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# THE ARIZONA CITIZEN.

Vol. VII.

Tucson, Pima County, Arizona, Saturday, January 20, 1877.

No. 16.

### Legislative Proceedings.

**COUNCIL CHAMBER,**  
Tucson, January 11, 1877.

The Council met at 10 o'clock a. m., pursuant to adjournment. President Woolsey in the Chair. Roll called; present: Messrs. Goodwin, Kendall, Moeller, Redondo, Ruggles, Rush, Stevens and Mr. President. Absent, Mr. Hughes.

Journal of yesterday read and corrected, by direction of the President, by striking therefrom the report of the Committee on Enrolled and Engrossed Bills, relative to H. J. R. No. 1, on the ground that it being House resolution the House Committee alone examined it. With this correction the Journal was approved.

Mr. Rush, Chairman of Committee on Judiciary, made report.

**COUNCIL CHAMBER,**  
January 11, 1877.

Mr. President: Your Committee on Judiciary, to whom was referred C. B. No. 7, An act to amend an act entitled "Of Crimes and Punishments," respectfully report that they have had the same under consideration, and I have been directed to report the bill back to the Council without amendment, and recommend its passage.

**JOHN A. RUSH,**  
Chairman Committee on Judiciary.

Mr. Hughes entered and took his seat.

According to previous notice given, Mr. Redondo introduced C. B. No. 13, entitled "An act authorizing a loan on the faith and credit of the Territory and to provide for continuing work in the erection of the Territorial Prison."

C. B. No. 10, read a second time and, on motion of Mr. Rush, was referred to Committee on Judiciary.

C. B. No. 11, read a second time and, on motion of Mr. Goodwin, the bill was ordered engrossed.

C. B. No. 12, read a second time and, on motion of Mr. Hughes, was referred to Committee on Judiciary.

C. B. No. 9, on motion of Mr. Ruggles, was ordered engrossed.

C. B. No. 13, read first time.

Mr. Goodwin gave notice that on tomorrow, or some future day, he would introduce a bill to amend section 5, of Chapter 50, Compiled Laws of Arizona, Relating to Mines.

On motion of Mr. Ruggles, the Council adjourned until to-morrow at the usual hour.

### HOUSE PROCEEDINGS.

**HOUSE OF REPRESENTATIVES,**  
January 11, 1877.

House met pursuant to adjournment. Speaker Calderwood in the chair. Roll called; present: Messrs. Bennett, Bull, Dorrington, Foster, Head, Hathaway, Hutchison, Marion, Miller, Ochoa, Ohnesorgen, Peck, Parker, Richards, Stevens, Samaniego, Scott and Mr. Speaker—18.

Minutes of preceding day read and approved.

Mr. Foster, Chairman on Enrolled and Engrossed bills made the following report:

Mr. Speaker: Your Committee on Enrolled and Engrossed Bills respectfully report H. B. No. 1 as correctly enrolled and that H. J. resolution No. 2, was on the 10th day of January, submitted to his Excellency, the Governor, for approval.

**C. B. FOSTER,**  
Chairman.

Mr. Bennett, Chairman Committee on Judiciary, made the following report:

Mr. Speaker: The Judiciary Committee, to whom was referred H. B. No. 7, entitled an act to repeal an act in relation to the sale of spirituous and malt liquors or wines at retail; and H. B. No. 8, an act entitled an act to divorce John H. Hovey from the bonds of matrimony heretofore existing with Alvara Andrea Hovey; and H. B. No. 9, an act creating the office of Attorney general.

Respectfully report that they have had the same under consideration, and I am directed to report them back to the House without amendment, and recommend their passage.

**D. A. BENNETT,** Chairman.

Mr. Miller, of Special Committee, made the following report:

Mr. Speaker: Your Committee, appointed in pursuance of H. C. R. No. 5, to ascertain the number of miles traveled by the members of the Ninth Legislative Assembly in coming to and returning from the Territorial seat of government, beg leave to report that they find the different members have traveled and are entitled to mileage for the distances set opposite their respective names:

<b>PIMA COUNTY—COUNCIL.</b>	
F. H. Goodwin.....	12 miles.
F. C. Hughes.....	140 "
<b>HOUSE.</b>	
D. A. Bennett.....	2 "
M. Samaniego.....	2 "
E. Ochoa.....	2 "
W. Ohnesorgen.....	130 "
G. H. Stevens.....	300 "
<b>PINAL COUNTY—COUNCIL.</b>	
Levi Ruggles.....	150 "
<b>HOUSE.</b>	
G. Scott.....	300 "

**MARICOPA COUNTY—COUNCIL.**  
King Woolsey..... 400 "

**YUMA COUNTY—COUNCIL.**  
J. M. Redondo..... 600 "

**YAVAPAI COUNTY—COUNCIL.**  
J. W. Dorrington..... 600 "

**HOUSE.**  
Mr. Rush..... 600 "

**HOUSE.**  
Mr. Stevens..... 612 "

**HOUSE.**  
Mr. Kendall..... 600 "

**HOUSE.**  
Mr. Moeller..... 600 "

**HOUSE.**  
S. C. Miller..... 600 "

**HOUSE.**  
E. G. Peck..... 650 "

**HOUSE.**  
G. Hathaway..... 600 "

**HOUSE.**  
W. W. Hutchison..... 600 "

**HOUSE.**  
H. Richards..... 600 "

**HOUSE.**  
W. S. Head..... 654 "

**HOUSE.**  
J. H. Marion..... 650 "

**HOUSE.**  
C. B. Foster..... 600 "

**MOHAVE COUNTY.**  
Jas. P. Bull..... 1200 "

**HOUSE.**  
S. C. MILLER, Chairman.

The following message from the Council received and read:

**COUNCIL CHAMBER,**  
January 10, 1877.

Mr. Speaker:—The Council has passed C. B. No. 1, An act to fix the salary and fees of the District Attorney of Yuma County.

**JOHN T. ALSAP,** chief clerk.

Mr. Marion gave notice that on tomorrow or some future day he would introduce a bill to amend an act prescribing in the several counties of this Territory, approved February 7, 1873.

Mr. Scott gave notice that on tomorrow or at an early day, he would introduce a bill An act to encourage the building of quartz-mills, furnaces and other reduction works in the Territory of Arizona.

Mr. Scott introduced H. B. No. 12, An act fixing the salary of the District Attorney of Pinal county.

H. B. No. 12 read first time.

Mr. Head, by leave, introduced H. B. No. 13, An act to prevent double taxation.

H. B. No. 13, read first time.

Mr. Dorrington introduced H. B. No. 14, An act entitled an act amendatory of an act amendatory of Chapter 47, Howell Code of Jurors and acts amendatory thereto.

H. B. No. 14 read first time.

H. B. No. 10, read second time and, on motion of Mr. Bennett ordered engrossed.

H. B. No. 11, read second time and, on motion of Mr. Bennett, referred to Judiciary Committee.

H. B. No. 13, was then taken up, on motion of Mr. Head, rules suspended, bill read second time and referred to Committee on Ways and Means.

H. B. No. 6, read third time and, on motion of Mr. Parker made a special order for to-morrow 11 o'clock.

H. B. No. 7, read third time and, on motion of Mr. Head, made special order of the day for to-morrow.

H. B. No. 8, read third time and, on motion of Mr. Stevens, ordered engrossed.

heretofore existing with Margaret S. Scott.

Mr. Rush gave notice that on tomorrow or at an early day he would introduce a bill to amend chapter forty-eight of Compiled Laws, entitled Of Proceedings in Civil Cases.

Mr. Stevens, pursuant to previous notice, introduced C. B. No. 16, An act to preserve Game and Fish in the Territory or Arizona.

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

Mr. Hughes moved to refer the Bill to Committee on Finance.

Mr. Kendall moved to amend by substituting committee on Territorial Affairs.

The question being upon the amendment of Mr. Kendall, on division it was lost.

The motion of Mr. Hughes prevailed and the Bill was referred to Committee on Finance.

C. B. No. 9, was read third time and put upon its passage.

Upon the passage of the Bill those who voted aye were, Messrs. Goodwin, Hughes, Kendall, Moeller, Redondo, Ruggles, Rush, Stevens and Mr. President—9.

Noes, none.

So the Bill passed.

C. B. No. 11, read third time and put upon its passage.

Upon the passage of the Bill those who voted aye were, Messrs. Goodwin, Hughes, Kendall, Moeller, Redondo, Ruggles, Rush, Stevens and Mr. President—9.

Noes none.

So the Bill passed.

C. B. No. 7 taken up and, on motion of Mr. Woolsey, was ordered engrossed.

C. B. No. 14, read first time.

C. B. No. 15 read first time.

On motion of Mr. Redondo, the Council adjourned until Monday morning, the 15th instant, at the usual hour.

### HOUSE PROCEEDINGS.

**HOUSE OF REPRESENTATIVES,**  
January 12, 1877.

House met pursuant to adjournment. Speaker Calderwood in the chair. Roll called; present: Messrs. Bennett, Bull, Dorrington, Foster, Head, Hathaway, Hutchison, Marion, Miller, Ochoa, Ohnesorgen, Parker, Richards, Stevens, Samaniego, Scott and Mr. Speaker—17.

Absent, Mr. Peck—1.

On motion of Mr. Stevens Mr. Peck, being indisposed, was excused for the day.

Minutes of preceding day read and approved.

Mr. Foster, Chairman Committee on Enrolled and Engrossed Bills, made the following report:

Mr. Speaker: Your Committee on Enrolled and Engrossed Bills respectfully report H. B. Nos. 8 and 10 as correctly engrossed, and that on the 11th day of January, 1877, H. B. No. 1, An act to permanently locate the Territorial seat of government, was submitted to his Excellency, the Governor, for approval.

**C. B. FOSTER,** Chairman.

Mr. Richards, Chairman Committee on Ways and Means, made the following report:

Mr. Speaker: Your Committee on Ways and Means, to whom was referred H. B. No. 13, have had the same under consideration, and beg leave to report same back to the house with the recommendation that it pass.

**HUGO RICHARDS,** Chairman.

Mr. Scott introduced H. B. No. 16, An act to divorce Henry B. Jones from Mary E. Jones.

H. B. No. 16, read 1st time.

Mr. Marion introduced H. B. No. 17, An act to amend an act entitled An act prescribing the duties of the Boards of Supervisors in the several counties of this Territory, approved February 7, 1873.

H. B. No. 13 was then taken up, read third time. Mr. Head moved to consider Bill engrossed and put it upon its final passage now.

Mr. Calderwood moved to amend by making it the special order of the day, for Tuesday at eleven a. m.

Ayes and noes called and motion carried by the following vote:

Those voting aye were: Messrs. Bennett, Dorrington, Foster, Head, Hathaway, Hutchison, Marion, Miller, Ochoa, Ohnesorgen, Parker, Stevens, Samaniego, Scott and Mr. Speaker—15.

Those voting no were: Messrs. Bull and Richards—2.

Absent: Mr. Peck—1.

Speaker Calderwood in the chair.

H. B. No. 8, was then taken up, read 3d time, put upon its final passage and passed by the following vote:

Those voting aye were: Messrs. Bennett, Bull, Dorrington, Foster, Head, Hathaway, Hutchison, Marion, Ohnesorgen, Parker, Richards, Stevens, Samaniego, Scott and Mr. Speaker—14.

Those voting no were: Messrs. Head, Miller and Ochoa—3.

Absent: Mr. Peck—1.

Mr. Ohnesorgen gave notice that on tomorrow or some early day he would introduce a bill entitled An act concerning marks and brands.

H. B. No. 7 was then taken up, put upon its final passage and passed by the following vote:

Those voting aye were: Messrs. Bennett, Bull, Dorrington, Foster, Head, Hathaway, Hutchison, Marion, Miller, Ochoa, Ohnesorgen, Richards, Stevens, Samaniego, Scott and Mr. Speaker—16.

Those voting no were: Mr. Parker—1.

Absent: Mr. Peck—1.

H. B. No. 9 was then taken up and on motion of Mr. Bennett, recommitted to Committee on Ways and Means.

On motion of Mr. Miller, House adjourned until 10 o'clock Monday morning.

### COUNCIL PROCEEDINGS.

**COUNCIL CHAMBER,**  
Tucson, January 15, 1877.

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

President Woolsey in the chair. Roll called; present: Messrs. Goodwin, Hughes, Kendall, Moeller, Redondo, Ruggles, Rush, Stevens, and Mr. President.

Journal of 12th inst. read and approved.

Mr. Moeller presented the following petition from citizens of Yavapai county:

To the honorable members of the Ninth Legislative Assembly of Arizona Territory, representing the county of Yavapai:

Gentlemen: We, your petitioners, respectfully represent that we are engaged in the sale of spirituous and malt liquors at retail, in the said county of Yavapai. That the carrying on of our business is permitted and licensed by law, and we are compelled to pay heavy taxation for such privilege, by reason of which we claim that our business should have the same protection and encouragement which the law gives to other legitimate enterprises.

We therefore ask that you use your best efforts in having the act of the Eighth Legislative Assembly of Arizona, entitled, In relation to the Sale of Spirituous and Malt Liquors or Wines at Retail, approved February 9, 1875, repealed, as it works a great damage and injustice to our business.

And your petitioners will ever pray.

(Signed) **JULIUS RODENBURG,**  
**FRED. W. WILLIAMS,**  
And twenty others.

Mr. Redondo from Committee on Militia and Indian Affairs made the following report:

Mr. President: Your committee on Militia and Indian Affairs, to whom was referred the Adjutant General's report, have had the same under consideration, and on returning the same to the Council herewith would recommend that the Adjutant General be authorized and instructed to dispose of the arms and ammunition pertaining to the Territory now on hand as per schedule C of his report by selling the same at public auction; and to dispose of such as are not on hand in arsenal by donating them to the respective holders thereof.

Your Committee would also recommend that the Governor take such steps as may be necessary to procure from the general Government for the use of the Territory such new and improved arms and ammunition as the Legislative Assembly may by act or resolution designate, and to apportion and store the same when procured at such places in the Territory as the Legislative Assembly may direct.

All of which is most respectfully submitted.

**J. M. REDONDO,**  
Chairman.

Mr. Kendall, Chairman Committee on Enrolled and Engrossed Bills, made the following report:

Mr. President: I have been instructed by the Judiciary committee to report and recommend the passage of a Bill amendatory of article 28 of the Bill of Rights, which Bill by leave is herewith introduced and its passage recommended.

**JOHN A. RUSH,**  
Chairman Judiciary Committee.

And introduced C. B. No. 17, as from said committee, An act to amend the Bill of Rights.

The following message was received from the House:

**HALL OF REPRESENTATIVES,**  
Tucson, January 13, 1877.

Mr. President: The House has passed the following bills:

H. B. No. 7, An act to repeal an act in relation to the Sale of Spirituous and Malt Liquors or Wines at Retail.

H. B. No. 8, An act entitled an act to divorce John H. Hovey from the bonds of matrimony heretofore existing with Alvara Andrea Hovey.

Also H. B. No. 10, An act for the protection of Fish in the waters of the Territory.

**ANDREW CROSLY,**  
Chief Clerk.

Mr. Rush, Chairman Judiciary Committee, made the following report:

**COUNCIL CHAMBER,**  
January 15, 1877.

Mr. President: Your Committee on Judiciary, to whom was referred C. B. No. 4, An act for the more effectual prevention of Cruelty to Animals; C. B. No. 12, An act to divorce Isaac E. Brokaw from the bonds of matrimony heretofore existing with Lena Brokaw; and C. B. No. 15, An act to divorce Geo. Scott from the bonds of matrimony heretofore existing with Margaret S. Scott; respectfully report that they have had the same under consideration, and I have been directed to report them back to the Council with the following amendments and, as amended, their passage recommended:

C. B. No. 4: Your committee are of the opinion that the object to be attained by the provisions of this Bill will best be realized by amending section 139, Chapter 10, Compiled Laws, and in consequence a bill amending said section, is reported as a substitute for said Bill No. 4.

C. B. No. 12: Amended by inserting the words "contracted and now" after the word "heretofore," in line 5, and the word "now" after the word "and" in line 9 of section 1.

C. B. No. 15: Amended by inserting the words "contracted and now" after the word "heretofore," in lines 6 and 9 of section 1.

All of which is respectfully submitted.

**JOHN A. RUSH,**  
Chairman Committee on Judiciary.

Mr. Goodwin introduced C. B. No. 18, An act to amend an act entitled an act to provide for the segregation of mining claims.

Mr. Hughes introduced C. B. No. 19, An act to amend section 4 of an act to amend an act entitled an act creating the office of district attorney, approved February 13, 1873.

C. B. No. 14 read second time, and, on motion of Mr. Ruggles, referred to Committee on Counties and County Boundaries.

C. B. No. 16 read second time, and, on motion of Mr. Rush, referred to Committee on Territorial Affairs.

C. B. No. 7 read a third time and put upon its final passage. Upon the final passage of the Bill, those who voted aye were, Messrs. Goodwin, Hughes, Kendall, Moeller, Redondo, Ruggles, Rush, Stevens and Mr. President—9.

Noes, none.

So the Bill passed.

C. B. No. 17 read first time.

On motion of Mr. Rush, the rules were suspended and the Bill read a second time by title.

On motion of Mr. Rush, the rules were further suspended, the Bill considered engrossed, read a third time, and put upon its passage.

Upon the passage of the Bill, those who voted aye were, Messrs. Goodwin, Hughes, Kendall, Moeller, Redondo, Ruggles, Rush, Stevens, and Mr. President—9.

Noes none.

So the Bill passed.

C. B. No. 18 read first time.

C. B. No. 19 read first time.

Substitute for C. B. No. 4, reported by Judiciary Committee, taken up and adopted and read first time.

On motion of Mr. Goodwin, rules suspended and the substitute read a second time by title, and the Bill ordered engrossed.

**HALL OF REPRESENTATIVES,**  
Tucson, January 10, 1877.

Mr. President: The House has passed H. B. No. 4, An act to reimburse the County of Yuma for expenses incurred in guarding and care of Territorial prisoners.

**ANDREW CROSLY,** chief clerk.

H. B. No. 7 read first time.

H. B. No. 8 read first time.

H. B. No. 10 read first time.

H. B. No. 4 read first time.

H. B. No. 5 read first time.

On motion of Mr. Hughes, the Council adjourned until the usual hour to-morrow.

### HOUSE PROCEEDINGS.

**HOUSE OF REPRESENTATIVES,**  
Tucson, January 15, 1877.

House met pursuant to adjournment. Speaker Calderwood in the chair. Roll called.

Present: Messrs. Bennett, Bull, Dorrington, Foster, Head, Hathaway, Hutchison, Marion, Miller, Ochoa, Ohnesorgen, Parker, Richards, Stevens, Samaniego, Scott and Mr. Speaker—18.

Absent Mr. Peck.

Minutes of the preceding day read and approved.

Mr. Parker Chairman Committee on Counties made the following report:

Mr. Speaker: Your Committee on Counties to whom was re-submitted H. B. No. 2, entitled An act defining the boundaries of Maricopa county have had the same under consideration and ask leave to report it back to the House without amendment and respectfully recommend its passage.

**J. A. PARKER,** Chairman.

Mr. Bennett Chairman Committee on Judiciary made the following report:

Mr. Speaker: The Judiciary Committee to whom was referred H. B. No. 14, having fully considered the same, have directed me to report the following amendments to said bill and recommend the passage of said bill as amended:

That the words "subdivision second of" be inserted after the word "that" on line 10, page 1, and that the word "second" be inserted after the words and figures "Section 10 on line 13, page 1."

**D. A. BENNETT,** Chairman.

Mr. Scott of Pinal delegation made the following report:

Mr. Speaker: The Pinal Delegation to whom was referred H. B. No. 12, have considered the same and report the bill back without amendment and recommend its passage.

**Geo. Scott,** Delegate of Pinal county.

The following message was received from the Council:

Mr. Speaker: The Council has passed C. B. No. 9, An act to establish the salaries of certain officers of Pinal county.

Also C. B. No. 11, An act to change the names of Tomas Simon and Carlos Simon to Thomas Foster and Charles Foster respectively.

**JOHN T. ALSAP,** Chief Clerk.