

UTAH LEGISLATURE.

COUNCIL.

Jan. 23, 2 p.m.

Councilor Cluff presented a petition from Henry Evans, treasurer of Summit County, stating that he had collected and forwarded to the Territorial Treasurer various sums in the year 1873 and 1879 and that for such services as sub-treasurer he had received no remuneration. The petitioner asked for an appropriation of one per cent. of the sums named for such services.

Petition received and referred to the committee on claims and appropriations.

Councilor Wells, of the committee on judiciary, reported adversely on the bill for an Act making Chapter 2, Title 5, of the Compiled Laws of Utah applicable to the proceedings in justice's courts, and presented a substitute bill for an Act making Sections 103, 105 and 106 of Chapter 2, Title 5, of the Civil Practice Act, applicable to justice's courts. The substitute was received and passed its first and second readings. The bill was then laid on the table to come up in its order.

The Governor notified the Council that he had approved and signed "An Act changing the name of Neils Mortenson to Neils Morten Peterson," "An Act changing the name of Henry Newsham to Henry Thornley," and "An Act amending the Charter of Salt Lake City."

Councilor Cluff presented a bill for an Act to license and regulate the sale of liquors in places outside of municipal corporations.

This act provides for the licensing by the County Courts of parties desiring to sell liquor outside of incorporated cities. Anyone desiring to obtain a license under this act must first present a petition signed by at least ten freeholders residing in the immediate vicinity of the place where he desires to open the saloon. He must also sign a bond of not less than \$500 nor more than \$1,000, that he will not keep a disorderly house, nor allow any kind of gambling on his premises. The license fee may be from \$200 to \$500 per year, at the discretion of the court.

The bill was referred to the committee on printing. Sixty copies being ordered printed.

Benediction.
The Council adjourned to 2 p. m. Tuesday.

Jan. 24, 2 p. m.

The committee on judiciary reported back the following bills. H. F. 3, a bill to provide for the appointment of Justices of the Peace in cases of vacancy; this bill passed its second reading, and was laid on the table to come up in its order. C. F. 8, a bill to amend sections 1802 and 1803 of the Compiled Laws of Utah; the committee reporting on this adversely the bill was rejected. C. F. 6, on Chattel Mortgages. They reported this bill back amended. It was laid on the table to come up in its order.

Councilor E. Snow presented a petition from about 100 residents of Silver Reef praying for an incorporation. The petition was received and referred to the committee on municipal corporations, with instructions to present a bill in conformity with the petition if they regarded it favorably.

Councilor Caine presented a bill for an act in relation to mortgages of personal property. The bill gives the form in which such mortgages must be made, and providing that they must be acknowledged before a notary public or other officer. These mortgages are void against the creditors of the mortgagor, subsequent mortgages or purchasers of the property, unless the property is delivered over to the mortgagee, in case of that not being done, then the mortgage must be accompanied by an affidavit of all persons signing it that the mortgagor has received the amount of the specified consideration, either in property or cash. It must also be placed on record with the County Recorder, and will be in force for two years from the date of the filing made by the recorder. When property is taken from the county, it must be taken possession of by the mortgagee or recorded in the records of the county to which it is removed or else the mortgage becomes void. If the mortgagor takes the property away of his own volition, without the consent of the mortgagee, then the mortgage may be immediately foreclosed, and the property sold by the mortgagee in a manner prescribed, and the proceeds paid over after costs and amount of mortgage have been paid to the mortgagor. The mortgagee can

only become the purchaser by direct dealings with the mortgagor and all other parties concerned. The bill being read, was referred to the committee on judiciary.

The Act to provide for the appointment of justices of the peace in cases of vacancy was then called up for its third reading and a debate was made upon the last section, repealing Acts in conflict with it. It was finally amended by adopting an entirely new section. The bill was then read, passed as amended, and sent to the House for concurrence.

Councilor Murdock presented a bill for an act to amend section 1780 of the Compiled Laws of Utah, requiring the justice of the peace after a judgment is rendered to give to the party obtaining it an abstract of the judgment and providing a form therefor. The bill after being read, was referred to the committee on judiciary.

The bill for an Act to amend section 1750 of the Compiled Laws, so as to make its provisions applicable to the proceedings in justice's courts was called up for its third reading, passed and sent to the House.

The bill for an Act licensing and regulating the sale of liquors was taken up on its second reading, pending which, on motion of Councilor Cluff, it was referred to the committee on revenue.

A message was received from the House notifying the Council that they did not concur in the amendments to the Act providing for the appointments of justices of the peace.

HOUSE.

Jan. 23d, 2 p.m.

A message from the Council announced the appointment of Councilors Teasdale and Thurber as the Council committee to examine and report on the Auditor's warrants.

Mr. Penrose, from the committee on claims and public accounts, reported relative to the petition of J. W. Witt for relief to the amount of \$30.85, that the committee had examined and approved of the claim and recommended that the amount be allowed, and that it be placed upon the appropriation bill when prepared.

Mr. Penrose explained that the petitioner, Mr. J. W. Witt was collector in Wasatch County, and that through some stock that had been assessed there having been taken from the county before the tax had been paid, the petitioner had to pay the sum himself, which had gone to the treasury of the Territory. The county investigated the matter and refunded its proportion of the money to Mr. Witt, and now the petitioner asks for the balance justly due him from the Territory.

On motion of Mr. Hatch, the report was accepted and the amount ordered to be placed on the appropriation bill.

The special order of the day, H. F. 9, a bill to amend section 5, chapter 21, of the laws of 1880, providing for the revenue of the Territory, was considered. The amendments are to strike out the word "copy" wherever it occurs in section 21 and insert the word "abstract," and by inserting after the word "which" in the 31st line, the word "said."

Mr. Francis moved that the bill be again referred to the committee on ways and means, in order to give some interested county officers an opportunity to express their ideas upon the same before the committee. So ordered.

Mr. Booth re-presented the petition of A. C. Emerson, clerk of the First District Court, for relief, being for clerk's fees in criminal cases in that court. This petition had been sent back to Mr. Emerson for proper authentication and again returned. Read and referred to the committee on claims, etc.

County reports presented by Mr. Dusenberry, of Juab County, for the years 1880-1.

By Mr. Preston, of Sanpete County, for 1880-1.

By Mr. Partridge, of Millard County, for 1880-1, which had been referred back for correction.

By Mr. Peterson, of Cache County, for 1880-1. All referred to the committee on claims and public accounts.

On motion of Mr. Hatch the House adjourned till 2 p. m. tomorrow.

January 24.

Mr. Peterson presented a petition to change the name of Peter Peterson to Peter Hanson, and recommended its reference to the committee on judiciary. Referred.

Mr. Penrose, chairman of the committee on claims, reported the approval of the committee on the financial reports from the following

counties: Beaver, Box Elder, Iron, Millard, Utah and Weber, specially mentioning Utah and Weber reports as highly creditable to the county clerks.

Also upon the claim of L. Holbrook, assessor of Millard County, for relief amounting to \$60.25, for Territorial uncollectable taxes which he had paid, the committee recommended that the amount be placed on the appropriation bill when prepared.

On motion of Mr. Francis, the county reports were ordered to be retained by the chairman of the committee, to be printed when the list is completed; and the recommendation that the appropriation be made to the relief of Mr. Holbrook, was adopted.

Mr. Peterson, chairman of the committee on agriculture, reported a substitute for the bill amending section 14, chapter 4 of the laws of Utah passed in 1880.

Also relative to C. F. No. 3, a bill amending section 1,444, chapter 4, an act establishing district pounds, and prescribing the regulations for conducting the same, recommending the passage of the bill.

On motion of Mr. Sharp the report of the committee was accepted.

Introduction of bills:

By Mr. Booth, amending certain sections of the criminal procedure act of 1878, namely chapter 5, title 1. Mr. Booth explained that the bill is to do away with the taking of testimony of witnesses in writing before Justices of the Peace in cases of felony.

Referred to the committee on judiciary.

By Mr. Blackburn, to amend sec. 1,780 of the Compiled Laws of Utah, to read as follows: "Justices of the Peace on demand of the party in whose favor judgment is rendered, shall give him an abstract of the judgment in a specified form," etc.

Referred to the committee on judiciary.

The substitute bill for H. F. No. 8, reported on by the committee on agriculture, providing for the fencing of orchards and gathered crops, requiring the owners thereof to enclose the same with a lawful fence; to be kept in repair, was read and

On motion of Mr. Partridge the bill passed its second reading and was ordered printed.

H. F. No. 1 was taken up on its second reading. The bill grants to incorporated cities power to regulate, restrain and prohibit the running at large, within their respective boundaries, of all kinds of stock; also to regulate the setting out of shade trees on side walks and public grounds, and to regulate the sale of intoxicants.

Mr. Booth moved the following substitute for sec. 3: "To enforce the payment of all city taxes by levy and sale of the real estate or personal property of any delinquent tax payer, or any property assessed either real or personal." The substitute was adopted.

Mr. Dalton offered a substitute for section 4 to license and regulate or tax and restrain, to prohibit or punish the manufacture, sale or giving away or in any other manner disposing of spirituous, vinous or malt liquors; also to regulate the vendors of the same, prescribing a bond of \$500 to be given by such vendor. The section was adopted.

Section 5, granting power to direct the location of R. R. Tracks and depot grounds and the rate of speed of locomotives in the inhabited portions of towns was adopted.

Mr. Booth presented an additional section providing for the regulation of waters running into cities for the use of the inhabitants, which was adopted.

On motion of Mr. Sharp the bill was recommitted to the committee on municipal corporations and towns.

Mr. Penrose presented a petition from Eli B. Kelsey, relating to certificates of jurors and witnesses, amounting to \$2,744.90 for which he had paid a valuable consideration, and which he had been unable to collect. Stated that he had sent the certificates to Washington, D. C. for payment, but the Comptroller declared the United States not liable for the same, and referred the petitioner to the Territorial Legislature.

On motion of Mr. Smith, the petition was referred to the committee on claims and public accounts.

A message from the Council announced that that body had adopted the following amendments to H. F. No. 3, an Act providing for the appointment of justices of the peace: "The provisions of all acts and parts of acts superceded by or in conflict

with the provisions of this act, are hereby repealed."

Mr. Thurman thought that if the usual repealing clause was not a lawful one, then the greater portion of the laws of Utah should be repealed in that particular.

On motion of Mr. Dusenberry, the House did not concur, and the Council was so notified.

A message from the Council announced that C. F. No. 10, an Act to amend 1750 of the compiled laws had passed that body. Read and referred to the committee on judiciary.

Mr. Dusenberry presented claims from A. C. Emerson, clerk, and his deputy, Benj. Bachman, of the First District Court; and O. J. Averill, clerk of the Third District Court, for services rendered in criminal cases, which petition had been corrected and returned. Referred.

A communication from the Territorial Auditor was read recommending the advisability of appropriating for the purpose of purchasing an iron safe to take the place of the wooden one now used in the First District Court at Ogden, for the preservation of the court records. Referred to the committee on appropriation.

The report of the sealer of weights and measures was presented, and without being read,

On motion of Mr. Penrose, was referred to the committee on manufactures and commerce.

A communication from the Governor stated his approval of H. F. 6, a bill to change the name of James Malloys to James Dennis.

Adjourned till 2 p. m. on Wednesday.

LOCAL AND OTHER MATTERS.

FROM FRIDAY'S DAILY, JAN. 27

The Counterfeit Coin Matter.—The counterfeit coin case is being worked up by the police. James Shields was before Justice Pyper this morning, and his examination on the charge of passing counterfeit specie was to be resumed at 2 p. m.

This morning a man named Jas. Murray was arrested on a similar charge, Shields asserting that he had seen him. Both came from Cherry Creek Nevada, in company with another party, whose name is said to be Budge. The police state that they have been considerably hampered by Whittemore, the proprietor of the lodging house near the depot, where Shields and Murray have been stopping. They assert that he gives them as little information as possible.

Later in the day, Budge, alias Shepherd, was arrested. Of course, he denies all knowledge of any counterfeit money transactions. A touching expression of injured innocence spread over his open countenance. He was soon, however, confronted by young Aubrey, who at once identified him as the party who was detected in passing counterfeit coin at his store a day or two since. He also stated that he had seen him and Murray in company.

Still Prevalent.—Mumps continues its hold upon the juvenile portion of the community, and not a few grown people are affected with it. In many families nearly all the younger members either have been or are now affected with it.

Lewis Smith, on page 261 of the second edition of his "Treatise on the Diseases of Infancy and Childhood," says:

"Mumps has no premonitory stage, and commences with tenderness in the parotid region."

King, in his "American Family Physician," page 253, says:

"Mumps appears to be a contagious affection, and frequently exists as an epidemic. From its tendency to attack distant parts, it is believed by some, and perhaps correctly, to be of nervous origin."

Some of the cases in this city are very severe, and perhaps this may, in some instances have been occasioned by neglect. The following also from King's work, may be of some use:

"Mild cases of mumps require hardly any treatment; the bowels may be kept open by mild laxatives. The parts attacked as well as the face and head should be kept warm, and great care should be taken to avoid exposure to cold and wet. Sometimes bathing the feet during the febrile symptoms, as well as drinking freely of warm infusions of balm, catnip, spearmint, sage, etc."

In cases in which the symptoms are severe a more complicated treat-

ment, requiring considerable judgment in administration, is recommended.

A Swindling Cloth Pedler.—An unmitigated fraud is going about in this vicinity hawking goods. He pretends to give enormous bargains, on the ground that he is a smuggler, having evaded the customs laws in bringing his wares into the country. Like all "bilks" of his class, he approaches his intended Jukes confidentially, and catches many greenhorns, who soon afterwards discover, when too late, that they have been sold.

For instance, we can relate the particulars of a genuine case that occurred yesterday:

The fraud exhibited a piece of cloth to an intended victim, saying: "Here is a piece that you would have to pay \$40 for in any of the stores. But I will not charge you that much, but will throw in this other piece and call it \$40. In case you should not be suited with that, here is a third piece; and you can take the three for \$47."

The victim did not want the three pieces, but finally closed a bargain by taking one of the three for \$16. The extent of the delight of the purchaser may be imagined when he subsequently ascertained from a well-known and respectable Main Street merchant, that the cloth he had bought at a bargain could be had at any of the stores in town for \$10.50.

In our opinion, those who buy from such swindlers as this cloth-peddler, are nearly as much in the mud as he is in the mire. They purchase doubtless because they believe his smuggling story; and they cannot otherwise than believe at the same time that they are aiding and encouraging a rascal to evade and break the laws. The smuggling thery is a confidence dodge of a piece with the trap set for greenhorns in large towns by fellows who take their victims aside and confidentially draw bogus diamond pins from their boot legs, and pretend to offer a small fortune in genuine jewelry for a small consideration in cash.

NARROW ESCAPE.

DAVID RICH HAS HIS LEG ACCIDENTALLY CRUSHED.

Shortly after two o'clock to day David Rich, yard brakeman at the U. C. R. depot, had a narrow escape from being crushed to death. While engaged in his vocation he unfortunately threw the wrong switch, and consequently got upon the wrong track. Thinking he was all right he jumped upon the beam of the switch engine, in front of which was a car. Discovering his error, he made the reverse signal. The discovery came too late. Impelled by the engine upon which he was standing, the car in front of him struck with such force against a number of other cars on the track that it was driven back violently, breaking the beam of the engine in front of which he was standing. As a matter of course his right leg, which was between the beam and the car, was very badly injured, but it is thought that the bones are not broken.

It is marvelous that he escaped being crushed to death. It is probable that he would have been had it not been for the large draw-head in front of the beam. The injured limb was examined by Dr. H. J. Richards, Dr. Jos. S. Richards and Dr. Hamilton, and the unfortunate man was conveyed to his home, in the 19th Ward. Although the bruise is a severe one, we understand there is no doubt that the limb will be saved.

Brother Rich is about 30 years of age, and the son of Apostle C. C. Rich.

FROM SATURDAY'S DAILY, JAN. 28.

Disappeared.—Diphtheria has entirely disappeared from West Jordan and vicinity. It was very prevalent in that neighborhood a short time since.

Mobocracy.—A dispatch dated yesterday states that a meeting held by some of the Elders at King's Cross, London, the day previous, was broken up by a large mob. If the information be correct, the brethren were attacked and several persons injured.

Holmes.—J. Landrum Holmes' mother offers \$50 reward for finding her son, and putting her in communication with him, and letting him know that she has returned from