

UTAH LEGISLATURE—30TH SESSION  
COUNCIL.

TUESDAY, MARCH 8.

The amendments made by the House to H. F. 74, relating to security for costs, etc., were then considered, and concurred in, and the bill passed.

C. F. 92, referring to the leasing of school lands, with the amendments made by the House, was also passed, after the amendments had been concurred in.

The liquor bill as amended by the House passed the Council by a vote of 7 to 4.

A communication was received from the governor announcing that in compliance with the provisions of section 7 of the organic act, he had nominated the following named persons to be trustees of the agricultural college: W. S. McCormick, Salt Lake county; Jas. T. Hammond, Cache county; A. R. Heywood, R. W. Cross of Weber county; W. W. Maughan, Cache county and A. G. Barber of Cache county. To be trustees of the reform school: James N. Kimball, Weber county; L. B. Adams, Weber county; E. G. Woolley, Salt Lake county; L. B. Stevens, Weber county; B. H. Jones, Box Elder county, L. R. Rogers, Weber county and J. H. Moyle, Salt Lake county.

The Governor also submitted the following list of appointees for the boards named:

Regents of the University—Robert Harkness, James Sharp, Lewis S. Hills, John W. Donnellan, Waidemar VanCott, Frank Pierce, John J. Daly, of Salt Lake county; W. N. Shilling, of Weber county, and Robert C. Lund, of Washington county.

President of the Deseret Agricultural and Manufacturing Society—Curtis P. Mason, of Salt Lake county. Directors—John D. Peters, of Box Elder county; Moroni Thomas, Nelson A. Empey, Heber M. Wells, W. H. Rowe, Edwd. B. Wilkes, Herman Bamberger, of Salt Lake county; Smith Parker, of Piute county; Aaron Farr, of Cache county.

Board of Equalization—John E. Dooley, Melville B. Sowles, of Salt Lake county; Robert C. Lund, of Washington county; A. B. Richardson, of Summit county; Frank J. Cannon, of Weber county; John E. Booth, of Utah county; Robert W. Heyborne, of Iron county.

Directors of the Insane Asylum—George Sutherland, W. N. Dusenberry, Joseph D. Jones, Hugh M. Dougall, of Utah County; Clarence Allen, of Salt Lake County; P. T. Farnsworth, of Beaver County; L. W. Shurtliff, of Weber County.

Territorial fish and game commissioner—Joseph W. Musser, of Salt Lake County.

The communications were referred to the committee on judiciary.

C. F. 86, regulating the freight on ores, coal and coke, and C. F. 109, referring to attachments, were, on recommendation of the appropriate committee, rejected.

C. F. 85, providing for the release of all girls at the Reform School, was reported back unfavorably by the committee.

New bills were presented by Evans; to perpetuate evidence and use the same, and providing that testimony of witnesses that has been phonographi-

cally reported, may be used on trials, in cases where such witness is dead or absent from the Territory, the evidence to be subject to the same objections as though the witness were on the stand in person.

Bill passed under a suspension of the rules.

The following claims were allowed: N. Fauz, assessor and collector Sanpete county, \$31.62; J. R. Clark, assessor and collector of Tooele county, \$271.71; Joseph A. Lyman, assessor and collector of Millard county, \$192.28; Star Printing company, \$224.26.

C. F. 97, creating the office of attorney general and H. F. 96, relating to irrigation companies, were killed.

The following bills also passed:

H. F. 41, relating to the incorporation of irrigation companies; C. F. 106, prescribing the duties of coroner and the relative duties of the board of health and physicians, as amended; H. F. 117, relating to elections; C. F. 108, authorizing the creation of the Utah national guard; H. F. 100, for the disposal of estrays, and the collection of damages, as amended by the House; H. F. 106, for the safety of workmen employed in coal mines; H. F. 127, relating to trial by jury; H. F. 25, relating to the collection of delinquent taxes, and on motion of Haynes, the vote by which C. F. 66, regulating the practice of medicine, was killed Monday, was reconsidered, and the bill passed.

The following communication from the Governor was read:

SALT LAKE CITY, UTAH,

March 8th, 1892.

Hon. W. S. King, President of the Legislative Council:

SIR.—I return C. J. M. No. 2 without my approval. I infer from the tone of some portions of it that my approval was not expected. I concur in many facts set out in the memorial; in the statements as to the prosperity, productions, population, wealth and prospective wealth of our Territory; that new conditions have honestly come; that the future is secure and retrogression is impossible. As early as October, 1890, in a supplemental report, unpublished, I substantially recognized the sincerity of the people and the honesty of the new conditions then approaching, and I have never retracted the opinion. Perhaps some who approve this memorial were more tardy in their recognition, or at least later in expressing it. Yet I cannot think the memorial is happily conceived or that it will serve any useful purpose or to be of any benefit to the people of the Territory of Utah, to whom in some respects, it does scanty justice. It states some things and implies others which are a full justification of the course of the government in the past, and some facts which seem at variance with the impatient assertions made, and put the people in the false position of denouncing all the past, instead of looking solely to the present and future. Any lengthy statement of my reasons for withholding approval is not necessary, because the time is approaching, perhaps is near, when discussions of past differences will be useless and all can unite in looking to the future. The memorial shows the great prosperity of Utah, but it fails to show how this was reached under the dire oppressions of Federal control, so vividly set forth. The prosperity is a fact, and that fact may induce a belief abroad that there may be some imagination in the conception of the oppression. The memorial states that "Utah, in the feelings of her

people, has been lifted from her humiliation and disgrace." In justice to the people of Utah, it should be stated that their own good sense lifted them from what is harshly called "humiliation and disgrace," yet we cannot forget that what the memorial calls the "distant appointing power," made laws and appointed officers to exercise an influence which called the attention of the people to the fact that they needed lifting. And that it was under those laws and offices that the people reached the prosperity and the new conditions set forth, and the memorial is unjust to the people in assuming that they desire to absolutely condemn all the measures and agencies of the past. The memorial says concerning Utah, "In the midst of her wonderful material progress, her people have recently turned their attention to the study of questions of government and legitimate politics and in espousing the cause of one or the other of the political parties." This statement does not do full justice to the people, as they are better acquainted with the matters of government and politics than it implies, but with such a statement made, it would not be strange if this "distant appointing power" might think it well to await until a few elementary lessons were taken in those subjects before condemning all the measures of the past, and demanding possession of the future.

The people of Utah who do not hold or want office might well inquire whether this memorial is the statement of friends and whether, so soon after the arrival of the new conditions, they should be put in the position of denouncing all the measures which have aided them to attain the new conditions, and of finding fault because legislation does not keep pace with their own changes of opinion. The length of time during which the contest was in progress in Utah is well known. It covers more years than the number of months which have elapsed since the new conditions were inaugurated. Men can not always change their opinions instantly, and governmental changes necessarily come slowly. While I believe the new conditions have honestly come, and that the people of Utah are more worthy than the implications of the memorial represent, still I am unwilling, nor do I think it right to utterly condemn all the men and measures of the past, or to put the people in the attitude of impatient fault-finders. I am willing to give those who are not so well convinced of the new conditions a little time to adopt new opinions. A little patience is not unbecoming to a people who are prosperous, in view of the past history of the Territory. If delay is necessary, it will enable them to get better fitted in the new conditions, and to better decide what they want next, and also to convince the people of the United States of the honesty of the new conditions. This "distant appointing power" represents more than sixty million of people, with whom the people of Utah must be affiliated in governmental affairs, and it is worth a little patience and delay to convince them, so they may stand ready to cheerfully welcome the people of Utah to the equal and honorable alliance which statehood implies, without looking backward with a fear lest some slip may occur in the lifting process which the memorial mentions. Personally, I have no such fear, yet I can not join in unjust condemnation of those who have. It will in the end be more just and grateful to the people of Utah to be called and welcomed to the association of States, than to be received on probation, and with a partial confidence grudgingly given. I believe that in due time this will come, and in the meantime I consider the Faulkner bill objectionable in every way. It is not known the people want it, and no provision is made for submitting