

The resources of Utah are many, but require development, and only enterprising men will accomplish this. The water supply must increase in this desert country, for it is the greatest blessing to the greatest multitude.

THE PEOPLE OF KAYSVILLE

are blessed spiritually, socially and financially. Spiritually because they adhere to the law of God, seeking first His kingdom and its righteousness.

This enables them to socially enjoy each other's society. Having been baptized into one spirit, they drink from the same spiritual fountain of truth, and are bound together in the unity of faith. Hence our ball room, our social gatherings, and wedding suppers are select.

Financially we are prosperous, because sober and industrious, seeking to build up the kingdom of God temporarily as well as spiritually; striving to promote the welfare of our fellow men and lead them on and up to a higher platform of morality and sobriety, where their thoughts may be pure and holy and their charity and love, (like His that suffered and died that we might live) broad as the heavens and deep as the ocean current.

The persecution of the present has a tendency to cause our rising generation to study their holy religion, makes staunch energetic workers of them and thus adds to the welfare and prosperity of Zion.

True, there are a few proving recreant to their faith, and traitors to their families and their God; but we can well do without them, for they have proven themselves unworthy of the blessings of God. Yours Truly,
AN OBSERVER.

THE LEGISLATURE.

COUNCIL—FEB. 25TH.

After the usual opening exercises, the journal of Wednesday was read and approved.

Mr. Sharp, from the committee on fish and game, reported that they had considered the House amendments to C. F. No. 10, recommended that the Council should not concur, and asked for a committee on conference; report adopted.

Mr. Hammond, from the committee on education, reported back C. F. No. 11, a bill amending Sec. 3, Chap. 19, session laws of 1890, without amendments; also C. F. No. 20, a bill amending sections 573 and 579, session laws of 1884, with amendments; recommended that they be printed and put on their passage; adopted.

Also, from the same committee, C. F. No. 68, a bill amending Sec. 4, Chap. 20, session laws of 1884, with amendments; report adopted and bill ordered printed. Also H. F. No. 41, a bill to amend Sec. 20, Chap. 19, session laws of 1880, report adopted.

Mr. Slack, from the committee on penitentiary and reform school, reported back H. F. No. 15, a bill to lessen the term of convicts for good conduct, also H. F. No. 49, a bill to establish a Territorial reform school, each without amendments, and recommended that they be put upon their passage; report adopted.

Mr. Barton, from the committee on counties, reported back C. F. No. 2, a bill defining the boundaries of Juab County, with an amendment further describing the boundaries of said county. The boundary lines between Juab and Millard Counties have for years been a matter of dispute. A committee of this Legislature had been on the ground and had endeavored to settle this matter between the counties. The question had also been considered by former Legislative Assemblies, and Mr. Sharp asked that the report be referred back to the committee, and that the boundary lines between these two counties be fully defined by law, as he believed that would be the only way to satisfactorily end this matter. The bill was referred back to the committee for still more definite terms in describing the lines.

A message from the House was read, announcing that they had agreed upon the report of the conference committee on C. F. No. 8, a bill pertaining to highways. Mr. Page also submitted the report of the conference committee with the amendments agreed upon, which, with the amendments, was adopted.

The special order of the day, C. F. No. 35, a bill in relation to trusts, was taken up on its third reading, beginning at Sec. 15, and when Sec. 29 was reached the further consideration of this bill was postponed till to-day—Friday.

Substitute for H. F. No. 20, a bill to encourage the growth of timber, was read the third time. The first section was amended to read "five hundred dollars," instead of "two hundred and fifty dollars" to any person who shall plant and suitably cultivate one or more acres of forest timber; passed on the call of the roll, and the House notified.

H. F. No. 19, a bill to establish a Territorial reform school, was read the second time by its title and placed on file for third reading.

H. F. No. 16, a bill to lessen the terms of imprisonment of convicts for good behavior was read the third time and passed, and the House ordered to be notified.

H. F. No. 14, a bill amending section 20, chap. 19, session laws of 1880, appropriating \$10,000 annually to the University of Deseret, providing fifty normal pupils be admitted during two

years, was read the third time and passed. Ayes 7, nays 2; ayes 2; the president voting aye.

Mr. Heyborne was excused on account of illness.

The Council adjourned at 3:35 till 2 p.m. to-day.

Afternoon, Feb. 25, 1896.

At 2 p.m. the House resumed the consideration of the House bill to provide for a Territorial board of equalization of taxes. It was a special order of the day, and came up on its third reading. It was read, thoroughly debated and numerous important amendments were made to it.

It had monopolized one hour and a half when Mr. West, its sponsor, made an eloquent speech in favor of the bill, arguing that it would not work hardship or injustice to any of the citizens of any of the counties of this Territory. Mr. Thurman made a strong speech in opposition to the bill and Mr. King said that while he was not in sympathy with the measure as a whole, yet it contained many good provisions, and he would vote for it rather than see it killed. Mr. Hatch moved to strike out the enacting clause, but afterwards withdrew the motion, and moved to strike out the second section, which provides that the probate judges of Salt Lake, Utah, Sanpete, Beaver, Weber and Cache Counties shall be the board of equalization; he would insert an amendment providing for the appointment of seven persons who shall be named by the Legislative assembly, for said board. The motion was carried by a vote of 13 to 9, notwithstanding Mr. West strongly protested against it, believing it would kill the bill.

Mr. King said section 2 as it now stood made no provision for a chairman, and he moved that at the first meeting of the board it elect a chairman and secretary. His motion was carried.

Messrs. Thurman and Hatch made strong speeches against the measure, and Messrs. West, King and Don C. Young spoke as stoutly in its favor. During the animated and lengthy debate the life of the bill seemed to be trembling in the balance. At length the animation, not to say excitement the discussion had elicited, subsided, and the measure, considerably altered from what it originally appeared, made a last struggle for its existence and prevailed by the "skin of its teeth."

Messrs. Anderson, Baly, Clarke, Creer, Howell, King, Rider, Stratford, Simoot, Woolley, West and Young voting for the bill, and Messrs. Farnsworth, Hatch, Thurman, Houston, Kimball, Lund, McCullough, McLaughlin, Thurber and Stewart against it. Mr. Cannon was absent. The Speaker said it required 13 to pass the measure, and as the vote stood 10 to 12 his vote was called for to decide the fate of the bill in the House. He said, in reply, that hitherto he had abstained from voting, but he considered the bill now before them was of great importance and ought to pass. He therefore voted for it, and the bill was sent to the Council for its action on it.

A notice of the Council's non-concurrence in some amendments to the fish and game bill was received, and a conference was asked for. Messrs. Thurber, Houston and McLaughlin being appointed a committee on the part of the House.

A solemn silence reigned in the House after the announcement of the receipt by the Speaker of the following gubernatorial message vetoing the new jury bill:

GOVERNOR OF UTAH,
EXECUTIVE OFFICE,
SALT LAKE CITY,
February 24, 1896.

Hon. W. W. Rider, Speaker of the House of Representatives:

SIR—Graver reasons of objection exist to the bill now in my hands than to the former bill returned to your honorable body with my objections.

Congress has undertaken to legislate upon the subject, and the plan provided by the act of Congress approved June 23, 1874, for the formation of juries, however faulty it has been shown to be, must prevail.

Any Territorial legislation should be in aid of the purpose of Congress to bring into the jury room competent jurors, and should not extend an expensive system, which has been shown to bring into the jury room incompetent jurors. The law of 1874 is faulty in this, that the one-half of the number of names for both the grand and petit juries are selected by the probate judges of the counties in which the respective district courts are held, and the further fact that the probate judges invariably select the names of those who, as a rule, are incompetent jurors, and are in sympathy with defendants charged with offenses against laws of the United States.

This plan was invented and urged upon Congress by persons who were engaged in the defense of the system of polygamy, and by this means desired to delay the execution of all laws tending to attack that unlawful system.

From 1874 to 1881 the courts were hampered and prosecutions defeated by the methods adopted under this plan.

Good juries are now obtained under the old common law practice, which generally prevails throughout the United States, where the method prescribed for any reason fails, and which in its application in Utah has lately been sustained by the Supreme Court of the United States, and the laws at last are being faithfully executed in the face of a determined opposition.

The great burden of the work for jurors at present and that for which their services in great part in the future will be required, is the hearing of cases under the laws of the United States.

This bill has been conformed in part to the objections presented by the executive to the former bill on this subject in excepting trials for bigamy, polygamy and unlawful cohabitation. It fails, however, to ex-

cept trials for perjury, attempts at bribery, assaults upon officers, and conspiracies against citizens, jurymen and officials growing out of prosecutions of the offenses of bigamy, polygamy and unlawful cohabitation.

This bill, if it be a rightful subject of legislation, would inaugurate a system of legal procedure not easy to be understood in its application. Citizens would be summoned who are competent to serve in United States cases and Territorial cases, and others who would not be competent to serve in cases arising under laws of the United States, and who under this law might be competent to serve in Territorial cases.

In practical operation it would at times leave the court with one set of jurymen from the "original box" under the law of Congress, another set from the open venire system, and still another set under this bill from the "supplemental box." Confusion would unavoidably follow, and largely increase the cost of the courts.

I fail to comprehend any reason why citizens called to service under the laws of the United States are not good enough to try all cases arising in a Territory which is a part of the United States. If for any reason persons are incompetent as a rule to try United States cases, certainly they are and of right ought to be incompetent to try Territorial cases, many of which in this Territory are closely allied to cases growing out of offenses against the United States.

This bill, if otherwise practical, would largely increase the already great cost of expenses in per diem and mileage for persons who will not be employed.

A reasonable economy would be fatal to this measure, as no corresponding good for the protection of society in any of its parts can possibly follow.

With the unalterable conviction that he has not the moral or legal right to join with the Legislature in any measure which fails to supplement and aid in the execution of all laws against all classes of offenders, the Executive respectfully returns to your House, in which it originated, H. F. No. 47, without his approval.

ELI H. MURRAY, Governor.

The bill to lessen the terms of imprisonment of convicts for good conduct, and that to encourage the growth of timber, after being amended by the Council, were sent to the engrossing committee.

The private corporation bill passed, and the bill amending the act incorporating American Fork, was ordered printed, pending the second reading of the measure.

The bill incorporating Pleasant Grove was sent to the Governor.

The liquor license bill passed. The House then adjourned till 2 p.m. Friday.

COUNCIL—FEB. 26TH.

The Council was called to order at 2 p.m. as per adjournment, and after the usual opening ceremonies the journal of Thursday was read and adopted.

Communications from the House were read announcing the passage by that body of H. F. No. 50, a bill to provide for a Territorial board of equalization; read the first and second time by its title and referred to the committee on counties.

C. F. No. 17, a bill amending section 50, chapter 54, session laws of 1884, had been rejected.

That the House had passed H. F. No. 33, a bill to regulate the sale of intoxicating liquors. This bill was read by its title the first and second time and referred to the committee on judiciary.

C. F. No. 37 had been passed without amendments; referred to the committee on enrollment.

That the amendments to the bill to encourage the growth of timber had been concurred in.

That a committee of conference, consisting of Messrs. Thurber, Houston and McCullough, had been agreed upon on the fish and game bill. Messrs. Barton, Grover and Taylor were appointed on the part of the Council.

The House also sent notice to the Council that His Excellency the Governor had vetoed H. F. No. 47, a bill providing for the selection and payment of jurors.

Mr. Hammond, from the committee on enrollment, reported that the substitute for C. F. No. 34, a bill in relation to fire insurance companies, had been correctly enrolled and had been forwarded to the Governor for his action.

The report from the committee on private corporations rejected substitute to H. F. No. 22, a bill conferring on union depots certain privileges.

Mr. Barton was excused from this day's session on account of being engaged in committee work.

The special order of the day, a bill in relation to trusts, was then taken up, but its further consideration was laid over till Monday.

C. F. No. 11, a bill amending section 3, chapter 19, session laws of 1880, was read the second time and placed on file for third reading.

C. F. No. 20, a bill amending sections 578 and 580 of the Compiled Laws, was read the second time and placed on file for third reading.

H. F. No. 19, a bill to establish a Territorial reform school, was read the third time and, after several amendments had been adopted, its further consideration was made the special order for to-day—Saturday under the supervision of the rules, the following bills were read the third time:

C. F. No. 20, a bill reducing the bonds of the officers of the University of Deseret.

Mr. Sharp explained that these officers had been under heavy bonds and that their office was one of honor more than pay; he considered that it was more than a hardship to ask these gentlemen to enter into such enormous bonds; passed on the call of the roll.

C. F. No. 38, a bill amending section 4, chapter 30, session laws of 1884, was also read and passed.

C. F. No. 11, a bill amending section

3, chapter 19, session laws of 1880, was read and lost by a vote of 4 to 5. This bill provides that the trustees may sue for and collect all delinquent tuition fees, as an action of debt, and that no property shall be exempt from execution on a judgment so recovered. Adjourned till 2 p.m. Saturday.

HOUSE—FEB. 26TH.

The House was called to order and opened the usual way at 2 p.m.

The minutes of the previous day's proceedings were lengthy, embodying the Governor's message vetoing H. F. No. 47, a bill to provide for the selection and payment of jurors in the Territory of Utah.

Mr. Anderson, the member from Tooele, was excused from attendance this afternoon, so also was Mr. Thurman.

A discussion arose as to the right to reconsider rejected bills, as founded on Rule 26. Several motions made in relation to changing or amending the Rule were lost, but at last a motion made to interpret the rule to mean that a rejected bill may be reconsidered, prevailed by a vote of 12 to 8.

Mr. Rider presented a petition from the Probate Judge, and Willard Carroll, W. D. Johnson, Robt. Moncur, members, and W. H. Clayton, Clerk of the County Court of Kane County, stating that in 1882 the Legislature changed the boundary lines of said county, by which action two-thirds of the population of Kane, were transferred to Washington and Iron Counties. This left the burden of the county debt to the amount of \$1,174.71 to be paid by the remaining one-third in Kane county. The petitioners have applied to the county courts of Washington and Iron, for redress but, in response are advised to petition the present Legislature for relief in the matter. The petition was read and referred to the committee on ways and means.

The Council notified the House that it had appointed Councilors Sharp, Grover and Taylor a conference committee in relation to the House amendments on fish and game.

The committee on counties reported a substitute bill to change the boundary lines of Emery and San Juan Counties; report adopted and the substitute bill read and filed for third reading.

The committee on manufactures and commerce recommended that the petition of citizens of the Territory for an appropriation to defray the expenses of sending Utah products for exhibition at London, in May, 1887, be granted, and that \$8,000 be appropriated for this purpose; report adopted.

The committee on agriculture reported adversely to the petition of farmers of Salt Lake County in relation to depredations of animals, etc., as the laws already in existence are adequate for the purpose.

The committee on highways reported adversely to the petition for an appropriation to build a bridge in Emery County; adopted.

The committee on asylum for the insane reported favorably the bill providing for the election of a secretary of that institution; read and filed for second reading.

Mr. Baly reported a substitute bill for H. F. 32 and C. F. 3 amending the charter of Smithfield; read and filed for third reading.

The ways and means committee reported favorably to the amendments by Mr. West in relation to the revenue bill, and recommended their adoption, and thus the bill be put on its passage. The report was adopted.

A motion to reconsider the vote by which the bill in relation to justices' courts, etc., was lost, prevailed by the Speaker voting in the affirmative. The bill was then read by the chief clerk and ordered printed, and made the special order for next Monday.

Substitute for House bill No. 8, amending an act entitled "an act to incorporate American Fork City, Utah," was read the second time and amended, when the rules were suspended and the bill was read the third time and passed by unanimous vote. As this is an important bill we here insert it:

SECTION 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That Section Seven of an Act entitled "An Act to Incorporate American Fork City, Utah County," approved June the Fourth, 1883, is hereby repealed and the following substituted in lieu thereof, to-wit: Section 7. The City Council shall have authority annually to levy and collect taxes upon the assessed value of all taxable property, real and personal within the limits of said city not to exceed one-half of one per cent, to defray the contingent expenses of the city, and not to exceed one-fourth of one per cent to open, widen, improve and keep in repair the streets of the city, and may enforce the payment of the same by ordinance consistent with the laws of this Territory.

Sec. 2. That section fifteen of said act is hereby repealed and the following substituted in lieu thereof to-wit: Section 15. To provide the city with water, to dig wells, lay pumps and pipes, and erect pumps in the streets for the extinguishment of fires and convenience of the inhabitants; to control and regulate the water running into, or through, or arising in said city, used for domestic and irrigating purposes, and may regulate the use of water for milling and manufacturing purposes, and annually assess and collect a tax from individuals in proportion to the amount of water used by each, and expend said tax in controlling, regulating and supplying said water for domestic, irrigating, milling and manufacturing purposes; *Provided*, That nothing herein contained shall be so construed as to interfere with water rights accrued by priority of appropriation.

Sec. 3. That section twenty-five of said act is hereby amended by adding thereto the following: To authorize the distaining, impounding or sale of cattle, horses, mules, sheep, swine or poultry (when found running at large) for the damages had costs incurred thereby, and to impose penalties

by fine upon the owner of the same for any violation of city ordinance in relation thereto. *Provided*, That the proceeds of such sale shall be paid into the treasury of the county wherein such city is located (less the amounts of costs and expenses incurred in distaining, impounding and selling the same) for the benefit of the district schools in said county.

Several amended bills were received from the Council, read by title and referred to the appropriate committees. One of these bills was to authorize the board of directors of the insane asylum to elect a secretary who is not a member of the board. The bill was read the second and third time and passed by unanimous vote.

The title was amended. At 4:25 the House adjourned till 2 p.m. to-day.

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CHAS. AUER.
Salt Lake City, Utah, Dec. 2, 1895.
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