the report of Judiciary Committee.

Report of Committee on Finance recommending passage of H. B. No. 14 on motion of Mr. De France was adopted.

H. B. No. 14 read the third time.

On motion of Mr. Hill it was made special order for Monday 2 P. M.

Mr. Stover presented a report of Committee on Immigration.

Mr. Hill moved a suspension of the rules and that the report of Judiciary Committee on C. B. No. 51 be adopted.

Carried.

Mr. President:

Your Committee on Judiciary to whom was referred Council Bills No. 51, would respectfully report the following amendments to the same:

First, that section five (5) be amended by striking out the word "ten" and inserting instead thereof the word "seven:"

That section six (6) be amended by striking out the word "five" in line nine (9) of Engrossed Bill and inserting in lieu thereof the word "three"

Also by striking out the word "ten" in line eleven (11) and inserting in lieu thereof the word "seven:"

That section nine (9) of said bill be stricken out and the following inserted in lieu thereof:

"SEC. 9. The provisions of section seven (7) and eight (8) of this act shall not apply to cases where the defendant is required by law to file an affidavit that he has a meritorious defence before he shall be permitted to plead, answer or demur:"

That section ten (10) be stricken out.

JAS. MARSHAL PAUL,
Chairman.

Mr. Hill moved that C. B. No. 51 be ordered engrossed for the third reading.

Carried.

Report of Committee on Printing.

Mr. President:

Your Committee on Printing would report C. Bs. Nos. 98, 99, 100, 101, and 102 correctly printed.

ED. C. PARMELEE,
Chairman.

Mr. Gallup presented a petition of the people of Denver for a Prohibitory law.

Referred to Committee on Education.

The Committee on Engrossed bills report as follows:

Mr. President:

Your Committee on Engrossed bills respectfully report C. B. No. 90 correctly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. De France moved a suspension of the rules and that C. B. No. 90 be read the third time and put upon its passage.

Carried.

C. B. No. 90 read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

And the title agreed to after amending so as to read "An act to compel the owners of stacked hay to fence the same."

C. B. No. 98 read the second time and referred to Hill and Wisebart.

C. B. No. 99 read the second time and referred to Hill and Wisebart.

C. B. No. 100 read the second time and referred to Committee on Counties.

C. B. No. 101 read the second time and referred to Committee on Agriculture and Stock Growing.

C. B. No. 102 read the second time and referred to Committee on Agriculture and Stock Growing.

Mr. Parmelee under suspension of the rules introduced, no notice having been given, C. C. M. No. 3.

And it was read the first time.

Committee on Engrossed bills offered the following report:

Mr. President:

Your Committee on Engrossed Bills respectfully report Council Bill No. 51 correctly engrossed.

A. H. DE FRANCE,
Chairman.

On motion of Mr. Paul the rules were suspended, report adopted, and C. B. No. 51 read the third time and passed by the following vote.

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, Hill, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President—11.

Nay—Mr. Parmelee.

Titled agreed to.

Mr. De France by unanimous consent offered C. C. R. No. 2 rules suspended.

And it was read the first time.

C. C. R. No. 2 read the second time.

Committee on Judiciary reported on C. Bs. Nos. 78, and 83. and H. B. No. 55.

Mr. Hill moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Mr. Paul presented a petition of the Sisters of Charity and others for an appropriation for the Colorado Charity Hospital, and referred to Committee on Finance, Ways and Means.

Mr. Paul by unanimous consent, no notice having been given introduced C. B. No. 103, "An act to aid in the establishing of the Charity Hospital of Colorado, and it was read the first time.

Mr. Paul moved that C. B. No. 103 be read the second time.

Carried.

C. B. No. 103 read the second time.

Report of Enrollment Committee:

Mr. President:

Your Joint Committee on Enrollment have examined Council Bills Nos. 35, 49, and 57, and find the same correctly enrolled, and have placed the same in the hands of his Excellency the Governor of Colorado Territory this second day of February at the hour of 12 M., and they now await his signature.

Respectfully submitted.

M. W. STEWART,
Chairman.

Mr. Bates presented the report of the Special Committee on C. B. No. 64.

Mr. Hill moved that the report be received.

Carried.

Mr. Paul presented report of Committee on Judiciary.

Mr. President:

Your Committee to whom was referred Council Bill No. 50, report it back with the recommendation that it do pass with these amendments:

That the word "five" in line two (2) of section one (1) of printed bill be stricken out and "fifteen" inserted:

That the word "five" in line two (2) of section two (2) of printed bill, be stricken out and "fifteen" inserted:

That the word "five" in line two (2) of section three (3) of printed bill, be stricken out and "fifteen inserted."

J. MARSHALL PAUL,
Chairman.

Mr. Stover moved that the report be adopted.

Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 2, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that C. B. No. 4 has passed the House, amended by striking out all of section one (1) after the word "dollars" in line seventeen (17):"

Also that C. B. No. 62 with amendments (as appended to

the bill transmitted herewith) has passed the House:"

Also C. B. No. 67 amended as follows: section two (2) after the word "Central" line two (2) insert the words "or either of them:"

Section three (3), line two (2), after the words "Black Hawk" insert the words "or either of them:"

In section four (4), line two (2), after the words "Black Hawk" insert the words "or either of them:"

Also add to section four (4), the words "provided that" etc. see engrossed amendments attached to bill:

Also section five (5) substituted for original section of that number:

Also section (6) substituted for original section of that number:

Also change of section six (6) to section seven (7).

The concurrence in said amendments by the Council is respectfully requested.

The Bills are herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 2, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has indefinitely postponed further consideration of C. B. No. 76.

Bill transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Council went into executive session, 3 P. M.

Council resumed.

Mr. Paul moved that the House amendments to C. B. No. 4 be not concurred in.

Carried.

Mr. Hill moved that the House amendments to C. B. No. 67 be not concurred in, and that a committee of two (2) be appointed to confer with a like committee from the House upon said bill.

Carried.

Messrs. Wisebart and Hill appoinied committee.

Mr. Hill moved that the House amendments to C. B. No. 62 be concurred in.

Carried.

Mr. Stover in the chair.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 2d, 1872.

Hon. Geo. M. Chilcott, President of the Council:

SIR: I have the honor to inform you that on the 31st day of January 1872, I approved and signed the following bills certified to have originated in the Legislative Council of Colorado Territory:

C. B. No. 43, "An act to amend an act entitled an act to incorporate the city of Central:"

C. B. No. 75, "An act concerning the Probate Court of Jefferson County."

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 2d, 1872.

Hon. G. M. Chilcott, President of the Legislative Council:

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 Legislative Council, viz:

C. B. No. 33, "An act concerning Justices and Constables, and to increase the jurisdiction of Justices in the County of Arapahoe:"

C. B. No. 35, "An act concerning Married Women:"

C. B. No. 57, "An act to change the name of George W. Martin to George W. Dillet:"

I have the honor to be
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

On motion of Mr. Paul, Council adjourned till Monday 10 A. M.

MONDAY, February 5, 1872.

Council met pursuant to adjournment.
President in the chair.
Prayer by Chaplain.
Roll called.
Quorum present.
Journal read and approved.
J. M. Garcia introduced C. J. M. No. 4.
Mr. Stover presented a petition from the citizens of Cache la Poudre against section roads.
Referred to Committee on Highways.
Mr. Parmelee presented a petition from lawyers of Gilpin County.
Referred to Committee on Judiciary.
The Committee on Engrossed bills reported.

Mr. President:

Your Committee on Engrossed Bills respectfully report C. B. No. 50 correctly engrossed.

A. H. De FRANCE,
Chairman.

The Joint Committee on Enrollment reported.

Mr. President:

Your Joint Committee on Enrollment have examined Council Bills Nos. 9 and 27 and find the same correctly enrolled, and have placed the same in the hands of his Excellency the Governor of Colorado Territory, on Friday February 2d, 1872 at the hour of 5 P. M.

M. W. STEWART,
Chairman.

The Committee on Agriculture and Stock Growing reported.
The Judiciary Committee made the following report which was adopted on motion of Mr. Wisebart.

Mr. President:

Your committee to whom were referred C. Bs. Nos. 78 and 83 and H. B. No. 55, recommend that they do pass.

J. MARSHALL PAUL,
Chairman.

Committee on Finance, Ways and Means reported.

Report of Special Committee.

Mr. President:

Your Committee to whom was referred C. B. No. 73 beg leave to report the same back to the Council with the recommendation that it be indefinitely postponed.

W. C. STOVER,
Chairman.
FRANCIS GALLUP,
N. P. HILL.

On motion of Mr. Stewart the report was adopted.

The Special Committee on C. B. No. 64 reported.

Mr. Hill offered an amendment to C. B. No. 64.

On motion of Mr. Bates C. B. No. 64 was made the special order for afternoon 3 o'clock.

Committee on Territorial Library made the following report on C. B. No. 79:

Mr. President:

Your Committee on Territorial Library to whom was referred Council Bill No. 79, beg leave to report that they have had the same under consideration and are pleased to say that in accordance with the desire expressed in his recent message to the Legislature by his Excellency Gov. McCook, they deem it but right and proper that the Library should be an institution of general resort for general information, that in order to have it so, it should be kept properly advertised so that everybody may be advised of the time said Library is open to the public, and be thereby enabled to accept of the benefit derived from the use of said Library. Your Committee would therefore recommend, Mr. Parmelee dissenting, the passage of Council No. 79 asking the appropriation of twenty-five hundred dollars (2,500) for the years 1872 and 1873, and feel confident if passed, the amount so appropriated will be used to the best possible advantage.

B. W. WISEBART,
Chairman.
S. SUASSO,

Mr. Bates moved the adoption of the report.

Lost.

Mr. De France moved that C. B. No. 79 be indefinitely postponed.

Lost by the following vote:

Yeas—Messrs. De France, Gallup, Hill, Parmelee, Stewart. and Mr. President—6.

Nays—Messrs. Bates, J. M. Garcia, J. V. Garcia, Paul, Stover, Suasso, and Wisebart—7.

The following message received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 5, 1872.

Hon. Geo. M. Chilcott, President of the Legislative Council:

SIR: I have the honor to inform you that on the dates mentioned below I approved and signed the following bills certified to have originated in the Legislative Council:

FEB. 2. Council Bill No. 19, "An act to amend chapter twenty-seven (27) of the Revised Statutes entitled "Ejectments."

FEB. 3. Council Bill No. 9, "An act to amend chapter eighty-eight of the Revised Statutes entitled 'Venue:"

FEB. 3. Council Bill No. 7, "An act relating to costs in criminal cases."

I have the honor to be.
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

Mr. Gallup by unanimous consent introduced without previous notice C. B. No. 104, "A bill for an act relating to Counties and County Officers."

Mr. J. M. Garcia, by unanimous consent, no notice having been given, introduced C. B. No, 105, "A bill for an act to authorize the County Commissioners of Las Animas county to levy a special tax:"

Also C. B. No. 106, "A bill for an act to establish a Territorial road in Las Animas County."

Mr. Suasso by unanimous consent, no notice having been given, introduced C. B. No. 107, "A bill for an act to establish a Territorial road in Huerfano County."

Mr. Parmelee by unanimous consent, no notice having been given, introduced C. B. No. 108, "A bill for an act to aid in the construction of the Georgetown, Middle Park and White River Wagon Road:"

Also C. B. No. 109, "A bill for an act to amend chapter twenty-two (22) of the Revised Statutes of Colorado Territory."

Mr. Hill by unanimous consent, no notice having been given introduced C. B. No. 110, "An act to aid in establishing the Presbyterian Hospital of Colorado."

Mr. Gallup by unanimous consent, no notice having been given, introduced C. B. No. 111, "A bill for an act concerning Illegitimate and other Children."

Mr. De France by unanimous consent, no notice having been given, introduced C. B. No. 112, "An act to amend an act entitled an act to provide for the assessment and collection of Revenue." Approved February 11, 1870.

C. J. M. No. 4 read the first time.

C. B. No. 104 read the first time.

C. B. No. 105 read the first time.

C. B. No. 106 read the first time.

C. B. No. 107 read the first time.

C. B. No. 108 read the first time.

C. B. No. 109 read the first time.

C. B. No. 110 read the first time.

C. B. No. 111 read the first time.

C. B. No. 112 read the first time.

H. B. No. 55 was read the third time and passed by the following vote:

Yeas—Messrs. De France, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, and Suasso—9

Nays—Mr. Bates, and Mr. President—2.

Not voting, Messrs. Gallup, Wisebart —2.

Title agreed to.

C. B. No. 50 read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Stuasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 78 considered engrossed, read the third time, and passed by the following vote;

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President—12.

Nays—Mr. Parmelee—1.

Title agreed to.

C. B. No. 83 considered engrossed, read the third time, and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia. Paul, Stover, Suasso, and Wisebart.—8

Nays—Messrs. De France, Hill, Parmelee, Stewart, and Mr. President—5.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 5, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has receded from its amendments to C. B. No. 67, and that the amendments proposed by the Committee of Conference have been adopted, and that the House has passed the bill as amended.

Bill transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

On motion of Mr. Wisehart the House amendments to C. B. No. 67 were concurred in.

Mr. Wisehart moved a suspension of the rules and that C. B. No. 79 be considered engrossed, read the third time and put on its passage.

Lost.

Report of Committee on Printing:

Mr. President:

Your Committee on Printing would report C. J. M. No. 3 correctly printed.

ED. C. PARMELEE,
For Committee.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 7, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that H. J. M. No. 4, "To the Senate and House of Representatives of the United States" has passed the House unanimously.

The concurrence of the Council is respectfully requested.

Memorial transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Finance Committee reported as follows:

Mr. President:

The Committee to whom was referred Council Bill No. 103. respectfully report it back with the recommendation that it do pass.

N. P. HILL,
W. C. STOVER,
J. E. BATES,
Committee.

On motion of Mr. Parmelee, the report was adopted and C. B. No. 103 indefinitely postponed.
Mr. Parmelee moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 P. M.

Council met pursuant to adjournment.
Roll called.
Quorum present.
Mr. Stover by unanimous consent, no notice having been given, introduced C. B. No. 113, "A bill for an act compelling precinct, district, school, and county officers or any person by them appointed or deputized to perform any official duty after refusal, neglect, or failure to do so, and read the first time."
Mr. Hill by unanimous consent introduced without previous notice C. B. No. 114, "A bill for an act respecting the county officers."
C. B. No. 114 read the first time.
Mr. Paul by unanimous consent, no notice having been given, introduced C. B. No. 115, "A bill to provide for collecting evidence respecting claims to citizens of Colorado for services rendered, articles furnished and losses sustained on account of Indian wars and depredations."
C. B. No. 115 read the first time.
The Judiciary Committee reported on C. B. No. 70.
Mr. Stover by unanimous consent, no notice having been given, introduced C. B. No. 116, "A bill for an act to amend section two (2) of an act entitled an act for the establishment and location of an Agricultural College."

C. B. No. 116 read the first time.

Committee on Finance reported.

Mr. Bates by unanimous consent, no notice having been given, introduced C. B. No. 119, "A bill for an act to compensate Byers & Dailey for work done for the Territory."

C. B. No. 117 read the first time.

Special order for 2:30 p. m., H. B. No. 14.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 5, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that C. B. No. 90 has passed the House.

Bill transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 5, 1872.

Hon. Geo. M. Chilcott, President of the Council:

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 Legislative Council, viz:

C. B. No. 49, "An act relating to the competency of the accused as a witness in criminal cases."

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

H. B. No. 14 was by lost the following vote:

Yeas—Messrs. Gallup, J. V. Garcia, Stewart, Stover, and Wisebart—5.

Nays—Messrs. Bates, De France, J. M. Garcia, Hill, Parmelee, Paul, Suasso, and Mr. President—8.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 5, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that

the House has passed Council Bills Nos. 12, 39, 52, 58, 59, 60, 81, 84, and 89:

Also C. J. M. No. 2:

Also C. B. No. 28 as amended, the amendments accompany the bill.

The concurrence of the Council is respectfully requested.

The Bills are herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Special order for 3 p. m., C. B. No. 64.

On motion of Mr. Bates the report was read.

Mr. President:

Your Special Committee to whom was referred Council Bill No. 64, having had the same under consideration would report the same back to the Council with the recommendation that it do pass with the following amendments:

That there shall be an additional section numbered three (3) which shall take the place of the original section numbered three (3), and the original section three (3) shall be numbered section four (4); section four (4) shall be changed to read section five (5); section five (5) shall be changed to read section six (6); section six (6) shall be changed to read section seven (7); section seven (7) shall be changed to read section eight (8): section eight (8) shall be changed to read section nine (9): section nine (9) shall read section ten (10); section ten (10) shall read section eleven (11):

Also add to section one (1), lot twelve (12), block thirty-eight (38); lot two (2), block one hundred and eleven (111): lot ten (10), in block one hundred and twelve (112).

All of which is respectfully submitted.

J. E. BATES,
FRANCIS GALLUP,
Committee.

On motion of Mr. Bates the report and amendments were adopted.

Mr. Parmelee moved that section one (1) be further amended by adding lot six (6) in block sixty-nine (69).

Carried.

Mr. Bates moved that C. B. No. 64 be considered engrossed, read the third time and put on its passage.

Carried.

C. B. No. 64 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Suasso, Wisebart, and Mr. President—12.

Excused—Mr. Stover.

Title agreed to.

Mr. Paul by unanimous consent, no previous notice having been given, introduced C. B. No. 118, "A bill for an act to employ the labor of convicts in the Penitentiary.

And it was read the first time.

Mr. Stewart moved that the amendments to C. B. No. 28 be concurred in.

Carried.

Mr. Gallup by unanimous consent, no notice having been given introduced C. B. No. 119 "A bill for an act entitled an act to establish and maintain the Colorado Territorial Hospital.

And it was read the first time.

Mr. Bates moved to adjourn.

Carried.

Adjourned.

THURSDAY, February 6, 1872—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by Chaplain.

Roll called.

Quorum present.

Journal read and approved.

The Committee on Printing report:

Mr. President:

Your Committee on Printing would report C. J. M. No. 4 and C. Bs. Nos. 104, 105, 106, 107, 108, 109, 112, 113, and 114 correctly printed.

ED. C. PARMELEE,
For Committee.

Judiciary Committee reported.

Committee on Highways and Bridges reported.

The following reports of Finance Committee were read and on motion of Mr. Gallup adopted:

Mr. President:

Your Committee to whom was referred C. B. No. 87 respectfully offer the following amendments, viz:

After the figures $10,000 in line three (3) of section one (1), strike out the words "shall be subscribed and satisfactorily secured to them," and insert in lieu thereof "shall have been subscribed by individuals or otherwise, and paid in to a National Bank of the city of Denver, to the credit of an account to be styled 'The Capitol Fund:"

Also add to section six (6) "no contract for the erection of said capitol building shall be let for a greater amount than shall have been received from the sale of lots, donations and other sources for that purpose."

And with these amendments recommend that the bill do pass.

N. P. HILL,
J. E. BATES,
W. C. STOVER,
Committee.

Mr. President:

Your Committee to whom was referred H. B. No. 49 respectfully report it back to the Council with the recommendation that it do pass.

N. P. HILL,
J. E. BATES,
W. C. STOVER,
Committee.

Mr. President:

Your Committee on Agriculture and Stock Growing to whom was referred C. B. No. 101, entitled "Fences and enclosures," have had the same under advisement and recommend that it do pass.

M. W. STEWART,
Chairman.

On motion of Mr. Wisebart the report was adopted.

Mr. President:

Your Committee to whom was referred C. B. No. 99 has had the same under consideration and report it back to the

Council with the recommendation that it do pass.

N. P. HILL,
B. W. WISEBART,
Committee.

On motion of Mr. Bates the report was adopted.

Mr. President:

Your Committee to whom was referred Council Bill No. 70, recommend the following substitute for the same with the recommendation that it do pass.

J. MARSHALL PAUL,
Chairman.

On motion of Mr. Stewart the report was adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 6, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 75, "A bill for an act to establish Assay offices in Colorado Territory.

Bill transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

H. B. No. 75 read the first time.

Substitute for C. B. No. 70 read the second time and on motion of Mr. Paul, considered engrossed and put on file for the third reading and passage.

C. J. M. No. 3 read the second time.

C. J. M. No. 4 read the second time.

C. B. No. 107 read the second time.

C. B. No. 106 read the second time.

C. B. No. 105 read the second time.

C. B. No. 104 read the second time.

C. B. No. 114 read the second time.

All referred to Committee of the Whole.

C. B. No. 108 read the second time.

C. B. No. 110 read the second time.

Referred to Committee on Finance.

C. B. No. 109 read the second time.

C. B. No. 112 read the second time.

C. B. No. 113 read the second time.

And referred to Committee on Judiciary.

Substitute for H. B. No. 7 considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

H. B. No. 49 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Wisebart, and Mr. President—10.

Nays—Messrs. De France, J. M. Garcia, and Suasso—3.

The title agreed to.

C. B. No. 99 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 87 considered engrossed and read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Excused—Mr. De France.

Title agreed to.

C. B. No. 101 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Wisebart and Mr. President—12.

Nay—Mr. Suasso.

Title agreed to.

C. B. No. 89 was considered engrossed, read the third time and lost by the following vote:

Yeas—Messrs. Bates, Paul, Suasso, and Wisebart—4.

Nays—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, Stover, and Mr. President—9.

Mr. Wisebart offered the following resolution:

Resolved, that the thanks of the Council are hereby tendered to the Hon. H. M. Teller, President of the C. C. R. R. Co., and through him to the management of the aforesaid road for the splendid entertainment provided for the members of the Council on the recent excursion to Golden.

Also, we tender our thanks to the good people of Golden for the many acts of courtesy extended to us on the occasion referred to.

On motion of Mr. Parmelee the resolution was adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February, 6, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has suspended Joint Rule No. 16 to allow of the introduction of "A bill entitled an act to authorize the Governor of Colorado Territory to commute punishment for offences against the laws of the Territory.

The concurrence of the Council is respectfully requested.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Paul moved that the Council concur in the suspension of Joint Rule No. 16 of the House for the purpose stated.

Carried.

On motion of Mr. Stewart the House resolved itself into the Committee of the Whole.

Mr. Parmelee in the chair.

Mr. President in the chair.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 6, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that C. B. No. 64 has passed the House.

Bill herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Parmelee in the chair.

The committee arose and made the following report:

Mr. President:

Your Committee of the Whole having had under consideration the following bills do recommend:

That C. J. M. No. 3 be reported back to the Council with

the recommendation that it do pass:

That C. J. M. No. 4 be reported back to the Council with the recommendation that it do pass:

That C. B. No. 104 be referred to the Committee on Finance, Ways and Means:

That C. B. No. 105 be reported back to the Council with the recommendation that it do pass:

That C. B. No. 106 be reported back to the Council with the recommendation that it do pass:

That C. B. No. 107 be reported back to the Council with the recommendation that it do pass:

That C. B. No. 114 be reported back to the Council with the recommendation that it be referred to the Judiciary Committee.

Respectfully,
ED. C. PARMELEE,
Chairman.

Mr. Wisebart moved the adoption of the report.

Carried.

Mr. Wisebart offered the following resolution:

Whereas, by a two-thirds vote of the Council it was decided not to increase or improve the Territorial Library:

And whereas, in its present condition the Library is of little avail and a positive incubus to the Territory:

And whereas, a sum of money will have to be appropriated out of the general fund of the Territory for its support for the years eighteen hundred seventy-two (1872) and eighteen hundred seventy-three (1873).

Therefore resolved, that authority is hereby given to the Territorial Librarian to box and place in storage the books belonging to the Territory, and thereby save all contemplated and necessary expense attendant upon keeping the Library aforesaid in good order and condition.

And moved its adoption.

Mr. Bates moved to lay it on the table which was carried by the following vote:

Yeas—Messrs. Bates, Hill, Parmelee, Paul, Stewart, Suasso, and Mr. President—7.

Nays—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Stover, and Wisebart—6.

Committee on Finance, Ways and Means reported.

Special Committee on C. B. No. 20 offered a majority report.

Mr. Wisebart moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Report of Enrollment Committee:

Mr. President:

Your Joint Committee on Enrollment have examined Council Bills Nos. 62, 67 and 90, and find the same correctly enrolled, and have placed the same in the hands of his Excellency the Governor of Colorado Territory, this 6th day of February, A. D. 1872, at the hour of 1 p. m.

Respectfully submitted.

M. W. STEWART,
Chairman.

Mr. Paul moved a suspension of the rules, and that C. J. M. No. 4 be taken up, considered engrossed, read the third time, and put upon its passage.

Carried.

Memorial read the third time and passed by the following vote:

Yeas—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 6, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 121, "A bill for an act to authorize the Governor to commute punishment for offense against the laws of the Territory."

The concurrence of the Council is respectfully requested.

The bill transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Paul moved a suspension of the rules, and that H. B. No. 121 be read the first time.

Carried.

H. B. No. 121 read the first time.

Mr. Parmelee moved that H. B. No. 121 be read the first and second times under suspension of the rules and referred to Committee on Judiciary.

Mr. J. M. Garcia moved a suspension of the rules and that C. B. No. 7 be considered engrossed, read the third time and put on its passage.

C. B. No. 74 was read the third time, and passed by the following vote:

Yeas—Messrs. Gallup, J. V. Garcia, Parmelee, Paul, Stewart, Stover, Wisebart and Mr. President.—8.

Nays—Messrs. Bates, De France, J. M. Garcia, Hill, and Suasso—5.

Title agreed to.

The Judiciary Committee made the following report:

Mr. President:

Your Committee to whom was referred House Bill No. 69 report the same back to the House with the following amendments.

J. MARSHALL PAUL,
Chairman.

Strike out all of section one (1) after the word "follows" in line three (3) and insert in lieu the following:

In the county of Clear Creek on the first Tuesday of April and the first Tuesday of September;

In the county of Gilpin on the fourth Tuesday of April and the first Tuesday in October;

In the County of Jefferson, on the fourth Tuesday of May, and the third Tuesday in November;

In the county of Boulder, on the second Tuesday in June, and the second Tuesday in December;

In the county of Larimer on the first Tuesday in July, in each year:

Add to section two (2) the following:

Provided, that in all cases in which a term of any court shall by this act be held prior to the time at which process shall have been made returnable, it shall be lawful for the parties to the action in which such process shall have been issued, to sue out, and for the clerk of any court in which such action shall be pending, to issue other process returnable to the term of such court provided by this act, and thereafter the suit, action or proceeding shall proceed as if the same had been originally brought to the term of such court fixed by

this act; *Provided further*, that in suits commenced by attachment, when the writ shall have been made returnable as aforesaid, a new writ may be issued, returnable to the next term of the court, out of which the same shall have been issued as fixed by this act; and if the same shall not be served upon the defendant, or defendants named therein, such defendants shall be notified by publication to appear at the next term of such court, as fixed by this act, in the way and manner provided by existing law, and thereupon the court shall proceed in the same manner as in other suits of the same nature, instituted to such term.

Mr. De France moved the adoption of the report and that H. B. No. 61 be read the second and third time, considered engrossed and put on its passage.

Carried.

H. B. No. 61 read the second time.

H. B. No. 61 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Paul, Stover, and Suasso—9.

Nay—Mr. Parmelee.

Excused—Stewart, Wisebart, and Mr. President—3.

Title agreed to.

Mr. Wisebart moved that C. B. No. 105 be considered read the third time, and put upon its passage.

Carried.

C. B. No. 105 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

The following message was received from the House:

House of Representatives, February 6, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has refused to recede from its amendments to C. B. No. 4 and have appointed Messrs Givens and Webster as Committee of Conference, and ask that a like committee on the part of the Council be appointed.

The bill has been referred to said committee.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

Messrs. Parmelee and De France were appointed a Committee of Conference on the part of the Council on C. B. No. 4.

Mr. Bates under suspension of the rules moved that H. B. No. 106 be considered engrossed, read the third time and put on its passage.

Carried.

C. B. No. 106 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Bates moved a suspension of the rules and that C. B. No. 107 be considered engrossed, read the third time and put upon its passage.

Carried.

C. B. No. 107 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, J. M. Garcia, J. V. Garcia, Hill, Paul, Stover, Suasso, Wisebart, and Mr. President—11.

Excused—Messrs. Parmelee and Stewart—2.

Titled agreed to.

Mr. J. V. Garcia moved that Mr. Dominguez, interpreter be excused from further service.

Carried.

The following message was received from the House:

House of Representatives, February 6th, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the Committee of Conference having reported in favor of House amendments to C. B. No. 4, the bill is returned for the further consideration of the Council.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Report of Conference Committee:

Mr. President:

Your Committee of Conference on C. B. No. 4 have conferred with the House Committee and would recommend that

the Council concur in the amendments proposed by the House.

ED. C. PARMELEE,
Chairman.

House amendments to C. B. No. 4 concurred in by the Council.

Mr. Wisebart moved that so much of the report of the Judiciary Committee as relates C. B. No. 82 be adopted.

Carried.

Mr. Bates moved that C. B. No. 82 be considered engrossed read the third time and put on its passage.

Carried.

C. B. No. 82 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, J. M. Garcia, J. V. Garcia. Paul, Wisebart and Mr. President—7.

Nays—Messrs. Gallup, Hill, Parmelee, Stewart, Stover, and Suasso—6.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 6, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed:

Substitute for H. B. No. 22, "For an act regulating Fees and Salaries:"

And H. B. No. 59, "A bill for an act to establish a Territorial School of Mines:"

Also C. B. No. 42, with certain amendments, the same being engrossed and attached to the bill.

The concurrence of the Council is respectfully requested.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Wiesbart moved that C. B. No. 82 be made special order for to-morrow 2 p. m.

Carried.

Mr. Bates moved to adjourn.

Carried.

Adjourned.

WEDNESDAY, FEBRUARY 7, 1872—10 A. M.

Council met pursuant to adjournment.
President in the Chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Edward Kidd sworn as interpreter in place of Mr. Dominguez.
Journal read and approved.
The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 7, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed the following bills:

Substitute for H. B. No. 29, "A bill for an act to create and provide for a Board of Immigration for Colorado Territory:

H. B. No. 54, "A bill for an act to encourage the growing of Trees, Hedges, &c.:"

H. B. No. 56, "A bill for an act to amend an act entitled an act to provide for the protection of Fish in Colorado." Approved Feb 11, 1870:

H. B. No. 58, "A bill for an act to encourage the operations and maintenance of Beet sugar Manufactories and Refiners:

H. B. No. 50, "A bill for an act for the education of Deaf Mutes:

H. B. No. 68, "An act entitled an act to prevent the introduction of animals for the purpose of grazing within certain limits.

The concurrence of the Council is respectfully requested.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Report of Committee on Printing.

Mr. President:

Your Committee on Printing would report C. Bs. Nos. 111, 115, 117, and 118 correctly printed:

In C. B. No. 119 the word "such" in line three (3), section nine (9) should read "laid" and the word "provided" in line

one (1), section eleven (11) should read "divided."

ED. C. PARMELEE,
For Committee.

Report of Joint Committee on Enrollment:

Mr. President:

Your Joint Committee on Enrollment have examined Council Bills Nos. 52, 12, 39, 60, and 64, and find the same correctly enrolled, and have placed the same in the hands of his Excellency the Governor of Colorado Territory, on the 6th day of February, A. D. 1872, at the hour of 5 p. m.

M. W. STEWART,
Chairman.

Report of Committee on Judiciary laid over.

The following Judiciary Committee report adopted.

Mr. President:

Your committee recommend

That Council Bills Nos. 82 and 95 be passed:

That Council Bill No. 92 be amended as follows:

Strike out the word "sixty" and "thirty" and insert "forty" and "twenty" in lines three (3) and eleven (11), printed bill, section two (2), and in lines six (6) and nine (9), section three (3), in lines eight (8) and ten (10), section four (4), in lines five (5) and seven (7), section five (5), insert these words: "to be served and returned in like time and manner as in suits in chancery:"

After the word "summons" in line three (3) section nine (9) strike out the words "shall enter judgment according to the rights of the parties, and by decree," in lines seven (7) and eight (8) of said section nine (9), and insert the following words after the word "thereon" "and thereupon judgment shall be rendered according to the rights of the parties:"

Strike out the words "in such mode as the court may determine" and insert "by posting the same in the three most public places in the County;" in line five (5) of said section nine (9).

That House Bill No. 39 do pass.

J. MARSHALL PAUL,
Chairman

Committee on Agriculture reported.

Committee on Highways and Bridges reported as follows:

Your Committee to whom was referred C. B. No. 80, also a petition relating to the same, beg leave to report that they have had the same under consideration and find upon examina-

tion of the various petitions, that a majority of citizens interested in said road are opposed to the passage of such a bill, and in view of the above facts, it is our opinion that said bill should not become a law.

JOSE VICTOR GARCIA,
J. MARSHALL PAUL,
Committee.

And the report was adopted.

The Special Committee on C. B. No. 71 reported as follows:

Mr. President:

Your Special Committee to whom was referred C. B. No. 71 would respectfully submit the following report, to wit:

That as shown by the printed laws, and the enrolled bill now on file in the office of the Secretary of Colorado, of the Legislature of Colorado at its fourth session, an act was passed "to incorporate the Trinidad and Raton Mountain Wagon Road Company." The bill providing for said act was a House Bill and was numbered thirty-eight (38) as appears by the Journal of the House of that session. It also appears by said Journal that there were different bills of that number introduced in the House at that session. And while it does not appear from said Journal that the said bill entitled as above, was passed by the House, yet it does appear thereby that the same was enrolled and signed by the then acting Governor.

From the Council Journal of that session, it appears that the said bill was defeated in the Council; and it further appears from the said Journals that some mistake was made in reference to the same, a communication having been sent to the House from the Council, requesting that House Bill No. 38 be sent back to the Council for the reason that it had been transmitted to the House by mistake.

Your committee therefore ask permission to return this bill to the Council without recommendation, and to be discharged from a further consideration of the same as a committee.

JESUS MARIA GARCIA,
A. H. DE FRANCE.
M. W. STEWART,
Committee.

And the report was adopted.

Committee on C. B. No. 20 offered Majority and Minority reports as follows:

Mr. President:

Your committee to whom was referred C. B. No. 20 respectfully report the same back to the Council, Mr. De France dissenting, with the recommendation that it do pass.

N. P. HILL,
ED. C. PARMELEE,
Committee.

Minority report.

Mr. President:

The undersigned, one of the Committee to whom was referred C. B. No. 20 would respectfully submit the following Minority report:

The bill referred to your committee, contains two (2) propositions: first, to amend the Election laws; secondly, to repeal the Registry law, and reads as follows:

An act amendatory of the Election Laws, and to repeal the Registry Law.

Be it enacted by the Council and House of Representatives of Colorado Territory.

SEC. 1. No person shall be allowed to vote at any general or special election in this Territory who is not known to the judges of said election to be a legal voter in the precinct in which he offers to vote, unless the person offering to vote shall first make oath, which oath may be administered by either one of said judges, that he has been a resident of this Territory for six months last preceding such election, and of the precinct or ward ten days previous thereto, and that he is entitled to vote at such election, and shall prove by the oath of one or more persons known to such judges to be legal voters of such precinct, that he is a resident of said precinct or ward, and has been for ten days previous to the day of election, which oath may be likewise administered by either one of said judges; and if either of said oaths shall be false, the person making the same shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor greater than five hundred dollars, or by imprisonment in the county jail of three months, or by both such fine and imprisonment.

SEC. 2. All that part of chapter twenty-eight of the Revised

Statutes of Colorado, between sections sixty-three and eighty-four of said chapter, entitled "An act to create and establish a Board of Registry of Electors," approved January 10, 1868, and known as the Registry Law, is hereby repealed, but the repeal hereof shall not be construed so as to revive section twenty-four of said chapter.

SEC. 3. This act shall take effect from and after its passage.

The first section of this bill should in the opinion of the undersigned, if enacted as law, effect everything which the Registry Law now effects. And with the repeal of the said Registry Law, would relieve the people of this Territory of a great burden, trouble and expense unnecessarily imposed upon them. At a fair and reasonable estimate, each general election held in this Territory costs the people for the registration of electors alone, not less than ten thousand dollars, and the Registry Law provides for a much greater expense should the Registry Board continue in session the whole number of days they are allowed to sit under said law. The cost or expense of this system, would not of itself be an objection thereto sufficient to warrant its repeal, if it could be satisfactorily demonstrated, that corresponding advantages flowed therefrom; but in the absence of such proof, it is certainly a serious objection, and one worthy of the due consideration of this honorable body; and especially when the amendment proposed by this bill to the Election Law, as is contemplated thereby, would without doubt, produce all the beneficial results, if any, which can reasonably be claimed for the said Registry law.

But this is not the only objectionable feature in the Registry law.

The experience of mankind is that too much legislation is worse than no legislation; that the fewer and simpler our laws, the more beneficent the results. A plain, simple Election law, containing the necessary provisions to prevent fraudulent and illegal voting, is much better and more preferable than the complicated system of registration in connection therewith.

If a Registry law does any good at all in any place, it is only in large cities where the system of "repeating" is resorted to by unscrupulous voters. In sparsely settled communities where the people are generally known to one another, this practice cannot be carried on without detection. But our present Registry law is very imperfect and would not of itself prevent any such fraud, for any elector can exercise the elective franchise under the same, whether registered or not. It is also prolific of great evil owing to its complication; the same is not complied with in a majority of cases by the Regis-

try Board; hence contests arise in elections and the choice and will of the people fairly and without fraud expressed, are often, by reason of some informalities, defeated. The voters of one or more precincts, are, by reason of carelessness or ignorance, in those who are appointed to execute the law, completely disfranchised, and for no fault of their own. This is unjust and against the general spirit and fairness of American institutions. But without attempting to enumerate the many objections that might be urged to said law, the minority submits that those mentioned are ample and sufficient to warrant the passage of this bill, and therefore recommends such action by the Council.

A. H. De FRANCE,
Chairman.

Mr. De France moved the adoption of the minority report.

Lost by the following vote:

Yeas—Messrs. De France, J. M. Garcia, Stewart, Stover, and Suasso—5.

Nays—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Paul, Wisebart and Mr. President—8.

Majority report was adopted by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Paul, Wisebart and Mr. President—8.

Nays—Messrs. De France, J. M. Garcia, Stewart, Stover and Suasso—5.

On motion of Mr. De France, under suspension of the rules, C. B. No. 20 was taken up, read the third time and put on its passage.

Lost by the following vote:

Yeas—Messrs. De France, J. M. Garcia, and Stewart—3.

Nays—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Wisebart and Mr. President—9.

Absent—Mr. Suasso.

The following report was presented and adopted:

Mr. President:

Your committee to whom was referred C. B. No. 72, offer the following amendment, viz:

After the words "that the sum of" in line one (1) of section one (1), insert the words "five hundred;" also in line nine (9) of section one (1), after the words "said sum of" insert the words "five hundred."

And with these amendments, Mr. Stover dissenting, recommend that the bill do pass.

N. P. HILL,
J. E. BATES,
Committee.

Minority report of the Finance Committee to whom was referred C. B. No. 63.

Mr. President:

The minority of the Committee on Finance to whom was referred C. B. No. 63, beg leave to make the following report:

That it appears to be the intention of this present Legislature to make such appropriations as may be deemedr easonable and just, and more especially when the appropriation asked for goes directly to the Territory. Such appears to be the case in C. B. No. 63. It is purely a Territorial institution and there is no chance for the Territory to loose anything by making such an appropriation. The bill merely asks for an appropriation to purchase a sufficient amount of lands necessary for said Agricultural College of Colorado. At the last session of the Legislature an act was passed (laws of A. D. eighteen hundred seventy (1870), page one hundred fifty-eight (158) providing for the establishment and location of an Agricultural College of Colorado. Said College has been located near Fort Collins in Larimer county as provided for in said act, (see report of Superintendent of Public Instruction for A. D. 1871, page 119) and as said College has never had nor asked for any appropriation heretofore, and as the citizens in the vicinity of Fort Collins have already made a warranty deed for fifty acres of land and title bonds for one hundred and sixty (160) acres more, making in all, two hundred and ten (210) acres belonging to said Agricultural College, and as this appropriation asked for is to purchase additional lands for the site, which lands are advancing at least at the rate of thirty (30) per cent. per annum, thereby making the appropriation not only a judicious one, but a paying investment for the Territory, should this Territory desire at any future time to dispose of the lands so purchased for the Agricultural College. In view of the above facts, your Minority beg leave to report the same back to the House with the recommendation that it do pass.

W. C. STOVER,

Chairman.

Mr. Stover moved the adoption of (C. B. No. 63) Minority report.

Lost.

Substitute for H. B. No. 22 read the first time.

Substitute for H. B. No. 29 read the first time.

C. B. No. 54 read the first time.

C. B. No. 56 read the first time.

C. B. No. 58 read the first time.

C. B. No. 59 read the first time.
C. B. No. 60 read the first time.
C. B. No. 68 read the first time.
Substitute for C. B. No. 69 read the second time.
C. B. No. 75 read the second time.
C. B. No. 111 read the second time.
C. B. No. 116 read the second time.
C. B. No. 119 read the second time.
And referred to Committee of the Whole.
C. B. No. 115 read the second time.
C. B. No. 117 read the second time.
Referred to Committee on Finance.

C. B. No. 118 read the second time and on motion of Mr. Paul, rules were suspended, it was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

H. B. No. 39 read the third time and lost by the following vote:

Yeas—Messrs. Gallup, J. V. Garcia, Parmelee, Paul, Stover, and Wisebart—6.

Nays—Messrs. Bates, De France, J. M. Garcia, Hill, Stewart, Suasso, and Mr. President—7.

C. J. M. No. 3 considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, and Mr. President—11.

Nays—Mr. Wisebart.

Not voting—Mr. De France.

Title agreed to.

C. B. No. 72 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, and Mr. President—12.

Nays—Mr. Wisebart.

Title agreed to.

C. B. No. 95 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 7, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has suspended Joint Rule No. 16 to allow Mr. Larragoite to introduce a Joint Memorial to the Secretary of War, praying the establishment of a Military Post in Las Animas county.

The concurrence of the Council is respectfully requested.

Respectfu'ly,
JAS. G. COOPER,
Chief Clerk.

Mr. Gallup offered amendments to C. B. No. 92 and it was ordered engrossed for the third reading.

Mr. Wisebart in the chair.

C. B. No. 71 was considered engrossed, read the third time and lost by the following vote:

Yeas—Messrs. De France, J. M. Garcia, Hill, Stover, Suasso and Wisebart—6.

Nays—Messrs. Bates, Gallup, J. V. Garcia, Parmelee, Paul, Stewart, and Mr. President—7.

Mr. Wisebart offered report of Committee on C. B. No. 100.

Mr. De France, moved a suspension of the rules, and that the report of the Judiciary Committee as to C. B. No. 112 be adopted that it be considered engrossed, read the third time and put on its passage.

Carried.

C. B. No. 112 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

The following report was presented:

Mr. President:

Your Committee to whom was referred Council Bill No. 98, respectfully offer the following amendment, viz:

At the end of section three (3) insert the following words "provided that the whole amount of the bonds issued under this act shall not exceed the sum of thirty thousand dollars ($30,000)."

And with this amendment recommend that the bill do pass.

N. P. HILL,
B. W. WISEBART,
Committee.

Mr. Hill moved the adoption of the report.
Carried.
Mr. Hill moved that C. B. No. 98 be considered engrossed, read the third time, and put upon its passage.
C. B. No. 98 read the third time and passed by the following vote:
Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.
Title agreed to.
Mr. Hill moved the adoption of the Judiciary Committee report as to C. B. No. 94, that it be considered engrossed, read the third time and put on its passage.
Carried.
C. B. No. 94 was read the third time and passed by the following vote:
Yeas—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.
Nay—Mr. Bates.
Title agreed to.
Mr. Parmelee moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 P. M.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Report of Enrollment Committee:

Mr. President:

Your Joint Committee on Enrollment have examined Council Bills Nos. 84, 89, 81, and 28, also C. J. M. No. 2, and find the said bills and memorials correctly enrolled, and have placed the

same in the hands of his Excellency the Governor of Colorado Territory, this 7th day of February, A. D. 1872, at the hour of 1 p. m.

Respectfully submitted.

M. W. STEWART,
Chairman.

Special order for 2 p. m., H. B. No. 42.

Mr. Bates in the chair.

The following message received from the House:

HOUSE OF REPRESENTATIVES, February 7, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed the following bills:

H. B. No. 70, "A bill for an act to extend and make applicable to the county of Las Animas an act entitled an act to regulate Ditches used for Farming purposes in the counties of Costilla and Conejos, found on pages three hundred and sixty-five (365) and three hundred and sixty-six (366) of the Revised Statutes of Colorado:"

H. B. No. 90, "A bill for an act for the relief of Marmaduke Green, District Attorney for The third Judicial District of Colorado Territory:"

H. B. No. 93, "A bill for an act for the relief of Jotham A. Draper:"

H. B. No. 120, A bill for an act to amend an act to authorize the County Commissioners of El Paso county to levy a special tax for the purpose of building a County Jail:"

Also have passed C. B. No. 105 and C. J. M. No. 4.

The concurrence of the Council is respectfully requested.

The bills transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Chilcott moved that the Council concur in House amendments to C. B. No. 42, and that the following amendments be made also:

Strike out section eleven (11) and insert the following, to wit:

SEC. 11. All animals afflicted with any contageous disease shall be removed by the owner or person in charge thereof, to some secure enclosure or they shall be herded six miles away

from any farm or other herd of similar stock of cattle, sheep, or horses. Every person who shall neglect or refuse to remove diseased stock or herd them away from any farm or similar herd of cattle, sheep, or horses, shall be liable for treble damages sustained by any person whose animals become infected by such contageous diseases. And the person claiming to be so damaged, shall have authority to call to his assistance some disinterested party, and proceed to examine said stock, and the parties so examining said stock shall be competent to testify on the trial of said cause:

In section five (5), line one (1), after the word "Stallion" insert "over fifteen (15) months old."

Carried.

President in the chair.

On motion of Mr. De France H. B. No. 75 was referred to a special committee appointed by the chair—Hill, De France and Paul.

On motion of Mr. Gallup C. B. No. 111 was taken up under suspension of the rules, considered engrossed, read the third time and put on its passage.

C. B. No. 111 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, Hill, Parmelee, Paul, Stewart, Stover, Wisebart and Mr. President—10.

Nays—Messrs. J. M. Garcia, J. V. Garcia, and Suasso—3.

The title agreed to.

The following message was received from the House:

House of Representatives, February, 7, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed the accompanying concurrent resolution.

The concurrence of the Council is respectfully requested.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

Resolved, that the Council concurring Joint Rule No. 16 be suspended to allow Mr. Archibald of the 12th district to introduce "A bill for an act to amend chapter forty-nine (49) of Revised Statutes."

Mr. Paul under suspension of the rules offered the following resolutions:

Resolved, that Joint Rule No. 16 be suspended for the pur-

pose of introducing "A bill entitled an act to create and establish the office of Territorial Geologist, said officer to serve without compensation."

Mr. Parmelee moved that Joint Rule No. 16 be suspended for that purpose.

Carried.

Recess of twenty (20) minutes.

Mr. De France moved that H. B. No. 1 be taken from the file, read the third time and put on its passage with the following amendments:

SEC. 12. No Sheep Inspector shall be appointed by the County Commissioners of either of the counties of Pueblo, Douglas, Bent, or Arapahoe until they have been petitioned to make such appointment by the majority of the sheep owners of the counties repectively.

Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 7, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your Honorable Body that the House has passed

H. B. No. 78, "A bill for an act to amend sections four (4) and thirty-five (35) of chapter twenty (20) of the Revised Statutes of Colorado Territory:"

H. B. No. 101, "An act to establish the county of Platte."

And the House has concurred in Council amendments to C. B. No. 42.

The concurrence of the Council is requested as to the House Bills mentioned.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 7, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed the following bills:

H. B. No. 57, "A bill for an act for the protection of Wild Game in the Territory of Colorado:"

H. B. No. 72, "An act to authorize the city of Denver to create a public debt not exceeding three hundred thousand dollars ($300,000); *Provided*, the same is ratified by a two-thirds vote of the people:"

H. B. No. 82, "A bill for an act to prevent the waste by persons using the water of the streams of Huerfano county for the purpose of Irrigation:"

H. B. No. 83, "A bill for an act for the relief of Capt. D. H. Nichols:"

H. B. No. 109, "A blll for an act concerning public Roads:"

H. B. No. 87, "A bill for an act defining the rights of occupants of Mineral lands on the public domain:"

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JAS. G. COOPER,
Chief Clerk.

H. B. No. 1 read the third time and passed by the following vote:

Yeas—Messrs. De France, Gallup, J. M. Garcia, Hill, Paul, Stewart, Stover, Suasso Wisebart and Mr. President—10.

Nays—Bates, J. V. Garcia, and Parmelee—3.

Title agreed to.

The following message was received from the House:

House of Representatives, February 7, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed:

H. B. No. 73, "A bill for an act to authorize County Commissioners to fill vacancies by appointment."

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Gallup moved that the rules be suspended and that the resolution of the House suspending Joint Rule No. 16 for the purpose of the introduction of Mr. Archibald's bill, was lost by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Parmelee, Paul, Stewart, Stover, and Mr. President—8.

Nays—Messrs. De France, J. M. Garcia, Hill, Suasso, and Wisebart—5.

Mr. Bates moved that the following report of the Judiciary Committee be adopted.

Carried.

Mr. President:

Your Committee to whom was referred C. Bs. Nos. 113. 114, 112, 94, and House Bill No. 121 respectfully report the same back to the House with the following recommendations:

That Council Bills Nos. 94, 112, and 113 do pass:

That Council Bill No. 114 be amended as follows:

Strike out all after the word "next" in the last line of section three (3) and insert the following: "meeting of the board of County Commissioners of such county, when it shall be the duty of such board of Commissioners to appoint some suitable and competent person to serve as treasurer until the next general election in such county:"

That House Bill No. 121 be amended by striking out all of said bill after the words "ten years at hard labor."

J. MARSHALL PAUL,
Chairman.

Mr. Paul moved a suspension of the rules and that C. B. No. 114 be considered engrossed, read the third time and put on its passage.

Carried.

C. B. No. 114 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Titled agreed to.

Mr. Paul moved a suspension of the rules and that C. B. No. 121 be considered engrossed, read the third time and put upon its passage.

Carried.

H. B. No. 121 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President.—11.

Nays—Messrs. De France, and J. M. Garcia—2.

Title agreed to.

On motion of Mr. Stover, under suspension of the rules, C. B. No. 113 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Paul moved a suspension of the rules and that H. B. No. 58 be read the second and third times and put on its passage.

Lost by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia and Paul—6.

Nays—Messrs. Hill, Parmelee, Stewart, Stover, Suasso, Wisebart, and Mr. President—7.

Mr. Wisebart moved to adjourn.

Carried.

Adjourned.

THURSDAY, FEBRUARY 8, 1872—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by Chaplain.

Roll called.

Quorum present.

Journal read, corrected, and approved.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 8, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has concurred in the action of the Council suspending Joint Rule No. 16 to allow the introduction of a bill providing for the appointment of a Territorial Geologist:

Also have concurred in Council amendments to H. B. No. 1:

And has passed C. B. No. 70.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 8, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that

the House has concurred in Council amendments to House Bills Nos. 61 and 121:

Also, have passed H. B. No. 24, entitled Fences and Enclosures:

And substitute for H. B. No. 62, "A bill for an act to provide for the payment for stock killed by railroad or Railway Companies:"

Also have passed C. B. No. 11 with certain amendments, the same are engrossed and attached to the bill.

The concurrence of the Council is respectfully requested.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The bills herewith transmitted.

The Committee on Counties returned the petition of the citizens of Jefferson county without recommendation.

Committee on Enrollment reported.

Mr. President:

Your Committee on Enrollment have examined Council Bills Nos. 4, 58, and 59, and find the same correctly enrolled and have placed the same in the hands of his Excellency, the Governor of Colorado Territory, this 8th day of February A. D., 1872, at the hour of 9 a. m., and they now await his signature.

M. W. STEWART,
Chairman.

Committee on Agriculture and Stock Growing made the following report:

Mr. President:

Your Committee on Agriculture and Stock Growing to whom was referred C. B. No. 102, report the same back to the Council with the recommendation that it do pass, Mr. Stover dissenting.

M. W. STEWART,
Chairman.

On motion of Mr. Stewart the report was adopted.

The following report was read:

Mr. President:

Your Committee to whom was referred H. B. No. 75, offer

the following amendments, viz:

Amend section one (1) so that the same shall read as follows:

SEC. 1. There shall be established four (4) Territorial Assay offices in the Territory of Colorado as follows:

One at Central City, in Gilpin county; one at Georgetown, in Clear Creek county; one at Fairplay, in Park county: and one at Boulder, in Boulder county:

Amend section two (2) by striking out the word "eight" in line three (3) thereof and insert the word "six."

And with these amendments recommend that it do pass.

N. P. HILL,
Chairman.

On motion of Mr. Hill it was adopted.

Finance Committee reported on C. B. No. 117.

On motion of Mr. Hill the rules were suspended, H. B. No. 75, read the third time and put on its passage.

H. B. No. 75 was passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Wisebart and Mr. President—12.

Title was agreed to.

Committee on Agriculture reported on C. B. No. 97.

Report and bill made the special order for this afternoon at four (4) oclock.

Mr. President:

Your Committee to whom was referred C. B. No. 68 report it back to the Council with the recommendation that it do pass.

N. P. HILL,
J. E. BATES,
W. C. STOVER,
Committee.

On motion of Mr. Paul it was adopted.

Committee on Counties reported.

Mr. President:

Your Committee on Counties to whom was referred C. B. No. 100, beg leave to report that they have had the same under consideration and desire to represent that the substance of this bill is almost the same as was sought to be enacted by

the introduction of H. B. No. 48, and therefore do not wish to make any recommendation.

B. W. WISEBART,
Chairman.

On motion of Mr. De France the report and bill were laid on the table.

Majority report of Finance Committee:

Mr. President:

Your Committee to whom was referred Council Bill No. 63 respectfully report the same back to the Council, Mr. Stover dissenting, with the recommendation that it do pass.

N. P. HILL,
J. E. BATES
Committee.

Mr. De France moved that the report be adopted and that the bill be read the third time and put on its passage.

C. B. No. 63 was read the third time and passed by the following vote:

Yeas—Messrs. De France, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stover, and Suasso—7.

Nays—Messrs. Bates, Gallup, Hill, Stewart, Wisebart, and Mr. President—6.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 8, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed:

Council Bills Nos. 98, 111, and 113:

And have refused to pass C. B. No. 95.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Gallup offered the following resolution:

Resolved, that Joint Rule No. 16 be suspended for the purpose of allowing Mr. Gallup to introduce a Joint Memorial to the Senate and House of Representatives of the United States in relation to Capitol buildings.

Mr. Parmelee moved the adoption of the resolution:

Carried.

Mr. Paul under suspension of the rules introduced C. B. No. 120, "A bill for an act to create and establish the office of Territorial Geologist."

Mr. De France moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Bills on the first reading:

H. B. No. 24 read the first time.

H. B. No. 57 read the first time.

H. B. No. 62 read the first time.

H. B. No. 70 read the first time.

H. B. No. 72 read the first time.

H. B. No. 73 read the first time.

H. B. No. 78 read the first time.

H. B. No. 82 read the first time.

H. B. No. 83 read the first time.

H. B. No. 87 read the first time.

H. B. No. 90 read the first time.

H. B. No. 93 read the first time.

H. B. No. 109 read the first time.

H. B. No. 120 read the first time.

H. B. No. 101 read the first time.

Mr. De France moved that H. B. No. 101 be read the second and third times, under suspension of the rules and put on its passage.

Carried.

H. B. No. 101 read the second time.

H. B. No. 101 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President—13.

Title agreed to.

C. B. No. 120 read the first time.

Mr. Parmelee moved to reconsider the vote by which C. B. No. 63 was passed this morning.

Carried.

Substitute for H. B. No. 62 read the second time.

H. B. No. 29 read the second time.
H. B. No. 54 read the second time.
H. B. No. 56 read the second time.
H. B. No. 58 read the second time.
H. B. No. 59 read the second time.
H. B. No. 60 read the second time.
H. B. No. 68 read the second time.
And referred to Committee of the Whole.

Under suspension of the rules Committee on Engrossment made the following report:

Mr. President:

Your Committee on Engrossed bills respectfully report C. B. No. 92 correctly engrossed.

A. H. DE FRANCE,
Chairman.

Mr. De France moved that C. B. No. 92 be put on file for the third reading.

C. B. No. 68 considered engrossed, read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 102 considered engrossed, on motion of Mr. Stover amended by striking out section four (4) and inserting "this act shall only apply to Pueblo county:"

Make section four (4) section five (5).

C. B. No. 102 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 92 read the third time, amended and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 8, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that

the House has passed the following bills:

H. B. No. 116, "A bill for an act to authorize the County Commissioners of Douglass county to levy a special tax for certain purposes:"

H. B. No. 89, "A bill for an act to amend an act entitled an act to reduce the law incorporating the city of Denver &c., &c.:"

H. B. No. 84, "A bill for an act amendatory of chapter eighteen (18) of the Revised Statutes of Colorado concerning Corporations:"

H. B. No. 85, "A bill for an act amendatory of chapter forty-five (45) of the Revised Statutes of Colorado Territory:"

Also H. B. No. 74, "A bill for an act regulating the salaries of the Territorial officers, and to provide for a private Secretary for the Governor of the Territory, and the contingent expenses of the Governor's office:"

The concurrence of your honorable body is respectfully requested:

Also that further consideration of C. B. No. 51 has been indefinitely postponed.

Six bills transmitted herewith.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

House of Representatives, February 8th, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed H. J. M. No. 5, "To the Secretary of War."

The concurrence of the Council is respectfully requested.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

House of Representatives, February 8, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has concurred in the Council amendments to H. B. No. 75.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 8, 1872.

Hon. Geo. M. Chilcott, President of the Legislative Council of Colorado Territory:

SIR: I have the the honor to inform you that I have approved and signed on the dates mentioned below the following bills certified to have originated in the Legislative Council of Colorado Territory:

FEB. 8. Substitute for C. B. No. 12, "An act defining further causes for attachment:"

C. B. No. 28, "An act to contribute to the support of a School Journal for Colorado Territory:"

C. B. No. 39, "A bill for an act to prevent cruelty to animals:"

FEB. 7. C. B. No. 52, "An act to amend an act entitled an act to reduce the law incorporating the city of Denver, and the several acts amendatory thereof into one act, and to amend the same." Approved Feb. 10, 1865:

FEB. 8. C. B. No. 58, "An act to amend chapter twenty (20) of Revised Statutes of Colorado:"

C. B. No. 59, "An act to locate the County seat of Bent county:"

C. B. No. 60, "A bill for an act entitled an act concerning Judgments and Liens:"

C. B. No. 64, "An act to provide for the further execution of the trust relating to the Town site of Denver and to regulate the same:"

C. B. No. 67, "A bill for an act to enable the cities of Black Hawk and Central to obtain a supply of water for fire and other purposes:"

C. B. No. 81, " A bill for an act to amend an act entitled an act for the protection of Growing crops." Approved February 8, 1870:

C. B. No. 84, "An act concerning Libraries:"

C. B. No. 89, "An act to authorize the County Commissioners of Pueblo county to levy a special tax for the purpose of building a bridge across the Arkansas river:"

C. B. No. 90, "An act to compel the owners of Stacked hay to fence the same:"

C. J. M. No. 2, "To the Secretary of the Treasury in regard to the U. S. Mint at Denver:"

C. B. No. 62, "A bill for an act to enable Gilpin county to

provide water for milling, mining, fire, domestic, and other purposes."

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

Mr. De France moved that H. B. No. 83 under suspension of the rules be read the second time and referred to Committee on Finance.

Carried.

H. B. No. 83 read the second time.

Mr. Wisebart moved to concur in House amendments to C. B. No. 11.

Carried by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Paul, Stewart, and Wisebart—8.

Nays—Messrs. De France, J. M. Garcia, Stover, Suasso, and Mr. President—5.

The Title was agreed to.

Mr. Bates moved that H. B. No. 62 be read the second time and referred to Committee on Corporations.

Carried.

Mr. Parmelee moved that the vote by which C. B. No. 63 was passed be reconsidered.

Carried by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Stewart, Wisebart and Mr. President—8.

Nays—Messrs. De France, J. M. Garcia, Paul, Stover, and Suasso—5.

Mr. Hill moved to lay C. B. No. 63 on the table.

Carried by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Hill, Parmelee, Stewart, Wisebart, and Mr. President—8.

Nays—Messrs. De France, J. M. Garcia, Paul, Stover, and Suasso—5.

On motion of Mr. Paul the Council resolved itself into Committee of the Whole.

Mr. Stewart in the chair.

Committee arose.

Special order for 4 p. m., consideration of report and amendments to C. B. No. 97.

Mr. Bates moved the adoption of the report and amendments, and a further amendment.

Lost by the following vote:

Yeas—Messrs. Bates, Paul, Stewart, Stover, and Mr. President—5.

Nays—Messrs. De France, Gallup, J. M. Garcia, Hill, Parmelee, Suasso, and Wisebart—7.

Mr. Paul moved that C. B. No. 97 be indefinitely postponed.

Lost by the following vote:

Yeas—Messrs. Hill Parmelee, and Paul—3.

Nays—Messrs. Bates, De France, Gallup, J. M. Garcia, Stewart, Stover, Suasso, Wisebart and Mr. President—9.

Report of Committee of the Whole.

Mr. President:

Your Committee of the Whole having had under consideration the following bills do recommend:

That C. B. No. 119 be referred to the Committee on Finance, Ways, and Means:

That C. B. No. 116 be reported back to the Council with the recommendation that it do pass:

That substitute for C. B. No. 69 be reported back with the recommendation that it do pass:

That H. B. No. 60 be referred to Committee on Finance, Ways, and Means:

That H. B. No. 59 be reported back with the recommendation that it do pass:

Also have had under consideration H. B. No. 22 and have come to no conclusion thereon, and ask leave to sit again.

M. W. STEWART,
Chairman.

Report of Committee of the Whole adopted.

Mr. De France moved that C. B. No. 97 be postponed till to-morrow morning at 10:30 o'clock, and referred to a Committee consisting of Messrs. Bates, De France and Paul.

Carried.

Mr. Hill moved that the Council go into Executive session.

Carried.

Council resumed.

Mr. Bates moved to adjourn till 7½ o'clock this evening.

Carried.

Adjourned.

EVENING SESSION—Feb. 8, 1872, 7½ p. m.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. J. M. Garcia, J. V. Garcia, Wisebart, and Suasso—4.

On motion of Mr. Parmelee the rules were suspended, and H. B. No. 109 was read the second time by the title and placed on general file.

Messrs. J. M. Garcia, J. V. Garcia, Suasso, and Wisebart appeared and took their seats.

On motion of Mr. Paul the rules were suspended and C. B. No. 120 was read the second time by title, and the third time in full, considered engrossed, put on its passage and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, Hill, Parmelee, Paul, Stewart, Stover, Suasso, and Mr. President—10.

Nays—None.

Not voting—Messrs. J. M. Garcia, J. V. Garcia, and Wisebart—3.

Title agreed to.

On motion of Mr. Paul substitute for C. B. No. 69 was ordered engrossed for the third reading.

On motion of Mr. Stover the rules were suspended and H. B. No. 24 was read the second time by its title, and the third time in full, and amended by inserting "Arapahoe" in line four (4), section fifteen (15) between the words "Saguache——" and ordered to be engrossed, put on its passage and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Nays—None.

Titled agreed to.

The following message received from the House:

On motion of Mr. Stover the rules were suspended and C. B. No. 116 was considered engrossed, read the third time in full, put on its passage and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Nays—None.

Title agreed to.

Mr. Paul moved to suspend the rules and that H. B. No. 59 be read the third time and put on its passage.

Motion lost.

By unanimous consent Mr. Gallup presented C. J. M. No. 5, Joint Rule No. 16 having been suspended by both Houses for that purpose; "A Joint Memorial to the Senate and House of Representatives of the United States in relation to Capitol

buildings;" and on his motion the rules were suspended, and the memorial was read the first and second times by the title, considered engrossed, read the third time in full, put on its passage, and passed by the following vote:

Yeas—Messrs. Bates, Gallup, Hill, Parmelee, Paul, Stewart, and Wisebart—7.

Nays—Messrs. De France, J. M. Garcia, J. V. Garcia, Stover, Suasso, and Mr. President—6.

Title agreed to.

The Committee on Finance, Ways and Means reported on C. B. No. 104 and 108, and C. C. R. No. 2 without recommendation.

On motion of Mr. Paul the Council went into Committee of the Whole on general file.

Mr. Stewart in the chair.

The committee arose and made the following report:

Mr. President:

Your committee having had under consideration the following bills do recommend

That substitute for H. B. No. 22 be referred to Committee on Finance:

That H. B. No. 54 be referred to the Committee on Agriculture and Stock Growing:

That H. B. No. 56 be reported back with recommendation that it do pass:

That substitute for H. B. No. 29 be referred to a special committee of one to be appointed by the President:

That H. B. No. 58 be referred to Committee on Agriculture with instructions to report at opening of Council to-morrow morning:

That H. B. No. 109 be amended as follows: In line four (4), section six (6) strike out "twenty-five" and insert "fifty:"

Also, add to end of section five (5) "for a period of ninety (90) days after recording such certificate and no longer:"

Strike out section nine (9) and insert this "that where a tunnel is run for the development of a vein or lode, except where such tunnel follows such vein or lode, or for the discovery of mines, the owners of such tunnel shall have right of possession of all veins, lodes, or other deposits of mineral not previously known to exist, discovered in such tunnel to the extent of five hundred (500) feet on each side of said tunnel:"

And that it do pass as amended.

Respectfully,

_____

Chairman.

On motion the rules were suspended, and the report of the Committee of the Whole was adopted.

The President appointed as a committee on substitute for H. B. No. 29 as recommended by the Committee of the Whole —Messrs. Stover, Bates, and Parmelee.

On motion of Mr. Bates the rules were suspended, and the following report of committee on C. B. No. 117 was read.

Mr. President:

Your Committee on Finance have had the bill of Byers & Dailey under consideration and report the same back with the recommendation that it do pass.

J. E. BATES,
For Committee.

On motion of Mr. Bates the rules were suspended, the report adopted, bill read the third time in full, considered engrossed, put on its passage and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Nays—None.

Title agreed to.

On motion of Mr. Paul the rules were suspended, H. B. No. 93 was read the second time by its title and the third time in full, put on its passage and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Nays—None.

Title agreed to.

On motion of Mr. Bates the rules were suspended and H. B. No. 72 read the second time by its title, and the third time in full, put on its passage and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Nays—None.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 8, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that

the House has concurred in the action of the Council suspending Joint Rule No. 16 to allow Mr. Gallup to introduce "A Joint Memorial to the Congress of the United States in relation to Capitol buildings."

Respectfully,

Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February, 8, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed the following bills:

H. B. No. 98, "For an act to authorize County Commissioners to require new bonds from Sheriff and other county officers in certain cases:

H. B. No. 100, "For an act to enable the Union Colony of Colorado to enclose its lands:"

H. B. No. 102, as substitute for H. Bs. Nos. 5 and 40, "A bill for an act to amend an act to provide for Common Schools." Approved Feb. 11, 1870:

H. B. No. 111, "A bill for an act entitled 'Fences and Enclosures in Gilpin county:"

H. B. No. 119, "For an act amending section thirty-five (35) of chapter seventy-six (76) of the Revised Statutes relating to Roads and Highways:"

The concurrence of the Council is respectfully requested.

Also, that the House has passed C. B. No. 78, and refused to pass C. B. No. 50.

Respectfully,

Chief Clerk.

On motion of Mr. Bates the Council adjourned until 9 o'clock to-morrow morning.

FRIDAY, February 9, 1872—9 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by Chaplain.
Roll called.
Quorum present.
Journal read and approved.
Report of Committee.

Mr. President:

Your Committee to whom was referred Council Bills Nos. 104, 108 and C. C. R. No. No. 2. beg leave to report the same back to the Council without recommendation.

N. P. HILL,
J. E. BATES,
W. C. STOVER,
Committee.

Mr. Parmelee moved that further consideration of C. C. R. No. 2 be indefinitely postponed.
Lost.
Mr. Bates moved to amend resolution and make the consideration $20.00.
Mr. Wisebart moved to amend and make the consideration $15.00.
Lost.
Question on original motion.
Carried.
Mr. De France moved that C. C. R. No. 2 be read the third time and put on passage under suspension of the rules.
Carried by the following vote:
Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, Paul, Stewart, Stover, Suasso, and Mr. President—9.
Nays—Messrs. J. V. Garcia, Hill, Parmelee, and Wisebart—4.
C. C. R. No. 2 read the third time, put on its passage under suspension of the rules and passed by the following vote:
Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Paul, Stewart, Stover, Suasso, and Mr. President—10.
Nays—Messrs. Hill, Parmelee, and Wisebart—3.
Title agreed to.
Bills on first reading:
C. J. M. No. 5 read the first time.

Mr. De France moved a suspension of the rules, that H. J. M. No. 5 under suspension of the rules be read the second and third times and put on its passage.

Carried.

The Committee on Agriculture and Stock Growing reported on H. Bs. Nos. 54, and 58.

H. J. M. No. 5 read the second time.

H. J. M. No. 5 was read the third time, and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

H. B. No. 74 read the first time.
H. B. No. 84 read the first time.
H. B. No. 85 read the first time.
H. B. No. 89 read the first time.
H. B. No. 98 read the first time.
H. B. No. 100 read the first time.
H. B. No. 119 read the first time.
H. B. No. 102 read the first time.
H. B. No. 111 read the first time.
H. B. No. 116 read the first time.
H. B. No. 78 read the second time.
H. B. No. 90 read the second time.
H. B. No. 87 read the second time.
H. B. No. 82 read the second time.
H. B. No. 57 read the second time.
H. B. No. 70 read the second time.
H B. No. 73 read the second time.
H. B. No. 120 read the second time.
And referred to Committee of the Whole.

Mr. Wisebart under suspension of rules moved that H. B. No. 111 be read the second and third times and put on its passage.

Carried.

H. B. No. 111 read the second time.

H. B. No. 111 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stover, Suasso, Wisebart, and Mr. President—12.

Title agreed to.

Report of Committee on Engrossment:

Mr. President:

Your Committee on Engrossment would report substitute for C. B. No. 69 correctly engrossed.

ED. C. PARMELEE,
For Committee.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed Council Bills Nos. 82, 94, 112, and 118:
Also, C. J. M. No. 3:
And have refused to pass Council Bills Nos. 87, and 114.
The Bills are herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Under suspension of the rules H. B. No. 29 was read the third time and passed by the following vote:
Yeas—Messrs. Bates, Gallup, J. M. Garcia, J V. Garcia, Hill, Parmelee, Paul, Stover, Suasso, Wisebart, and Mr. President—11.
Nay—Mr. De France.
Title agreed to.
H. B. No. 56 was read the third time, and passed by the following vote:
Yeas—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.
Nay—Mr. Bates.
Title agreed to.
Report of Enrollment Committee:

Mr. President:

Your Joint Committee on Enrollment have examined Council Bills Nos. 42, 98, 105, 113, and 70, also C. J. M. No. 4, and find the said bills and memorial correctly enrolled, and have placed the same in the hands of his Excellency the Governor of Colorado Territory, this 9th day of February, A. D. 1872. at the hour of 10 a. m.

M. W. STEWART,
Chairman.

Committee on Railroads and Corporations reported on H. B. No. 62 with amendments as follows:

Mr. President:

Your committee to whom was referred substitute for H. B. No. 62 would respectfully report an amended section as a substitute for section four (4) of said bill, as follows:

SEC .4. If the owner of any stock or his agent shall willfully and maliciously drive any stock on the line of the track of any such company or corporation, with intent to injure such company or corporation, and such stock shall be killed or injured, such owner shall not receive any damage of such railroad company or corporation therefor, and shall be liable to such company or corporation for all damages such company or corporation may suffer in consequence of such willful and malicious act, and shall be guilty of the offense, and liable to the penalty provided in section six (6) of this act. But nothing herein shall be construed to hinder or prevent any person from allowing his stock to pasture on the lands adjacent to the line of such roads, or to drive his stock over or across any such track at suitable times and places.

J. E. BATES,

Chairman.

Mr. De France moved the adoption of the report and amendments.

Carried.

Mr. Bates moved that H. B. No. 62 be read the third time and put on its passage.

Carried.

H. B. No. 62 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President—13.

Title agreed to.

Committee on C. B. No. 97 reported as follows:

Mr. President:

Your Committee to whom was referred C. B. No. 97, beg leave to report the same back with the following amendment:

Amend the original bill by inserting after the words section one (1) in line one (1,) in printed bill, the following to

wit. [No amendment inserted; Printer.]

Mr. De France moved the adoption of the report and amendments, that the bill be read the second and third time and put on its passage.

Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 68.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

H. B. No. 97 was read the second and third times and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—11.

Nays—Messrs. Hill, and Parmelee—2.

Title agreed to.

H. B. No. 68 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

The title was agreed to.

Finance Committee reported.

Mr. Stover moved a suspension of the rules and that H. B. No. 70 be read the third time and put on its passage.

Carried.

H. B. No. 70 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. De France moved that the report on H. B. No. 83 be adopted.

Carried.

Mr. President:

Your Committee to whom was referred House Bill No. 83,

respectfully report it back with the recommendation that it do pass.

N. P. HILL,
W. C. STOVER,
J. E. BATES,
Committee.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has appointed Messrs. Webster, Elder, and Welch to act with like committee on the part of the Council to wait upon his Excellency the Governor and ascertain if he has any further communication to make to the Assembly.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. De France moved that H. B. No. 83 be read the third time and put on its passage.

Carried.

H. B. No. 83 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

C. B. No. 104 was considered engrossed, read the third time and passed by the following vote:

Yeas—Messrs. Gallup, Paul, Stover, and Mr. President—4.

Nays—Messrs. Bates, De France, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, and Wisebart—8.

Title agreed to.

[This return is precisely as given to me by the Secretary: Printer.]

C. B. No. 69 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stewart, Stover, Wisebart, and Mr. President—11.

Excused—Mr. Hill.

Title agreed to as amended by striking out "District Court of the."

H. B. No. 57 under suspension of the rules was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Wisebart, and Mr. President—11.

Title agreed to.

H. B. No. 109 was amended, read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—13.

Title agreed to.

Mr. Bates offered the following resolution:

Resolved, that Joint Rule No. 16 be suspended for the purpose of allowing an introduction of a bill "Entitled an act concerning common carriers and carriers for hire and giving to them a lien for goods transported by them."

Mr. Gallup moved the adoption of the resolution:

Carried.

Mr. Paul moved that C. B. No. 108 be ordered engrossed.

Carried.

Committee on Military affairs reported as follows:

Mr. President:

Your committee on Military affairs would report that owing to the fact that the report of the Adjutant General has not been placed in the hands of the committee, they have not been able to examine it and therefore are unable to make any recommendation on the subject.

Respectfully submitted.

ED. C. PARMELEE,
B. W. WISEBART,
JOSE VICTOR GARCIA,
Committee.

The Committee on Engrossed bills report as follows:

Mr. President:

Your Committee on Engrossed bills respectfully report C. B. No. 108 correctly engrossed.

A. H. DE FRANCE,
Chairman.

Governor's message vetoing H. B. No. 51 was read.

Mr. Parmelee moved that the bill do pass notwithstanding the objections of the Governor.

Carried by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, Suasso, Wisebart, and Mr. President—11.

Nays—Messrs. Paul, and Stover—2.

Mr. Parmelee called for the reading of H. B. No. 94.

On motion of Mr. Bates the rules were suspended, H. B. No. 94 was considered engrossed, read the first, second, and third times and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, Hill, Parmelee, Paul, Stover, Suasso, and Wisebart—9.

Nays—Messrs. De France, and Mr. President—2.

Excused—Mr. Stewart.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed Council Bills Nos. 92 and 102:

Also H. B. No. 105, "A bill for an act to establish a Territorial road."

The concurrence of the Council is respectfully requested.

The Bills are herewith transmitted.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed Council Bill No. 120.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed the following bills:

C. Bs. Nos. 29 and 99:

Also C. B. No. 106, amend by striking out the name of "James Gray" in section one (1) and insert the name of "Louis Montoya" in lieu thereof:

The concurrence of the Council is respectfully requested.

And that the House has refused to pass C. B. No. 74.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has concurred in the action of the Council in suspending Joint Rule No. 16 to allow Mr. Bates to introduce a bill in relation to Common Councils:

Also have refused to pass C. B. No. 85.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Paul moved that H. B. No. 90 be read the third time and put on its passage.

Carried.

H. B. No. 90 was read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart and Mr. President—13.

Title agreed to.

Mr. De France moved to adjourn till 2½ p. m.

Carried.

Adjourned.

AFTERNOON SESSION—2½ P. M.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.

Mr. Paul moved that H. B. No. 78 be read the third time and put on its passage.

Carried.

H. B. No. 78 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stover, Suasso, Wisebart-and Mr. President—12.

Title was agreed to.

Mr. Paul moved that C. B. No. 100 be read the third time, considered engrossed and put on its passage as amended.

Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 69:

Also House Bill No. 71, "A bill for an act to amend chapter forty-nine (49) of the Revised Statutes:"

The concurrence of the Council is respectfully requested.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9th, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 87.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

House of Representatives, February 9, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed C. B. No. 91 with certain amendments, the same are engrossed and attached to the bill.

The concurrence of the Council is respectfully requested.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

Mr. Paul moved to concur in House amendments to C. B. No. 106.

Carried.

Mr. Stover moved to suspend the rules and that H. B. No. 84 be read the second and third times after adding the following amendments:

Sec. 13. The provisions of this act shall not apply to any colony or company locating, to be located, or existing in Jefferson, Boulder, Larimer, or Pueblo counties:

That section thirteen (13) be changed to section fourteen (14).

H. B. No. 84 read the second time.

H. B. No. 84 read the third time and passed by the following vote:

Yeas—Messrs. De France, Gallup, J. M. Garcia, Parmelee, Paul, Stover, Wisebart, and Mr. President—8.

Nays—Messrs. Bates, Hill, and Suasso—3.

Title agreed to.

Mr. Stover moved a suspension of the rules, that H. B. No. 85 be read the second and third times and put upon its passage.

Carried.

H. B. No. 85 read the second time.

H. B. No. 85 read the third time and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart—12.

Nay—Mr. President.

Title agreed to.

Mr. Wisebart moved that C. B. No. 54 be indefinitely postponed.

Carried.

Report of Enrollment Committee:

Mr. President:

Your Joint Committee on Enrollment have examined Coun-

cil Bills, viz: Nos. 111, 102, 118, 68, 11, 94, 82, 112, 78, and 120. find the said bills correctly enrolled, and have placed the same in the hands of his Excellency the Governor of Colorado Territory, this 9th day of February, A. D. 1872, at the hour of 3 p. m.

M. W. STEWART,
Chairman.

Mr. Bates moved that the rules be suspended and that H. B. No. 58 be taken up.

Lost by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. V. Garcia, Paul, Stewart, Stover, and Mr. President—8.

Nays—Messrs. J. M. Garcia, Hill, Parmelee, Suasso, and Wisebart—5.

Mr. Paul moved that the rules be suspended, that H. B. No. 100 be taken up, read the third time and put on its passage.

Carried.

H. B. No. 100 was read the third time and passed by the following vote:

Yeas—Messrs. Gallup, J. V. Garcia, Parmelee, Paul, Stewart, Wisebart, and Mr. President—7.

Nays—Messrs. Bates, De France, J. M. Garcia, Stover, and Suasso—5.

Excused—Mr. Hill.

The Title was agreed to.

The following message was received from the House:

House of Representatives, February 9, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your Honorable Body that the House has passed Council Bill No. 97.

Also have concurred in Council amendments to H. B. No. 109.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

House of Representatives, February 9, 1872.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that

the House has passed House Bill No. 112, "A bill for an act to provide for the general expenses of the Territory for the years 1872 and 1873."

The concurrence of the Council is respectfully requested.

Respectfully,

JAS. G. COOPER,
Chief Clerk.

Mr. Bates moved that the Council concur in House amendments to C. B. No. 91.

Report of Judiciary Committee.

Mr. President:

Your Committee to whom was referred C. B. No. 77 and 109 report the same back without recommendation.

J. MARSHALL PAUL,
Chairman.

Which was adopted.

Mr. Gallup moved that C. B. No. 77 be taken up, read the third time and put on its passage.

Carried.

Mr. De France offered the following amendments:

Strike out all of bill after section three (3):

Amend section three (3) as follows: In line four (4) of printed bill, between the words "gambling" and "or" insert the words "for a livelihood;" and in line six (6) of said section strike out the word "and" following the word "year" and insert in lieu thereof the word "or."

Which was adopted by the following vote:

Yeas—Messrs. De France, J. M. Garcia, J. V. Garcia. Stewart, Stover, Suasso, Wisebart, and Mr. President—8.

Nays—Messrs. Gallup, Hill, Parmelee, and Paul—4.

Mr. Parmelee moved to postpone indefinitely C. B. No. 77.

Lost by the following vote:

Yeas—Messrs. Gallup, J. M. Garcia, J. V. Garcia, Parmelee, and Mr. President—5.

Nays—Messrs. De France, Hill, Paul, Stewart, Stover, Suasso, and Wisebart—7.

H. B. No. 77 was read the third time, and passed by the following vote:

Yeas—Messrs. De France, J. M. Garcia, J. V. Garcia Hill, Parmelee, Paul, Stewart, Suasso, and Wisebart—9.

Nays—Messrs. Gallup, and Mr. President—2.

Title agreed to.

On motion of Mr. Bates under suspension of the rules, H. B. No. 116 was read the second and third times and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Stewart, Suasso, Wisebart, and Mr. President—11.

Title agreed to.

Mr. Bates introduced C. B. No. 121, "An act concerning, &c."

And under suspension of the rules, was read the first, second and third times passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Nay—Mr. Parmelee.

Title agreed to.

Report of Finance Committee:

Mr. President:

Your Committee to whom was referred Council Bill No. 115 and House Bill No. 22 report the same back without recommendation.

N. P. HILL,
Chairman.

Mr. Paul moved that C. B. No. 100 be read the third time and put on its passage.

Carried.

C. B. No. 100 was read the third time and lost by the following vote:

Yeas—Messrs. Bates, Gallup, Parmelee, Paul, and Mr. President—5.

Nays—Messrs. De France, J. M. Garcia, J. V. Garcia, Hill, Stover, Suasso, and Wisebart—7.

Mr. De France moved to adjourn till 7:30 o'clock this evening.

Carried.

Adjourned.

EVENING SESSION—Feb. 9, 1872, 7½ p. m.

Mr. Bates moved that the rules be suspended so that all bills may be taken up, and considered engrossed without a special motion.

Lost by the following vote:

Yeas—Messrs. Bates, De France, J. V. Garcia, Paul, Stover, and Mr. President—6.

Nays—Messrs. De France, J. M. Garcia, Hill, Parmelee, Stuart, Suasso, and Wisebart—7.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February, 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed Council Bill No. 121.

The same is herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Bates moved that the Council concur in House amendments to C. B. No. 93.

Mr. De France moved that the rules be suspended and H. B. No. 112 be read the first, second, and third times, and put upon its passage.

Carried by the following vote:

Yeas—Messrs. Bates, De France, J. M. Garcia, Hill, Parmelee, Stewart, Stover, Suasso, Wisebart, and Mr. President—9.

Nays—Messrs. Gallup, and Paul—2.

H. B. No. 112 read the first time.

H. B. No. 112 read the second time.

H. B. No. 112 read the third time.

And amended on motion of Mr. Parmelee as follows:

For printing the Biennial report of the Colorado Agricultural Society the sum of eight hundred and seventy-nine and fifty-two one hundredths dollars.

And passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stover, Suasso, Wisebart and Mr. President—12.

Title agreed to.

Mr. De France moved that the rules be suspended that H. B. No. 98 be read the second and third times and put upon its passage.

Carried.

H. B. No. 98 read the second and third times and passed by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia,

J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisehart, and Mr. President—13.

Title agreed to.

House concurrent resolution providing for payment of Secretaries of Council and Clerks of House for services in writing up journals, &c., after adjournment of the Legislature.

On motion of Mr. Parmelee read the first, second, and third times, amended and passed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed the following bills:

Council Bills Nos. 116, 107, 117, and C. J. M. No. 5, and C. B. No. 80:

Also, C. B. No. 93 with certain amendments which are engrossed and attached to the bill:

And H. B. No. 94, "A bill to amend chapter six (6) of the Revised Statutes entitled 'attachments."

The concurrence of the Council is respectfully requested.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 9, 1872.

Hon. Geo. M. Chilcott, President of the Legislative Council 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 Legislative Council:

Council Bill No. 42, "An act regulating the branding, herding, and care of Stock:"

Council Bill No. 68, "An act for the payment of rent of the Supreme Court Clerk's office:"

Substitute for C. B. No. 70, "An act to provide for certain terms of court in the Third Judicial District, and to attach the county of Saguache to the same:"

Council Bill No. 82, "An act concerning evidence:"

Council Bill No. 94, "An act to amend chapter thirty-five (35) of the Revised Statutes entitled 'Forcible Entry and Detainer:"

Council Bill No. 98, "An act for the relief of Gilpin County:"

Council Bill No. 102, "An act to amend chapter forty-five (45) of the Revised Statutes of Colorado:"

Council Bill No. 105, "An act authorizing the County Commissioners of Las Animas county to levy a special tax:"

Council Bill No. 112, "An act to amend an act entitled an act to provide for the assessment and collection of Revenue:"

Council Bill No. 118, "An act to employ the labor of convicts in the Penitentiary:"

Council Bill No. 120, "An act to create and establish the office of Territorial Geologist:"

C. J. M. No. 4, "To the Congress of the United States:"

I have the honor to be

Your very obedient servant,

EDWARD M. McCOOK,

Governor.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed House Bill No. 114, "A bill for an act concerning Probate Courts:"

Also, the accompanying concurrent resolution.

The concurrence of the Council is respectfully requested.

Respectfully,

JAS. G. COOPER,

Chief Clerk.

Mr. Bates moved a suspension of the rules and that H. B. No. 74 be read the second and third times and put on its passage.

Carried.

H. B. No. 74 read the second time.

H. B. No. 74 read the third time and passed by the following vote:

Yeas—Messrs. Bates, Gallup, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Stover, Suasso, Wisebart, and Mr. President—12.

Nay—Mr. De France.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that House Bill No. 51 has been passed by the House since its return by the Governor unsigned.

The concurrence of your honorable body is respectfully requested:

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has refused to concur in Council amendments to H. B. No. 84.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has concurred in Council amendments to House concurrent resolution, allowing Clerks perdiem after adjournment.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

Mr. Wisebart moved a suspension of the rules, that substitute for House Bill No. 22 be read the third time and put on its passage.

Carried by the following vote:

Yeas—Messrs. De France, J. M. Garcia, J. V. Garcia, Hill, Parmelee, Paul, Stewart, Suasso, Wisebart, and Mr. President—10.

Nays—Messrs. Bates, Gallup, and Stover—3.

Mr. Bates moved to indefinitely postpone substitute for H. B. No. 22.

Carried by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Suasso, and Wisebart—7.

Nays—Messrs. Hill, Parmelee, Paul, Stover, and Wisebart—5.

Mr. De France moved that the Council recede from amendments to H. B. No. 84.

Carried.

Mr. Bates moved a suspension of the rules that substitute for H. B. No. 71 be taken up, read the first, second, and third times and put on its passage.

Lost by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Parmelee, Paul, and Mr. President—6.

Nays—Messrs. De France, J. M. Garcia, Hill, Stewart, Stover, Suasso, and Wisebart—7.

Mr. Paul moved the adoption of the following:

Resolved, that Council Joint Resolution No. 16 be suspended to introduce a bill to repeal section seven (7), chapter thirty-one (31) of the Revised Statutes abolishing the perdiem of Members of the Legislature.

Carried.

Mr. Parmelee moved a reconsideration of the resolution of Mr. Paul.

Carried by the following vote:

Yeas—Messrs. Bates, De France, Gallup, J. M. Garcia, J. V. Garcia, Paul, Stewart, Stover, and Wisebart—9.

Nays—Messrs. Hill, Parmelee, Suasso, and Mr. President—4.

Mr. Bates moved a suspension of the rules that H. B. No. 89 be put on the third reading.

Lost by the following vote:

Yeas—Messrs. Bates, Hill, Wisebart, and Mr. President—4.

Nays—Messrs. De France, Gallup, J. M. Garcia, J. V. Garcia, Parmelee, Paul, Stewart, Stover, and Suasso—9.

Mr. Bates moved to take a recess of fifteen (15) minutes.

Carried.

President in the chair.

Mr. De France moved to take a recess of twenty (20) minutes.

Carried.

President in the Chair.

Mr. De France moved to take a recess of fifteen (15) minutes.

Carried.

President in the chair.

Mr. Bates moved to suspend the rules and take up H. B. No. 114.

Lost by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Paul, Stewart, and Mr. President—6.

Nays—Messrs. De France, J. M. Garcia, Hill, Parmelee, Stover, and Suasso—6.

Mr. Bates moved a suspension of the rules and that substitute for H. B. No. 71 be taken up.

Substitute for H. B. No. 71 read.

Motion lost by the following vote:

Yeas—Messrs. Bates, Gallup, J. V. Garcia, Parmelee, Paul, Stewart, and Mr. President—6.

Nays—Messrs. De France, J. M. Garcia, Hill, Stover, Suasso, and Wisebart—6.

Report of Joint Committee on Enrollment:

Mr. President:

Your Joint Committee on Enrollment have examined Council Bills Nos. 106, 99, 91, 29, 92, 97, 87, 80, 69, 107, 116, 117, 121, 93, and 113, also, C. J. Ms. Nos. 3 and 5, and find the said bills and memorials correctly enrolled, and have placed the same in the hands of his Excellency the Governor of Colorado Territory, on the 9th day of February, A. D. 1872.

M. W. STEWART,
Chairman.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 72.

The same is herewith transmitted.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received form the House:

HOUSE OF REPRESENTATIVES, February 9, 1872.

To the honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has appointed Messrs. Elder, Batchelor, and Larragoite, as a committee to consult with a like committee on the part of the Council relating to the time this Assembly shall adjourn sine die.

Respectfully,
JAS. G. COOPER,
Chief Clerk.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, Februay 9, 1872.

Honorable George M. Chilcott, President of the Legislative Council 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 Legislative Council, viz:

Council Bill No. 29, "An act to amend chapters six (6), and forty-eight (48) of the Revised Statutes of Colorado:"

Substitute for Council Bill No. 69, "A bill for an act to provide for the holding of Courts within the First Judicial District of Colorado Territory:"

Council Bill No. 87, "An act to provide for the erection of Capitol buildings:"

Council Bill No. 99, "An act to amend an act entitled an act to incorporate the city of Black Hawk. Approved March 11, 1864:"

C. J. M. No. 3, "For the construction of a wagon road to White River Indian Agency, in Colorado Territory."

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

Mr. Bates moved that the Council go into Executive session.

Council resumed.

On motion of Mr. Wisebart the chair appointed Messrs. Gallup, Wisebart, and J. V. Garcia committee of Conference and adjourned sine die.

Mr. Bates offered the following resolution:

Resolved, that the thanks of the Council are due and are hereby tendered to Hon. George M. Chilcott for the gentlemanly and impartial manner in which he has performed the arduous duties of presiding officer of this body; and also the thanks of this body are tendered to all of the officers of the Council for their prompt and efficient services.

On motion of Mr. Bates it was adopted.

Mr. Stover moved that the Council take a recess subject to call of the presiding officer.

Carried.

President in the chair.

Mr. Bates moved that a committee of three be appointed to wait upon the Governor and ascertain if he has any further communication to make to the Council.

Carried.

Messrs. Bates, Hill, and Stover committee.

Mr. Parmelee moved that the Council take a recess subject to the call of the presiding officer.

Carried.

President in the chair.

The following message was received from the Governor.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 9, 1872.

Hon. Geo. M. Chilcott, President of the Legislative Council of Colorado Territory:

SIR: I have the honor to inform you that I have approved the following bills certified to have originated in your body:

C. B. No. 97, "An act amendatory of an act to incorporate the Colorado Territorial Agricultural Society;"

C. B. No. 106, "An act to establish a Territorial road in Las Animas county:"

Also, C. J. M. No. 5, "In relation to Capitol buildings."

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 9th, 1872.

Hon. Geo. M. Chilcott, President of the Legislative Council 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 Legislative Council, viz:

C. B. No. 93, "An act to amend chapter nine (9) of the Revised Statutes, and for other purposes:"

C. B. No. 92, "An act to secure liens to mechanics and to repeal all other acts in relation thereto:"

C. B. No. 117, "An act to compensate Byers & Dailey for the work done for the Territory."

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

Committee on Enrollment reported.

Mr. President:

Your Committee on Enrollment have examined Council Bill No. 72, and find the same correctly enrolled and have placed the same in the hands of his Excellency, the Governor of Colorado Territory, this 9th day of February, A. D. 1872, and it now awaits his signature.

M. W. STEWART,
Chairman.

On motion of Mr. Bates the reading of the Journal was dispensed with.

Mr. Parmelee moved that the Pages be excused from further duty.

Carried.

Mr. Gallup moved that the Council take a recess subject to a call of the President.

President in the chair.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 9, 1872.

Hon. Geo. M. Chilcott, President of the Legislative Council 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 Legislative Council, viz:

C. B. No. 11, "An act concerning the taxing of shares or shareholders in Banking Associations:"

C. B. No. 72, "An act for the relief of Thomas T. Tobeus."

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

The following message was received from the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 9, 1872.

Hon. Geo. M. Chilcott, President of the Legislative Council 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 Legislative Council, viz:

C. B. No. 80, "An act to legalize certain acts of the county Commissioners of Larimer county:"

C. B. No. 91, "An act concerning criminal proceedings:"

C. B. No. 107, "An act to establish a Territorial road to Huerfano county:"

C. B. No. 116, "An act to amend section two (2), of an act entitled an act for the establishment and location of an Agricultural College."

I have the honor to be,
Your very obedient servant,
EDWARD M. McCOOK,
Governor.

On motion of Mr. Gallup Council took a recess subject to the call of the President.

President in the chair.

Mr. President:

Your Committee on the part of the Council to confer with a like committee of the House, beg leave to report that the

hour for adjournment of both bodies has been fixed for the hour of twelve (12) o'clock, February 9th, 1872.

FRANCIS GALLUP,
B. W. WISEBART,
JOSE VICTOR GARCIA,
Committee.

Mr. Parmelee moved to adjourn sine die.
Carried.
President declared the Council adjourned sine die.

APPENDIX A.

REPORT

OF THE

TERRITORIAL TREASURER,

FOR THE YEARS 1870 AND 1871.

TREASURY DEPARTMENT, COLORADO TERRITORY,
Treasurer's Office, Dec. 31, 1871.

To the Legislative Assembly of Colorado Territory:

GENTLEMEN: In compliance with the law defining the duties of Territorial Treasurer, I have the honor to submit for your consideration the accompanying report of the receipts and disbursements of the Treasury Department, for the years 1870 and 1871.

GENERAL STATEMENT.

RECEIPTS.

1869.		
Dec. 31.	Balance in the Treasury.....	$24,381 73
1870.		
Dec. 31.	Receipts from all sources during the fiscal year.....	$46,713 72
1871.		
Dec. 31.	Receipts from all sources during the fiscal year.....	$51,892 32
		$122,987 77

DISBURSEMENTS.

1870.		
Dec. 31.	Disbursements for the fiscal year of 1870,	$55,569 60
1871.		
Dec. 31.	Disbursements for the fiscal year of 1871,	$16,520 75
	Balance in the Treasury.....	50,897 42
		122,987 77

The statements hereto appended will give a detailed account of the receipts, expenditures, and balances of the several funds.

I would respectfully call the attention of the Legislature to the fact that this office is without furniture of any description. No desk in which to file away any papers or correspondence; no safe in which to keep the books of the office or warrants paid by the Treasurer. The accumulation of books and papers from year to year requires that a safe should be provided for the use of the Treasurer. My predecessor turned over all of the effects of the office to me as follows: One letter-press, one holder and brush, and a paper box of letters, documents, &c., I respectfulluy ask of the Legislature to make an appropriation sufficient to cover the wants of the office in these particulars.

Very respectfully, your ob't servant,

GEO. T. CLARK, *Ter. Treasurer.*

REPORT FOR THE

FISCAL YEAR ENDING DECEMBER 31ST, 1870.

TREASURY DEPARTMENT, COLORADO,
Denver, December, 31, 1870.

To His Excellency, Edward M. McCook, Governor of Colorado:

SIR: Pursuant to the requirements of law, I have the honor to transmit herewith, the following report of the operations of this Department for the fiscal year ending December 31, 1870.

Very respectfully, your ob't servant,
GEO. T. CLARK. *Ter. Treasurer.*

GENERAL STATEMENT.

1870.	*Debit.*	
December 31.	Disbursements during fiscal year...	$55,569 60
"	Balance in Treasury.....	15,525 85
		$71,095 45

GENERAL STATEMENT.

1869	*Credit.*	
December 25.	Balance in treasury per last report	$24,381 73
1870.		
February 14.	Rec'd from C. Nuckolls, Ex-Treasurer	4,099 54
December 31.	Rec'd from all other sources during the fiscal year	42,614 18
		$71,095 45

STATEMENT OF BALANCES, DECEMBER 25, 1869, AS PER AUDTIOR'S REPORT.

To credit of	
General fund	$ 5,331 00
Library Contingent fund	53 65
Officer's Contingent fund	263 19
Officer's Salary fund	1.721 34
Adjutant General's Special fund	264 40
General Contingent fund	166 44
Military Debt Interest fund	3,044 85
Insane Pauper fund	246 10
Assay office fund	666 56
Judge's Salary fund	1,500 00
District Attorneys' Salary fund	1,999 03
Legislative fund	2,015 95
Legislative Printing fund	334 61
Legislative Newspaper fund	90 21
Locating Capital and Penitentiary fund	119 67
Clerk of Supreme Court fund	42 50
Preparing Military Claims fund	700 00
Compiling Military Claims fund	300 00
Spanish Printing fund	3,020 00
Special fund	1,359 50
School Superintendent's Contingent fund	417 50
School Superintendent's Salary fund	78 56
Territorial Librarian's fund	646 67
	$24,381 73

GENERAL BALANCE.

1871.		*Debit.*	
December 31.	To	General fund	$35,652 53
" " "		Cash on hand	15,525 85
			$51,178 38

GENERVL BALANCE.

1870.		*Credit.*	
Dec. 31.	By	Adjutant Gen. Special fund.....	$ 92 00
"	"	Adjutant Gen. Contingent fund.....	34 25
"	"	Auditor's Contingent fund.....	372 11
"	"	Assay Office fund.....	3,367 03
"	"	Arapahoe Co. Relief fund.....	75 00
"	"	Artesian Well Commissioner's fund	2,432 00
"	"	Compiling Military Claims fund....	300 00
"	"	Clerk Supreme Court fund.....	31 00
"	"	District Attorney's Salary fund....	2,598 03
"	"	Executive Reward fund.....	3,000 00
"	"	Fugitive Apprehension fund.....	3,000 00
"	"	Fremont County Relief fund.....	73 75
"	"	General Conting't fund.....	6,067 01
"	"	Incidental Printing fund.....	215 50
"	"	Insane Pauper fund.....	2,063 55
"	"	Judges' Salary fund.....	6,000 00
"	"	Locating Capitol and Penitentiary	32 67
"	"	Library Cont'gt fund.....	63 05
"	"	Legislative Printing fund.....	492 36
"	"	Legislative Newspaper fund.....	153 83
"	"	Legislative fund.....	1,192 95
"	"	Military Poll Tax fund.....	273 69
"	"	Military Debt Interest fund.....	2,520 37
"	"	Military Debt fund.....	5,287 39
"	"	Officers' Salary fund	3,183 84
"	"	Preparing Military Claims fund....	700 00
"	"	Revenue Report Printing fund.....	150 00
	"	School Superintendent's Salary fund	78 56
"	"	" " Contingent fund.....	711 60
"	"	Special School fund.....	63 00
"	"	Spanish Printing fund.....	3,020 00
"	"	Special fund.....	1,359 50
"	"	Treasurer's Contingent fund.....	105 42
"	"	Ter. Librarian fund.....	318 61
"	"	Ter. Arms and Storage fund.....	135 00
Wolf-scalp Bounty fund.....			433 00
Warrant Interest fund.....			1,182 31
			$51,178 38

STATEMENT

Showing the Disbursements on Account of the Several Funds for the Fiscal Year ending December 31st, 1870.

DISBURSEMENTS.

Debit.

Adjutant General's Special fund	172 40
" " Contingent fund	165 75
Auditor's Contingent fund	320 83
Assay Office fund	5,299 53
Arapahoe County Relief fund	405 00
Agricultural Report Printing fund	792 00
Artesian Well Commission fund	68 00
B. F. Smith Relief fund	56 00
Clerk Supreme Court fund	11 50
District Attorney's Salary fund	2,802 00
Fremont County Relief Fund	306 25
General Contingent fund	1,909 43
Incidental Printing fund	284 50
Insane Pauper fund	3,182 55
Judges' Salary fund	7,500 00
J. M. Veasey, Special fund	175 00
J. B. Rice, Special fund	102 50
Locating Capitol and Penitentiary fund	87 00
Library Contingent fund	390 60
Legislative Extra Service fund	160 00
Library Com. Special fund	98 00
Legislative Printing fund	592 25
Legislative Newspaper fund	136 38
Legislative fund	14,189 00
Military Poll Tax fund	235 38
Miner's Relief and Poor fund	32 65
Military Debt Interest fund	607 14
M. A. Shaffenburg, Special fund	1,800 00
Military Debt fund	690 03
Officers' Salary fund	3,550 00
Officers' Contingent fund	122 25
Revised Statutes fund	20 00
Revenue Commissioner's Special fund	165 00
School Superintendent's Contingent fund	205 90
Special School fund	3,872 45
Amount forward	$49,696 67

STATEMENT.

Showing the Receipts on Account of the Several Funds, for the fiscal year ending December 31, 1870.

RECEIPTS.

Credit.

Balance in Treasury December 24, 1869		$24,381 73
Received February 14, 1870, from C. Nuckolls, Ex-Treasurer:		
Special School fund		3,935 45
Military Poll Tax fund		131 44
Miners' Relief and Poor fund		32 65
Arapahoe County, 1870		11,423 49
Boulder " "		2,370 40
Clear Creek " "		4,252 39
Conejos " "		693 24
Douglas " "		1,568 71
El Paso " "		623 07
Fremont " "		262 02
Huerfano " "		949 95
Jefferson " "		2,814 41
Lake " "		866 47
Larimer " "		1,443 00
Las Animas " "		1,166 96
Park " "		500 00
Pueblo " "		3,099 15
Summit " "		106 10
Weld " "		1,948 77
Assay Office "		1,571 00
Sec'nd Judicial Dis't "		600 00
Military Debt fund, pr. D. H. Moffat, Jr., Commissioner, 1870		5,977 42
Military Poll Tax fund 1870.		
Clear Creek county, "	209 63	
Weld " "	168 00	377 63
Amount forward		$71,095 45

DISBURSEMENTS.

Debit.

Amount brought forward	$49,696 67
Treasurer's Contingent fund	94 58
Territorial Librarian's fund	328 06
Territorial Arms and Storage fund	165 00
Wolf-scalp Bounty fund	567 00
Wagon Road fund	4,700 00
Warrant Interest fund	17 69
Balance in Treasury, per Report Dec. 31, 1870	15,525 85
	$71,095 45

LEDGER BALANCES.

ADJUTANT GENERAL'S SPECIAL FUND.

1870. *Debit.*

Dec. 31.	To Warrants paid during fiscal year	$172 40
	Balance	92 00
		$264 40

ADJUTANT GENERAL'S CONTINGENT FUND.

1870. *Debit.*

Dec. 31.	To Warrants paid during fiscal year	$165 75
	Balance	34 25
		$200 00

AUDITOR'S CONTINGENT FUND.

1870. *Debit.*

Dec. 31.	To Warrants paid during fiscal year	$320 83
	Balance	372 11
		$692 94

ASSAY OFFICE REVENUE FUND.

1870. *Debit.*

Dec. 31.	To General fund	$1,571 00
		$1,571 00

RECEIPTS.

Credit.

Amount brought forward	$71,095 45
	$71,095 45

LEDGER BALANCES.

ADJUTANT GENERAL'S SPECIAL FUND.

1870.	*Credit.*	
Dec. 31.	By Balance Dec. 25, 1869	$264 40
		$264 40

ADJUTANT GENERAL'S CONTINGENT FUND.

1870.	*Credit.*	
Dec. 31.	By appropriation, 8th session	$200 00
		$200 00

AUDITOR'S CONTINGENT FUND.

1870.	*Credit.*	
Dec. 31.	By Balance Dec. 25, 1869	142 94
	Appropriation, 8th session	550 00
		$692 94

ASSAY OFFICE REVENUE FUND.

1870.	*Credit.*	
Dec. 31.	By Revenue during fiscal year	$1,571 00
		$1,571 00

ASSAY OFFICE FUND.

1870.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year.....	5,299 53
	Balance.....	3,367 03
		$8,666 56

ARAPAHOE COUNTY RELIEF FUND.

1870.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year.....	405 00
	Balance.....	75 00
		$480 00

AGRICULTURAL REPORT PRINTING FUND.

1870.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year.....	792 00
		$792 00

ARTESIAN WELL COMMISSION FUND.

1870.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year.....	68 00
	Balance.....	2,432 00
		$2,500 00

B. F. SMITH RELIEF FUND.

1870.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year.....	56 00
		$56 00

COMPILING MILITARY CLAIMS FUND, (CON.)

1870.	*Debit.*	
Dec. 31.	To Balance.....	300 00
		$300 00

CLERK OF SUPREME COURT.

1870.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year.....	11 50
	Balance.....	31 00
		$42 50

ASSAY OFFICE FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance Dec. 25, 1869	$ 666 56
		Appropriation, 8th session	8,000 00
			$8,666 56

ARAPAHOE COUNTY RELIEF FUND.

1870.		*Credit.*	
Dec. 31.	By	Appropriation, 8th session	$480 00
			$480 00

AGRICULTURAL REPORT PRINTING FUND.

1870.		*Credit.*	
Dec. 31.	By	Appropriation, 8th session	$792 00
			$792 00

ARTESIAN WELL COMMISSION FUND.

1870.		*Credit.*	
Dec. 31.	By	Appropriation, 8th session	$2,500 00
			$2,500 00

B. F. SMITH RELIEF FUND.

1870.		*Credit.*	
Dec. 31.	By	Appropriation, 8th session	$56 00
			$56 00

COMPILING MILITARY CLAIMS FUND. (CON.)

1870.		*Credit.*	
Dec. 31.	By	Balance Dec. 25, 1869	$300 00
			$300 00

CLERK OF SUPREME COURT FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance Dec. 31, 1869	$42 50
			$42 50

DISTRICT ATTORNEY'S SALARY FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$2,802 00
		Balance.....	2,598 09
			$5,400 09

EXECUTIVE REWARD FUND.

1870.		*Debit.*	
Dec. 31.	To	Balance.....	$3,000 00
			$3,000 00

FUGITIVE APPREHENSION FUND.

1870.		*Debit.*	
Dec. 31.		Balance.....	$3,000 00
			$3,000 00

FREMONT COUNTY RELIEF FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$306 25
		Balance.....	73 75
			$380 00

GENERAL CONTINGENT FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$1,099 43
		Balance.....	6,067 01
			$7,166 44

DISTRICT ATTORNEY'S SALARY FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance in Treasury Dec. 25, 1869....	$1,999 03
		Appropriation, 8th session.....	3,401 00
			$5,400 03

EXECUTIVE REWARD FUND.

1870.		*Credit.*	
Dec. 31.	By	Appropriation, 8th session.....	$3,000 00
			$3,000 00

FUGITIVE APPREHENSION FUND.

1870.		*Credit.*	
Dec. 31.	By	Appropriation, 8th session.....	$3,000 00
			$3,000 00

FREMONT COUNTY RELIEF FUND.

1870.		*Credit.*	
Dec. 31.	By	Appropriation, 8th session.....	$380 00
			$380 00

GENERAL CONTINGENT FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance in Treasury Dec. 25, 1869....	$ 166 44
		Appropriation, 8th session.....	7,000 00
			$7,166 44

GENERAL FUND.

1870.	*Debit.*	
December 31.	Appropriations by Eighth Session of Legislative Assembly as follows:	
	Legislative fund	$13,366 00
	" Newspaper fund	200 00
	" Printing fund	750 00
	" Ex. Service fund	160 00
	Library Contingent fund	400 00
	Treasurer's " fund	200 00
	General " fund	7,000 00
	Insane Paupers' fund	5,000 00
	Judges' Salary fund	12,000 00
	District Attorney's Salary fund	3,401 00
	B. F. Smith Relief fund	56 00
	Library Com's Special fund	98 00
	Fremont County Relief fund	380 00
	J. B. Rice Special fund	102 50
	J. M. Veasey Special fund	175 00
	M. A. Shaffenburg Special fund	1,800 00
	Arapahoe County Relief fund	480 00
	Auditor's Contingent fund	550 00
	Assay Office fund	8,000 00
	Incidental Printing fund	500 00
	Adj't General's Contingent fund	200 00
	Wolf Scalp Bounty fund	1,000 00
	Warrant Interest fund	1,200 00
	Territorial Arms Storage fund	300 00
	Fugitive Apprehension fund	3,000 00
	Executive Reward fund	3,000 00
	Rev. Report Printing fund	150 00
	Agricultural Report Printing fund	792 00
	Wagon Road fund	4,700 00
	Artesian Well Commission fund	2,000 00
	Artesian Well Expense fund	500 00
	Sup't Public Instruction fund	300 00
	Military Debt Interest fund	82 66
	Officer's Salary fund	12 50
	Revising Statutes fund	20 00
	Officers' Contingent fund	2 00
	Rev. Commission fund	165 00
	Officers' Salary fund	5,000 00
	School Superintendent's fund	200 00
		$77,242 66

GENERAL FUND.

1870.	*Credit.*	
December 31.	Balance in Treasury Dec. 25, 1869....	$5,331 00
	Arapahoe County.....	11,423 49
	Boulder County.....	2,370 40
	Clear Creek County.....	4,252 39
	Conejos County	693 24
	Douglas County.....	1,568 71
	El Paso County.....	623 07
	Fremont County.....	262 02
	Huerfano County.....	949 95
	Jefferson County.....	2,814 41
	Lake County.....	866 47
	Larimer County.....	1,443 00
	Las Animas County.....	1,166 96
	Park County.....	500 00
	Pueblo County.....	3,099 15
	Summit County.....	106 10
	Weld County.....	1,948 77
	Am't from Assay Office.....	1,571 00
	" " 21 Jud'l Dist.....	600 00
	Balance Account being excess of Appropriation over Revenue.....	35,652 53
		$77,242 66

INCIDENTAL PRINTING FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$284 50
		Balance.....	215 50
			$500 00

INSANE PAUPER FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$3,182 55
		Balance.....	2,063 55
			$5,246 10

JUDGES' SALARY FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$7,500 00
		Balance.....	6,000 00
			$13,500 00

J. M. VEASEY, SPECIAL FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$175 00
			$175 00

J. B. RICE, SPECIAL FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$102 50
			$102 50

LOCATING CAPITOL AND PENITENTIARY FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$87 00
		Balance.....	32 67
			$119 67

LEGISLATIVE EXTRA SERVICE FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$160 00
			$160 00

INCIDENTAL PRINTING FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session	$500 00
		$500 00

INSANE PAUPER FUND.

1870.	*Credit.*	
Dec. 31.	By Balance in Treasury Dec. 25, 1869	$ 246 10
	Appropriation, 8th session	5,000 00
		$5,246 10

JUDGES' SALARY FUND.

1870.	*Credit.*	
Dec. 31.	By Balance in Treasury Dec. 25, 1869	$ 1,500 00
	Appropriation, 8th session	12,000 00
		$13,500 00

J. M. VEASEY, SPECIAL FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session	$175 00
		$175 00

J. B. RICE, SPECIAL FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session	$102 50
		$102 50

LOCATING CAPITOL AND PENITENTIARY FUND.

1870.	*Credit.*	
Dec. 31.	By Balance in Treasury Dec. 25, 1869	$119 67
		$119 67

LEGISLATIVE EXTRA SERVICE FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session	$160 00
		$160 00

LIBRARY CONTINGENT FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	390 60
		Balance.....	63 05
			$453 65

LIBRARY COMMITTEE SPECIAL FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	98 00
			$98 00

LEGISLATIVE PRINTING FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	592 25
		Balance.....	492 36
			$1,084 61

LEGISLATIVE NEWSPAPER FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	139 38
		Balance.....	150 83
			$290 21

LEGISLATIVE FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	14,189 00
		Balance.....	1,192 95
			$15,381 95

MILITARY POLL TAX FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	235 38
		Balance.....	273 69
			$509 07

MINER'S RELIEF AND POOR FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	32 65
			$32 65

LIBRARY CONTINGENT FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance in Treasury Dec. 25, 1869.....	$ 53 65
		Appropriation, 8th session.....	400 00
			$453 65

LIBRARY COMMITTEE SPECIAL FUND.

1870.		*Credit.*	
Dec. 31.	By	Appropriation, 8th session.....	$808 00
			$808 00

LEGISLATIVE PRINTING FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance in Treasury Dec. 25, 1869.....	$334 61
		Appropriation, 8th session.....	750 00
			$1,084 61

LEGISLATIVE NEWSPAPER FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance in Treasury Dec. 25, 1869.....	$ 90 21
		Appropriation, 8th session.....	200 00
			$290 21

LEGISLATIVE FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance in Treasury Dec. 25, 1869...	$ 2,015 95
		Appropriation, 8th session.....	13,366 00
			$15,381 95

MILITARY POLL TAX FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance in Treasury Dec. 25, 1869.....	$131 44
		Receipts during fiscal year.....	377 63
			$509 07

MINER'S RELIEF AND POOR FUND.

1870.		*Credit.*	
Feb. 14.	By	Balance from C. Nuckolls.....	$32 65
			$32 65

MILITARY DEBT INTEREST FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	607 14
		Balance	2,520 37
			$3,127 51

M. A. SHAFFENBURG, SPECIAL FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	1,800 00
			$1,800 00

MILITARY DEBT FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	690 03
		Balance	5,287 39
			$5,977 42

OFFICERS' SALARY FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	3,550 00
		Balance	3,183 84
			$6,733 84

OFFICERS' CONTINGENT FUND.

1870.		*Debit*	
Dec. 31.	To	Warrants paid during fiscal year.....	122 25
		Treasurer's Contingent fund.....	14 00
		Auditor's Contingent fund.....	140 94
			$277 19

PREPARING MILITARY CLAIMS FUND, (COX).

1870.		*Debit.*	
Dec. 31.	To	Balance.....	700 00
			$700 00

REVISING STATUTES FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants said during fiscal year.....	20 00
			$20 00

MILITARY DEBT INTEREST FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance in Treasury Dec. 25, 1869.....	3,044 85
		General fund	82 66
			$3,127 51

M. A. SHAFFENBURG, SPECIAL FUND.

1870.		*Credit.*	
Dec. 31.	By	Appropriation, 8th session.....	1,800 00
			$1,800 00

MILITARY DEBT FUND.

1870.		*Credit.*	
Dec. 31.	By	Amount received from D. H. Moffat, Jr., Commissioner.....	5,977 42
			$5,977 42

OFFICERS' SALARY FUND.

1870.		*Credit.*	
Dec. 31.	By	Balance in Treas. Dec. 25, 1869.....	1,733 84
		Appropriation, 8th session.....	5,000 00
			$6,733 84

OFFICERS' CONTINGENT FUND.

1870.		*Credit.*	
Dec. 31,	By	Balance in Treas. Dec. 25, 1869.....	263 19
		Treas. Contingent fund.....	14 00
			$277 19

PREPARING MILITARY CLAIMS FUND, CON.)

1870.		*Credit.*	
Dec. 31.	By	Balance in Treas. Dec. 25.....	700 00
			$700 00

REVISING STATUTES FUND.

1870.		*Credit.*	
Dec. 31.	By	General fund.....	20 00
			$20 00

REVENUE REPORT PRINTING FUND.

1870.	*Debit.*	
Dec. 31.	To Balance	150 00
		$150 00

REVENUE COMMISSIONER'S SPECIAL FUND.

1870.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year	165 00
		$165 00

SECOND JUDICIAL DISTRICT FUND.

1870,	*Debit.*	
Dec. 31.	To General fund	600 00
		$600 00

SCHOOL SUPERINTENDENT'S SALARY FUND.

1870.	*Debit.*	
Dec. 31.	To Balance	78 56
		$78 56

SCHOOL SUPERINTENDENT'S CONTINGENT FUND.

1870.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year	205 90
	Balance	711 60
		$917 50

SPECIAL SCHOOL FUND.

1870.	*Debit.*	
Feb. 14.	To Warrants paid during fiscal year	3,872 45
	Balance	63 00
		$3,935 45

SPANISH PRINTING FUND.

1870.	*Debit.*	
Dec. 31.	To Balance	3,020 00
		$3,020 00

SPECIAL FUND.

1870.	*Debit.*	
Dec. 31.	To Balance	1,359 50
		$1,359 50

REVENUE REPORT PRINTING FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session.....	150 00
		$150 00

REVENUE COMMISSIONER'S SPECIAL FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session.....	165 00
		$165 00

SECOND JUDICIAL DISTRICT FUND.

1870.	*Credit.*	
Dec. 31.	By Cash.....	600 00
		$600 00

SCHOOL SUPERINTENDENT'S SALARY FUND.

1870.	*Credit.*	
Dec. 31.	By Balance in Treasury Dec. 25, 1869.....	78 56
		$78 56

SCHOOL SUPERINTENDENT'S CONTINGENT FUND.

1870.	*Credit.*	
Dec. 31.	By Balance in Treasury Dec. 25, 1869.....	417 50
	Appropriation, 8th session.....	500 00
		$917 50

SPECIAL SCHOOL FUND.

1870.	*Credit.*	
Dec. 31.	Balance from C. Nuckolls.....	3,935 45
		$3,935 45

SPANISH PRINTING FUND.

1870.	*Credit.*	
Dec. 31.	By Balance in Treasury Dec. 25, 1869....	3,020 00
		$3,020 00

SPECIAL FUND.

1870.	*Credit*	
Dec. 31.	By Balance Dec. 25, 1869.....	1,359 50
		$1,359 50

TREASURER'S CONTINGENT FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	94 58
		Balance.....	105 42
			$200 00

TERRITORIAL LIBRARIAN'S FUND.

1870.		*Debit.*	
Dec. 31.		Warrants paid during fiscal year.....	328 06
		Balance.....	318 61
			$646 67

TERRITORIAL ARMS AND STORAGE FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal.....	165 00
		Balance.....	135 00
			$300 00

WOLF-SCALP BOUNTY FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	567 00
		Balance.....	433 00
			$1,000 00

WAGON ROAD FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.	4,700 00
			$4,700 00

WARRANT INTEREST FUND.

1870.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	17 69
		Balance.....	1,182 31
			$1,200 00

TREASURER'S CONTINGENT FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session.....	200 00
		200 00

TERRITORIAL LIBRARIAN'S FUND.

1870.	*Credit.*	
Dec. 31.	By Balance Dec. 25, 1869.....	646 67
		646 67

TERRITORIAL ARMS AND STORAGE FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session.....	300 00
		300 00

WOLF-SCALP BOUNTY FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session.....	1,000 00
		$1,000 00

WAGON ROAD FUND.

1870.	*Credit.*	
Dec. 31.	By appropriation, 8th session.....	$4,700 00
		$4,700 00

WARRANT INTEREST FUND.

1870.	*Credit.*	
Dec. 31.	By Appropriation, 8th session.....	$1,200 00
		$1,200 00

REPORT

FOR THE

FISCAL YEAR ENDING DECEMBER 31ST, 1871.

TREASURY DEPARTMENT, COLORADO,
Denver, December, 31, 1871.

To the Legislative Assembly of Colorado Territory:

GENTLEMEN:

Pursuant to the requirements of law, I have the honor to transmit herewith, the following report of the operations of this Department for the fiscal year ending December 31, 1871.

Very respectfully, your ob't servant,
GEO. T. CLARK. *Ter. Treasurer.*

GENERAL STATEMENT.

1871.	*Debit.*	
Dec. 31.	Disbursements for the fiscal year.....	$16,520 75
	Balance in the Treasury.....	50,897 42
		$67,418 17

GENERAL STATEMENT.

Credit.

1871.		
Jan. 1.	Balance in Treasury	$15,525 85
Dec. 31.	Revenue received from all sources during the fiscal year	51,892 32
		$67,418 17

STATEMENT OF BALANCES.

1871.	
Dec. 31 To Credit of	
Adjutant General's Special fund	92 00
Auditor's Contingent fund	213 95
Assay Office fund	239 20
Arapahoe County Relief fund	75 00
Artesian Well fund	2,432 00
Compiling Military Claims fund	300 00
Clerk Supreme Court fund	31 00
District Attorney's Salary fund	700 29
Executive Reward fund	3,000 00
Fugitive Apprehension fund	3,000 00
Fremont County Relief fund	73 75
General Conting't fund	5,456 25
General fund	16,189 95
Incidental Printing fund	166 00
Insane Pauper fund	1,588 30
Library Contingent fund	63 05
Legislative Printing fund	492 36
Legislative Newspaper fund	153 83
Locating Capitol and Penitentiary fund	32 67
Legislative fund	1,192 95
Military Poll Tax fund	623 53
Military Debt Interest fund	2,409 48
Military Service fund	4,911 07
Officers' Salary fund	83 84
Preparing Military Claims fund	700 00
Revenue Report Printing fund	150 00
School Superintendent's Salary fund	78 56
School Superintendent's Contingent fund	381 45
Special School fund	63 00
Spanish Printing fund	3,020 00
Special fund	1,359 50
Territorial Librarian's fund	26 13
Territorial Arms and Storage fund	15 00
Wolf-scalp Bounty fund	401 00
Warrant Interest fund	1,182 31
	$50,897 42

STATEMENT

Showing the Disbursements on Account of the Several Funds for the Fiscal Year ending December 31st, 1871.

DISBURSEMENTS.

Adjutant Gen. Contingent fund	$ 35 35
Auditor's Contingent fund	158 16
Assay Office fund	3,127 83
District Attorneys' Salary fund	1,897 74
General Contingent fund	610 76
Incidental Printing fund	49 50
Insane Pauper fund	475 25
Judge's Salary fund	6,000 00
Military Debt Interest fund	110 87
Military Debt fund	376 32
Officer's Salary fund	3,100 00
School Superintendent's Contingent fund	30 15
Treasurer's Contingent fund	105 42
Ter. Librarian's fund	292 48
Ter. Arms and Storage fund	120 00
Wolf Scalp Bounty fund	32 00
Cash in Treasury	50,897 42
	$67,418 17

STATEMENT

Showing the Receipts on Account of the Several Funds, for the fiscal year ending December 31, 1871.

RECEIPTS.

1871.		
January 1.	Balance in Treasury	$15,525 85
	Revenue received from—	
	Arapahoe County	15,049 67
	Boulder County	2,549 07
	Bent County	919 90
	Clear Creek County	3,120 66
	Conejos County	548 28
	Costilla	354 18
	Douglas County	1,286 96
	El Paso County	1,408 19
	Fremont County	1,145 82
	Greenwood County	1,097 08
	Gilpin County	9,803 83
	Huerfano County	1,174 65
	Jefferson County	2,640 53
	Lake County	564 55
	Larimer County	1,142 86
	Las Animas County	873 94
	Park County	354 44
	Pueblo County	2,575 47
	Saguache	514 74
	Summit County	339 45
	Weld County	2,624 21
	Assay office	1,454 00
	Military Poll Tax	349 84
		$67,418 17

LEDGER BALANCES.

ADJUTANT GENERAL'S SPECIAL FUND.

Debit.

1871. Dec. 31.	To Balance	$92 00
		$92 00

ADJUTANT GENERAL'S CONTINGENT FUND.

Debit.

1871. Dec. 31.	To Warrants paid during fiscal year	34 25
		$34 25

ASSAY OFFICE REVENUE FUND.

Debit.

1871. Dec. 31.	To General fund	$1,454 00
		$1,454 00

AUDITOR'S CONTINGENT FUND.

Debit.

1871. Dec. 31.	To Warrants paid during fiscal year	$158 16
	Balance	$213 95
		$372 11

CLERK OF SUPREME COURT FUND.

Debit.

1871, Dec. 31.	To Balance	$31 00
		$31 00

ARAPAHOE COUNTY RELIEF FUND.

Debit.

1871. Dec. 31.	To Balance	$75 00
		$75 00

ARTESIAN WELL COMMISSION FUND.

Debit.

1871. Jan. 1.	To Balance	$2,432 00
		$2,432 00

LEDGER BALANCES.

ADJUTANT GENERAL'S SPECIAL FUND.

Credit.

1871. Jan. 1.	By Balance	$92 00
		$92 00

ADJUTANT GENERAL'S CONTINGENT FUND.

Credit.

1871. Jan. 1.	By Balance	$34 25
		$34 25

ASSAY OFFICE REVENUE FUND.

Credit.

1871. Jan. 1.	Balance	$1,454 00
		$1,454 00

AUTITOR'S CONTINGENT FUND.

Credit.

1871. Jan. 1.	By Revenue during three quarters of the fiscal	$372 11
		$372 11

CLERK OF SUPREME COURT FUND.

Credit.

1871. Jan. 1.	By Balance	31 00
		$31 00

ARAPAHOE COUNTY RELIEF FUND.

Credit.

1871. Jan. 1.	By Balance	$75 00
		$75 00

ARTESIAN WELL COMMISSION FUND.

Credit.

1871. Jan. 1.	By Balance	2,432 00
		$2,432 00

COMPILING MILITARY CLAIMS FUND.

Debit.

1871. Jan. 1.	To	Balance	$300 00
			$300 00

DISTRICT ATTORNEY'S SALARY FUND.

Debit.

1871. Dec. 31.	To	Warrants paid during fiscal year	1,897 74
		Balance	700 29
			$2,598 03

FUGITIVE APPREHENSION FUND.

Debit.

1871. Dec. 31.	To	Balance	3,000 00
			$3,000 00

GENERAL CONTINGENT FUND.

Debit.

1871. Dec. 31.	To	Warrants paid during fiscal year	610 76
		Balance	5,456 25
			$6,067 01

MILITARY POLL TAX FUND.

Debit.

1871. Dec. 31.	To	Balance	$623 53
			$623 53

INCIDENTAL PRINTING FUND.

Debit.

1871. Dec. 31.	To	Warrants paid during fiscal year	$ 49 50
		Balance	166 00
			$215 50

INSANE PAUPER FUND.

Debit.

1871. Dec. 31.	To	Warrants paid during fiscal year	$ 475 25
		Balance	1,588 30
			$2,063 55

COMPILING MILITARY CLAIMS FUND.

Credit.

1871. Jan. 1.	By	Balance	300 00
			$300 00

DISTRICT ATTORNEY'S SALARY FUND.

Credit.

1871. Jan. 1.	By	Balance	2,598 03
			$2,598 03

FUGITIVE APPREHENSION FUND.

Credit.

1871. Jan. 1.	By	Balance	3,000 00
			$3,000 00

GENERAL CONTINGENT FUND.

Credit.

1871. Jan. 1.	By	Balance	6,067 01
			$6,067 10

MILITARY POLL TAX FUND.

Credit.

1871. Jan. 1.	By	Balance	$273 69
Dec. 31.		Revenue received	349 84
			$623 53

INCIDENTAL PRINTING FUND.

Credit.

1871. Jan. 1.	By	Balance	$215 50
			$215 50

INSANE PAUPER FUND.

Credit.

1871. Jan. 1.	By	Balance	$2,063 55
			$2,063 55

EXECUTIVE REWARD FUND.

1871.	*Debit.*	
Dec. 31.	To Balance	3,000 00
		$3,00 00

WARRANT INTEREST FUND.

1871.	*Debit.*	
Jan. 1.	To Balance	$1,182 31
		$1,182 31

FREMONT COUNTY RELIEF FUND.

1871.	*Debit.*	
Dec. 31.	To Balance	73 75
		$73 75

GENERAL FUND.

1871.	*Debit.*	
December 31.	To Amount app'd over receipts	35,562 53
1871. Dec. 31.	To Balance on hand	16,189 95
		$51,852 48

EXECUTIVE REWARD FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	3,000 00
		$3,000 00

WARRANT INTETEST FUND.

1871.	*Credit.*	
Jan 1.	By Balance	$1,182 31
		$1,182 31

FREMONT COUNTY REIEF FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	73 75
		$73 75

GENERAL FUND.

1870.	*Credit.*	
Dec. 31.	By Error Appropriation to Superintendent of Public Instruction fund	300 00
	Revenue from Arapahoe County	15,049 67
	Bent County	919 90
	Boulder County	2,549 07
	Clear Creek County	3,120 66
	Conejos County	548 28
	Costilla County	354 18
	Douglas County	1,286 96
	El Paso County	1,408 19
	Fremont County	1,145 82
	Greenwood County	1,097 08
	Gilpin County	9,803 83
	Huerfano County	1,174 65
	Jefferson County	2,650 53
	Lake County	564 55
	Larimer County	1,142 86
	Las Animas County	873 94
	Park County	354 44
	Pueblo County	2,575 47
	Saguache County	515 74
	Summit County	339 45
	Weld County	9,624 21
	Assay Office	1,454 00
		$51,852 48

GENERAL BALANCE SHEET.

1871.	*Debit.*	
Dec. 31.	To Cash on hand.....	$50,897 42
		$50,897 42

JUDGES' SALARY FUND.

1871.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year.....	$6,000 00
		$6,000 00

GENERAL BALANCE SHEET.

1871.	*Credit.*	
Dec. 31. By		
	Adjutant Gen. Special fund	$ 92 00
	Auditor's Contingent fund	213 95
	Assay office fund	239 20
	Arapahoe County Relief fund	75 00
	Artesian Well Commission fund	2,432 00
	Compiling Military Claims fund	300 00
	Clerk of Supreme Court fund	31 00
	District Attorney's Salary fund	700 29
	Executive Reward fund	3,000 00
	Fugitive Apprehension fund	3,000 00
	Fremont County Relief fund	73 75
	General Contingent fund	5,456 25
	General fund	16,189 95
	Incidental Printing fund	166 00
	Insane Paupers' fund	1,588 30
	Locating Capitol and Penit'y fund	32 67
	Library Contingent fund	63 05
	Legislative Printing fund	492 36
	Legislative Newspaper fund	153 83
	Legislative fund	1,192 95
	Military Poll Tax fund	623 53
	Military Debt Interest fund	2,409 48
	Military Service fund	4,911 07
	Officers' Salary fund	83 84
	Preparing Military Claims fund	700 00
	Rev. Report Printing fund	150 00
	School Superintendent's Salary fund	78 56
	School Superintendent Cont'gent fund	381 45
	Special School fund	63 00
	Spanish Printing fund	3,020 00
	Special fund	1,359 50
	Territorial Librarian's fund	26 13
	Territorial Arms Storage fund	15 00
	Wolf-Scalp Bounty fund	401 00
	Warrant Interest fund	1,182 31
		$50,897 42

JUDGES' SALARY FUND.

1871.	*Credit.*	
Jan. 1. By	Balance	$6,000 00
		$6,000 00

OFFICERS' SALARY FUND.

1871.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	$3,100 00
		Balance.....	83 84
			3,183 84

LIBRARY CONTINGENT FUND.

1871.		*Debit.*	
Dec. 31.	To	Balance.....	$63 05
			$63 05

LEGISLATIVE PRINTING FUND.

1871.		*Debit.*	
Dec. 31.	To	Balance.....	$492 36
			$492 36

LEGISLATIVE NEWSPAPER FUND.

1871.		*Debit.*	
Dec. 31.	To	Balance.....	$153 83
			$153 83

LEGISLATIVE FUND.

1871.		*Debit.*	
Jan. 1.	To	Balance.....	$1,192 95
			$1,192 95

MILITARY DEBT INTEREST FUND.

1871.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	110 89
		Balance.....	2,409 48
			$2,520 37

MILITARY SERVICE FUND.

1871.		*Debit.*	
Dec. 31.	To	Warrants paid during fiscal year.....	376 32
		Balance	4,911 07
			$5,287 39

OFFICERS' SALARY FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	3,183 84
		$3,183 84

LIBRARY CONTINGENT FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	63 05
		$63 05

LEGISLATIVE PRINTING FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	492 36
		$492 36

LEGISLATIVE NEWSPAPER FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	153 83
		$153 83

LEGISLATIVE FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	1,192 95
		$1,192 95

MILITARY DEBT INTEREST FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	2,520 37
		$2,520 37

MILITARY SERVICE FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	5,287 39
		$5,287 39

LOCATING CAPITOL AND PENITENTIARY FUND.

1871.	*Debit.*	
Dec. 31.	To Balance	32 67
		$32 67

PREPARING MILITARY CLAIMS FUND.

1871.	*Debit.*	
Dec. 31.	To Balance	700 00
		$700 00

REVENUE REPORT PRINTING FUND.

1871.	*Debit.*	
Dec. 31.	To Balance	150 00
		$150 00

SCHOOL SUPERINTENDENT'S SALARY FUND.

1871.	*Debit.*	
Dec. 31.	To Balance	78 56
		$78 56

SCHOOL SUPERINTENDENT'S CONTINGENT FUND.

1871.	*Debit.*	
Dec. 31.	To Error Appropriation Sup't. Pub. Inst'n.	300 00
	Warrants paid during fiscal year	30 15
	Balance	381 45
		$711 60

SPECIAL SCHOOL FUND.

1871.	*Debit.*	
Jan. 1.	To Balance	63 00
		$63 00

SPANISH PRINTING FUND.

1871.	*Debit.*	
Jan. 1.	To Balance	3,020 00
		$3,020 00

LOCATING CAPITOL AND PENITENTIARY FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	32 67
		$32 67

PREPARING MILITARY CLAIMS FUND.

1871.	*Credit.*	
Jan. 1:	By Balance	700 00
		$700 00

REVENUE REPORT PRINTING FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	150 00
		$150 00

SCHOOL SUPERINTENDENT'S SALARY FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	78 56
		$78 56

SCHOOL SUPERINTENDENT'S CONTINGENT FUND.

1871.	*Credit.*	
Jan: 1.	By Balance	711 60
		$711 60

SPECIAL SCHOOL FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	63 00
		$63 00

SPANISH PRINTING FUND.

1871.	*Credit.*	
Dec. 31.	By Balance	3,020 00
		$3,020 00

SPECIAL FUND.

1871.	*Debit.*	
Dec. 31.	To Balance	1,359 50
		$1,359 50

TREASURER'S CONTINGENT FUND.

1871.	*Debit.*	
Dec. 31.	To Balance	105 42
		$105 42

TERRITORIAL LIBRARIAN'S FUND.

1871.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year	292 48
	Balance	26 13
		$318 61

TERRITORIAL ARMS AND STORAGE FUND.

1871	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year	120 00
	Balance	15 00
		$135 00

WOLF-SCALP BOUNTY FUND.

1871.	*Debit.*	
Dec. 31.	To Warrants paid during fiscal year	32 00
	Balance	401 00
		$433 00

SPECIAL FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	1,359 50
		$1,359 50

TREASURER'S CONTINGENT FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	105 42
		$105 42

TERRITORIAL LIBRARIAN'S FUND.

1871.	*Credit.*	
Jan. 1.	By Balance	318 61
		$318 61

TERRITORIAL ARMS AND STORAGE FUND.

1871.	*Credit.*	
Dec. 31.	By Balance	135 00
		$135 00

WOLF-SCALP BOUNTY FUND.

1871.	*Credit.*	
Dec. 31.	By Balance	433 00
		$433 00

APPENDIX B.

REPORT OF THE

TERRITORIAL AUDITOR.

FOR THE YEARS 1871 AND 1872.

TREASURY DEPARTMENT, COLORADO,
Auditor's Office, January 1, 1872.

To the Legislative Assembly of Colorado Territory:

GENTLEMEN: I have the honor to lay before you my report showing the receipts and disbursements of the Treasury Department for the past two years, and exhibiting the present condition of the finances, resources and revenues, of the Territory.

You will find embraced in this report the following items:

First, A general statement of the condition of the Treasury at this date.

Second, A statement showing the amount expended under each appropriation, and the amount remaining to the credit of each fund.

Third, A general statement of the sources from which revenue has been derived.

Fourth, A statement showing the amount of revenue charged to each county at this date.

Fifth, A statement of the total receipts and disbursement of the Treasury, since the organization of the Territory.

Sixth, A summary of the assessments, by counties, for Territorial purposes for the years 1870 and 1871.

Seventh, Copies of abstracts of assessments as corrected by County Boards of Equalization, and returned to this office by County Clerks, showing amount and nature of taxable property in each county.

Eighth, An estimate of the revenue and expenditures for the two succeeding fiscal years, and the probable amount of revenue derivable from the various sources.

GENERAL STATEMENT

Of the condition of the Territorial Treasury, Jan. 1. 1872.

Debit.

Balance in Treasury, Jan. 1, 1870	$27,962 47
Revenue from Counties	83,148 40
Assay Office	3,025 00
Insurance Premiums	1,028 21
2nd Judicial District	600 00
Military Service fund from Commissioner, D. H. Moffat, Jr	5,977 42
Special School, Miners' Relief and Military Poll Tax Fund, received from former Treasurer	4,099 54
Military Poll Tax for 1869 and 1870	727 47
	$126,568 51

GENERAL STATEMENT

Of the condition of the Territorial Treasury, Jan. 1, 1871.

Credit.

Disbursements for 1870 and 1871	$71,464 19
Balance in Treasury Jan. 1, 1872	55,104 32
	$126,568 51

NOTE.—I would respectfully call attention to the fact that the disbursements of this Department for the past year have been over four thousand dollars less than for the corresponding period of 1869.

STATEMENT

Showing the Amount Expended under each Appropriation, and the Amount Remaining to the Credit of each Fund.

Amount remaining to the credit of each fund, January 1st, 1870.		Appropriation of the 8th Legislative Assembly	Total.	Am't expended from each fund from Jan. 1, 1870, to Jan. 1, 1872.	Am't remaining to the credit of each fund Jan 1. 1872.
Auditor's Contingent	$ 263 19	$ 550 00	$ 813 19	$ 599 24	$ 213 95
Adjutant General's (Special)	264 40		264 40	172 40	92 00
Arapahoe County Relief		480 00	480 00	405 00	75 00
Assay Office	666 56	8,000 00	8,666 56	7,802 36	864 20
Adjutant General's Contingent		200 00	200 00	200 00	
Agricultural Report Printing		792 00	792 00	792 00	
Artesian Well Reward		2,000 00	2,000 00		2,000 00
Artesian Well Commissioners		500 00	500 00	68 00	432 00
B. F. Smith's Relief		56 00	56 00	56 00	
Compiling Mil. Claims (Cox, Sp'l)	300 00		300 00		300 00
Clerk Supreme Court	42 50		42 50	11 50	31 00
District Attorney Salary	1,999 03	3,401 00	5,400 03	4,699 74	700 29
Executive Reward		3,000 00	3,000 00		3,000 00
Fremont County Relief (Special)		380 00	380 00	306 25	73 75
Fugitive Apprehension		3,000 00	3,000 00		3,000 00
General Contingent	166 44	7,000 00	7,166 44	1,823 19	5,343 25
Insane Pauper	246 10	5,000 00	5,246 10	3,657 80	1,588 30
Incidental Printing		500 00	500 00	334 00	166 00
Judges' Salary	1,500 00	12,000 00	13,500 00	13,500 00	
J. B. Rice's (Special)		102 50	102 50	102 50	
J. M. Veasey's (Special)		175 00	175 00	175 00	
Library	646 67		646 67	620 54	26 13
Librarian's Contingent	53 65	400 00	453 65	390 60	63 05
Legislative	2,015 95	13,366 00	15,381 95	14,189 00	1,192 95
Legislative Extra Service		160 00	160 00	160 00	
Locating Capital and Peniten'y	119 67		119 67	87 00	32 67
Library Committee (Special)		98 00	98 00	98 00	
Military Debt Interest	3,044 85		3,044 85	635 37	2,409 48
Military Poll Tax			727 47	235 38	492 09
Newspaper	90 21	200 00	290 21	139 38	150 83
Preparing Military Claims	700 00		700 00		700 00
Printing Legislative	334 61	750 00	1,084 61	592 25	492 36
Revenue Report Printing		150 00	150 00		150 00
Revenue Commission		165 00	165 00	165 00	
Shaffenburg, M. A. (Special)		1,800 00	1,800 00	1,800 00	
Special fund	1,359 50		1,359 50		1,359 50
Special Printing Laws in Spanish	3,020 00		3,020 00		3,020 00
Superintendent's Salary	78 56		78 56		78 56
Superintendent's Contingent	417 50	200 00	617 50	236 05	381 45
Territorial Arms Storage		300 00	300 00	285 00	15 00
Territorial Warrant Interest		1,200 00	1,200 00	17 69	1,182 31
Territorial Officers' Salary	1,721 34	5,000 00	6,721 34	6,637 50	83 84
Treasurer's Contingent		200 00	200 00	200 00	
Wagon Road		4,700 00	4,700 00	4,700 00	
Wolf-Scalp Bounty		1,000 00	1,000 00	599 00	401 00
Rec'd from Commissioner, D. H. Moffat, Jr., Military Service			5,977 42	1,066 35	4,911 07
Military Poll Tax			131 44		131 44
Miners' Relief and Poor			32 65	32 65	
And Special School			3,935 45	3,872 45	63 00
Amount received from former Treasurer					
	$19,050 73	$76,825 50	$166,680 66	$71,464 19	$35,216 47

A GENERAL STATEMENT

Of the sources from which Revenue has been derived.

COUNTIES.	RECEIPTS, 1870.	RECEIPTS, 1871.	TOTAL.
Arapahoe	$11,423 49	$14,021 46	$25,444 95
Bent		919 90	919 90
Boulder	2,370 40	2,549 07	4,919 47
Clear Creek	4,252 39	3,120 66	7,373 05
Conejos	693 24	548 28	1,241 52
Costilla		354 18	354 18
Douglas	1,568 71	1,286 96	2,855 67
El Paso	623 07	1,408 19	2,031 26
Fremont	262 02	1,145 82	1,407 84
Gilpin		9,803 83	9,803 83
Greenwood		1,097 08	1,097 08
Huerfano	949 95	1,174 65	2,124 60
Jefferson	2,814 41	2,640 53	5,454 94
Lake	866 47	564 55	1,431 02
Larimer	1,443 00	1,142 86	2,585 86
Las Animas	1,166 96	873 94	2,040 90
Park	500 00	354 44	854 44
Pueblo	3,099 15	2,575 47	5,674 62
Saguache		514 74	514 74
Summit	106 10	339 45	445 55
Weld	1,948 77	2,624 21	4,572 98
Assay Office	1,571 00	1,454 00	3,025 00
Ins. premiums, Arapahoe County		1,028 21	1,028 21
Second Judicial Dist	600 00		600 00
Military Poll Tax	377 63	349 84	727 47
	$36,636 76	$51,892 32	$88,529 08

ARAPAHOE COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	63,256 63
		$63,256 63

BOULDER COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	11,811 84
		$11,811 84

BENT COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	2,073 05
		$2,073 05

CLEAR CREEK COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	11,818 80
		$11,818 80

CONEJOS COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	2,383 37
		$2,383 37

COSTILLA COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	4,081 74
		$4,081 74

DOUGLAS COUNTY.

1872.	*Debit.*	
Dec. 31.	To Revenue	7,004 19
		$7,004 19

ARAPAHOE COUNTY.

1872.	*Credit.*	
Jan. 1.	By Revenue	26,716 04
	Balance	36,540 59
		$63,256 63

BOULDER COUNTY.

1872.	*Credit.*	
Jan. 1.	By Revenue	5,466 43
	Balance	6,345 41
		$11,811 84

BENT COUNTY.

1872.	*Credit.*	
Jan. 1.	By Revenue	1,019 53
	Balance	1,053 52
		$2,073 05

CLEAR CREEK COUNTY.

1872.	*Credit.*	
Jan. 1.	By Revenue	7,373 05
	Balance	4,445 75
		11,818 80

CONEJOS COUNTY.

1872.	*Credit.*	
Jan. 1.	By Revenue	1,243 95
	Balance	1,139 42
		$2,383 37

COSTILLA COUNTY.

1872.	*Credit.*	
Jan. 1.	By Revenue	1,180 92
	Balance	2,900 82
		$4,081 74

DOUGLAS COUNTY.

1872.	*Credit.*	
Jan. 1.	By Revenue	2,855 67
	Balance	4,148 52
		$7,004 19

EL PASO COUNTY.

Debit.

1872. Dec. 31.	To Revenue	5,152 01
		$5,152 01

FREMONT COUNTY.

Debit.

1872. Jan. 1.	To Revenue	3,681 59
		$3,681 59

GILPIN COUNTY.

Debit.

1872. Jan. 1.	To Revenue	40,777 69
		$40,777 69

GREENWOOD COUNTY.

Debit.

1872. Jan. 1.	To Revenue	3,373 92
		$3,373 92

HUERFANO COUNTY.

Debit.

1872. Jan. 1.	To Revenue	4,680 94
		$4,680 94

JEFFERSON COUNTY.

Debit.

1872. Jan. 1.	To Revenue	$13,273 00
		$13,273 00

LAKE COUNTY.

Debit.

1872. Jan. 1.	To Revenue	2,251 36
		$2,251 36

EL PASO COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	2,031 26
		Balance	3,120 75
			$5,152 01

FREMONT COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	1,407 84
		Balance	2,273 75
			$3,681 59

GILPIN COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	9,803 83
		Balance	30,973 86
			$40,777 69

GREENWOOD COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	1,097 08
		Balance	2,276 84
			$3,373 92

HUERFANO COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	2,167 84
		Balance	2,513 10
			$4,680 94

JEFFERSON COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	5,454 94
		Balance	7,818 06
			$13,273 00

LAKE COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	1,431 02
		Balance	820 34
			$2,251 36

LARIMER COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	3,966 31
		$3,966 31

LAS ANIMAS COUNTY.

1872,	*Debit.*	
Jan. 1,	To Revenue	5,433 08
		$5,433 08

PARK COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	2,673 97
		$2,673 97

PUEBLO COUNTY.

1872.	*Debit.*	
Jan. 1.	To Balance	$9,207 51
		$9,207 51

SAGUACHE COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	1,186 39
		$1,186 39

SUMMIT COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	1,065 58
		$1,065 58

WELD COUNTY.

1872.	*Debit.*	
Jan. 1.	To Revenue	10,947 21
		$10,947 21

LARIMER COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	2,586 16
		Balance	1,380 15
			$3,966 31

LAS ANIMAS COUNTY.

1872.		*Credit.*	
Jan 1.	By	Revenue	2,040 90
		Balance	3,392 18
			$5,433 08

PARK COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	854 44
		Balance	1,819 53
			$2,673 97

PUEBLO COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	5,716 75
		Balance	3,490 75
			$9,207 50

SAGUACHE COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	520 74
		Balance	665 65
			$1,186 39

SUMMIT COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	453 35
		Balance	612 23
			$1,065 58

WELD COUNTY.

1872.		*Credit.*	
Jan. 1.	By	Revenue	4,580 10
		Balance	6,367 11
			$10,947 21

STATEMENT.

Showing the Total Receipts and Disbursements of the Treasury, since the Organization of the Territory.

COUNTIES.	To Jan. 1, 1870, as per last Report.	For 1870 and 1871.	TOTAL RECEIPTS.
Arapahoe	$68,087 15	$26,473 16	$94,560 31
Bent		919 90	919 90
Boulder	9,656 17	4,919 47	14,575 64
Clear Creek	8,036 28	7,373 05	15,409 33
Conejos	3,125 35	1,241 52	4,366 87
Costilla	3,180 83	354 18	3,535 01
Douglas	3,597 14	2,855 67	6,452 81
El Paso	3,929 41	2,031 26	5,960 67
Fremont	3,360 17	1,407 84	4,768 01
Gilpin	37,521 36	9,803 83	47,325 19
Greenwood		1,097 08	1,097 08
Huerfano	1,639 82	2,124 60	3,764 42
Jefferson	12,255 80	5,454 94	17,710 74
Lake	1,392 31	1,431 02	2,823 33
Larimer	3,861 83	2,585 86	6,447 69
Las Animas	1,505 00	2,040 90	3,545 90
Park	3,228 29	854 44	4,082 73
Pueblo	7,582 04	5,674 62	13,256 66
Saguache	568 86	514 74	1,083 60
Summit	1,523 78	445 55	1,969 33
Weld	5,625 05	4,572 98	10,198 03
Sundries	6,017 50	14,429 43	20,446 93
			$284,300 18
Total Disbursements			$229,195 86
Balance on hand January 1, 1872			$55,104 32

A SUMMARY

Of the Assessment, by Counties, for Territorial purposes, for the years 1870 *and* 1871; *Showing the increase or decrease in Valuation of Taxable Property:*

COUNTIES.	Assessment for 1870.	Assessment for 1871.	Increase.	Decrease.
Arapahoe,	$ 4,706,881 00	$ 9,058,405 00	$ 4,351,524 00	
Bent,	351,248 50	335,505 00		15,743 50
Boulder,	1,121,972 00	1,259,417 00	137,445 00	
Conejos,	205,702 60	160,599 25		45,103 35
Costilla,	118,062 00	139,790 00	21,728 00	
Clear Creek,	1,100,112 25	1,115,814 50	15,702 25	
Douglas,	624,397 00	757,667 00	133,270 00	
El Paso,	524,965 34	869,810 00	344,844 66	
Fremont,	375,950 50	635,998 00	260,048 00	
Gilpin,	2,737,431 00	2,660,348 50		77,082 50
Greenwood,	446,924 00	667,715 40	230,791 40	
Huerfano,	324,922 00	421,852 00	96,930 00	
Jefferson,	1,034,738 00	1,510,609 72	475,871 72	
Lake,	172,917 00	170,023 00		2,894 00
Larimer,	332,510 00	421,882 00	89,372 00	
Las Animas,	457,932 00	383,978 00		73,954 00
Park,	175,559 00	209,681 00	34,122 00	
Pueblo,	857,811 00	1,337,102 00	479,291 00	
Saguache,	129,653 00	215,810 00	86,157 00	
Summit,	123,926 31	129,719 00	5,792 69	
Weld,	854,381 00	1,640,352 00	785,971 00	
	$16,773,005 00	$24,112,078 37	7,548,850 72	$214,777 35

Abstract of the Assessment of Arapahoe County, for the year 1871.

NO. OF		VALUATION.
80,818	Acres of Land, together with the Improvements thereon	$1,624,288
364,560	Acres unimproved Railroad Land	154,076
	Town and City Lots	4,888,140
1,063	Horses	121,095
102	Mules	11,910
1	Ass	200
11,382	Cattle	247,685
21	Other animals	759
8,173	Sheep	33,359
170	Swine	1,395
9	Goats	63
16	Musical Instruments	22,668
	Clocks, Watches, Jewelry, Gold, and Silver Plate	38,167
	All other property, including Money and Credits	1,559,600
	Railroad Companies, on road bed, etc.	355,000
	Total Valuation	$9,058,405
	Amount of Premiums taken by Insurance Companies during the previous year, as required by section 15, on page 91, Statutes of 1870	$135,950

Received September 16, 1871.

Abstract of the Assessment of Bent County, for the year 1871.

NO. OF		VALUATION.
5,120	Acres of Land, together with the Improvements thereon	$ 6,600
	Town and City Lots	
338	Horses	19,645
97	Mules	8,590
5,444	Cows and Heifers	100,829
3,322	Oxen, Steers, and Bulls	70,473
3,159	Calves and Yearlings	26,987
6,879	Sheep	10,244
332	Swine	1,040
11	Goats	53
8	Musical Instruments	575
	Clocks, Watches, Jewelry, Gold and Silver Plate	849
	All other property, including Money and Credits	89,620
	Total Valuation	$335,505

Received July 12, 1871.

Abstract of the Assessment of Boulder County, for the year 1871.

NO. OF		VALUATION.
65,679	Acres of Land, together with the Improments thereon	$ 653,642
	Town and City Lots	
1,814	Horses	132,127
146	Mules	16,730
5,203	Cows	153,832
562	Oxen	29,597
2,989	Calves	22,938
502	Sheep	1,074
819	Swine	5,353
4	Goats	13
39	Musical Instruments	3,358
	Clocks, Watches, Jewelry, Gold, and Silver Plate	4,636
	All other property, including Money and Credits	236,117
	Total Valuation	$1,259,417

Received July 24, 1871.

Abstract of the Assessment of Clear Creek County, for the year 1871.

NO. OF		VALUATION.
4,607	Acres of Land, together with the Improvements thereon	$530,919 00
	Town and City Lots	269,618 00
214	Horses	22,030 00
60	Mules	6,855 00
108	Asses	2,490 00
177	Cows	4,866 00
83	Oxen	4,630 00
79	Calves	1,155 00
57	Sheep	111 00
44	Swine	448 00
17	Goats	43 00
47	Musical Instruments	2,776 00
	Clocks, Watches, Jewelry, Gold, and Silver Plate	14,655 50
	All other Property, including Money and Credits	255,218 00
	Total Valuation	$1,115,814 50

Received July 18, 1871.

Abstract of the Assessment of Conejos County, for the year 1871.

NO. OF		VALUATION.
	Acres of Land, together with the Improvements thereon	$ 5,015 00
2	Town and City Lots	700 00
600	Horses	15,425 00
57	Mules	1,820 00
210	Asses	2,374 00
4,363	Oxen, Cows	65,356 00
193	Wagons	7,130 00
27,681	Sheep	43,729 00
168	Swine	315 00
742	Goats	1,222 25
3	Musical Instruments	24 00
	Clocks, Watches, Jewelry, Gold and Silver Plate	489 00
	All other Property, including Money and Credits	17,000 00
	Total Valuation	$160,599 25

Received July 13, 1871.

Abstract of the Assessment of Costilla County, for the year 1871.

NO. OF		VALUATION.
	Acres of Land, together with the Improvements thereon	$11,210 00
	Town and City Lots	13,600 00
219	Horses	11,450 00
89	Mules and Donkeys	2,478 00
1,130	Cows	22,600 00
519	Oxen	6,530 00
962	Calves	6,417 00
25,315	Sheep	39,462 50
82	Swine	410 00
257	Goats	382 50
7	Musical Instruments	245 00
	Clocks, Watches, Jewelry, Gold, and Silver Plate	589 00
	All other Property, including Money and Credits	24,416 00
	Total Valuation	$139,790 00

Received August 3, 1871.

Abstract of the Assessment of Douglas County, for the year 1871.

NO. OF		VALUATION.
69,820	Acres of Land, together with the Improvements thereon	$256,433 00
	Town and City Lots	
1,191	Horses	67,920 00
130	Mules	11,735 00
15,480	Total number Horned Cattle	285,323 00
7,333	Sheep	10,001 00
335	Swine	1,502 00
14	Goats	30 00
	Musical Instruments	354 00
	Clocks, Watches, Jewelry, Gold and Silver Plate	1,472 00
	All other Property, including Money and Credits	122,897 00
	Total Valuation	$757,667 00

Received July 13, 1871.

Abstract of the Assessment of El Paso County, for the year 1871:

NO. OF		VALUATION.
94,329	Acres of Land, together with the Improvements thereon	$395,095 00
779	Horses	57,810 00
190	Mules	19,200 00
5,734	Cows	136,570 00
2,21	Oxen	57,295 00
3,032	Calves	24,383 00
10,290	Sheep	19,500 00
536	Swine	2,382 00
	Musical Instruments	1,605 00
	Clocks, Watches, Jewelry, Gold and Silver Plate	3,850 00
	All other Property including Money and Credits	152,120 00
	Total Valuation	$869,810 00

Received July 10, 1871.

Abstract of the Assessment of Fremont County, for the year 1871.

NO. OF		VALUATION.
17,414	Acres of Land, with Improvements	$138,366
525	Town and City Lots	65,795
1,095	Horses	70,578
132	Mules	11,130
11,700	Cattle over three months old	235,498
1,414	Sheep	2,137
527	Swine	2,086
19	Goats	29
32	Musical Instruments	1,384
	Clocks, Watches, Jewelry, Gold and Silver Plate	2,468
	All other Property, including Money and Credits	106,527
	Total Valuation	$635,998

Received July 20, 1871.

Abstract of the Assessment of Gilpin County, for the year 1871.

NO. OF		VALUATION.
4,520	Acres of Land, with Improvements	$ 42,360 00
287	Carriages and Wagons	26,396 00
174	Horses	35,055 00
204	Mules	30,205 00
513	Cattle	21,185 00
206	Sheep, Goats and Swine	1,775 00
	Hay, Grain, &c	595 00
	Household Furniture	7,716 00
	Merchandise	318,186 00
	Commission Goods and Manufactures	13,653 00
	Stocks and Shares in Companies	28,400 00
	Value of Improvements	1,758,465 00
	Musical Instruments	10,971 00
	Clocks, Watches, Jewelry, Gold and Silver Plate	25,372 00
	Lodes Patented	39,400 00
	All other Property, including Money and Credits	300,614 50
	Total Valuation	$2,660,348 50

Received August 25, 1871.

Abstract of the Assessment of Greenwood County, for the year 1871.

NO. OF		VALUATION.
	Acres of Land, with Improvements	
	Town and City Lots	
22	Horses	$ 1,280 00
29	Mules	3,000 00
6	Cows	220 00
3	Calves	37 00
28	Swine	271 00
2	Musical Instruments	7 00
8	Clocks, Watches, Jewelry, Gold and Silver Plate	495 00
	All other Property, including Money and Credits	672,405 40
	Total Valuation	$677,715 40

Received July 19, 1871.

Abstract of the Assessment of Huerfano County, for the year 1871:

NO. OF		VALUATION.
	Land, with Improvements	$ 52,775 00
	Town and City Lots	
952	Horses	44,552 06
293	Mules and Asses	8,320 00
9,827	Cows and Stock Cattle	141,302 00
687	Oxen	18,774 00
	Calves	
51,251	Sheep and Goats	87,090 00
682	Swine	2,908 00
	Musical Instruments	
	Clocks, Watches, Jewelry, Gold and Silver Plate	1,056 00
	All other Property, including Money and Credits	65,105 00
	Total Valuation	$421,852 00

Received July 25, 1871.

Abstract of the Assessment of Jefferson County, for the year 1871.

NO. OF		VALUATION.
130,669	Acres of Land, with Improvements	$ 632,617 51
2,577	Town and City Lots	233,282 60
1,709	Horses	116,543 60
186	Mules	22,935 00
7	Asses	264 50
6,843	Cattle	169,868 75
546	Vehicles	32,717 20
2,341	Sheep	4,609 42
380	Swine	2,394 50
36	Goats	46 00
5	All other Animals	178 25
45	Musical Instruments	3,881 42
337	Clocks, Watches, Jewelry, Gold and Silver Plate	9,246 14
	All other Property, including Money and Credits	282,024 83
	Total Valuation	$1,510,609 72

Received August 5, 1871.

Abstract of the Assessment of Lake County, for the year 1871.

NO. OF		VALUATION.
	Acres of Land, with Improvements	$ 8,565 00
	Town and City Lots	11,320 00
167	Horses	11,641 00
30	Mules	2,620 00
1,197	Cows	31,863 00
371	Oxen	13,333 00
606	Calves	7,194 00
	Sheep	
116	Swine	669 00
3	Goats	6 00
	Musical Instruments	180 00
	Clocks, Watches, Jewelry, Gold and Silver Plate	1,456 00
	All other Property, including Money and Credits	81,176 00
	Total Valuation	$170,023 00

Received July 16, 1871.

Abstract of the Assessment of Larimer County, for the year 1871.

NO. OF		VALUATION.
20,300½	Acres of Land, with Improvements	$145,430
	Town and City Lots	
1,152	Horses	62,873
73	Mules	5,290
4,293	Cows	101,786
539	Oxen	22,241
1,259	Two Year Olds	18,852
1,999	Yearlings	14,649
1,000	Sheep	2,000
299	Swine	1,584
	Musical Instruments; Clocks, Watches, Jewelry, Gold, and Silver Plate	2,332
	All other Property, including Money and Credits	44,845
	Total Valuation	$421,882

Received July 25, 1871.

Abstract of the Assessment of Las Animas County, for the year 1871.

NO. OF		VALUATION.
	The Improvements on Land	$128,855
	Town and City Lots	
606	Horses	55,868
200	Mules	41,690
3,025	Cows	59,217
1,010	Oxen	29,680
600	Calves	2,930
23,073	Sheep	34,609
825	Swine	4,125
1,734	Goats	2,610
17	Musical Instruments	1,960
	Clocks, Watches, Jewelry, Gold and Silver Plate	1,779
	All other Property, including Money and Credits	47,655
	Total Valuation	$383,978

Abstract of the Assessment of Pueblo County, for the year 1871.

NO. OF		VALUATION.
36,826	Acres of Land, with Improvements	$ 278,939 00
722	Town and City Lots	251,286 00
1,608	Horses	98,230 00
136	Mules	14,920 00
3,971	Cows	83,602 00
552	Oxen	19,247 00
1,095	Calves	5,224 00
2,232	Sheep and Goats	4,302 00
1,256	Swine	4,953 00
16	Musical Instruments	2,775 00
	Clocks, Watches, Jewelry, Gold and Silver Plate	6,578 00
	All other Property, including Money and Credits	567,046 00
	Total Valuation	$1,337,102 00

Received July 17, 1871.

Abstract of the Assessment of Park County, for the year 1871.

NO. OF		VALUATION.
1,540	Acres of Land, with Improvements	$ 5,940 00
197	Horses	14,830 00
36	Mules	4,425 00
1,055	Cows	30,673 00
824	Oxen and Stock Cattle	19,013 00
714	Calves	6,791 00
60	Sheep	125 00
41	Swine	218 00
10	Goats	20 00
11	Musical Instruments	1,182 00
47	Clocks, Watches, Jewelry, Gold and Silver Plate	1,556 00
	All other Property, including Money and Credits	124,908 00
	Total Valuation	$209,681 00

Received July 14, 1871.

Abstract of the Assessment of Summit County, for the year 1871.

NO. OF		VLUATION.
160	Acres of Land, with Improvements	2,500 00
28	Horses	2,360 00
13	Mules	1,220 00
103	Cows and Stock	3,085 00
42	Oxen	2,490 00
18	Calves	368 00
5	Swine	90 00
29	Asses	425 00
8	Musical Instruments	380 00
	Clocks, Watches, Jewelry, Gold and Silver Plate	1,326 00
	All other Property, including Money and Credits	115,475 00
	Total Valuation	$129,719 00

Received July 13, 1871.

Abstract of the Assessment of Saguache County, for the year 1871.

NO. OF		VALUATION.
100,000	Acres of Land, with Improvements	$ 34,480 00
	Town and City Lots	
224	Horses	14,457 50
28	Mules	2,308 00
4,094	Cows	74,366 00
1,185	Oxen	30,571 00
2,274	Calves	21,326 00
9,770	Sheep	13,434 50
93	Swine	535 50
219	Goats	435 00
	Musical Instruments	
	Clocks, Watches, Jewelry, Gold and Silver Plate	623 00
	All other Property, including Money and Credits	23,273 50
	Total Valuation	$215,810 00

Received July 23, 1871.

Abstract of the Assessment of Weld County, for the year 1871.

NO. OF		VALUATION.
47,057	Acres of Land, with Improvements	$ 507,781 00
4,000	Town and City Lots	199,863 00
1,428	Horses	88,282 00
138	Mules	12,240 00
5,134	Cows	141,680 00
2,378	Oxen	61,313 00
8,590	Calves	105,480 00
3,014	Sheep	6,490 00
399	Swine	2,653 00
8	Goats	12 00
37	Musical Instruments	1,647 00
426	Clocks, Watches, Jewelry, Gold and Silver Plate	4,700 00
	All other Property, including Money and Credits	508,211 00
	Total Valuation	$1,640,352 00

Received August 23, 1871.

AN ESTIMATE

Of the expenses of the Territorial Government for the years 1872 *and* 1873.

Adjutant General's Contingent Fund	$	300 00
Auditor's " "		386 05
Arms Storage "		300 00
Arms Repairs "		250 00
Attorney's Salary "		4,800 00
Assay Office "		8,000 00
Judge's Salary "		12,000 00
Incidental Printing "		434 00
Insane Pauper "		3,411 70
Legislative Printing "		1,707 64
Legislative Newspaper "		175 00
Legislative Postage "		300 00
Legislative Extra Service "		80 00
Legislative Fund, Pay of Members, Clerks and Employes		13,807 05
Library Fund		910 82
Officers' Salary Fund		6,116 16
Penitentiary "		31,409 00
Treasurers' Contingent Fund		1,000 00
Total	$	85,387 42

RESOURCES.

Due from Counties, $124,098 33. 60 per cent. Probably unavailable	$	49,639 00
Tax of 1872, (Estimated)		42,000 00
Tax of 1873, "		48,000 00
Balance in Treasury January 1, 1872		55,104 32
Total	$	194,743 32

LIABILITIES.

Officers' Salary for last Quarter, (unpaid)	$	625 00
" Contingent Expenses		455 76
Military Debt Interest		965 00
Total	$	2,045 76

In this report, the transactions of the Treasury Department for the past two years are combined.

No action having been taken by the proper authorities, at the close of the fiscal year intervening sessions of the Legislative Assembly, either toward examining the accounts and official proceedings of the Auditor, or for printing abstracts of his report for that year, I have not deemed it advisable to make a separate exhibit for 1870. The immediate result is a gain to the Treasury, of the amount appropriated for payment of examiners and printers; and the examining committee appointed by the Hon. Secretary of the Territory, will be able to determine whether or not this dereliction has proved detrimental to the financial interests of the Territory.

DISCREPANCY BETWEEN THE BOOKS OF THE TREASURER AND AUDITOR.

By comparing the general "Balance Sheets" of the Treasurer and Auditor, it will be seen that a difference exists of four thousand, two hundred and six dollars and ninety cents, ($4,206 90) the Auditor's books showing the Treasurer's balance to be the above amount, in excess of the actual amount of cash on hand.

The history of this discrepancy, has been given at length by my predecessor, so far as relates to the sum of thirty-five hundred and eighty dollars and seventy-four cents, ($3,580 74) and the Governor, in his address to the Eight Legislative Assembly, called attention to the facts, asking the appointment of a Legislative commission, whose duty it should be to adjust this difference

No action was taken on the subject, and, without entering into further detail, I respectfully submit herewith, a tabular statement, which will enable your Honorable Body to understand, at a glance, the present status of this matter; and I trust that your wisdom will devise, and the Finance committee execute, some plan whereby a settlement of the disparity may be effected.

TRANSFER OF FUNDS.

The books of this office show unexpended balances in the funds below enumerated, which only tend to produce confusion in the management of this department; and as simplicity is a desideratum in the keeping of accounts, I would suggest that the Auditor be authorized and required, during the coming year, to transfer the following sums (remaining to the credit of the various funds) from those funds to the general fund; and that when such transfer shall have been made, the Auditor shall certify the same to the Territorial Treasurer, who shall enter the same on the books of his office, viz:

Special Fund	$1,359 50
Territorial Superintendent's Salary Fund	78 56
Special Fund, (Preparing Military Claims)	700 00
Special " (Compiling " ")	300 00
Spanish Printing Fund	3,020 00
Locating Capital and Penitentiary Fund	32 67
Fremont County Relief "	73 75
Arapahoe " " "	75 00
Clerk of the Supreme Court "	31 00
Wolf-Scalp Bounty "	401 00
Special School "	63 00

TERRITORIAL BOARD OF EQALIZATION.

The Statutes provide that this Board shall meet at the office of the Secretary, at the Capital, on the third Monday of July in each year, for the purpose of equalizing the rate of assessment in the different counties.

In compliance with this provision the Board convened in 1870, on the day appointed by law, at which period four (4) abstracts of assessment had been received. An adjournment was made to July 22nd, when fifteen abstracts were on file, whereupon the Board again adjourned to meet July 30th. On the date last mentioned, a quorum being present, and three (3) abstracts being absent, it was determined to adjourn *sine die*. The same, or similar, proceedings were gone through with this year. Eight (8) abstracts reached the Auditor's office on time, the remainder failed to connect. The last of the series did not arrive until September 16th.

As the experience of past years has shown that it is impossible for the proper county officers to make these returns at the time now required by law, I would suggest that the Legislature grant an extension of time for the accommodation of these officials.

WAGON ROAD FUND.

The last Legislative Assembly, by an act entitled "An act for the relief of the Counties of Clear Creek, Summit, Park, Lake, and El Paso," appropriated certain sums of Money, amounting in the aggregate to forty-seven hundred dollars,)$4,700) to be used in the said counties, for the construction of certain roads and bridges, specified in the act referred to (pp 53, 54, 55, Laws of 1870); and the respective boards of county commissioners are thereby required to report the expenditures of said sums of money to the Auditor. I presume that the intent of the enactment was to require a detailed statement of expenditure, accompanied by the proper vouchers. I have endeavored to obtain such statements, but for want of time to visit the various localities and investigate the internal improvements contemplated, I am compelled to offer for your information, the scanty data vouchsafed by the Commissioners of Park, Lake, and El Paso Counties, together with a communication from the Superintendent of construction of the Georgetown and Snake River Wagon Road.

PRESERVATION OF OFFICIAL RECORDS.

On assuming possession of this office, I found that no provision was made for the preservation of books, vouchers and official correspondence, beyond the security afforded by a pine desk. As soon as the state of the Treasury would allow of the necessary draft upon it, I ordered a fire and burglar proof safe for the purpose, paying for it by warrant drawn on the general contingent fund. I would respectfully ask your approval of this expenditure.

MILITARY SERVICE FUND.

I have the honor to call your attention to the accompanying report of the Commissioner appointed by act of the Legislative Assembly .approved January 10th, 1868, pp 474–5, R. S. "to receive any moneys due the Territory of Colorado from the Government of the United States, for military service"; and to inform you that in compliance with the statutes, I lave settled with the said Commissioner; and hold the receipt of the Treasurer of the Territory for the balance unexpended July 23d. 1870, five thousand nine hundred and seventy-seven dollars and forty-two cents, ($5,977 42) for the disposition of which you are referred to the proper statement.

TERRITORIAL PENITENTIARY.

By act of Congress, approved January 10th, 1871: "The Penitentiary which has been, or may hereafter be, erected by the United States in any organized Territory thereof, shall, when the same is ready for the reception of convicts, be placed under the care and control of the Marshal of the United States, for the Territory or District in which such Penitentiary may be situated." By the second section of the same act, it is made the duty of the "Attorney General of the United States, to prescribe all needful rules and regulations for the government of such Penitentiary." In accordance with the latter provision, the Attorney General of the United States, under date of March 31st, 1871, ordered the United States Marshal for this Territorry, to contract with the proper Territorial authorities for the clothing and maintenance of, and medical attendance on, convicts confined in said institution, at the rate of *seven dollars per week* each.

The local act relating to this matter (approved Feb. 11th, 1870,) appoints the Governor, Auditor, and District Attorney of the third judicial district, commissioners on the part of the Territory, with power to contract with the Government of the United States, or any person thereunto anthorized, for maintaining, guarding and clothing, prisoners lodged or confined in said Penitentiary. Without quoting further from the act referred to, I would state, for your information, that a contract was made June 1st 1871, according to the terms dictated by the general Government, by and between the Commissioners above named, on behalf of the Territory; and the United States, represented by the United States Marshal: I respectfully refer you to section 9 of the act entitled "An act relating to the Penitentary and Persons convicted of crimes, and to provide therefor;" and, also, to section 12, article 4, chapter 9, R. S., from which it will be observed that the Legislative Assembly omitted to appropriate any money for liquidating the claims arising under the contract authorized by them, and consequently, no warrants could legitimately be drawn in payment of the accounts presented to the Auditor.

Certificates have been issued under the seal of this office, showing that these claims are correct and just, and the original bills are herewith referred to your Honorable Body, with the suggestion that they be allowed, and that an appropriation be made sufficient to cover this indebtedness and the expenses of the Penitentiary for the next two years, according to the estimate appended.

ESTIMATE

Of amount required for the food, clothing and medical attendance on convicts confined in the Territorial Penitentiary, for the years 1871 *and* 1872.

39 Convicts, at one dollar per day each, (1882).....	$14,235 00
39 " " " " " " " (1873).....	14,196 00
Bills certified in 1871.....	2,978 00
	$31,409 00

ASSAY OFFICE.

The expense to the Territory of maintaining this institution for the last two years, as compared with the cost for a like period, ending December 31st, 1869, has been reduced eleven hundred and eighty-four dollars and eighty-nine cents, ($1-184 89.) You are referred to the exhaustive report of the Territorial Assayer for the necessary statistics, and your consideration of his forcible arguments and valuable suggestions is solicited.

I think there is no need of further argument to show the expediency of continuing this office, as an adjunct to the mining interests of the Territory.

DEFAULTING TREASURERS.

Previous to the time at which the appointments of the present encumbents in the offices of Auditor and Treasurer were made, it was known that the former Treasurer was a defaulter to the Territory to a large amount, the exact sum not having been definitely ascertained at the date on which I assumed the duties of this office. After much solicitation I obtained from the Board of County Commissioners of Gilpin County a statement, properly certified, showing that the said Treasurer withheld, on May 28, 1870, the sum of eleven thousand five hundred and twenty-five dollars and fifty-nine cents ($11,525 59,) justly due the Territory.

Under the authority vested in me by law, I thereupon directed him to pay into the hands of Geo. T. Clark, then Territorial Treasurer, the said sum of $11,525 69 so withheld; and upon his failure to comply with this demand, within the time allowed by law, suit was instituted by my direction, in the District Court of the Second Judicial District, sitting in Gilpin County, for the recovery of the amount.

This suit is still pending, and I trust it may be brought to an issue favorable to the public finances, at the next Court term.

DELINQUENT TAXES.

I would especially commend to the thoughtful consideration of the Legislative Assembly, the condition of the accounts of the several counties with the Territory, as shown in the statement accompanying this report; and I would ask that some legislation be had to the end the Auditor's books may be cleared of a mass of charges, under the above caption, that amount to nothing. I do not suppose it possible for county treasurers in this Territory, to collect taxes on personal property strictly according to the levy, for many reasons, chief among which are, the transferable and destructable nature of that species of property, and the nomadic nature of a large class of our citizens. Personal knowledge has satisfied me that a large prortion of this delinquency is unavailable. It seems to me that the oath of the county treasurer, and the certificates of county commissioners to this effect filed with the Auditor, should be considered evidence sufficient to warrant him in cancelling these useless debits.

The able report of the late Auditor contained forms of oath and certificates of this nature, submitted for the Legislative approval, which are so pertinent that I have taken the liberty of reproducing them as indices to my meaniug:

STATEMENT

Of Uncollectable Terrritorial Taxes in ——— County, for the year 18—.

The total amount of uncollectable Territorial revenue in the county of———, Colorado Territory, for the year 18——, is ——— dollars, as appears from the books of the treasurer of said Coanty.

TERRITORY OF COLORADO, }
County of——— } ss.

I———. Treasurer iu and for the county aforesaid, do solemnly swear that the aobve amount of the Territorial taxes levied in said county for the year 18——, have not been, and cannot be collected; that the said taxes were assessed on personal property exclusively; that I have made diligent efforts to collect the same; and that the failure to collect said taxes

did not arise out of or through any omission or neglect of duty on my part.

Subscribed and sworn to before me this —— day of———, A. D. 18—— A. B. Treasurer ———County, C. T.

TERRITORY OF COLORADO, County of——— } ss.

We the undersigned, county commissioners of the county aforesaid, do hereby certify that we have carefully examined the return of uncollectable taxes in said county for the year 18—, presented to us by———, treasurer of said county, and find that the parties therein named are assessed for personal property only, that we have directed the taxes for county purposes charged to said parties to be cancelled; and that we are well satisfied that said taxes cannot be collected by distress.

In testimony whereof we have hereunto set our hands and seals, this——day of——, A. D. 18—.

[SEAL.]
[SEAL.]
[SEAL.]

USE OF THE MILITARY POLL TAX FUND.

In answer to numerous inquiries propounded by tax-payers, as to the levy of the above tax, and the use to be made of the same, I would refer to the following provisions of the "Militia Law" of this Territory (to be be found on pages 462 and 463, Revised Statutes):

"ARTICLE VI. MILITARY FUND—COMPENSATION.

SECTION 1. For the purpose of carrying into effect the provisions of this chapter, and for creating a territorial military fund, an annual poll-tax of fifty cents shall be and is hereby levied upon each male inhabitant of the Territory, of the age of twenty-one years and upward, to be known as the military poll-tax. which shall be assessed and collected in the same manner and at the same time as is now, or may be, prescribed by law, for the assessment and collection of Territorial poll-taxes.

* * * * * * * * * * * *

SEC. 3. The fund so created shall be applied exclusively for military purposes, for the benefit of the militia, and for fitting out and paying the expenses of Territorial defence, and no

money shall be paid by the county treasurer from such fnnd, but upon the joint order of the senior officer of each regiment in said county, or if there is no regimental organization in such county, then upon the joint order of the senior officer of each company, countersigned by the brigadier-general commanding the brigade district, rnd if there be none of the above-named, then by the chairmau of the board of commissioners of said county, or upon order of the military board.

SEC. 4. It shall be the duty of the county treasurer in the several counties, to preserve the county military fund, as provided by this chapter, a separate fund, and after paying the company and regimental expenses of the county, as hereinbefore provided, to transmit the balance, annually, to the treasurer of the Territory, along with the Territorial taxes, and the Territorial Treasurer shall keep the same as a Territorial military fund, to be at the disposal of the military board or officers, as provided in section three of this article."

Ay act of the Eighth Legislative Assembly, (approved February the 11th, 1870, p 44, Laws of 1870,) the Auditor is authorized to draw his warrant on the Treasurer paying from this fund, on the certificate of the proper officers or commissioners, instead of those officers or commissioners drawing directly upon the Territorial Treasurer as under the former statute.

DISTRICT ATTORNEY OF THE THIRD JUDICIAL DISTRICT.

A subject that will probably come before your honorable body for investigation, is the case of Marmaduke Green, late District Attorney of the Third Judicial District, who was chosen to that office in September, 1870, and entered upon his duties November 1, 1870. For the time intervening that date and December 20, 1870, I have issued a warrant for his services, for which a voucher, properly perfected, is on file in this office. Since that time, for some reason unknown to me, the cerficate of the Judge rendered necessary by the law, has been withheld; and I have therefore refused to audit the claim of Mr. Green for services from December 10, 1870, to November 17, 1871, the date of his resignation.

CONCLUSION.

I think that the present condition of the Territorial finances should be a source of gratification to every citizen; and the prospect of a diminution of the rate of taxation during the next two years, as a result of this situation, is a consummation at once desirable and probable.

There is no debt hanging over us as a commonwealth, and the resources from whence the revenue is derived are more than sufficient to meet all necessary exhisting expenses, or any that may with judicious legislation arise.

Our Revenue Law, though defective in some respects, is a good as the average; and I have restricted my recommendations for change therein, because I think that a bad system properly understood and enforced, is better than one ever so good whose provisions are rendered unintelligible to the officers whose province it is to enforce them, by intermininable and innumerable acts amendatory. In this connection I desire to compliment the majority of county officers with whom I have had to deal during my term of office, for their efficiency as well as for the exhibition of courtesy and promptness in official communications. I believe that no instance of culpable neglect has occurred except in the matter of returning to the Auditor the duplicate receipts issued by the Territorial Treasurer for revenue from counties. This failure on the part of county treasurers is perhaps the result of ingnorance merely, and to such officers I would suggest the propriety of carefully reading that portion of the statute furnished by the Secretary, which pertains to their duties.

Regarding a report of this nature as a compendium of statements and suggestions, which should be as concise and laconic as is consistent with a clear understanding of the affairs of the Treasury Department, I respectfully submit the foregoing to the Legislative Assembly.

JAMES B. THOMPSON,
Auditor of Colorado Territory-

STATEMENT

SHOWING THE DISCREPANCY IN THE ACCOUNTS OF THE AUDITOR AND TREASURER.

Territorial Treasurer in account with Colorado Territory:

To Balance in Treasury, as per Treasurer's Report		$50,897 42	
Graham's Warrants.....	$3,580 74		
Assay Office Warrants paid directly by Treas'r	625 00		
Discrepancy in Accounts	4 16		
	$4,290 90		
Contra.			
By Warrants outstanding drawn on Newspaper fund.....	3 00		
		$4,206 90	
Auditor's Balance.....			$55,104 32

Statement of the Condition of the Military Poll Tax Fund.

COUNTIES.	Rec'ts 1870 and 1871.	Disbursements.	Balance.
Clear Creek.....	$323 97		
Conejos.....	78 00		
Las Animas.....	120 50		
Weld.....	205 00		
Received from former Treasurer	131 44		
	$858 91	$235 38	$623 53

REPORT

OF

COMMISSIONER D. H. MOFFAT, JR.

DENVER, COLORADO, July 23, 1870.

To James B. Thompson, Esq., Auditor of Colorado Territory, Denver, Colorado:

SIR: In compliance with Sec. 2, of an act entitled "An Act to amend the act of the Legislative Assembly of Colorado Territory, approved January 10, 1868, and approved February 11, 1870, I have the honor to make the following report of all receipts and disbursements made by me as Commissioner for Colorado from January 23, 1869, to July 23, 1872. I herewith transmit the vouchers paid by me, and the receipt of the Treasurer of Colorado Territory for the balance of the fund unexpended at this date:

RECEIPTS.

1869.		
Jan. 23.	Received from the Treasurer of the United States, in payment claims of Colorado for military service, rendered during the years 1864 and 1865.....	$55,238 84
	Less 3 per cent. commissions, as allowed by Statute.....	1,657 16
		$53,581 68

DISBURSEMENTS.

Paid to counties as follows, (3 per cent. discount:)

1869.		
Jan. 30.	Arapahoe county	$4,862 42
	Gilpin county	2,932 74
May 7.	Boulder County	1,789 65
Feb. 27.	Weld county	847 78
Feb. 20.	Clear Creek county	794 43
Feb. 20.	Jefferson county	360 00
	Total net amount paid to counties	$11,587 48

Paid to individuals holding Certificates of Indebtedness of the Territory for per diem of soldiers. Issued to parties, and enumerated as follows:

No. Certificate.	*To whom issued.*	*Amount*
No. 386.	Marcus A. Mills, Co. E.	$109 20
372.	John C. Wilson, Capt. Co. B.	117 00
271.	Dennis Whadley, pr'vt Co. A	88 50
364.	Walter H. Smith, " " E	117 00
106.	Chas. E. Branscone " " B	117 00
85.	Presley Talbot, Maj. 1st Reg't Col. M.	73 50
88.	Sam'l E. Browne, Col. 1st Reg't Col. M.	93 00
241.	Marion H. Young, pr't Co B	118 50
144.	J. E. Wharton, Surg. 2st Reg't Col. M.	93 00
361.	Duplicate of Cert's No. 142, 231, and 232, as per act of Legislature, laws of 6th session, page 132	360 00
	Ten Vouches, marked A.	$1,286 70
	Amount forward,	$12,874 18

	Amount brought forward.....	$12,874 18
No. Certificate.	*To whom issued.*	*Amount.*
No. 26.	Chas. A. Kimberlin, pr'vt 1 C. M. V.....	106 50
9.	Fred. A. Stone, pr'vt 1 C. M. V.....	106 50
249.	Geo. W. Ragan " 1 Co., 1 C. M. V.....	106 50
5.	Wm. Parker, " 1 C. M. V.....	106 50
62.	Wm. Nulng, " 1 C. M. V.....	106 50
333.	Rob't Du Bois " 1 C. M. V.....	106 50
354.	Wm. J. Lewis " F Co. C. M. V.....	106 50
246.	John O'Neal " " C. M. V.....	106 50
158.	Jas. B. Hignight, pr'vt Co. F, C. M. V...	106 50
40.	Chandler Porter " " " "	106 50
	Ten Vouchers, marked B	$1,065 00
No. 48.	John K. Allen, Sar'gt.....	$106 50
90.	Wm. Franklin, pr'vt.....	106 50
129.	James A. Armstrong, pr'vt.....	106 50
174.	Chas. W. Smith, cor'pl.....	106 50
370.	Ambrose Patten, pr'vt.....	106 50
116.	John F. Gasner, pr'vt	106 50
383.	James Murphy pr'vt	106 50
41.	John Holbrook pr'vt	106 50
168.	Alex. M. Voght	106 50
	NineVouchers, marked C.....	$958 50
No. 167.	T. J. Stauner, pr'vt	120 00
286.	Alvin Miler, pr'vt Co. A.....	120 00
267.	James Madden pr'vt Co. A.....	120 00
264.	David C. Fisher, pr'vt Co. A	120 00
260.	Charles Collins, pr'vt Co. A.....	120 00
244.	Nick J. Jurgens, pr'vt Co. A..... ...	120 00
248.	John S. Townsend, pr'vt Co. C.....	120 00
289.	Peter Krigger, pr'vt Co. C	120 00
54.	J. Bright Smith, Capt.....	120 00
17.	Andrew Lorman, pr'vt	120 00
16.	Morris R. Haskin ,pr'vt.....	120 00
18.	Edward O. Kennedy pr'vt.....	120 00
19.	Davis C. Hartshorn, pr'vt.....	120 00
21.	Aurora B. Callender, pr'vt.....	120 00
	Vouchers C forward,	$1,680 00
	Amount forward,	$16,577 68

	Amount brought foward	$16,577 68
No. Certificate.	*To whom issued.*	*Amount.*
	Amount of vouchers C forward,	$1,680 00
No. 22.	Joe V. Baugh, pr'vt	120 00
53.	John Linden, pr'vt	120 00
24.	Wm. W. Ward, pr'vt	120 00
25.	George Wilson, pr'vt	120 00
29.	Henry Dempster, pr'vt	120 00
30.	Richard Cummins, pr'vt	120 00
31.	Wm. B. Colson, pr'vt	120 00
64.	Hy. H. Richards, pr'vt	120 00
65.	Albert Barnard, pr'vt	120 00
4.	David Gartzel, pr'vt	120 00
127.	Clarence P. Hoyt, corp'l	120 00
115.	James Kirkland, pr'vt	120 00
13.	Th. S. Gateswood, pr'vt	120 00
14.	Sam. A. Anderson, pr'vt	120 00
7.	Richard Clements, pr'vt	120 00
11.	John Williams, pr'vt	120 00
2.	Adolph Wanderlich, pr'vt	120 00
10.	Norman Wisner, pr'vt	120 00
12.	Thos. F. Richardson, pr'vt	120 00
60.	Alex C. McCrumb, pr'vt	120 00
57.	Th. G. Hilderbrandt, sar'gt	120 00
56.	Patrick Hand, pr'vt	120 00
58.	Edward Hodder, cor'pl	120 00
59.	Alex. Hammer, pr'vt	120 00
235.	Fred. Russen, sa'gt	120 00
230.	Henry Killen, pr'vt	120 00
234.	Wm. C. McClintock, sar'gt	120 00
121.	Edward A. Mitchell, pr'vt	120 00
99.	John Jublett, pr'vt	120 00
220.	B. Slaughter, pr'vt	120 00
101.	Wm. Edwards, pr'vt	120 00
100.	Wm. H. Rease, pr'vt	120 00
292.	James Cudt, pr'vt	120 00
111.	Chas. Mendall, pr'vt	120 00
114.	Geo. Hayman, pr'vt	120 00
67.	Edward J. Brown, pr'vt	120 00
379.	H. H. Stafford, pr'vt	120 00
121.	Wm. H. Maloney, pr'vt	120 00
	Vouchers C forward.	$6,140 00
	Amount forward,	21,137 68

	Amount brought forward	$21,137 68
No. Certificate.	*To whom issued.*	*Amount.*
	Amount of vouchers D forward,	$6,240 00
No. 369.	George Hunt, pr'vt	120 00
368.	Henry Atherton, pr'vt	120 00
225.	Edward L. Taylor, pr'vt	120 00
223.	Alex. Drummond, pr'vt	120 00
224.	Henry Stone, pr'vt	120 00
105.	Chas. Haines, 1st Lt	120 00
	(58) Fifty-eight Vouchers, marked D....	$6,960 00
104.	Rob't Johnson, pr'vt	120 00
103.	Chas. Adams, pr'vt	120 00
197.	Amos Lee, pr'vt	120 00
199.	Wm. G. Creighton, sar'gt	120 00
200.	James A. Pierce, pr'vt	120 00
201.	John Nesbit, pr'vt	120 00
202.	Wm. G. Barton, pr'vt	120 00
203.	John Martin, pr'vt	120 00
204.	Jos. Morris, pr'vt	120 00
210.	D. G. Scouten, sarg't	120 00
35.	Edward Coderane, pr'vt	120 00
34.	John Eberle, pr'vt	120 00
37.	Wm. Jenrie, pr'vt	120 00
39.	Tayly, pr'vt	120 00
68.	Walter Overture, 1st Lieut	120 00
69.	George W. Porter, 2d Lieut	120 00
72.	Speneer Davis, pr'vt	120 00
75.	Gerard Austin, pr'vt	120 00
82.	Chas. Layton, pr'vt	120 00
84.	A. J. Myers, pr'vt	120 00
91.	John Pierce, pr'vt	120 00
95.	Rodney T. Esler, pr'vt	120 00
96.	Henry R. McClelland, pr'vt	120 00
97.	Chas. A. Welty, pr'vt	120 00
130.	John Shandian, pr'vt	120 00
169.	J. B. Hall, pr'vt	120 00
171.	Geo. W. Lowe, 2d Lieut	120 00
172.	James L. Drew, pr'vt	120 00
173.	William Rutley, pr'vt	120 00
	Vouchers E forward.	$3,480 00
	Amount forward.	$25,337 68

	Amount brought forward.....	$25,337 68
No. Certificate.	*To whom issued.*	*Amonnt.*
	Amount of vouchers E forward,	$3,480 00
No. 207.	John L. Vaughn, pr'vt.....	120 00
371.	Jos. Connelly, pr'vt.....	120 00
254.	Henry Peters, pr'vt.....	120 00
164.	Jno. Hammond, pr'vt.....	120 00
198.	Charles Jennison, pr'vt.....	120 00
229.	H. H. Babcock, pr'vt.....	120 00
128.	John G. Nichols, pr'vt.....	120 00
131.	Dennis Connelly, pr'vt.....	120 00
236.	Wm. Z. Cozzens, pr'vt (service of H. Daws)	120 00
126.	Chas. L. Clark, Capt.....	120 00
162.	Jno. M. Riener, pr'vt.....	120 00
161.	Fred. H. Brandt, pr'vt.....	120 00
108.	Wm. Matthews, pr'vt.....	120 00
134.	John L. Pierce, pr'vt.....	120 00
247.	John L. Irwin, pr'vt.....	120 00
186.	Edward Russell, pr'vt.....	120 00
374.	C. Nuckolls, (for D. Eli,) pr'vt.....	120 00
376.	Henry Mack, pr'vt.....	120 00
240.	Aug. Shlebitz, pr'vt.....	120 00
239.	Christian Eske, pr'vt.....	120 00
381.	John W. Old, pr'vt.....	120 00
293.	Henry Shaffruth, pr'vt.....	120 00
212,	C. L. Cass, 2d Lieut.....	120 00
150.	L. Richards, pr'vt.....	120 00
	(53) Fifty-three Vouchers, marked E....	$6,360 00
143.	Andrew Beeza.....	$118 50
193.	Ed. C. Westcot.....	118 50
311,	Wm. Ross.....	118 50
303.	George W. Gillilan.....	118 50
279.	B. Wickrine.....	118 50
276.	Henry Raymond.....	118 50
275.	Sam'l Rankin.....	118 50
285.	Jas. E. Sherman.....	118 50
1.	Henry F. Kendall.....	118 50
219.	David Forsyth.....	118 50
20.	Rob't Busby.....	118 50
	Vouchers F forward,	$1,303 50
	Amount forward,	$29,521 18

	Amount brought forward.....	$29,521 18
No. Certificate.	*To whom issued.*	*Amount.*
	Amount of vouchers F forward,	$1,303 50
No. 15.	Lyman Lucas.....	118 50
3.	Chas. C. Allebaugh	118 50
6.	John Biggles.....	118 50
27.	Henry Sivers.....	118 50
28.	Peter Hister.....	118 50
241.	F. M. Virden.....	118 50
	(17) Seventeen Vouchers, marked F.....	$2,014 50
218.	Edward Frost.....	$118 50
213.	Wm. Fowler.....	118 50
217.	Alfred Cushman..... ...	118 50
222.	John A. Atkins.....	118 50
8.	Charles Ellsworth.....	118 50
141.	T. F. Bacon.....	118 50
63.	J. Dedes, Jr., per H. Bigler.....	118 50
61.	George Allen.....	118 50
55.	Alex. Sutherland.....	118 50
310.	Rob't G. Rhodes.....	118 50
320.	A. Elliot.....	118 50
340.	Benjamin Thompson.....	118 50
341.	John Twickham.....	118 50
206.	Michael Flannagan.....	118 50
332.	James D. Pratt.....	118 50
339.	Thomas Solomon.....	118 50
315.	N. H. Howard.....	118 50
102.	Chas. Newman.....	118 50
334.	George Radway.....	118 50
189.	Nat. M. Smith.....	118 50
223.	Marcus L. Emery.....	118 50
358.	Allen G. Stein.....	118 50
66.	Thos. R. McFarland.....	118 50
124.	Edward B. Stillings.....	118 50
107.	Randolph Guffney.....	118 50
423.	Wm. A. Corson.....	118 50
327.	George Hooper.....	118 50
139.	M. B. Suber.....	118 50
209.	Wm. Fisher.....	118 50
	Vouchers G forward,	$3,436 50
	Amount forward,.....	$33,668 68

	Amount brought forward	$33,668 68
No. Certificate.	*To whom issued.*	*Amount.*
	Amount of vouchers G forward,	$3,436 50
No. 152.	James Roberts	118 50
255.	Wm. Griffith	118 50
154.	John H. Tell	118 50
148.	B. Wilson	118 50
147.	Ralph W. Stewart	118 50
196.	Wm. Harrison	118 50
181.	Granville Berkley	118 50
182.	John H. Austin	118 50
183.	Walter Hairdy	118 50
184.	Jas. B. Tourtellott	118 50
314.	B. F. McFarland	118 50
317.	Willis Cook	118 50
318.	Wm. Estus	118 50
325.	Stephen Green	118 50
326.	John Gill	118 50
32.	Guy Wilson	118 50
36.	Chas. Ruttenbeck	118 50
38.	Wm. Billings	118 50
42.	James H. Foster	118 50
43.	Edward Tackerell	118 50
45.	A. G. Young	118 50
47.	Joseph Brucken	118 50
49.	James Rowe	118 50
50.	John J. Rowe	118 50
51.	Jas. Cochrane	118 50
53.	Sam'l Pier	118 50
70.	John C. Payne	118 50
71.	John W. McCarty	118 50
73.	James Smith	118 50
74.	David C. Nutting	118 50
76.	Smith Bonser	118 50
77.	Jno. Mitchell	118 50
78.	Henry Broadwell	118 50
79.	Crawford Houk	118 50
80.	Wm. Atkins	118 50
85.	John Forney	118 50
86.	Jonathan Deamione	118 50
	Vouchers G forward,	$7,821 00
	Amount forward,	$38,053 18

	Amount brought forward	$38,053 18
No. Certificate.	*To whom issued.*	*Amount.*
	Amount of vouchers G forward,	$7,821 00
No. 81.	Elisha Stargus	118 50
92.	James Herald	118 50
93.	R. Remington	118 50
94.	Walter Collard	118 50
132.	Wm. Gates	118 50
133.	Henry Minter	118 50
	(72) Seventy-two Voachers, marked G	$85,320 00
146.	A. Gordon	118 50
170.	Alex. Sibley	118 50
194.	J. W. Martin	118 50
195.	Park Disbrow	118 50
208.	Joseph McKinney	118 50
187.	Turner E. Aldrich	118 50
112.	D. W. Fauner	118 50
159.	Hector Germain	118 50
192.	James H. James	118 50
321.	James Anderson	118 50
251.	N. S. Spinney	118 50
216.	Hiram Grons	118 50
250.	Thomas A. Atkins	118 50
308.	George H. McKay	118 50
328.	Lewis James	118 50
252.	John Smith	118 50
253.	George M. Stewart	118 50
322.	Thomas Brown	118 50
191.	Thomas D. Potts	118 50
122.	John W. Ritchie	118 50
156.	Sylvester Allen	118 50
190.	Henry H. Saunders	118 50
214.	George A. Bruce	118 50
157.	F. A. Herrick	118 50
138.	William B. Erskine	118 50
136.	James W. Dripps	118 50
137.	John W. Welsh	118 50
135.	Henry Wells	118 50
140.	Walter M. Smith	118 50
	Vouchers H forward,	$3,436 50
	Amount forward,	$42,200 68

	Amount forward....	$42,200 68
No. Certificate.	*To whom issued.*	*Amount.*
	Amount of vouchers H forward,	$3,436 50
185.	William O'Brien	118 50
227.	James Miller.....	118 50
229.	George Smith.....	118 50
205.	James W. Mayer.....	118 50
238.	Sam. Ferguson.....	118 50
366.	John Demsey.....	118 50
367.	Guy H. Nichols.....	118 50
177.	Luther Applebury.....	118 50
120.	Edward W. Hays.....	118 50
119.	Spencer L. Harris.....	118 50
142.	John Baker.....	118 50
118.	Andrew L. Perkins.....	118 50
118.	Nicholas Smeltzer.....	118 50
176.	T. M. Robinson	118 50
125.	N. Cremer.....	118 50
306.	John Kelley.....	118 50
160.	Daniel Mishler.....	118 50
313.	P. S. Thompson.....	118 50
175.	Henry Hill.....	118 50
178.	William McLaughlin.....	118 50
33.	John Alison.....	118 50
44.	Ira Mills.....	118 50
81.	Charles Edwards.....	118 50
45	George H. Townsend.....	118 50
89.	Calvin Barnes.....	118 50
52.	William L. Townsend.....	118 50
380.	George Richart.....	118 50
343.	Marcus D. Short.....	118 50
109.	John W. Smith.....	118 50
166.	Garret Clawson.....	118 50
165.	Nelson Irister.....	118 50
295.	Thomas Stear.....	118 50
98.	William L. Camp.....	118 50
211.	William B. Felton.....	118 50
373.	Alden Basset.....	118 50
299.	John Brasel.....	118 50
362.	Simon Van Camp.....	118 50
233.	George H. Smith.....	118 50
	Vouchers H forward,	$7,939 50
	Amount forward,	$46,703 68

	Amount forward,	$46,703 68
No. Certificate.	*To whom issued.*	*Amount.*
	Amount of vouches H forward,	$7,939 50
375.	Richard Irwin	118 50
163.	Thomas J. McGee	118 50
378.	James R. Oliver	118 50
384.	Cornelius Quick	118 50
377.	H. G. Barker	118 50
	Seventy-two Vouchers, marked H	$8,532 00
180.	Hugh McEwen	118 50
324.	John Dunlap	118 50
382.	F. T. Castlemain	118 50
117.	E. Oakley	118 50
123.	Henry Neikirk	118 50
188.	J. C. Bottom	118 50
351.	John W. Edwards	118 50
237.	Thomas Patrick	118 50
149.	Edward Pickett	118 50
152.	Andrew Holmes	118 50
151.	Samuel H. Townsend	118 50
238.	George Weld	118 50
	Twelve Vouchers, marked I	$1,422 00
	Total Amount forward,	$48,718 18
	Less 3 per cent. deducted in payment	1,113 92
		$47,604 26
	Balance on hand	5,977 42
		$53,581 68

RECAPITULATION.

Paid Individuals:			
19 Territorial Certificates of Ind't	@	$106 50	$ 2,023 50
173. " " " "	@	118 50	20,500 50
111 " " " "	@	120 00	13,320 00
10 Vouchers			1,286 70
Total am't paid Ind.' on face of Vouchers			$37,130 70
Less three per cent			1,113 92
Net amount paid Inividuals			$36,016 78
" " " Counties			11,587 48
Total Disbursements			$47,604 26
Balance to Territorial Treasurer,			5,917 42
Total,			53,581 68

COUNCIL JOURNAL

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OF THE

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TENTH SESSION,

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PRINTED BY AUTHORITY.

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LEGISLATIVE ASSEMBLY OF COLORADO.

TENTH SESSION.

DENVER, MONDAY, JANUARY 5TH, 1874—2 o'clock, P. M.

At the Tenth Session of the Legislative Assembly of the Territory of Colorado, the Council met at Denver, the seat of government of said Territory, the 5th day of January A. D. 1874.

Council called to order by Edward L. Salisbury, Secretary of the Council of the Ninth Session.

Roll called.

Quorum present.

On motion of G. M. Chilcott, seconded by M. H. Stewart, R. G. Buckingham was made temporary chairman.

E. L. Salisbury was elected Secretary *pro tempore*.

On motion Council proceeded to elect by ballot a committee on Credentials.

Messrs. Bromwell and Hall were appointed tellers.

Messrs. Clark, Butler and Hall were elected by the following vote:

Wm. Clark received.....12 votes.
H. Butler " ..... 7 "
J. W. Hall " ..... 7 "

On motion of J. B. Fitzpatrick a recess of twenty minutes was then taken.

The committee on Credentials made the following report:

To the Hon. President and Members of the Tenth Legislative Council of Colorado:

Your committee selected to examine the credentials of the members of the honorable body, would most respectfully report that they have had the matter under consideration, and find that the following named gentlemen are entitled to seats in this honorable body from their respective districts, as designated below:

First District—H. P. H. Bromwell,
R. G. Buckingham.
Second District—Thomas Sprague.
Third District—John B. Fitzpatrick.
Fourth District—Hugh Butler,
H. C. McCammon.
Fifth District—Wm. M. Clark.
Sixth District—M. W. Stewart.
Seventh District—Geo. M. Chilcott.
Eighth District—James W. Hall.
Ninth District—D. L. Taylor.
Tenth District—I. B. Jacquez.
Eleventh District—Lafayette Head.

Respectfully submitted

HUGH BUTLER,
WILLIAM M. CLARK,
J. W. HALL.

Mr. Chilcott moved that the report be received and adopted: Seconded and carried.

Hon. Frank Hall, Secretary of Colorado Territory, appeared and administered the oath to the members elect.

Mr. Chilcott moved that the Council adjourn until 10 o'clock to-morrow morning.

Motion lost.

Mr. Fitzpatrick moved that the Council proceed to the election of a permanent President.

Seconded and carried.

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

Motion lost.

Messrs. Hall and Bromwell were appointed tellers.

The following was the result of the first formal ballot for President:

M. W. Stewart received	7	votes.
R. G. Buckingham "	2	"
Wm. M. Clark "	2	"
Hugh Butler "	1	"
Geo. M. Chilcott "	1	"

The Chair declared Mr. Madison W. Stewart elected President of the Council.

Messrs. Chilcott and Butler were appointed a committee to conduct Mr. Stewart to the chair.

Mr. President on taking the chair made a few remarks.

Mr. Butler nominated Foster Nichols for Secretary of the Council.

Mr. Clark nominated W. H. Morgan.

Mr. Bromwell nominated O. A. Whittemore.

Mr. Chilcott nominated Wm. Richter.

Mr. Butler moved that the President appoint two tellers to collect the ballots.

Seconded and carried.

Messrs. Head and Buckingham were appointed.

The following was the result of the first ballot for Secretary:

Foster Nichols received	7	votes.
W. H. Morgan "	3	"
O. A. Whittemore "	3	"

Foster Nichols was declared duly elected Secretary of the Council.

Mr. Buckingham nominated D. C. Lionberger for Assistant Secretary of the Council.

Mr. Clark nominated Nathaniel Young.

Mr. Bromwell nominated Wm. Richter.

The following was the result of the first ballot:

Nathaniel Young received	1	vote.
D. C. Lionberger "	6	votes.
O. A. Whittemore "	5	"
Wm. Richter "	1	vote.

No choice.

On the second ballot:

D. C. Lionberger received	7	votes.
O. A. Whittemore "	5	"
N. Young "	1	vote.

D. C. Lionberger was declared duly elected Assistant Secretary of the Council.

Messrs. Jas. R. Ward, Stephen Decatur, Arthur Hotchkiss, and A. H. Barker were put in nomination for Sergeant-at-Arms.

Mr. Ward received.....6 votes.
Mr. Decatur " .....2 "
Mr. Hotchkiss " .....3 "
Mr. Barker " .....2 "

No choice.

On the second ballot.

Mr. Ward received.....6 votes.
Mr. Decatur " .....5 "
Mr. Hotchkiss " .....1 vote.
Mr. Barker " .....1 "

No choice.

On the third ballot:

Mr. Ward received.....8 votes.
Mr. Decatur " .....4 "
Mr. Hotchkiss " .....1 vote.

James R. Ward was declared duly elected.

Mr. Taylor nominated Geo. H. F. Work for Enrolling Clerk.

Mr. Clark nominated W. H. Morgan.

Mr. Work received.....10 votes.
Mr. Morgan " ..... 3 "

Mr. Work was declared elected.

Mr. Hall nominated Geo. L. Hopson for Engrossing Clerk.

Mr. Clark nominated Geo. W. Barrett.

Mr. Chilcott nominated Wm. Whist.

First ballot for Engrossing Clerk resulted as follows:

Mr. Hopson received.....6 votes.
Mr. Whist " .....4 "
Mr. Barrett " .....2 "
Scattering .....1 vote.

No choice.

On the second ballot:

Mr. Hopson received.....6 votes.
Mr. Whist " .....2 "
Mr. Barrett " .....2 "
Mr. W. H. Morgan .....3 "

No choice.

Mr. Bromwell nominated Christina Peabody.

Result of third ballot:

Mr. Hopson received.....6 votes.
Mr. Barrett " .....1 vote.
Miss Peabody " .....6 votes.

No choice.

Fifth ballot:

Miss Peabody received.....7 votes.
Mr. Hopson " .....6 "

The Chair declared Miss Christina Peabody duly elected Engrossing Clerk of the Council.

Mr. Chilcott nominated J. A. Garcia as Page.
Mr. Clark nominated Elmer L. Young.
Result of first ballot:
Elmer L. Young received.....6 votes.
J. A. Garcia " .....5 "
Scattering.....1 vote.
No choice.
Mr. Hall nominated Chester Goss.
Second ballot:
Elmer L. Young received.....7 votes.
J. A. Garcia " .....4 "
Chester Goss " .....1 vote.
Scattering.....1 "
The Chair declared Elmer L. Young duly elected Page.
Mr. Butler moved that the Council proceed to the election of Fireman.
Seconded and carried.
Mr. Jacquez nominated Genio Pacheco.
Mr. Taylor nominated Jesus Alirez.
Result of first ballot:
Mr. Pacheco received.....7 votes.
Mr. Alirez " .....6 "
The Chair declared Genio Pacheco duly elected Fireman.
Mr. Buckingham nominated Rev. W. Y. Brown for Chaplain.
Mr. Clark nominated Rev. W. G. M. Stone.
Result of first ballot:
Rev. W. Y. Brown received.....7 votes.
Rev. W. G. M. Stone " .....6 "
The Chair declared Rev. W. Y. Brown duly elected Chaplain of the Council.
Mr. Jacquez nominated Mr. C. Dominguez for Interpreter.
Mr. Butler nominated Silas Hawes.
Result of first ballot:
C. Dominguez received.....6 votes.
Silas Hawes " .....7 "
The Chair declared Silas Hawes duly elected Interpreter.
Mr. Butler moved that Secretary Hall be invited to appear and administer the oath to the officers elected.
Seconded and carried.
Secretary Hall appeared and administered the oath to the following officers:
Mr. President—Madison W. Stewart,
Secretary—Foster Nichols,
Sergeant-at-Arms—James R. Ward,
Page—Elmer L. Young,

Interpreter—Silas Hawes.

Mr. Taylor moved that the Council adjourn until to-morrow morning at 10 o'clock.

Seconded and carried.

Adjourned.

TUESDAY, JANUARY 6th, 1874—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Oath administered to D. C. Lionberger as Assistant Secretary, Rev. W. Y. Brown as Chaplain, and Geo. H. F. Work as Enrolling Clerk.

Roll called.

Quorum present.

Mr. Chilcott moved that the thanks of the Council be extended to Mr. Edward L. Salisbury for his services as Secretary *pro tempore.*

Seconded and carried unanimously.

Mr. Chilcott moved that the rules of the Ninth Session be adopted for the government of this Council for the time being.

Seconded and carried.

Mr. Bromwell moved that a committee be appointed to inform the House that the Council was organized and ready to proceed to business.

Seconded and carried.

Messrs. Buckingham and Head were appointed such committee.

Committee from the House informed the Council that the House is now organized and ready to proceed to business.

Mr. Clark moved that a committee be appointed to act in conjunction with a like committee from the House, to wait upon his Excellency the Governor to inform him that both houses are now organized and ready to receive any communication he may wish to make to the Legislative Assembly.

Seconded and carried.

Messrs. Clark and Hall were appointed by the Chair as committee from the Council.

Mr. Butler moved that the Council take a recess until the return and report of committee.

Seconded and carried.

Council called to order.

The committee appointed to wait upon his Excellency the Governor made the following report:

Mr. President:

Your committee appointed to act with a like committee from the House to wait upon the Governor, would report that they have attended to the duty assigned them, and that the Governor will meet the Legislative Assembly in joint convention at two o'clock P. M. to-day.

WILLIAM M. CLARK,
J. W. HALL,
Committee.

Mr. Buckingham moved that the report of the committee be received and adopted and the committee discharged.

Seconded aud carried.

Mr. Bromwell moved the adoption of the following concurrent resolution:

Resolved, The House of Representatives concurring herein, that both houses of this Legislature will assemble in the hall of the House of Representatives at two o'clock P. M. of this day, and proceed thence to the Governor's Guard Hall, in the city of Denver, to hear such communication as the Governor may be pleased to make.

Seconded and carried.

Mr. Butler moved that the Council adjourn until 1:30 P. M.

Seconded and carried.

Adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, January 6th, 1874.

To the Honorable President of the Council:

SIR:—I am instructed to inform your honorable body that

the House has concurred in the Council resolution relative to a joint session for the purpose of hearing the Governor's message.

Very respectfully,

Your obedient servant,

JAMES F. BOYD,

Chief Clerk.

Council attended Joint Convention of Council and House to attend the reading of the Governor's message. Joint Convention organized, President of Council presiding. Mr. Maxwell of the House moved that the Joint Convention now adjourn to Governor's Guard Hall for the purpose of receiving any communication his Excellency the Governor might have to make.

Seconded and carried.

Adjourned.

Joint Convention re-assembled in Governor's Guard Hall.

President of the Council presiding.

Mr. Harsh of the House of Representatives moved that a committee of three from the House and two from the Council be appointed to wait upon His Excellency the Governor and inform him that the two Houses of the Legislature are in joint convention for the purpose of receiving his message.

Seconded and carried.

The Chair appointed Messrs. Harsh, Maxwell, and Paul of the House, and Messrs. Brown and Hall of the Council as such committee.

The Governor appeared and was presented to the Convention.

Reading of the message by the Governor.

Gentlemen of the Legislative Assembly of the Territory of Colorado:

It becomes my duty to lay before you the condition of Territorial affairs, and suggest needed legislation.

FINANCES.

The reports of the Auditor and Treasurer, which are herewith transmitted, will show you the financial condition of our Territory:

Balance in treasury January 1st, 1872	$ 50,897 4
Receipts from all sources during the year 1872	63,280 55
	$114,177 97
Total disbursements for the year 1872	62,505 08
Balance in treasury January 1st, 1873	51,672 89
	$114,177 97

Auditor's balance, January 1st, 1873	$51,286 93	
Warrants outstanding	385 96	
	$51,672 89	
Balance in treasury January 1st, 1873		$ 51,286 93
Receipts from all sources during the year 1873		9,004 32
		$60,291 25
Total disbursements for the year 1873		$43,189 95
Balance in treasury January 1st, 1874		18,172 29
Auditor's balance, January 1st, 1874	$17,182 79	
Warrants outstanding	989 50	
	$18,172 29	

Notwithstanding there was no levy of tax for the year 1872, and that the tax for 1873 is largely yet uncollected, the reports show an absence of all in debtedness; a decrease of expenditures for the year 1873, as compared with the expenditures of 1872, of $19,315 13; and a balance in the treasury of $18,-172 29.

These general facts indicate a faithful and economical administration of Territorial finances which, I think, an examination of the reports in detail will confirm, and in which I am certain both you and those you represent can not fail to find great satisfaction.

It is impossible for the Executive to lay before the Legislature the condition of public affairs in a satisfactory manner without a thorough examination of reports of Territorial officials. As the law now stands, the incoming of these reports, and the assembling of the Legislature coincide, leaving time only for a hasty and partial examination. I would, therefore, recommend that the end of the fiscal year be fixed at an earlier date, so as to avoid this difficulty.

The too generally accepted proposition that Territorial and County officers, having given the required bonds for the safe keeping of the public funds, may rightfully loan, or otherwise use them, for personal profit, is radically wrong. The salary of these officers should be sufficiently liberal to compensate them fully for the faithful performance of the duties of their respective offices, and any loan, or other personal use, of the public funds, should be made a penal offense. The law respecting the annual examination and settlement of the accounts of the Auditor and Treasurer should be so amended as to distinctly require the Examining Board to report the amount of cash actually on hand in the treasury and its correspondence or otherwise with the balance shown by the account stated.

IMMIGRATION.

I submit also the report of the Board of Immigration, containing an account of the work done and money expended in this behalf. The report shows a faithful and judicious expenditure of the money appropriated at the last session of the Legislature, and the results have been such as to recommend that a like sum be placed at their disposal for the coming year.

There is every reason to believe that the publications respecting the resources of our Territory, prepared and distributed by the Board, throughout our own and foreign countries, have added largely to our rapidly increasing population, and amply repaid the money expended.

PENITENTIARY.

By a law of Congress, approved January 24th, 1873, it was provided that the care and custody of the penitentiary erected by the general government, at Cañon City, should be transferred to the Territory. As there was no fund at the command of the Executive with which to meet the current expenses of the institution, my predecessor declined to receive it, and it consequently still remains under federal control until such time as the Legislature shall make provision for its reception and management. In the meantime it became necessary to renew the contract for "feeding, maintaining, guarding and clothing" Territorial prisoners under the provisions of the act of February the 11th, 1870, which was accordingly done.

An appropriation should be made to meet this exigency, and a law passed providing for a full and complete system of prison discipline and government. The present building is by no means adequate to the demand. Our county jails are crowded with convicts who should be in the penitentiary, already occupied to its full capacity. This is not ascribable to any disproportionate number of criminals in our community, but to the fact that the accommodations of both the penitentiary and county jails are but limited. An effort should be made to secure an appropriation from Congress for the enlargement of this building.

The matter of prison management and discipline will present a work of no small difficulty and importance. I need not remind you that the earlier history of similar institutions in other States, as a rule, is one of great expense annually recurring and increasing. It will be your duty to protect our Territory from a similar experience. The cost of keeping Territorial prisoners

in the penitentiary for the years 1872 and 1873 was $28,981. While the State should not make merchandise of crime, or look to its prisons as sources of revenue, I submit that the labor of the convict should be made to defray the expenses of his prosecution, custody, and keeping. Upon this basis many of the older States have succeeded in making their penitentiaries self-sustaining; the labor of the prisoners in some instances, not only meeting all expenses, but yielding an annual surplus. With the successful systems adopted by other States as guides, failure to place our penitentiary on a sound financial footing will be difficult either to explain or excuse

While the law of imprisonment has for its primary object the protection of society, by the restraint of the prisoner from further violations of law, and his punishment, that others may be deterred from like crimes, the advances of civilization and the teachings of humanity are fast introducing into the prison systems of enlightened nations, a discipline looking to the reform of the prisoner, and his ultimate restoration to society a penitent and better man. The possibility of rescuing prisons from their character as "colleges for crime" and making them schools of reform, has for the last half century interested the statesmanship as well as the philanthropy of all civilized nations, not so much as a matter of sympathy with the criminal, but as a problem affecting the highest interests of society. At first received by the public with discouraging incredulity, the proposition has steadily gained in public estimation, as practical efforts in that direction from year to year have yielded results, which, if not all that were desired or hoped for, are of sufficient importance to encourage the effort and invite the care of the State. Whatever features you may be able to introduce into your prison discipline, looking to the reformation of criminals, will be in harmony with the advanced spirit of the age, and run parallel with the best interests of society and the State.

MILITIA.

An examination of the very able and full report of the Adjutant General of Militia, will show you that this department of Territorial affairs is by no means in a creditable, or satisfactory condition. This is traceable to many causes very fully and clearly set forth in the report. With only fifty serviceable guns at its command, and a few boxes of cartridges, only one out of five of which will explode, the military establishment of Colorado can hardly be regarded as on a war footing. The experience of the last year shows that it is of

the first importance that there should be a number of well organized militia companies in different parts of the Territory. upon which the Executive can call at a moment's notice to meet the contingencies of Indian incursions, riots, and other disturbances of the peace. The difficulty which lies in the way of such organization is want of arms and munitions.

In this behalf I recommend: First, that more efficient provision be made for the levy and collection of the military poll tax, heretofore greatly neglected; and, second, that Congress be memorialized to remit our overdraft for arms and munitions under the Act of 1808, now amounting to about $18,000.

By reference to the report of the Secretary of War for 1873, you will find that such a memorial would be in harmony with the views of that department, and ought to secure the favorable actionof Congress.

I also recommend that provision be made for a full and accurate record, and history of Colorado regiments, and their services.

Justice to over twenty-four hundred brave men, as well as a proper State pride in the record they made on the battlefield, alike demand it.

Our military records are incomplete to a degree that works frequent hardship and injustice. Soldiers are unable to secure a certificate of service, by reason of an absence of all data upon which to issue it, and many are thus unable to avail themselves of the liberal provisions of the Acts of Congress concerning pensions, bounties, and soldiers' homesteads.

INDIAN AFFAIRS.

During the last summer, a treaty was negotiated by Mr. Brunot, of the Indian Commission, with the several bands of the Ute nation, for a portion of their reservation. The boundaries are as follows, viz: "Beginning at a point on the eastern boundary of said reservation, fifteen miles due north of the southern boundary of the Territory of Colorado, and running thence west on a line parallel to the said southern boundary, to a point on said line, twenty miles due east of the western boundary of Colorado Territory, thence north by a line parallel with the western boundary, to a point ten miles north of the point where said line intersects the 38th parallel of north latitude; thence east to the eastern boundary of the Ute reservation, and thence south along said boundary to the place of beginning. *Provided*, that if any part of the Uncompagre Park shall be found to extend south of the north line of said

described country, the same is not intended to be included therein, and is hereby reserved and retained as a portion of the Ute Reservation."

The lands thus treated for, embrace about 3,000,000 acres, and include the San Juan mining region. The treaty, if ratified by the Senate, opens to the enterprise and industry of our citizens, an extensive mining country that gives evidence of a marvelous, and inexhaustible supply of the precious metals. It also allays the disquiet of the Indians, which had been, to some extent, excited by the occupancy of the country by the whites in advance of the treaty, and averts the threatened disturbance of the peace, which has always so creditably characterized our relations with the Ute nation.

The late orders issued by the Indian Bureau, indicate a renewed determination upon the part of the general government to confine the Indians to the limits of their reservations. A policy, which, if persistently adhered to and strictly enforced, will strengthen the guarantees of peace, and relieve our people from much harrassment and annoyance.

The Indian incursions, which so long and so cruelly disturbed the peace, and oppressed the prosperity of our Territory, have comparatively ceased. During the last autumn, a band of about two hundred Cheyennes and Kiowas made an incursion into the southeastern portion of the Territory, and committed many depredations upon the stock and farms in that region. Over one hundred head of cattle were killed, herds were scattered, and the sense of security destroyed among our frontier settlers. Although professedly peaceable, I am satisfied but for the prompt and close pursuit of a volunteer company of our citizens, under the command of Mr. John Hittson, reinforced by troops under command of Col. Oaks, of the Sixth U. S. Cavalry, more extended and serious depredations would have been committed.

Subsequently, with a view of effectually providing against any repetition of these outrages, I proceeded to Leavenworth, and held a personal conference with General Pope, the commander of this department. I was assured, that in the early spring, troops would be stationed at different points on our exposed frontier, so as to cover and effectually protect our outlying settlements, and I have every confidence in both the ability, and earnest desire of the commander of our department, to afford us complete and ample protection from further *friendly* visits of this character. I am glad to believe that the chapter which tells the story of Indian depredations in our Territory is closed, finally and forever. If so, it is matter for sincerest congratulation and profoundest gratitude.

SCHOOLS.

In August last, W. C. Lothrop, Esq., to whom the educational interests of the Territory owe much for faithful and efficient labor as Superintendent of Public Instruction, resigned that position, and I appointed in his stead, for the unexpired term, Professor H. M. Hale, of Gilpin County, who came highly recommended as an educator of ability and experience.

The progress that our Territory has made in matters of education, is both creditable and encouraging:

Number of school districts in the Territory	243
Number of schools	180
Number of school population	15,509
Number in daily attendance	7,456
Amount paid teachers for the year 1873	$71,258 28
Value of school property	$260,183 46
Total school fund (exclusive of proceeds of bonds)	$137,557 61

The percentage of increase during the years 1872 and 1873, is as follows:

Schools have increased	50 per cent.
School districts increased	52 "
School houses increased	56 "
School population increased	100 "
School attendance increased	59 "
Value of school property increased	216 "

The report of the Superintendent, which I herewith submit, suggests many valuable amendments to our present school law, to which I call your attention.

It is of importance that the Superintendent should visit the schools in the several counties of the Territory, with a view of looking into their condition, and placing them on a basis of increased efficiency and usefulness. For this reason his compensation should be increased, so as to cover his necessary expenses. Towns and cities now divided into two or more districts, should constitute but one, under the management of one Board of Directors. One-half of the Directors should be elected annually, the other half holding over, thereby securing to each board the service of experienced members.

Upon the subject of education, so much has been said and written, and so often repeated, that vital truths underlying the subject have lost much of their original force and emphasis. It is none the less a duty, however, to urge them again and again, until educational theory and practice shall fully respond to social and political demands. Looking at it exclusively from the standpoint of political economy, the first interests of

the State and society are closely interwoven with the subject. Statistics show that where intelligence is largest, wealth is greatest. National intelligence, and national poverty never co-exist. Raw material, less than the intelligence and skill which gives it some form of use, or shape of beauty, enters into and constitutes the values of commerce, and thus, increased intelligence gives increased annual production of values. With the American people it is peculiarly a question of national safety. In a country where the mind of the people acts so directly on the government, shaping its policies and moulding its laws, education should be co-extensive with citizenship. To be a certain public good, universal suffrage should go hand in hand with universal education. To the extent that you educate your citizens, to that extent you secure safe and fitting depositaries of political franchise. The ballot in the hands of an ignorant and vicious people, is the most dangerous power in the state. It is a certain public good, only to the extent that the voter casting it is intelligent and conscientious. In the habits, thoughts, mind and morals of the youth of to-day, you find the future of your Territory. In every city and hamlet, in every house and home of the country, habits of thought are forming, and opinions are maturing, which in the next quarter of a century will arm either to uphold, or rend assunder. With the free governments of this continent, the appeal of education is an appeal for national safety, and, if it be unheeded, no gift of prophecy is needed to foretell the result. I feel that I cannot urge too earnestly upon your attention the care of your public schools. They are peculiarly the colleges of the state, where it will find largely its wealth, its power and its safety, and where if properly cared for, and fostered, day by day, and year by year, "unresting looms will weave the purple of its greatness."

CENTENNIAL EXHIBITION.

An act of Congress, approved March 3d, 1871, provided for the national celebration of the One Hundredth Anniversary of the Independence of the United States, by the holding of an exhibition of "arts, manufactures and products of the soil, and mine."

The Centennial Commission has entrusted the direction and supervision of the Exhibition to a Director General, who, in a recent communication, says:

"5. To provide for the efficient adjustment of the preliminaries to the Exhibition, *and to organize a uniform system to this end throughout the United States*, the several States and Terri-

tories are invited and recommended to appoint, as early as possible, State Centennial Managers, not exceeding five in number. They should be selected entirely with regard to their familiarity with the resources, arts and products of their State, their business experience and executive skill. The State Managers, with the United States Commissioner and Alternate Commissioner, shall constitute the State Board of Centennial Managers for each State and Territory.

On the State Board will devolve all the responsibility of organizing its State or Territory, and of securing its thorough representation in the Exhibition. It will have to care for the interests of its own State, and of its citizens in matters relating to the Exhibition; to disseminate information about it; to issue invitations to participate; to receive and pronounce upon applications for space; to apportion the space placed at its disposal among the exhibitors from its State; and to supervise such other details relating to the representation of its citizens in the Exhibition, as may from time to time be delegated to it by the United States Centennial Commission.

It is of extreme importance that the State Boards shall be organized and at work, at the earliest day possible. It is hoped that all may have been appointed before April 1, 1874."

In its patriotic aspects, the object of the convention is arousing the enthusiasm and emulation of the States, and I am certain our people will not be without a patriotic desire to contribute to the interest and the success of the occasion.

It will be your pleasant and patriotic duty, to take the necessary steps to spread before the eyes of the world, upon that interesting occasion, the rich products of your farms and mines. In these two departments of industry there is no reason why Colorado should not compete successfully for supremacy. Aside from its patriotic aspects, the occasion will be one which we should improve to the full measure of our ability, and which it would be most unwise to neglect as an opportunity of displaying to the world the wealth and resources of our Territory.

INCREASE OF THE JUDICIARY.

In the event of a failure of our admission as a State, Congress should, by amendment of our organic act, provide for the appointment of at least two additional judges. As at present constituted, our judiciary is inadequate to meet the wants of our people. Our court dockets are crowded with the litigation of a rapidly increased trade and commerce. Our judges are overworked, and litigants are delayed, and harrassed by

the necessary continuance of their cases, for want of time to hear them. With our increased population, and our correspondingly increased litigation, there is abundant work for five judges. Cases would be sooner and more carefully tried, and business enterprise would no longer be impeded and embarrassed by the impossibility of having its rights speedily adjudicated and determined. A memorial to Congress on this subject is desirable.

FEES.

While it is desirable that those holding places of trust and responsibility should be amply compensated, with a view of securing both ability and integrity in the public service, care should be taken that the emoluments of office do not exceed reasonable limits. Under our present system, and rate of fees, I am led to believe that the compensation of some of the county officers, in the more populous counties, might be reduced with great justice to the public, and without injustice to the present incumbents.

PRESERVATION AND GROWTH OF TIMBER.

The annual destruction of timber in our mountains by fire, is a serious evil that ought, if possible, to be averted. Our home supply is so limited, and our distance from other markets so great, that our timber has, to some extent, the value of gold. The carelessness or maliciousness, by which entire districts of timber are fired and destroyed, should be visited by penalties far more severe than those now provided by statute, and there should be a standing reward for the apprehension and conviction of all who violate the law in this particular.

The question of the encouragement of forest culture will also present itself to you as one of importance. Statistics show, that the timber supply of the United States will be comparatively exhausted within the next quarter of a century. The supply in our Territory will be exhausted in a much less time. In view of these facts, forest culture presents itself as one of the economical questions of the day, which a wise forecast of coming necessities demands that you consider. In this connection, I call your attention to the Act of Congress, approved March 3, 1873: "An Act to encourage the growth of timber on western prairies," with a view to the two-fold inquiry, in what respect should the act be liberalized by Congress, and what additional encouragement can be given by Territorial legislation?

AGRICULTURAL AND OTHER STATISTICS.

It would be of great value and interest if, with additional compensation, assessors, in addition to their existing duties, should be required, by law, to make collection and returns of the agricultural, horticultural, mineral, manufacturing and stock statistics of their several counties. It would constitute an annual census, showing the resources and industries of each county of the Territory, and their annual development and growth. Several of the States have similar laws that have been productive of the most satisfactory results.

STOCK RAISING.

The rapid increase, and general prosperity of the stock interest in the Territory, confirms its character of peculiar attractiveness and adaptability for the successful pursuit of this industry. The mildness of its climate and the nutritious character of its native grasses, not only tend to the highest development and perfection of breeds, but enables the stock owner to meet the expense of long transportation and compete in the distant markets of Chicago and New York with cattle growing regions more accessible to market, but less favored in conditions of climate, and vast extent of native and inexpensive pasturage. With the advantages which these two conditions of climate and food so abundantly offer, stock raising is destined to continue, as it is now, one of the leading industries of the Territory and a prominent element in its wealth.

In this connection I desire to call your attention to a conflict which has arisen between cattle and sheep owners. During the last autumn I received a communication from certain owners of sheep in the county of Huerfano, representing that they had been disturbed in the quiet and peaceable possession and enjoyment of their homes and property; that parties had attacked and killed, or scattered their flocks with the proclaimed purpose of driving the sheep owners with their property from the county.

As it was a matter exclusively for the courts, I addressed a communication to Chief Justice Hallett, calling his attention to the alleged infractions of the law within his district. As his reply points out some difficulties in the way of the due administration of the law, and suggests some amendatory legislation, I deem it proper to submit it for your consideration.

The admitted fact that sheep practically destroy the range for cattle, lies at the basis of the difficulty, and presents a

conflict which it is all important to reconcile. There is no clearer proposition, than that every citizen has the right to take his property peaceably, and under the law, into any and all parts of the Territory, and there keep and enjoy it free from molestation or violence from any one whomsoever. I therefore recommend such legislation as will secure this right in all its integrity, and protect each industry, as far as possible, from hardship or oppression.

MINES.

I submit herewith the reports of the several assayers, provision for the appointment of whom was made by the last Assembly. These reports contain much valuable information respecting our mines, and the offices thus established have proven of great use and convenience to those engaged in mining and prospecting, affording them convenient and trustworthy sources of information respecting their mining properties.

In view of the rapid settlement and development of the San Juan mining region, I would recommend the establishment of an assay office at some point convenient to that district for the benefit of those engaged in mining.

While the law of Congress, providing for a title, in fee simple, to mines, was an advance in the right direction, the tenure and peaceable occupancy of mining properties is still, practically embarrassed, to a degree and in a manner that calls for legislation. The practice of what is termed "jumping" mines on a pretended claim of ownership, as soon as they are proven valuable, has grown to be a serious evil in some of our mining districts, leading to extensive and protracted litigation, and not infrequently to bloodshed. This not only works individual hardship, but injury to the entire mining interest. Capital seeks investment where its rights are settled, known and absolute, unincumbered by uncertainties of tenure or embarrassments of litigation.

Additional safeguards should be thrown around the "possession" of mining properties, and heavy penalties visited upon all who attempt to disturb it by force or violence. These penalties should not only reach those who are guilty of the overt act, but all who instigate or connive at it. A law providing a remedy for this evil is much needed, and will relieve the mining interests of the Territory from a great embarrassment.

Aside from this, a careful survey of the condition and prospects of this most important industry of our Territory, warrants satisfaction and encouragement to a degree justified at no previous period of our history. The yield of bullion for the

past year is safely estimated at over $5,000,000. This is an increase over the yield of 1872, and coming largely from the older mining districts, and from mines long worked, confirms the faith of previous years that our mines are practically inexhaustible. This is no unimportant fact, for as year by year adds its confirmatory evidence upon this point, the value of mining properties will be established and enhanced, and capital and labor in the light of uniform results, will no longer hesitate to explore the depths of your mountains. Whilst old and established mines have continued to lay their wealth at our feet, the preparation for new and extensive mining operations in districts both old and new, are far greater than at any former period, and not only show established faith in the richness of our mines, but augmented vitality in mining as a permanent and remunerative industry. Since the Legislature of Colorado last convened, new mining districts have been discovered, and occupied, of such extent and richness, that of themselves they would place our Territory in no secondary position as a gold and silver region. These present new and attractive fields for capital and labor upon which new communities are rapidly concentrating, soon to grow into prosperous and populous gold and silver producing centers, augmenting the bullion product of the country annually and indefinitely. Thus, the old mining districts of Gilpin, Boulder, Clear Creek, Park, Lake and Summit counties, with their regular annual yield are reinforced by the San Juan and other new discoveries with their marvelous promise.

Co-existent and in harmony with this increase in mining area, is increase of mining knowledge and skill, evidenced in improved methods of reduction and separation. Smelting works have been erected at Denver, Golden City, Boulder, Black Hawk, Georgetown and Fairplay, and are successfully supplying a long felt economical want. The treatment and manipulation of ores has become a separate and distinct industry, in which science and skill are forcing the doors of chemical combination, and compelling hitherto refractory ores to a full surrender of whatever treasure they may possess.

Increased mining production; increased mining operations; increased mining area; increased mining skill; increased mining facilities; increased energy and vitality, constitute a summary of the present condition and prosperity of our mines, whose reported wealth tempted the footsteps of the pioneer of 1859, and whose known wealth has supplied the struggles of intervening years with courage and faith in the ultimate destiny of our Territory. To foster our mining interests by wise legislation, to guard it, if possible, against unwise legislatian on

the part of the Federal government, is a duty the importance of which will earnestly urge its faithful discharge.

COINAGE.

In this connection I desire to call your attention to the Branch Mint at Denver. If it could be made a mint for coinage, its usefulness would be greatly enlarged and the prosperity of the country increased. The expense and risk of shipping our bullion to eastern markets for coinage, and the consequent delay in receiving returns, is an onerous tax on our mining industry, and affects injuriously the entire business of the Territory. The power to convert the products of our mines into coin at home, would remove this burden, and its beneficial effects would be felt in all the departments of industrial life. An earnest appeal to Congress in this behalf should be made at an early day.

AGRICULTURE.

The cultivation of the soil in our Territory has been attended by such unexpected and rich results, that agriculture comes to the front as one of the most important elements of our wealth and prosperity.

The agriculture of Colorado has proven two things: first, that our soil, when irrigated, is equal to the best agricultural lands of the continent; second, that agriculture by irrigation has advantages that make it the most successful method of husbandry.

The following have been determined as about the average crops throughout the Territory:

Wheat	28	bushels	per	acre.
Oats	55	"	"	"
Barley	40	"	"	"
Corn	35	"	"	"
Potatoes	200	"	"	"
Onions	250	"	"	"

But these figures are far below what may be produced with extra care and labor. For three successive years the premium crops of wheat, exhibited at the Territorial fair, ranged from sixty-seven to seventy-three bushels per acre. In one year two fields of corn were sworn to as having yielded over two hundred bushels per acre. Potatoes have given from four hundred to six hundred bushels per acre. Onions have reached one thousand bushels per acre. A cabbage of eighty-two pounds weight, has been sold in the Denver market. Those of forty

to sixty pounds each are plentiful at every annual fair. Car loads have been shipped away in which the closely trimmed heads averaged throughout twenty-three pounds apiece.

The necessity of irrigation, as an appliance of agriculture, demands a carefully prepared system of laws upon the subject. While as a matter of legislation, the subject is one of exceeding difficulty, intricacy and concern, so long as the entire matter is subject to State control and management, there is no just ground for apprehending any serious mistake or permanent hardship. However imperfect the first legislation upon the subject may prove, the Legislature of the Territory or State from year to year will correct errors, supply deficiencies, reconcile conflicting provisions and provide for new wants, until a full and complete code of irrigation laws will be secured and enjoyed. There are a few general propositions that present themselves as fundamental:

First—That to the State should belong the water of its streams and the control of its distribution among canal owners. From this it would follow that no one would be allowed to divert the water from the natural bed of the stream to the injury of those having previously acquired and vested rights.

Second—The control and management of canals should be, as far as possible, local, and by those immediately interested; and in this view I would suggest that each considerable stream, with its system of canals, should constitute a district of itself, and should be under the control and direction of a board of canal commissioners elected by the people of the district. The powers and duties of this board should be ample and clearly defined, and should include the powers of a board of arbitration, with a view of avoiding tedious and costly litigation and of giving to those interested an inexpensive tribunal before which the manifold questions which would arise could be, if they desired, primarily brought and adjudicated.

During the past year the propriety of asking the general government for aid in constructing a general system of irrigation for the arid country west of the Missouri river has been much discussed, not only in Colorado, but in all the States and Territories interested in the reclamation of arid lands within their borders.

There are many facts and interests that press the subject upon our attention, and first among these is the fact that to secure a farm in Colorado accessible to water, at government prices, is a matter of no inconsiderable difficulty. The tides of immigration have flowed along the valleys of our rivers and smaller streams; the immediate bottom lands have been possessed and brought under cultivation by means of easily con-

structed and comparatively inexpensive irrigating canals. But agriculture, spreading from the river side to the rim of the higher plateaux, has been arrested by reason of the greater difficulty and expense of irrigation. In other words, the agriculture of this region will soon have reached its limits by the ordinary means under the control, or within the power of the farmer. The emigrant from the east, seeking a home, sees before him vast undulating plains, stretching leagues away, with a soil which experience has abundantly proven is marvelous in its productive capabilities when irrigated. To turn the mighty river and lead it by canals along the commanding slopes that flank its natural course, is far beyond the limits of his purse, and he turns away disheartened and seeks other lands or other employments. Not a few have thus turned away from Colorado during the last year, baffled in their efforts to secure a home within our borders. Such is the situation. The great annual tides of emigration from the east seeking homes under the beneficent provisions of our land laws, are halted on the verge of thousands of square miles of arid country, which irrigated, are capable of supporting the densest populations of the continent. To open up a way out of this complication, to overcome and subdue this physical fact which fetters their growth and limits their future, is the great problem which to-day confronts the people of the trans-Missouri region. There is but one remedy, namely, a general and comprehensive system of irrigation that shall utilize the entire water supply of the arid region. The amount of water supply does not figure in the question beyond the admitted fact that there is sufficient water to reclaim and make fruitful thousands of square miles of what are now arid lands. According to different estimates, Colorado has a water supply sufficient to irrigate from two to six millions of acres. Accepting the lowest estimate as correct, it is sufficient to furnish food for a million of population in your mines and as many more in your fields and factories. That it is both desirable and just we should receive aid from the general government in this behalf I submit as unquestionable. The policy of the government has always been one of liberality towards internal improvements. The last Congress appropriated over $6,000,000 for river and harbor improvements for the States east of the Mississippi. Annually, from the foundation of the government, these States have been, and will continue to be, the recipients of the bounty of the general government; so that, in both asking and receiving, we will be in the line of long established precedent. But there are other reasons why this is peculiarly a work belonging to the general government.

First—The government is the great land owner in the region to be benefitted. Unless these lands are reclaimed by irrigation they will remain unsold and useless in the hands of the government. Homesteads and pre-emptions under those beneficient laws will be unknown, except along the immediate line of the water courses, where the expense of irrigation will be small and within the compass of the financial ability of the poor man. The vast areas of intermediate lands will remain unsold, uninhabited and uninhabitable. What will it avail the general government to hold lands which it cannot sell or utilize for its citizens? With what equity can it ask the State or Territory, or private enterprise, to construct a system of canals giving its lands value and then sell them at a price which they command by reason of the work done?

Second—Its power is alone equal to any comprehensive and complete system that shall in its extent and completeness meet the want. It is beyond the limit of private enterprise or individual adventure, and requires the aid and countenance of the nation. Even if this were not the case, the ownership and exclusive control by the general government of the great body of the lands to be benefitted, stands conclusively and fatally in the path of private enterprise. The agricultural domain of the United States, outside of this district, subject to the operation of the homestead and pre-emption laws, is comparatively exhausted. It is true there are large areas of agricultural lands still unoccupied, but they have passed from the ownership of the government and cannot be had only at advanced prices. The annual tides of emigration westward are as certain and regular as the tides of the ocean. A large per cent. of such emigration is in search of lands to cultivate. Can the general government afford to let such a domain lie waste in the presence of such a demand? Is not its duty in the premises, clearly defined by all maxims which lie at the foundation of the relation which exists between the government and its citizens? Does it not owe it to the thousands of its citizens, who are and will be for years to come, seeking homes and farms, to place these rich plains within their reach? The question also appeals to us from a financial standpoint. Estimate the annual product of such a region brought under cultivation. Estimate the vast populations it would support. Estimate the product of the thousand forces of industrial life it would evoke and employ, and you will count the added wealth of the nation by millions. And in this connection comes another consideration which must have no unimportant place in any argument on this subject. If there were no other argument in behalf of government aid, we would find one of first

importance in the fact that this region is the great metalliferous area of the republic. While it vies with the east in coal, iron, copper and all the baser metals, it is pre-eminently the gold and silver region of the continent. The amount of gold and silver coin among a people is largely the measure of their prosperity. To produce the precious metals is of first importance with every great nation. The point I make is, that the mining interest is dependant on local agriculture. You can not work your mines profitably on imported bread. The thousands who now, and will hereafter delve in these mountains and lift their glittering treasures to the sunlight, must draw their sustenance from the fertile valleys that lie enveloped in their arms and stretch away from their feet. And until this condition of things is compassed, your mines will never be economically or successfully worked. Until the plain shall send to the mountain its gift of bread, the mountain will withhold from the nation its gift of gold. In your mountains there is remunerative work for a million of men; on these plains there should be an agriculture to feed them, and manufactories to clothe them. The duty of the government; the interest of the government; the practice of the government, all run parallel with our want. It is not alone a matter of interest to the husbandman; the miner, the manufacturer, the merchant, the mechanic, the laboring man in every department of industry is equally concerned. It is not alone a matter of interest to the one hundred and twenty-five thousand people now here, but of vital concern to the thousands who will annually and indefinitely augment your population, and to whom the richness of your soil, the wealth of your mines, and the charm of your skies, extend a perpetual invitation to come and to prosper.

On the 15th of October last a convention of trans-Missouri States and Territories, assembled at Denver, and passed a memorial asking for a grant of lands in this behalf. Now, as then, I think the prayer should be for a direct appropriation of money or the proceeds of the sales of public lands, and not for the lands themselves. It would better meet the views of Congress, and would keep the lands subject to the operation of the homestead and pre-emption laws, properly amended, and thus without the grasp of monied monopolies, and within the reach of the actual settler. Whatever aid is given, should be given to the Territory, and not to private corporations, and should be under the sole and exclusive control and direction of the Legislature; then, if it be mismanaged or squandered, the people will know whom to hold accountable.

I therefore urge upon you a memorial to Congress upon the subject, to which their attention has already been direc ed by the interest which the Chief Executive of the nation feels in our young and prosperous Territory.

ADMISSION.

Self-government is the highest aspiration of a free and intelligent people. It is the surest guaranty of inestimable rights; the most trustworty guardian of material interests.

The time has come when, under the spirit of our institutions and the practice of our government, we can properly apply for admission as a State into the Federal Union, and I accordingly recommend a memorial to that end.

The advantages of a State over a Territorial government are patent, and admitted. The only questions to be considered are the two of population and wealth. The election in September last shows a voting population of over twenty thousand. This vote, in the light of the facts that the interest of a general election was wanting to call out a full vote—that the registered vote at the time was about twenty-five thousand, and that the emigration arriving after the 13th of March were not voters, and consequently not included in either the vote or registration—warrants us in estimating our present population at one hundred and twenty-five thousand; and, if admitted, by the time our representatives would take their seats in Congress, the emigration of another year will have augmented it to one hundred and fifty thousand people, who, in their energy, industry, education, and civilization will compare favorably with the best communities of the East. Under the rule of representation, or the uniform practice of the government, no valid objection can be urged to our admission on the score of population. In the matter of both present and prospective wealth, the showing also justifies our admission:

Assessed value of property, 1873		$536,000,000
Proper assessment (as per reports of Auditor and Treasurer		50,000,000
Real value of property " " " " "		70,000,000
Mining product, 1873		5,000,000
Coal " "		1,000,000
Agricultural "		5,000,000
Stock sales "		2,000,000
Lumber product "		12,000,000 feet
Cattle in the Territory	450,000	
Sheep " "	400,000	
Horses and mules	40,000	

Miles of railroad completed and in operation in Colorado:

Kansas Pacific—Denver to Kansas State line	186 miles
Arkansas Valley—Kit Carson to Las Animas	56 "

Denver Pacific—Denver to Territorial line	97 miles.
Denver & Boulder Valley—Hughes to Boulder	27 "
Denver & Rio Grande—Denver via Pueblo to Labran	155 "
Colorado Central—Denver via Golden to Black Hawk, Floyd Hill and Longmont	90 "
Atchison, Topeka & Santa Fe—Kansas State line to Grenada	13 "
	624 "

Estimated cost of construction and equipment at an average of $18,000 per mile, cash, $11.132,000.

Railroads in process of construction, with length of line on each, which will probably be in operation in 1874:

Colorado Central—Longmont to Julesburg	175 miles.
Colorado Central—Floyd Hill to Georgetown	16 "
Golden & South Platte—to Acequia	20 "
Arkansas Valley—Las Animas to Pueblo	96 "
Denver & Rio Grande—Pueblo to Trinidad	90 "
Atchison, Topeka & Santa Fe—Grenada to Trinidad	100 "
Denver, South Park & Pacific—Denver to Buffalo Creek	38 "
" " " —Morrison Branch	9 "
	544 "

Estimated cost of construction and equipment, average of $18,000 per mile	$9,792,000
Gross amount of earnings of railroads in the Territory for 1873	2,205,000
Telegraphs in the Territory	1017 miles.
" " " Valuation	$203,400
Irrigating canals in the Territory	850 miles.
" " " " Valuation	$400,000
Churches in the Territory	125
" " " Valuations	$450,000
Public schools	180
Value of school property	$260,1834 6
Increase of school population	100 per cent.
Increase of value of school property	216 "
Value of reduction, smelting and separating works in Territory	$3,000,000
Value of manufactories—including woolen mills, paper mills, planing mills, sash and door factories, and car factories	725,000
Lands under cultivation	200,000 acres

Lands capable of irrigation and cultivation, from 2,000,000 to 6,000,000 acres.

The grazing area covers 30,000,000 acres, while gold, silver, copper, lead, marble, lime, gypsum, petroleum and mineral springs, abound throughout an area of 30,000 square miles, with iron and coal deposits equal to those of the States of Missouri and Pennsylvania.

The following table gives the assessed value of property in each county in the Territory, for the years 1870, 1871, 1872 and 1873, and not only shows the rapid increase of wealth during that period, but foreshadows the prosperity and growth of the coming years:

A Comparison by Counties of the Assessments of Taxable Property for Territorial Purposes for the Years 1870–71–72–73.

	Assessment for 1870.	Assessment for 1871.	Assessment for 1872.	Assessment for 1873.
Arapahoe	$4,706,881 00	$9,058,405 00	$12,115,347 00	$11,871,908 00
Bent	351,248 50	335,505 00	693,738 00	709,695 00
Boulder	1 121,972 00	1,259,417 00	1,337,774 00	20,93,523 00
Clear Creek	1,160,112 25	1,115,814 50	1,031,219 00	1,394,948 00
Conejos	205,702 60	160,599 25	209,806 00	212,891 00
Costilla	118,062 00	139,790 00	173,046 00	186,296 00
Douglas	624,297 00	757,667 00	1,518,456 00	1,888,981 00
El Paso	524,965 34	869,810 00	1,289,756 00	2,108,045 00
Fr mont	375,950 00	635,998 00	930,958 00	1,213,689 00
Gilpin	2,737 431 00	2,660,248 50	2,863,306 00	2,536,774 00
Greenwood	446,921 00	677,715 40	325,544 00	386,239 00
Huerfano	324,932 00	421,852 00	506,686 00	509,780 00
Jefferson	1,034,738 00	1,510,609 72	1,607,076 00	2,190,016 00
Lake	172,917 00	170,023 00	228,283 00	276,540 00
Larimer	332,510 00	421,882 00	566,235 00	763,674 00
Las Animas	457,932 00	383,978 00	942,352 80	906,465 00
Park	175 559 00	209,681 00	436,737 00	579,489 00
Pueblo	857,811 00	1,337,102 00	2,311,718 00	3,105,191 00
Saguache	129,653 00	215,810 00	345,398 00	428,363 00
Summit	123,926 31	129,719 00	158,831 00	158,387 50
Weld	854,281 00	1,640,352 00	1,667,990 00	2,056,544 00
Totals	$16,778,005 00	$24,112,078 37	$31,260,257 30	$35,577,438 50
		16 778,005 00	24,112,078 37	31,260,257 30
Increase of '71 over '70		$7,334,073 37		
Increase of '72 over '71			$7,148,178 93	
Increase of '73 over '72				$4,317,181 20

It shows that in the four years last past, taxable property has increased $18,799,483.50, or if the estimate of the Treasurer be taken it has increased $33,221,995. In that time the counties of Boulder, Bent, Jefferson, Larimer, Huerfano and Las Animas have nearly or quite doubled their wealth. The counties of Arapahoe, Weld, Douglas, Park, Fremont and Saguache, have nearly or quite trebled their wealth.

While I see in a State government an additional burden, I also see represented in these facts and figures the strength that will support it. That Colorado has all the elements of a great and prosperous State, is not the language of exaggeration, but the clear and distinct utterance of statistics; the unequivocal testimony of achieved results. Asking for the benefits of the Union, she brings with overflowing hands, reciprocal gifts. Asking for the flag of the Union, she recognizes that for which she has already battled. Asking for a participation in the glories of the Union, she adds the lustre of a new star, rising over a new field of human thought and endeavor.

Councilmen and Representatives: With these recommendations my duties cease, and yours begin. The demands upon you are of no ordinary character. Our Territory is just entering upon what, we hope, will be a no limited career. In its

present there is everything to inspire patriotism, enthusiasm, courage and faith. To foresee its destiny, we need no prophecy of genius or vision of seer. The first fruits of her soil, and the broken seals of her mountain coffers, reveal the possibilities of the future. In the purple of its dawn stand a young and vigorous people, eager for the conquests at hand. Imbued with the spirit of our institutions they seek victory on fields where victory is grandest. Around and about us, upon this hand and upon that, in the hum of contending industries, are heard the first notes of the opening battle. Their appeal to you is not for sword, or bayonet, or cannon, but for the mightier helps of good laws and good government. To this end they have committed to your keeping, for a time, the sacred ark of their laws. The economies of trade; the conservation of material interests; the rights of man; the duties of citizenship; the truths of political economy; the nature and methods of constitutional liberty and constitutional government, are the vital questions with which you must deal. To successfully mould and direct them, as agencies ministering to the strength and intelligence, the broad purpose and high endeavor of this people—is the achievement of that noblest of human labors, the establishment of a State, where law and liberty co-exist, and mutually conserve the highest interests of man. To this end upon your labors I invoke the blessing of God.

S. H. ELBERT,
Governor of Colorado.

Mr. Bromwell moved that the Joint Convention now adjourn to the hall of the House of Representatives.

Seconded and carried.

Adjourned.

Convention re-assembled in the hall of the House of Representatives.

President of the Council in the chair.

Chairman announced that the duties of the Joint Convention were accomplished.

Mr. Chilcott, of the Council, moved that the Joint Convention be now dissolved.

Seconded and carried.

Council called to order.

Mr. Taylor moved to adjourn until to-morrow at 10 o'clock A. M.

Seconded and carried.

Adjourned.

WEDNESDAY, JANUARY 7th, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Journal of Monday, 5th inst., read and approved.
Oath administered to Miss Christina Peabody as Engrossing Clerk.
Journal of Tuesday, 6th inst., was read and approved.
Mr. Fitzpatrick offered the following resolution:
Resolved, That the time for the meeting of the Council, daily, shall be at 10 o'clock A. M., and 2 o'clock P. M. unless otherwise ordered.
Mr. Chilcott offered the following resolution and moved its adoption under a suspension of the rules.
Resolved, That the Governor, Secretary of the Territory, Judges of the Supreme Court, Ex-Members of the Legislature and Members of the Press, be invited within the bar of the Council.
Seconded and carried.
Mr. Taylor offered the following resolution and moved its adoption:
Resolved, That Jesus Alirez be appointed Door-keeper of the Council.
Mr. Butler offered the following as a substitute, and moved the suspension of the rules and the adoption of the substitute:
Resolved, That an Assistant Sergeant-at-Arms be appointed, and that the appointment be determined by ballot.
Seconded and carried by the following vote:
Ayes—Messrs. Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jacques, McCammon, Taylor and Mr. President —10.
Nays—Messrs. Bromwell, Chilcott and Sprague—3.
Mr. Clark nominated Stephen Decatur.
Mr. Chilcott nominated A. H. Barker.
Mr. Taylor nominated Jesus Alirez.
Mr. Bromwell nominated J. H. Jones.
Mr. Buckingham nominated Wm. Baker.
Mr. President appointed Messrs. Taylor and Sprague tellers.
Result of ballot for Assistant Sergeant-at-Arms:

Stephen Decatur	received	1 vote.
A. H. Barker	"	2 votes.
Jesus Alirez	"	8 "
J. H. Jones	"	1 vote.

Wm. Baker received .....1 vote.

Chair declared Jesus Alirez duly elected as Assistant Sergeant-at-Arms.

Oath administered to Jesus Alirez as Assistant Sergeant-at-Arms and to Genio Pacheco as Fireman.

Mr. Chilcott gave notice that on to-morrow or some subsequent day he would introduce a bill concerning fences and enclosures.

Mr. Chilcott gave notice that on to-morrow or subsequent day he would introduce a bill for an act to amend an act entitled "an act regulating the branding, herding and care of stock."

Mr. Chilcott gave notice that on to-morrow or some subsequent day he would introduce a bill to repeal an act entitled "an act to authorize the county commissioners of Pueblo county to levy a special tax for the purpose of building a bridge across the Arkansas river." Approved February 8th, 1872.

Mr. Clark gave notice that on to-morrow or some subsequent day he would introduce a bill concerning elections.

Mr. Clark gave notice that on to-morrow or some subsequent day he would introduce a bill concerning practice of courts in certain cases.

Mr. Clark gave notice that on to-morrow or some subsequent day he would introduce a bill to amend chapter 71 of the Revised Statutes, relating to probate court of Clear Creek county.

Mr. Clark gave notice that on to-morrow or some subsequent day he would introduce a bill repealing the registry law.

Mr. Hall presented the following report:

To the Legislative Assembly of Colorado Territory:

The undersigned, appointed a committee by the Honorable Secretary of the Territory to examine the accounts of the Auditor and Treasurer in pursuance of chapter nine (9) of the Revised Statutes, would respectfully report:

That your committee assembled at the office of the Auditor in Denver, January 1st, 1874, and after being duly sworn according to law entered upon their duties.

Your committee do not consider it necessary to report the separate receipts and disbursements, as they will appear in detail in the complete and exhaustive reports of the Auditor and Treasurer which will be laid before your honorable bodies.

Your committee have made a thorough examination of all the books, papers, accounts and vouchers, and official transactions of the Auditor and Treasurer for the fiscal years of 1872

and 1873, and beg leave to report that they find all of the accounts, warrants and vouchers presented by these officers correct in every particular. We can not find that any useless expenditure has been made or any fraudulent or fictitious accounts allowed or any unlawful warrants paid. The committee would most especially commend these officers for their correct and simple system of keeping the public accounts of the Territory.

Your committee find the balance in the Treasury to be $17,182 79	$17,182 79
Outstanding warrants unpaid December 31, 1873	989 50
Making the Treasurer's balance	$18,172 29

In conclusion your committee have to congratulate the Territory upon the satisfactory manner in which the affairs of the Treasury Department have been conducted.

Respectfully submitted,

JAIRUS W. HALL,
Member of the Legislative Council.
WILLIAM H. MEYER,
Member of the House of Representatives,
J. A. J. VALDEZ,
Member of the House of Representatives,
Committee.

Denver, January 5th, 1874.

Mr. Buckingham moved that the report be received and spread upon the minutes.

Seconded and carried.

Mr. Bromwell gave notice that on to-morrow or some subsequent day he would introduce a bill for an act to amend the several statutes of this Territory concerning elections.

Also a bill for an act to amend chapter 45 of the Revised Statutes entitled "Irrigation," and chapter 18 of said statutes entitled "Corporations."

Mr. Buckingham gave notice that on to-morrow or some subsequent day he would introduce a bill for an act for the support and better regulation of the common schools in the City of Denver.

Mr. Butler gave notice that on to-morrow or some subsequent day he would introduce a bill for an "act prescribing the time for holding the district courts in the second judicial district.

Mr. Head gave notice that he would on to-morrow or some subsequent day introduce a bill to create a new county out of the south-west portion of Conejos county.

Also a bill creating the county of Del Norte.

Mr. Butler moved that the rules of the Ninth Session be adopted for the permanent government of this body.

Motion withdrawn.

Mr. Bromwell moved a committee of three be appointed on rules of order for the Council, and that the same committee be a committee on joint rules for the Council and House.

Seconded and carried.

Mr. President appointed Messrs. Bromwell, Butler and Chilcott such committee.

Mr. Butler moved to adjourn till 2 o'clock P. M.

Seconded and carried.

Adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Bromwell and Chilcott.

The following message was received from the House :

HOUSE OF REPRESENTATIVES, January 7th, 1874.

To the Honorable the President of the Council :

SIR: I am instructed to inform your honorable body that the accompanying resolution passed the House and your concurrence is respectfully requested.

Also that Messrs. Shattuck, Hutchinson and Wilson were appointed upon the part of the House to confer with a like committee upon the part of the Council to report joint rules for the Government of both Houses.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Resolved, By the House of Representatives, the Council concurring that the Secretary of the Territory be and hereby is authorized to secure the translation of the Governor's Message into the Spanish language for the purpose of having the same printed.

Messrs. Bromwell and Chilcott appeared and took their seats.

Committee on Rules of the Council presented the following report:

To the Honorable the President of the Council:

SIR: Your committee appointed to prepare and report permanent rules for the government of this Council would respectfully recommend the adoption of the rules of the Ninth Session amended as follows:

By striking out Rule No. 9.

By striking out the words "and seconded" in first line of Rule No. 10.

The committee on Education, being the third standing committee, shall be named the committee on "Education and Labor."

The committee on Penitentiary shall be named the committee on "Penitentiary and Jails."

The eighteenth standing committee shall be the committee on "Irrigation."

The nineteenth standing committee shall be the committee on "Benevolent Institutions."

The twentieth standing committee shall be the committee on "Engrossed Bills."

H. P. H. BROMWELL,
HUGH BUTLER,
GEO. M. CHILCOTT,
Committee.

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

Seconded and carried.

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

Seconded and carried.

Mr. Buckingham offered the following:

Resolved, That the Secretary of the Territory be requested to have the Council Chamber outside of the bar covered with matting—also to have seats provided for the accommodation of spectators.

Mr. Fitzpatrick moved the suspension of the rules and the adoption of the resolution.

Carried.

Mr. Hall gave notice that on to-morrow or some subsequent day he would introduce a bill to amend section 178 of the criminal code relative to setting on fire woods, prairies, or other grounds.

Mr. Clark offered the following resolution:

Resolved, That one thousand copies be printed in English, and three hundred in Spanish, of the Governor's Message for the use of the Council.

Committee on joint rules presented the following report:

To the Honorable President of the Council:

SIR: The undersigned committee, appointed to act with a like committee on the part of the House of Representatives, on joint rules, would respectfully report that they have met the committee for that purpose appointed by the House, and the said joint committee having had the subject of joint rules under consideration, have unanimously agreed to recommend for adoption to both Houses of the Legislature the standing joint rules of the Ninth Session as the joint rules of this session for the government of both Houses.

H. P. H. BROMWELL,
HUGH BUTLER,
G. M. CHILCOTT.
Committee.

Mr. Hall moved that the report be received and the committee discharged.

Carried.

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

Carried.

Mr. Clark moved that the rules be suspended and the resolution on printing the Governor's Message be taken up.

Carried.

Mr. Buckingham moved the adoption of the resolution.

Mr. Chilcott moved as an amendment that two thousand copies of the Governor's Message be printed in English and one thousand copies be printed in Spanish for the use of the Council.

The amendment was accepted and adopted.

The following resolution was offered by Mr. Sprague:

Resolved, That one hundred copies of the permanent rules of the Council, and joint rules of the Council and House of Representatives, be printed in the English language and fifty copies in the Spanish language for the use of the Council.

Mr. Chilcott moved that the rules be suspended and the resoluton adopted.

Carried.

Mr. Butler moved that the rules be suspended and that a committee on "Capitol Grounds" consisting of three members of the Council be added to the list of standing committees.

Carried.

Mr. Fitzpatrick moved to adjourn until to-morrow at 10 o'clock A. M.

Carried.

Adjourned.

THURSDAY, JANUARY 8TH, 1874—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Journal of Wednesday, 7th inst., read and approved.

Mr. Fitzpatrick called up the resolution for time of holding meetings of Council, offered by him yesterday.

Mr. Clark moved the adoption of the resolution.

Carried.

Mr. Butler introduced C. B. No. 1, an Act prescribing the time of holding the District Courts in the Second Judicial District.

Mr. Butler gave notice that on to-morrow, or some subsequent day, he would introduce a bill for an Act concerning practice.

Mr. Bromwell introduced C. B. No. 2, a bill for an Act to amend the several statutes of the Territory of Colorado concerning elections.

Mr. Clark introduced C. B. No. 3, an Act to repeal an Act entitled " an Act to create and establish a Board of Registry of elections." Approved January 10th, 1868.

Also,

C. B. No. 4, " an act concerning practice in certain counties."

Also,

C. B. No. 5, "an Act to amend chapter seventy-one (71) of the revised Statutes of Colorado Territory, relating to Probate Court of Clear Creek County."

Mr. Buckingham introduced C. B. No. 6, a bill for an Act for the support and better regulation of the public schools in Denver.

Mr. Chilcott introduced C. B. No. 7, an Act concerning enclosures and damages to crops, and to enable counties to adopt or reject it.

Mr. Taylor gave notice that on to-morrow, or some subsequent day, he would introduce a bill for an Act to provide a penalty for neglect of duty by County Assessors.

Mr. Head gave notice that on to-morrow, or some subsequent day, he would introduce a bill to dissolve the bonds of matrimony existing between A. C. Collier and M. L. Collier his wife.

Mr. Clark gave notice that on to-morrow, or some subsequent day, he would introduce a bill legalizing certificates of incorporations.

Mr. Taylor gave notice that on to-morrow, or some subsequent day, he would introduce a Funding bill allowing Counties to fund their County bonds.

C. B. No. 1, read first time.
C. B. No. 2, read first time.
C. B. No. 3, read first time.
C. B. No. 4, read first time.
C. B. No. 5, read first time.
C. B. No. 6, read first time.
C. B. No. 7, read first time.

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

TERRITORY OF COLORADO,
SECRETARY'S OFFICE,
DENVER, January 7, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to submit the following information for the consideration of the honorable Council:

First. I am instructed by the Treasury Department of the United States to exclude from my accounts the expense of printing the Reports of Territorial officers.

Second. That the items of newspapers and postage stamps for officers and members of the General Assembly, heretofore allowed, are now discontinued.

Third. I am authorized to publish the Governor's Message in pamphlet form, in numbers to meet the orders of the Legislature. This document is already in type. Two thousand copies will be published and placed at the disposal of the Council and House at an early day. The expense of printing and binding the same will be paid by the United States, as also that for the Laws and Journals.

Fourth. I am not authorized to print any part of your proceedings in the Spanish language.

Fifth. All incidental printing must be done at one office.

Sixth. In accordance with these instructions, I have designated Wm. N. Byers, proprietor of the Rocky Mountain *News*, Public Printer for both branches of the Assembly during the present session. All work which your committee on Printing with due regard to the foregoing instructions, may order, will be promptly executed. Heretofore the amount to be expended under this head has been left wholly within my personal discretion, but the Act of Congress, approved May 8th, 1872, prescribes certain limits which I am not permitted to exceed.

It has been the custom to publish all bills, rules, regulations, roll call, etc., etc., at the expense of the general government, but for reasons already given the practice must now, to a very considerable extent, be discontinued. It would be well, therefore, for the honorable members of the Council to proceed upon the assumption that the entire cost of this work is to be met from the Territorial treasury, for, until my expense accounts shall have been made up, it will be impossible to determine whether any part of it can be paid from the fund in my charge.

With the view of adjusting these matters to the satisfaction of all concerned, I would respectfully ask for a conference with your committee on Printing, at their earliest convenience.

By the Act of Congress approved January 23, 1873, it is provided that the members of each branch of the Legislature shall receive a compensation of six dollars per day during the sessions, and such mileage as is now provided by law, that is to say, three dollars for every twenty miles traveled from their places of residence to the Capitol and return; the presiding officer of each house is allowed the sum of ten dollars per day. The additional officers named in this act are a Chief Clerk, whose compensation shall be eight dollars per day; one Assistant Clerk, one Enrolling Clerk, one Engrossing Clerk, one Sergeant-at-Arms, one Door-keeper, one Messenger, and one Watchman, who shall each receive a compensation of five dollars per day during the session.

The Secretary of the Council is respectfully requested to furnish this office with a full and carefully written copy of his daily journal at least once each week.

The report of the Superintendent of Public Instruction, together with those of the Territorial Auditor and Treasurer, have been some days in the hands of the printer, and will soon be ready for distribution, duplicate copies of these manuscripts having been provided in advance of the session, in order that their publication might be had for legislative advisement, as soon as practicable after the organization.

The manuscript reports of the Board of Immigration, the Adjutant General's, Territorial Assayers', Librarian, Golden School of Mines, the committee appointed by his Excellency the Governor, to investigate the condition of the Penitentiary at Cañon City, with the letter of Chief Justice Hallett concerning disturbances in Huerfano County, have this day been transmitted to the honorable the Speaker of the House of Representatives, for consideration and action.

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

Mr. Butler moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Members all present.

The President announced the Standing Committees of the Council as follows:

Judiciary—Messrs. Butler, Bromwell and Chilcott.

Finance Ways and Means—Messrs. Hall, Fitzpatrick and Clark.

Education and Labor—Messrs. Bromwell, Buckingham and Clark.

Military Affairs—Messrs. Sprague, Jacquez and Taylor.

Roads and Bridges—Messrs. Jacquez, McCammon and Buckingham.

Expenditures—Messrs. Fitzpatrick, Taylor and Sprague.

Incorporations and Railroads—Messrs. Buckingham, Head and Chilcott.

Territorial Library—Messrs. McCammon, Taylor and Jacquez.

Elections—Messrs. Buckingham, Butler and Bromwell.
Counties—Messrs. Head, Chilcott and Fitzpatrick.
Federal Relations—Messrs. Fitzpatrick, Head and Hall.
Agriculture and Stock Growing—Messrs. Chilcott, Taylor and Sprague.
Mines and Minerals—Messrs. Clark, Hall and Butler.
Indian Affairs—Messrs. Taylor, Jacquez and McCammon.
Printing—Messrs. Clark, Sprague and Buckingham.
Penitentiary and Jails—Messrs. Hall, Bromwell and Butler.
Immigration—Messrs. Chilcott, Sprague and McCammon.
Irrigation—Messrs. Bromwell, Butler and Chilcott.
Benevolent Institutions—Messrs. Bromwell, Hall and Fitzpatrick.
Engrossed Bills—Messrs. Taylor and Clark.
Capitol Grounds—Messrs. McCammon, Taylor and Chilcott.

Mr. Fitzpatrick gave notice that on to-morrow, or some subsequent day, he would introduce a bill concerning irrigation.

Mr. Buckingham gave notice that on to-morrow, or some subsequent day, he would introduce a bill to amend section 1, of an Act concerning school bonds," approved January 29th, 1872.

The following message was received from the House:

To the Honorable President of the Council:

SIR: I am instructed to inform your honorable body that the accompanying resolution passed the House, and your concurrence is respectfully requested.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Resolved, That the following be added to the standing rules of the House, and that the Council be notified of the passage of the rule, and requested to adopt it. "No bill amending the Revised Statutes or Laws of Colorado Territory by striking out and inserting less than one entire section shall be considered."

The following resolution was offered by Mr. Clark:

Resolved, That the several subjects contained in the message of his Excellency Governor Samuel H. Elbert, be referred by the President to the respective appropriate committees of the Council.

Moved by Mr. Fitzpatrick that the rules be suspended and the resolution adopted.

Carried.

The following communication, accompanying the Biennial Report of the Territorial Auditor, was received and read:

TREASURY DEPARTMENT,
TERRITORY OF COLORADO,
AUDITOR'S OFFICE,
DENVER, January 7th, 1874.

Hon. M. W. Stewart, President of the Council, Tenth Legislative Assembly:

SIR: I have the honor herewith to hand you a copy of my report of the transactions of this department for the two fiscal years, commencing January 1st, 1872, and ending December 31st, 1873.

I have the honor to be
Very respectfully,
Your obedient servant,
JAMES B. THOMPSON,
Auditor.

Mr. Chilcott gave notice that on to-morrow, or some subsequent day, he would introduce a bill to legalize the acts of the Probate Judge of Pueblo County.

Also, gave notice that on to-morrow, or some subsequent day, he would introduce a bill authorizing the city of Pueblo to issue bonds in certain cases.

Mr. Clark introduced C. B. No. 8, an act amendatory to an act entitled "An act regulating elections," to better define qualifications of electors, and for the preventing frauds at elections.

Mr. Butler moved that the Report of the Territorial Auditor be referred to the committee on Printing with instructions to report upon the propriety of having the same printed and the probable expense thereof.

Carried.

Mr. Hall moved to adjourn.

Carried.

Adjourned.

FRIDAY, JANUARY 9TH, 1874—10 o'clock, A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Buckingham, Clark and Sprague.
Journal of Thursday, 8th inst., read and approved.

Mr. Bromwell presented a petition from Mr. Montague R. Leverson for "Reform of Legal Proceedure," and certain "Amendments to the Organic Law.

Referred to Judiciary committee.

The House resolution concerning "Amendments to the Revised Statutes or Laws of Colorado" was taken up.

Moved by Mr. Bromwell that the resolution be referred to the Judiciary committee.

Carried.

The following message was received from the House:

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the accompanying resolution passed the House, and your concurrence is respectfully requested.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk

Resolved, By the House of Representatives, the Council concurring, that the Honorable Secretary of Colorado Territory be and is hereby authorized to procure for both Houses of the Legislature, for the ensuing session, stamped envelopes and wrappers to the amount of two hundred (200) dollars

Respectfully,
J. C. WILSON,
Chairman Finance Committee.

Mr. Butler introduced C. B. No. 9, "An act concerning practice."

Mr. Fitzpatrick introduced C. B. No. 10, "an act concerning irrigation and the construction of irrigating canals."

Mr. Chilcott, by unanimous consent, previous notice not having been given, introduced C. B. No. 11, "an act to repeal an act concerning actions on bonds, bills, notes, and other instruments in writing."

Also, C. B. No. 12, an act to repeal an act authorizing the County Commissioners of Pueblo county to levy a special tax for the purpose of building a bridge across the Arkansas river.

Also, by unanimous consent, previous notice not having been given, C. B. No. 13, an act to repeal an act concerning variances and amendments.

By unanimous consent, previous notice not having been given, also, C. B. No. 14, an act to amend an act entitled "towns and cities, approved January 10th, A. D. 1868.

Mr. Bromwell, by unanimous consent, previous notice not having been given, introduced C. B. No. 15, a bill for an act entitled an act concerning the Probate Court of Arapahoe county.

Mr. Head, by unanimous consent, previous notice not having been given, introduced C. B. No. 16, an act to simplify conveyances of real estate, and fixing fees of County Clerk in certain cases.

Also, by unanimous consent, previous notice not having been given, C. B. No. 17, an act to amend chapter 70, of the Revised Statutes of the Territory of Colorado.

Messrs. Buckingham, Clark and Sprague appeared and took their seats.

Mr. Chilcott gave notice that on to-morrow, or some subsequent day, he would introduce a bill concerning the collection of taxes for the year 1873.

C. B. No. 8, read the first time.

The following message was received from the House:

To the Honorable the President of the Council:

SIR: I am directed to inform your honorable body that the accompanying resolution passed the House. The concurrence of the Council is respectfully requested.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Resolved, By the House of Representatives, the Council concurring, that no bills relating to divorces will be considered by this Legislature.

Mr. Fitzpatrick moved a suspension of the rules, and the adoption of the House resolution.

Carried.

Mr. Butler moved that the rules be suspended for the purpose of considering the House resolution on postage stamps, etc., for both houses.

Carried.

Mr. Head moved that the resolution be indefinitely postponed.

Carried.

Mr. Jacquez gave notice that on to-morrow, or some subsequent day, he would introduce a bill to extend the jurisdiction of the Probate Judge of Huerfano county.

Mr. Bromwell gave notice that on to-morrow, or some subsequent day, he would introduce a bill for an act to suppress the taking of illegal fees by certain officers therein named.

Also, that on to-morrow, or some subsequent day, he would introduce a bill for an act more effectually to protect the lives and persons of servants, and other employes of railroad and other corporations.

Mr. Buckingham gave notice that on to-morrow, or some subsequent day, he would introduce a bill for an act to amend section 1, of an act concerning common schools, approved January 9th, 1872.

Mr. Clark moved a reconsideration of the vote on the resolution adopted on the 8th inst., ordering the printing of the Governor's Message.

Carried.

The following message was received from the House:

To the Honorable the President of the Council :

SIR : I am directed to inform your honorable body that the House has resolved to adjourn until 2 o'clock P. M., Monday, January 12th, 1874, and if your honorable body has any communications to make to the House, you are respectfully requested to do so at once.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Jan'y 9th, 1874.

Mr. Butler moved that the words "one thousand," in the resolution on printing the Governor's Message, be striken out, and the words "five hundred" inserted in lieu thereof, so that the resolution will provide for the printing of 2,000 copies in English, and 500 copies in Spanish.

Carried.

Mr. Fitzpatrick moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Buckingham, Head, Jacquez and Taylor.
Messrs. Head, Jacquez and Taylor appeared and took their seats.
Mr. Sprague gave notice that on to-morrow, or some subsequent day, he would introduce a bill to change the name of Green City, Weld county, Colorado, to the name of Columbia.
Mr. McCammon gave notice that on to-morrow, or some subsequent day, he would introduce a bill for an act concerning mining property.
Mr. Hall gave notice that on to-morrow, or some subsequent day, he would introduce a bill to amend section No. 113 of the Revised Statutes.
Mr. Clark introduced C. B. No. 18, an act to legalize certificates of incorporation.
Mr. Buckingham appeared and took his seat.
Mr. Butler moved that the Council resolve itself into committee of the Whole, for the consideration of bills on general file.
Carried.
Mr. Butler in the chair.
The committee arose and made the following report.

Mr. President:

The committee of the Whole report that they have had under consideration various bills, that they have made some progress and ask leave to sit again.

Respectfully,

HUGH BUTLER,
Chairman.

Mr. Buckingham moved that the report be received.
Carried.
Mr. Buckingham moved a suspension of the rules, and that bills on general file which have passed their first reading be now read the second time.
Carried.
C. B. No. 1, read second time.
Mr. Butler moved that C. B. No. 1, be engrossed and read the third time.

Carried.

C. B. No. 2, read second time.

Mr. Bromwell moved C. B. No. 2 be referred to the Judiciary committee.

Carried.

C. B. No. 3, read second time.

Mr. Clark moved that C. B. No. 3 be engrossed and passed to third reading.

Mr. Buckingham moved to amend by referring the bill to the committee on Judiciary.

Amendment accepted and adopted.

C. B. No. 4, read second time.

Mr. Fitzpatrick moved that C. B. No. 4 be referred to Judiciary committee.

Carried.

C. B. No. 5, read second time.

Mr. Clark moved that C. B. No. 5 be referred to Judiciary committee.

Carried.

C. B. No. 6, read second time.

Mr. Head moved a suspension of the rules, and the adoption of the following as an additional Standing Rule:

That all bills, after having been read a second time, when considered in committee of the Whole, shall be considered by sections.

Carried.

C. B. No. 7, read second time.

Referred to committee on Agriculture and Stock Growing.

Mr. Butler moved that one thousand (1,000) additional copies, in English, of the Governor's Message, be ordered printed.

Carried.

Mr. Hall moved that the rules be suspended, and the following resolution adopted.

Resolved, That the Superintendent of Public Instruction be requested to furnish this body with a copy of his report, as required by law.

Carried.

Mr. Sprague moved to adjourn.

Carried.

Adjourned.

SATURDAY, JANUARY 10TH, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Buckingham, Clark and McCammon.
Mr. McCammon appeared and took his seat.
Journal of Friday, 9th inst., read and approved.
Mr. Buckingham appeared and took his seat.
The following communication was received and read, to wit:

TERRITORY OF COLORADO,
OFFICE SUP'T PUBLIC INSTRUCTION,
Denver, January 10, 1874.

To the Honorable the President of the Council:

SIR: The resolution adopted by your honorable body, "That the Superintendent of Public Instruction be requested to furnish this body with a copy of his report as required by law," is before me.

I beg leave to state that a complete report of this department was submitted to the Governor of the Territory before the 20th day of December last, as required by law, (Eighth Session Laws, page 132, Sec. 3.)

Inasmuch as the report is quite voluminous, and a detailed transcript would involve great labor, and is not required by the statute, it was deemed to be unnecessary to make it. A summary thereof was therefore furnished the Governor and the original manuscript placed in the hands of the printer by the Honorable Secretary of the Territory, with the expectation that it would be ready for distribution among the members of your body on the first day of your session, and thus be avoided the hindrance to school legislation which was experienced by the last Legislature. In this we have been disappointed. The printed report, however, is nearly ready for distribution.

Regretting exceedingly this delay, yet feeling that I have complied with the law, and begging your indulgence yet a few days,

I am, very respectfully,
Your humble servant,
HORACE M. HALE,
Sup't Public Instruction.

Mr. Butler, Chairman of the Judiciary committee, reported back C. B. No. 2 and C. B. No. 3, with the recommendation that they be referred to the committee on Elections.

Mr. Butler moved that the rules be suspended, and that C. B. No. 2 and C. B. No. 3 be referred to the committee on Elections.

Carried.

Mr. McCammon introduced C. B. No. 19, a bill for "An act concerning mining property."

Mr. Sprague introduced C. B. No. 20, a bill for "An act changing the name of Green City, in Weld county, Colorado, to the name of Columbia."

Mr. Buckingham introduced C. B. No. 21, a bill for "An act to amend section one (1) of an act concerning schools, approved January 9th, 1872."

C. B. No. 9 read first time.

C. B. No. 10 read first time.

C. B. No. 11 read first time.

C. B. No. 12 read first time.

C. B. No. 13 read first time.

C. B. No. 14 read first time.

C. B. No. 15 read first time.

C. B. No. 16 read first time.

C. B. No. 17 read first time.

C. B. No. 18 read first time.

Mr. Buckingham moved that C. B. No. 6 be referred to the committee on Printing.

Carried.

Mr. Fitzpatrick moved that when the Council adjourn, it be until Monday, 12th inst., at 2 o'clock P. M.

Carried.

Mr. Butler offered the following resolution, to-wit:

Resolved, That when a bill has been read a second time it may, on motion be referred to the committee on Printing, and if so referred, it shall be the duty of the committee to cause two hundred (200) copies of the same to be printed as soon as practicble, and that the further consideration of any such bill shall not be in order until the same shall have been printed and copies of the same have been distributed among the members of the Council.

Mr. Taylor moved to adjourn.

Carried.

Adjourned.

MONDAY, JANUARY 12TH, 1874—2 P. M.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Journal of Saturday, 10th inst., read.
The following report was received from the committee on Agriculture and Stock Growing:

TERRITORY OF COLORADO, Denver, January 12, 1874.

Mr. President:

Your committee, to whom was referred C. B. No. 7, in regard to enclosures, beg leave to report the following substitute.

G. M. CHILCOTT.
DAN'L L. TAYLOR.
THOS. SPRAGUE.

Substitute for C. B. No. 7: "A bill for an act concerning fences and enclosures."

By unanimous consent S. C. B. No. 7 was read first time.

S. C. B. No. 7 read second time.

Mr. Fitzpatrick gave notice that on to-morrow or some subsequent day he would introduce a bill concerning change of venue in District Courts.

Also, that on to-morrow or some subsequent day he would introduce a bill concerning the collection of taxes.

Mr Bromwell gave notice that on to-morrow or some subsequent day he would introduce a draft of a joint memorial of the two Houses of this Legislature to the Congress of the United States, upon the subject of the admission of the Territory of Colorado as a State of the Federal Union.

Mr. Clark gave notice that on to-morrow or some subsequent day he would introduce a bill to amend the act of incorporation of the Town of Georgetown.

Mr. Hall introduced C. B. No. 22, a bill for "An act to amend section one hundred and thirteen (113) of chapter twenty-two (22) of the Revised Statutes of Colorado."

C. B. No. 19 read first time.
C. B. No. 20 read first time.
C. B. No. 21 read first time.
C. B. No. 9 read second time.
C. B. No. 10 read second time.
C. B. No. 11 read second time.

C. B. No. 12 read second time.
C. B. No. 13 read second time.
C. B. No. 14 read second time.
C. B. No. 15 read second time.
C. B. No. 16 read second time.
C. B. No. 17 read second time.
C. B. No. 18 read second time.
C. B. No. 8 referred to committee on Elections.
The following report was read:

Mr. President:

Your committee on Engrossment would report that they have examined C. B. No. 1, "An act prescribing the time of holding the District Courts in the Second Judicial District," and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

C. B. No. 1 read third time and passed by the following vote:
Ayes—Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.
Nays—None.
Mr. Clark moved the adoption of Mr. Butler's resolution on printing Council bills.
Mr. Chilcott offered the following substitute to the resolution:

Resolved, That two hundred printed copies of each bill or joint resolution introduced in the Council be procured after the first and before the second reading thereof, for the use of the Council and House of Representatives, except in cases otherwise ordered by the Council.

Substitute withdrawn.
Mr. Butler moved to amend the original resolution by substituting the word "first" for the word "second."
Carried.
Mr. Butler moved the adoption of the resolution as amended, viz:

Resolved, That when a bill has been read the first time it may, on motion, be referred to the committee on Printing, and if so referred it shall be the duty of the committee to cause 200 copies of the same to be printed as soon as practicable, and that

the further consideration of any such bill shall not be in order until the same shall have been printed and copies of the same have been distributed among the members of the Council.

The following communication was received, accompanied by the report of the Colorado Industrial Association:

TERRITORY OF COLORADO, SECRETARY'S OFFICE,
Denver, January 12, 1874.

Hon. M. W. Stewart, President of the Council:

SIR: I have the honor to transmit herewith the manuscript report of the Colorado Agricultural Society, which has been laid on my table by the Secretary of the Association.

Very respectfully

FRANK HALL,
Secretary of Colorado.

Moved by Mr. Fitzpatrick that C. B. No. 10 be referred to committee on Printing.

Carried.

Mr. Hall offered the following resolution, moved the suspension of the rules and its adoption:

Resolved, That the committee appointed by the Honorable Secretary of the Territory to examine and adjust the accounts of the Auditor and Treasurer be authorized to cancel the warrants in the Treasurer's office, and to adjust and make a full settlement of the books, and make a report of such settlement to the Legislative Assembly.

Carried.

Mr. Clark moved C. B. No. 5 be referred to committe on Printing.

Carried.

Mr. Buckingham reported C. Bs. Nos. 2 3 and 8 back to the Council, with the recommendation that they be referred to committee on Printing.

The following report was read:

To the Legislative Assembly, Colorado Territory:

Your committee under the House and Council resolutions to complete the examination and adjustment of the accounts of the Auditor and Treasurer, beg leave to report that they have

this day cancelled all of the warrants paid by the Treasurer during the fiscal years of 1872 and 1873, and have also caused a copy of this report, together with a copy of our report of January 25th, 1874, to be entered in the books of the Auditor and Treasurer.

Respectfully submitted,

JAIRUS W. HALL,
Member of Legislative Council,
WM. H. MEYER,
Member House of Representatives,
J. A. J. VALDEZ,
Member House of Representatives.
Committee.

Mr. Fitzpatrick moved that the report be received.
Carried.
Mr. Buckingham moved that C. Bs. Nos. 2, 3 and 8 be referred to committee on Printing.
Carried.
Mr. Chilcott moved that S. C. B. No. 7 and C. B. No. 14 be referred to committee on Printing.
Carried.
Mr. Clark, from committee on Printing, reported back the petition of M. R. Levison.
Mr. Bromwell moved that the petition be referred to committee on Expenditures.
Carried.
Mr. Butler moved to adjourn.
Carried.
Adjourned.

TUESDAY JANUARY 13TH, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
All the members present.
Journal of Monday 12th inst., read and approved.
The following message was received from the House.

HOUSE OF REPRESENTATIVES, January 13th, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body, that the House has passed H. B. No. 1. "A Bill for an Act in relation to an adopted child of Annie LeTestue of Costilla County.

The concurrence of the Council is respectfully requested.

The bill transmitted herewith.

Respectfully,

JOSEPH T. BOYD.

Chief Clerk.

Mr Bromwell presented the following petition of D. H. Moffat Jr. and others:

To the Honorable Legislative Assembly of Colorado Territory:

We the undersigned, citizens of Colorado Territory do respectfully petition, that you will pass an act with proper provisions, setting apart some portion of the school or other public funds for the purpose of providing for the instruction of the deaf and dumb of this Territory.

And your petitioners will ever pray etc.

Referred to the committee on Education.

Mr. Chilcott called up the report of the committee on Agriculture and Stock Growing on C. B. No. 7, and moved the adoption of the report.

Carried.

The following report was read:

COUNCIL CHAMBER, January 13th, 1874.

Mr. President:

Your committee on Printing would respectfully report, that they have awarded the contract for the printing of all bills and memorials and such other matter as may be required to be printed for the use of the Council, to William N. Byers, proprietor of the *Rocky Mountain News*, and ask that said award be confirmed by this honorable body.

WM. M. CLARK, Chairman,
R. G. BUCKINGHAM,
THOS. SPRAGUE.

The following report was read:

Mr. President:

Your committee to whom was referred the petition of Mr. M. R. Leverson, for reform of Legal proceedure, beg leave to report the same back and would recommend the same to be referred to the committee on Judiciary.

J. B. FITZPATRICK,
DANIEL L. TAYLOR,
THOS. SPRAGUE.

Mr. Chilcott moved the adoption of the report of the committee on Printing.

Carried.

Mr. Jaquez offered the following Preamble and Resolution:

Whereas, The office of Interpreter in a Legislative body is one of great responsibility and requires a person well versed in both languages, and

Whereas, In all former assemblies of the Territory of Colorado the appointment of Interpreter has been left in the hands of the Mexican members as being the best judges of the qualifications and merits of the applicant, Therefore be it

Resolved, that the Interpreter of this Council be discharged from office and that Señor C. Dominguez, be appointed in his place.

Mr. Jaquez introduced C. B. No. 23, a bill for an "Act concerning the Probate Court in Huerfano County."

Mr. Fitzpatrick introduced C. B. No. 24, a bill for "An act concerning the collection of taxes."

Also, C. B. No. 25, a bill for "An act Concerning cases pending in any District Court the venue of which has been changed thereto."

The following report was presented:

Mr. President:

Your committee on Printing report that they have examined Council Bill No. 3, and find the same correctly printed.

WM. M. CLARK,
Chairman.

C. B. No. 22 read first time.

C. B. No. 23 read first time.

C. B. No. 24 read first time.
C. B. No. 25 read first time.
C. B. No. 19 read second time.
C. B. No. 20 read second time.
C. B. No. 21 read second time.
Mr. Chilcott moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION, 2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.

By unanimous consent Mr. Butler gave notice that on to-morrow or some subsequent day, he would introduce a bill for an act to amend an act entitled "An act to provide for the assessment and collection of revenue," approved February 11th, 1870.

By unanimous consent Mr. Clark introduced C. B. No. 26, a bill for "An act to amend an act to incorporate the town of Georgetown."

By unanimous consent Mr. Head gave notice that on to-morrow or some subsequent day he would introduce a bill to amend An act entitled "An act to establish Assay Offices in Colorado Territory.

By unanimous consent Mr. Bromwell gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act to amend Chapter LIX of the Revised Statutes of Colorado Territory, entitled 'Marriages.'"

By unanimous consent Mr. Taylor gave notice that on to-morrow or some subsequent day he would introduce a bill for a Memorial petitioning Congress to grant the right of way over the public domain to the Las Animas Railway and Telegraph Company.

Mr. Chilcott moved that the Council resolve itself into Committee of the Whole on general file.

Carried.

Mr. Chilcott in the chair.

Committee of the Whole arose and made the following report:

Mr. President:

Your Committee of the Whole have had under consideration C. B. No. 19 which was referred back to the Council without action thereon.

Also, C. B. No. 20 which was reported back to the Council without action thereon.

Also, C. B. No. 21 which was reported back to the Council with the recommendation that it be ordered engrossed for third reading.

Also, C. B. No. 9 which was reported back to the Council with the recommendation that it be referred to the committee on Printing.

Also, C. B. No. 3 which was reported back to the Council with the recommendation that it be referred to the committee on Elections.

Also, S. C. B. No 7 which was referred back to the Council with the recommendation that it be referred to the Judiciary committee.

Also, C. B. No. 8 which was reported back to the Council with the recommendation that it be referred to the committee on Elections.

Also, C. B. No. 11 which was reported back to the Council with the recommendation that it be ordered engrossed and read the third time.

Also, C. B. No. 12 which was reported back to the Council with the recommendation that it be referred to the Judiciary committee.

Also, C. B. No. 13 which was reported back to the Council with the recommendation that it be referred to the Judiciary committee.

Also, C. B. No. 15 which was reported back to the Council with the recommendation that it be referred to the Judiciary committee.

Also, C. B. No. 16 which was reported back to the Council with the recommendation that it be referred to the Judiciary committee.

Also, C. B. No. 17 which was reported back to the Council with the recommendation that it be referred to the Judiciary committee.

Also, C. B. No. 18 which was reported back to the Council with the recommendation that it be referred to the committee on Incorporations and Railroads.

G. M. CHILCOTT,
Chairman.

The report was adopted.

Mr. Butler from the committee on Judiciary reported back to the Council C. Bs. Nos. 4 and 5 and recommended that they be referred to the cemmittee on Printing.

Recommendation adopted.

The following report was read:

Mr. President:

Your committee on Printing report that they have examined C. Bs. No. 7 and 8 and find the same correctly printed except the word "prescribed" in line 4 of section 2 of C. B. No. 7. which should be "provided."

WM. M. CLARK.
Chairman.

By unanimous consent, no previous notice having been given. Mr. Bromwell introduced C. B. No. 27 a bill for "An act to create the office of Inspector of Steam Boilers and Examiner of Steam Engines in the several counties of Colorado."

Mr. Bromwell introduced C. B. No. 28 a bill for "An act to amend chapters XLV and XVIII of the Revised Statutes of Colorado.

By unanimous consent C. B. No. 28 was read first time.

Mr. Fitzpatrick moved that C. B. No. 28 be referred to the committee on Printing.

Carried.

By unanimous consent Mr. Bromwell introduced C. B. No. 29 a bill for an act entitled "An act more effectually to protect the lives and persons of servants and other employes of Railroad and other companies.

Also, by unanimous consent C. B. No. 30 a bill for "An act to suppress the taking of illegal fees by certain officers therein named.

Mr. McCammon moved to adjourn.

Carried.

Adjourned.

WEDNESDAY, JANUARY 14TH, 1874—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called

Quorum present.

Journal of the 13th inst., read and approved.

The following report was read:

Mr. President:

Your committee on Printing would report that they have examined C. Bs. Nos. 6 and 14, and find the same printed correctly, except that the word "said" is omitted in line 4 of section 13 of C. B. No. 6.

WM. M. CLARK,
Chairman.

The preamble and resolution concerning the Council Interpreter, offered yesterday by Mr. Jaquez, were taken up.

Mr. Fitzpatrick moved that they be referred to a special committee of three, with instructions to report on Friday, 16th inst.

Carried.

Mr. Bromwell introduced C. B. No. 31, a bill for "An act to amend chapter LIX of the Revised Statutes of Colorado Territory, entitled 'Marriages.'"

Mr. Bromwell gave notice that on to-morrow or some subsequent day he would introduce a bill for An act to amend an act entitled "An act concerning judgments and liens," approved February 8th, 1872.

Mr. Butler introduced C. B. No 32, a bill for "An act to provide for the assessment and collection of revenue," approved February 11th, 1870.

Mr. Chilcott gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act to protect Fish and procure their increase.

Also, gave notice that on to-morrow or some subsequent day he would introduce a bill for the relief of Marmaduke Green.

By unanimous consent, previous notice not having been given, Mr. Hall introduced C. B. No. 33, a bill for "An act concerning the Probate Court of Park County."

By unanimous consent a petition from citizens of Park county, praying that an act entitled "An act to amend chapter 71 of the Revised Statutes," approved February 9th, 1870, be so amended as to extend the same to Park county, was received and read.

H. B. No. 1 read first time.

C. B. No. 26 read first time.

C. B. No. 27 read first time.

C. B. No. 29 read first time.

C. B. No. 30 read first time.

C. B. No. 31 read first time.

C. B. No. 32 read first time.
C. B. No. 33 read first time.
C. B. No 22 read second time.
C. B. No. 23 read second time.
C. B. No 24 read second time.
C. B. No. 25 read second time.
Mr. Fitzpatrick moved that C. B. No. 25 be referred to the committee on Printing.
Carried.
Also, that C. B. No. 24 be referred to committee on Printing.
Carried.
The following report was read:

Mr. President:

Your committee on Printing would report that they have examined C. B. No. 4, and find the same correctly printed.

WM. M. CLARK,
Chairman.

Mr. Taylor moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quoaum present.
Absent—Mr. Taylor.
Mr. Taylor appeared and took his seat.
The following report was read:

Mr. President:

Your committee on Engrossment would respectfully report that they have examined C. B. No. 21, and find the same correctly engrossed.
Also, C. B. No. 11, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

C. B. No. 11 read third time.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, Denver, Jan. 14, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 4, a bill for An act to amend chapter seven (7) of the Revised Statutes of Colorado Territory entitled "Attorneys-at-law."

The concurrence of the Council is respectfully requested.

The bill transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Jan. 14, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that H. J. M. No. 1, "To the Honorable the Senate and House of Representatives of the United States in Congress assembled," has passed the House.

The concurrence of the Council is respectfully requested.

The memorial herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

C. B. No. 21 read third time.

Mr. Buckingham moved that C. B. No. 11 be put upon its passage.

Carried.

C. B. No. 11 passed by the following vote:

Ayes—Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Noes—None.

Title agreed to.

C. B. No. 21 passed by the following vote:

Ayes—Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Noes—None.

Title agreed to.

A communication was read from the Manager and Treasurer of the Denver Theatre, inviting the members of the Council to attend the Theatre on Thursday evening, the 15th inst.

Mr. Butler moved that the Council resolve itself into Committee of the Whole.

Carried.

Mr. Butler in the chair.

Committee of the Whole arose and reported through its Chairman, Mr. Butler, that the committee had had C. B. No. 6 under consideration, had made some progress, and asked leave to sit again.

Mr. Clark moved that the report be received.

Carried.

Mr. Clark, by unanimous consent, gave notice that on to-morrow or some subsequent day he would introduce a bill to amend chapter 18 of the Revised Statutes of Colorado.

Also, by unanimous consent, that on to-morrow or some subsequent day he would introduce a bill to amend section 22 of chapter 38 of the Revised Statutes of Colorado, entitled "Judgments and Executions."

Mr. Bromwell, by unanimous consent, gave notice that on to-morrow or some subsequent day he would introduce a bill for an act to amend an act, entitled "An act to reduce the law incorporating the City of Denver, and the several acts amendatory thereof into one act, and to amend the same."

Mr. Sprague, by unanimous consent, gave notice that on to-morrow or some subsequent day he would introduce a bill for an act to repeal sections fifty-two (52), fifty-three (53), fifty-four (54) and fifty-five (55), of chapter eighteen (18) of the Revised Statutes of Colorado Territory.

Mr. Chilcott, by unanimous consent, introduced C. B. No. 34, a bill for "An act concerning revenue."

The following report was read:

Mr. President:

Your committee on Printing report that they have examined C. B. No. 10, and find the same to be correctly printed.

WM. M. CLARK,
Chairman.

Mr. Butler moved to adjourn.

Carried.

Adjourned.

THURSDAY, JANUARY 15TH, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Buckingham, and Taylor.
Journal of the 14th inst., read and approved.
Mr. Buckingham appeard and took his seat.
The President appointed Messrs. Fitzpatrick, Head, and Sprague, a special committee on the Preamble and Resolution concerning Council Interpreter.
Mr. Taylor appeared and took his seat.
Mr. Buckingham chairman of committee on Incorporations and Railroads reported back C. B. No. 18.
The following report was received and read:

Mr. President:

Your committee on Printing would respectfully report that they have examined C. B. No. 5, and find the same correctly printed. Also, that they have examined C. B. No. 2, and find the following errors: On line 5 section 6 the word "and" is printed in place of the word "same" in the original, in line 11 of section 6 the word "two" is written in place of the word "ten," in line 5 of section 10, the words "or his" are printed in place of the words "or her."

WM. M. CLARK.
Chairman.

Mr. Fitzpatrick gave notice that on to-morrow or some subsequent day he would introduce "a bill concerning the Probate Court of Jefferson county."
Mr. Chilcott introduced C. B. No 35, a bill for "An act to legalize and confirm certain deeds executed by Probate Judges of Pueblo county."
Also, introduced C. B. No. 36, a bill for "An act to protect Fish and procure their increase."
Also, C. B. No. 37, a bill for "An act for the relief of Marmaduke Green."
Mr. Taylor introduced C. J. M. No. 1, "To the Honorable the Senate and the House of Representatives of the United State, in Congress assembled."
Mr. Clark introduced C. B. No. 38, a bill for "An act to amend chapter 18 of the Revised Statutes of Colorado Territory."

Mr. Butler, by unanimous consent presented a Memorial from the Mayor and Aldermen of the City of Central for certain amendments to the charter of said city.

Also, a Memorial from the City Council of said Central City and petition of citizens for "An act to authorize the funding of the debt of said City of Central."

H. B. No. 4 read first time.

H. J. M. No. 1 read first time.

C. B. No. 34 read first time.

C. B. No. 35 read first time.

C. B. No. 36 read first time.

C. B. No. 37 read first time.

C. B. No. 38 read first time.

Mr. Chilcott moved to refer C. Bs. Nos. 34 and 36 to committee on Printing.

Carried.

H. B. No. 1 read second time.

C. B. No. 26 read second time.

C. B. No. 27 read second time.

C. B. No. 29 read second time.

C. B. No. 30 read second time.

C. B. No. 31 read second time.

C. B. No. 32 read second time.

C. B. No. 33 read second time.

Mr. Clark moved that the Council resolve itself into Committee of the Whole.

Carried.

Mr. Butler in the chair.

Committee of the Whole arose and through its chairman, Mr. Butler, asked leave to defer its report until this afternoon.

Agreed to.

Mr. Fitzpatrick moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Buckingham, Fitzpatrick, Hall, Head and Taylor.

Mr. Fitzpatrick appeared and took his seat.

Mr. Taylor appeared and took his seat.

Mr. Bromwell moved that the Council now resolve itself into committee of the Whole.

Carried.

Mr. Bromwell in the chair.

Mr. Hall appeared and took his seat.

Mr. Head appeared and took his seat.

Mr. Buckingham appeared and took his seat.

Committee of the Whole arose.

The following report was read:

Mr. President:

The committee of the Whole have had under consideration C. B. No. 6, and report the same back to the Council, with the recommendation that section 2 be amended by striking out the words "at and places," on line first of the printed copy, and insert in lieu thereof the words "on the Monday next preceding," and that the words "or her" be inserted after the word "his" wherever the word occurs.

Also, that section 4 be amended by adding to the end of said section the words "but no ballot shall be thrown out for not showing the time the several persons voted for shall serve."

Also, that section 9 be amended by adding to the end of said section the following: "Such bond shall in no case be for a less amount than forty thousand dollars, and the sureties shall be owners of unincumbered real estate equal in aggregate value to double the amount or penalty thereof.

Also, that section 10 be amended by inserting after the word "nor," in line 13, the following: "by virtue thereof;" also, that section 13 be amended by striking out the word "Council," in line 2, and inserting after the word "Denver" the words "for use of schools:" also, by striking out the word "the" before "city" on third line and inserting the word "said" in lieu thereof; also, by striking out on line four (4) the word "and" and inserting the word "said."

Also, that the bill be amended by inserting the following section, and that the same be numbered 15:

Sec. 15. All taxes required by law to be levied on the taxable property of any district, hitherto existing within the limits of the district hereby created, for the payment of interest on or redemption of any bonds heretofore issued by such former district, under any law of this Territory heretofore or now in force, shall continue to be levied upon the taxable property of the same territory covered by the former district which issued such bonds and upon none other; and said Board of Education

shall by proper order regulate the manner in which the assessment of such tax shall be made, so as to levy the same on the real estate included within the bounds of such former district and the personal property of the residents within said bounds.

Also, that the remaining sections of said bill be numbered 16, 17, 18 and 19 respectively; that section 18 be amended by inserting after the word "Mayor," on line 3, the words "or other chief officer, by authority of the city or town council or board of trustees," and that the words "or other chief officer" be inserted after the word "Mayor" on line 4, and that the last four words of section 18 be stricken out, and that the bill as amended be ordered engrossed for third reading.

Respectfully submitted,

HUGH BUTLER,
Chairman.

The following report was also read.

Mr. President:

I am instructed by the committee of the Whole to report that they have had under consideration several bills of the following numbers, and report upon them as follows:

C. B. No. 10 they report back, with recommendation that it be referred to committee on Irrigation.

C. B. No. 14 they report back, with recommendation that it be amended by striking out section 4 and changing the numbers of succeeding sections to conform thereto, and that it be engrossed for third reading.

C. B. No. 8 they report back, with recommendation that it be referred to Judiciary committee.

C. B. No. 19 they report back, with recommendation that it be referred to committee on Mines and Minerals.

C. B. No. 20 they report back, with recommendation that it be engrossed for third reading.

C. B. No. 22 they report back, with recommendation that it be engrossed for third reading.

C. B. No. 23 they report back, and recommend that it be referred to Judiciary committee.

H. B. No. 1 they report back, and recommend that it be referred to Judiciary committee.

C. B. No. 26 they report back, and recommend that it be amended by striking out in the 12th line of section 9 the words "if the" and inserting in lieu thereof the words "that a," so as to read "provided, *that a* majority, &c.," and that the bill as amended be engrossed for third reading.

C. B. No. 27 they report back, and recommend that it be referred to committee on Education and labor.

C. B. No. 29 they report back, and recommend that it be referred to Judiciary committee.

C. B. No. 30 they report back, and recommend that it be referred to a special committee of three on Fees and Salaries.

C. B. No. 31 they report back, and recommend that it be referred to Judiciary committee.

C. B. No. 33 they report back, and recommend that it be referred to Judiciary committee.

Respectfully submitted,

H. P. H. BROMWELL,
Chairman.

The reports of the committee of the Whole as above were adopted.

By unanimous consent, Mr. Buckingham gave notice that on to-morrow or some subsequent day he would introduce a bill for an act to amend an act concerning school bonds, approved January 29th, 1872.

Mr. Butler moved to adjourn until 2 o'clock p. m. 16th.

Carried.

Adjourned.

FRIDAY, JANUARY 16TH, 1874—2 P. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Messrs. Buckingham, Hall and Head.

Journal of the 15th inst. read and approved.

Mr. Hall appeared and took his seat.

Mr. Head appeared and took his seat.

Mr. Buckingham appeared and took his seat.

The following report was received and read:

Mr. President:

I am instructed by the Judiciary committee to report back to the Council the petition of M. R. Leverson, with the recommendation that it lie on the table.

GEO. M. CHILCOTT.

Mr. Fitzpatrick, Chairman of Special committee on Council Interpreter, asked leave to defer report until to-morrow.

Agreed to.

Mr. President appointed as the Special committee on Fees and Salaries Messrs. Buckingham, Clark and Chilcott.

Mr. Bromwell introduced C. B. No. 39, a bill for "An act to amend an act entitled 'an act concerning judgments and liens,' approved February 8th, 1872."

Also, C. B. No. 40, a bill for "An act to amend an act entitled 'an act to reduce the law incorporating the City of Denver,' and the several acts amendatory thereof, into one act, and to amend the same."

Mr. Fitzpatrick introduced C. B. No. 41, a bill for "An act concerning the Probate Court of Jefferson county."

Mr. Buckingham introduced C. B. No. 42, a bill for "An act to amend an act concerning school bonds, approved January 29th, 1872."

Mr. Fitzpatrick gave notice that on to-morrow or some subsequent day he would introduce a bill for an act to change the name of "Lucy Jane Underwood" to "Lucy Jane Summers."

The following message was received from the House:

House of Representatives, Denver, Jan. 16, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the accompanying resolutions passed the House:

The concurrence of the Council is respectfully requested.

Also, that H. J. M. No. 4 passed the House.

Also, that S. H. B. No 5 passed the House.

The concurrence of the Council is respectfully requested.

H. J. M. No. 4 and S. H. B. No. 5 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

The following House resolutions were read:

Resolved, By the House of Representatives of the Territory of Colorado, the Council concurring, that no bill for the appropriation of money in aid of any wagon road, bridge or bridge company, or any other purpose of a similar character, be considered or ordered printed.

Resolved, By the House of Representatives, the Council concurring, that the Governor of the Territory is hereby authorized to appoint a Territorial Centennial Board of Managers, not to exceed five in number, whose duty it shall be to organize our Territory and secure its thorough representation in the United States Centennial Exhibition.

H. J, M. No. 4 read first time.
S. H. B. No. 5 read first time.
C. B. No. 39 read first time.
C. B. No. 40 read first time.
C. B. No. 41 read first time.
C. B. No. 42 read first time.
The following report was read:

Mr. President:

Your committee on Printing report that they have examined C. B. No. 24, and find the same correctly printed.

Also, have examined C. B. No. 25, and find it correctly printed.

Also have examined C. B. No. 28, and find it correctly printed.

Also, have examined C. B. No. 9, and find the following errors: In line two (2) of section three (3) the word "Judge" is printed in place of the word "jury," also, that in line four (4) of said section three (3) after the word "on" the following is omitted, to wit: "the sum representing the value of."

WM. M. CLARK.
Chairman.

H. J. M. No. 1 read second time.
H. B. No. 4 read second time.
C. J. M. No. 1 read second time.
C. B. No. 35 read second time.
C. B. No. 37 read second time.
C. B. No. 38 read second time.
The following report was read:

Mr. President:

Your committee on Engrossed Bills would report that they have examined C. Bs. Nos. 22, 20 and 26, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

C. B. No. 20 read third time, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 22 read third time, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 26 read third time, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Excused from voting—Mr. Butler.

Title agreed to.

Mr. Butler moved that the committee on Printing be instructed to obtain the best possible terms for printing the Auditor's report, and have the same printed as speedily as possible.

Carried.

Mr. Clark offered the following resolution, and moved its adoption under a suspension of the rules.

Resolved—the House of Representatives concurring herein —that one thousand copies each of the reports of the different Territorial officers be printed for the use of this Legislature, and that the committees on Printing of the two Houses be authorized to have the same done without delay.

Carried.

Mr. Chilcott moved to adjourn.

Carried.

Adjourned.

SATURDAY, JANUARY 17TH, 10—A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.
Quorum present.
Absent—Messrs. Buckingham and Butler.
Journal of 16th inst., read and approved.
The following report was read:

Mr. President:

Your committee on Printing report that they have examined C. B. No. 34 and find the same correctly printed.

WM. M. CLARK,
Chairman.

Mr. Buckingham appeared and took his seat.

By unanimous consent, Mr. President presented a petition from citizens of Bent county, praying for the forming of a new county from the East portion of Bent county, to be called "Valley County."

Referred to committee on Counties.

Mr. Buckingham chairman of the committee on Elections, returned C. B. No. 2, with the recommendation that it be referred to the Committee of the Whole.

The report of the Judiciary committee on the petition of M. R. Leverson was taken up and on motion of Mr. Chilcott, adopted.

Mr. Buckingham, chairman of special committee on Fees and Salaries, reported back C. B. No. 30, with the recommendation that it be engrossed for third reading.

Also, C. Bs. Nos. 3 and 8, with the recommendation that they be placed on general file.

Mr. Butler appeared and took his seat.

Mr. Fitzpatrick, chairman of committee on Council Interpreter, asked further time to report.

Agreed to.

The House resolution, that "No bill for the appropriation of money in aid of any Wagon Road etc., etc., be considered or ordered printed," was taken up.

Moved by Mr. Chilcott that the Council concur therein.

Adopted by the following vote:

Ayes—Messrs. Bromwell, Buckingham Butler, Chilcott, Jaquez, Sprague and Mr. President—7.

Noes—Messrs. Clark, Fitzpatrick, Hall, McCammon and Taylor—5.

Absent—Mr. Head—1.

The House resolution that the Governor be authorized to appoint a Territorial Centennial Board of Managers, etc," was taken up.

Mr. Butler moved that consideration of the resolution be postponed 'till Monday 19th inst.

Carried.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 14, and find the same correctly engrossed.

DAN'L. L. TAYLOR,
Chairman.

Mr. Butler, chairman Judiciary committee, by unanimous consent made the following report:

C. B. No. 12 the committee report back to the Council, with the recommendation that it be passed.

C. B. No. 15 they report back, and recommend that it be referred to committee on Printing.

H. B. No. 1 they report back, with the recommendation that section 3 be stricken out and the following inserted in lieu thereof:

Sec. 3. This act shall take effect from and after the first day of May, A. D. 1874: *Provided*, That the said Aimée Le Testue shall, on or before the said first day of May, make and cause to be filed in the Probate Court of Costilla county, a written statement or declaration under her hand and seal showing her assent to and acceptance of the provisions and conditions of this act, and recommend that the bill as amended do pass.

Mr. Taylor introduced C. B. No. 43, a bill for an act entitled "An act to amend an act to provide for the assessment and collection of revenue, approved February 11th, 1870."

Mr. Sprague introduced C. B. No. 44, a bill for "An act to repeal sections fifty-two (52), fifty-three (53), fifty-four (54) and and fifty-five (55) of chapter eighteen (18) of the Revised Statutes of Colorado Territory."

Mr. Fitzpatrick introduced C. B. No. 45, a bill for "An act to change the name of Lucy Jane Underwood to Lucy Jane Summers."

C. B. No. 43 read first time.

C. B. No. 44 read first time.

C. B. No. 45 read first time.

Mr. Chilcott moved a suspension of the rules and the adoption of the report of the Judiciary committee.

Carried.

Mr. Bromwell moved that C. B. No. 43 be referred to Printing committee.

Carried.

H. J. M. No. 4 read second time.

S. H. B. No. 5 read second time.

C. B. No. 28 read second time.

C. B. No. 34 read second time.

C. B. No. 39 read second time.

C. B. No. 40 read second time.

C. B. No. 41 read second time.

C. B. No. 42 read second time.

Mr. Fitzpatrick moved that the rules be suspended, and that C. B. No. 41 be considered engrossed and passed to third reading.

Carried.

C. B. No. 41 read third time.

By unanimous consent the Secretary was instructed to insert the word "county" after the word "Jefferson" in line 2 of section 1 of C. B. No. 41.

The word "county" was so inserted.

C. B. No. 41 passed by the following vote:

Ayes—Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Noes—None.

Title agreed to.

By unanimous consent H. J. M. No. 1 was read the third time, and passed by the following vote:

Ayes—Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Mr. Butler moved that the Council amendment to H. B. No. 1 be engrossed and passed to a third reading.

Carried.

Under a suspension of the rules, H. B. No. 4 was read the third time, and, on motion of Mr. Butler, referred to Judiciary committee.

C. B. No. No. 14 referred to Judiciary committee.

Mr. Butler moved that the Council go into executive session for the purpose of receiving communication from His Excellency, the Governor.

Carried.

Executive session dissolved until 2 o'clock p. m. Monday the 19th inst.

Mr. Taylor moved to adjourn till 2 o'clock p. m. Monday 19th inst.

Carried.
Adjourned.

MONDAY, JANUARY 19TH, 1874—2 P. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Executive session being the special order, the Council went into executive session.
Executive session dissolved until 7:30 o'clock p. m. Wednesday, 21st inst.
Roll called.
Quorum present.
Journal of 17th inst. was partially read, and, on motion of Mr. Butler, the further reading was dispensed with.
The following report was read:

Mr. President:

Your committee on Printing report that they have examined C. B. No. 36, and find the same correctly printed.

WM. M. CLARK,
Chairman.

Also, the following:

Mr. President:

Your committee on engrossed bills would respectfully report that they have examined the amendment to H. B. No. 1, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Buckingham moved that the report of special committee on Fees and Salaries on C. B. No. 30 be adopted.
Carried.
The following message from the House was read:

HOUSE OF REPRESENTATIVES, January 19th, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that H.

J. M. No. 5 has passed the House, entitled "To the Honorable the Senate and House of Representatives in Congress assembled."

The concurrence of the Council is respectfully requested.

H. J. M. No 5 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

The following communication was also read:

COUNCIL CHAMBER, January 19th, 1874.

To the Honorable the President of the Council:

SIR: I hereby resign the position of Interpreter for your honorable body.

Yours respectfully,
SILAS HAWES.

The following report of the special committee on Council Interpreter was read:

COUNCIL CHAMBER, Denver, Jan. 19th, 1874.

To the Honorable the President of the Council:

SIR: The undersigned special committee, to whom was referred the Council resolution in regard to the removal of the present Interpreter, and for the appointment of C. Dominguez in his place, would respectfully report that they have had the same under consideration, and they report that Mr. Hawes, the present Interpreter, has placed in their hands his resignation, to be presented to the Council for acceptance.

There being no necessity for any inquiry under the resolution by reason of the resignation referred to, your committee recommend that the Council proceed to the election of an Interpreter. and they further recommend that instead of appointing the person named in the resolution some competent person be elected by ballot in the usual manner.

J. B. FITZPATRICK,
Chairman.

Mr. Clark offered the following resolution, and moved its adoption:

Resolved, That the committee on Engrossed Bills be authorized to employ Mr. Geo. W. Barrett as Assistant Engrossing Clerk.

Carried.

Mr. Clark moved that the rules be suspended, the resignation of Mr. Hawes be accepted, and the report of the special committee on Council Interpreter be adopted.

Carried.

Mr. Chilcott moved to proceed to the election by ballot of an Interpreter.

Carried.

Messrs. Taylor and Chilcott were appointed tellers.

Mr. Chilcott in the chair.

Mr. President was excused from voting.

Mr. President in the chair.

Mr. Jaquez nominated C. Dominguez.

Mr. Hall nominated John Lawrence.

Result of first ballot: C. Dominguez received 6 votes: Jno. Lawrence received 6 votes.

No choice.

Mr. Taylor moved to postpone further ballot until to-morrow morning, 20th inst., at 10 o'clock.

Carried.

House resolution authorizing His Excellency, the Governor, to appoint a "Centennial Board of Managers" was read.

Mr. Butler moved that the further consideration be postponed until to-morrow morning.

Carried.

Mr. Clark gave notice that on to-morrow or some subsequent day he would introduce a bill for the relief of the finances of Clear Creek county.

Mr. Taylor gave notice that on to-morrow or some subsequent day he would introduce a bill for an act to authorize County Commissioners to fill vacancies in office.

By unanimous consent, previous notice not having been given, Mr. Butler introduced C. B. No. 46, a bill for "An act to authorize the funding the debt of the City of Central."

Also, by unanimous consent, previous notice not having been given, introduced C. B. No. 47, a bill for "An act to amend an act entitled 'An act to incorporate the City of Central, approved March 11th, 1864.'"

By unanimous consent, previous notice not having been given, Mr. Hall introduced C. B. No. 48, a bill for "An act concerning the town of South Park City, and to change the name thereof to Fairplay."

Mr. Bromwell introduced C. J. M. No. 2, "To the Senate

and House of Representatives of the United States in Congress assembled."

Mr. Head introduced C. B. No. 49, a bill for "An act to amend an act entitled 'An act to establish assay offices in Colorado Territory.'"

H. J. M. No. 5 read first time.

C. J. M. No. 2 read first time.

C. B. No. 46 read first time.

C. B. No. 47 read first time.

C. B. No. 48 read first time.

C. B. No. 49 read first time.

Mr. Butler moved that C. Bs. Nos. 46 and 47 be referred to committee on Printing.

Carried.

The following report was read:

Mr. President:

Your committee on Printing would respectfully report back C. B. No. 15 from the hands of the printer.

WM. M. CLARK,
Chairman.

C. B. No. 36 read second time.

C. B. No. 44 read second time.

C. B. No. 45 read second time.

H. B. No. 1 read third time, and passed by the following vote:

Ayes—Messrs. Buckingham, Butler, Clark, Fitzpatrick, Hall. Head, Jaquez, McCammon, Sprague, Taylor and Mr. President 11.

Absent—Messrs. Bromwell and Chilcott—2.

Title agreed to.

Mr. Clark moved a suspension of the rules, and that H. J. M. No. 5 be taken up for immediate consideration.

Carried.

Mr. Butler moved that H. J. M. No. 5 be read second time placed on general file.

Carried.

H. J. M. No. 5 read second time.

Mr. Butler moved that the Council resolve itself into committee of the Whole.

Carried.

Mr. Butler in the chair.

Committee of the Whole arose and made the following report:

Mr. President:

The Committee of the Whole have had under consideration H. J. M. No. 5, and they report it back to the Council, with the recommendation that it be referred to the committee on Agriculture and Stock Growing.

Also, H. J. M. No. 4, and report the same back to the Council, with the recommendation that it be considered engrossed and passed to a third reading.

Also, S. H. B. No. 5, and report the same back to the Council, with the recommendation that it be placed on general file for a third reading.

Also, C. J. M. No. 1, and report the same back, with the recommendation that it be referred to the committee on Incorporations and railroads.

Also, C. B. No. 12, and report the same back, with the recommendation that it be engrossed and passed to a third reading.

Also, C. B. No. 24, and report the same back, with the recommendation that it be considered engrossed and passed to a third reading.

Also, C. B. No. 25 they report back, with the recommendation that it be referred to the committee on Judiciary.

HUGH BUTLER,
Chairman.

Mr. Chilcott moved the adoption of the report.
Carried.
Mr. Hall moved to adjourn.
Carried.
Adjourned.

TUESDAY JANUARY 20TH, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Special order election of Council Interpreter.
Messrs. Bromwell and Sprague were appointed as tellers.
Result of first ballot, C. Dominguez received 5 votes.
J. Lawrence received 8 votes.
J. Lawrence was declared elected Interpreter.

Oath administered to J. Lawrence as Interpreter.

Journal of 19th inst., read and approved.

A petition from the citizens of Huerfano county, praying against the passage of a bill for "An Act increasing the salary of County Assessor, etc., etc.," was presented by Mr. Head, and was read.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 6, and find it correctly engrossed.

DANIEL L. TAYLOR,
Chairman.

Mr. Buckingham, chairman committee on Incorporations and Railroads, reports back C. J. M. No. 1, with recommendation that it be considered engrossed and put upon third reading.

Mr. Bromwell, from Judiciary Committee, reports back C. B. No. 31, accompanied by substitute therefor, and recommend that it be placed on general file.

House resolution for appointment of Territorial Centennial Board of Managers, was taken up.

Mr. Butler offered the following substitute:

Resolved—By the House of Representatives the Council concurring—That the Governor of the Territory is hereby authorized to appoint, by and with the consent of the Legislative Council, a Territorial Centennial Board of Managers, not to exceed seven in number, whose duty it shall be to make such arrangements as will secure to our Territory a thorough representation of our varied and important industrial and productive interests at the United States Centennial Exhibition.

C. J. M. No. 2 read second time.

C. B. No. 48 read second time.

C. B. No. 49 read second time.

H. J. M. No. 4 read third time and passed by following vote:

Ayes—Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

S. H. B. No. 5 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon and Sprague —11.

Excused—Mr. Taylor and Mr. President—2.

Title agreed to.

C. B. No. 24 read third time, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

The following communication was read:

OFFICE COLORADO STOCK GROWERS' ASSOCIATION,
Denver, January 19, 1874.

To the Honorable the President of the Council:

DEAR SIR: I take pleasure in extending an invitation to the members of the Council to attend the meeting of the Stock Growers' Association, at the Exchange Rooms, American House, commencing at 10 o'clock a. m. to-morrow, Jan. 20th.

I am, very respectfully,

J. L. BAILEY,
President.

Mr. President appointed Messrs. Head and McCammon a committee on Enrollment.

The following report was read:

Mr. President:

Your committee to whom was referred H. J. M. No. 5, beg leave to submit the following report:

Add after the word "thousand," in line 45, the following: "Under these circumstances, the Legislature at its present session finds itself laboring strenuously to effect in part a reform in the state of the laws at present in force, but, owing to the shortness of time allowed by law for the setting of these bodies, we find that it will be impossible to deal with many subjects which are of vital importance to our people and demand prompt attention.

Your memorialists are satisfied that under the existing law it will be impossible for our people to secure needed legislation,

and unless our session be extended by act of your bodies, many important interests must continue to suffer."

Also, after the word "days," in line 53, insert "including the present session."

G. M. CHILCOTT,
Chairman.

Mr. Clark moved that the report be adopted.

Carried.

Mr. Chilcott moved that the amendment to H. J. M. No. 5 be engrossed for third reading.

Carried.

Oath administered to Geo. W. Barrett as Assistant Engrossing Clerk.

The following report was read:

Mr. President:

Your Committee on Engrossed Bills would respectfully report that they have examined C. B. No. 30, and find it correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Buckingham moved a suspension of the rules and the adoption of the following:

Add to section 2 of C. B. No. 30 the following: "*Provided, however*, That nothing in this act contained shall debar the said officers of the right to demand and receive their legitimate fees in advance."

Carried.

Mr. Chilcott moved that the rules be suspended, and that H. J. M. No. 5 be read a third time and put upon its passage.

Carried.

Mr. Taylor reported amendment to H. J. M. No. 5 had been examined, and the same is correctly engrossed.

H. J. M. No. 5 as amended read third time.

Mr. Bromwell, under suspension of the rules, moved that H. J. M. No. 5 be referred to committee on Agriculture and Stock Growing.

Carried.

Mr. Buckingham moved that amendment to C. B. No. 30 be engrossed, and the bill as amended be put upon its passage.

Carried.

Mr. Chilcott moved to adjourn till 3 o'clock p. m.

Carried.

Adjourned.

AFTERNOON SESSION—3 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Butler and Taylor.
Mr. Taylor appeared and took his seat.
Mr. Butler appeared and took his seat.
The following report was read:

Mr. President:

Your committee on Printing report that they have examined C. B. No. 46, and find the same correctly printed, except that in line 3 of section 2 the word "so" should be inserted after the word "be," and that the words "payment of the" should be inserted after the word "annual" in line 2 of section 6.

Also, that C. B. No. 47 is correctly printed.

WM. M. CLARK,
Chairman.

Mr. Fitzpatrick excused from attendance.

Mr. Butler moved that the rules be suspended, and that C. Bs. Nos. 46 and 47 be read the second time.

Carried.

C. B. No. 46 read second time.

C. B. No. 47 read second time.

On Motion of Mr. Butler, the Council resolved itself into committee of the Whole.

Mr. Buckingham in the chair.

Committee of the Whole arose and reported as follows:

To the Honorable Council of the Territory of Colorado:

Your Committee of the Whole beg leave to present the following report:

That C. J. M. No. 2 be reported back to the Council and referred to the committee on Printing, and then referred to the committee on Federal Relations.

Also, that C. J. M. No. 2 was, on motion, read section by section. Section 2, line 8, was amended by striking out the word "as."

Section 3 was, on motion, adopted, subject to future amendment.

Section 4 was adopted and inserted after section 3, and the following sections increased in their numbers:

Section 8 was adopted subject to amendment.
Section 9 was adopted subject to amendment.

R. G. BUCKINGHAM,
Chairman.

Mr. Butler moved to adjourn.
Carried.
Adjourned.

WEDNESDAY, JANUARY 21ST, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Mr. Buckingham.
Journal of the 20th inst., read, corrected and approved.
Mr. Buckingham appeared and took his seat.
Mr. McCammon presented petitions from citizens and members of the bar in Gilpin county, praying that the jurisdiction of the Probate Court of Gilpin county, be increased to two thousand dollars.
Petitions referred to Judiciary committee.
Report of committee on Incorporations and Railroads on C. J. M. No. 1 was adopted.
Report of Judiciary committee on C. B. No. 31, was adopted and S. C. B. No. 31, placed on general file.
Mr. Butler's substitute for H. C. R. on Territorial Centennial Board of Managers taken up.
Mr. Bromwell moved to amend by changing the name of the Board to "Territorial Board of Centennial Exhibition Managers."
Amendment accepted and agreed to.
Mr. Butler's Substitute as amended was adopted.
The following communication was read:

COUNCIL CHAMBER, January 21st, 1874.

To the Honorable the President of the Council:

SIR:—I am instructed to inform your honorable body that S. H. B. No. 21, entitled "An act to repeal section 16 chapter 55 of Revised Statutes of Colorado Territory" has passed the

House. Also, H. J. M. No. 3, entitled "A Memorial to Congress to increase the number of Judges in Colorado Territory" has passed the House.

The concurrence of the Council is respectfully requested.

Two bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD.

Chief Clerk.

By unanimous consent Mr. Chilcott presented a petition from citizens of El Paso county praying against, the admission of Colorado as a State into the Federal Union.

Referred to Committee on Federal Relations.

Mr. Clark gave notice that on to-morrow or some subsequent day, he would introduce a bill amending section 74, chapter 22 of the Criminal Code.

Mr. Taylor introduced C. B. No. 50 a bill for "An act to authorize County Commissioners to fill vacancies in office."

H. J. M. No. 3 read first time.

S. H. B. No. 21 read first time.

S. C. B. No. 31 read first time.

C. B. No. 50 read first time.

By unanimous consent Mr. Clark introduced C. B. No. 51, a bill for "An act to amend section 74 of chapter 22 of the Criminal Code."

C. B. No. 51 read first time.

C. J. M. No. 1 read third time and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Noes—None.

Title agreed to.

C. B. No. 6 read third time.

Mr. Butler moved that C. B. No. 6, be recommitted to Committee of the Whole.

Carried.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 12 and also an amendment to C. B. No. 30, and find the same correctly engrossed.

DAN'L L. TAYLOR,

Chairman.

Mr. Sprague moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Mr. Buckingham.
Mr. Buckingham appeared and took his seat.
Mr. Bromwell moved a suspension of the rules and adoption of the following resolution:

Resolved, That the committee on Mines and Minerals be and it is hereby instructed to inquire into and report to this house what legislation if any, is necessary and expedient to harmonize the laws of this Territory with the mining laws of the United States, and more effectually promote the development of our mineral resources.
The committee to report by bill or otherwise.
Carried.
Mr. Chilcott moved to go into Committee of the Whole.
Carried.
Mr. Buckingham in the chair.
Mr. President in the chair.
The following message from the House was read:

HOUSE OF REPRESENTATIVES, January 21th, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has concurred in Council amendment to H. B. No. 1.
Also, that the House has amended Council Concurrent Resolution in relation to printing reports of Territorial Officers, as per accompanying amendment.
The concurrence of the Council is respectfully requested.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, DENVER, Jan. 21, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body, that the House has passed H. B. No. 9, entitled "An act to amend section 40 of chapter 71 of the Revised Statutes, concerning "'Probate Courts.'" Also, have passed H. B. No. 23, entitled "An act in relation to the adoption of Mary Ann Buck and Louisa Buck. Also, have passed H. B. No. 31, entitled "An act to change the name of James Boice Wilson to James S. Wilson."

The concurrence of the Council is respectfully requested.

H. Bs. Nos. 9, 23, and 31, are herewith transmitted.

Respectfully,
JOSEPH T. BOYD.
Chief Clerk.

Mr. Buckingham in the chair.

Committee of the Whole arose and made the following report:

Mr. President:

The Committee of the Whole beg leave to make the following report:

That by general consent, C. B. No. 34, was, on motion, considered engrossed and put upon its third reading.

Section 1. of said bill was amended by striking out the word "twelve" and inserting the word "eighteen" and adopted as amended.

Section 2. was amended by inserting the word "June" in place of the word "September" in 3rd line and by substituting "August" for "November" in 6th line. Also, by substituting the word "June" for the word "July" in section 3rd.

Bill adopted as amended, and on motion referred to the Council with a request that it be engrossed and put upon its passage.

Committee then took into consideration C. B. No. 2.

Section 10, was adopted.

A new section adopted as section 11, and succeeding sections numbered to conform thereto.

Section 12, adopted.

Section 13, amended by striking out the words "and imprisoned not less than five nor more than thirty days" from lines 8 and 9, and adopted as amended.

Section 14, amended by striking out the words "and imprisoned not less than five days nor more than thirty days" in lines 16 and 17, and adopted as amended.

Section 15, amended by substituting the word "or" for the word "and" in line 12, also by inserting the following after the words "thirty days" in line 13:

"Or by both such fine and imprisonment as the jury may determine, the jury to fix the amount of such fine and the duration of such imprisonment."

Adopted as amended.

Respectfully submitted,
R. G. BUCKINGHAM,
Chairman.

Mr. Hall moved the adoption of the report.

Carried.

Mr. Butler moved that the Council adjourn until 8 o'clock this evening and then go into Executive Session.

Carried.

Adjourned.

EVENING SESSION—8 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Special order Executive session.
Council went into Executive session.
Executive session dissolved.
Mr. Butler moved to adjourn.
Carried.
Adjourned.

THURSDAY, JANUARY 22ND, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Butler and Head.

Mr. Butler excused from attendance.

Journal of 21st inst. read and approved.

Mr. Head appeared and took his seat.

Mr. Head presented a petition from citizens of Southwest Colorado, praying for the formation of two new counties.

Referred to committee on Counties.

Mr. Jaquez presented a petition from citizens of Huerfano county, praying against the passage of a bill increasing the salary of County Assessor, etc., etc., which was read and placed on file.

Mr. Head introduced C. B. No. 52, a bill for "An act to create and establish the counties of Rio Grande and San Juan."

The following communication was read:

Mr. President:

Your committee on Agriculture and Stock Growing, to whom was referred H. J. M. No. 5, beg leave to present the accompanying substitute, with the recommendation that it be considered read the first and second time and placed on general file.

GEO. M. CHILCOTT,
Chairman.

Mr. Chilcott moved the rules be suspended and the report be adopted.

Carried.

H. B. No. 9 read first time.

H. B. No. 23 read first time.

H. B. No. 31 read first time.

H. J. M. No. 3 read second time.

S. H. B. No. 21 read second time.

S. C. B. No. 31 read second time.

C. B. No. 50 read second time.

C. B. No. 51 read second time.

C. B. No. 12 read third time and passed by the following vote:

Ayes—Messrs. Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Bromwell and Butler—2.

Title agreed to.

C. B. No. 30 read third time and passed by the following vote:

Ayes—Messrs. Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Bromwell and Butler.
Title agreed to.
The following report was read:

Mr. President:

Your committee on Printing respectfully report C. J. M. No. 2 from the hands of the printer.

WM. M. CLARK,
Chairman.

Mr. Bromwell moved to go into Committee of the Whole.
Carried.
Mr. Buckingham in the chair.
Committee of the Whole arose, reported progress, and asked leave to sit again.
Mr. Fitzpatrick moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Buckingham, Butler and Taylor.
The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 34, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Chilcott moved a suspension of the rules, and that C. B. No. 34 be read third time and put upon its passage.
Carried.
C. B. No. 34 read third time and passed by the following vote:
Ayes—Messrs. Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague and Mr. President —10.

Absent—Messrs. Bromwell, Butler and Taylor.

Title agreed to.

Mr. Chilcott, moved a suspension of the rules, and that C. B. No. 35 be engrossed for third reading.

Carried.

Mr. Taylor appeared and took his seat.

Mr. Fitzpatrick moved a suspension of the rules, and that the House substitute for C. C. R. respecting the printing of the reports of Territorial officers be taken up.

Carried.

Mr. Chilcott moved that the resolutions be referred to the committee on Education and Labor.

Carried.

Mr. Bromwell appeared and took his seat.

Mr. Clark moved to go into Committee of the Whole.

Carried.

Mr. Buckingham in the chair.

Committee of the Whole arose, reported progress, and asked leave to sit again.

Mr. Hall moved to adjourn.

Carried.

Adjourned.

FRIDAY, JANUARY 23D, 1874—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Messrs. Butler and Chilcott.

Journal of 22nd inst read and approved.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 35, and find the same correctly engrossed.

DANIEL L. TAYLOR,
Chairman.

Mr. Sprague gave notice that on to-morrow or some subsequent day he would introduce a bill to amend section three of chapter twenty-eight of the Revised Statutes of Colorado.

Mr. Clark introduced C. B. No. 53, a bill for an act entitled "An act to amend section 22 of chapter 48 of the Revised Statutes of Colorado."

Under a suspension of the rules the following report was received and read:

Mr. President:

Your committee on Education and Labor, to whom was referred the House substitute for C. C. R. respecting printing the reports of Territorial officers, would report that they have had the same under consideration, and report it back to the Council, and beg leave to recommend the following amendment:

"*Resolved*, That one thousand additional copies of the report of Territorial Superintendent of Public Instruction and five hundred copies of the report of the Auditor, Treasurer and Librarian be printed for general distribution."

R. G. BUCKINGHAM,
for H. P. H. BROMWELL,
Chairman.

Mr. Clark moved a suspension of the rules and the adoption of the report.

Carried.

Mr. Chilcott appeared and took his seat.

The following messages were received from the House:

House of Representatives, Denver, Jan. 22, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed H. J. M. No 6, relating to taxing railroad lands; also, H. J. M. No. 8, relating to the construction of a wagon road from Rollinsville, Gilpin county, to the eastern line of Utah Territory; also, H. C. R. No. 1, relating to the appointment of a committee from the House and Council to proceed to Cañon City and examine into the condition of our Territorial prisoners, &c.

The concurrence of the Council is respectfully requested.

Bills and resolution herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Jan. 22, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 18, a bill for "An act to amend chapter 22, division 6 of Criminal Code;" also, H. B. No. 24, a bill for "An act to amend an act entitled Fences and Enclosures in Gilpin county;" also, H. B. No. 26, a bill for "An act to repeal an act entitled an act to authorize District Courts to allow fees to counsel assigned to prisoners in certain cases;" also, H. B. No. 38, an act entitled "An act to amend chapter 84 of the Revised Statutes of Colorado."

H. Bs. Nos. 18, 24, 26 and 38 are herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Jan. 22, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 44, an act to revise and amend an act entitled an act prescribing rules and regulations for the execution of the trust arising under the act of Congress, entitled an act for the relief of citizens of towns upon lands of the United States under certain circumstances, so as to provide for the disposition of lands and lots in Georgetown under the act of Congress entitled 'An act for the relief of the inhabitants of cities and towns upon the public lands."

The concurrence of the Council is respectfully requested.

H. B. No. 44 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Jan. 22, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. Bs. Nos. 26 and 22, and have refused to pass C. B. No. 20.

C. Bs. Nos. 26, 22 and 20 are herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

C. B. No. 52 read first time.
C. B. No. 53 read first time.
H. B. No. 9 read second time.
H. B. No. 23 read second time.
H. B. No. 31 read second time.
C. B. No. 35 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Butler.

Title agreed to.

Mr. Hall moved that H. C. R. No. 1, for appointment of committee to examine condition, &c. of Penitentiary, be now considered.

Carried.

Mr. Butler appeared and took his seat.

Mr. Chilcott moved to concur in the resolution.

Mr. Hall moved to amend by reducing the number of the joint committee to two from House and one from Council and concur in resolution as amended.

Mr. Chilcott withdrew his motion.

Mr. Hall's motion was then carried.

Mr. Clark moved to go into Committee of the Whole.

Carried.

Mr. Buckingham in the chair.

Committee of the Whole arose, reported progress, and asked leave to sit again.

Mr. Bromwell moved the report be received.

Carried.

Mr. Hall moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Mr. Clark, chairman Printing committee, reported (verbally) that C. B. No. 43 was correctly printed, and returned the same to the Council.

Mr. Clark moved to suspend the rules, that C. B. No. 43 be read second time, and considered engrossed for third reading.

Carried.

C. B. No. 43 read second time.

Mr. Clark moved to go into Committee of the Whole.

Carried.

Mr. Clark in the chair.

Mr. President in the chair.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Jan. 23, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has reconsidered its action upon C. B. No. 20, whereby they refused to pass it, and respectfully request that said bill be returned to the House for further action.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Clark in the chair.

The Committee of the Whole arose and made the following report:

Mr. President:

Your Committee of the Whole would respectfully report that they have had under consideration H. J. M. No. 3, and report the same back to the Council, recommending that the words "one hundred and twenty-five thousand" be inserted in place of "one hundred thousand," and that said memorial be considered engrossed and placed on file for third reading.

Also, have considered C. S. for H. J. M. No. 5, and report the same back to the Council, recommending that the same be placed on file for third reading.

Also, have considered H. B. No. 9, and report the same back to the Council, recommending that it be referred to the Judiciary committee.

Also, have considered S. H. B. No. 21, and report the following amendments: All of section 1 after the word "repealed" be stricken out, and that the bill as amended be engrossed and placed on file for third reading.

Also, have considered H. B. No. 23, and report the same back to the Council, recommending that it be referred to Judiciary committee for amendments.

Also, have considered H. B. No. 31, which is reported back to the Council, recommending that it lie on the table.

Also, C. B. No. 46 reported back to the Council, recommending that it be referred to committee on Education and Labor.

Also, have considered C. B. No. 9, and report the same back to the Council to go to the Judiciary committee.

Also, have considered C. B. No. 28, and report the same back to the Council, with the recommendation that it be referred to committee on Irrigation.

Also, S. C. B. No. 31, which is reported back to the Council, and recommend that it be referred to the committee on Printing.

WM. M. CLARK,
Chairman.

Mr. Hall moved that the report be adopted.
Carried.
Mr. Chilcott moved to adjourn.
Carried.
Adjourned.

SATURDAY, JANUARY 24TH, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Butler and Chilcott.
Journal of 23d inst. read and approved.
Mr. Chilcott excused from attendance.
Mr. Butler appeared and took his seat.

Mr. Buckingham, Chairman committee of the Whole, made the following report:

Mr. President:

Your Committee of the Whole beg leave to make the following report:

Your committee proceeded to the consideration of the remaining sections contained in C. B. No. 2.

Section 16 was amended by substituting after the word "dollars," in line 13, the word "or" for the word "and," and inserting after the word "days," in line 14, the words "or by

both such fine and imprisonment, as the jury may determine, the jury to fix the amount of such fine and the duration of such imprisonment."

Sections 17 and 18, two new sections, read and adopted.

Section 19 was adopted.

Section 20 was also adopted.

Section 21 amended by striking out the words "the foregoing," in line 20, and inserting the word "this;" also to strike out in line 15 the word "court," as it twice occurs, and insert the following: After the word "the," in line 14, "Board of County Commissioners," and, in place of second "Court," insert the word "Board."

Section 22 was amended by striking out in line 3 the words "fifteen and sixteen" and inserting the words "twenty and twenty-one;" also, by striking out the words "three-fourths." in line 8, and by striking out after the word "county," in line 9, the words "and one-fourth to the use of the relator or relators."

Section 23 amended by inserting in line 1 after the word "chapter" the words "save as provided in section 18 hereof."

Sections 24 and 25 adopted as read.

Section 26 amended by inserting in line 7, after the word "court," the words "then next ensuing;" also, in line 10, after the word "of," insert the word "his;" also, in line 14, strike out the last word and insert the words "of the same."

Section adopted as amended.

Section 27, in line 2, after the word "indictments," insert the words "or presentments."

Section adopted as amended.

Section 28, in line 3, insert after the word "than" the words "ten nor more than."

Section adopted as amended.

Section 29 was amended by inserting at the end of said section the following: "Every person failing to make such affidavit, when having knowledge of any offense having been committed under this act, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than ten dollars and not more than fifty dollars."

Section 30 was adopted as read.

Section 31 was amended by inserting after the word "Territory" the words "or of the United States."

Section adopted as amended.

Also, on the 22nd, C. Bs. Nos. 3 and 8.

C. B. No. 3 was, on motion, laid aside until after the consideration of C. B. No. 8.

C. B. No. 8 was read, and, on motion, acted upon section by section.

Moved, that sections 1 and 2 be considered jointly.

Section 2 was amended by striking out the words "section 2" and the word "that" and to become section 1 of this act; also, amended by inserting after the word "removed," in line 7, "having lost his qualification as a voter by removal only;" also, amended by striking out the word "two," in line 9, and inserting the word "one;" also, amended by striking out lines 11, 12, 13 and 14, same section.

Section 2 amended by striking out after the word "ballot" in the first line to the word "ballot" inclusive in line 3; also, amended by inserting after the word "not," in line 5, the words "to make any attempt to discover;" also, amended by inserting after the word "election," in line 6, the words "shall have:" also, amended by striking out after the word "voted" the remaining words in the sentence.

Section 2 was adopted as amended.

Section 3 amended by inserting after the word "thereby" the words "in addition to the other punishment therein provided in such cases;" also, amended by adding to the section the following words: "And if in such oath or affirmation he shall state falsely any material fact touching his qualifications as an elector, or touching the matter of said challenge, he shall be deemed guilty of perjury, and, on conviction thereof, shall be punished accordingly."

Section 3 adopted as amended.

Section 4 adopted as read.

Section 5 adopted as read.

Also, on the 23d had under consideration C. B. No. 8, and would report that section 5 was adopted as read. Section 6 was stricken out and consideration of section 7 passed for the present.

The following motion was offered by Mr. Chilcott:

Moved, that C. Bs. Nos. 2, 3 and 8, relating to elections, be referred back to the Council, with the recommendation that they be referred to committee on elections, with the recommendation that two additional members be added thereto, consisting of Mr. Clark and Mr. Head, which motion was lost.

Mr. Butler offered the following:

That C. B. No. 3 be reported back, with the recommendation that it be read a third time and put upon its passage, which was also lost.

Mr. Bromwell offered the following:

Ordered, that Bills Nos. 2, 3 and 8 be reported back, with recommendation that they be referred to the committee on

Elections, with instructions to frame all the sections and parts of sections adopted by the Committee of the Whole into one bill, so arranged as to present the sections relating to registry in a separate article.

This resolution was adopted.

On motion, the committee arose.

R. G. BUCKINGHAM,
Chairman.

Mr. Fitzpatrick moved, under a suspension of the rules, that the report be adopted.

Carried.

By unanimous consent, Mr. Clark presented a petition from citizens of Clear Creek county, praying for certain amendments to C. B. No. 36.

The following messages from the House were received and read:

House of Representatives, Denver, Jan. 24, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has refused to concur in C. C. R., relative to printing reports of Territorial officers.

C. C. R. herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Jan. 24, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that C. B. No. 1 has passed the House with the following amendments, viz: By striking out the word "October," in the fourth line of the printed copy, and insert in lieu thereof the word "January;" also, has passed C. B. No. 21 and C. S. for H. C. R. in relation to the appointment of a Territorial Centennial Board of Managers.

The concurrence of the Council is respectfully requested.

C. Bs. Nos. 1 and 21 and C. S. for H. C. R. are herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Butler gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act for the relief of Horace H. Atkins, Jr."

By unanimous consent, previous notice not having been given, Mr. Taylor introduced C. B. No. 54, a bill for "An act concerning the prosecution of crimes and misdemeanors not capital or infamous committed in the Third District."

Mr. Fitzpatrick introduced C. B. No. 55, a bill for "An act to amend section 3, chapter 28 of the Revised Statutes of Colorado."

H. J. M. No. 6 read first time.

H. J. M. No. 8 read first time.

H. B. No. 18 read first time.

H. B. No. 24 read first time.

H. B. No. 26 read first time.

H. B. No. 38 read first time.

H. B. No. 44 read first time.

C. B. No. 54 read first time.

C. B. No. 55 read first time.

By unanimous consent, Mr. Butler introduced C. B. No. 56, a bill for "An act concerning the release of mortgages."

C. B. No. 52 read second time.

Mr. Head moved C. B. No. 52 be referred to committee on Counties, with instructions to report on Tuesday morning, 27th inst.

Carried.

C. B. No. 53 read second time.

H. J. M. No. 3 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Chilcott.

Title agreed to.

C. S. H. J. M. No. 5 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague and Mr. President—8.

Noes—Messrs. Buckingham, Butler, Hall and Taylor—4.

Absent—Mr. Chilcott.

C. B. No. 43 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Chilcott.

Title agreed to.

Mr. Clark moved to go into Committee of the Whole.

Carried.

Mr. Clark in the chair.

Committee of the Whole arose and reported as follows:

Mr. President:

Your Committee of the Whole would respectfully report that they have had under consideration C. B. No. 32, and report the same back to the Council, recommending that it be referred to the committee on Printing, to be printed and returned to the Judiciary committee.

Also, C. B. No. 37, which is recommended to be referred to the committee on Expenditures.

Also, C. B. No. 38, which is reported back to the Council, and recommended that it be referred to the committee on Incorporations.

Also, C. B. No. 39, which is reported back to the Council, and recommended that it be referred to the Judiciary committee.

WM. M. CLARK.
Chairman.

Report adopted.

Mr. Butler moved that the rules be suspended and C. B. No. 1 taken from general file for immediate consideration.

Carried.

Moved by Mr. Butler, that the House amendment to C. B. No. 1 be concurred in.

Carried.

Mr. Clark moved that the rules be suspended and H. B. No. 44 be read second time.

Carried.

H. B. No. 44 read second time.

Mr. Clark, by unanimous consent, offered the following amendment to H. B. No. 44 and moved its adoption.

Section 2. That section four (4) of said act be amended by inserting in line four (4), after the word "Georgetown," the words "and Idaho," and that section 2 of the original bill be designated section 3.

Carried.

Mr. Clark moved that the amendment be engrossed, and the bill as amended be passed to third reading.

Carried.

Mr. Sprague moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Chilcott, Clark and Taylor.
Mr. Taylor appeared and took his seat.
The following report was read:

Mr. President:

Your committee on Engrossed bills would respectfully report that they have examined S. H. B. No. 21, and find the same correctly engrossed.

DAN'L. L. TAYLOR,
Chairman.

Mr. Fitzpatrick was excused from attendance.
Mr. Clark appeared and took his seat.
The following report was read:

Mr. President:

Your committee on Printing report back S. C. B. No. 31 from the hands of the Printer.

WM. M. CLARK,
Chairman.

Mr. Clark moved to go into Committee of the Whole.
Carried.
Mr. Bromwell in the chair.
Committee of the Whole arose and reported as follows:

Mr. President:

I am directed by the Committee of the Whole to report as follows:

Your committee have had under consideration S. C. B. No. 31, and report it back, recommending that it be engrossed and ordered to a third reading after being amended as follows: Amend line 10 in section 1 by striking out the word "or" after the word "parties;" also, by inserting the word "return" in line 11 after the word "to;" also, by striking out the words "having jurisdiction," in line 16.

Amend Section 4 by striking out in line 2 the words "state falsely," and insert in lieu thereof the words "wilfully and

corruptly swear falsely in regard to;" also, in line 3 of section 4 substitute the word "or" for the word "and;" also, by striking out the word "accordingly," in line 5, and inserting in lieu thereof "as provided by statute in other cases of perjury."

Also, in line 1 of section 6 strike out the words "presume to;" also, in line 2 of section 6 strike out the word "a."

Also, C. B. No. 40 they report back, and recommend that it be referred to a special committee of three.

Also, C. B. No. 42 they report back, and recommend that it be engrossed and ordered to a third reading.

Also, C. B. No. 44 they report back, with recommendation that it be referred to committee on Incorporations and Railroads.

Also, C. B. No. 46 they report back, with amendments as follows: Strike out all after the word "shall," in the first line, and before the word "any," in second line of section 5, and that as so amended the same be engrossed and ordered to the third reading.

Also, C. B. No. 48, with recommendation that it be engrossed for third reading.

Also, C. B. No. 49 they report back, with the recommendation that it be referred to committee on Mines and Minerals.

Also, C. B. No. 50, with recommendation that it be referred to Judiciary committee.

Also, C. B. No. 51 and C. B. No. 53, with like recommendation as in case of C. B. No. 50.

H. P. H. BROMWELL,
Chairman.

Mr. Buckingham moved the report be adopted.

Carried.

Mr. President appointed as Special committee on C. B. No. 40, Messrs. Bromwell, Buckingham and Clark.

Moved by Mr. Bromwell that the Council do now adjourn until Monday, 26th inst., at 2 o'clock p. m.

Carried.

Adjourned.

MONDAY, JANUARY 26TH, 1874—2 P. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Messrs Butler and Chilcott.
Mr. Chilcott excused from attendance.
Journal of 24th inst. read and approved.
Mr. Butler appeared and took his seat.
The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined amendments to H. B. No. 44, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

The following report was read:

Mr. President:

Your committee on Education and Labor report back C. B. No. 27, with a substitute therefor, and recommend the consideration of the same in the committee of the Whole.

R. G. BUCKINGHAM,
Chairman,
per W. M. CLARK.

Also, the following:

Mr. President:

Your committee on Printing respectfully report back C. B. No. 32 from the hands of the printer.

WM. M. CLARK,
Chairman.

The following report was read:

Mr. President:

Your committee on Judiciary, to whom was referred C. B. No. 29, report back said bill, with the accompanying bill as a substitute therefor, and recommend that the same be adopted and ordered engrossed for third reading.

HUGH BUTLER,
Chairman.

Mr. Butler, Chairman Judiciary committee, reported back H. B. No. 9, with a substitute therefor.

Also, C. B. No. 50, with following amendment and recommend C. B. No. 50 as amended be passed:

Amendment to C. B. No. 50: After the word "Territory," on 15th line, insert the following: "except in the office of County Commissioner."

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, Denver, Jan. 26, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 12, C. B. No. 30 and C. J. M. No. 1.

Also H. B. No. 17, entitled "An act regulating the branding, herding and care of stock."

Also, H. B. No. 22, entitled "An act limiting actions concerning real estate."

Also, H. B. No. 25, entitled "An act to extend the criminal jurisdiction of the Justices of the Peace in certain counties."

Also, S. H. B. No. 39, entitled "An act to amend an act to provide for the assessment and collection of revenue, approved February 11th, 1870."

The concurrence of the Council is respectfully requested.

C. Bs. Nos. 12 and 30, C. J. M. No. 1, H. Bs. Nos. 17, 22, 25 and S. H. B. No. 39 are herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Jan. 26, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 40, entitled "An act to amend chapter 17 of the Revised Statutes of the Territory of Colorado, entitled 'Conveyances.'"

Also, H. J. M. No. 9, for "An additional mail from Denver to Golden, Black Hawk and Central City and return."

Also, H. J. M. No. 10, "For the establishment of coinage at the Denver Mint."

The concurrence of the Council is respectfully requested.

H. B. No. 40 and H. J. Ms. Nos. 9 and 10 are herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Jan. 24, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 8, entitled "A bill for an act to amend chapter 89 of the Revised Statutes of Colorado."

Also, H. B. No. 14, entitled "A bill for an act to create the county of Grand."

Also, H. B. No. 52, entitled "A bill for an act concerning certiorari to Justices of the Peace and Probate Courts in Boulder and Jefferson counties."

The concurrence of the Council is respectfully requested.

H. Bs. Nos. 8, 14 and 52 are herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

The following report was read:

Mr. President:

Your Special committee, to whom was referred C. B. No. 40, beg leave to present the following report:

Your committee have examined C. B. No. 40, and would recommend the accompanying bill with its amendments as a substitute for the original bill No. 40 to the Council, with a request that it be engrossed and put upon its third reading.

R. G. BUCKINGHAM,
for the Committee.

Mr. Fitzpatrick moved the rules be suspended and the report be adopted.

Carried.

C. B. No. 56 read first time.
H. J. M. No. 10 read first time.
H. B. No. 8 read first time.
H. B. No. 14 read first time.
H. B. No. 17 read first time.
H. B. No. 22 read first time.
H. B. No. 25 read first time.
H. B. No. 40 read first time.
S. H. B. No. 39 read first time.
H. B. No. 52 read first time.
H. J. M. No. 9 read first time.

The following report was read:

Mr. President:

Your committee on Engrossed bills would respectfully report that they have examined C. Bs. Nos. 46, 42 and 48 and S. C. B. No. 31 and find the same correctly engrossed.

DANIEL L. TAYLOR,
Chairman.

H. J. M. No. 6 read second time.
H. J. M. No. 8 read second time.
H. B. No. 18 read second time.
H. B. No. 24 read second time.
H. B. No. 26 read second time.
H. B. No. 38 read second time.
C. B. No. 54 read second time.
C. B. No. 55 read second time.
S. H. B. No. 21 read third time.

Mr. Butler moved to recommit S. H. B. No. 21 to committee on Engrossed Bills.

Carried.

H. B. No. 44 read third time.

Mr. Clark, by unanimous consent, moved to amend H. B. No. 44 by striking out section 2 and designating section 3 as section 2.

Carried.

H. B. No 44 as last amended passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Chilcott.

Title agreed to.

Mr. Bromwell moved that S. C. B. No. 31 be recommitted to Judiciary committee.

Carried.

C. B. No. 42 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President 11.

Absent—Mr. Chilcott.

Excused from voting—Mr. Fitzpatrick.

Title agreed to.

C. B. No. 46 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Chilcott.

Title agreed to.

C. B. No. 48 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Chilcott.

Title agreed to.

By unanimous consent, the rules were suspended and C. B. No. 45 was read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Chilcott.

Title agreed to.

By unanimous consent, without previous notice, Mr. Butler introduced C. B. No. 57, a bill for "An act for the relief of the town of South Pueblo, in the county of Pueblo and Territory of Colorado."

Mr. Butler moved to adjourn.

Carried.

Adjourned.

TUESDAY JANUARY 27TH, 1874—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Mr. Head.

Journal of 26th int., read and approved.

The following report was read:

Mr. President:

SIR:—Your committee on Engrossed Bills would respectfully report that they have examined S. H. B. No. 21, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Report of committee on Education and Labor, on C. B. No. 27, was adopted.

Also, the report of the Judiciary committee on C. B. No. 29, H. B. No. 9 and C. B. No. 50, was adopted.

Mr. Chilcott by unanimous consent, previous notice not having been given, introduced C. B. No. 58 a bill for "An act to provide for the selection of Jurors to serve in the District Courts."

Mr. Clark gave notice that on to morrow or some subsequent day he would introduce a bill providing for obtaining a full and accurate record and history of Colorado Regiments during the war.

The following messages from the House were read:

HOUSE OF REPRESENTATIVES, January 27th, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has concurred in Council Amendment to H. C. R. No. 1, relative to the appointment of a committee of three, two from the House and one from the Council to proceed to Cañon City and examine into the condition of our Territorial prisoners etc.

Respectfully,
JOSEPH T. BOYD.
Chief Clerk.

HOUSE OF REPRESENTATIVES, January 21st, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has refused to pass C. B. No. 11.

Also, have passed H. B. No. 10, entitled "An act to amend chapter 49 of the Revised Statutes of Colorado, concerning Jurors."

Also, have passed C. S. H. J. M. No. 5, entitled "To the Senate and House of Representatives in Congress assembled."

The concurrence of the Council is respectfully requested.

C. B. No. 11, H. B. No. 10 and C. S. H. J. M. No. 5, are herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, DENVER, Jan. 27, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body, that the House has passed the accompanying concurrent resolution. The concurrence of the Council is respectfully requested.

Respectfully,
JOSEPH T. BOYD.
Chief Clerk.

Mr. Head appeared and took his seat.
C. B. No. 57 read first time.
C. B. No. 58 read first time.
H. J. M. No. 9 read second time.
H. J. M. No. 10 read second time.
H. B. No. 8 read second time.
C. S. H. B. No. 9 read second time.
H. B. No. 14 read second time.
H. B. No. 17 read second time.
H. B. No. 22 read second time.
H. B. No. 25 read second time.
S. H. B. No. 39 read second time.
H. B. No. 40 read second time.
H. B. No. 52 read second time.
S. C. B. No. 27 read second time.
C. B. No. 56 read second time.

Mr. Fitzpatrick moved that H. B. No. 52 be referred to the Judiciary committee.

Carried.

S. H. B. No. 21, read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott. Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, and Mr. President—12.

Absent—Mr. Taylor.

Title agreed to.

C. B. No. 50, read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon Sprague and Mr. President—12.

Absent—Mr. Taylor.

Title agreed to.

Mr. Butler moved, under suspension of rules, that C. S. H. B. No. 9, be considered engrossed, read third time and put upon its passage.

Carried.

C. S. H. B. No. 9, read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clarke, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

Mr. Clark moved to go into Commmittee of the Whole for consideration of bills on general file.

Carried.

Mr. Head in the chair.

Committe of the Whole arose.

Mr. Bromwell moved to adjourn.

Carried.

Adjourned.

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AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Mr. Head.

Mr. Butler moved that the House be requested to return to the Council C. B. No. 34.

Carried.

By unanimous consent, and without previous notice, Mr. Taylor introduced C. B. No. 59, a bill for "An act to prevent fires on the Prairies."

By unanimous consent and without previous notice, Mr. Chilcott introduced C. B. No. 60, a bill for "An act for the relief of Calvin P. Peabody of Pueblo County."

Mr. Butler, chairman Judiciary committee, by unanimous consent, reported back C. B. No. 25, with substitute therefor.

Report adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Jan. 27, 1874.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 16, entitled "An act to regulate the herding of stock in Costilla and other counties."

Also, Substitute for S. H. B. No. 30, entitled "An act to establish Elbert county."

Also, H. B. No. 36, entitled "An act to encourage Agriculture in Weld county."

Also, H. B. No. 43, entitled "An act concerning Irrigation."

The concurrence of the Council is respectfully requested.

H. B. No. 16, S. S. H. B. No. 30, H. B. No. 36, and H. B. No. 43, herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Butler moved that the Council do adhere to its concurrent Resolution respecting the printing of the reports of certain Territorial Officers therein named, and respectfully request the House to recede from its action thereon.

Carried.

Mr. Sprague moved that C. B. No. 20 be returned to the House for further action, in accordance with the request of the House.

Carried.

Mr. Head appeared and took his seat.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined S. C. B. No. 29, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Taylor moved to go into Committee of the Whole.

Carried.

Mr. Hall in the chair.

Committee of the Whole arose.

Mr. Hall in the chair.

Mr. President presented a petition from citizens of Bent county, praying against the passage of an act creating a new county from portions of the counties of Bent and Greenwood.

Petition received and placed on file.

Mr. President in the chair.

The following report was read:

Mr. President:

Your Committee of the Whole, sitting this morning, have had under consideration the following memorials and bills, and do recommend:

That H. J. M. No. 6 be read a third time and put upon its passage.

That H. J. M. No. 8 be passed to third reading.

That H. J. M. No. 10 be placed on file for third reading.

That H. B. No. 8 be referred to committee on Agriculture and Stock Growing.

That H. B. No. 14 be referred to the committee on Counties.

That H. B. No. 17 be referred to the committee on Agriculture and Stock Growing.

That H. B. No. 18 be read third time and put upon its passage.

That H. B. No. 22 be referred to the Judiciary committee.

L. HEAD,
Chairman.

By unanimous consent, under suspension of the rules, Mr. Butler introduced S. C. B. No. 47, a bill for "An act to amend an act entitled 'an act to incorporate the City of Central. approved March 11th, 1864.'"

Mr. Chilcott moved to adjourn.

Carried.

Adjourned.

WEDNESDAY, JANUARY 28TH, 1874—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Mr. Butler.

Journal of 27th inst. read and approved.

Mr. Butler appeared and took his seat.

Mr. Chilcott presented a petition from citizens of El Paso county.

Read and referred to committee on Counties.

Mr. Chilcott also presented petitions from citizens of Southern Colorado on stock growing.

Received and referred to committee on Agriculture and Stock Growing.

Mr. Hall presented a petition from citizens of Park county, remonstrating against a division of Park county.

Petition received and placed on file.

The following report was read:

Mr. President

Your committee on Counties, to whom was referred C. B. No. 52, beg leave to report the accompanying substitute and recommend its passage.

L. HEAD,
Chairman.

H. C. R. respecting appointment of a joint committee from both Houses, to effect a settlement of the accounts of Geo. T. Clark, Treasurer, and cause proper transfer of monies, &c. to his successor in office, was taken up.

Mr. Chilcott moved that the Council concur therein.

Carried.

Mr. Chilcott moved that the report of the committee on Counties on C. B. No. 52 be adopted.

Carried.

Mr. President appointed Mr. Fitzpatrick committee from Council under the House Concurrent Resolution for committee on Treasurer's accounts, &c.

Mr. Head moved that the report of Committee of the Whole sitting yesterday morning be adopted.

Carried.

Mr. Chilcott, by unanimous consent, previous notice not having been given, introduced C. B. No. 61, a bill for "An act to establish the county of Chilcott."

Mr. Bromwell gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act to make the Colorado Industrial Association the successor to the rights and duties of the Colorado Territorial Agricultural Society."

The following message from the House was read:

HOUSE OF REPRESENTATIVES, Denver, Jan. 27, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House refuses to recede from its action on C. C. R. relative to printing reports of Territorial officers.

Also, have passed C. B. No. 41 and H. B. No. 20, entitled "An act to provide for the collection of taxes in certain cases."

The concurrence of the Council is respectfully requested.

C. B. No. 41, H. B. No. 20 and C. C. R. herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

H. B. No. 10 read first time.
H. B. No. 16 read first time.
H. B. No. 20 read first time.
S. S. H. B. No 30 read first time.
H. B. No. 36 read first time.
H. B. No. 43 read first time.
C. B. No. 59 read first time.
C. B. No. 60 read first time.
C. B. No. 61 read first time.
S. C. B. No. 25 read second time.
S. C. B. No. 47 read second time.
S. C. B. No. 52 read second time.
C. B. No. 57 read second time.
C. B. No. 58 read second time.

By unanimous consent C. B. No. 61 was read second time.

C. B. No. 61 referred to committee on Counties.

S. C. B. No. 29 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Chilcott.

Title agreed to.

Mr. President appointed Mr. Hall a committee on the part of the Council under the H. C. R. for the appointment of a joint committee to inspect the Territorial prisoners at Cañon City.

Mr. Butler moved to go into Committee of the Whole for consideration of bills on general file.

Carried.

Mr. Butler in the chair.

Committee of the Whole arose and reported as follows:

Mr. President:

The Committee of the Whole has had under consideration H. J. M. No. 9, and recommend that the same be amended by inserting the word "Georgetown" where necessary to make the memorial apply to said town, and that the same be referred to the committee on Judiciary, with instructions to report a memorial the same in substance addressed to the Post Master General.

Also, H. B. No. 24, and recommend that the same be referred to the committee on Judiciary.

Also, C. B. No. 36, and recommend that the same be referred to the committee on Mines and Minerals.

Also, S. C. B. No. 47, and recommend that the same be considered engrossed, read a third time, and passed.

Also, C. B. No. 54, and recommend that it be referred to the committee on Judiciary.

Also, C. B. No. 55, and recommend that it be referred to committee on Elections.

Also, C. B. No. 56, and recommend that the same be referred to the committee on Judiciary.

Also, S. C. B. No. 25, and recommend that the same be considered engrossed and placed on file for third reading.

Respectfully submitted,

HUGH BUTLER,
Chairman.

Report adopted.

The following report of the Committee of the Whole, sitting yesterday afternoon, was read:

Mr. President:

Your Committee of the Whole would respectfully report that they have had under consideration the following memorials and bills, and do recommend:

That H. B. No. 25 be reported back to the Council, with the recommendation that further action on the same be indefinitely postponed.

That H. B. No. 26 be reported back to the Council, with the recommendation that it do pass.

That H. B. No. 38 be reported back to the Council, with the recommendation that it be referred to the committee on Irrigation.

That S. H. B. No. 39 be reported back to the Council, with the recommendation that it do not pass.

That H. B. No. 40 be reported back to the Council, with the recommendation that it be referred to Judiciary committee, with instructions to report a modification of section 17 of chapter 17 of the Revised Statutes.

That S. C. B. No. 27 be amended by striking out the word "two," in line 6 of section 1, and inserting the word "one" in lieu thereof, and adopted as amended.

Section 3 amended by striking out the word "forty" and inserting in lieu thereof the words "twenty-five."

Sections 4, 5 and 6 adopted as read.

Section 7 amended by striking out the word "ten" and inserting in lieu thereof the word "six," and adopted as amended.

Section 8 was amended by striking out all of the section up to the word "this" in line seven.

Sections 9, 10, 11 and 12 adopted as read.

Section 13 amended by adding the following words: "until such time as the inspector shall be ready to inspect such boiler," and adopted as amended.

A new section, to be denominated section 14, was offered and adopted.

Section 14 now became section 15, and was amended by striking out the word "March," in the last line, and inserting the word "May" in lieu thereof, and adopted as amended.

Bill as amended reported back to the Council, with the recommendation that it be referred to the committee on Judiciary.

Respectfully submitted.

JAIRUS W. HALL,
Chairman.

Report adopted.
Mr. Sprague moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Mr. Chilcott.
Mr. Chilcott appeared and took his seat.
The following messages were received from the House:

HOUSE OF REPRESENTATIVES, Denver, Jan. 28, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that I am requested to return C. B. No. 34, agreeably to your request of January 27th, 1874.

C. B. No. 34 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Jan. 28, 1874.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed the accompanying Concurrent Resolution, relative to the appointment of a joint committee to compare enrolled bills passed by the two Houses, &c.

Also, have passed H. B. No. 29, entitled "An act relating to County Clerks and Recorders."

Also, H. B. No. 62, entitled "An act to amend an act entitled 'Lunatics.'"

The concurrence of the Council is respectfully requested.

C. R. and H. Bs. Nos. 29 and 62 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Resolved, By the House of Representatives, the Council concurring, that a joint committee of two from the Council and two from the House be appointed as a standing committee to compare enrolled with engrossed bills, as passed by the two Houses, and present the same to the Governor for his approbation, reporting their action to their respective Houses.

Mr. Butler moved that the vote by which C. B. No. 34 was passed be rescinded.

Carried.

Mr. Butler moved that C. B. No. 34 be referred to the Judiciary committee.

Carried.

Mr. Head, by unanimous consent, called up the H. C. R. respecting the appointment of a joint committee on Enrolled Bills.

Mr. Head moved, under suspension of the rules, that the Council concur therein.

Carried.

Mr. President appointed the present committee on Enrolled Bills as the committee from the Council under the concurrent resolution last named.

By unanimous consent, Mr. Bromwell, from the committee on Elections, reported (verbally) that the committee had had C. Bs. Nos. 2, 3 and 8 under consideration, for the purpose of reducing them into one bill; that the committee had performed the duty required, and now asked leave to introduce S. C. Bs. Nos. 2, 3 and 8, and that the same be referred to the committee on Printing.

Mr. Chilcott moved that the rules be suspended and the report adopted.

Carried.

Mr. Butler, Chairman Judiciary committee, by unanimous consent, under a suspension of the rules, introduced C. B. No. 62, a bill for "An act concerning married women."

Mr. Butler moved that the rules be suspended and C. B. No. 62 be read first time.

Carried.

C. B. No. 62 read first time.

Mr. Clark moved to adjourn.

Carried.

Adjourned.

THURSDAY, JANUARY 29TH, 1874—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Journal of 28th inst. read and approved.

Mr. Bromwell presented a petition from the Directors of the Colorado Territorial Agricultural Society and the Trustees of the Colorado Industrial Association, praying for an act granting to the latter association all the rights and privileges of the first named Society.

Petition received and placed on file.

The following report was read:

Mr. President:

SIR: Your committee on Counties to whom was referred H. B. No. 14, beg leave to report that they have had the same under consideration and respectfully report it back to the Council with the recommendation that it do pass.

L. HEAD,
Chairman.

Mr. Buckingham chairman of committee on Elections, reported back C. B. No. 55, with the recommendation that it be referred to the Judiciary committee.

Mr. Head moved that the rules be suspended and the report of the committee on Counties on H. B. No. 14, be adopted.

Carried.

Mr. Buckingham, chairman committee on Incorporations and Railroads, reported back C. Bs. Nos. 38 and 44, without recommendation.

Report received.

Mr. Taylor by unanimous consent, previous notice not having been given, introduced C. B. No. 63 a bill for "An act to enable the County Commissioners of Las Animas county to levy a special tax for the purpose of building a Jail."

Mr. Clark introduced C. B. No. 64, a bill for "An act to authorize the funding the debt of the several counties of Colorado Territory."

Mr. Bromwell introduced C. B. No. 65, a bill for "An act to make the Colorado Industrial Association the successor to the rights and duties of the Colorado Territorial Agricultural Society."

H. B. No. 29 read first time.
H. B. No. 62 read first time.
C. B. No. 63 read first time.
C. B. No. 64 read first time.
C. B. No. 65 read first time.
H. B. No. 10 read second time.
H. B. No. 16 read second time.
H. B. No. 20 read second time.
S. S. H. B. No. 30 read second time.
H. B. No. 36 read second time.
H. B. No. 43 read second time.
C. B. No. 59 read second time.
C. B. No. 60 read second time.
C. B. No. 62 read second time.

Mr. Sprague moved that H. B. No. 36 be referred to committee on Agriculture and Stock Growing.

Carried.

H. J. M. No. 6 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall.

H. J. M. No. 8, read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall.

H. J. M. No. 10, read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clarke, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

H. B. No. 14, read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

No—Mr. Butler.

Title agreed to.

H. B. No. 18 read third time.

Mr. Butler moved that H. B. No. 18 be referred to Judiciary committee.

Carried.

H. B. No. 26 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

S. C. B. No. 25 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 38 read third time.

Mr. Chilcott moved that C. B. No. 38 be referred to Judiciary committee,

Carried.

C. B. No. 44 read third time.

Mr. Fitzpatrick moved to refer C. B. No. 44 to Judiciary committee.

Carried.

S. C. B. No. 47 read third time and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, and Mr. President—12.

Absent—Mr. Taylor.

Title agreed to.

S. H. B. No. 39, read third time and lost by the following vote:

Ayes—None.

Noes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Under the suspension of the rules Mr. Bromwell, from the Judiciary committee, presented the following report:

Mr. President:

The committee on Judiciary to whom was referred S. C. B. No. 21, respectfully report the same back with the following amendments:

Insert after the words "following form," in the ninth line of section 1 of engrossed copy the words following:

"The blanks therein being by the said clerk filled with the proper names, places and dates, as the case may require."

Also, in section 2, the third line thereof, insert after the word "follows" the words "the blanks therein to be filled by the Minister or officer making return of said certificate with the proper names, places and dates as the case may require."

Also, in section 2 after the words "shall be returned by him" insert the words "with the blanks therein properly filled as aforesaid."

Also, strike out the word "thirty" in section 2 and insert the word "ninety."

Also, after section 7, add the following section:

"Sec 8. No such license shall be issued by any County Clerk unless he shall have knowledge, or it be shown by such affidavit or affidavits as aforesaid, that the woman for whose marriage such license may be applied for shall reside in the county where such application may be made."

Also, change the number of sections 8 and 9 to 9 and 10.

All of which is respectfully submitted.

HUGH BUTLER,
H. P. H. BROMWELL,
G. M. CHILCOTT,
Committee.

Mr. Clark moved that the rules be suspended, the report be adopted, and the amendments engrossed.

Carried.

Mr. Clark moved to go into Committee of the Whole to consider bills on general file.

Carried.

Mr. Fitzpatrick in the chair.

Committee of the Whole arose and reported as follows:

Mr. President:

Your Committee of the Whole have had under consideration the following bills and do recommend as follows:

That H. B. No. 16 be referred to the committee on Agriculture and Stock Growing.

That H. B. No. 20 be referred to Judiciary Committee.

That Sub. for S. H. B. No. 30 be referred to the committee on Counties.

Respectfully submitted,

J. B. FITZPATRICK,

Chairman.

Report adopted.

Mr. Taylor moved to adjourn until to-morrow, 30th inst., at 10 o'clock A. M.

Carried.

Adjourned.

SATURDAY, JANUARY 30TH, 10—A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Journal of 29th inst. read and approved..

Mr. Hall presented a petition from citizens of Hamilton, praying that the school tax for 1869 in the Second School District of Park county be remitted.

Petition received and placed on file.

The following report was read:

Mr. President:

Your committee on Counties, to whom was referred S. S. H. B. No. 30, beg leave to report the same back, with the recommendation that it do pass.

J. B. FITZPATRICK,

By order of the Committee.

Mr. Butler, Chairman Judiciary committee, reported back S. C. B. No. 7 with a substitute therefor, and recommended that the latter be referred to committee on Printing.

Report adopted.

Mr. Fitzpatrick moved that the report of the committee on Elections on C. B. No. 55 be received and adopted.

Carried.

H. B. No. 29 read second time.

H. B. No. 62 read second time.
C. B. No. 63 read second time.
C. B. No. 64 read second time.
C. B. No. 65 read second time.

Under a suspension of the rules, Mr. McCammon moved that the report of the committee on Counties on H. B. No. 30 be adopted.

Carried.

The following messages from the House were read:

HOUSE OF REPRESENTATIVES, January 29th, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to request your honorable body to return to the House for further action C. B. No. 11; also to inform your honorable body that the House has refused to concur in Council amendments to S. H. B. No. 21, and respectfully request that they rescind their action on said bill.

S. H. B. No. 21 as amended herewith transmitted; also. Council engrossed copy.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Jan. 29, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 63, entitled "An act to enable counties to provide for the payment of their bonded debt."

Also, H. B. No. 69, entitled "An act to repeal an act to contribute to the support of a School Journal for Colorado."

Also, H. J. M. No. 11, entitled "To the Honorable the Senate and House of Representatives in Congress assembled."

The concurrence of the Council is respectfully requested.

H. Bs. Nos. 63 and 69 and H. J. M. No. 11 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Jan. 30th, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed C. Bs. Nos. 42. 45, 48, 50 and 24, with the following amendment: *Provided*, That the provisions of this act shall not apply to the counties of Weld, Larimer, Costilla and Conejos.

Also, C. B. No. 20, with the following amendment: Strike out the word "Columbia" and insert in lieu thereof, wherever it occurs, the word "Corona."

Also, H. B. No. 12, entitled "An act concerning roads in Boulder, Douglas, Las Animas, Weld, Larimer, Jefferson, Arapahoe, El Paso, Lake, Costilla, Bent, Pueblo and Huerfano counties."

The concurrence of the Council is respectfully requested.

Bills herewith transmitted.

Respectfully,
JOSEPH T. BOYD.
Chief Clerk.

S. S. H. B. No. 30 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

Mr. Chilcott, under a suspension of the rules, moved that S. C. B. No. 52 be referred to committee on counties.

Carried.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 40 and amendments to S. C. B. No. 31, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Chilcott, under a suspension of the rules, moved that C. B. No. 60 be referred to the committee on Expenditures.

Carried.

Mr. Chilcott moved, under a suspension of the rules, that C. B. No. 11 be returned to the House for further action, in accordance with the House request.

Carried.

The following report was read:

Mr. President:

Your committee on Expenditures, to whom was referred C. B. No. 37, beg leave to report the same back with the following amendment of section 1: That the words "seven hundred and seven" be inserted in lieu of the words "eight hundred" in line 9 of said section.

J. B. FITZPATRICK,
Chairman.

Mr. Chilcott moved that the rules be suspended and the report of the committee on Expenditures on C. B. No. 37 be adopted.

Carried.

Mr. Clark moved, under a suspension of the rules, that C. B. No. 64 be engrossed for third reading.

Carried.

Mr. Taylor moved to go into Committee of the Whole.

Carried.

Mr. Clark in the chair.

Committee of the Whole arose and made the following report:

Mr. President:

Your Committee of the whole would respectfully report that they have had under consideration H. B. No. 10, and report the following amendments to the same: By inserting after the word "States," on line 1 of printed copy, the following: "or who have declared their intention to become such;" also, by inserting after the word "character," on line 2, the words "of sound mind." After passing to the seventh section of the bill the further consideration was postponed, and recommended that the bill be reported back to the Council for reference to Judiciary committee.

H. B. No. 29 is also reported back to the Council, with the recommendation that it be referred to Judiciary committee.

H. B. No. 43 is also reported back to the Council for reference to the committee on Irrigation.

WM. M. CLARK.
Chairman.

Report adopted.

Mr. Clark called up C. C. R. respecting printing reports of certain Territorial officers therein named.

Mr. Chilcott moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Buckingham and Taylor.
By unanimous consent the following report was read:

Mr. President:

Your joint committee on Enrollment report that they have examined C. Bs. Nos. 41, 26, 21, 1 and 12 and C. S. H. J. M. No. 5, and find the same correctly enrolled, and have placed the same in the hands of His Excellency, the Governor of Colorado Territory, on Friday, Jan. 30th, 1874, at the hour of 12 o'clock m., and they now await his signature.

L. HEAD,
Chairman.

By unanimous consent the following report was read:

Mr. President:

Your committee to whom was referred C. B. No. 60, beg leave to report the same back with the following amendment:
By inserting after the name of "Calvin P. Peabody," wherever it occurs in said bill the name of "Jessie C. Love," also, recommend the passage of the bill with the amendment.

J. B. FITZPATRICK.
Chairman.

Mr. Fitzpatrick, chairman committee on Federal Relations reported back C. J. M. No. 2, and petition from citizens of El Paso county (verbally) without recommendation.
Moved by Mr. Chilcott, the report be adopted.
Carried.
Mr. Buckingham appeared and took his seat.
Mr. Chilcott moved under suspension of the rules that C. B. No. 60 be engrossed for third reading.

Carried.

Mr. Taylor appeared and took his seat.

Consideration of Council Concurrent Resolution on printing reports of Territorial Officers was resumed.

Mr. Chilcott moved that the Council adhere to its amendment to the House amendment to the C. C. R. and request a committee of Conference thereon.

Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Jan. 30, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 35 and C. B. No. 9.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

The following report was read:

Mr. President:

Your committe on Enrolled Bills report that they have examined C. S. H. C. R., also, C. B. No. 22, and find the same correctly enrolled and have placed them in the hands of His Excellency the Governor of Colorado Territory, on Thursday, January 20th, 1874, at 3 o'clock P. M. and they now await his signature.

LAFAYETTE HEAD,
Chairman.

By unanimous consent, the following report was received and adopted:

Mr. President:

Your committee on Mines and Minerals to whom was referred C. B. No. 36, beg leave to report the same back to the Council, together with a substitute therefor and request that the same may be referred to the committee on Printing.

J. W. HALL,
For Committee,

By unanimous consent and without previous notice, Mr. Hall introduced C. B. No 66, a bill for "An act to amend an act for the protection of wild game in the Territory of Colorado approved February 9th, 1872, and to repeal sections 1 and 2 thereof."

Mr. Fitzpatrick moved that the rules be suspended and C. B. No. 66, be referred to the committee on Printing.

Carried.

The following communications from His Excellency the Governor, were received and read.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, January, 29, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have approved and sgned:

Council Substitute for House Concurrent Resolution for appointment of a Territorial Centennial Board of Managers.

Very respectfully your obedient servant,
S. H. ELBERT,
Governor of Colorado.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, January 30, 1874.

To the Honorable, the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

C. B. No. 41, viz: "An act concerning the Probate Court of Jefferson county."

Very respectfully your obedient serv't,
S. H. ELBERT.
Governor of Colorado.

Mr. Fitzpatrick excused from attendance.

Under suspension of the rules, the following report was read:

Mr. President:

Your committee on Counties to whom was referred S. C. B. No. 52, have had the same under consideration and with the following amendments recommend that it do pass.

In section 1 lines one and two, strike out "San Juan" and insert "Hinsdale."

Also, in section 2, line one strike out the words "San Juan" and insert the word "Hinsdale."

Also, in section 4, line four, strike out "San Juan" and insert "Hinsdale."

Also, amend section 4, line 8, by inserting "Howardsville."

Respectfully submitted,
DAN'L. L. TAYLOR,
Chairman.

Report adopted.

Mr. Chilcott moved a suspension of the rules and that C. B. No. 52 be engrossed for third reading.

Carried.

Mr. Bromwell offered the following resolution and moved its adoption:

Resolved, that the Secretary of the Territory be, and he is hereby requested to procure without delay a suitable room for the exclusive use of the Enrolling Clerk of this Council.

Motion Carried.

Resolution adopted.

Mr. Chilcott and Mr. Clark excused from attendance.

Mr. Fitzpatrick appeared and took his seat.

The following communication from the Hon. the Secretary of the Territory was received and read.

TERRITORY OF COLORADO, SECRETARY'S OFFICE,
Denver, January 30th, 1874.

Hon. M. W. Stewart, President of the Council:

SIR: I have the honor to inform you that the official bonds of David H. Moffat, Jr., as Territorial Treasurer, and Levin C. Charles, as Territorial Auditor, have been filed in this office, and the sureties therein approved by me.

Very respectfully your obedient servant,
FRANK HALL,
Sec'y of Colorado.

Mr. Chilcott and Mr. Clark appeared and took their seats.

The following report was read:

Mr. President:

Your committee on Agriculture and Stock Growing, to whom was referred House Bill No. 8, beg leave to report the same back with the following amendments, and recommend that it do pass.

In line 42 after the word "sold" in said line, insert "by the inch;" also in line 50, after the word "water" in said line, insert "said boxes or any slot or aperture through which such water may be measured, shall in all cases be six inches perpendicular, inside measurement, except boxes delivering less than twelve inches, which may be square, with or without slides, all slides for the same shall move horizontally, and not otherwise."

Respectfully submitted,
GEO. M. CHILCOTT,
Chairman.

Mr. Clark moved to call up C. B. No. 40.
Carried.
The following message from the House was read:

HOUSE OF REPRESENTATIVES, January 30th, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has refused to pass C. B. No. 11.
Also, have passed H. B. No. 15.
The concurrence of the Council is respectfully requested.
C. B. No. 11 and H. B. No. 15 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Under a suspension of the rules C. B. No. 40 was read to the thirteenth Section of Article VI, and the further reading discontinued.
Mr. Butler moved that the rules be suspended and C. B. No. 40 be read a third time, by its title, and put upon its passage.
Carried unanimously.
C. B. No. 40 read third time and passed by the following vote:
Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.
Title amended and agreed to.
Mr. Butler moved to adjourn.
Carried.
Adjourned.

SATURDAY, JANUARY 31ST, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Buckingham, Butler, Clark, Hall, Head and Taylor.
Journal of 30th inst. read and approved.
Mr. Butler and Mr. Buckingham appeared and took their seats.
Mr. Hall and Mr. Head appeared and took their seats.
Mr. Clark excused from attendance.
The following report was read:

Mr. President:

Your committee on Irrigation, to whom was referred H. B. No. 38, being a bill for "An act to amend chapter 84 of the Revised Statutes of Colorado," respectfully report the same back, with recommendation that the same do pass.

Respectfully submitted,
H. P. H. BROMWELL,
HUGH BUTLER,
G. M CHILCOTT.
Committee.

The following report was read:

Mr. President:

I am instructed by the committee on Judiciary to report back C. B. No. 38, with the recommendation that it be indefinitely postponed.

Also, C. B. No. 44, with the recommendation that the same be amended by striking out section 2 and inserting the following in lieu thereof: "This act shall take effect and be in force from and after the first day of March, A. D. 1874: *Provided*, That nothing herein contained shall be so construed as to prevent the issuance of bonds by any county, city or town, if any election shall have been duly held in any such county, city or town before this act shall take effect, and a majority of the legal voters voting at such election shall have voted in favor of the proposition submitted to them for the issue of bonds in accordance with existing laws;" that the bill as amended be engrossed, read a third time and passed.

Also, H. B. No. 52 and C. B. No. 55, with the recommendation that they be indefinitely postponed.

Respectfully submitted,

HUGH BUTLER,
Chairman.

Mr. Chilcott moved that the report of the committee on Agriculture and Stock Growing on H. B. No 8 be adopted.

Carried.

The following report was read:

Mr. President:

Your committee on Printing ask leave to report S. C. Bs. Nos. 2, 3 and 8 back from the hands of the printer.

WM. M. CLARK,
Chairman.

The following report was read:

Mr. President:

Your committee on Agriculture and Stock Growing, to whom was referred H. B. No. 36, have had the same under consideration, and beg leave to report it back to the Council with the following amendments, and recommend that it do pass as amended:

Amend section 3 of article 1 by striking out the word "land," in first line of said section, and inserting in its stead the word "property."

Also, amend section 13 of article 1 by striking out the words "from their number," between the words "choosing" and "a" in said section.

Also, strike out section 1 of article 3 and insert in its place the following:

Section 1. The Fence Commissioners of each district shall sit as a Board of Equalization on the tax list of their district for a sufficient length of time to hear all complaints concerning the same, and the last day of their sitting shall be at least five days before the posting of said list.

Also, so amend section 8 of article 5 that it will read: "This act shall apply only to that portion of Weld county situate in the basin of the Cache-a-la-Poudre River and in the basin of the South Platte River below the mouth of the Cache-a-la-Poudre.

Respectfully submitted,

GEO. M. CHILCOTT,
Chairman.

Mr. President appointed as a committee of Conference on the printing of Territorial Officers' Reports the standing committee on Printing.

Mr. Chilcott, by unanimous consent, previous notice not having been given, introduced C. B. No. 67, a bill for "An act to amend an act entitled 'An act concerning criminal jurisprudence.'"

Under a suspension of the rules C. B. No. 67 was read first time.

H. J. M. No. 11 read first time.

H. B. No. 12 read first time.

H. B. No. 15 read first time.

H. B. No. 63 read first time.

H. B. No. 69 read first time.

Under a suspension of the rules C. B. No. 67 was read second time and referred to the Judiciary committee.

C. B. No. 20 read second time.

C. B. No. 24 read second time.

S. C. B. No. 31 read second time.

C. B. No. 37 read second time.

The following messages from the House were read:

House of Representatives, January 30th, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has appointed Messrs. Butters and Uhlhorn a committee to confer with a like committee of the Council relative to the printing of certain Territorial officers reports, in conformity with Council request of this day.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Jan. 30, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body, that the House has passed H. B. No. 59, entitled "An act concerning libel."

Also, H. B. No. 61, entitled "An act to amend an act entitled 'Roads and Highways.'"

Also, S. H. B. No. 64, entitled "An act to prohibit the burying of the dead within the limits of any city, town or village in certain counties."

Also, H. J. M. No. 7, entitled "A joint memorial to Congress in relation to irrigation."

The concurrence of the Council is respectfully requested.

H. Bs. Nos. 59 and 61, S. H. B. No. 64 and H. J. M. No. 7 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

By unanimous consent, consideration of C. J. M. No. 2 was postponed until Monday p. m., 2nd proximo.

Mr. Taylor appeared and took his seat.

Under a suspension of the rules, the following report was received and read:

Mr. President:

Your committee on Agriculture and Stock Growing, to whom was referred H. B. No. 16, have had the same under consideration, and beg leave to report the same back to the Council, with the recommendation that it do pass.

GEO. M. CHILCOTT,
Chairman.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 64, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

S. H. B. No. 21 was taken up.

Mr. Butler moved that S. H. B. No. 21 be referred to Judiciary committee.

Carried.

Mr. Fitzpatrick moved to go into Committee of the Whole.

Carried.

Mr. Fitzpatrick in the chair.

Committee of the Whole arose and reported as follows:

Mr. President:

Your Committee of the Whole have had under consideration the following bills, and do recommend as follows:

That H. B. No. 62 be referred to the committee on Benevolent Institutions.

That C. B. No. 57 be referred to the committee on Printing.

That C. B. No. 58 be referred to the committee on Printing.

That C. B. No. 59 be referred to the committee on Printing.

That C. B. No. 62 be referred to the committee on Printing.

That C. B. No. 63 be amended by inserting the words "and Conejos," after the words "Las Animas," wherever the latter occur in the title and first section of the bill.

Also, by adding to section 2 the words "and at the town of Conejos for said county of Conejos," and that the bill as amended be referred to a select committee, consisting of Messrs. Taylor and Head.

That C. B. No. 64 be referred to the Judiciary committee.

That C. B. No. 65 be referred to the Judiciary committee.

Respectfully,

J. B. FITZPATRICK,
Chairman.

Mr. Chilcott moved a suspension of the rules and the adoption of the report.

Carried.

Mr. Sprague moved that the rules be suspended, and that the Council proceed to the election, by ballot, of an Assistant Enrolling Clerk.

Carried.

Mr. Fitzpatrick nominated Dudley H. Givens.

Mr. Chilcott nominated George Dunbaugh.

Mr. Bromwell nominated George Sopris.

Messrs. Taylor and Head were appointed tellers.

The following message was received from the House:

House of Representatives, Denver, Jan. 31, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that Messrs. Hutchinson and McCutcheon have been added to the joint committee of conference relative to the printing of certain Territorial officers reports, and will meet the Council committee in the committee-room at once.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

The ballot for Assistant Enrolling Clerk resulted as follows:

D. H. Givens received 1 vote.
George Dunbaugh received 9 votes.
George Sopris received 2 votes.
Mr. Dunbaugh was declared elected Assistant Enrolling Clerk.
The oath of office was administered by Mr. President to Geo. Dunbaugh.
Mr. Head moved to adjourn till Monday, February 2nd at 2 o'clock p. m.
Carried.
Adjourned.

MONDAY, FEBRUARY 2ND, 1874—2 P. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the chaplain.
Roll called.
Quorum present.
Absent—Messrs. Clark, Hall and Jaquez.
Journal of 31st inst. read and approved.
Mr. Jaquez and Mr. Clark appeared and took their seats.
The following report was read:

Mr. President:

Your committee on Education and Labor to whom was referred C. B. No. 6, beg leave to return said bill to the Council and offer the accompanying bill as a substitute for C. B. No. 6.

Respectfully,
R. G. BUCKINGHAM,
Chairman.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined S. C. B. No. 52, and C. B. No. 60, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Hall appeared and took his seat.

Report of committee on Irrigation on H. B. No. 38, ordered laid on the table.

Mr. Butler moved that the report of the Judiciary committee on C. Bs. Nos. 38, 44, 55, also, on H. B. No. 52, be adopted.

Carried.

Mr. Fitzpatrick moved that the report of the committee on Agriculture and Stock Growing on H. B. No. 36 be adopted.

Carried.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 2, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 46.

Also, passed H. B. No. 46, entitled "An act relating to Fees and Salaries in Arapahoe county."

Also, passed H. B. No. 67, entitled "An act to relocate the Seat of Government of Colorado Territory."

The concurrence of the Council is respectfully requested.

C. B. No. 46 and H. Bs. Nos. 46 and 67 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 2, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has adopted the report of the House committee appointed to confer with Council committee, in relation to printing Territorial Officers' Reports as follows:

That there be printed one thousand copies of Territorial School Superintendent's report and two hundred each of the Auditor's and Treasurer's reports.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 2, 1874.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. C. B. No. 25 and S. C. B. No. 47.

Also, have passed S. H. B. No. 47 entitled "An act to change the boundary lines of Bent County."

Also, H. B. No. 49, entitled "An act concerning Railroad Crossings."

Also, H. B. No. 68, entitled "An act to regulate the Fees and Salaries of the County Officers of Huerfano county."

Also H. J. M. No. 14, praying for a tri-weekly mail between Conejos and Elbert in Conejos county."

The concurrence of the Council is respectfully requested.

Bills herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Chilcott moved that the report of the committee on Agriculture and Stock Growing, on H. B. No. 16, be adopted.

Carried.

The following report was read:

Mr. President:

Your special committee to whom was referred C. B. No. 63, would respectfully report the same back with substitute therefor.

DAN'L L. TAYLOR,
Chairman.

Mr. Buckingham introduced C. J. R. No. 1, memorializing Congress "to grant the right of way over the public lands to the Denver, South Park and Pacific Railroad Company."

The following report was read:

Mr. President:

Your committee on Printing, respectfully report back from the hands of the printer C. Bs. Nos. 36, 57, 59, 62, 66, and S. S. C. B. No. 7.

WM. M. CLARK.
Chairman.

Mr. Jaquez gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act to establish a Territorial Road in Huerfano county."

Mr. Hall introduced C. B. No. 68, a bill for "An act to release a certain School tax voted by School District No. 2, Park county."

Mr. Buckingham gave notice that on to-morrow or some

subsequent day he would introduce a bill to amend section 1 of chapter 50 of the Revised Statutes of Colorado.

H. J. M. No. 7 read first time.

H. B. No. 59 read first time.

H. B. No. 61 read first time.

S. H. B. No. 64 read first time.

C. B. No. 68 read first time.

By unanimous consent the rules were suspended and the following report was received:

Mr. President:

The committee on Judiciary to whom was referred the bills hereinafter mentioned, beg leave to make the following report, viz:

That H. J. R. proposing the following rule, "No bill amending the Revised Statutes or Laws of Colorado Territory by striking out and inserting less than an entire section shall be considered," be indefinitely postponed.

Also, that C. Bs. Nos. 16, 17 and 18 be indefinitely postponed.

Also, that C. B. No. 14, be amended in section 1, by inserting after the word "towns" on line 5 of said section the following, "or any corporate town or city which has been duly organized and created by virtue of any special act of incorporation heretofore passed." That section 2 be amended by inserting after the word "persons" on the 9th line the words "theretofore acquired." That section 6 be amended by adding to the end of said section the following words: "Created by the issuance of such bonds," and that the bill as amended be engrossed, read a third time and passed.

That C. B. No. 53, be indefinitely postponed.

That S. C. B. No. 27 and C. B. No. 65 be indefinitely postponed.

Respectfully submitted,
HUGH BUTLER,
Chairman.

H. J. M. No. 11 read second time.

H. B. No. 12 read second time.

H. B. No. 15 read second time.

H. B. No. 63 read second time.

H. B. No. 69 read second time.

S. C. Bs. Nos. 2, 3 and 8 read second time.

S. S. C. B. No. 7 read second time.

Mr. Butler moved to postpone consideration of C. B. No. 57 'till 2 o'clock p. m. to-morrow.

Carried.

The following message from His Excellency, the Governor, was received and read.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT, }
Denver, January 31, 1874. }

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

Council Bill No. 22, viz: "An act to amend section 113 of chapter 22 of the Revised Statutes of Colorado Territory."

Also, Council Bill No. 12, viz: "An act to repeal an act authorizing the County Commissioners of Pueblo county to levy a special tax for the purpose of building a bridge across the Arkansas River."

Also, Council Bill No. 21, viz: "An act to amend section 1 of 'An act concerning Common Schools,' approved January 9, 1872.."

Also, Council Bill No. 1, viz: "An act prescribing the time of holding the District Court in the second Judicial District."

Very respectfully, your obedient serv't.

S. H. ELBERT,
Governor of Colorado.

C. B. No. 59 was read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

Consideration of C. B. No. 62 ordered postponed till to-morrow.

H. B. No. 16 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

No—Mr. Clark—1.

Title agreed to.

H. B. No. 8 read third time and, by unanimous consent, section 13 was amended so as to read, "March 1st, 1874," in lieu of the words "its publication."

Mr. Hall was excused from attendance.

Mr. Buckingham, by unanimous consent, moved to amend

House Bill No. 8, by inserting in lines 40 and 41 the words "nine inches long, four and one half inches wide and two and one-half inches thick," in lieu of the words "eight inches long, four inches wide and two inches thick."

Carried.

Mr. Hall appeared and took his seat.

H. B. No. 8 passed, as amended, by the following vote:

Ayes—Messrs. Chilcott, Clark, Fitzpatrick, Head, McCammon, Sprague, Taylor and Mr. President—8.

Noes—Messrs. Bromwell, Butler, and Jaquez—3.

Excused from voting—Messrs. Buckingham and Hall—2.

Title agreed to.

Messrs. Fitzpatrick and Buckingham were excused from attendance.

H. B. No. 36 read third time.

Messrs. Fitzpatrick and Buckingham appeared and took their seats.

H. B. No. 36 passed by the following vote:

Ayes—Messrs. Bromwell, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Excused from voting—Mr. Buckingham—1.

Title agreed to.

Mr. Butler moved that the vote by which H. B. No. 36 was passed be reconsidered.

Carried.

C. J. M. No. 2 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Hall, Head, Jaquez, Sprague and Mr. President—10.

Noes—Messrs. Fitzpatrick and McCammon—2.

Absent—Mr. Taylor—1.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 44, and find the same correctly engrossed.

DANIEL L. TAYLOR,
Chairman.

C. B. No. 44 read third time.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 2, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 82, entitled "An act concerning a school of mines at Golden."

Also, has passed H. J. M. No. 2, a joint memorial, "Asking aid of Congress for irrigation."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Chilcott moved that further consideration of C. B. No. 44 be postponed until 2 p. m. to-morrow.

Carried.

S. C. B. No. 52 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Fitzpatrick—1.

Title agreed to.

Mr. Bromwell from the committee on Judiciary, under a suspension of the rules, reported back H. B. No. 18 with substitute therefor.

By unanimous consent, previous notice not having been given, Mr. Bromwell introduced C. B. No. 69, a bill for "An act concerning the payment of fees by counties in criminal cases."

Also, by unanimous consent, previous notice not having been given, introduced C. B. No. 70, a bill for "An act to amend chapter 70 of the Revised Statutes of Colorado Territory."

By unanimous consent C. B. No. 20 was taken up.

Mr. Sprague moved, under a suspension of the rules, that the Council concur in House amendments to C. B. No. 20.

Carried.

Mr. Chilcott moved that the rules be suspended, and H. Bs. Nos. 46, 49, 67, 68 and S. H. B. No. 47 be read first time.

Carried.

H. B. No. 46 read first time.

H. B. No. 49 read first time.

H. B. No. 67 read first time.

H. B. No. 68 read first time.

S. H. B. No. 47 read first time.

Mr. Butler moved to go into Executive session.
Carried.
Executive session.
Executive session dissolved.
Mr. Butler moved to adjourn.
Carried.
Adjourned.

TUESDAY, FEBRUARY 3D, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Hall and Taylor.
Mr. Hall excused from attendance.
Journal of 2nd inst. read and approved.
The following communication from His Excellency, the Governor, was received and read:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 3, 1874.

Hon. M. W. Stewart, President of the Council:

SIR: I have the honor to inform you that I have approved and signed:
C. B. No. 26, viz: "An act to amend an act entitled 'An act to incorporate the town of Georgetown.'"
Also, "Council Substitute to House Joint Memorial No. 5."

Very respectfully,
S. H. ELBERT,
Governor of Colorado.

Mr. Butler, Chairman Judiciary committee, reported back C. B. No. 64 with a substitute therefor.
Mr. Butler moved a suspension of the rules and the adoption of the report.
Carried.
Mr Chilcott moved the adoption of the report of the Special committee on C. B. No. 68.
Carried.
Mr. Fitzpatrick, Special committee on Treasurer's accounts, reported progress and asked further time.

Agreed to.

Mr. Buckingham moved the adoption of the report of the committee on Education and Labor on C. B. No. 6.

Carried.

Report of the Judiciary committee on H. J. R. concerning the consideration of bills amendatory of the Revised Statutes and Laws of Colorado, C. Bs. Nos. 16, 17, 18, 14, 53, S. C. B. No. 27 and C. B. No. 65 was adopted.

Report of Judiciary committee on H. B. No. 18 was also adopted.

Mr. Taylor appeared and took his seat.

Mr. Bromwell offered the following resolution:

Resolved, That the committee on Agriculture and Stock Growing be instructed to inquire into and report to this House the expediency of publishing all or any part of the report of the Colorado Industrial Association, and that they report by bill or otherwise.

Mr. Bromwell, under a suspension of the rules, moved the adoption of the resolution.

Carried.

Mr. Clark introduced C. B. No. 71, a bill for "An act to authorize the funding and paying of the debt of Clear Creek county."

Mr. Buckingham introduced C. B. No. 72, a bill for "An act to amend section 1 of chapter 50 of the Revised Statutes of Colorado."

C. J. R. No. 1 read first time.
C. B. No. 66 read first time.
C. B. No. 69 read first time.
C. B. No. 70 read first time.
C. B. No. 71 read first time.
C. B. No. 72 read first time.
H. J. M. No. 2 read second time.
H. J. M. No. 7 read second time.
H. J. M. No. 14 read second time.
H. B. No. 46 read second time.
H. B. No. 49 read second time.
H. B. No. 59 read second time.
H. B. No. 61 read second time.
H. B. No. 67 read second time.
H. B. No. 68 read second time.
H. B. No. 82 read second time.
S. H. B. No. 64 read second time.
S. H. B. No. 47 read second time.

C. B. No. 36 read second time.
C. B. No. 64 read second time.
C. B. No. 63 read second time.
C. B. No. 68 read second time.
C. S. H. B. No. 18 read second time.
S. C. B. No. 6 read second time.

By unanimous consent the following report was received and read:

Mr. President:

Your committee on Printing, appointed to confer with a like committee from the House on C. C. R. No. 1, beg leave to make the following report:

That the Joint committee agree to and recommend the printing of one thousand copies of the report of the Territorial Superintendent of Public Instruction and two hundred copies each of the Auditor's and Treasurer's reports for the use of both Houses of this Legislature.

Respectfully submitted,
R. G. BUCKINGHAM,
for the Council Committee.

Mr. Fitzpatrick moved a suspension of the rules and the adoption of the report.

Carried.

The following report was read:

Mr. President:

Your committee on Printing report back C. B. No. 58 from the hands of the printer.

WM. M. CLARK,
Chairman.

H. B. No. 36 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall—1.

Title agreed to.

H. B. No. 38 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall—1.

Title agreed to.

C. B. No. 60 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall—1.

Title agreed to.

Mr. Butler moved that C. B. No. 58 be referred to the Judiciary committee.

Carried.

Under a suspension of the rules, Mr. Bromwell gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act to change the name of Jonathan Sanderson to Alvin John Warren."

Mr. Clark moved that the Council go into Committee of the Whole for consideration of bills on general file.

Carried.

Mr. McCammon in the chair.

Committee of the Whole arose.

Mr. President in the chair.

Mr. Taylor moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent— Messrs. Hall and McCammon.

Mr. Hall excused from attendance.

By unanimous consent, under a suspension of the rules, Mr. Jaquez introduced C. B. No. 73, a bill for "An act to establish a Territorial road in Huerfano county," and asked that the bill be read first time under a suspension of the rules.

Agreed to.

C. B. No. 73 read first time.

Special order, C. B. No 57.

C. B. No. 57 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Head, Jaquez, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Hall and McCammon—2.

Title agreed to.

Special order, C. B. No. 44.

Mr. McCammon appeared and took his seat.

Mr. Taylor moved that C. B. No. 44 be referred to a select committee of three.

Mr. Butler moved to amend, that the bill be referred to Committee of the Whole.

Amendment accepted and adopted.

Special order, C. B. No. 62.

C. B. No. 62 read third time.

The following message from the House was read:

HOUSE OF REPRESENTATIVES, Denver, Feb. 3d, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. H. B. No. 32, entitled "An act to establish assay offices in Colorado Territory."

Also, H. B. No. 45, entitled "An act to reimburse Fremont county for monies spent by said county in the care and support of certain lunatic paupers."

Also, H. B. No. 73, entitled "An act legalizing the tax warrants and assessment rolls of the City of Denver for the years 1870, 1871, 1872 and 1873."

Also, H. B. No. 74, entitled "An act concerning unclaimed freight."

Also, H. B. No. 76, entitled "An act to amend section 156 of the Criminal Code."

Also, H. B. No. 80, entitled "An act relating to County Commissioners."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

C. B. No. 62 passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague Taylor and Mr. President—12.

Absent—Mr. Hall—1.

Title agreed to.

The following report was read:

Mr. President:

Your Committee of the Whole have had under consideration the several memorials and bills hereinafter designated, and do respectfully recommend as follows:

That H. J. M. No. 2 be amended by striking out the word "would," in line seven: also, by inserting the word "irrigation" in lieu of the words "irrigable agriculture," in lines 16 and 17, and that the memorial as amended be referred to the committee on Federal Relations.

That H. J. M. No. 14 be placed on file for third reading.

That H. B. No. 12 be referred to the committee on Roads and Bridges.

That H. J. M. No. 11 be placed on file for third reading.

That H. B. No. 15 be referred to the committee on Expenditures.

That H. J. M. No. 7 be referred to the committee on Irrigation, and recommend that it do pass.

Respectfully submitted,

H. C. McCAMMON,
Chairman.

Mr. Fitzpatrick moved that the rules be suspended and the report adopted.

Carried.

Mr. Fitzpatrick read a communication from Geo. J. Dunbaugh declaring his inability to retain the office of Assistant Enrolling Clerk of the Council.

Mr. Fitzpatrick moved that the office of Assistant Enrolling Clerk be declared vacant.

Carried.

Mr. Fitzpatrick moved to proceed to the election of an Assistant Enrolling Clerk.

Carried.

Mr. Fitzpatrick nominated Dudley J. Givens.

Mr. Clark nominated Nath'l Young.

Messrs. McCammon and Sprague were appointed tellers.

The ballot for Assistant Enrolling Clerk resulted as follows:

Dudley J. Givens received 7 votes.

Nath'l Young received 5 votes.

Mr. President declared Dudley J. Givens elected to the office of Assistant Enrolling Clerk.

The following report was read:

Mr. President:

Your joint committee on Enrolled Bills report that they have examined C. Bs. Nos. 42, 45 and 30.

Also, C. J. M. No. 1, and find the same correctly enrolled, and have placed the same in the hands of His Excellency, the Governor of Colorado Territory, on Tuesday, Feb. 3, 1874, at the hour of 12 m., and they now await his signature.

LAFAYETTE HEAD,
Chairman.

Mr. Clark moved to go into Committee of the Whole.
Carried.
Mr. Head in the chair.
Mr. President in the chair.
The following messages from the House were read:

HOUSE OF REPRESENTATIVES, February 3d, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 81, entitled "An act to repeal an act entitled 'An act to establish the county of Platte and to define the boundary lines thereof,' approved Feb. 9th, 1872."

Also, H. B. No. 88, entitled "An act to extend the time for the completion of the flume of the Swan River and Georgia Gulch Mining, Ditching and Fluming Company."

Also, H. B. No. 92, entitled "An act relating to the fees of Auditor in certain cases."

Also, H. B. No. 95, entitled "An act to grant a stay of execution in judgments rendered by Justices of the Peace."

The concurrence of the Council is respectfully requested.

Bills herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, February 3d, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 96, entitled "An act to change the name of Louisa Jane Buck to Louisa Jane Kalberer."

Also, H. B. No. 48, entitled "An act concerning damages in certain cases."

Also, H. B. No. 51, entitled "An act concerning the Probate Court of Boulder county."

Also, H. J. M. No. 12, "For the establishment of a Land District."

Also, H. J. M. No. 13, memorializing Congress for the admission of Colorado as a State into the Union.

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Head in the chair.

Committee of the Whole resumed.

Committee of the Whole arose and reported as follows:

Mr. President:

Your Committee of the Whole have had under consideration the following bills, and do recommend:

That H. B. No. 46 be referred to a special committee of three.

That S. H. B. No. 47 do pass.

That H. B. No. 49 be amended by striking out all of section 3 after the word "may," in the last line of said section, and inserting in lieu thereof the words "proceed to secure the right of way for such crossing, only by condemnation, in the same manner as provided in other cases," and that the bill as amended do pass.

That S. H. B. No. 64 be amended by inserting the word "Conejos" after the word "Costilla," in line 7 of section 1, and that the bill as amended be placed on file for third reading.

That H. B. No. 67 be made the special order for Saturday, 7th inst., at 2 o'clock p. m.

That H. B. No. 68 be referred to a special committe of three.

H. B. No. 61 is reported back without recommendation.

Respectfully submitted,

L. HEAD,
Chairman.

Mr. Clark moved that the rules be suspended and the report be adopted.

Carried.

Mr. Clark moved that the committee on Enrolled Bills be authorized to procure a suitable room for the use of the Enrolling Clerks, and report the result of their action to the committee on Finance, Ways and Means.

Carried.
Mr. Head moved to adjourn.
Carried.
Adjourned.

WEDNESDAY, FEBRUARY 4TH, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Clark, Hall and Taylor.
Mr. Hall excused from attendance.
The oath was administered to Mr. Dudley J. Givens as assistant Enrolling Clerk.
Journal of 3rd inst. read and approved.
Mr. Taylor appeared and took his seat.
Mr. President appointed as the special committee on H. Bs. Nos. 46 and 68, Messrs Bromwell, Buckingham and Head.
Mr. Bromwell presented a Memorial from J. S. Calvert respecting the Statute concerning "Married Women." which was referred to the Judiciary committee.
The following report was read:

Mr. President:

Your committee on Expenditures to whom was referred H. B. No. 15, beg leave to report the same back and recommend that the same do pass.

J. B. FITZPATRICK,
DAN'L L. TAYLOR.
THO'S SPRAGUE.
Committee.

Mr. McCammon moved a suspension of the rules and the adoption of the report.
Carried.
Mr. Bromwell introduced C. B. No. 74, a bill for "An act to change the name of Jonathan Sanderson, of Arapahoe county, Colorado Territory to Alvin John Warren."
H. J. M. No. 12 read first time.
H. J. M. No 13 read first time.
S. H. B. No. 32 read first time.
H. B. No. 45 read first time.

H. B. No. 48 read first time.
H. B. No. 51 read first time.
H. B. No. 73 read first time.
H. B. No. 74 read first time.
H. B. No. 76 read first time.
H. B. No. 80 read first time.
H. B. No. 81 read first time.
H. B. No. 88 read first time.
H. B. No. 92 read first time.
H. B. No. 95 read first time.
H. B. No. 96 read first time.
C. B. No. 74 read first time.
C. J. R. No. 1 read second time.
C. B. No. 66 read second time.
C. B. No. 69 read second time.
C. B. No. 70 read second time.
C. B. No. 71 read second time.
C. B. No. 72 read second time.
C. B. No. 73 read second time.

Mr Clark appeared and took his seat.

H. J. M. No. 11 read third time and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall—1.

H. J. M. No. 14 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall.—1.

Consideration of H. B. No. 15 was postponed until to-morrow, 5th inst.

S. H. B. No. 47 read third time and passed by tho following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall—1.

Title agreed to.

H. B. No. 49 read third time and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall—1.

Title agreed to.

H. B. No. 61 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

No—Mr. Butler—1.

Absent—Mr. Hall—1.

Title agreed to.

S. H. B. No. 64 read third time and by unanimous consent section 1 was amended by striking out all of said section after the word "dollars" in line 11 of said section.

S. H. B. No. 64 as amended, passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. Pesident—12.

Absent—Mr. Hall—1.

Title agreed to.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 14, and find the same correctly engrossed.

DANIEL L. TAYLOR,
Chairman.

C. B. No. 14, read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent Mr. Hall—1.

Title agreed to.

Mr Fitzpatrick, chairman committee on Federal Relations, reported back H. J. M. No. 2, without recommendation.

Mr. Butler moved that the committee on Irrigation be requested to return H. J. M. No. 7 to the Council.

Carried.

Mr. Butler moved that H. J. M. No. 7, be re-committed to committee on Irrigation.

Carried.

Mr. Fitzpatrick moved that the Council go into Committee of the Whole for consideration of bills on general file.

Carried.
Mr. Fitzpatrick in the chair.
Committee of the Whole arose and reported as follows:

Mr. President:

Your Committee of the Whole have had under consideration the following bills, and do recommend as follows:
That H. B. No. 59, be referred to the Judiciary committee.
That C. B. No. 63 be referred to the Judiciary committee.
That S. C. B. No. 64, be placed on file for third reading.
That H. B. No. 69, be placed on file for third reading.
That H. B. No. 82, be referred to the committee on Mines and Minerals.
That C. J. R. No. 1, be placed on file for third reading.
That S. S. C. B. No. 7, be considered engrossed and placed on file for third reading.
That C. B. No. 24 do pass.
That C. S. H. B. No. 18, be ordered engrossed for third reading.

Respectfully,
J. B. FITZPATRICK,
Chairman.

Mr. McCammon moved that the rules be suspended and the report adopted.
Carried.
Mr. Sprague moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Hall and Head.
Mr. Hall excused from attendance.
Mr. Butler moved a reconsideration of the vote on the adoption of the Judiciary committee's report on H. B. No. 52.
Carried.
Mr. Butler moved that H. B. No. 52 be re-committed to the Judiciary committee.

Carried.

Under a suspension of the rules, Mr. Bromwell gave notice that on to-morrow or some subsequent day, he would introduce a bill for "An act concerning revenue."

By unanimous consent Mr. Butler, chairman of Judiciary committee, reported back H. B. No. 52, with amendment and recommended that it be engrossed for third reading.

Mr. Fitzpatrick moved a suspension of the rules and the adoption of the report.

Carried.

By unanimous consent the following report was read:

Mr. President:

Your committee on Agriculture and Stock Growing, have had under consideration the question of publishing all, or any part of the report of the Colorado Industrial Association, as directed in Council Resolution. Your committee are of the opinion that this matter more properly belongs to the committee on Printing and would recommend that the Resolution be so referrred.

GEO. M. CHILCOTT,
Chairman.

Mr. Chilcott moved that the rules be suspended and the report adopted.

Carried.

Mr. Fitzpatrick moved to go into Committee of the Whole.

Carried.

Mr. Fitzpatrick in the chair.

Mr. President in the chair.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 4, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 56, entitled "An act in relation to Partnership."

Also, H. B. No. 57, entitled "An act to amend section 82 of an act to provide for the assessment and collection of revenue. approved, February 11th, 1870."

Also, H. B. No. 72, entitled "An act concerning Railroads."

The concurrence of the Council is respectfully requested.

H. Bs. Nos. 56, 67 and 72, herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Fitzpatrick in the chair.
Committee of the Whole resumed.
Committee of the Whole arose.
Mr. President in the chair.
The following communications from His Excellency the Governor, were received and read.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 4, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have approved and signed:
Council Joint Memorial No. 1.
Also, Council Bill No. 45 viz, "An act to change the name of Lucy Jane Underwood to Lucy Jane Summers."
Also, Council Bill No. 42 viz, "An act to amend an act concerning School Bonds."

Very respectfully your obedient servant,
S. H. ELBERT,
Governor of Colorado.

By unanimous consent the rules were suspended and Mr. Bromwell gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act to limit the time for instituting suits to recover lands and to quiet titles thereto."
Also, that on to-morrow or some subsequent day he would introduce a bill for "An act to amend chapter 14, of the Revised Statutes."
Mr. Chilcott moved to adjourn.
Carried.
Adjourned.

THURSDAY, FEBRUARY 5TH, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Mr. Hall.
Mr. Hall excused from attendance.

Journal of 4th inst. read and approved.

Mr. Clark presented a petition from citizens of Lake county asking for the establishment of a Land Office at Oro City.

Petition received and placed on file.

Mr. Sprague presented a petition from citizens of Larimer county, praying for the passage of H. B. No. 81.

Petition received and placed on file.

Mr. Bromwell, chairman committee on Irrigation (verbally) reported back C. Bs. Nos. 10 and 28 with substitute therefor.

Mr. Clark moved a suspension of the rules and the adoption of the report.

Carried.

The following report was read:

Mr. President:

Your committee on Printing, to whom was referred the consideration of the report of the Colorado Industrial Association, would respectfully report that we find much merit in said report, and believing that it contains much information valuable to the public, do recommend that at least five hundred copies of said report should be printed for general distribution.

Respectfully,

WM. M. CLARK,
Chairman.

Mr. Clark moved that the rules be suspended and the report be adopted.

Carried.

Mr. Butler, by unanimous consent, under a suspension of the rules, introduced C. No. 75, a bill for "An act in regard to liability of securities for costs."

Also, C. B. No. 76, a bill for "An act concerning the Practice of the Courts."

Also, C. B. No. 77, a bill for "An act to amend the Criminal Code."

Also, C. B. No. 78, a bill for "An act to authorize the alternative writ of Mandamus, during vacation."

And asked unanimous consent that the several bills be read first and second times.

Agreed to.

Mr. Buckingham, by unanimous consent, under suspension of the rules previous notice not having been given, introduced C. B. No. 79, a bill for "An act appropriating four hundred dollars to defray the expense of publishing 10,000 copies of a pamphlet entitled 'Colorado and Asthma.'"

The following report was read:

Mr. President:

Your committee on Engrossed bills would respectfully report that they have examined H. B. No. 52, and also C. S. H. B. No. 18, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

H. B. No. 56 read first time.
H. B. No. 57 read first time.
H. B. No. 72 read first time.
C. B. No. 75 read first time.
C. B. No. 76 read first time.
C. B. No. 77 read first time.
C. B. No. 78 read first time.
C. B. No. 79 read first time.
Mr. Butler excused from attendance.
H. J. M. No. 12 read second time.
H. J. M. No. 13 read second time.
S. H. B. No. 32 read second time.
H. B. No. 45 read second time.
H. B. No. 48 read second time.
H. B. No. 51 read second time.
H. B. No. 73 read second time.
H. B. No. 74 read second time.
H. B. No. 76 read second time.
H. B. No. 80 read second time.
H. B. No. 81 read second time.
H. B. No. 88 read second time.
H. B. No. 92 read second time.
H. B. No. 95 read second time.
H. B. No. 96 read second time.
S. C. B. No. 10 read second time.
S. C. B. No. 28 read second time.
C. B. No. 74 read second time.
C. B. No. 75 read second time.
C. B. No. 76 read second time.
C. B. No. 77 read second time.
C. B. No. 78 read second time.
H. J. M. No. 2 read third time.

Mr. Chilcott moved that H. J. M. No. 2 be recommitted to a select committee of three.

Carried.

C. S. H. B. No. 18 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Butler, and Hall—2.

Title agreed to.

S. C. B. No. 64 read third time and passed by the following vote:

Ayes—Messrs. Bromwell. Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Taylor and Mr. President—10.

Absent—Messrs. Butler, Hall and Sprague—3.

Title agreed to.

C. B. No. 24 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs, Butler and Hall—2.

Title agreed to.

S. S. C. B. No. 7 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Butler and Hall—2.

Title agreed to.

C. J. R. No. 1 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Butler and Hall—2.

H. B. No. 69 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor, and Mr. President—11.

Absent—Messrs. Butler and Hall—2.

Title agreed to.

H. B. No. 52 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Butler and Hall—2.

Title agreed to.

Mr. Bromwell moved that the consideration of H. B. No. 15 be postponed until Saturday, 7th inst., at 3 o'clock p. m.

Mr. Clark moved to amend, that H. Bs. 15 and 82 be made the special order for Saturday, 7th inst., at 2 o'clock p. m.

Amendment lost.

Original motion lost.

H. B. No. 15 read third time.

Mr. Butler appeared and took his seat.

Pending the vote on the passage of H. B. No. 15, Mr. Clark moved that the bill be recommitted and made the special order for Saturday, 7th inst., at 2 o'clock p. m.

Mr. Butler asked unanimous consent to offer the following amendment to section 2 of the bill, viz: Strike out all after the word "in" in line 4 (original copy) up to the word "then" in line 8 (original copy) of said section.

Objected to by Mr. Fitzpatrick.

Mr. Butler moved to so amend Mr. Clark's motion that the bill be made the special order for 3 o'clock p. m. to-day.

Carried.

Mr. Fitzpatrick moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Mr. Hall.

Mr. Hall excused from attendance.

Mr. President appointed as the Special committee on H. J. M. No. 2 Messrs. Chilcott, Bromwell and Fitzpatrick.

Mr. Clark moved to go into Committee of the Whole.

Carried.

Mr. Head in the chair.

Mr. President in the chair.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 5, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that

the House has passed H. B. No. 101, a bill for "An act concerning time of holding Probate Court in Lake county."

The concurrence of the Council is respectfully requested.

H. B. No. 101 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Feb. 5, 1874.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has concurred in Council amendments to H. B. No. 49 and S. H. B. No. 64.

Also, have passed C. Bs. Nos. 57 and 60.

Titles agreed to.

C. Bs. Nos. 57 and 60 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Feb. 5, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed H. B. No. 90, entitled "A bill for an act to amend the criminal code of the Revised Statutes of Colorado Territory."

Also, H. B. No. 100, entitled "A bill for an act concerning the collection and preservation of the military records of Colorado."

Also, H. B. No. 104, entitled "A bill for an act authorizing the County Commissioners of the county of Bent to levy a special tax for the purpose of building a court-house and jail."

Also, H. B. No. 105, entitled "An act to amend an act entitled 'An act concerning school bonds,' approved January 29th. 1872."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Special order, H. B. No. 15.

Mr. Butler asked unanimous consent to amend H. B. No. 15 as follows:

Strike out all after the word "in," on line 4 of section 2, and before the word "then," on line 8, and insert in lieu thereof the following words: "Cash paid in to the Treasurer of said Board." After the word "shall," on line 4 of section 3, insert the words "and paid as aforesaid."

Agreed to.

Mr. Butler moved that the rules be suspended, the amendment be considered engrossed, and the bill as amended be put upon its passage.

Carried.

H. B. No. 15 passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott. Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall—1.

Title agreed to.

Committee of the Whole resumed.

Mr. Head in the chair.

Committee of the Whole arose and reported as follows:

Mr. President:

The Committee of the Whole have had under consideration a portion of S. C. Bs. Nos. 2, 3 and 8, (commencing with section 6 of article 2 of said bill,) and do recommend the adoption of the following amendments thereto:

Amend section 6 by striking out the first four lines thereof: also, by striking out lines 8, 9 10, 11, 12 and 13 thereof; also, by substituting the words "of election contests" in lieu of the words "last aforesaid" in line 14.

Amend section 7 by substituting the word "or" for the word "and" in line 32 thereof.

Amend section 8 by striking out the words "to be used for" in line 9, all of line 10, and the words "the laws of this Territory, or" in line 11; also, substitute the words "or shall" for the word "and" in line 16; also, by adding to said section the words "or may be punished by both such fine and imprisonment."

Also, strike out all of section 9 and change the numbers of the succeeding sections to conform thereto.

Amend new section 9 by substituting the word "or" for the word "and" in line 16, and add to said section the words "or by both such fine and imprisonment, as the jury may determine."

Amend section 12 by inserting the word "any" after the word "advance" in line 2, and the word "other" before the word "valuable" in the same line; also, by inserting the word "for" before the word "paying" in line 6 of said section.

Amend section 15 by inserting the words "and he then and there knowing that he is not entitled to vote at such election" after the word "vote" in line 3; also, by substituting the word "imprisoned" for the word "imprisonment" in line 5 of said section.

Amend section 16 by striking out the word "wrongfully" in line 7 and insert the word "wrongfully" before the word "registered" in line 9; also, by striking out all of line 21 of said section.

Amend section 17 by striking out the word "the" before the word "officers" in line 1 and inserting in lieu thereof the words "any officer or;" also, by inserting after the word "precinct" at the end of line 5 the words "for the purpose and with the intent on the part of such officer or officers."

The numbers of lines and sections herein named are as given in the printed copies of the bill.

The Committee of the Whole do also recommend that the bill as amended be engrossed for third reading.

Respectfully submitted,

L. HEAD,
Chairman.

The following report was read:

Mr. President:

Your committee on Printing respectfully report back C. B. No. 71 from the hands of the printer.

Respectfully,

WM. M. CLARK,
Chairman.

The following report was also read:

Mr. President:

The Committee of the Whole, sitting Wednesday p. m., 4th inst., having had the following named bills under consideration, do recommend as follows:

That C. B. No. 71 be referred to committee on Printing.

That S. C. Bs. Nos. 2, 3 and 8 be amended as follows:

Insert the word "persons" before the word "qualified" in

line 14 of section 1, article 1 (printed copy);

Also, in section 2 of said article insert after the word "reside," in the sixth line (printed copy), the words "if he reside on unsurveyed lands, and if not, such description as will best locate his residence;" also, in 7th and 10th lines thereof, insert the words "ward or" before the word "precinct."

Also, in line 4 of section 5, strike out the word "bystander" and insert in lieu thereof the words "qualified electors then present;" also, in the 5th line of said section, insert the words "ward or" before the word "precinct."

Amend section 8 of article 1 by adding thereto the words "together with a sufficient numbers of copies of the registry and election laws bound in pamphlet form."

Amend section 13 of said article by substituting the word "are" for the word "is," in line 1 (printed copy) of said section.

Amend section 18 of said article by inserting at the end of line 20 (printed copy), the words "the blanks therein, filled with the proper names, dates, places and numbers, as the case may require, and such affidavit shall show that the person so offering to vote is, or will be by the day of election next ensuing, in all respects a legal voter in such ward or precinct;" and further amend said section by substituting the word "desirs' for the words "is about," in line 23 (printed copy.")

Amend section 19 by substituting the word "or" for the word "and," in line 5, and add to line 6 (printed copy), the words "or may be punished by both such fine and imprisonment."

Amend section 20 by substituting the word "or" for the word "and," in line 5, and add to line 6 (printed copy), the words "or may be punished by both such fine and imprisonment."

Amend section 22 by substituting the word "or" for the word "and," in line 12, and add to the end of said section the words "or may be punished by both such fine and imprisonment."

Amend section 23 of said article 1 by substituting the word "Tuesday" for the word "Wednesday" wherever the latter occurs in said section.

Amend section 2, article 2, by striking out all after the word "ballot," in the first line thereof, and all of the second line thereof (printed copy).

Amend section 3, article 2, by inserting the word "herein" before the word "provided," in line 7 thereof (printed copy).

Amend section 4 of said article by inserting the words "on conviction thereof," after the word "shall," in line 2 (printed copy) of said section.

And amend section 6 of said article by substituting the word "ten" for the word "two," in line 7 (printed copy) of said section.

Respectfully submitted,

J. B. FITZPATRICK,
Chairman.

Mr. Chilcott, under a suspension of the rules, moved that the portion of the report which referred to C. B. No. 71 be adopted.

Carried.

By unanimous consent, under a suspension of the rules, without previous notice, Mr. Butler introduced C. B. No. 80, a bill for "An act concerning the prosecution of crimes and misdemeanors not capital or infamous."

Mr. Butler moved that the rules be suspended and C. B. No. 80 be read first and second times by its title and referred to the Judiciary committee.

Carried.

C. B. No. 80 read first time.

C. B. No. 80 read second time.

By unanimous consent, the following report was received and read:

Mr. President:

The committee on Judiciary, to whom was referred C. B. No. 39, report the same back, with the recommendation that it be amended as follows:

In section 1 strike out the words "or abstracts" wherever the same occur.

Also, after the word "recorded," in 24th line, insert the words "and not until such abstract shall be so filed, nor in any county other than the one in which so filed."

H. P. H. BROMWELL,
for the Committee.

Mr. Bromwell moved a suspension of the rules and the adoption of the report.

Carried.

Mr. Butler moved to adjourn.

Carried.

Adjourned.

FRIDAY, FEBRUARY 6TH, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Hall and Head.
Mr. Hall excused from attendance.
Mr. Chilcott in the chair.
Mr. President excused from attendance.
Journal of 5th inst. read and approved.
Mr. Head appeared and took his seat.

Mr. Bromwell presented a petition from citizens of Denver, praying for the passage of C. B. No. 74.

By unanimous consent, Mr. Bromwell moved that the petition and C. B. No. 74 be referred to the Judiciary committee.

Carried.

Mr. Bromwell, from special committee on H. J. M. No. 2, reported as follows:

Mr. President:

Your committee to whom was referred H. J. M. No. 2, report the same back without recommendation.

H. P. H. BROMWELL,
Chairman.

The following report was read:

Mr. President:

The committee on Irrigation, to whom was referred H. J. M. No. 7, report the same back with an amendment thereto and a substitute therefor, without recommendation.

H. P. H. BROMWELL,
Chairman.

The following report was also read:

Mr. President:

Your committee on Roads and Bridges to whom was referred H. B. No. 12, a bill for "An act concerning Roads in Boulder, Douglas, Las Animas, Weld, Larimer, Jefferson, Arapahoe, El Paso, Lake, Costilla, Bent, Pueblo and Huerfano counties,"

have had the same under consideration and would recommend the following amendment:

After the word "purposes," in the last line of section 1, insert the following: "*Provided*, That the provisions of this section shall not be so construed as to prevent parties injured by the establishment of said roads from having the same remedies as heretofore," and with this amendment we recommend that the bill do pass.

J. B. JAQUEZ,
Chairman.

The following report was read:

Mr. President:

The Judiciary committee have had under consideration H. Bs. Nos. 4, 40 and 24, and C. B. No. 51 and return the same to the Council with the recommendation that H. B's Nos. 4 and 24 be read a third time and passed.

That H. B. No. 40, be indefinitely postponed.

And, that the accompanying substitute for C. B. No. 51 be passed.

Respectfully submitted,
HUGH BUTLER,
Chairman.

Mr. Clark moved a suspension of the rules and the adoption of the Judiciary committee's report.

Carried.

The following report was read:

Mr. President:

Your committee on Mines and Minerals, respectfully report that they have had under consideration H. B. No. 82, and do report the same back to the Council, recommending that the bill do pass.

WM. M. CLARK,
Chairman.

Mr. Fitzpatrick moved a suspension of the rules and the adoption of the report.

Carried.

Mr. Clark, under a suspension of the rules, without previous notice, introduced C. B. No. 81, a bill for "An act to amend the Criminal Code."

Mr. Bromwell introduced C. B. No. 82, a bill for "An act to amend chapter 14 of the Revised Statutes of Colorado Territory."

Also, introduced C. B. No. 83, a bill for "An act concerning Revenue."

By unanimous consent, without previous notice, Mr. Bromwell introduced C. B. No. 84, a bill for "An act to authorize the employment of Stenographic reporters in the District Courts."

Mr. Butler, by unanimous consent, previous notice not having been given, introduced C. B. No. 85, a bill for "An act concerning Garnishments."

H. B. No. 90 read first time.
H. B. No. 100 read first time.
H. B. No. 101 read first time.
H. B. No. 104 read first time.
H. B. No. 105 read first time.
C. B. No. 81 read first time.
C. B. No. 82 read first time.
C. B. No. 83 read first time.
C. B. No. 84 read first time.
C. B. No. 85 read first time.
H. B. No. 56 read second time.
H. B. No. 57 read second time.
H. B. No. 72 read second time.
C. B. No. 39 read second time.
S. C. B. No. 51 read second time.

Mr. President appeared and took his seat.

Mr. President in the chair.

H. B. No. 82 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Hall—1.

Title agreed to.

Mr. Fitzpatrick excused from attendance.

H. B. No. 24 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Fitzpatrick and Hall—2.

Title agreed to.

H. B. No. 4 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Head, Jaquez, McCammon, Sprague, Taylor, and Mr. President—11.

Absent—Messrs. Fitzpatrick and Hall—2.

Title agreed to.

Mr. Sprague moved that the rules be suspended and that H. B. No. 81, be taken from general file and put upon its passage.

Carried.

H. B. No. 81 read third time and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—10.

Absent—Messrs. Chilcott, Fitzpatrick, and Hall—3.

Title agreed to.

Mr. Clark moved that the rules be suspended that H. B. No. 88 be taken from general file and put upon its passage.

Carried.

H. B. No. 88 read third time.

Mr. Clark asked unanimous consent for a postponement of the further consideration of H. B. No. 88.

Agreed to.

Mr. Fitzpatrick appeared and took his seat.

Mr. Clark asked that the rules be suspended, and S. H. B. No. 32, be taken from general file and referred to committee on Mines and Minerals.

Agreed to.

By unanimous consent the rules were suspended and the following report was received and read:

Mr. President:

Your committee on Agriculture and Stock Growing, to whom was referred H. B. No. 17, beg leave to report the same back to the Council with the recommendation that it be placed on file for third reading.

GEO. M. CHILCOTT,
Chairman.

Under a suspension of the rules, Mr. Chilcott presented a petition from citizens of San Juan country praying against changes in the Mining Laws.

Petition received and placed on file.

Mr. Butler moved to go into Committee of the Whole, for the consideration of bills on general file.

Carried.

Mr. Butler in the chair.

Committee of the Whole arose.
Mr. Fitzpatrick moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Mr. Hall.
Mr. Hall excused from attendance.
Mr. Clark moved that the report of the Committee of the Whole (sitting yesterday,) on Sub. for C. Bs. Nos. 2, 3 and 8, be taken up.
Carried.
Mr. Chilcott offered the following amendment to the bill:
Add to article 1, section 23, the following: "Provided that article 1 of this act shall not apply to the counties of El Paso, Pueblo, Bent, Huerfano, Fremont, Saguache, Las Animas, Costilla, Conejos, Rio Grande, Hinsdale and La Plata," and moved its adoption.
Carried by the following vote:
Ayes—Messrs. Bromwell, Chilcott, Clark, Head, Jaquez, Taylor and Mr. President.—7.
Noes—Messrs. Buckingham, Butler, Fitzpatrick, McCammon and Sprague—5.
Absent—Mr. Hall—1.
Mr. Butler moved that the further consideration of article 1 of the bill be indefinitely postponed.
Motion withdrawn.
Mr. Bromwell moved that the vote on Mr. Chilcott's amendment be reconsidered.
Carried by the following vote:
Aye—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, McCammon, Sprague and Mr. President—8.
Noes—Messrs. Chilcott, Head, Jaquez and Taylor—4.
Absent—Mr. Hall—1.
Mr. Bromwell offered the following substitute for the amendment.
Add to section 23, article 1 the following: "*Provided*, that article 1 of this act shall not apply in precincts where the vote cast at the last preceding general election was less than one hundred."

Mr. Butler moved that the question be made the special order for 10.30 A. M. to-morrow.

Carried.

By unanimous consent, the rules were suspended and Mr. Buckingham, without previous notice, introduced C. B. No. 86, a bill for "An act to amend H. B. No. 8, an act entitled 'An act to amend chapter 89 of the Revised Statutes of Colorado Territory.'"

Under suspension of the rules, Mr. Chilcott gave notice that on to-morrow or some subsequent day, he would introduce a bill for the relief of John M. Cannon and others.

By unanimous consent, under suspension of the rules, without previous notice, Mr. McCammon introduced C. B. No. 87, a bill for "An act to change the name of Nellie Augusta Stock."

Mr. Clark moved that the rules be suspended and the following report of the Committee of the Whole (sitting this morning) be received and adopted.

Carried.

Mr. President:

Your Committee of the Whole have had under consideration the following bills, and do recommend:

That S. C. B. No. 6, be referred to the committee on Printing and then re-committed to the Committee of the Whole.

That C. B. No. 78 be engrossed and passed to third reading.

That H. J. M. No. 12 do pass.

That H. J. M. No. 13 do lie on the table, to be called up again at any time when desired.

That H. B. No. 48 be placed on file for third reading.

That H. B. No. 51 be placed on file for third reading.

That H. B. No. 73 be referred to a special committee of three.

That H. B. No. 74 be placed on file for third reading.

That H. B. No. 76 be placed on file, read third time and passed.

That H. B. No. 80 be amended by striking out (in original copy of bill) all of the last four lines of section 1 and that the bill be referred to a special committee of three.

That H. B. No. 92 be placed on file, read third time and passed.

Respectfully submitted,
HUGH BUTLER,
Chairman.

Mr. President appointed as special committee on H. B. No. 73, Messrs. Bromwell, Clark and Head.

Also, as special committee on H. B. No. 80, Messrs. Buckingham, Sprague and Taylor.

By unanimous consent, under a suspension of the rules, and without previous notice, Mr. Butler introduced C. B. No. 88, a bill for an act entitled "An act in relation to an adopted child of Baxter B. Stiles and Caroline J. Stiles."

By unanimous consent, under a suspension of the rules, Mr. Bromwell introduced C. B. No. 89, a bill for "An act to limit the time for instituting suits to recover land and to quiet the title thereto."

Messrs. Butler, Head and McCammon were excused from attendance.

Mr. Fitzpatrick moved that the Council go into Committee of the Whole, for consideration of bills on general file.

Carried.

Mr. Fitzpatrick in the chair.

Messrs. Head and McCammon appeared and took their seats.

Mr. President in the chair.

The following message was received from the House:

House of Representatives, Denver, Feb. 6, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has concurred in Council amendment to H. B. No. 15, also, has concurred in Council amendment to H. B. No 52.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Committee of the Whole resumed.

Mr. Fitzpatrick in the chair.

Mr. Butler appeared and took his seat.

The Committee of the Whole arose and reported as follows:

Mr. President:

Your Committee of the Whole have had under consideration the following bills and do recommend as follows:

That H. B. No. 56 be referred to the Judiciary committee.

That H. B. No. 57 be placed on file for third reading.

That H. B. No. 72 be placed on file for third reading.

That H. B. No. 95 be referred to the Judiciary committee.

That H. B. No. 96 be placed on file for third reading.

That S. C. B. No. 31 be placed on file for third reading.

That S. C. B. No. 36 be placed on file for third reading.

That C. B. No. 37 be ordered engrossed for third reading.

That C. B. No. 39 be ordered engrossed for third reading.

That C. B. No. 44 be amended by adding thereto the words "*Provided:* that the provisions of this act shall not apply to the counties of Conejos and Las Animas" and that the bill as amended be ordered engrossed for third reading.

That S. C. B. No. 51 be considered engrossed and placed on file for third reading.

That S. C. B. No. 63 be placed on file for third reading.

That C. B. No. 66 be amended as follows:

After the word "chicken," in line 9 of section 3, insert the following: "wild goose, wild duck, curlew, snipe, plover, lark, dove, night-hawk, whip-poor-will, finch, thrush, sparrow, wren, snow-bird, marten, swallow, wood-pecker, bobolink, starling, robin;" also, in line 10 of said section 3, after the word "turkey," the following words: "wild goose, wild duck, curlew, snipe, plover, lark, dove, night-hawk, whip-poor-will, finch, thrush, sparrow, wren, snow-bird, marten, swallow, wood-pecker, bobolink, starling, robin;" also, in line 23 of said section 3, after the word "turkey," insert the words "wild goose, wild duck, curlew, snipe, plover, lark, dove, night-hawk, whip-poor-will, finch, thrush, sparrow, wren, snow-bird, marten, swallow, wood-pecker, bobolink, starling, robin," and that the bill as amended be engrossed for third reading.

That C. B. No. 68 be placed on file for third reading.

That C. B. No. 70 be referred to committee on Printing.

That C. B. No. 71 be amended by substituting the words "a majority" for the words "the President," in line 3 of section 4, division 1.

That section 6 of said division be stricken out, and the succeeding sections of the division be numbered to conform thereto.

That section 6 of division 2 be stricken out, and the succeeding sections of the division be numbered to conform thereto.

That the words "so far as the same pertain" be substituted for the words "as pertain," in line 2 of (new) section 7, division 2.

That the words "the first day of April, A. D. 1874" be substituted for the words "its passage," in the second and third lines of section 8 said division, and that the bill be reported back to the Council for further amendments.

That C. B. No. 72 be engrossed and put upon its final passage.

That C. B. No 73 be put upon its final passage.

That C. B. No. 75 be engrossed, read a third time and passed.

That C. B. No. 76 be considered engrossed, read a third time, and passed.

That C. B. No. 77 be engrossed, read a third time, and passed.

That C. B. No. 79 be returned, with leave to withdraw the same.

Respectfully,

J. B. FITZPATRICK,
Chairman.

Mr. Butler moved that the report be adopted.

Carried.

The following communication from His Excellency, the Governor, was received and read:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 6, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

C. B. No. 20, viz: "An act changing the name of the town of Green City, in Weld county, Colorado, to the name of "Corona."

Also, C. B. No. 46, viz. "An act to authorize the funding of the debt of the City of Central."

Also, C. B. No. 50, viz: "An act authorizing County Commissioners to fill vacancies in office."

Also, C. B. No. 47, viz: "An act to amend an act, entitled 'An act to incorporate the City of Central,' approved March 11th, 1864."

Also, C. B. No. 25, viz: "An act concerning cases pending in any District Court, the venue of which has been changed thereto."

Also, C. C. R. No. 1 as amended and adopted by the Council and House of Representatives."

Very respectfully, your obedient serv't.

S. H. ELBERT,
Governor of Colorado.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 78 and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Butler moved to adjourn.
Carried.
Adjourned.

SATURDAY, February 7th, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Butler and Hall.
Mr. Hall excused from attendance.
Journal of 6th inst. read and approved.
Mr. Hall appeared and took his seat.
Mr. Jaquez moved that the report of the committee on Roads and Bridges on H. B. No. 12 be adopted.
Carried.
Mr. Buckingham moved that the rules be suspended and the following resolution be adopted:
Resolved, That the committee on Enrollment be and are hereby empowered to employ an assistant enrolling clerk, for the purpose of enrolling C. B. No. 40.
Carried.
Mr. President administered oath to Mr. Orren H. Miller as assistant enrolling clerk, for the purpose of enrolling C. B. No. 40.
Mr. Taylor, under suspension of the rules, and without previous notice, introduced C. J. M. No. 3, for the establishment of a new postal route, etc., in Las Animas county.
Mr. Fitzpatrick, by unanimous consent, moved a suspension of the rules and that C. J. M. No. 3 be read first and second times and placed on file for third reading.
Carried.
C. J. M. No. 3 read first time.
C. J. M. No 3 read second time.
The following report was read:

Mr. President:

Your committee on Education and Labor, to whom was referred the petition of David H. Moffat, Jr., and others, praying that some action be taken to provide means for the education of deaf mutes, respectfully report the same back with

recommendation that the petitioners have leave to withdraw said petition for the purpose of presenting the same to the House of Representatives, where all measures looking to the appropriation of public money more rightfully belong.

At the same time your committee cannot refrain from expressing their earnest sympathy with any movement in aid of that unfortunate class of our fellow beings, whose situation appeals with irresistible force to all humane minds.

Respectfully submitted,

H. P. H. BROMWELL,
R. G. BUCKINGHAM,
WM. M. CLARK,
Committee.

Mr. Bromwell, from Judiciary Committee, reported back C. B. No. 15, with an amendment thereto.

Report adopted.

The following report was read:

Mr. President:

Your committee on Printing respectfully report back S. C. Bs. Nos. 10 and 28.

WM. M. CLARK,
Chairman.

Mr. Bromwell, chairman committee on Benevolent Institutions, reported back H. B. No. 62 without recommendation.

The following report was read:

Mr. President:

Your committee on Mines and Minerals respectfully report back to the Council S. H. B. No. 32, and do recommend the following amendments. After the word "Fairplay," in line ten, strike out the words "or some other mining or smelting town." Also, after "Oro City," in line 12, strike out the words "or some other mining or smelting town."

Also, in Section 2, after the word "Assayer," in line ten, strike out the following words, "as soon as his bond shall have been approved by the Secretary of the Territory, as provided in Section 3 of said Act," and insert the following, "at the expiration of the first quarter of his term of office." Also, by striking out the word "beginning" in line 15 of Section 2, and inserting the word "end" in lieu thereof.

WM. M. CLARK,
Chairman.

Mr. Clark moved a suspension of the rules and the adoption of the report.

Carried.

Mr. Clark moved a suspension of the rules and that the amendments to S. H. B. No. 32 be ordered engrossed.

Carried.

Reports of special committee on H. J. M. No. 7, and of committee on Agriculture and Stock Growing, on H. B. No. 17, were adopted.

The following report was read:

Mr. President:

Your Special Committee, to whom was referred H. B. No. 80, beg leave to make the following report:

Your committee would recommend the amendment of Sec. 1 by striking out all the words after the word "business" in said Section. Also, to strike out the fourth and fifth lines in said Section 1. Also, that the bill be further amended by adding the following, as "Sec. 2;" and the numbers of the succeeding sections be changed to conform thereto. "Sec. 2. The Board of County Commissioners of any county, whenever they may become satisfied that they have a population of ten thousand and upwards, they shall be empowered to appoint one person, being a citizen of the county in which said commissioners reside, to take the census of said county for the purpose of ascertaining the correct amount of population in said county."

R. G. BUCKINGHAM,
Chairman.

Mr. Butler appeared and took his seat.

Special order, S. C. Bs. Nos. 2, 3 and 8.

Mr. Chilcott withdrew his amendment.

Mr. Bromwell offered the following amendment to article 1:

"Sec. 24. In no precinct in which less than one hundred votes shall have been cast at the last preceding general election, shall the Judges of Election be compelled to make the registry herein provided for."

Mr. Taylor moved to amend by substituting the words "one hundred and fifty," for the words "one hundred."

Mr. Jaquez moved to amend the amendment by substituting the words "two hundred" for the words "one hundred and fifty."

Amendment to the amendment withdrawn.

Amendment adopted.

Motion as amended adopted.

Report of the Committee of the Whole on the bill was adopted.

Mr. Bromwell, by unanimous consent, previous notice not having been given, introduced C. B. No. 90 a bill for "An act concerning the Library of the Supreme Court."

Mr. Chilcott introduced C. B. No. 91 a bill for "An act for the relief of John M. Cannon and others."

Mr. Fitzpatrick, by unanimous consent, previous notice not having been given, introduced C. B. No. 92 a bill for "An act relating to Executive Sessions of the Council."

The following report was read:

Mr. President:

Your joint Committee on Enrollment report that they have examined C. Bs. Nos. 47, 46, 25, 20, 35 and 50; also, C. C. R. No. 1, and find the same correctly enrolled, and have placed the same in the hands of His Excellency, the Governor of Colorado Territory, on Friday, Feb. 6, A. D. 1874, at the hour of 3 o'clock p. m., and they now await his signature.

LAFAYETTE HEAD,
Chairman.

Mr. Chilcott moved that S. C. Bs. Nos. 2, 3 and 8 be engrossed.

Carried.

C. B. No. 86 read first time.
C. B. No. 87 read first time.
C. B. No. 88 read first time.
C. B. No. 89 read first time.
C. B. No. 90 read first time.
C. B. No. 91 read first time.
C. B. No. 92 read first time.
H. B. No. 80 read second time.
H. B. No. 90 read second time.
H. B. No. 100 read second time.
H. B. No. 101 read second time.
H. B. No. 104 read second time.
H. B. No. 105 read second time.
C. B. No. 15 read second time.
C. B. No. 81 read second time.
C. B. No. 82 read second time.
C. B. No. 83 read second time.
C. B. No. 84 read second time.
C. B. No. 85 read second time.

The following message from the House was read:

HOUSE OF REPRESENTATIVES, Denver, Feb. 7, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. C. B. No. 52; also, C. B. No. 14, with the following amendment:

Add to section 6 the following:

"*Provided*, The provisions of this act shall not apply to the towns and cities in the counties of Arapahoe and Las Animas."

Also, have passed C. B. No. 40.

The concurrence of the Council to House amendment to C. B. No. 14 is respectfully requested.

S. C. B. No. 52 and C. Bs. Nos. 14 and 40 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

H. B. No. 62 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

H. J. M. No. 12 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

H. B. No. 48 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

H. B. No. 57 read third time.

Mr. Butler moved that H. B. No. 57 be referred to committee on Incorporations and Railroads..

Carried.

Mr. Butler moved that H. B. No. 51 be referred to the Judiciary committee.

Carried.

H. B. No. 72 read third time.

Mr. Bromwell moved to refer H. B. No. 72 to the committee on Incorporations and Railroads.

Carried.

H. B. No. 74 read third time.

Mr. Bromwell moved that H. B. No. 74 be referred to a special committee of three.

Carried.

H. B. No. 76 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, and Mr. President—11.

Absent—Messrs Clark, and Taylor—2.

Title agreed to.

Mr. Fitzpatrick moved that H. B. No. 88 be referred to the Judiciary committee.

Carried.

H. B. No. 92 read third time and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

H. B. No. 96 read third time and was lost by the following vote:

Ayes—Messrs. Chilcott, Clark, Head and Mr. President—4.

Noes—Messrs. Bromwell, Buckingham, Butler, Jaquez, McCammon and Sprague—6.

Excused from voting—Messrs. Fitzpatrick, Hall and Taylor—3.

S. C. B. No. 36 read third time.

Mr. Hall moved that S. C. B. No. 36 be referred to the committee on Mines and Minerals.

Carried.

S. C. B. No. 31 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague Taylor and Mr. President—13.

Title agreed to.

S. C. B. No. 51 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

S. C. B. No. 63 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. Pesident—13.

Title agreed to.

C. B. No. 68 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 73, read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 76 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 78 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

The following message from the House was read:

House of Representatives, Denver, Feb. 7, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed H. B. No. 146, a bill entitled "An act concerning Mines."

The concurrence of the Council is respectfully requested.

H. B. No. 146, herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Clark moved to suspend the rules and amend C. B. No. 71 as follows, to-wit:

Amend line 16 of section 6 of division 1, as follows: after the word "discretion" add the following, "after the year 1876."

Also, in line 21 of said section 6, after the word "bonds," add the following: "*Provided*, That in no case shall said tax be levied and collected except when there shall be due and payable a sufficient amount of said bonds to meet the tax so collected."

Carried.

Mr. Clark, under a suspension of the rules, moved that C. B. No. 71 be engrossed for third reading.

Carried.

The following reports were read:

Mr. President:

Your committee on Printing would respectfully report back S. C. B. No. 6, from the hands of the printer.

WM. M. CLARK,
Chairman.

Mr. President:

Your committee on Engrossed bills respectfully report that they have examined C. Bs. Nos. 66, 44, 77, 75, 37, 39 and 72 and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Butler moved that the rules be suspended and C. Bs. Nos. 66, 44, 77, 75, 37, 39 and 72, be now taken up.

Mr. Bromwell moved to adjourn.

Motion lost.

Mr. Butler's motion carried.

C. B. No. 39 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 72 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 66 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, McCammon, Sprague, Taylor and Mr. President—12.

No—Mr. Jaquez—1.

Title agreed to.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined amendments to S. H. B. No. 32 and find the same correctly Engrossed.

DAN'L L. TAYLOR,
Chairman.

C. B. No. 75 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 44 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

No—Mr. Chilcott—1.

Title agreed to.

C. B. No. 37 read a third time.

Mr. Butler moved that C. B. No. 37 be re-committed to the committee on Expenditures.

Motion carried by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague and Taylor—11.

Noes—Messrs. Chilcott and Mr. President—2.

Mr. Chilcott moved to adjourn.

Mr. Bromwell moved to amend, that the adjournment be until 2.30 p. m.

Amendment carried.

Motion carried.

Adjourned.

AFTERNOON SESSION—2:30 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Special order H. B. No. 67.

Mr. Bromwell moved that the bill be committed to a special committee of three, with instructions to inquire into and report what Real estate is owned by the Territory in the city of Denver, for Capitol Grounds or contributed in aid of erecting Capitol Buildings, the present value of such property and the conditions upon which the same is held by the Territory, and that said committee report without delay.

And that the committee be instructed to report an amendment to the bill substantially as follows:

"*Provided*, That the foregoing provisions shall not take effect until the question of removing said Capital has been submitted to a vote of the people of the Territory at the general election to be held in September 1874, and a majority of the legal voters of the Territory shall have voted in favor of such removal."

"Said vote shall be taken by each voter placing upon his ballot, in print or hand writing the words "For removal" or the words "Against removal," and all ballots having on them the words "For removal," shall be held and counted in favor of the above provisions going into effect, and if upon the canvass of all the votes cast a majority of the same shall be for removal, the Governor shall within ten days from the said canvass, issue his proclamation announcing the result of said vote and thereupon this act and all provisions thereof shall be in full force and effect."

Carried by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, McCammon, Sprague and Mr. President —10.

Noes—Messrs. Chilcott, Jaquez and Taylor—3.

Mr. Butler moved that the special committee on H. B. No. 67 be instructed to report upon the bill on Monday, 9th inst., at 10 o'clock a. m. and that the report and bill be made the special order for that hour of that day.

Carried.

Mr. President appointed as the special committee on H. B. No. 67 Messrs. Bromwell, Chilcott and Head.

Mr. Butler moved to adjourn until 9:30 a. m. Monday, 9th inst.

Carried.

Adjourned.

MONDAY, FEBRUARY 9TH, 1874, 9:30—A. M

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Absent—Messrs. Butler, Head, Jaquez and Taylor.
Mr. Clark moved that the reading of the journal of the 7th inst. be dispensed with.
Carried.
Messrs. Head and Jaquez appeared and took their seats.
Mr. Taylor appeared and took his seat.
A resolution from the City Council of the City of Denver, asking that certain alterations be made in C. B. No. 40, was received, read, and placed on file.
Mr. Hall from the Committee on Mines and Minerals, (verbally,) reported back S. C. B. No. 36, with the recommendation that it do pass.
The following report was read:

Mr. President:

Your committee on Engrossed Bills respectfully report that they have examined C. B. No. 71 and find the same correctly engrossed.

DAN'L. L. TAYLOR,
Chairman.

Mr. Bromwell moved that the report of the committee on Education and Labor on the petition of D. H. Moffatt, Jr., and others be adopted.
Carried.
Mr. President appointed as the Special committee on H. B. No. 74 the committee on Incorporations and Railroads.
Mr. Sprague moved that the report of the Special committee on H. B. No. 80 be adopted.
Carried.
The following report was read:

Mr. President:

The Judiciary committee beg leave to report that they have had under consideration C. B. No. 74, and recommend that the same be considered engrossed, read a third time, and put upon its passage.

Also, C. B. No. 80, and recommend that the same be engrossed, read a third time, and passed.

Also, the memorial of J. S. Calvert, and recommend that the same be laid upon the table.

Also, C. B. No. 54, and recommend that the same be indefinitely postponed.

Also, S. H. B. No. 21, and recommend that the Council adhere to its amendment of the same.

Also, H. J. M. No. 9, and recommend that the same be amended by striking out the 6th, 7th and 8th lines on the first page of the same and inserting in lieu thereof the following words: "To the Honorable, the Postmaster General of the United States of America;" that the same be engrossed as amended, read third time, and passed.

Also, C. B. No. 4, and recommend that the further consideration thereof be indefinitely postponed.

Also, H. B. No. 23, and recommend that the further consideration of the same be indefinitely postponed.

Respectfully submitted,

HUGH BUTLER,
Chairman.

Special order H. B. No. 67 and report of Special committee thereon.

Mr. Bromwell presented the following minority report.

Mr. President:

Your committee to whom was referred H. B. No. 67, respectfully report that they have had the same under consideration, and report the same back with an amendment, in accordance with instructions, which amendment is as follows:

"*Provided*, That the foregoing provisions shall not take effect until the question of removing the said Capital has been submitted to a vote of the people of the Territory, at the general election to be held in September, 1874, and a majority of the legal voters of the Territory shall vote in favor of such removal. Said vote shall be taken by each voter placing on his ballot the words "For removal," or the words "Against removal," and all ballots having on them the words "For removal" shall be held and counted in favor of the above provisions going into effect. And if, upon the canvass, a majority shall be for the removal, the Governor shall, within ten days from the said canvass, issue his proclamation announcing the result of said canvass, and thereupon this act and all the provisions thereof shall be in full force and effect."

H. P. H. BROMWELL,
of Special committee.

The following majority report was read:

To the Honorable the President of the Council:

Your Special committee, to whom was referred H. B. No. 67, for the removal of the Capital of the Territory of Colorado from Denver to the City of Pueblo, with instructions to examine and report for information of the Council, what amount of land and lots have been conveyed to the Territory of Colorado for the purposes of a Capitol site and buildings at the City of Denver, together with the status of title thereto and approximate value thereof, beg leave to report that they have made strict and careful examination as to said matters, and find by abstracts furnished by the Clerk and Recorder of Arapahoe county, that, first, Henry C. Brown has conveyed a tract of land containing ten acres, situate within the city limits of Denver. and being a part of the N. W. ¼ of the N. E. ¼ of section 3 in township 4 south of range 68 west, and the granting clause in the deed being in the words and figures following, to wit: "Said land being so conveyed to said Territory in pursuance of the act entitled 'An act to locate the seat of government of the Territory of Colorado, approved Dec. 9th, 1867,' so as to vest the title to the same *absolutely and in fee simple* in said Territory, and to remain the property of said Territory for the purpose of erecting a Capitol and other public buildings thereon only."

Second. It appears from the records that Alfred H. Clements has conveyed 15 lots, being lots from 1 to 16 inclusive in block 320 of Clement's addition to the City of Denver, upon condition express that the Capitol of Colorado shall be located and built upon the grounds of Henry C. Brown in East Denver.

Third. Daniel Witter has deeded to the Territory, upon the same express conditions as the foregoing, ten lots, being numbered from 26 to 35 in block 56 of Witter's addition. Upon the margin of this abstract is noted the following words: "Error.—No block 56 in Witter's addition as now filed."

Fourth. Richard E. Whitsitt has deeded, with like condition, 20 lots, being from 36 to 55 inclusive in block 55 in Witter's addition, and the following words are noted upon the abstract: "Error.—No grantee in the deed, and no block 55 in Witter's addition as map is now recorded."

Fifth. Samuel E. Brown and Mary E. Brown deed to the Territory *one acre* of ground in section 2 of the township aforesaid, and the following words are noted on the abstract: "I think error exists in this deed, as the land conveyed takes a part of land *previously sold* to and now in Horr's addition."

Sixth. I. W. Smith deeds to the Territory, conditioned as above, block 81, in Brown, Smith & Porter's addition, and the following clause follows the description of the property, to wit: "as by reference to the map of said addition will more fully and at large appear." To this conveyance the following is noted: "Error.—There being no map of Brown, Smith & Porter's addition."

Seventh. Henry M. Porter conveys to the Territory, with like conditions, block 78 in Brown, Smith & Porter's addition, and refers to the map thereof, and the same note is appended as the foregoing, to wit: "Error.—There is no map of Brown, Smith & Porter's addition."

Eighth. John Evans and Simeon Whiteley deed to the Territory, conditioned like the foregoing, the west half of block 24 in Whiteley's addition to the City of Denver, and as to this conveyance the following note is appended, to wit: "Error.—We have no Whiteley's addition to Denver."

The foregoing described property is all that has been conveyed or purported to be conveyed to the Territory in consideration of the location of the Capital at Denver, and from this exhibit of the title thereto it appears that the ten acres tract conveyed by H. C. Brown for the Capitol site, instead of being conditionally deeded so as to revert to the grantor in case the seat of government should be afterwards removed, is conveyed to the Territory *absolutely and in fee simple*, so as to vest the title in the Territory irrevocably and without reversion; the terms of the grant being absolute by express words, and the subsequent clause referring to the use of the said land by the public is not in any legal sense such a condition or limitation as would forfeit or alter the absolute character of the grant, and although it may possibly operate to prevent the Territory of Colorado from ever alienating the land, yet it clearly appears that the grantor has divested himself of all title thereto, and that it must forever remain the property of the Territory for the use of public buildings thereon.

With respect to the other property purporting to have been conveyed to the Territory for the alleged purpose of aiding in the erection of Capitol buildings, and the value of which has been stated by those who are opposed to the removal of the seat of government of the Territory to be from $50,000 to $75,000, your committee find from the records of title as above shown that only *fifteen* lots are owned by the Territory, to wit: the 15 lots deeded by Clements, the title to all the other lots and parcels *pretended* to have been conveyed by Witter, Whitsitt, S. E. Brown and wife, Smith, Porter and Evans not being worth the paper it was written upon, and the property so pre-

tended to be donated not being worth a single dollar to the Territory.

Your committee would remark upon this point that the singular circumstances here shown of six persons making six separate deeds for donations of land to the Territory for a purpose which was expected to add thousands of dollars in value to their adjoining lands, when at the same time these pretended donations to the public were for lands which had either been previously deeded away or were described to be in "additions" and blocks which never had an existence.

In conclusion, your committee have to report that should the bill under consideration pass the Council, and become effective in the location of the seat of government of Colorado at the City of Pueblo, the Territory would lose only fifteen lots in the City of Denver, worth altogether not to exceed $3,000; that, on the other hand, in addition to the ten acres in the City of Denver, which the Territory would retain for the use of public buildings, your committee is assured that grounds at the City of Pueblo for Capitol purposes can be secured by donations to the extent of forty acres and worth from $30,000 to $40,000 at the present time, and with a perfect title thereto; so that, instead of a loss, as has been alleged under a false impression, the Territory would, by the passage of the pending bill, gain at least $30,000, and more than double this amount taking into consideration the public uses to which the ten acres could be put in the City of Denver.

All of which is respectfully submitted.

LAFAYETTE HEAD,
GEO. M. CHILCOTT,
Majority of Special committee.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 9, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. C. B. No. 64.

Also, passed C. S. H. B. No. 18.

Also, passed S. H. B. No. 3, entitled "A bill for an act concerning mines."

The concurrence of the Council is respectfully requested on S. H. B. No. 3.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Bromwell moved that the amendment to H. B. No. 67, offered by the Special committee, be adopted.

Lost by the following vote:

Ayes—Messrs. Bromwell, Fitzpatrick, Hall and Mr. President—4.

Noes—Messrs. Buckingham, Butler, Chilcott, Clark, Head, Jaquez, McCammon, Sprague and Taylor—9.

Mr. Butler moved that section 8 be amended by substituting the words "March 1, A. D. 1874," for the words "its passage" in line 3 of said section.

Carried.

Mr. Chilcott moved that H. B. No. 67 be read third time and put upon its passage.

Carried.

H. B. No. 67 read third time and lost by the following vote:

Ayes—Messrs. Chilcott, Fitzpatrick, Head, Jaquez and Mr. President—5.

Noes—Messrs. Bromwell, Buckingham, Butler, Clark, McCammon, Sprague and Taylor—7.

Excused from voting—Mr. Hall—1.

The following report was read:

Mr. President:

Your Special committee, to which was referred H. B. No. 57, beg leave to report the bill back with the following amendment: Strike out the word "five," in line 8 of section 1, and insert the word "two," and that the bill be, with the amendment, engrossed and put upon its final passage.

Also, that a bill for "An act concerning railroads," H. B. No. 72, be reported back to the Council, with the recommendation that it be put upon its passage.

R. G. BUCKINGHAM,
Chairman.

Mr. Butler, Chairman Judiciary committee, reported back C. B. No. 58 with a substitute therefor, and moved that the rules be suspended, the report adopted, the bill read a second

time, and placed on general file.

Carried.

The following report was also read:

Mr. President:

Your Special committee, to whom was referred H. B. No. 46, report the same back, and recommend the following amendments:

In first section, after "Arapahoe," insert "Weld and Larimer."

In the seventh line of section 3, strike out the words "fifty (50) cents" and insert the words "one dollar."

In second line of next following page, strike out the words "one dollar" and insert the words "one dollar and fifty cents."

In tenth line, same page, strike out the words "one dollar" and insert the words "two dollars."

In section 10, at end of twenty-second line, insert "except indictment for perjury, forgery, counterfeiting, passing counterfeit money, bigamy, and obtaining goods or money under false pretenses, in which cases the fee for drawing indictments shall be fifteen dollars."

All of which is respectfully submitted.

H. P. H. BROMWELL.

Mr. Bromwell, chairman Special committee, also (verbally) reported back H. B. No. 68 without amendment and recommended its passage.

Mr. Clark moved that the rules be suspended, and the report of the Special committee on H. Bs. Nos. 46 and 68 be adopted.

Carried.

Mr. Butler, from the committee on Irrigation, (verbally) reported back H. B. No. 43, with the recommendation that it be read third time and put upon its passage.

Report adopted.

Mr. Buckingham gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act to amend section 3 of an act concerning School Bonds, approved January 29th, 1872."

The following report was also read:

Mr. President:

Your committee on Printing respectfully report back C. B. No. 70 from the hands of the printer.

Respectfully,

WM. M. CLARK,
Chairman.

By unanimous consent Mr. Clark offered the following resolution.

Resolved, by the Council, the House of Representatives concurring herein, that one thousand copies of the Report of the Board of Immigration, be printed for the use of the Legislature and for general distribution.

By unanimous consent, without previous notice, Mr. Clark introduced C. B. No. 93, a bill for "An act to amend an act concerning school bonds, approved Jan. 29, A. D. 1872."

Mr. Buckingham gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act to provide for the maintenance and education of the deaf mutes of Colorado."

S. H. B. No. 3 read first time.

H. B. No. 146 read first time.

C. B. No. 93 read first time.

H. J. M. No. 7 read second time.

S. H. B. No. 32 read second time.

C. B. No. 86 read second time.

C. B. No. 87 read second time.

C. B. No. 88 read second time.

C. B. No. 89 read second time.

C. B. No. 90 read second time.

C. B. No. 91 read second time.

C. B. No. 92 read second time.

S. C. B. No. 58 read second time.

Mr. Clark moved a suspension of the rules, and that S. H. B. No. 32 be taken from general file and put upon its passage.

Carried.

Mr. Jaquez moved that H. B. No. 68 be recommitted to special committee of three.

Carried.

H. B. No. 43 read third time and passed by the following vote:

Ayes—Messrs. Buckingham, Clark, Fitzpatrick, Hall, Head, Jaquez, Sprague, Taylor and Mr. President—9.

Absent—Messrs. Butler, Chilcott and McCammon—3.

Excused from voting—Mr. Bromwell—1.

Title agreed to.

C. B. No. 70 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Butler—1.

Title agreed to.

H. J. M. No. 2 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Clark, Fitzpatrick, Hall, Head, McCammon, Taylor and Mr. President—9.

Noes—Messrs. Chilcott, Jaquez and Sprague—3.

Absent—Mr. Butler—1.

H. B. No. 12 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Butler and Head—2.

Title agreed to.

H. B. No. 17 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Head—1.

Title agreed to.

C. B. No. 71 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Head—1.

Title agreed to.

C. B. No. 77 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

Mr. President appointed as the Special committee on H. B. No. 68 Messrs. Jaquez, Head and Taylor.

Mr. Butler moved to adjourn.

Carried.

Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Clark, Hall, Head and McCammon.

Messrs. Clark and McCammon appeared and took their seats.

Mr. Head appeared and took his seat.

Mr. Chilcott moved the Council concur in House amendments to C. B. No. 14.

Carried.

Mr. Butler, Chairman Judiciary committee, (verbally) reported back H. B. No. 88, with recommendation that it be ordered to third reading.

Mr. Clark moved the report be adopted.

Carried.

C. B. No. 88 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Jaquez, McCammon, Sprague and Mr. President—10.

No—Mr. Taylor—1.

Absent—Messrs. Hall and Head—2.

Title agreed to.

Mr. Hall appeared and took his seat.

S. H. B. No. 32 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Head—1.

Title agreed to.

Mr. Clark moved the report of the committee on Mines and Minerals on C. B. No. 36 be adopted.

Carried.

S. C. B. No. 36 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Hall, McCammon, Sprague, Taylor and Mr. President—10.

No—Mr. Jaquez—1.

Absent—Messrs. Fitzpatrick and Head—2.

Title agreed to.

Mr. Clark moved that S. H. B. No. 3 be referred to committee on Printing, with instructions that one hundred copies thereof be ordered printed.

Carried.

Mr. Butler moved that the vote on the passage of C. B. No. 70 be reconsidered.

Carried.

Mr. Hall, committee from the Council on Joint committee from the two Houses, for the examination of the condition of the Territorial prisoners, etc., etc., at Cañon City, presented the following report, (see appendix,) setting forth the result of the committee's investigations.

Mr. Chilcott moved that the report be received and referred to the committee on Penitentiary.

Carried.

The following communication was read:

MUNGER HOUSE, Denver, Feb. 9, 1874.

Hon. M. W. Stewart, President of the Council:

DEAR SIR: The citizens of Colorado Springs cordially invite the members of the Council to visit their town on Saturday next, the 14th inst. The Denver & Rio Grande Railway Co. have generously placed a train at your disposal. Please advise us through J. C. Wilson, member of the House, of your action in the premises, that arrangements may be completed with the railway company for transportation.

Awaiting your early reply, we are, yours very respectfully,

E. S. RANDALL,
HENRY TRUE,
JAMES McFERRIN,
A. F. GOODRICH,
J. S. WOLFE,
MATT. FRANCE.
Committee.

The following report was read:

Mr. President:

Your joint committee on Enrollment report that they have examined C. Bs. Nos. 52, 24, 57, 60 and C. S. H. B. No. 9, and find the same correctly enrolled, and have placed the same in the hands of His Excellency, the Governor of Colorado Territory, on Monday, Feb. 9th, 1874, at the hour of 3 o'clock p. m., and they now await his signature.

L. HEAD,
Chairman.

Mr. Butler, Chairman Judiciary committee, reported back C. B. No. 5 with a substitute therefor, and recommended that the latter be read a second time and placed on general file.

Mr. Clark moved that the rules be suspended and the report adopted.

Carried.

S. C. B. No. 5 read second time.

Mr. Butler moved that the Council go into Committee of the Whole for the consideration of bills on general file.

Carried.

Mr. Butler in the chair.

Mr. President in the chair.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 9, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. J. R. No. 1.

Also, H. B. No. 78, entitled "An act relating to writs of certiorari to Justices of the Peace in Arapahoe county."

Also, H. B. No. 108, entitled "A bill for an act to enable counties to provide water for mining, milling, irrigating, domestic and fire purposes."

Also, S. H. B. No. 142, entitled "A bill for an act to provide for the holding of courts in the First Judicial District."

The concurrence of the Council is respectfully requested on H. Bs. Nos. 78, 108 and S. H. B. No. 142.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Committee of the Whole resumed.

Mr. Butler in the chair.

Committee of the Whole arose and reported as follows:

Mr. President:

The Committee of the Whole, having had under consideration the following named bills, do recommend as follows:

That H. B. No. 45, together with a communication relating thereto from the Territorial Auditor to Hon. J. W. Hall, dated January 19th, 1874, be referred to the committee on Expenditures.

That H. J. M. No. 7 be amended by adding thereto the following: "*Provided*, That this memorial shall only apply to southern Colorado, embracing the counties of El Paso, Fremont, Pueblo, Bent, Huerfano, Las Animas, Costilla, Conejos,

Saguache, Rio Grande, Hinsdale and La Plata;" that the amendment be engrossed and the memorial as amended be put upon its passage.

That H. B. No. 80 be referred to a special committee of three.

That H. B. No. 90 be referred to the committee on Benevolent Institutions.

That H. B. No. 100 be read third time and passed.

That H. B. No. 104 be placed on file for third reading.

That H. B. No. 105 be referred to the Judiciary committee.

That C. J. M. No. 3 be amended by substituting the word "Purgatoire" for the word "Picketwire" wherever the latter occurs in the memorial, and that the memorial as amended be placed on file for third reading.

That S. C. B. No. 6 be recommitted to the committee on Education and Labor.

That S. C. B. No. 58 be placed on file for third reading.

That C. B. No. 81 be placed on file for third reading.

That C. B. No. 86 be engrossed for third reading.

That C. B. No. 92 be read third time and put upon its passage.

That C. B. No. 88 be considered engrossed and placed on file for third reading.

That C. B. No. 87 be read third time and passed.

That C. B. No. 91 be referred to the committee on Finance, Ways and Means.

Respectfully submitted,

HUGH BUTLER,
Chairman.

Mr. Fitzpatrick moved that the rules be suspended and the report adopted.

Carried.

The following communication from His Excellency, the Governor of Colorado, was received:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 7, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have approved and signed:

C. B. No. 35, viz: "An act to legalize and confirm certain deeds executed by Probate Judges of Pueblo county."

Very respectfully, your obedient servant,

S. H. ELBERT,
Governor of Colorado.

Mr. President appointed as the Special committee on H. B. No. 80 Messrs. Buckingham, Sprague and Taylor.

By unanimous consent, without previous notice, Mr. Taylor introduced C. B. No. 94, a bill for "An act for the establishment and location of a Lunatic Asylum."

Mr. Bromwell moved to adjourn.

Carried.

Adjourned.

TUESDAY, FEBRUARY 10TH, 1874—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Mr. Hall.

Mr. Clark moved that the reading of the journal of the 9th inst. be dispensed with and the journal approved.

Carried.

Mr. Buckingham chairman of special committee on H. B. No. 80, made the following report:

Mr. President:

Your special committee to which was referred H. B. No. 80 beg leave to make the following report:

That the whole of section 1, be stricken out and the following be substituted in lieu thereof:

"Section 1. The Board of County Commissioners of any county, whenever they may become satisfied they have a population of ten thousand and upwards, shall be empowered to appoint one competent person who is a citizen of the county in which such Board of Commissioners reside, to take the census of said county, and when it shall be ascertained that the county contains the amount of population as above specified, then the Board of County Commissioners shall consist of six qualified electors, any four of whom shall be competent to transact business."

R. G. BUCKINGHAM,
Chairman.

Mr. Buckingham moved that the rules be suspended, the report be adopted, and the bill passed to a third reading.

Carried.

Mr. Buckingham, chairman committee on Education and Labor, presented the following report:

Mr. President:

Your committee on Education and Labor, to which was referred S. C. B. No. 6, beg leave to make the following report:

That said bill be amended by striking out the whole of section 2, and substituting the following in lieu thereof:

"Section 2. There shall be chosen on the first Monday in May, 1874, six directors of the Public Schools of said District No. 1, who shall be residents of said district at the time of said election, three of whom shall serve for the term of one year and three for the term of two years, and until their successors shall be elected and qualified, and at every annual election thereafter, there shall be elected three directors, who shall hold their office for the term of two years, and until their successors shall be elected and qualified. Should any vacancy occur in said Board, by reason of death, resignation or otherwise, the Board of Education of said district shall fill such vacancy until the next ensuing election."

Your committee, under suspension of the rules, would request that the amendment as above, be considered engrossed and the bill read a second time, and placed on file for a third reading.

Respectfully,

R. G. BUCKINGHAM.
for Committee.

Mr. Buckingham moved the report be adopted.

Carried.

Mr. Bromwell, chairman special committee on H. B. No. 73, (verbally) reported back said bill with the recommendation, it be put upon its passage.

The following communications from His Excellency, the Governor, were received and read:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 9, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have approved and signed:

Council substitute for H. B. No. 9, viz: "An act concerning the Probate Courts of the counties of El Paso and Larimer."

Also, Council Bil No. 57, viz: "An act for the relief of the town of South Pueblo in the county of Pueblo and the Territory of Colorado."

Also, Council Bill No. 57, "An act for the relief of Calvin P. Peabody and Jesse C. Love of Pueblo County."

Also, Council Bill No. 24, viz: "An act concerning the collection of taxes."

Very respectfully, your obedient serv't.
S. H. ELBERT,
Governor of Colorado.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 10, 1874.

To the Honorable, the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

Council Bill No. 52, viz: "An act to create and establish the counties of Rio Grande, Hinsdale and La Plata and for other purposes."

Very respectfully your obedient serv't,
S. H. ELBERT,
Governor of Colorado.

Mr Clark moved that the report of the Judiciary committee on C. Bs. Nos. 74, 80, 54 and 4, S. H. B. No. 21, H. B. No. 23, and H. J. M. No. 9, be adopted.

Carried.

The report of the special committee on H. Bs. Nos. 57 and 72, was also adopted.

Mr. Clark's resolution for printing the report of Territorial Board of Immigration, was taken up.

Mr. Chilcott moved to amend by increasing the number of copies to be printed to two thousand.

Carried.

Mr. Chilcott moved that the resolution as amended be adopted.

Carried.

Mr. Bromwell by unanimous consent, previous notice not having been given, introduced C. B. No. 95, a bill for "An act to amend section 3, of an act entitled, 'An act concerning School Bonds,' approved January 29th 1872."

Mr. Bromwell moved that the rules be suspended and C. B. No. 95, be read first and second time.

Carried.

C. B. No. 94 read first time.
C. B. No. 95 read first time.
H. B. No. 78 read first time.
H. B. No. 108 read first time.
S. H. B. No. 142 read first time.
C. B. No. 93 read second time.
C. B. No. 95 read second time.
H. B. No. 46 read second time.
H. B. No. 146 read second time.

H. B. No. 72 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague and Taylor—11.

Excused from voting—Mr. Butler and Mr President—2.

Title agreed to.

H. B. No. 80 read third time.

Mr. Bromwell, by unanimous consent, moved to amend section 3 thereof by inserting the words "each of" at the beginning of the section. Also, by substituting the word "one" for the word "Twenty" in line 2 of said section.

Mr. Butler, by unanimous consent, moved to amend the bill by striking out all of section 3 and changing the numbers of succeeding sections to conform thereto.

Carried.

H. B. No. 80, passed as amended, by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, and Mr. President—12.

No—Mr. Taylor—1.

Title agreed to.

H. B. No. 100 read third time.

The following message was received from the House:

House of Representatives, Denver, Feb. 10, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has concurred in Council amendment to H. B. No. 32.

Also has passed H. B. No. 53, entitled "A bill for an act to amend 'An act to regulate the branding, herding and care of Stock.'"

Also, S. H. B. No. 66, entitled, "A bill for an act to provide terms of Court in the third Judicial District."

Also, H. B. No. 131 entitled, "A bill for an act authorizing

the Commissioners of Douglas county to provide a fund for the erection of Public Buildings."

The concurrence of the Council is respectfully requested, on H. B. No. 53, S. H. B. No. 66 and H. B. No. 131.

Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Also, the following:

HOUSE OF REPRESENTATIVES, Denver, Feb. 10, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. S. C. B. No. 59, entitled, "A bill for an act to prevent fires on Prairies."

Also, H. B. No. 85, entitled "An act prescribing the duties of County Commissioners of Las Animas county in regard to establishing voting precincts."

The concurrence of the Council is respectfully requested.

H. S. C. B. No. 59 and H. B. No. 85, herewith transmitted, also, C. B. No. 59.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Clark moved that H. B. No. 100 be re-committed to committee on Military affairs.

Carried.

H. B. No. 104 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

The following report was read:

Mr. President:

Your committee on Engrossed Bills respectfully report that they have examined C. B. No. 86, also, Council amendment to H. J. M. No. 7, and find the same correctly engrossed.

DAN'L. L. TAYLOR,
Chairman.

C. B. No. 74 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Excused from voting—Mr. Fitzpatrick—1.

Title agreed to.

C. B. No. 81 read third time and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 87 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague Taylor and Mr. President—13.

Title agreed to.

C. B. No. 88 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 92 read third time.

Mr. Bromwell moved to re-commit C. B. No. 92 to the Committee of the Whole.

Carried.

C. B. No. 86 read third time, and by unanimous consent was amended by inserting the words "and one half," after the word "eight," and the words "and one quarter," after the word "four," and the words "and three eighths," after the word "two," in line 9 and 10 of section 1.

C. B. No. 86 as amended passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title amended and agreed to.

C. J. M. No. 3 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. Pesident—13.

H. J. M. No. 7 read third time.

The following message from the House was read:

HOUSE OF REPRESENTATIVES, Febuary 10, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body, that the House has indefinitely postponed action on C. B. No. 36.

Also, have concurred in Council amendments to H. B. No. 12 and H. J. M. No. 2.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

H. J. M No. 7, passed by the following vote:

Ayes—Messrs. Chilcott, Clark, Fitzpatrick, Head, Jaquez, Sprague, Taylor and Mr. President—8.

Noes—Messrs. Bromwell, Buckingham, Butler, Hall and McCammon—5.

S. C. B. No. 58 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, McCammon, Sprague, and Mr. President—11.

Noes—Messrs. Jaquez and Taylor—2.

Title agreed to.

Mr. Chilcott moved that H. J. M. No. 13 be taken from the table and put upon its passage.

Motion lost.

Mr. Fitzpatrick moved to adjourn until 1:30 o'clock p. m.

Carried.

Adjourned.

AFTERNOON SESSION—1:30 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Fitzpatrick, Head and Taylor.

Mr. Hall, by unanimous consent, under a suspension of the rules, and without previous notice, introduced C. B. No. 96, a bill for "An act for the government and management of the Penitentiary."

Mr. Hall moved that the rules be suspended and C. B. No. 96 be read first and second time and placed on general file.

Carried.
C. B. No. 96 read first time.
C. B. No. 96 read second time.
Messrs. Head and Taylor appeared and took their seats.
Mr. Bromwell moved to go into Committee of the Whole.
Carried.
Mr. Hall in the chair.
Mr. Fitzpatrick appeared and took his seat.
Mr. President in the chair.
The following messages were received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 10, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. S. C. B. No. 7.
Also, S. C. B. No. 51.
Also, C. B. No. 62.
Also, C. B. No. 71.
Also, H. B. No. 91, entitled "A bill for an act to amend chapter 76 of the Revised Statutes."
Also, H. B. No. 98, entitled "A bill for an act concerning militia."
Also, H. B. No. 107, entitled "A bill for an act to amend section 107 of an act to provide for the assessment and collection of revenue, approved Feb. 11, A. D. 1870."
The concurrence of the Council is respectfully requested on H. Bs. Nos. 91, 98 and 107.
Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 10, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. H. B. No. 54, entitled "A bill for an act concerning the Agricultural College of Colorado."
Also, H. B. No. 116, entitled "A bill for an act concerning the abduction of women."
Also, H. B. No. 119, entitled "A bill for an act to encourage the propagation of fish."
The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Hall in the chair.
Committee of the Whole resumed.
Mr. President in the chair.
The following messages from the House were read:

HOUSE OF REPRESENTATIVES, Denver, Feb. 10, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 121, entitled "A bill to legalize the locating and recording of mines and property of La Plata county discovered and claimed previous to the purchase of such tract of land from the Indians."

Also, H. B. No. 123, entitled "A bill for an act providing for the printing of the Laws of the Legislative Assembly for the year 1874 in the Spanish language."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 10, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. H. B. No. 124, entitled "An act to prevent public officers from loaning public monies."

Also, S. H. B. No. 125, entitled "A bill for an act entitled an act to amend an act regulating the branding, herding and care of stock."

Also, H. B. No. 147, entitled "A bill for an act entitled 'an act regulating the fees of witnesses and jurors in the county of Conejos."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, February 10, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 120, entitled "A bill for an act to provide for issuing bonds in aid of the construction of wagon roads."

Also, H. B. No. 149, entitled "A bill for an act to amend an act concerning Probate Courts."

Also, H. B. No. 140, entitled "A bill for an act concerning the herding of stock in Weld county."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 10, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 43, with amendments as per engrossed copy.

Also, H. B. No. 114, a bill for "An act concerning actions on bonds, bills of exchange and promissory notes."

Also, H. B. No. 29, entitled "A bill for an act to amend section 1 of chapter 18 of the Revised Statutes."

Also, H. B. No. 128, entitled "A bill for an act to authorize the employment of stenographic reporters in the District Courts."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Hall in the chair.

Committee of the Whole resumed.

Committee of the Whole arose and made the following report:

Mr. President:

The Committee of the Whole, having had S. C. Bs. Nos. 10 and 28 under consideration, do respectfully recommend:

That section 1 of article 1 be amended by inserting the word "manufacturing" before the word "agricultural" in line 3; also, by striking out the words "or some tributary thereof" in line 7.

That section 2 be amended by striking out the words "or some tributary thereof which may be actually prepared for irrigation" in lines 5 and 6.

That section 3 be amended by inserting in line 12 (third clause) after the word "cases" the words "not herein otherwise provided for;" also, by striking out all of line 13 after the word "thereof."

That section 12 of article 2 be amended by striking out the word "and" after the word "May," in line 2, and after the word "June," in same line, insert the words "and duly;" also, by substituting the word "August" for the word "July" in line 3.

That section 14 be amended by substituting the word "comprising" for the word "containing" in line 2.

That section 1 of article 3 be amended by inserting the words "a majority of the" before the word "parties" in line 4.

That section 6 be amended by inserting the words "a majority of the," at the beginning of line 1, and that lines 18 19 and 20 (being the eighth clause of said section 6) be stricken out.

That section 1 of article 5 be stricken out, and the numbers of the succeeding sections of article 5 be changed to conform thereto.

That section 4 be amended by substituting the word "overflowing" for the word "overflow" in line 4.

That section 7 be amended by substituting the word "malicious mischief" for the word "felony" in line 5, and that all of said line 5 after the word "punished" be stricken out and the following inserted in lieu thereof: "by a fine of not more than five hundred dollars, or imprisoned in the county jail not more than six months, or both, to be determined by the jury."

That section 9 be amended by striking out the words "not exceed fifteen per cent of the actual value thereof," and insert in lieu thereof the words "be equal, as near as may be, to the usual rate of interest at the time of such estimate, on money loaned by the year, according to the value of such ditch."

That section 10 be amended by striking out the words "by consent of parties" and the word "county" in line 5, and also by inserting the word "Probate" before the word "judge" in the same line.

That section 14 be amended by adding thereto the words "and subject to the provisions of section 3 of article 1 hereof."

That section 20 be amended by inserting the word "days" before the word "nor" in line 13.

That section 21 be amended by inserting the word "leading" after the word "aqueduct" in line 6; also, by inserting the word "mentioned" after the word "hereinbefore" in line 9; also, by striking out the words "then in that case" in line 12 and insert in lieu thereof the words "or shall draw water to supply such pond or reservoir during the said irrigating season, then in either of said cases."

That section 23 be stricken out.

That section 24 be stricken out.

That section 3 of article 2 be amended by substituting the word "may" for the word "shall" in lines 2 and 6.

That section 26 be amended by striking out the words "its passage" and substituting therefor the words "the fifteenth day of March, A. D. 1874."

The numbers of lines, sections, etc. herein mentioned are as found in the printed copies of the bill.

That the following be inserted as section 15 of article 5, and the numbers of the succeeding sections be changed to conform thereto.

Section 15. The owner or owners of any ditch, canal or other aqueduct shall have the same right to institute and prosecute proceedings for condemnation of lands for the purpose of enlarging such ditch, canal or other aqueduct as is now provided in cases of constructing ditches."

The bill is reported back to the Council as amended for further action.

Respectfully submitted,

J. W. HALL,
Chairman.

Mr. Fitzpatrick moved that when the Council adjourn it be until 7:30 o'clock this evening.

Carried.

Mr. Hall moved the suspension of the rules, and that C. B. No. 96 be referred to the committee on Printing.

Carried.

Mr. Hall moved that the rules be suspended, and that the report of the Committee of the Whole be adopted.

Carried.

The following report was read:

Mr. President:

Your committee on Enrolled Bills would respectfully report

that they have examined S. C. Bs. Nos. 2, 3 and 8 and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. President announced a communication from His Excellency, the Governor.

Mr. Chilcott moved to go into Executive session for the consideration of the communication from His Excellency, the Governor.

Carried.

Executive session.

Executive session dissolved.

Mr. Chilcott moved that the committee on Enrolled Bills be authorized to employ such an additional number of Assistant Enrolling Clerks as may be found necessary.

Carried.

Mr. Fitzpatrick moved to adjourn.

Carried.

Adjourned.

EVENING SESSION, 7:30 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent— Messrs. Butler, Clark, Hall, McCammon and Taylor.

Mr. Fitzpatrick, committee from the Council, presented the report of the joint committee from the Council and House of Representatives on settlement of the accounts of George T. Clark, Territorial Treasurer.

Report received and referred to the committee on Finance, Ways and Means.

Messrs. Clark and Butler appeared and took their seats,

Messrs. Hall and McCammon appeared and took their seats.

Mr. Buckingham, chairman of the committee on Incorporations and Railroads presented the following report:

Mr. President:

Your committee on Incorporations and Railroads, to which was referred H. B. No. 74, beg leave to present the following report:

That section 1 be amended by adding after the word "him," in the last line of said section the following words:

"*Provided however*, That said Railroads or Express Companies or other common carrier, commission merchants or warehouse men, shall notify the owners or consignees, of the receipt of such goods, merchandise, or other property, within three days after the receipt thereof."

Your committee would recommend that the bill as amended, with the amendment, be engrossed, be placed on file for third reading and passed.

R. G. BUCKINGHAM,
Chairman.

Mr. Bromwell moved that the rules be suspended and the report be received and adopted.

Carried.

Mr. Bromwell moved to go into Committee of the Whole,

Carried.

Mr. Butler in the chair.

Mr. Taylor appeared and took his seat.

Mr. President in the chair.

The following messages from the House were read:

House of Representatives, Denver, Feb. 10, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed H. B. No. 89 entitled a bill for "An act to amend an act 'regulating the branding, herding and care of stock,' approved Feb. 4th 1872."

Also, S. H. B. No 127 entitled "A bill for an act to establish a school for Deaf Mutes in Colorado Territory."

The concurrence of the Council is respectfully requested.

Bills herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Feb. 10, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed H. B. No. 137, entitled "A bill for an act concerning Notaries Public."

The concurrence of the Council is respectfully requested.
H.B. No. 137 transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Butler in the chair.
Committee of the Whole resumed.
Committee of the Whole arose and reported as follows:

Mr. President:

Your Committee of the Whole have had under consideration H. B. No. 46, and report the same back with the recommendation that it be read a third time and passed.

Also, S. C. B. No. 6 and report the same back with the recommendation that the same be read third time and passed.

Also, C. B. No. 15 and report the same back with the recommendation that it be referred to the committee on Judiciary.

Also, C. B. No. 95 and recommend that the same be laid upon the table.

Also, S. C. B. No. 5 and report the same back with the recommendation that the same be read third time and passed.

Respectfully submitted,
HUGH BUTLER,
Chairman.

Report adopted.

Mr. Chilcott moved that the rules be suspended, and that all of the House Bills received to-day be read first and second times and placed on general file or appropriately referred.

Carried.

Mr. Fitzpatrick moved that C. B. No. 97 take the same course.

Carried.

H. B. No. 53 read first time.
S. H. B. No. 54 read first time.
H. S. C. B. No. 59 read first time.
S. H. B. No. 66 read first time.
H. B. No. 85 read first time.
H. B. No. 89 read first time.
H. B. No. 91 read first time.
H. B. No. 98 read first time.
H. B. No. 107 read first time.
H. B. No. 114 read first time.
H. B. No. 116 read first time.

H. B. No. 119 read first time.
H. B. No. 120 read first time.
H. B. No. 121 read first time.
H. B. No. 123 read first time.
S. H. B. No. 124 read first time.
S. H. B. No. 125 read first time.
S. H. B. No. 127 read first time.
H. B. No. 128 read first time.
H. B. No. 129 read first time.
H. B. No. 131 read first time.
H. B. No. 137 read first time.
H. B. No. 140 read first time.
H. B. No. 147 read first time.
H. B. No. 149 read first time.
C. B. No. 97 read first time.

H. B. No. 53 read second time and referred to committee on Agriculture and Stock Growing.

S. H. B. No. 54 read second time,
H. B. No. 123 read second time,
S. H. B. No. 124 read second time,
And referred to committee on Finance, Ways and Means.

H. S. C. B. No. 59 read second time,
H. B. No. 125 read second time,
S. H. B. No. 89 read second time,
And referred to committee onAgriculture and Stock Growing

H. B. No. 85 read second time and referred to committee on Indian affairs.

H. B. No. 91 read second time,
C. B. No. 97 read second time,
And referred to committee on Roads and Bridges.

H. B. No. 98 read second time,
And referred to committee on Military Affairs.

H. B. No. 107 read second time,
And referred to committee on Expenditures.

H. B. No. 114 read second time,
H. B. No. 128 read second time,
H. B. No. 149 read second time,
And referred to committee on Judiciary.

H. B. No. 116 read second time,
And referred to committee on Immigration.

H. B. No. 119 read second time,
H. B. No. 121 read second time,
And referred to committee on Mines and Minerals.

H. B. No. 120 read second time,
H. B. No. 129 read second time,
And referred to committee on Incorporations and Railroads.

S. H. B. No. 127 read second time,
And referred to committee on Benevolent Institutions.
H. B. No. 137 read second time,
And referred to Committee on Territorial Library.
H. B. No. 147 read second time,
And referred to committee on Counties.
H. B. No. 140 read second time,
And referred to select committee, consisting of Mr. Sprague.
S. H. B. No. 66 read second time,
H. B. No. 131 read second time,
And placed on general file.

Mr. Fitzpatrick moved that the rules be suspended, and S. H. B. No. 142 be taken up and read second time.

Carried.

S. H. B. No. 142 read second time.

Mr. Fitzpatrick moved that S. H. B. No. 142 be referred to the Judiciary Committee.

Carried.

Mr. Bromwell moved that the rules be suspended, and that S. C. Bs. Nos. 2, 3 and 8 be taken up, read third time, and put upon their passage.

Carried.

S. C. Bs. Nos. 2, 3 and 8 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, McCammon, Sprague, and Mr. President —10.

Noes—Messrs. Chilcott and Jaquez—2.

Absent—Mr. Taylor—1.

Title agreed to.

Mr. Buckingham moved, under a suspension of the rules, that S. C. B. No. 6 be taken up, read third time, and put upon its passage.

Carried.

S. C. B. No. 6 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, and Mr. Pesident—12.

Absent—Mr. Taylor—1.

Title agreed to.

Mr. Clark moved, under a suspension of the rules, that H. B. No 46 be taken up, read third time, and put upon its passage.

Carried.

H. B. No. 46 read third time and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, and Mr. President—12.

Absent—Mr. Taylor—1.

Title agreed to.

Mr. Butler moved to adjourn.

Carried.

Adjourned.

WEDNESDAY, February 11th, 1874—10 A. M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Reading of the Journal of the 10th inst. was dispensed with.

Mr Butler, Chairman Judiciary committee, reported back S. C. B. No. 9, with recommendation that it be read second time and placed on file for third reading.

Report adopted.

Mr. Fitzpatrick, Chairman committee on Expenditures, reported back H. B. No. 107, and recommended it be put upon its final passage.

Report adopted.

Mr. Buckingham, under a suspension of the rules, introduced C. B. No. 98, a bill for "An act to provide a fund for the maintenance and education of the deaf mutes of Colorado."

Mr. Sprague, by unanimous consent, without previous notice, introduced C. B. No. 99, a bill for "An act relating to fees and salaries in Weld and Larimer counties," and moved under a suspension of the rules, that it be read first and second times and placed on general file.

Carried.

The following report was read:

Mr. President:

Your Special committee, to whom was referred H. B. No. 140, have had the same under consideration, and report the same back to the Council, with recommendation that it do pass.

THOS. SPRAGUE,
Committee.

Report of Special committee on H. B. No. 73 was adopted.

The following reports were read:

Mr. President:

Your committee on Mines and Minerals respectfully report back H. B. No. 121 and recommend that the same do pass.

WM. M. CLARK,
Chairman.

Mr. President:

Your committee on Roads and Bridges have had under consideration C. B. No. 97, being a bill for "An act to repeal an act to incorporate the Ni-Wot and Black Hawk Wagon Road Company," and refer the bill back, with the recommendation that it do pass.

J. B. JAQUEZ,
Chairman.

Mr. President:

Your committee on printing respectfully report back S. H. B. No. 3 from the hands of the printer.

WM. M. CLARK,
Chairman.

Mr. Hall, Chairman of committee on Finance, Ways and Means, reported back S. H. B. No. 54, with the recommendation that it do pass.

The following report was read:

Mr. President:

Your committee on Indian affairs would respectfully report back H. B. No. 85, with the recommendation that it do pass.

DAN'L L. TAYLOR,
Chairman.

Mr. Fitzpatrick, chairman of committee on Expenditures, verbally reported back C. B. No. 37 without recommendation.

Mr. Butler by unanimous consent, without previous notice, introduced C. B. No. 100, a bill for "An act concerning the acknowledgment of deeds and other instruments in writing relating to real estate."

Mr. Butler moved that the rules be suspended, and that C.

B. No. No. 100 be read first and second times and placed on general file.

Carried.

Mr. Clark, by unanimous consent, without previous notice, introduced C. B. No. 101, a bill for "An act to amend an act entitled 'An act concerning certiorari to Justices and Probate Courts,' approved January 22, 1872."

J. Fred. Zell was sworn as Assistant Enrolling Clerk.

C. B. No. 98 read first time.

C. B. No. 99 read first time.

C. B. No. 100 read first time.

C. B. No. 101 read first time.

S. H. B. No. 3 read second time.

H. B. No. 78 read second time.

H. B. No. 108 read second time.

S. C. B. No. 9 read second time.

C. B. No. 94 read second time.

C. B. No. 99 read second time.

C. B. No. 100 read second time.

H. B. No. 73 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague and Mr. President—12.

Absent—Mr. Taylor—1.

Title agreed to.

H. B. No. 107 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

S. C. B. No. 5 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title amended and agreed to.

S. C. B. No. 9 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 37 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Hall, Head, Jaquez, McCammon, Sprague and Mr. President—10.

Excused from voting—Messrs. Fitzpatrick and Taylor—2.

No—Mr. Butler—1.

Title agreed to.

Mr. Chilcott moved that the Council do concur in House amendment to C. B. No. 43.

Carried.

The following reports were read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 80, Council amendment to H. B. No. 74 and Council amendment to H. J. M. No. 9, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined Council amendment to H. B. No. 57, and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

C. B. No. 80 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Head—1.

Title agreed to.

H. J. M. No. 9 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

H. B. No. 74 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

H. B. No. 57 read third time and lost by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Clark, Jaquez, Sprague, and Mr. President—6.

Noes—Messrs. Butler, Chilcott, Fitzpatrick, Hall, Head, McCammon and Taylor—7.

The following report was read:

Mr. President:

Your committee on Incorporations and Railroads, to which was referred H. Bs. Nos. 120 and 129, beg leave to make the following report:

That H. Bs. Nos. 120 and 129 be reported back to the Council, with the recommendation that they be read a third time and put upon their passage.

Respectfully,

R. G. BUCKINGHAM,

Chairman.

Report adopted.

C. B. No. 99 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, McCammon, Sprague, Taylor and Mr. President—10.

Noes—Messrs. Butler, Hall and Jaquez—3.

Title agreed to.

Mr. Fitzpatrick moved that the rules be suspended, and the report of the committee on Roads and Bridges on C. B. No. 97 be adopted.

Carried.

Mr. Fitzpatrick moved that C. B. No. 97 be taken up and put upon its passage.

Carried.

C. B. No. 97 read third time and lost by the following vote:

Ayes—Messrs. Clark, Fitzpatrick and Jaquez—3.

Noes—Messrs. Bromwell, Buckingham, Chilcott, Hall, Head, McCammon, Sprague, Taylor and Mr. President—9.

Excused from voting—Mr. Butler—1.

Mr. Hall, Chairman Committee on Finance, Ways and Means, under a suspension of the rules, verbally reported back H. B. No. 123, with an amendment thereto, and recommended that the amendment be engrossed, and the bill as amended be placed on file for third reading.

Also, H. B. No. 124, with an amendment thereto, and recommended that the amendment be engrossed, and the bill as amended be placed on file for third reading.

Report adopted.

Mr. Clark moved that the rules be suspended, and H. B. No. 146 be referred to the committee on Mines and Minerals.

Carried.

Mr. Hall moved that the report of the committee on H. B. No. 54 be adopted.

Carried.

Mr. Bromwell moved to adjourn until 1:30 p. m.

Carried.

Adjourned.

AFTERNOON SESSION—1:30 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Buckingham and Taylor.

Mr. Fitzpatrick moved a reconsideration of the vote on the passage of C. B. No. 97.

Carried.

Mr. Clark moved that the rules be suspended and C. B. No. 97 and H. Bs. Nos. 120 and 129 be put upon their passage.

Carried.

C. B. No. 97 passed by the following vote:

Ayes—Messrs. Butler, Clark, Fitzpatrick, Jaquez, McCammon, Sprague and Mr. President—7.

No—Mr. Bromwell—1.

Excused from voting—Messrs. Chilcott, Hall and Head—3.

Absent—Messrs. Buckingham and Taylor—2.

Title agreed to.

H. B. No. 120 read third time.

Messrs. Buckingham and Taylor appeared and took their seats.

H. B. No. 120 lost by the following vote:

Ayes—Messrs. Buckingham, Chilcott, Clark, Hall, Sprague and Mr. President—6.

Noes—Messrs. Bromwell, Butler, Fitzpatrick, Head, Jaquez, McCammon—6.

Excused from voting—Mr. Taylor—1.

H. B. No. 129 read third time.

Mr. Butler moved that H. B. No. 129 be recommitted to the Judiciary committee.

Carried.

Mr. Butler, by unanimous consent, introduced C. B. No. 102,

a bill for "An act concerning the Probate Court of Gilpin county," and moved that the bill be read first and second times and engrossed for third reading.

Carried.

C. B. No. 102 read first time.

C. B. No. 102 read second time.

Mr. Hall, from the committee on Mines and Minerals, verbally reported back H. B. No. 119 with certain amendments, and recommended that the amendments be engrossed and the bill as amended be put upon its passage.

Report adopted.

Mr. Bromwell moved that S. C. Bs. Nos. 10 and 28 be taken from general file.

Carried.

Mr. Chilcott moved to amend the bill by inserting the following:

Section 23. This act shall not apply to the counties of El Paso, Pueblo, Fremont, Bent, Huerfano, Las Animas, Costilla, Conejos, Rio Grande, Hinsdale, La Plata and Saguache.

Amendment adopted by the following vote:

Ayes—Messrs. Chilcott, Clark, Hall, Head, Jaquez, Sprague, Taylor and Mr. President—8.

Noes—Messrs. Bromwell, Buckingham, Butler, Fitzpatrick and McCammon—5.

Mr. Bromwell moved that S. C. Bs. Nos. 10 and 28 be read third time and put upon their passage.

Carried.

S. C. Bs. Nos. 10 and 28 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott. Clark, Fitzpatrick, Hall, Head, Jaquez, Sprague, Taylor and Mr. President—12.

No—Mr. McCammon—1.

Title agreed to.

Mr. Butler, Chairman of the Judiciary committee, verbally reported back H. B. No. 51, with the recommendation that the rules be suspended and the bill be read a third time and passed.

Report adopted.

H. B. No. 51 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Chilcott—1.

Title agreed to.

The following report was read:

Mr. President:

Your joint committee on Enrollment report that they have examined C. B. No. 14, S. C. B. No. 64, C. J. R. No. 1 and C. S. H. B. No. 18, and find the same correctly enrolled, and have placed the same in the hands of His Excellency, the Governor of Colorado Territory, on Wednesday. Feb. 11th, A. D. 1874, at the hour of 12 m., and they now await his signature.

LAFAYETTE HEAD,
Chairman.

Mr. Butler moved to adjourn until 7:30 o'clock this evening.
Carried.
Adjourned.

EVENING SESSION—7:30 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Butler, Head and Jaquez.
Messrs. Head and Jaquez appeared and took their seats.
The following message from His Excellency, the Governor, was received and read:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 11, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

C. B. No. 14, viz: "An act to amend an act entitled 'Towns and Cities,' approved January 10th, 1868."

Also, S. C. B. No. 64, viz "An act to authorize the funding of the debt of the several counties of Colorado Territory."

Also, C. S. H. B. No. 18, viz: "An act to amend division six (6), chapter 22 of the Revised Statutes of Colorado Territory, entitled 'Criminal Code.'"

Also, C. J. R. No. 1, viz: "Memorializing Congress to grant the right of way over the public lands to the Denver, South Park & Pacific Railroad Company.

Very respectfully, your obedient serv't.

S. H. ELBERT,
Governor of Colorado.

The following reports were received and read:

Mr. President:

Your committee on Printing would respectfully report back C. B. No. 96 from the hands of the printer.

WM. M. CLARK,
Chairman.

Mr. President:

Your committee on Benevolent Institutions, to whom was referred H. B. No. 127, respectfully report the same back without amendment, and recommend that it be read a third time and passed.

Respectfully,
H. P. H. BROMWELL,
R. G. BUCKINGHAM.
of the committee.

Mr. President:

Your committee on Judiciary, to whom was referred the following bills, report the same back, with recommendations as follows:

C. B. No. 15, with an amendment, and recommend that the bill be so amended and engrossed for third reading.

Also C. B. No. 56, with recommendation that the same be amended by striking out the second section thereof, and that the bill as amended be engrossed for third reading.

Also, H. B. No. 128, with an amendment, and recommend that the same be adopted, and the bill, as so amended, be engrossed and ordered to third reading:

Also, H. B. No. 149, without amendment, and recommend that the same be considered engrossed and ordered to a third reading.

Also, H. B. No. 114, without amendment, and recommend that the same be considered engrossed and ordered to a third reading.

Also, H. B. No. 59, without recommendation.

Also, C. B. No. 67, H. B. No. 20, H. B. No. 95, and H. B. No. 56 without recommendation.

All of which is respectfully submitted.

H. P. H. BROMWELL,
HUGH BUTLER,
of Judiciary Committee.

Mr. Butler appeared and took his seat.

The following reports were read:

Mr. President:

Your committee on Agriculture and Stock Growing, to whom was referred H. B. No. 89, have had the same under consideration and beg leave to report the same back to the Council, with the recommendation that it do pass.

Respectfully submitted,

G. M. CHILCOTT,
Chairman.

Mr. President:

Your committee on Immigration, to whom was referred H. B. No. 116, have had the same under consideration, and beg leave to report the same back, with the recommendation that it do pass.

Respectfully submitted,

GEO. M. CHILCOTT,
Chairman.

Mr. President:

Your committee on Agriculture and Stock Growing, to whom was referred H. B. No. 125, have had the same under consideration, and beg leave to report the same back to the Council, with the recommendation that it do pass.

Respectfully,

GEO. M. CHILCOTT,
Chairman.

Mr. President:

Your committee on Agriculture and Stock Growing, to whom was referred H. B. No. 53, have had the same under consideration, and, with the following amendments, recommend that the bill as amended do pass: Strike out all after the word "county" in line 20 in section two (2).

Respectfully submitted,

GEO. M. CHILCOTT,
Chairman.

Mr. Fitzpatrick moved that the rules be suspended, and the report of the Judiciary committee on C. Bs. Nos. 15, 56, 67, H. Bs. Nos. 128, 149, 114, 59. 20, 95 and 56 be adopted.

Carried.

The following reports were read:

Mr. President:

Your committee to whom was referred H. S. C. B. No. 59, have had the same under consideration, and beg leave to report the same back to the Council, and, with the following amendments, recommend that the bill as amended do pass: In line 12, section 1, after the word "way" in said line, insert the following: "or if upon land owned by said corporation, one hundred feet on either side from the center of the road."

Also, add to section 1 the following: "nor along the line of a railroad running through the mountains, or over other land where ploughing would be impracticable."

Respectfully submitted,

GEO. M. CHILCOTT,
Chairman.

Mr. President:

Your committee on Territorial Library, to whom was referred H. B. No. 137, have had the same under consideration, and beg leave to report the same back, with the recommendation that it do pass.

H. C. McCAMMON,
Chairman.

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined the amendment to H. B. No. 124 and C. B. No. 102, and find the same correctly engrossed.

DAN'L. L. TAYLOR,
Chairman.

Mr. President:

Your committee on Military Affairs, to whom was referred H. B. No. 98, report the same back, with the recommendation that it do pass.

Also, H. B. No. 100 without recommendation.

Respectfully,

THOS. SPRAGUE,
Chairman.

Mr. Chilcott moved that the reports of the committee on Agriculture and Stock Growing on H. Bs. Nos. 89, 125, 53 and H. S. C. B. No. 59 be adopted.

Carried.

Mr. Chilcott moved that S. H. B. No. 66 be taken from general file and placed on file for third reading.

Carried.

Mr. Butler, by unanimous consent, without previous notice, introduced C. B. No. 103, a bill for "An act concerning garnishements," and moved it be read first and second times, under a suspension of the rules, and ordered engrossed for third reading.

Carried.

C. B. No. 103 read first time.

C. B. No. 103 read second time.

Mr. Buckingham, by unanimous consent, introduced C. B. No. 104, a bill for "An act to amend an act entitled 'An act concerning school bonds,'" and moved it be read a first and second time, under a suspension of the rules, considered engrossed, and placed on file for third reading.

Carried.

C. B. No. 104 read first time.

C. B. No. 104 read second time.

S. H. B. No. 54 read a third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Hall, McCammon, Sprague, Taylor and Mr. President—10.

Noes—Messrs. Head and Jaquez—2.

Absent—Mr. Butler—1.

Title agreed to.

S. H. B. No. 66 read third time, under a suspension of the rules.

Mr. Chilcott moved that S. H. B. No. 66 be recommitted to a special committee of three.

Carried.

Mr. President appointed Messrs. Chilcott, Taylor and Head as special committee on S. H. B. No. 66.

S. H. B. No. 124 read third time, under a suspension of the rules, and referred to the committee on Printing.

C. B. No. 102 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

C. B. No. 104 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Mr. Head—1.

Excused from voting—Mr. Butler—1.

Title agreed to.

Mr. Butler moved that C. B. No. 70 be referred to the Judiciary committee.

Carried.

Mr. Chilcott moved that the report of the committee on Benevolent Institutions on H. B. No. 127 be adopted.

Carried.

Mr. Chilcott moved that the rules be suspended and H. B. No. 127 be read a third time.

Carried.

H. B. No. 127 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

Mr. Fitzpatrick, Chairman of committee on Expenditures, reported back H. B. No. 45 with a substitute therefor, and recommended that the substitute be considered read the second time and placed on file for third reading.

Mr. Hall, Chairman committee on Finance, Ways and Means, verbally reported back C. B. No. 91 with a substitute therefor.

Mr. Hall gave notice that on to-morrow or some subsequent day he would introduce a bill for "An act to amend an act regarding the salaries of Territorial officers."

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined amendments to H. Bs. Nos. 123 and 119, and find the same correctly engrossed.

DANIEL L. TAYLOR,
Chairman.

H. B. No. 119 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

H. B. No. 123 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

Mr. Butler moved to take a recess of half an hour.

Carried.

Recess.

Council called to order.

The following report was read:

Mr. President:

Your Special committee, to whom was referred S. H. B. No. 66, beg leave to report the following amendments, and with such amendments recommend that the bill do pass:

Amend section 1 by inserting after line 28 the following words: "In the county of La Plata on the fourth (4th) Monday in August," and by striking out the word "August" in the last line of said section and inserting in lieu thereof the word "September."

By striking out sections 5 and six and inserting in lieu thereof the following new sections, to wit:

Section 5. The county of Hinsdale shall be and hereby is attached to the county of Rio Grande for judicial purposes, and the District Court, when sitting in the said county of Rio Grande, shall have and exercise jurisdiction in said county of Hinsdale.

Section 6. The Governor shall have power, and it shall be his duty, to appoint and direct a term of the District Court, to be held in the said county of Hinsdale whenever it shall appear to him that the population and business of said county has been sufficient to warrant the holding of such court; and from and after the appointment of a court to be held in said county as aforesaid, the court so appointed to be held shall have and exercise jurisdiction in said county, and the jurisdiction of the said District Court of Rio Grande county in the said county of Hinsdale shall cease and determine: *Provided*, That such term of court, when appointed by the Governor as aforesaid, shall be held each year until changed by law.

Respectfully submitted,

GEO. M. CHILCOTT,
LAFAYETTE HEAD,
D. L. TAYLOR,
Special Committee.

Mr. Chilcott moved a suspension of the rules and the adoption of the report.

Carried.

Mr. Chilcott moved that the rules be suspended, and that S. H. B. No. 66 be read third time and put upon its passage.

Carried.

S. H. B. No. 66 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, and Mr. President—10.

Absent—Messrs. McCammon, Sprague and Taylor—3.

Title agreed to.

H. B. No. 53 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head and Mr. President—9.

No—Mr. Jaquez—1.

Absent—Messrs. McCammon, Sprague, and Taylor—3.

Title agreed to.

H. B. No. 89 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, and Mr. President—10.

Absent—Messrs. McCammon, Sprague and Taylor—3.

Title agreed to.

H. B. No. 114 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, and Mr. President—10.

Absent—Messrs. McCammon, Sprague and Taylor—3.

Title agreed to.

S. H. B. No. 125 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez and Mr. President—10.

Absent—Messrs. McCammon, Sprague and Taylor—3.

Title agreed to.

H. B. No. 149 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, Taylor and Mr. President—11.

Absent—Messrs. McCammon and Sprague—2.

Title agreed to.

H. S. C. B. No. 59 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Jaquez, Taylor and Mr. President—10.
No—Mr. Head—1.
Absent—Messrs. McCammon and Sprague—2.
Title agreed to.
The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb 11, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 106, a bill for "An act to revise, amend, &c. the acts relating to public schools."
The concurrence of the Council is respectfully requested.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Fitzpatrick moved that the rules be suspended, and C. B. No. 67 and H. Bs. Nos. 20, 56, 59 and 95 be put upon their passage.
Carried.
C. B. No. 67 read a third time under a suspension of the rules.
Mr. Butler moved that C. B. No. 67 be laid on the table.
Carried.
H. B. No. 20 read a third time under a suspension of the rules.
Mr. Fitzpatrick moved that H. B. No. 20 be laid on the table.
Carried.
H. B. No. 56 read a third time under a suspension of the rules.
Mr. Hall moved that H. B. No. 56 be laid on the table.
Carried.
H. B. No. 59 read third time under a suspension of the rules.
Mr. Butler moved H. B. No. 59 be laid on the table.
Carried.
H. B. No. 95 read third time under a suspension of the rules.
Mr. Fitzpatrick moved that H. B. No. 95 be laid on the table.
Carried.
Mr. Fitzpatrick moved that, under a suspension of the rules, C. B. No. 98 be read second and third times and put upon its passage.
Carried.
C. B. No. 98 read second time.

C. B. No. 98 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, Taylor and Mr. President —11.

Absent—Messrs. McCammon, and Sprague—2.

Title agreed to.

Mr. Clark moved that the rules be suspended, and S. H. B. No. 3 be taken from general file and referred to the committee on Mines and Minerals.

Carried.

Mr. Hall moved that the rules be suspended, and C. B. No. 96 be taken from general file and referred to committee on Penitentiary.

Carried.

Mr. Taylor moved to adjourn.

Carried.

Adjourned.

THURSDAY, February 12th, 1874—10 A.M.

Council met pursuant to adjournment.

President in the chair.

Prayer by the Chaplain.

Roll called.

Quorum present.

Absent—Messrs. Fitzpatrick and Taylor.

Mr. Fitzpatrick appeared and took his seat.

Mr. Clark moved that the reading of the journal of the 11th inst. be dispensed with.

Carried.

Mr. Bromwell, by unanimous consent, without previous notice, introduced C. B. No. 105, a bill for "An act to amend an act entitled 'An act to reduce the law incorporating the city of Denver, and the several acts amendatory thereof, into one act and to amend the same." And asked that the same be read first and second time, under a suspension of the rules.

Agreed to.

C. B. No. 105 read first time.

C. B. No. 105 read second time.

Also, by unanimous consent, Mr. Bromwell introduced C. B. No. 106 a bill for "An act to provide for the care and improvement of the Capital Grounds," and asked that the same, under a suspension of the rules, be read first and second time.

Agreed to.
C. B. No. 106 read first time.
C. B. No. 106 read second time.
The following messages were received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 11, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has refused to concur in the Council amendment to S. H. B. No. 21.

Also, have concurred in Council amendment to H. B. No. 80.

Also, have concurred in Council amendment to H. J. M. No. 7.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, February 12, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. C. B. No. 58 with the following amendments:

In section 1, line 2, strike out the word "all," and insert in lieu thereof the words "not less than one hundred nor exceeding two hundred of the."

And add to section 20 the following: "*Provided*, the provisions of this act shall not apply to the counties of Las Animas, Huerfano, Conejos and Bent."

Also, add a section to read as follows:

"That section 2, chapter 49 of the Revised Statutes be amended by inserting the word "Physician," after the words "Post Mortem," in the fourth line of said section."

The concurrence of the Council is respectfully requested to said amendment.

S. C. B. No. 58 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 12, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. C. B. No. 5.

Also, C. J. M. No. 3.

Also, have indefinitely postponed action on S. C. B. No. 29.

Also, have passed S. H. B. No. 93, entitled "A bill for an act relating to practice before Justices of the Peace in Las Animas county."

The concurrence of the Council is respectfully requested, on S. H. B. No. 93.

S. C. B. No. 5, C. J. M. No. 3, S. C. B. No. 29 and S. H. B. No. 93, herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Taylor appeared and took his seat.

Mr. Hall reported back C. B. No. 96, with recommendation that it be considered in Committee of the Whole.

Report adopted.

The following report was read:

Mr. President:

Your committee on Roads and Bridges to whom was referred H. B. No. 91, a bill for "An act to amend chapter 76 of the Revised Statutes," have had the same under consideration and report the same back to the Council with the recommendation that it be indefinitely postponed.

J. B. JAQUEZ,
Chairman.

Mr. Buckingham moved that the rules be suspended and the report adopted.

Carried.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 103 and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Report of committee on Immigration, on H. B. No. 116, was adopted.

Report of committee on Territorial Library, on H. B. No. 137, was adopted.

Report of committee on Military Affairs, on H. B. No. 98, was adopted.

Report of committee on Expenditures, on H. B. No. 45, was adopted.

Report of committee on Finance, Ways and Means, on C. B. No. 91, was adopted.

Report of Special Committee, on H. B. No. 140, was adopted.

Report of committee on Mines and Minerals on H. B. No. 121, was adopted.

Report of committee on Indian Affairs on H. B. No. 85, was adopted.

Mr. Fitzpatrick moved that the vote on the adoption of the report of the committee on Roads and Bridges, on H. B. No, 91, be reconsidered.

Carried.

Mr. Fitzpatrick moved that H. B. No. 91, be referred to a Special Committee of three.

Carried.

Mr. President appointed the following Special Committee on H. B. No. 91:

Messrs. Fitzpatrick, McCammon and Sprague.

J. C. Bailey and Wm. Kennedy appeared and were sworn in as assistant Enrolling Clerks.

S. H. B. No. 93 read first time.

H. B. No. 106 read first time.

S. C. B. No. 91 read second time.

C. B. No. 101 read second time.

H. B. No. 85 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Fitzpatrick and Head —2.

Title agreed to.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, February 12, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the

House has passed H. B. No. 110, entitled "A bill for an act to reimburse Douglas county for the support of certain Lunatic Paupers."

Also, H. J. M. No. 18, entitled "A Joint memorial to the Senate and House of Representatives of the United States in Congress assembled.

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Feb. 12, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed H. B. No 151, entitled "A bill for an act to amend an act entitled 'an act to amend chapter 9 of the Revised Statutes and for other purposes,' approved February 9th, 1872."

Also, H. B. No. 152, entitled "A bill to provide for the several expenses of the Territory for the years 1874 and 1875."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

H. B. No. 98 read third time.

Mr. Butler moved that H. B. No. 98 be re-committed to the Committee of the Whole.

Carried.

H. B. No. 100 read third time under suspension of the rules.

Mr. Butler moved to re-commit H. B. No. 100 to committee on Finance, Ways and Means, with instructions to report tomorrow a. m.

Carried.

H. B. No. 116 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Excused from voting—Mr. Fitzpatrick.

Title agreed to.

H. B. No. 121 read third time.

Mr. Butler moved to re-commit H. B. No. 121 to committee on Mines and Minerals.

Carried.

H. B. No. 137 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

No—Mr. Clark—1.

Title agreed to.

H. B. No. 140 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague Taylor and Mr. President—13.

Title agreed to.

S. H. B. No. 45 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Clark.

Title agreed to.

C. B. No. 103 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

Mr. Butler, chairman Judiciary committee, by unanimous consent, reported back H. B. No. 29 with a substitute therefor.

Report adopted.

Mr. Butler moved that the rules be suspended and C. S. H. B. No. 29 be read second time and placed on file for third reading.

Carried.

C. S. H. B. No. 29 read second time.

Mr. Hall moved to go into Committee of the Whole.

Carried.

Mr. Hall in the chair.

Mr. President in the chair.

The following message from the House was read:

HOUSE OF REPRESENTATIVES, Denver, Feb. 12, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 44 with the following amendment, viz: add the word "Pueblo," after the words Las Animas" in line 17 of section 2.

The concurrence of the Council is respectfully requested.

Bill herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Hall in the chair.
Committee of the Whole resumed.
Committee of the Whole arose.
Mr. Fitzpatrick moved to adjourn.
Carried.
Adjourned.

AFTERNOON SESSION—2 o'clock.

Council met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Absent—Messrs. Butler and Taylor.
Mr. Butler appeared and took his seat.

Mr. Buckingham, by unanimous consent, without previous notice, introduced C. B. No. 107 a bill for "An act to provide for the appointment of Capital Commissioners and defining their duties," and moved that the bill be read first and second times under a suspension of the rules, and placed on file for third reading.

Carried.

C. B. No. 107 read first time.

C. B. No. 107 read second time.

Mr. Butler moved that C. B. No. 100 be taken from general file and that the rules be suspended and the bill read third time and put upon its passage.

Carried.

C. B. No. 100 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, McCammon, Sprague, and Mr. President—10.

Absent—Messrs. Head, Jaquez, McCammon and Taylor—4.

Title agreed to.

Mr. Taylor appeared and took his seat.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 15 and C. B. No. 56, and Council amendment to H. B. No. 128 and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Taylor excused from attendance.

Mr. Bromwell moved, under a suspension of the rules that C. B. No. 15 be read third time and put upon its passage.

Carried.

C. B. No. 15 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Jaquez, Sprague and Mr. President—10.

Absent—Messrs. Head, McCammon and Taylor—3.

Title agreed to.

Mr. Fitzpatrick, chairman Special Committee on H. B. No. 91 reported as follows:

That H. B. No. 91 be amended by striking out sections 4 and 5 of said bill, and inserting in lieu thereof the following:

"Section 4. That section twelve of said chapter be stricken out and the following inserted in lieu thereof, to-wit: 'Whenever in any case the damages accruing to any person by reason of the opening of such road, shall exceed the benefits according to such report of the viewers, the excess shall be paid by the county, by an order therefor issued upon the County Treasurer by the County Commissioners to be paid out of any money in his hands belonging to the road fund, but the County Commissioners may require each of the petitioners to contribute five dollars thereto; and when so required the same may be collected before any Justice of the Peace in an action of assumpsit in the name of the Board of County Commissioners.'"

That the succeeding sections be numbered to conform thereto, and that the bill as amended be placed on file for third reading.

Mr. Fitzpatrick moved that the report be adopted.
Carried.
Mr. Hall moved to go into Committee of the Whole.
Carried.
Mr. Hall in the chair.
Mr. President in the chair.
The following messages from the House were received:

HOUSE OF REPRESENTATIVES, Denver, Feb. 12, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 145, entitled "A bill for an act to amend an act entitled 'An act regulating the salaries of the Territorial officers, &c.,' approved Feb. 9th, 1872."

Also, H. B. No. 143, entitled "A bill for an act relating to the cancellation of mortgages and deeds of trust."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 12, 1874.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. B. No. 132, entitled "A bill for an act to provide for the purchase of reports of cases at law and in chancery."

Also, H. B. No. 139, a bill for "An act regulating the pay of Road Overseers in Weld and Larimer counties."

Also, H. B. No. 141, a bill for "An act regulating elections in case of tie vote."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Hall in the chair.
Committee of the Whole resumed.
Committee of the Whole arose and reported as follows:

Mr. President:

Your Committee of the Whole would respectfully report that they have had under consideration the following, and do recommend that C. B. No. 96 be amended by striking out section 2 and inserting in lieu thereof as follows:

Section 2. The managers mentioned in the preceding section shall be appointed by the Governor, by and with the advice and consent of the Territorial Council, one of whom shall be appointed from each Judicial District in this Territory as now constituted by law, and they shall hold their office for the term of two years, and until their successors are duly qualified;" that the word "Inspector" be stricken out wherever it occurs in the bill, and that the word "Managers" be inserted in lieu thereof; that the words "Deputy Warden" be stricken out wherever they occur in the bill.

That the following be inserted as a fourth clause in section 7: "The said Board of Managers from time to time, upon demand of the Governor, make and render to him a full report embracing all the matters required to be reported by them in section 7 thereof."

That section 8 be amended by striking out the words "County Clerk" and inserting the words "Territorial Auditor" instead; that the words "Board of Inspectors, or a majority of them, and" be stricken out and the words "the Warden and but" be inserted in lieu thereof.

In line 2 of section 13 insert "$2,500" before the word "dollars. In line 3 of section 13 insert "$1,800" before the word "dollars."

In line 2 of section 17 insert "$10,000" before the word "dollars."

All of section 22 be stricken out.

Bill referred to committee on Penitentiary, with instructions to make the necessary change in the bill to abolish the office of Factor; also, to make provisions for religious instructions and for a library.

J. W. HALL,
Chairman.

Mr. Hall moved that the report of the Committee of the Whole be adopted.

Carried.

Mr. Butler, Chairman Judiciary committee, verbally reported back C. B. No. 32, with the recommendation that it do pass.

Also, S. H. B. No 142, with the recommendation that it do pass.

Report adopted.

The following report was read:

Mr. President:

Your committee on Mines and Minerals respectfully report that they have had under consideration H. B. No. 146, and recommend that section 1 of said bill be stricken out and the numbers of the succeeding sections be changed to conform thereto, and that the bill pass as amended.

WM. M. CLARK,
Chairman.

Mr. Clark moved the report be adopted.

Carried.

Mr. Butler moved that the rules be suspended, and that all bills standing on their third reading be taken up.

Carried.

H. B. No. 91 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, and Mr. President—12.

Absent—Mr. Taylor—1.

Title agreed to.

H. B. No. 128 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague and Mr. President—12.

Absent—Mr. Taylor—1.

Title agreed to.

S. H. B. No. 142 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague and Mr. President—12.

Absent—Mr. Taylor—1

Title agreed to.

C. B. No. 32 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, and Mr. President—12.

Absent—Mr. Taylor—1.

Title agreed to.

C. S. H. B. No. 29 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague and Mr. President—12.

Absent—Mr. Taylor—1.

Title agreed to.

Mr. Chilcott moved that the Council concur in House amendment to C. B. No. 44.

Carried by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, and Mr. President—10.

Noes—Messrs. Butler and Hall—2.

Absent—Mr. Taylor—1

C. B. No. 56 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague and Mr. President—12.

Absent—Mr. Taylor—1.

Title agreed to.

C. B. No. 107 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Hall, Head, Jaquez, McCammon, Sprague and Mr. President—11.

Excused from voting—Mr. Fitzpatrick—1.

Absent—Mr. Taylor—1.

Title agreed to.

H. B. No. 146 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague and Mr. President—12.

Absent—Mr. Taylor—1.

Title agreed to.

Mr. Clark moved that C. B. No. 105 be taken from general file and referred to the committee on Education and Labor.

Carried.

Mr. Bromwell moved a suspensionof the rules, and that H. B. No. 106 be read second time.

Carried.

H. B. No. 106 read second time.

Mr. Butler, by unanimous consent, introduced C. B. No. 108, a bill for "An act concerning fees of the Clerks of District

Courts, moved a suspension of the rules, and that C. B. No. 108 be read first and second times and engrossed for third reading.

Carried.

C. B. No. 108 read first time.

C. B. No. 108 read second time.

The following reports were read:

Mr. President:

Your committee on Printing would respectfully report back S. H. B. No. 124 from the hands of the printer.

WM. M. CLARK,
Chairman.

Mr. President:

Your committee on Mines and Minerals respectfully report back to the Council a substitute for H. B. No. 121.

WM. M. CLARK,
Chairman.

Mr. Hall, Chairman committee on Finance, Ways and Means, reported back H. B. No. 100, with the recommendation that it be laid on the table.

Mr. Clark moved that the report of committee on Mines and Minerals on H. B. No. 121 and of the committee on Finance, Ways and Means on H. B. No. 100 be adopted.

Carried.

Mr. Fitzpatrick moved that when the Council adjourns it be until 7:30 o'clock this evening.

Carried.

Mr. Bromwell moved to go into Committee of the Whole.

Carried.

Mr. Bromwell in the chair.

Mr. Taylor appeared and took his seat.

Mr. President in the chair.

The following communication from His Excellency, the Governor, also, the following message from the House were received and read:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 12, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

C. J. M. No. 3.

Also, C. B. No. 62, viz: "An act concerning married women."

Also, S. C. B. No. 51, viz: "An act to amend the criminal code."

Also, S. S. C. B. No. 7, viz: "An act concerning fences and enclosures in Conejos county and other counties under certain circumstances."

Very respectfully, your obedient servant,
S. H. ELBERT,
Governor of Colorado.

HOUSE OF REPRESENTATIVES, Denver, Feb. 12, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. Bs. Nos. 87, 104, 74, 86, 81, 66 and 88.

Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined C. B. No. 108 and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Bromwell in the chair.

Committee of the Whole resumed.

Mr. President in the chair.

The following messages from the House were received:

House of Representatives, Denver, Feb. 12, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed S. C. B. No. 9, C. Bs. Nos. 98, 99 and 37.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Feb. 12, 1874.

To the Honorable, the President of the Council:

Sir: I am instructed to inform your honorable body that the House has concurred in Council amendment to H. B. No. 146.

Also, have passed S. H. B. No. 135, entitled "A bill for an act to encourage the planting of trees."

The concurrence of the Council is respectfully requested.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Bromwell in the chair.

Committee of the Whole resumed.

Committee of the Whole arose and reported progress.

The following report was read:

Mr. President:

Your committee on Enrollment report that they have examined C. B. No. 43, S. C. B. No. 51, S. S. C. B. No. 7, C. J. M. No. 3 and C. Bs. Nos. 62 and 40 and find the same correctly enrolled, and have placed the same in the hands of His Excellency, the Governor of Colorado Territory, on Thursday, Feb. 12, at the hour of 3 p. m., and they now await his signature.

LAFAYETTE HEAD,
Chairman.

Mr. Butler moved that the rules be suspended and C. B. No. 108 be read third time and put upon its passage.

Carried.

C. B. No. 108 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Jaquez—1.

Title agreed to.

Mr. Butler moved to adjourn.

Carried.

Adjourned.

EVENING SESSION—7:30 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Butler, Hall, Sprague and Taylor.

Mr. Sprague appeared and took his seat.

Mr. Chilcott moved that H. B. No. 131 be taken up and read third time under a suspension of the rules.

Carried.

Mr. Taylor appeared and took his seat.

H. B. No. 131 read third time, under a suspension of the rules and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—10.

Absent—Messrs. Butler, Clark and Hall—3.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 12, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 97.

C. B. No. 97 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Fitzpatrick moved that the rules be suspended and all bills on general file be taken up and put upon their passage.

Carried.

Mr. Fitzptrick moved that S. H. B. No. 124 be re-committed to the committee on Finance, Ways and Means.

Carried.

H. B. No 78 read third time, under suspension of the rules.

Mr. Bromwell moved that H. B. No. 78 be referred to the Judiciary committee.

Carried.

C. B. No. 69 read third time under a suspension of the rules.

Messrs. Butler and Hall appeared and took their seats.

C. B. No. 69 lost by the following vote:

Ayes—Messrs. Bromwell and Buckingham—2.

Noes—Messrs. Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Mr. Chilcott moved that the rules be suspended and that S. H. B. No. 110 be read second and third time and put upon its passage.

Carried.

S. H. B. 110 read second time.

S. H. B. No. 110 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

Mr. Bromwell moved that the rules be suspended and that C. B. No. 70 be returned to the Council from the Judiciary committee, be read third time and put upon its passage.

Carried.

C. B. No. 70 read third time under a suspension of the rules.

Mr. Bromwell moved that C. B. No. 70 be re-committed to Judiciary committee.

Carried.

The following report was read:

Mr. President:

I am instructed by the committee on Printing to report that they have had under consideration Council Bill No. 96 and beg leave to report back the same with the following amendments:

Amend section 4, by striking out the word "five" in the first line of said section, and the figure "5," in 500 and insert in lieu thereof the word and figure "six," "6."

Also, amend said bill by striking out the word "Factor," wherever the same occurs in said bill and inserting the word "Warden," except in section 13.

Also, amend section 13 by striking out the words "eighteen hundred dollars," in line 3.

Also, amend section 14 by striking out the words "with the factor and charge him with," and insert "of" in the place of the word "with" in the fifth and sixth lines of said sections.

Also strike out the words "and delivered to him for sale or other disposition," in line six of said section.

Also, to add to the end of section 14, the words, "he shall also see that proper religious instruction is given to the convicts under the direction of the manager. Shall also have charge of the Library of said Penitentiary, shall catalogue the books and see that proper care is taken of them."

Also, amend section 21 by striking out the words "the contract for such labor shall be made in the presence of," in lines one and two.

Also, add a new section number 24, which is as follows:

"Section 24. That the sum of two hundred dollars is hereby appropriated out of any money in the Territorial Treasury not otherwise appropriated, for the purpose of purchasing a Library for said Penitentiary, and that the sum so appropriated be expended under the direction of the Managers."

All of which is respectfully submitted.

JAIRUS W. HALL,
Chairman.

Mr. Hall moved that the rules be suspended and the report of the committee on Printing on C. B. No. 96 be adopted, and the bill be read third time and put upon its passage.

Carried.

C. B. No. 96 read third time, under a suspension of the rules and passed by the following vote.

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Hall, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

Mr. Butler, Chairman Judiciary committee, by unanimous consent reported back H. B. No. 63 with a substitute therefor and recommended that the substitute be adopted, read second and third time and put upon its passage.

Report adopted.

C. S. H. B. No. 63 read second time under a suspension of the rules.

C. S. H. B. No. 63 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague Taylor and Mr. President—13.

Title agreed to.

Mr. Clark moved that C. B. No. 93 be taken up and put upon its passage.

Carried.

C. B. No. 119 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—12.

Absent—Mr. Fitzpatrick—1.

Title agreed to.

C. B. No. 89 read third time, under a suspension of the rules.

Mr. Chilcott moved that C. B. No. 89 be referred to the Judiciary committee.

Carried.

Mr. Chilcott moved that the rules be suspended, and that H. B. No. 152 be read second time and made the special order for 10 a. m. on the 13th inst.

Carried.

H. B. No. 152 read second time.

Mr. Fitzpatrick moved that the vote by which H. B. No 56 was tabled be reconsidered.

Carried.

Mr. Fitzpatrick moved that the rules be suspended and that H. B. No. 56 be put upon its passage.

Carried.

The following message was received from the House:

House of Representatives, Denver, Feb 12, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed S. C. Bs. Nos. 10 and 28, with the following amendments:

Amend section 23 to read as follows:

"This act shall apply only to Weld and Larimer counties.

Also, to amend the title to read as follows:

"A Bill for an act to provide for a system of Irrigation in the counties of Weld and Larimer."

The concurrence of the Council is respectfully requested to said amendment.

S. C. B. Nos. 10 and 28 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,

Chief Clerk.

H. B. No. 56 read third time under a suspension of the rules and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Butler and Hall—2.

Title agreed to.

Mr. Clark moved that the Council concur in the House amendment to S. C. Bs. Nos. 10 and 28.

Carried.

C. B. No. 92 read a third time, under a suspension of the rules, and lost by the following vote:

Ayes—Mr. Fitzpatrick and Mr. President—2.

Noes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Head Jaquez, McCammon, Sprague and Taylor—9.

Absent—Messrs. Butler and Hall—2.

C. B. No. 101 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Jaquez, McCammon, Sprague, Taylor and Mr. President—10.

Absent—Messrs. Butler, Hall and Head—3.

Title agreed to.

Mr. Taylor moved that the rules be suspended, and that C. B. No. 94 be laid on the table.

Carried.

C. B. No. 82 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Head, Jaquez and Sprague—8.

Noes—Mr. McCammon, and Mr. President—2.

Absent—Messrs. Butler, Hall, and Taylor—3.

Title agreed to.

The following message from the House was read:

House of Representatives, Denver, Feb. 12, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed C. S. H. Bs. Nos. 45 and 29.

Also, C. B. No. 80, and have concurred in Council amendments to H. Bs. Nos. 91, 128, 119, 123, 53, 74, S. H. B. No. 66, H. S. C. B. No 59, and H. J. M. No. 9.

C. S. H. B. No. 45, C. S. H. B. No. 29 and C. B. No. 80 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Clark moved to go into Committee of the Whole.
Carried.
Mr. Buckingham in the chair.
Mr. President in the chair.
The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 12, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. C. Bs. Nos. 2, 3 and 8.
Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Buckingham in the chair.
Committee of the Whole resumed.
Committee of the Whole arose and reported progress.
Mr. Sprague moved, under a suspension of the rules, to reconsider the vote concurring in the House amendment to S. C. Bs. Nos. 10 and 28.
Carried.
Mr. Head moved that the rules be suspended and that the Council refuse to concur in the House amendment to S. C. Bs. Nos. 10 and 28, and that the bill be laid on the table.
Carried.
Mr. Chilcott moved that the rules be suspended, and that the vote whereby the Council refused to pass H. B. No. 120 be rescinded and that the House be requested to return the bill to the Council for further action.
Carried.
Mr. Jaquez moved to adjourn.
Carried.
Adjourned.

FRIDAY, FEBRUARY 13TH, 1874—10 A. M.

Council met pursuant to adjournment.
President in the chair.
Prayer by the Chaplain.
Roll called.
Quorum present.
Reading of the Journal of the 12th inst. dispensed with.
Special order, H. B. No. 152.
Mr. Clark moved that the special order be postponed.
Carried unanimously.
Mr. Bromwell, from the Judiciary committee, under a suspension of the rules, reported back C. B. No. 70 with a substitute therefor.
Report adopted.
Mr. Bromwell moved that the rules be suspended, and that S. C. B. No. 70 be read second and third times and put upon its passage.
Carried.
S. C. B. No. 70 read second time.
S. C. B. No. 70 read third time and passed by the following vote:
Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.
Title agreed to.
Mr. Clark moved that the rules be suspended, and that H. B. No. 106 be referred to a special committee of three.
Carried.
Mr. President appointed the following as the Special committee on H. B. No. 106:
Messrs. Buckingham, Chilcott and Taylor.
Mr. Bromwell moved to go into Committee of the Whole.
Carried.
Mr. Buckingham in the chair.
Mr. President in the chair.
The following messages were received from the House:

HOUSE OF REPRESENTATIVES, February 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. Bs. Nos. 100, 15, 107, 102 and H. B. No. 148, entitled "A bill for an act to amend an act entitled 'An act to secure liens to mechanics and others and to repeal all other acts in relation thereto.'"

The concurrence of the Council is respectfully requested on H. B. No. 148.

Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. C. B. No. 6.

Also, to return, as per request of Council this day, H. B. No. 120.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Buckingham in the chair.

Committee of the Whole resumed.

Committee of the Whole arose and reported progress.

The following report was read:

Mr. President:

The committee on Mines and Minerals would report back S. H. B. No. 3, amended as follows:

Strike out section 2 and insert in lieu thereof the following:

Section 2. The width of lode claims hereafter located in Gilpin, Clear Creek, Boulder and Summit counties shall be seventy-five (75) feet on each side of the centre of the vein or crevice, and in all other counties the width of the same shall be one hundred and fifty (150) feet on each side of the centre of the vein or crevice: *Provided*, That hereafter any county may, at any general election, determine upon a greater width, not exceeding three hundred (300) feet on each side of the centre of the vein or lode, by a majority of the legal votes cast at such election; and any county by such vote at such election may determine upon a less width than above specified.

Amend section 8 by substituting the words and figures "sixty (60)" for the word and figures "forty (40)" in line one.

Strike out all of sections 9, 18 and 20.

Amend section 22 by substituting the word "fifteenth" for the word (or figures) "tenth."

Your committee would recommend that the amendments be engrossed and the bill as amended be put upon its passage.

Respectfully,

WM. M. CLARK,
Chairman.

Mr. Fitzpatrick moved that the rules be suspended and the report adopted.

Carried.

Mr. Chilcott moved that the rules be suspended, and that H. B. No. 120 be read third time and put upon its passage.

Carried.

H. B. No. 120 read third time.

By unanimous consent, Mr. Bromwell offered the following amendment and moved its adoption:

Section 4. This act shall not be in force save in the counties of Fremont and Pueblo.

Also, change the numbers of the succeeding sections of the bill to conform thereto.

Motion carried.

Amendment adopted.

H. B. No. 120 passed, as amended, by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Jaquez, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Head and McCammon—2.

Title agreed to.

Mr. Butler, by unanimous consent, without previous notice, introduced C. B. No. 109, a bill for "An act to authorize the courts to summon witnesses from foreign counties."

Mr. Butler moved that the rules be suspended, and that C. B. No. 109 be read first, second and third times and put upon its passage.

Carried.

C. B. No. 109 read first time.

C. B. No. 109 read second time.

C. B. No. 109 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Jaquez, Sprague, Taylor and Mr. President—11.

Absent—Head, and McCammon—2.

Title agreed to.

Mr. Taylor moved that the rules be suspended, that S. H. B. No. 93 be taken up, read second and third times and put upon its passage.

Carried.

S. H. B. No. 93 read second time.

S. H. B. No. 93 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Jaquez, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Hall, and McCammon—2.

Title agreed to.

Mr. President announced a communication from His Excellency, the Governor.

Mr. Butler moved that the Council go into Executive session.

Carried.

Executive session.

Executive session dissolved.

Mr. Butler moved to adjourn until 1:30 o'clock p. m.

Carried.

Adjourned.

AFTERNOON SESSION—1:30 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Buckingham, Chilcott, Fitzpatrick, Head, Jaquez and Taylor.

Mr. Sprague moved that the rules be suspended, and that H. Bs. Nos. 139, 141 and 143 be read first, second and third times and put upon their passage.

Carried.

H. B. No. 139 read first time.

H. B. No. 141 read first time.

H. B. No. 143 read first time.

H. B. No. 139 read second time.

H. B. No. 141 read second time.

H. B. No. 143 read second time.

Messrs. Buckingham, Chilcott, Taylor and Jaquez appeared and took their seats.

H. B. No. 139 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Hall, Jaquez, Sprague, Taylor and Mr. President—10.

Absent—Messrs. Fitzpatrick, Head and McCammon—3.
Title agreed to.
Mr. Head appeared and took his seat.
H. B. No. 141 read third time, under a suspension of the rules, and passed by the following vote:
Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Hall, Jaquez, Sprague, Taylor and Mr. President—10.
Absent—Messrs. Fitzpatrick and McCammon—2.
Excused from voting—Mr. Head—1.
Title agreed to.
H. B. No. 143 read third time, under a suspension of the rules.
Mr. Fitzpatrick appeared and took his seat.
H. B. No. 143 lost by the following vote:
Ayes—Messrs. Buckingham, McCammon and Sprague—3.
Noes—Messrs. Bromwell, Butler, Clark, Chilcott, Hall, Head, Jaquez and Mr. President—8.
Excused from voting—Mr. Fitzpatrick—1.
Absent—Mr. Taylor—1.
The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined Council amendments to S. H. B. No. 3, and find the same correctly engrossed.

Respectfully,
DANIEL L. TAYLOR,
Chairman.

Mr. Clark moved that the rules be suspended and S. H. B. No. 3 be put upon its passage.
Carried.
S. H. B. No. 3 read third time and passed by the following vote:
Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Head, Jaquez, Sprague and Mr. President—11.
No—Mr. McCammon—1.
Absent—Mr. Taylor—1.
Title agreed to.
The following report was read:

Mr. President:

You Special committee, to whom was referred H. B. No. 106,

beg leave to report that they would recommend the following:

That section 8 be amended by striking out the words "one thousand," where they occur in said section, and inserting in lieu thereof the words "five hundred."

That the whole of title 2, "Territorial Board of Education," including sections 10, 11, 12 and 13, be stricken out.

That section 33 be amended by inserting after the word "ones," in second line of said section, the words "or otherwise."

That the following be added to section 87: *Provided, however*, That the repeal of said act, or of any acts or parts of acts heretofore existing, shall not in any manner impair or affect an act passed at the present session of the General Assembly, entitled "An act for the support and better regulation of the public schools of the City of Denver," but said last mentioned act shall be and remain in full force and effect in all respects as though this act had not been passed.

That the remainder of the bill be passed without amendment.

Respectfully,
R. G. BUCKINGHAM,
GEO. M. CHILCOTT,
of the Committee.

Mr. Clark moved that the rules be suspended, and the report of the Special committee on H. B. No. 106 be adopted.

Carried.

Mr. Buckingham moved that the rules be suspended, and that H. B. No. 106 be put upon its passage.

Carried.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, February 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. H. B. No. 41, entitled, "A bill for an act to provide for the licensing the sale of intoxicating liquors and other purposes."

The concurrence of the Council is requested.

S. H. B. No. 41 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed H. J. R. No. 1, entitled, "A resolution to appropriate $2,000 to defray the expenses of the Board of Centennial Commissioners," and have indefinitely postponed action on C. B. No. 108.

The concurrence of the Council is respectfully requested on H. J. R. No. 1.

C. B. No. 108 and H. J. R. No. 1 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable, the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. Bs. Nos. 32 and 56.

Bills transmitted herewith.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

H. B. No. 106 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott. Clark, Hall, Sprague, Taylor and Mr. President—9.

Noes—Messrs. Fitzpatrick and Jaquez—2.

Absent—Messrs. Head and McCammon—2.

Title agreed to.

Mr. Butler moved that the vote on the passage of H. B. No. 106 be reconsidered, and that the motion to reconsider be laid on the table.

Carried.

Mr. Fitzpatrick moved to go into Executive session.

Carried.

Executive session.

Executive session dissolved.

The following reports were read:

Mr. President:

Your committee on Engrossed Bills respectfully report that

they have examined Council amendments to H. B. No. 106, and find the same correctly engrossed.

DAN'L. L. TAYLOR,
Chairman.

Mr. President:

Your committee on Enrollment would respectfully report that at 11 o'clock a. m. of this day they submitted to His Excellency, Samuel H. Elbert, Governor of Colorado, the following bills for his approval and signature, to wit:

C. Bs. Nos. 104, 88, 81, 37, 86, 99, 66, 87, 97, 44, 98, 71 and S. C. Bs. Nos. 9, and 5.

Also, at 3 o'clock p. m., the following additional bills: C. S. H. Bs. Nos. 45 and 29 and C. Bs. Nos. 74, 100 and 80.

Respectfully,
LAFAYETTE HEAD,
Chairman.

The following messages were received from His Excellency, the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 13, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

C. B No. 74, viz: "An act to change the name of Jonathan Sanderson, of Arapahoe county, Colorado Territory, to Alvin John Warren."

Also, C. B. No. 100, viz: "An act concerning acknowledgments of deeds and other instruments in writing relating to real estate."

Also, C. S. H. B. No. 29, viz: "An act relating to abstracts from county records."

Also, C. S. H. B. No. 45, viz: "An act for the reimbursment of Fremont county for monies spent by said county in the care and support of certain lunatic paupers."

Also, C. B. No. 80, viz: "An act concerning the prosecution of crimes and misdemeanors not capital or infamous."

Very respectfully, your obedient serv't,
S. H. ELBERT,
Governor of Colorado.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT, }
Denver, February 13, 1874. }

Hon. M. W. Stewart, President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

C. B. No. 40, viz: "An act to amend an act, entitled, 'An act to reduce the law incorporating the City of Denver and the several acts amendatory thereof into one act, and to amend the same.'"

Also, C. B. No. 87, viz "An act to change the name of Nellie Augusta Stock."

Also, C. B. No. 66, viz: "A bill for an act to amend an act for the protection of wild game in the Territory of Colorado."

Also, C. B. No. 97, viz: "An act to repeal an act to incorporate the Ni-Wot and Black Hawk Wagon Road Company."

Also, C. B. No. 37, viz: "An act for the relief of Marmaduke Green."

Also, C. B. No. 88, viz: "An act in relation to an adopted child of Baxter B. Stiles and Caroline J. Stiles."

Also, C. B. No. 81, viz: "An act to amend the Criminal Code."

Also, C. B. No. 98, viz: "An act to provide a fund for the maintenance and education of the deaf mutes of Colorado."

Also, S. C. B. No. 5, viz: "An act to amend chapter 71 of the Revised Statutes of Colorado Territory relating to the Probate Courts of Clear Creek, Park, Summit, Lake and Weld counties."

Also, C. B. No. 104, viz: "An act to amend an act, entitled, 'An act concerning school bonds.'"

Also, C. B. No. 86, viz: "An act to amend an act, entitled, 'An act to amend chapter 89 of the Revised Statutes of Colorado Territory.'"

Also, C. B. No. 99, viz: "An act relating to fees and salaries in Weld and Larimer counties."

Also, S. C. B. No. 9, viz: "An act concerning Practice."

I have the honor to be, your obedient servant,

S. H. ELBERT,
Governor of Colorado.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, February 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. Bs. Nos. 39, 68, 72 and S. C. B. No. 63.
Bills transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed S. C. B. No. 31.
Bill transmitted herewith.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House concurs in the amendments offered by the Council to S. H. B. No. 3.
Also, has passed C. B. No. 96.
C. B. No. 96 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has amended C. S. H. B. No. 63, viz: by striking out all of section 3, and as amended have passed the same.
Also, have passed H. C. R. No. 4, instructing the Secretary of the Territory to have all the acts, joint resolutions and me-

morials passed by the Tenth Legislative Assembly printed and bound in pamphlet form, &c.

The concurrence of the Council is respectfully requested on amendment to C. S. H. B. No. 63 and concurrence on H. C. R. No. 4.

C. S. H. B. No. 83 and H. C. R. No. 4 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed C. C. R. No. 2.

Also, H. B. No. 136, entitled, "A bill for an act to prevent counties, towns and cities from issuing bonds to railroads."

The concurrence of the Council is respectfully requested to H. B. No. 136.

C. C. R. No. 2 and H. B. No. 136 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed C. B. No. 75, and have concurred in Council amendments to H. B. No. 106.

Also, have amended H. B. No. 106 as follows:

Add to section 87 the following words: *And provided further*, That this act shall not be construed so as to remove any officer now holding an office under any provision of the laws of Colorado."

The concurrence of the Council to House amendment to H. B. No. 106 is respectfully requested.

C. B. No. 75 and H. B. No. 106 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Mr. Chilcott moved to go into Committee of the Whole for consideration of H. B. No. 152.

Carried.

Mr. Chilcott in the chair.

Mr. President in the chair.

Mr. Butler, Chairman Judiciary committee, by unanimous consent, reported back H. B. No. 22, amended as follows:

After the word "years," in line 9, section 1, insert the word "hereafter."

Strike out all of section 4 after the word "defendant" on line 12, and recommend that the bill as amended do pass.

Mr. Fitzpatrick moved that the rules be suspended, the report be adopted, and the bill put upon its passage.

Carried.

H. B. No. 22 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, McCammon, Sprague, Taylor and Mr. President—13.

Title agreed to.

The following messages were received from the House:

House of Representatives, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed C. Bs. Nos. 73, 76 and 78, and have refused to pass C. Bs. Nos. 77 and 103.

C. Bs. Nos. 77, 73, 76, 78 and 103 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has passed S. C. B. No. 70, C. Bs. Nos. 109 and 93, and have refused to pass C. B. No. 82.

Also, has passed C. B. No. 101.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

Committee of the Whole resumed.

Mr. Chilcott in the chair.

Committee of the Whole arose and reported as follows:

Mr. President:

Your Committee of the Whole have had under consideration H. B. No. 152, and beg leave to report the same back to the Council, with the following amendments:

In line 9, section 1, strike out "15" and insert "20."

Also, in section 1, lines 54 and 55, strike out "17" and insert "7."

Also, at the end of line 34, add the following: *Provided*, That if the Territory shall receive and take charge of said Penitentiary in pursuance of the act of Congress entitled "An act transferring the control of Certain Territorial Penitentiaries to the several Territories in which the same are located," approved Jan. 24, A. D. 1873, then the foregoing sum of thirty thousand dollars, or so much thereof as may be necessary, shall be used and drawn against for the payment of all the expenses necessary and proper for the support of said Penitentiary.

Section 2 adopted.

Section 3 adopted.

Strike out in lines 70 and 71 of Section 1 "65" and insert "25."

Section adopted as amended.

Section 4 adopted.

Section 5 adopted.

Strike out at the end of line 3, section 6, the words "Twenty-five" and the figures "25" at the beginning of line 4 and insert the word and figures "fifty (50)" in lieu thereof.

Section 7 adopted.

Section 8 adopted.

The following amendment adopted and designated section 9:

Section 9. For reimbursing those counties which have maintained prisoners in their respective jails, sentenced to confinement in the Penitentiary, and refused admittance therein by the U. S. Marshall, in consequence of there not being room in said Penitentiary, five thousand dollars, or so much thereof as may be necessary, allowing said counties one dollar per day for each such prisoner so kept in said jails.

The following amendment adopted and designated section 10:

Section 10. The sum of four hundred and eighty-seven dollars and sixty-five cents to reimburse Geo. T. Clark, Secretary of the Board of Immigration, for money expended by him in postage, printing and rent of office in the business of said Board, and that the Territorial Auditor be directed to draw a warrant upon the Treasurer for said amount in favor of Geo. T. Clark.

The following amendment, to be designated section 11, adopted:

Section 11. The Chief Clerk of the House of Representatives and the Secretary of the Council shall each receive the sum of one hundred dollars, and the Assistant Clerk of each House shall receive the sum of seventy-five dollars for their services in completing the Journals and doing all other necessary work after the close of the session, and the Auditor is hereby authorized to draw warrants for the same after the completion of such work.

Section 12 adopted.

Amend the 16th line, section 1, by inserting the word "two" after the word "twenty" and substituting the figures "$22,000" instead of "$20,000."

Bill as amended be reported back to Council, and recommend it be read third time and passed.

Respectfully,

GEO. M. CHILCOTT,
Chairman.

Report adopted.

H. B. No. 152 read third time, under a suspension of the rules, and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Head, Jaquez, Sprague, Taylor and Mr. President—12.

Absent—Mr. McCammon—1.

Title agreed to.

The following report was read:

Mr. President:

Your committee on Enrollment have examined C. Bs. Nos. 15, 102, 56, 32 and S. C. B. No. 6, and find the same correctly enrolled, and have placed them in the hands of His Excellency, the Governor of Colorado Territory, at the hour of 6 p. m., Friday, Feb. 13, 1874, and they now await his signature.

Respectfully,

LAFAYETTE HEAD,
Chairman.

Mr. Head, Chairman of committee on Counties, reported back H. B. No. 147 without recommendation.

Mr. Butler moved that the rules be suspended and that H. B. No. 147 be indefinitely postponed.

Carried.

The following report was read:

Mr. President:

SIR: Your Special committee to whom was rferred H. B. No. 68, a bill for "An act to regulate fees and salaries of the County Officers of Huerfano County," have had the same under consideration and would beg leave to report the bill back with the recommendation that it be indefinitely postponed.

Respectfully submitted,

J. B. JAQUEZ,
Chairman.

Mr. Fitzpatrick moved that the rules be suspended and the report adopted.

Carried.

Mr. Bromwell, from the Judiciary committee (verbally) reported back H. B. No. 78 with the recommendation that it be indefinitely postponed.

Report adopted under suspension of the rules.

Mr. Buckingham moved that the rules be suspended and that C. B. No. 79 be taken up and put upon its passage.

Mr. Butler moved to amend, that C. B. No. 79 be indefinitely postponed.

Amendment carried.

Mr. Butler moved to adjourn 'till 7:30 o'clock p. m.

Carried.

Adjourned.

EVENING SESSION, 7:30 o'clock.

Council met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Absent—Messrs. Butler, Hall and McCammon—3.

The following message from His Excellency, the Governor, was received and read:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 13, 1874.

To the Honorable, the President of the Council:

SIR: I return you herewith Council Bill No. 44, viz: "An act to repeal sections 52, 53, 54 and 55, of chapter 18, of the

Revised Statutes of Colorado Territory," without my approval.

My reasons are briefly as follows:

Many of the counties of the Territory have already, under the provisions of the law repealed, issued bonds in aid of Railroads which have been negotiated and are in the hands of innocent holders.

The law repealed contains the only power whereby a tax can be levied to meet the principal and the annual interest due on such bonds, and if repealed, the several counties that have issued bonds, as aforesaid, will be without authority or power to meet in any way such outstanding obligations.

While it may be desirable to prohibit by Statute any further issue of bonds for such purposes, I submit that legislation which affects so injuriously what has already been done in this behalf would be most unwise and impolitic.

In my view, the repeal of this law is practically repudiation of existing obligations, and as such, contrary to all well established maxims of law, justice and sound policy.

I therefore return your honorable body the bill unapproved.

Very respectfully your obedient serv't,

S. H. ELBERT,
Governor of Colorado.

Mr. Clark moved to reconsider the vote on the passage of H. B. No. 152.

Carried.

Mr. Hall appeared and took his seat.

Mr. McCammon appeared and took his seat.

The following messages were received from the House:

House of Representatives, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that the House has indefinitely postponed action on C. J. M. No. 2.

Also, has concurred in Council amendment to H. B. No. 22.

C. J. M. No. 2 herewith transmitted.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

House of Representatives, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

Sir: I am instructed to inform your honorable body that

the House respectfully asks that H. B. No. 106, be returned to the House for further consideration.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Hall moved to reconsider the action of the Council in amending H. B. No. 152, in lines 70 and 71, of section 1, in regard to "Legislative Printing."

Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has rescinded their action on C. B. No. 82, whereby they refused to pass, and respectfully request C. B. No 82 be returned for further consideration.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Chilcott moved that H. B. No. 106 and C. B. No. 82, be returned to the House.

Carried.

Mr. Clark moved that the Council concur in House amendments to S. C. B. No. 58.

Carried.

Mr. Chilcott moved that the Council Rules of Order be suspended during the remainder of the session.

Carried.

Mr. Butler appeared and took his seat.

Mr. Clark moved that H. J. R. No. 1, be read third time and put upon its passage.

Carried.

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

H. J. R. No. 1 lost by the following vote:

Ayes—None.

Noes—Messrs. Bromwell, Buckingham, Chilcott, Clark, Fitzpatrick, Jaquez, Sprague, Taylor and Mr. President—9.

Absent—Messrs. Hall, Head and McCammon—3.

Excused from voting—Mr. Butler—1.

Mr. Chilcott moved that H. C. R. No. 4 be read third time and put upon its passage.

Carried.

H. C. R. No. 4 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Jaquez, Sprague, Taylor and Mr. President —10.

Absent—Messrs. Hall, Head and McCammon—3.

The following message was received from His Excellency the Governor.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

Council Bill No. 102, viz: "An act concerning the Probate Court of Gilpin County."

Also, Council Bill No. 32, viz "An act to amend an act to provide for the assessment and collection of Revenue."

Also, Substitute Council Bill No. 6, viz; "An act for the support and better regulation of the Public Schools of the city of Denver."

Also Council Bill No. 15, viz: "An act concerning the Probate Court of Arapahoe County."

Also, Council Bill No. 56, viz: "An act concerning the release of Mortgages."

Very respectfully your obedient serv't,
S. H. ELBERT,
Governor of Colorado.

Mr. Butler moved that the Council concur in the amendment to C. S. H. B. No. 63.

Carried.

Mr. Clark moved that the consideration of H. B. No. 152 be resumed.

Carried.

Mr. Hall moved to amend section 1, by striking out the words and figures "twenty-five hundred ($2500)" in lines 70 and 71, and insert in lieu thereof the words and figures "five thousand, ($5,000)."

Mr. Clark moved to amend by making the amount "six thousand and five hundred (6,500)," instead of "five thousand (5,000)."

Amendment lost.

Mr. Hall's motion carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that H. J. M. No. 16, has unanimously passed the House.

The Council is requested to give their immediate attention to the same and return at their earliest convenience.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

The following report was read:

Mr. President:

Your committee on Engrossed Bills would respectfully report that they have examined Council amendment to H. B. No. 152 and find the same correctly engrossed.

DAN'L L. TAYLOR,
Chairman.

Mr. Fitzpatrick moved that H. B. No. 152 as amended be read third time and put upon its passage.

Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 82.

Also, that the House has reconsidered their action on H. B. No. 106, whereby they amended the same.

Respectfully,
JOSEPH T. BOYD.
Chief Clerk.

H. B. No. 152 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Jaquez, Sprague, Taylor and Mr. President—11.

Absent—Messrs. Head and McCammon—2.

Title agreed to.

Mr. Butler moved that H. B. No. 151 be read second and third times and put upon its passage.

Carried.

H. B. No. 151 read second time.

Mr. Bromwell in the chair.

Mr. President excused from attendance.

Mr. Butler offered the following amendment to H. B. No. 151:

Strike out all of section 1 of said bill and insert the following:

"Section 1. That for the year A. D. 1874, there shall be levied and assessed upon all taxable property, real and personal, in this Territory a tax for Territorial purposes of one and one-half mills on the dollar, and for the year A. D. 1875, a tax of one-half mill on the dollar.

Provided, that the Territorial Board of Equalization may increase or diminish the same if necessary."

Mr. Chilcott moved that the amendment be adopted and engrossed, and the bill as amended be put upon its passage.

Carried.

H. B. No. 151 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Head, Sprague and Taylor—9.

Absent—Messrs. Hall, Jaquez, McCammon and Mr. President—4.

Title agreed to.

H. B. No. 145 read third time.

Mr. Butler moved that H. B. No. 145 be indefinitely postponed.

Carried.

H. B. No. 148 read third time.

Mr. Butler moved that H. B. No. 148 be indefinitely postponed.

Carried.

H. B. No. 136 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Jaquez, Sprague and Taylor—9.

Absent—Messrs. Chilcott, Head, McCammon and Mr. President—4.

Title agreed to.

S. H. B. No. 135 read third time.

Mr. Fitzpatrick moved that S. H. B. No. 135 be indefinitely postponed.

Motion lost.

Mr. President appeared and took his seat.

Mr. President in the chair.

Mr. Butler moved that S. H. B. No. 135 be laid on the table.

Carried.

H. B. No. 132 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Fitzpatrick, Hall, Sprague, and Mr. President—8.

Noes—Messrs. Jaquez, and Taylor—2.

Absent—Messrs. Chilcott, Head and McCammon—3.

Title agreed to.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has amended H. B. No. 152 as follows:

Amend section 10 by striking out the words "four hundred and eighty-seven dollars and sixty-five cents ($487.65)" and insert in lieu thereof the words and figures "one hundred and thirty-seven dollars and sixty-three cents ($137.63.)"

The concurrence of the Council is respectfully requested to the above amendment.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Butler moved that the Council adhere to its amendment of H. B. No 152, and ask a committee of conference on the same.

Carried.

C. S. H. B. No. 121 read first time.

C. S. H. B. No. 121 read second time.

C. S. H. B. No. 121 read third time and possed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Jaquez, Sprague, Taylor and Mr. President—11.

Excused from voting—Messrs. Head and McCammon—2.

Title agreed to.

Mr. President appointed as committee of conference on H. B. No. 152 Messrs Butler, Hall and Clark.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has appointed Messrs. McCutcheon, Buffington and Meyer as a committee of conference on amendment proposed by the Council to H. B. No. 152.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Fitzpatrick moved that H. J. M. No. 18 be read third time and put upon its passage.

Carried.

H. J. M. No. 18 read third time and lost by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Sprague and Mr. President—4.

Noes—Messrs. Chilcott, Fitzpatrick, Jaquez and Taylor—4.

Excused from voting—Messrs. Head and McCammon—2.

Absent—Messrs. Butler, Clark and Hall—3.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has concurred in Council amendment to H. B. No. 151.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

Mr. Bromwell moved that C. B. No. 90 be read third time.

Carried.

C. B. No. 90 read third time and passed by the following vote:

Ayes—Messrs Bromwell, Buckingham, Butler, Clark, Chilcott, Fitzpatrick, Hall, Sprague, Taylor and Mr. President—10.

Excused from voting—Messrs. Head and McCammon—2.

Absent—Mr. Jaquez—1.

Title agreed to.

Mr. Butler, Chairman committee of Conference on H. B.

No. 152, reported that the joint committee recommend that the Council amendment be adhered to and that the bill do pass as now amended.

Report adopted.

S. C. B. No. 91 read third time.

Mr. Fitzpatrick moved that S. C. B. No. 91 be laid on the table.

Carried.

C. B. No. 106 read third time.

C. B. No. 85 read third time.

Mr. Butler moved that C. B. No. 106 be laid on the table.

Carried.

Also, that C. B. No. 85 be laid on the table.

Carried.

Mr. Fitzpatrick moved that H. B. No. 98 be laid on table.

Carried.

Mr. Hall moved that H. B. No. 101 be laid on table.

Carried.

Mr. Fitzpatrick moved that H. B. No. 108 be read third time.

Carried.

H. B. No. 108 read third time and passed by the following vote:

Ayes—Messrs. Bromwell, Buckingham, Butler, Chilcott, Clark, Fitzpatrick, Hall, Jaquez, Sprague and Mr. President—10.

Absent—Messrs. Head, McCammon and Taylor—3.

Title agreed to.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has receded from its non-concurrence in Council amendment to H. B. No. 152.

Respectfully,

JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. S. H. B. No. 121.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

HOUSE OF REPRESENTATIVES, Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has passed C. B. No. 90.

C. B. No. 90 herewith transmitted.

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

C. B. No. 83 read third time.

Mr. Butler moved that C. B. No. 83 be laid on the table.

Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, February 13, 1874.

To the Honorable the President of the Council:

SIR: I am instructed to inform your honorable body that the House has appointed Messrs. Butters, Powers and Harsh as a committee to consult with a like committee from the Council to appoint the hour at which both Houses shall adjourn *sine die.*

Respectfully,
JOSEPH T. BOYD,
Chief Clerk.

C. B. No. 84 read third time.

Mr. Butler moved that C. B. No, 84 be laid on the table.

Carried.

S. H. B. No. 41 read third time.

Mr. Fitzpatrick moved that S. H. B. No. 41 be laid on the table.

Carried.

Mr. Fitzpatrick moved that a committee of conference be

appointed to confer with a like committee from the House to decide upon the hour for adjournment *sine die*.

Carried.

Mr. President appointed Messrs. Fitzpatrick and Chilcott such committee of conference.

Mr. Chilcott offered the following resolution, which was unanimously adopted:

Resolved, That the thanks of the Council are due and are hereby tendered Hon. M. W. Stewart, for the impartial manner in which he has performed the arduous duties of presiding officer of this body, and also, the thanks of this body are hereby tendered to all of the officers of the Council for their prompt and efficient services.

Mr. President responded brifly.

The following report was read:

Mr. President:

Your committee on the part of the Council to confer with a like committee on the part of the House, beg leave to report that the hour for adjournment of both bodies has been fixed for the hour of 12 o'clock, Feb. 13th, 1874.

J. B. FITZPATRICK,
GEO. M. CHILCOTT.
Committee.

Mr. Chilcott moved that the report be adopted.

Carried.

Mr. Fitzpatrick moved that a committee be appointed to wait upon His Excellency, the Governor, and ascertain whether he has any further communications to make to the Legislative Council.

Carried.

Mr. President appointed Messrs. Fitzpatrick and Chilcott a committee to wait upon His Excellency, the Governor, for the purpose above named.

Mr. Bromwell moved that the Council take a recess, subject to the call of the President.

Carried.

Council called to order.

Mr. President in the chair.

Mr. Fitzpatrick, from the committee to wait upon His Excellency, the Governor, reported (verbally) that the committee had waited upon His Excellency, the Governor, and was informed that His Excellency had some further communications

to make to the Legislative Council, and would notify the Council when he had no further communications to make.

The following messages were received from His Excellency, the Governor:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 13, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

C. B. No. 76, viz: "An act concerning the practice of the Courts."

Also, C. B. No. 96, viz: "An act for the government and management of the Penitentiary."

Also, C. B. No. 71, viz: "An act to authorize the funding and paying of the debt of Clear Creek county."

Also, C. B. No. 68, "An act to release a certain school tax voted by School District No. 2, Park county."

Also, "C. C. R. No. 2."

Very respectfully, your obedient serv't,
S. H. ELBERT,
Governor of Colorado.

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, Feb. 13, 1874.

To the Honorable the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

S. C. Bs. Nos. 2, 3 and 8, viz: "An act concerning elections."

Also, S. C. B. No. 31, viz: "An act to amend chapter 59 of the Revised Statutes."

Also, C. B. No. 72, viz: "An act to amend section 1, chapter 50 of the Revised Statutes."

Also, C. B. No. 39, viz: "An act to amend an act, entitled, 'An act concerning judgments and liens.'"

Also, C. B. No. 78, viz: "An act to authorize the allowance of the alternative writ of mandamus during vacation."

Also, S. C. B. No. 63, viz: "An act to enable the County Commissioners of Las Animas and Conejos counties to levy a special tax for the purpose of building jails."

Also, C. B. No. 75, viz: "An act in regard to the liability of securities for costs."

Also, C. B. No. 73, viz: "An act to establish a Territorial road in Huerfano county."

Very respectfully your obedient serv't,
S. H. ELBERT,
Governor of Colorado.

Mr. President announced a communication from His Excellency, the Governor, requiring an Executive session.

Mr. Chilcott moved to go into Executive session.

Carried.

Executive session.

Executive session dissolved.

The following report was read:

Mr. President:

Your joint committee on Enrollment report that they have examined C. Bs. Nos. 72, 76, 68, 39, 71, 96, 73, 78, 75, 107, 101, 109, 93, 55, 90 and 82, S. C. Bs. Nos. 31, 2, 3, 8, 63 and 70, C. C. R. No. 2 and C. S. H. Bs. Nos. 121 and 63, and find the same correctly enrolled, and have placed them in the hands of His Excellency, the Governor of Colorado Territory, on Friday, February 13, 1874, at the hour of 11 o'clock p. m., and they now await his signature.

LAFAYETTE HEAD,
Chairman.

The following communications from His Excellency, the Governor, were received and read:

TERRITORY OF COLORADO, EXECUTIVE DEPARTMENT,
Denver, February 13, 1874.

To the Honorable, the President of the Council:

SIR: I have the honor to inform you that I have this day approved and signed:

C. B. No. 82, viz: "An act to amend chapter 14 of the Revised Statutes."

Also, C. B. No. 93, viz: "An act to amend an act concerning school bonds."

Also, C. B. No. 109, viz: "An act to authorize the courts to summon witnesses from foreign counties."

Also, C. B. No. 101, viz: "An act to amend an act, entitled, 'An act concerning certiorari to Justices and Probate Courts.'"

Also, C. S. H. B. No. 121, viz: "An act to legalize the loca-

ting and recording property in Aninas and Eureka Mining Districts."

Also, C. B. No. 90, viz: "An act concerning the library of the Supreme Court."

Also, C. S. H. B: No. 63, viz: "An act to enable counties to provide for the payment of their bonded debts."

Also, S. C. B. No. 58, viz: "An act to provide for the selection of Jurors to serve in the District Courts."

Also, S. C. B, No. 70, viz: "An act concerning practice in Courts of Record."

Also, C. B. No. 107, viz: "An act to provide for the appointment of Capitol Commissioners and defining their duties."

Very respectfully your obedient serv't,

S. H. ELBERT,

Governor of Colorado.

Mr. Fitzpatrick moved to go into Executive session.

Carried.

Executive session.

Executive session dissolved.

Mr. Fitzpatrick, Chairman of the Council committee to wait upon His Excellency, the Governor, to ascertain if he had any further communications to make, verbally reported that His Excellency had no further communications to make to the Legislative Assembly.

The Journal of the Council of the Tenth Legislative Assembly was read, and, on motion of Mr. Clark, approved.

Mr. Chilcott moved to adjourn *sine die.*

Carried.

Mr. President declared the Council adjourned *sine die.*

M. W. STEWART,

President.

ATTEST:

FOSTER NICHOLS, Secretary.

APPENDIX.

REPORT OF JOINT COMMITTEE

OF THE

COUNCIL AND HOUSE OF REPRESENTATIVES

OF COLORADO TERRITORY,

ON THE

CONDITION OF THE TERRITORIAL PRISONERS.

To the Council and House of Representatives of the Territory of Colorado, in Legislature Assembled:

Your Committee appointed under House Concurrent Resolution No. 1, to examine into the condition of the Territorial prisoners in the Penitentiary at Cañon City; to take testimony concerning alleged abuses, and to report upon the propriety of receiving the Penitentiary from the general government, beg leave to inform your honorable bodies that they have discharged the duty imposed upon them, and do submit for your consideration the following report, which embodies the results of their observations and inquiries, and such suggestions as they deem pertinent in the premises:

We would call your attention to the fact that there is now existing a contract with the United States, which requires this Territory to pay for the "feeding, maintaining, guarding and clothing" Territorial convicts at the rate of seven dollars a week each, and, by reference to the Message of the Governor, it can be seen that this item of expenditure amounted to $28,981, in the past two years. The labor of the convicts does not revert, when utilized, to the credit of the Territory, but their support is a continual drain upon its treasury.

Immediately upon our arrival at Cañon City, on the 4th day of February, 1874, we visited the Penitentiary where we met C. J. Reed, Esq., the Warden, and explained to him the object of our visit. This gentleman expressed his willingness to give us any information in his power, and in reply to interrogatories propounded by members of the committee, made the following statement:

"I have had charge of the Penitentiary since July 7, 1874. The labor of the convicts has been utilized to some extent in making brick, getting out rock, and getting wood. If there were workshops in connection with the institution, the convict labor would be remunerative; as it is now, there is little or nothing for prisoners to do during the winter.

There are now twenty convicts under sentence to the Penitentiary in county jails, who cannot be received because there is no room to accommodate them.

The Territory receives nothing for the labor of the convicts, and in my opinion it would be the wisest and cheapest plan for the Territory to take charge of the institution.

The labor compensation is held subject to the United States. Not much profit is derived from the labor of convicts who work off the grounds, as the salary of the guards absorbs the earnings. During the summer, when the convicts are off the grounds at work, a guard is sent out with every gang of fifteen or twenty.

Marshal Shaffenburg comes down about once or twice every three months to visit the Penitentiary. There is now on on hand, the property of the United States, about two hundred thousand brick, made last summer and paid for by convict labor. The house I live in was built of brick paid for by convict labor. Since I have had charge, the amount of convict labor hired out has been about $1,500, and counting the labor at the same rate—one dollar a day—nearly the same amount has been expended in improvement of the prison grounds.

Hardly a day passes without convicts being sent to get water or wood, but a guard is sent with them. Wood costs, for the winter months, about $75 to $80 per month.

When a prisoner's time has nearly expired, there is no inducement for him to run away, even if the opportunity is offered, because when captured the time he has served counts for naught, and the original term of sentence must be served out from the date of capture.* Another fact which operates in favor of preventing attempts at escape, with those convicts whose conduct has been good, is the hope of ultimate pardon and restoration to citizenship.

There are forty acres of ground connected with the Penitentiary, a good deal of which is tillable. All the vegetables required for the prison could be raised by convict labor.

The pay of the warden is $150 a month, that of the guards $115 each."

In response to a question from the committee, Mr. Reed furnished the following list of rations drawn and purchased for the subsistence of 39 prisoners three months:

60 sacks Flour, 100 pounds each.
25 sacks Corn Meal 100 pounds each.
2,500 pounds of Potatoes.
4,500 pounds of Beef, bought at Cañon City at 5 cts.
400 pounds of Cabbages, bought at Cañon City at 5 cts.
1 barrel of Pease.
1 barrel of Hominy.
1 barrel of Beans.
1 barrel of Salt.
150 pounds of Coffee.
25 pounds of Tea.
200 pounds of Bacon.
75 pounds of Rice.
83 pounds of Lard.
15 pounds of Baking Powder.
60 pounds of Tobacco.
10 pounds of Pepper.
10 pounds of Hops.
150 pounds of Barley.
25 gallons of Molasses.
1 keg of Vinegar.
4 boxes of Soap.
2 boxes of Candles.
2 boxes of Matches.
2 dozen Brooms.
1 dozen Scrub Brushes.
75 gallons of Coal Oil.
Stationery and Stamps, $20.

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*Your committee would report that after diligent inquiry, they can find no law justifying this regulation.

This supply of stores struck your committee as being much larger in some particulars, than necessary for the subsistence of thirty-nine men three months, and the Warden, in reply to a question as to what was done with any surplus remaining at the end of the quarter, stated, in general terms, that an allowance would be made in the next requisition. A close investigation into this matter, being foreign to the duties of the committee, except so far as it might have a bearing upon the determining of the cost of boarding convicts, was not pressed, the Warden having placed the actual cost at 40 cents per day, in the following memoranda:

"Total receipts for convict labor from July 7, 1871 to Dec. 30, 1873.....$4,000.00
Total expenditure on labor account, same time,..... 3,585.00

COST OF RUNNING THE PENITENTIARY ONE YEAR.

Salaries of warden and three guards.....	$5,840
Fuel,.....	600
Medical attendance, (including medicines),.....	500
Lights,.....	175
Clothing, (39 convicts $45 a year),.....	1,755
Subsistence, (estimated at 40 cents a day),.....	5,016
Tin, iron-ware etc.....	300."

The Committee would call your special attention to the fact that the sum total of the cost of running the Penitentiary one year, according to the above figures furnished by Mr. Reed, amounts to $13,486, or $1,004.50 less than the amount paid by the Territory for subsistence of convicts.

Mr. Duber, one of the prison guards, stated before the committee, that he had been employed in the prison since the beginning of its occupancy, that it had not been conducted as it should have been—convicts were allowed too much liberty—before Mr. Reed took charge.

The Penitentiary building is located in the Western portion of Cañon City, in proximity to a steep, massive ledge of rock, known as a "hog back." It is constructed of stone, of which unlimited quantities can be quarried immediately in the rear of the institution. In shape it is a parallelogram, and being surmounted by a mansard roof, and without either wall or fence, it presents, externally, no appearance of a prison, except the net work of iron bars encasing the lower windows. Convict labor has been made use of to build a foundation wall along the front of the Prison, which forms one side of a level plat

that has been made by excavating rock and earth from a limestone hill near the North line of the grounds and filling up the inequalities of the surface.

In addition to the prison building there are upon the grounds belonging to the Penitentiary, a wooden structure close to the front end of the prison, which is occupied as an office, storerom and cook house, and a substantial brick house, about 200 yards from the prison, occupied as a residence by the warden.

More than half the forty acres belonging to the prison is rich alluvial bottom land, lying under ditch, and susceptible of a high degree of cultivation.

Upon entering the prison we found every portion of it very clean, orderly and well arranged. The cells, which are large and well ventilated, occupy the centre of the building and are constructed in two rows, with doors facing the side walls of the prison, thus receiving abundance of light from the large windows. There are seven cells in a row, and three tiers, making fourteen cells in each tier, or a total of forty-two cells. A wide corridor surrounds the cells, and an iron stairway connects the floor with galleries that surround the second and third tiers. One cell in each tier is used as a bath room, being supplied for this purpose with a bath tub and abundance of water, which is furnished by means of a force pump in the building. These cells are also used for the purpose of storage of the clothing of which the convicts are divested when they put on the prison garb. This clothing is washed and then stored away, properly labeled, to be restored to the owner when he is discharged.

We found some of the convicts engaged in the cook room, others washing clothes, and were informed that a female life convict was employed in doing housework at the wardens residence. All other prisoners were found in their cells. The convicts appear to be robust, hearty and in excellent sanitary condition, with the exception of two, who were under medical treatment. Dr. Prentiss, the attending physician, assured the committee that there has been but little need of medical attendance among the convicts, except in cases of disease contracted before admission. The first death that has ever occurred among the prisoners took place the latter part of Jan. of the present year, a convict named Hill, having died of organic disease of the heart. One of the two prisoners now on the sick list, is Wm. H. Henderson, who has yet eight months to serve, and we were informed by Dr. Prentiss that if he should be kept in confinement until the expiration of his term of service, the probabilities are, he will be hopelessly insane.

The following is submitted as a list of the prisoners now on

the Register of the Penitentiary, showing the county from which they were sent, and the time yet to serve.

Wm. H. Henderson, Clear Creek, 8 months.
Ed. Albriton, Arapahoe, 4 months.
D. F. Wolfil, Arapahoe, 4 months.
Chas. Willis, Arapahoe, 7 years and 8 months.
J. R. Roival, Arapahoe, 2 years and 8 months.
John Ryan, Arapahoe, 8 months.
Peter Ross, Arapahoe, 8 months.
C. C. Bennett, Arapahoe, life.
M. A. Manzanaus, female, Pueblo, life.
John White, Pueblo, 1 year and 10 months.
Geo. R. Witherell, Weld, life. (Witherell having escaped is still at large.)
C. W. Mitchell, Pueblo, 4 months.
Geo. Knight, Pueblo, 1 year and 4 months.
Antonio Apodica, Las Animas, 4 months.
Norman Patterson, Pueblo, 9 months.
James Turley, Gilpin, 2 months.
Fred Lottis, Lake, 10 months.
G. W. Born, Arapahoe, 9 months.
Jacob Hoover, Arapahoe, 9 months.
Moses Fox, El Paso, 9 months.
Wm. Kelley, El Paso, 4 months.
Jackson Jones, El Paso, 9 months.
Chas. Brown, El Paso, 1 year and 9 months.
S. T. Noblett, Boulder, 3 years and 11 months.
W. C. O'Boyle, Clear Creek, 2 months.
Jerome Cole, Jefferson, 3 months.
Chas. Yetter, Jefferson, 6 years and 4 months.
Fred. Dowling, Jefferson, 9 years and 4 months.
Geo. Millsap, Arapahoe, 2 years and 4 months.
Chas. Jones, Arapahoe, 2 years and 4 months.
Wm. Darley, Arapahoe, 2 years and 4 months.
Abraham Lyar, Arapahoe, 4 months.
Peter Jans, Arapahoe, 2 years and 3 months.
Geo. Cott, Weld, 1 year and 4 months.
Chas. Johnson, Gilpin, 4 years and 3 months.
Richard Mackey, Gilpin, 6 months.
J. W. Suitterlin, Arapahoe, 1 year, 3 months, U. S. convict.
Geo. W. Graham, Arapahoe, 1 year, 10 months, "
Thomas Mann, Arapahoe, 2 years and 10 months.

The above list shows a total period of service due from convicts, at the beginning of the present month, exclusive of U. S. and life convicts, of about 61 years.

Your committee having submitted for your consideration the foregoing, will now call your attention to sundry statements made to them under oath, by credible witnesses, as they believe, citizens of Cañon City, said testimony having been taken on the 5th day of February, 1874.

George P. Smith, sworn: I went over to prison to get some convicts who were working at Catlin's brick yard, was going over with them. When I got there Mr. Hines had a convict named Jans tied up by the wrists to the brackets inside the prison. Jans had escaped and had been caught. I saw Hines pull down the prisoners breeches, and pull up his shirt to the shoulders. He then whipped him with willow rods, which wrapped arround him and drew blood all round to the navel: I think twenty licks were given at least, Hines said he gave twenty-five. I was told that Jans was whipped because he ran away. At the time he and another prisoner escaped, Mr. Reed had them at work at a carpenter bench, I believe, back of the cook house, in care of the convict Lottis, while Reed went to the Post Office. Mr. Duber told me not to give these men an inch, and had cautioned me and Reed not to lose sight of them anywhere. I have seen two or three, and as high as four convicts away from the prison without guard, but not within six weeks. Before Mr. Reed came in they were out often and late. Have seen convicts out after 10 o'clock at night without guard, since Reed took charge. Some of these were acting as domestics, others were not, one, a Mexican, ran all over.

W. C. Catlin sworn: I reside in Cañon. Have stock and also make brick. I think since Mr. Reed came in the conduct of the Penitentiary has been favorable. Have found Mr. Reed straight and a gentleman. The prison was not conducted so well before. Think Reed does as well as could be under the circumstances. Prisoners are always under guard when at work at my brick-yard, except when I become responsible for three or four. Since the 15th of July last I have made 700,000 brick. Paid one dollar a day for convict labor. They earned $2,300. They stopped the men occasionally or I could have used more of the convict labor.

Jacob Dibold sworn: Jans was caught and the flogging took place the next day or day after, I think. Came over after men that I had guard over. Saw him tied up and a man flogging him. Mr. Reed, Mr. Duber, Mr. Redfield and Mr. Hines were all present. Blood running down Jans' back. I saw it. I felt bad over it but couldn't help it. This occurred since Mr. Reed has had charge of the prison. The prisoners were all guarded at the brick-yard. Have never seen prisoners out at

night. Have seen one convict, a Mexican, running around town without a guard. I know the convicts Hoover, Mitchell and Patterson, but never saw them out without a guard.

Alex. Redfield sworn: I know the convicts Hoover, Mitchell and Patterson. Their cells have been empty four or five nights at a time, and the prison officers told me they were burning brick at Catlin's, and would not be in for several days. I saw Jans whipped. Don't recollect the exact time but think it was the latter part of September last. Reed, Duber, G. P. Smith and Jake Dibold were present besides myself. Hines did the whipping. The flogging was done on the prisoner's naked back with willows as big at the butt as my finger. They were used one at a time. About twenty-five blows were struck. Saw blood. Every lick cut, and Jans' back was cut up badly. I was a guard at the Penitentiary from the 1st of September to the 16th of December, 1873. I was night-watch. The latest hour at which I have let prisoners in was 2 o'clock in the morning. The bell tapped and prison closed at 8 p. m. The convicts let in late had generally been employed at Warden's house. Have let in the Mexican, Antonio, in a state of intoxication without a guard. Mr. Hines went out on a pleasure trip last November in a carriage with a lady, and had a prisoner, Edward Albritton, along on horseback. He was gone all day. The convict followed along behind and managed his own horse. Mr. Reed told me when I was tired to put on prisoners as guards and then go to sleep. He always told me what prisoners to put on. I had full confidence in them. They were a good set of men. I know James Hines. Have known him to be drunk on the streets of Cañon City during Reed's administration, but do not think that Reed knew of it at the time. Once I took him to my house at 2 p. m., and he did not go to the Penitentiary until the night of the next day after dark. The reason I took him to my house was because I asked Murray (the barkeeper) to let me put him up stairs, but he refused, saying he didn't want any drunken men there. As I was leading him along he fell down. I know Duber. Have known him to be in bed asleep when he should have been on duty, at 8 p. m., the prison keys in his drawer, and five or six prisoners having a good time in the kitchen. I have let them into the prison without Duber knowing it, I think. I do not say he was drunk. There was part of a bottle of whiskey on the table. This was in September. For two weeks have not seen prisoners down town without guard.

C. H. Buttolph sworn: Have seen a prisoner out all day Sunday fishing, without guard, two and a half or three miles from the prison. Have known prisoners to come in as late as 12

o'clock at night without guard—life prisoners. The above has happened since the first of July last. Before Mr. Reed took charge the prisoners drove teams and ran all over.

George W. Scidmore sworn: I know that during the last two months Hill, since dead, a life prisoner, and two others, Lottis and Kelley, came into the prison at 11 o'clock at night. There had been a party at Reed's, and these prisoners had been waiting on the party. I was standing guard for Redfield, who was at the party. The prisoners rattled at the door and I let them in. The negro convict was out all night. Have seen Hines out riding with a lady and the negro convict following on horseback, sometimes half a mile behind. There was another carriage in the rear of Hines', but did not go as far as Hines did. Since Mr. Reed has been in charge I have seen two prisoners three miles from the prison hauling wood. At one time I saw two prisoners burning brick-kilns alone at night, no guard in sight. Have seen Mr. Hines acting as if drunk on the street—like men do when they are drunk. Was building a house, and had two prisoners five days at a dollar a day. Paid or am to account to Reed for the work. When I say Mr. Hines acted as if drunk I mean that he was walking crooked. At one time Duber was supporting him; at another time Mr. Redfield was.

Dr. Thomas H. Craven and Samuel H. Boyd, Esq., were called before the committee, and certified that they were acquainted with all the foregoing named witnesses except Mr. Buttolph, and that they were men whose statements under oath are to be believed.

The witnesses were examined separately.

Your committee, in view of all the facts elicited by their visit to Cañon City, would suggest that they consider it a matter of economy and prudence, if not a necessity, for the Territory to take charge of the prison, for the following among other reasons:

1. The prison does not now furnish accommodation for the needs of the Territory, and there is no probability that, while it remains under control of the general government, its capacity will be enlarged.

2. The mere item of boarding our prisoners amounts to a larger sum than the entire cost of maintaining the Penitentiary, according to the figures given by the Warden, and the Territory receives no benefit for the labor that is demanded from the convicts.

3. If the prison were under control of the Territory, the labor of convicts could be utilized for several years to profit and advantage in the following directions:

Erecting necessary buildings to enable the Territory to take care of all its convicts. By employing two competent masons for overseers, whose wages could be paid in part by hiring out convicts, the work could nearly all be done by prison labor.

Building a substantial stone wall around the prison.

Planting shade trees and otherwise improving the remainder of the prison grounds.

Enlarging the ditch by which water is conveyed to the grounds from the Arkansas River, and which can be made to supply an unlimited amount of water power at all seasons of the year.

4. If the Territory had direct control of the prison such discipline could be enforced as might be deemed more in accord with the views of the people than the regulations which may be adopted for the prison's government by U. S. authorities, over which the Territory can exercise no supervision, and against the adoption of which we have no remedy except what may be secured through petition and by protest.

5. We recommend, further, that a joint memorial be adopted, asking Congress to appropriate the sum of twenty thousand dollars ($20,000), in order to enable the Territory to properly utilize convict labor, and place the Penitentiary upon a self-sustaining basis at as early a day as possible.

Respectfully submitted,

J. W. HALL, Council Committee.

L. HARSH, Chairman House Committee.

WM. A. AMSBURY, of House Committee.

February 9, 1874.

APPENDIX.

REPORT OF JOINT COMMITTEE

OF THE

COUNCIL AND HOUSE OF REPRESENTATIVES

OF COLORADO TERRITORY,

ON THE SETTLEMENT OF

ACCOUNTS OF THE TERRITORIAL TREASURER.

DENVER, Colorado Territory, Feb. 2, 1874.

To the Honorable Legislative Assembly:

GENTLEMEN: Your committee appointed under the following concurrent resolution, beg leave to submit the following report under said resolution:

CONCURRENT RESOLUTION.

Resolved, That a committee consisting of one member of the Council and two of the House be appointed by each House respectively, who shall cause a settlement to be made of the accounts of George T. Clark, Treasurer, and cause the proper entries to be made in the books of the Treasurer, preparatory to

the surrender of all monies, books, papers, furniture and property in his hands as Treasurer to his successor in office.

D. H. NICHOLS,
Speaker of the House of Representatives.
M. W. STEWART,
President of the Council.

Approved Feb. 6, 1874.

S. H. ELBERT,
Governor of Colorado Territory.

Your committee find the following to be the condition of the Territorial Treasury:

Balance in Treasury, January 1	$18,172 29
Receipts of revenue since that date	8,138 55
	$26,310 84

Your committee have this day turned over to David H. Moffat, Jr., Territorial Treasurer elect, as follows:

In cash, the sum of	$23,998 34
In warrants of the Auditor, paid by Treasurer since January 1	2,312 50
	$26,310 84

Also, all of the books, vouchers, papers, furniture and property in the hands of the said George T. Clark as Treasurer have been delivered to his successor.

Your committee have caused a copy of this report to be transcribed in the books of the Treasurer, and a copy of the same transmitted to the Auditor.

All of which is respectfully submitted.

J. B. FITZPATRICK,
Member of the Council.
JOSEPH HUTCHINSON,
Member of the House of Representatives.
J. C. WILSON,
Member of the House of Representatives.
Committee.