(Continued from Page One.)

THE FINAL QUIETUS.

[illegible] of any useful, beneficial, or necessary purpose, as our ordinance for granting of mines, of the widening of streets, of roads, railroad, tramways, canals, tunnels, shafts, sinking wells, mills, or other necessary works, usings or other necessary means to their complete development of any other one necessary to their complete development of the mineral resources of the State, or the preservation of the health of its inhabitants, is found subjected to a public use, and subject to the regulation and control of the State."

James said that he had been engaged in the mining business for the last thirty years and that the operations had extended from the British possessions in the north to Mexico on the south and never in all his experience had he encountered such an unjust and pernicious principle as contained in the substitute. It was simply the wildest proposition he ever heard in his life. He was surprised that any member of the convention should give it serious consideration.

He also said it was a sort of fool-an-nounce that would allow one man to use another—to take property that did not belong to him, without remuneration.

Kimball, of Weber, was of the opinion that the substitute was all right; that there was a difference to spoken between tracts and parts east and west of the Rocky Mountains as to what constitutes a "placer claim." He would like to have the question settled here.

Tarbet said he thought that the mining article had been mined to death. He was in favor of the whole by an almost unanimous vote. But somehow or other it had been brought back into the Convention for reconsideration. He was opposed to a monopoly proposition and had he favored mining and agricultural allies, but didn't think they should be injured either one by the Convention.

Roberts asked who the father of the substitute offering was and a fellow delegate suggested that it was its mother as well, chairman of the committee on mines and mining, whereupon Roberts said:

Knowing the gentleman and his character and reputation as I do, I am all the more surprised that he should have embodied in his property (Laughter) and in the substitute in relation to this question was killed in the committee of the whole and should not be brought back here to take up the time of the convention. There are now or two things I would like to bring back (Laughter) but I bow to the majority now as I did when defeated. We by-lo, Hatchings, since we have been here we learn to kill the better. We learn to spend our time here MORE THE time we ought to time after time. (Laughter.) I know said that the same question has never been before the Convention prior to this and declared that it would be injury not certain developmental work in southern Utah, the adoption of the same article was absolutely necessary.

Dice said he knew that in Washington county it was a case of actual necessity to have the question settled. It would not be left without definite adoption. Unless the substitute was adopted the people would pass the time of numerous canal and reservoir projects that would be retarded if not inestimably prejudiced.

Hawley spoke in favor of the substitute and

Van Horn believed that the spirit and purpose of the substitute led in the right direction. But it went entirely too far. The manner in which it was separated, punctuated and worded made it exceedingly dangerous and destructive to the property interests of the new State.

Murragan said it was probably crude, but it was the best we could do now at the development of the State's resources.

Taussen said it was not in the power of the Convention to say that one man's property could be taken for another's benefit. Gentlemen had said that mining was a pacific use—that agriculture was such a use. That was all right. But this substitute went too far. It would allow a man who a dozen head of sheep and a small spring on the foothills to drive across his neighbor's property so that he could take the latter's water right. The right of eminent domain should not be exercised in its behalf. It was all right to take private property for a public use. But it was not all right to take private property for a private use. "The duty of the convention" said the speaker, "is to strike out this substitute and say hands off to all persons who want to take private property for private use."

Kearns—Hasn't Idaho done that?

Thurman—Yes, and Idaho's laws on this question were declared unconstitutional. I hope the gentleman will point to that state as a precedent. If we should do so it has done, New Mexico and Arizona, while making constitutions next year or at some other, might point to us as a precedent.

THE SUBSTITUTE REJECTED AGAIN.

The previous question was consequently called for and the substitute was stricken out on a vote of 45 to 33.

IT ALL COME OUT.

On motion of Hart, of Cache, the remaining sections and the title of the article were stricken out and again the mining article was declared killed—this time absolutely so.

LAST BLOW AT PROHIBITION.

Hart moved to adopt the majority report of the committee on schedule, [illegible] amendments and miscellaneous. Tyler moved to amend by adopting the minority report.

The amendment was lost and the majority report was adopted on a vote of 46 to 19.

VOTES WERE FOR PROHIBITION.

Following are the names of the delegates who voted for prohibition: Bowen, Boyer, Brandley, Cheney, Cunningham, Eggleston, Holloway, Hyslopp, Irvin, Jolley, Lewis, Larsen, Morrison of Beaver, Pottinger, Paterson of Sanpete, Raleigh, Robinson of Wayne, Snow, Sutton, Thompson, Miller, the "reform gentleman from Sevier," was not present.

CONVENED IN THE WHOLE.

The Convention here received itself into the committee of the whole, Tuttle in the chair, to consider the article on corporations other than municipal. Roberts's substitute for section 11, restricting corporations to the line of business, was the first to receive attention.

Shaw said he was opposed unalterably to the substitute. It would effectually kill numerous co-operative industries in the Territory. In Iron county, for instance, there were corporations which engaged in merchandising, raising the business and the consequent profits of different kinds. He hoped to see such companies operate in his own county, but he was afraid he never would if the article was carried.

Howard protested against the adoption of the substitute, as James said he appreciated Roberts's motive. He was a very good man and he sympathized with it. He believed a majority of the members did. It was aimed to protect the people but the adoption of affairs was such that its effect would not be earthed into effect.

Rydalch read an article of the Chicago [illegible] which read as follows: "No corporation shall exist in any territory other than that expressly authorized in its charter."

Maloney said the substitute would not interfere with the Utah company, of any other company of the character now in existence. It was framed to protect, in the future, the getting of blanket franchises to such an telegraphic corporation as the Pullman car company which formed a conflicting interest in car construction, built cities, waterworks, gasworks and carried on divers other enterprises. The substitute would interfere with no vested rights of Utah corporations. But it would prohibit railroad companies, as such, in the future from owning and developing coal fields, securing and maintaining monopolies of boiled lands, owning cattle ranches, cigar factories and the like.

Roberts said the original section would all of some protection to the people. He had not heard one good reason why the substitute should be adopted and he knew of many why it should not. It was probably true that the Utah U. S. Senator propositionally against existing corporations, but he was opposed to blotting anything on to the fundamental law of the State that was ambiguous or uncertain.

At this point a recess was taken until 2 p. m.

THIS AFTERNOON'S SESSION.

The Single-Liner Section Smoothed into Wilkinson's Rule of Prudence Promises.

It was 2:15 this afternoon before a quorum was present. Roberts was first recognized and in speaking to his substitute said he had a desire to make impossible some of the prospective evils of the article by means of corporate power. It was entirely likely that the substitute would go beyond the level at which it was drawn. It was extremely difficult to make it do so and he would sincerely regret for the substitute that came from dealing the case with the spirit of the people. That he thought would lead them astray. He did not get were to be amendments and emphasized that fact by saying he was very apprehensive of the danger of corporate power. He did not want to see it ever suffer more and wrong the people of the people and leave them as their sole. He remembered reading years ago, when, perhaps, he was more impressionable than now, the great strides which occurred in the Hindoo Parliament, during the trial of Lord Hastings, in which an inquiry was made into the proceedings of the East India company, and by bribery and subsidy, that time, if there was one thing which threatened the liberties of the nation it was the organization and maintenance of just such a company which could grow in dimensions until it could only be compared to some huge eclipse with power to throw a blanket over the resources of the country and crush out all competition and enslave the people. It reminded him of the old adage that corporations had no body that could be kicked and no soul that you could damn. They were the most difficult things to contend with. He didn't want to see some great corporation come into the new State with millions or scores of millions at its back and lay a paralyzing hand on the resources of the people. He didn't want Pullman palaces in Utah. The friends of Pullman said that it was all right, and when the Blanket was relied and the light thrown on it it was found to be a veritable sepulchre filled with dead men's bones and greatest corruption. Instead of being a benefit to the people it was found to be an engine of oppression with the fortunes of the people in its hands. This was a state of affairs that Utah should guard against. Small corporations and manufacturing institutions had the same right to exist and do business as large ones and should have that protection that would prevent them being swallowed up. He now believed that it would be impracticable to embrace the provisions of his amendment and he therefore withdrew it.

THE FIRST ENDED.

This ended the fight so far as the single-line-of-business substitute was concerned and the consideration of other provisions of the article was proceeded with.

TO PREVENT DISCRIMINATION.

On motion of Van Horne the following substitute for section 14 was adopted: "No railroad or other transportation company or common carrier, shall discriminate in the transportation of persons or property, between persons or places, or in the facilities for transportation, or in charges for the service in transporting like kinds of quantity of property under similar circumstances and conditions." He explained that this was to live with the interstate commerce law and met all the requirements of the case. However, the substitute has hardly been adopted before Roberts moved it aside [illegible], and the motion carried.

Roberts moved to strike out section 16, providing that rolling stock and other movable property of railroad companies shall be personal property and subject to execution and sale as well as realties. The motion was lost.

A STICKER BUT ADOPTED.

Section 18, providing that "the Legislature may pass laws establishing a railroad and transportation commission, and defining its powers and duties," was stricken out.

ANOTHER ONE FOLLOWS.

Section 19, which read as follows, shared a similar fate:

"Any railroad, telegraph, express or other corporation organized under the laws of this State shall have the right of eminent domain, and any railroad, telegraph, express or other corporation organized under the laws of any other State, the same shall not thereby become a foreign corporation, but the courts of this state shall retain jurisdiction over that part of the corporate property within the limits of this State in all matters which may arise, as if said consolidation had not taken place."

STILL GOING IT DOWN.

The article was still being vigorously assailed at 4 o'clock, and the fellows are that its back will be materially weakened before being referred to the Convention proper.

"The Waven Web."

A dramatic entertainment for the aged, the poor, the widows and the orphans of the Tenth ward of the city, was given in the Tenth ward assembly hall last evening, and will be repeated tonight. The drama of "The Waven Web" was presented by the young "Mutual Improvement Association." The low price of admission, the merit of the performers and the pleasure the general entertainer of the place, drew a full house. The time of the play is during the civil war, and covers a period of four years. The lady author has woven the whole better sentiment into the story imaginable, and though Mr. Silver, as the managing editor, contributed much, while Mr. Berry, as the book and amateur, failed to see that his is his part when about [illegible] as effect in the play. The play Moses, by Moses, Martin and Dorse, was the novelty element of the play and proved much amusement. Uncle Toby, by Mr. Lowery, was well impressive, and the Young Virginian of Mr. Higgs, and the making love of Mr. Fullet were very well done. All the performers were well up to their lines, which is a very favorable thing in amateurs as well as professional performances.

Today's Probate Court.

In the matter of the estate of Abel Fowers, deceased, hearing was had on petition for letters of administration. Arthur Fowers was appointed administrator to filing a bond of $[illegible].

Estate of Samuel J. Tanner, deceased. Letters of administration were granted. Thomas Smith was appointed administrator on filing a bond in the sum of $[illegible].

These were the orders made by Probate Judge McNulty at noon yesterday.

He Pleads Not Guilty.

James Sullivan was taken before Commissioner Greenman this morning on a charge of burglary at the new house of Charles W. Ashcroft, at the Forest market, yesterday. He pleaded not guilty and his hearing was set for 10 o'clock tomorrow morning.

Land Office Filings.

Caroline F. Hanson, of Parowan, Iron county, homestead entry of the east half of the northeast quarter and the east half of the southeast quarter of section 25, township 35 south, range 8 west.

Thomas L. Wilcock, of Parowan, Iron county, homestead entry of the east half of the southeast quarter, section 3, and the east half of the northeast quarter of section 10, township 35 south, range 8 west.

James C. Hoskins, of Cedar City, Iron county, homestead entry of the southeast quarter of section 17, the south half of the northwest quarter and the northeast quarter of the southwest quarter of section 34, township 35 south, range 9 west.

Herman A. Ahlstrom, of Cedar City, Iron county, homestead entry of the south half of the southeast quarter, the southwest quarter of the northeast quarter and the southeast quarter of the northwest quarter of section 11, township 37 south, range 9 west.

Robert H. Martin, of Wellington, Carbon county, homestead entry of the northeast quarter of section 26, township 14 south, range 10 east.

Alexander Kippen, of Grantsville, Tooele county, homestead entry of the southeast quarter of section 7, township 2 south, range 8 west.

Jessie William Payne, of Fillmore, Millard county, homestead entry of the southeast half of the northeast quarter and the south half of the southeast quarter of section 18, township 26 south, range 8 west.

Joseph O. Decker, of Parowan, Iron county, homestead entry of the northwest quarter of the southwest quarter, the southeast quarter of the southwest quarter, and lot 1 of section 5, township 36 south, range 9 west, and the southeast quarter of the southeast quarter of section 31, township 35 south, range 8 west.

George W. Dewey, of Parowan, Iron county, desert entry of the southwest quarter of the northwest quarter and the west half of the southwest quarter of section 5, township 34 south, range 9 west.

Wilson L. Giles, of Heber City, Wasatch county, homestead entry of the south half of the northwest quarter and the north half of the southwest quarter of section 20, township 3 south, range 3 east.

Thomas D. Huff Jr., of Marysvale, Piute county, homestead entry of the southeast quarter of the southeast quarter of section 6, and the northeast quarter of the northeast quarter of section 8, township 29 south, range 3 west.

Jesse E. Knowlton, of Bothwell, Millard county, final proof of the homestead entry of the northeast quarter of section 19, township 23 south, range 10 west.

An Incipient Blaze.

Between 3 and 4 o'clock this afternoon a fire alarm was in 1 into the department. A pile of manure and a house at the corner of Fifth West and First South were burning when the firemen arrived. They soon extinguished the blaze and saved a barn upon which the house was mortgaged.

Police News.

Mrs. Jackson appeared in the police court this morning and reported that Jeremiah Gibson had refused to turn over to her the two should out. A search warrant was therefore issued ordering Gibson to appear and answer the charge of [illegible]. An officer served the warrant and this afternoon reported that the property had been turned over to Mrs. Jackson.

Wm. H. Mooney, whose trial is set for tomorrow before Justice Smith, is charged with vagrancy in that he is a loose and idle.

John Brown (alias) is held for a violation of the liquor ordinance.

Jacob Maag arrested on a charge of unlawfully detaining a cow, was acquitted. He was found guilty in the sixings and was fined $10.

Michael Halley was fined $10 in the same charge.

A Husband's Prayer.

Divorce proceedings were instituted in the Third district court this afternoon by Wm. Shaw against his wife, Elaine Shaw, on the ground of cruelty. The parties intermarried in American Fork, Utah, on February 20, 1894. Plaintiff alleges that on and prior to January, 1895, he was a model husband, and that defendant, Lowery, by the same cruelty.

Grant H. Smith is Mr. Shaw's attorney.

AMUSEMENTS.

Lyceum Week, a game of cards, with young ladies and gentlemen in fancy costumes acting as the cards, will be the attraction at the Theater tonight. The class is under the management of Clarissa Rich.

Carmen at the Grand last evening was to one of the biggest houses of the season. The attendance was almost equally heavy for the remainder of the week.

Military Organization.

The non-commissioned officers of the Fifth battalion and to the Fifth regiment ninety, last night was effected a permanent organization by a temporary [illegible]. Major Scott was Fourth Battalion officer was chosen as follows: President, First Sergeant A. A. Smith of Company A; Vice President, Sergeant First Sergeant of Company B; secretary, Corporal Lee of Company D; corresponding secretary, Sergeant Bowman of Company C; treasurer, Sergeant Hanning of Company D; sergeant-at-arms, Sergeant Rosales of Company D.

The first report of the committee on constitution and bylaws will be submitted at the regular meeting of the association next December.

High Priests.

The regular monthly meeting of the High Priests' quorum of the Salt Lake Stake of Zion will convene in the Assembly Hall, Salt Lake City, on Monday, April 29th, at 10 a.m. All members of the Presiding Priesthood (seventies and lower) are earnestly invited to be present.

EZRA NORMAN,
President of Quorum.

Very Annoyed.

The people residing in the neighborhood of First West and Fifth North streets were very much annoyed at an early hour this morning by repeated shots being fired. Shortly after one o'clock the shooting began and continued at intervals for nearly an hour. Who the party or parties were who did the shooting could not be learned, but such practice should be stopped within the city limits.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $[illegible]. Same day last year, $[illegible].

BANK STATEMENT.

New York—Silver, [illegible] oz; [illegible]. London—Money, [illegible] per cent.

ORE AND BULLION.

T. R. Jones & Co. received today, [illegible] silver, $[illegible]. Total, $[illegible].

Wells, Fargo & Co. received today [illegible] silver, $[illegible].

STOCKS AND MARKETS.

[illegible]

CHICAGO MARKET.

[illegible]

A Handsome Complexion

[illegible]

IMPERFECT VISION

[illegible]

DR. SHELMERDINE,
Office Hours, 10 to 3.
Sunday Afternoon Holidays.
162 Main Street.

SUNOL!

ROBERT SONNER
Superintending the shoeing of Sunol with the Putnam Nail.

[illegible]

The Putnam Nail is the only exclusively Self-Forged and Hammer-Pointed nail.

Look to your horse's shoeing bill. If the nails have enough sense for the whole length they are the PUTNAM, for they are Hammer-Pointed and are not sprained.

PUTNAM NAIL CO.,
Neponset, Boston, Mass.
For sale by Z. C. M. I. and Branch Houses.

R. K. THOMAS,
26, 28, 30, 32, East First South Street,
Salt Lake City.

GREAT CLEARANCE SALE.

From Wednesday, May 1st to May 15th.
Two Weeks. Two Weeks.
Save your dollars for it. Come to town during these days. Remember the Dates.

May 1st First Choice.
May 2nd Second Choice.
May 3rd Third Choice.
May 5th Fourth Choice.
May 6th Fifth Choice.
May 7th Sixth Choice.
May 8th Seventh Choice.
May 9th Eighth Choice.
May 10th Ninth Choice.
May 11th Tenth Choice.
May 13th Eleventh Choice.
May 14th Twelfth Choice.
May 15th Last Choice.

We shall take the intervening day a going through the stock and marking everything down for this sale. It will embrace goods from every department.

Merchandise has never been offered as low as prices we shall name, and it will pay you to come from all distances to attend this

GREAT CLEARANCE SALE.

Specialties.

Ladies' Waists, Boys' Waists,
Ladies' Wrappers, Boys' Pants,
Ladies' Capes, Men's Ties,
Ladies Jackets, Men's Suspenders,
Infants' Cloaks, Men's Shirts,
Infants' Capes, Men's Shoes
Summer Knit Underwear,
Ladies' Muslin Underwear,
Straw Hats for Boys and Girls,
Hosiery, Gloves, Ribbons, Etc., Etc.

R. K. THOMAS.