Heiner, Howard, Lewis, Larsen, Lowrey, Lemmon, Morrison, Merrill, Maughan, Mcdonald, Nebeker of Salt Lake, Nebeker of Rich, Nye, Rendick, Robinson, Stevens, Snecaker, Shafer, Seavy, Sommers, Taylor, Thompson of Sanpete, Thompson of Millard, Wilson, Speaker—27.

Noes: Messrs. Andrus, Gibson, Hardisen, Murdock—4.

Four absent.

ESTRAYS.

House bill 44, in relation to estrays and trespassing animals, was taken up on third reading. Mr. Clark moved to amend section 2. The section made an animal running at large for eighteen months an estray and subject to the provisions of the act. Mr. Clark moved to amend so that no animal would not be declared an estray until two years. The amendment received fourteen votes for and against and the Speaker cast the deciding vote in favor of the amendment.

Mr. Wilson offered a substitute for section 10. Mr. Wilson's substitute read as follows: "In case the owner of any animal trespassing as set out in section 9 shall not be known, and cannot after reasonable search be found, the constable shall forthwith advertise for sale by posting up notices in three conspicuous places within his precinct, and by advertising twice in some newspaper having general circulation in the county. Said notices shall give a description of the animals, * * * and if not claimed and taken away within ten days from the date thereof, he will sell the same to the highest cash bidder."

Mr. Thompson, of Sanpete, wanted consideration of the bill to go over a day or two to give him time to consider this amendment.

Mr. Harris said the bill was incomplete, contradictory and not in a condition to be voted upon at present, and moved that the bill be recommitted to the judiciary.

Mr. Critchlow objected because his committee was already overburdened with work. He wanted section 10 and the amendment thereto referred to the attorney-general. Mr. Critchlow's protest was of no avail, however, and his committee were asked to wrestle with the measure further.

At noon the House took recess, on motion of Mr. Morrison, till 1:30 p.m.

Afternoon Sitting.

House bill 139, by Mr. Critchlow, was taken up on third reading. The bill amends section 4,461 of the compiled laws of Utah relating to justifiable homicides. Mr. Critchlow offered an amendment to section 31 extending justification to attempts to defile the wife, mother, sister or other female relative.

Mr. Condon asked an explanation of the difference between the old law and the amendments proposed in the bill, which the author gave.

Mr. Stevens was in favor of the old law and thought the present bill superfluous.

Mr. Howard opposed the amendment to the bill offered by Mr. Critchlow.

Mr. Ferguson, of Carbon, did not favor the amendment; he thought the bill in the original was ample.

Mr. Hansen made an eloquent defense of the law as it now stands in the statute books. The law was the safeguard of Utah's honor and it ought to remain as it is.

Mr. Nebeker, of Salt Lake, did not favor the amendment because it did not go far enough. He would feel just as duty bound to defend a female servant or dependent.

In accordance with this suggestion Mr. Critchlow added the words "or dependent."

Mr. Condon thought the time of the House should not be taken up in consideration of the measure, and he gave notice that he would move the main question on the bill as soon as the author had been given an opportunity to speak.

Mr. Murdock did not favor the proposition to justify a man in taking the life of a fellow man at any time subsequent to the commission of a crime under the bill in discussion. The old law can be interpreted in that sense and Mr. Murdock was anxious to improve upon it. He did not believe in allowing a man to be the judge, jury and executioner. "Enact a law which makes these crimes against virtue punishable by death, and let the officers of the law inflict the punishment, and I am with you."

Mr. [illegible] was not in favor of making the wronged ones greater criminals than the [illegible], but if the Legislature will pass a law to prevent the taking of human life in any way he would be gratified.

Mr. Critchlow defended the bill. "This measure, while it bears my name, is not wholly mine—it belongs to the House, and no member can shirk his duty in regard to the enactment of such a law as that proposed in the bill." Mr. Critchlow said that at the time of the introduction of this bill he did not deny that it was immediately the result of a recent lamentable occurrence, but denied emphatically that it would have any bearing upon that case or any person or persons connected with it. He had said the other day that no lawyer of repute was in favor of the old law, but he was sorry to say, and with shame for the profession to which he belonged, that he had since found one who did justify that statute. And that lawyer was one who had been clothed with the highest prosecuting office in the State. He cared not if that gentleman entertained in him the conversation of all the blue blood and chivalry below Mason and Dixon's line, his opinion on this matter was a sorry one. The old law is a relic of barbarism. It justifies murder—no more and no less.

HOMICIDE BILL PASSED.

Mr. Critchlow's speech was a splendid one and was listened to with great interest by members and spectators. The bill was placed on final passage and was defeated by a vote of 17 to 25, as follows:

Ayes: Messrs. Andrus, Condon, Curtis, Critchlow, Cushing, Clark, Gibson, Harris, Lewis, Morrison, Murdock, Nebeker of Rich, Nye, Shafer, Seavy, Thompson of Millard, Speaker—17.

Noes: Messrs. Beard, Bullin, Bernhisel, Chase, Evans, Ferguson of Salt Lake, Ferguson of Carbon, Gibbs, Heiner, Howard, Larsen, Lowrey, Lemmon, Merrill, Mc[illegible], Maughan, Mansfield, Nebeker of Salt Lake, Randle, Robinson, Stevens, Snedaker, Smith, Thompson of Sanpete, Wilson—25. Absent—3.

House bill 55 was next in order, but because of the absence of the chairman of the fish and game committee on account of sickness, Mr. Morrison asked that consideration go over, and it was so ordered.

FIRE AND POLICE BILL.

The House now took up Senate bill 9, the fire and police boards bill.

Mr. Curtis moved to indefinitely postpone consideration, but the motion lost by a vote of 9 to 23.

Mr. Ferguson, of Carbon, moved to strike out the word "governor" and substitute the word "mayor" as the appointer of members of the boards.

At press time the bill was under consideration, with a fair prospect of precipitating a contest and being torn to pieces by the opposing sides before it is finally disposed of.

A NEW BILL.

Mr. Curtis, by request, will introduce a bill today making malpractice a felony and giving all practicing physicians the right to attend their patients when confined in any hospital within the State.

SENATE.

In the Senate proceedings today, after the reading of the journal, Critchlow presented a petition from the assessor and collector of Garfield county, for relief from double taxation and for wages he could not collect; referred to the committee on appropriations and claims.

Warren presented claims for jury service, which also went to the committee on appropriations and claims.

Allison presented a claim for the cost of feeding the militia during the industrial army invasion; committee on claims and appropriations.

COMMITTEE REPORTS.

The conference committee on S. B. 31, extending the power of third class cities, reported that the committees had agreed on certain amendments to report to both houses.

FROM THE HOUSE.

Communications were received from the House announcing the passage of H. B. 61, the land commission bill; committee on public lands.

Also, that H. B. 72, trusts and pools, had been signed by the Governor.

Also, that H. B. 23, substitute, authorizing cities to incur indebtedness for special purposes; committee on municipal incorporations.

Also, S. B. 53, expenses of the Legislature.

Also, S. B. 12, diseases of sheep.

Also, S. B. 49, creating a board of labor, etc.

Also, S. B. 95, damages by dogs.

Also, S. B. 24, authorizing cities to establish public libraries, with amendments. This was taken up by the Senate making a suspension of the rules, and the House amendments were concurred in. The vote on the bill was 11 to 3, Candland, Evans and Zundel voting no.

THE REVENUE BILL.

S. B. 31, the revenue bill, which was made the special order for today, was taken up on third reading.

Booth offered an amendment to section 19, which he said was necessary or the law would be in a shape to drive private bankers out of business. The amendment was carried. It allows private bankers to deduct their liabilities from taxable property, and deprives the assessor of any power to examine bank books.

Sutherland offered an amendment allowing the State board of equalization to assess the property of railways, railway depot companies, and telephone and telegraph companies, even where such property did not extend into two counties.

Booth said the proposition came from two corporation-ginners in the State, and he opposed it.

The amendment was adopted.

The discussion on the bill was in progress at press time.

Notes.

The chaplain of Fort Douglas was also chaplain of the Senate today.

Barnes, Chambers, Jones and Warner were the Senate absentees today.

The Senate ways and means committee meets after adjournment today.

"A pretty fair salary list," is the general comment on the county salaries bill.

Assayer W. A. Hodges took in the beauties of the Senate chamber scenery today.

Col. Sells, ex-secretary of Utah Territory, was in the Senate chamber today.

Anti-cigarette legislation will not have the ghost of a show at this session of the Legislature.

The Senate has passed the House bills for the State school for the blind and for incorporating colleges and universities.

The militia bill probably will be recommended to the Senate by its committee for passage in the form in which it passed the House.

The land bill was passed without the Critchlow mineral land amendment, which has been introduced as a separate bill, House bill 140.

The bill relieving certain officers from certifying that warrants are not in excess of the legal debt limit has gone through the Senate, and the House will discuss its effect.

By the new revenue law the office of county collector is to be abolished, and the work of collection to devolve on the county treasurer. The new office of county auditor is created.

The purpose of the bill passed by the Senate to allow jurors and witnesses to be served by registered letter is to avoid the vast amount of mileage fees in the State and counties.

There is a strong disposition among legislators to make as few changes in the school law as possible, since the general plan is working well now, and with few exceptions changes asked for are in the interest of special classes.

The Senate will continue its afternoon sessions, devoting the forenoon and evenings to committee work. It finds that it gets on quicker that way; besides, the Senate is pretty well up with its work.

If the Legislature does nothing else with elections this session, it should provide for the division of large precincts into districts of not more than 400 voters each; 250 voters might be even a better maximum figure.

Mr. Critchlow says the absence of an elevator in the joint building is a good thing. Climbing the stairs to the third floor necessitates the expenditure of considerable wind which might otherwise be blown off in the House.

The county salaries bill causes considerable agitation among county officials, some justly so, and some not. Some are vehement over what they call the "outrage" of paying them so small a salary in a county. Such is the fate of the State gets.

The prohibitionists have kept very quiet during this session of the State Legislature. Doubtless they think it more advisable to wait until the women's vote comes to play an important part in legislation before resuming the anti-saloon campaign.

The bill for contingent expenses of the first State Legislature appropriates $15,000, but this will not nearly meet the amount that will be required by the time the work of the session is completed. The bill was passed by the Senate as a present necessity.

The new elections bill in the Senate is to supersede the proposed Australian ballot law, and contains a number of modifications of the present statute. It is probable that before the two branches get together on the election proposition an entirely new bill will be agreed upon. As to the Australian ballot system, the only argument against it is its expense.

The fire and police commission bill still retains its special interest with legislators, and with lobbyists who are urging their views on legislators as to what the law should be. The unsatisfactory condition of affairs upon this subject has caused the latter class of citizens to look with special favor upon the proposition to have the Governor appoint fire and police boards. It is believed that this is the only way to secure on such boards a majority of high-minded men with courage to enforce the laws.

Senator George M. Cannon believes the State should have the first right of selection among the unallotted lands of the Indian reservations, when the latter are thrown open for settlement; hence his introduction of the following resolution which went through the Senate with a spin before the close of the session yesterday afternoon: Whereas, under an act of Congress, approved August 15, 1894, a commission was appointed by the President of the United States to allot lands in severalty to the Uncompahgre Indians, and said act provided that the remainder of the lands of such reservation should, upon the approval of the allotments by the secretary of the interior, be open to entry under the homestead and mineral laws of the United States; and further provided that the said commission should also negotiate and treat with the Indians properly residing upon the Uintah Indian reservation in Utah, for the relinquishment to the United States of the interest of said Indians in all lands within said reservation not needed for allotment in severalty to said Indians, and if possible procure the consent of said Indians to such relinquishment, and for the acceptance of said Indians of allotments in severalty of lands within said reservation; and said commissioners should report any agreement made by them with said Indians, which agreement should become operative only when ratified by act of Congress; and whereas, a sufficient length of time has elapsed for the making of such treaty and of such allotments by said commission; and whereas, congress, by the Enabling act conferred upon the State of Utah in trust for certain purposes specified in said enabling act, various quantities of land to be hereafter selected; and whereas, most of the available lands of the State of Utah have been already selected by settlers, and the remaining and belonging to the public domain is mineral in character, and not so situated as to produce the fund which Congress contemplated should be procured from the sale of such lands; now, therefore, be it resolved, by the Senate, the House concurring, that Congress be requested to, by special act, allow the proper officers of the State of Utah to select from the lands not allotted to the Indians on the Uintah and Uncompahgre reservations, as soon as possible after the allotment in severalty to said Indians, any lands they may deem suitable to select for the various purposes for which the quantities of land referred to were granted by Congress, and that after such selection, the remainder of said lands shall be opened to entry under the homestead and mineral laws of the United States without further delay. That the honorable secretary of the interior be requested to require an immediate report from said commission, and that action be taken thereon under the provisions of said law. That a copy of this resolution be forwarded to the representatives of the State of Utah in Congress, and also a copy to the honorable secretary of the interior.

Suit on Promissory Notes.

Wells, Fargo and Company, bankers, filed a suit against John Beck today to recover $4,500 on three promissory notes all of the date of Feb. 13, 1895, payable to Arthur L. Thomas, by whom were negotiated by him to said company. The company also prays for costs of suit and interest on the note at the rate of six per cent per annum until maturity and one per cent per month thereafter. The first note for $2,000 matured in three months, the second for $1,500 in six months and the third for $1,000 in twelve months.

FAREWELL ADDRESS

General Penrose Surrenders Command of the Sixteenth Infantry.

RETIRES FROM ARMY LIFE.

Thirty-five Years of Faithful and Distinguished Service—Colonel Coates in Charge.

General W. H. Penrose of the Sixteenth United States infantry, retired from the active service of his country at noon today, after devoting thirty-five years of his life to the work of a brave and distinguished soldier.

In anticipation of the general's retirement the commissioned and non-commissioned officers in full uniform and the ladies of the military city gathered in the Fort Amusement Hall to hear him deliver his farewell address and to bid him good bye and congratulate him on his retirement under such favorable circumstances. The famous Sixteenth Infantry band, under Prof. Klein, played the Star Spangled Banner, after which General Penrose delivered the following address which was listened to with profound attention and feeling:

"Officers and Soldiers, Comrades, Sixteenth U. S. Infantry: After thirty-five years of almost continuous active service, the time has come when by operation of law I must surrender my command, and bid farewell to my companions in arms. The time and occasion calls to mind many incidents, both of war and peace; of many dear friends, of many gallant souls who laid down their lives that their beloved Country might live, that our glorious flag might proudly float over a free and united people. It is impossible for me to contemplate these things, and to know that all these ties are to be severed, without feelings of deepest regret, and especially is this so in regard to you, my comrades, with whom I have been so intimately associated for several years past, first as your lieutenant colonel, and since as your colonel. For your loyalty to me I most sincerely thank you. Your discipline is worthy of all commendation, an honor to your government and yourselves. I have endeavored to perform my duty to my government and to those under me, with absolute justice, and the kindest feelings to all. If I have succeeded, I can but be satisfied. And now, comrades, the last word must be spoken. If you will bear me in as kind remembrance as I always shall you, there will ever be a bond of union between us. Farewell."

In conclusion the regiment and post were turned over to Lieutenant Colonel Coates who will remain to command for the present. The understanding is that General H. A. Theaker of the Fourteenth United States Infantry will succeed General Penrose. In accepting the important charge Colonel Coates responded briefly and appropriately after which General Penrose announced that he would be pleased to shake hands with the ladies and comrades left behind. The opportunity was gladly taken advantage of and while the farewell words were being spoken the band rendered a number of stirring and familiar airs and the closing scenes in an old and brave soldier's life were for the present, over. General Penrose and family will move to this city some time next week where they propose to take up their permanent residence.

"HE NEVER CAME BACK."

A. D. Pond, a City Prisoner, Leaves the Chain Gang While Getting a Pail of Water.

New guards having been procured for the city chain gang, in the persons of Bishop Cannon, the ex-superintendent of the county infirmary as chief, and a Mr. Allen, that motley crew of law-breakers—eight of them at least—went out to do penance on Capitol Hill this morning. Among the number was A. D. Pond who about one month ago was sentenced to fifty days in jail, and to pay a $50 fine for stealing a bicycle. Pond was one of Uncle Sam's "boys in blue" at the time of the theft, but his conduct resulted in a dishonorable discharge from the army for which he expressed himself as being thankful.

This morning he was sent by one of the new guards to get a pail of water, and "never came back." Pond had about seventy days more to serve in the city bastile, as his cash fine was reduced to one of days.

Tooele County Sheep Case.

The case of John T. Cannon vs Nat M. Brigham was continued in Judge Hiles's court this morning. Cannon brought suit to recover possession of 1,000 head of sheep and alleges that he had a chattel mortgage on said sheep executed to him by Joseph Rowberry Jr., of Tooele county. The mortgage was given to secure a promissory note for $[illegible] signed by Rowberry and James Watson. It is further alleged that Marshal Brigham wrongfully took the sheep from Rowberry's possession on October 15, 1895, and unlawfully withholds them from plaintiff's possession. The case was not concluded when the News' report closed.

Gold and Silver Company.

Articles of incorporation were filed today with the county clerk by the Gold and Silver Carbonate Mining company, with a capital stock of $500,000, divided into shares of the par value of $1 each, taken as follows by the incorporators:

Mary J. Fairbanks, 233,333 shares; Charles L. Reed, 1,000; William E. Carey, 19,444; J. L. Hardin, 1,000; and John M. Bowman, 73,000, all of this city. The officers are: Charles L. Reed, president; William E. Carey, vice-president; and J. M. Bowman, treasurer and secretary. The company owns the following claims situated in the Dugway Mining district, county of Tooele: The Silver Standard Nos. 1 and 2, The Silver West, Silver West No. 2, The Silver East and The Gold and Silver Carbonate.

Mothers

Anxiously watch declining health of their daughters. So many are cut off by consumption in early years that there is real cause for anxiety. In the early stages, when not beyond the reach of medicine, Hood's Sarsaparilla will restore the quality and quantity of the blood and thus give good health. Read the following letter:

"It is but just to write about my daughter Cora, aged 16. She was completely run down, declining and her blood, and was weak and [illegible]. She had a bad

Cough

Still nothing seemed to do her any good. I happened to read about Hood's Sarsaparilla and had her give it a trial. From the very first dose she began to get better. After taking a few bottles she was completely cured and her health has been the best ever since." Mrs. Addie Peck, 30 Railroad Place, Amsterdam, N. Y.

"I will say that my mother has not stated my case in as strong words as I would have done. Hood's Sarsaparilla has truly cured me and I am now well." Cora Peck, Amsterdam, N. Y.

Be sure to get Hood's, because

Hood's Sarsaparilla

Is the One True Blood Purifier. All druggists. $1. Prepared only by C. I. Hood & Co., Lowell, Mass.

Hood's Pills [illegible]

HALF the baby and all his baby beauty is fat.

SCOTT'S EMULSION

A SPECIFIC

—FOR—

La Grippe, for Colds, Coughs, AND LUNG TROUBLES,

AYER'S CHERRY PECTORAL

"Two years ago I had the grippe, and it left me with a cough which gave me no rest night or day. My family physician prescribed for me, changing the medicine as often as he found the things I had taken were not helping

me, but, in spite of his attendance, I got no better. Finally, my husband,—reading one day of a gentleman who had had the grippe and was cured by taking Ayer's Cherry Pectoral,—procured, for me, a bottle of this medicine, and before I had taken half of it, I was cured. I have used the Pectoral for my children and in my family, whenever we have needed it, and have found it a specific for colds, coughs, and lung troubles."—Emily Wood, North St., Elkton, Md.

Ayer's Cherry Pectoral

Highest Honors at World's Fair.

Cleanse the System with Ayer's Sarsaparilla.

TO TEST THE CONSTITUTION.

A Case Where Twelve Jurors Are Insisted Upon as a Right.

The defendants in the case of the People vs Harry Haynes and A. E. Cannon, this afternoon challenged the array of jurors upon the ground that that there are but eight men in the box and that it is unconstitutional, and the defendants are entitled to a jury consisting of twelve men under the National Constitution.

The case was being heard by Judge Hiles at press time.

Marriage Licenses.

Marriage licenses were issued today as follows: Briant S. Young, aged 24, and Mary Beck, aged 20; Davis E. Mayhue, aged 23, and Freda Grim, aged 19, all of this city; and John L. Smith, aged 23, of Mill Creek, and Minnie A. Garver, aged 23, of East Mill Creek.

New Instruments.

Mr. Sonnelecker is in receipt of two bassoons and an alto saxaphone for the use of the U. R. K. of P. band, of the Salt Lake division Knights of Pythias uniform rank. These instruments comprise the first installment of quite a number to be added to this already famous organization. It is proposed, and the orders have been placed therefor, to add two trumpets, a double b bass, two more saxaphones and several more clarinets to the instrumentation. Prof. Pedersen is as proud as a new father and the K. of P. order is elated at the success of their project. Very soon it will not be necessary to await the arrival of a Sousa band to hear just as good music. The local organization bids fair to become the peer of the best of them.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $219,829, same day last year, $171,216.

TODAY'S QUOTATIONS.

New York.—Silver, 68¼; lead, $3.00. London.—Silver, 31 7-16 d.

ORE AND BULLION.

Wells, Fargo & Co. received today: Penn. bullion, $7,[illegible].

T. R. Jones & Co. received today: Base bullion, $8,500.

W. S. McCornick & Co. received today: Silver and lead ores, $5,700.

STOCKS AND MARKETS.

New York Stock Market.

New York, March 10.—Stock market opened [illegible]

[illegible]

Chicago Live Stock.

Chicago, March 10.

Hogs, receipts 16,000; market active [illegible]

[illegible]

Cattle, receipts 5,000; market steady.

[illegible]

Sheep, receipts 12,000. Market steady.

Chicago Market.

Chicago, Ills., March 10.

[illegible]

Silver, Lead.

[illegible]

DIED.

[illegible]—In this city, March 10, 1896, [illegible] daughter of Mr. and Mrs. E. J. [illegible], aged [illegible] years, 8 months.

Notice of funeral will be given later.

NOTICE.

In the Probate Court, Probate Division, Third Judicial District, in and for Salt Lake County, State of Utah.

In the matter of the estate of Peter Jensen, deceased.

NOTICE IS HEREBY GIVEN THAT Joseph S. Rivey, administrator of the estate of Peter Jensen, deceased, has rendered for settlement and filed in said court his final account of his administration of said estate, and petition for final distribution of the residue of said estate among the persons entitled thereto, and this court has fixed the 5th day of April, A. D. 1896, at 10 o'clock a. m., at the court room of said court, in the County Court House, Salt Lake City and County, Utah, as the time and place for the hearing of said account and petition, at which time and place any person interested in said estate may appear and show cause, if any there be, why said account should not be settled and approved and final distribution made as prayed for.

Dated March 10, A. D. 1896.

C. E. STANTON, Clerk of the District Court.

By A. C. BURRE, Deputy Clerk.

Richards & Richards, Attorneys for administrator.

MERLIN J. STONE, Genealogist,

Has established a Genealogical Bureau in Ogden, Utah. Has on hand hundreds of pedigrees, lineages, etc. Those persons will be for sale or reference. Has something relating to almost every American family. Makes a specialty of tracing lineages and compiling genealogies. Those interested should correspond with him or visit his library.

ATTENTION!
ATTENTION!

LADIES we wish to call your attention to the fact that we have been receiving our

Spring and Summer Line of SHOES

And our stock will soon be complete. We assure you that for Style, Fit and Wear they cannot be excelled, and as for prices, we wish to say that while we do not give you pianos, gold watches, etc., you get every value there is in the price of our Shoes. We are closing out all odd lines of Shoes, and we let them go regardless of cost to get rid of them.

We Make a Specialty of Ladies,' Misses' and Children's Shoes.

Baer

24 MAIN STREET.

German Book of Mormon JUST ISSUED.

Prices—Cloth $1, Leather $1.50.

For Sale by DESERET NEWS PUBLISHING CO.

THE GREAT SUCCESS OF THE

DESERET EVENING NEWS

Is an evidence that this progressive paper is appreciated by progressive people.

Thousands Read the News

ADVERTISERS GET BETTER RESULTS FROM THE "NEWS" THAN FROM ANY NEWSPAPER CIRCULATED IN THE GREAT WEST.

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Saturday News.

12 to 16 pages, filled with the news of today (not yesterday) and articles from the best writers in the country.