

THE LEGISLATURE.

COUNCIL:

February 8, 1888.

A communication was received from the House, notifying the Council of the passage of H. F. 17, a bill for an act regulating procedure in justices' courts and providing for appeals.

Referred to the committee on judiciary.

The Council was notified of the passage by the House of H. F. 38, a bill for an act defining the manner of determining disputed county boundary lines. Read first time by title and referred to the committee on counties.

A communication was received from the House notifying the Council of the passage of H. F. 20, a bill amending title 12, chapter 2, section 8, in regard to appeals; also the passage of H. F. 41, a bill for an act regulating civil procedure and providing for appeals.

Both bills were read the first time by their titles and referred to the committee on judiciary.

Marshall presented a report from the committee on private corporations recommending that C. F. 21, a bill providing for banking, be put upon its passage. Read first time, ordered printed and filed for second reading.

Woolley presented a report from the judiciary committee recommending that H. F. 16, a bill amending the law in relation to persons entering railway cars in certain cases, be put upon its passage.

The report of the committee was adopted, the bill read the first time by its title and filed for second reading.

Woolley presented a report of the judiciary committee recommending that H. F. 43, a bill amending an act relating to attachments, be put upon its passage.

The report of the committee was adopted, the bill read the first time by its title and filed for second reading.

Smoot presented C. F. 21, a bill providing for the protection of fish and game.

Read the first time by title and referred to the committee on fish and game.

Woolley moved that H. F. 43 be ordered printed with the amendments before being introduced for second reading. So ordered.

C. F. 2, a bill providing for proceedings in insolvency, was taken up for second reading, amended and filed for third reading. It occupied most of the afternoon.

H. F. 16, a bill to amend chapter 26 of the laws of 1880, providing for punishing persons entering railway cars in certain cases, was passed under a suspension of the rules.

Woolley, from the judiciary committee, presented a report recommending that C. F. 23, a bill to amend section 2, chapter 7, of the laws of 1880, providing the method of drawing money from the territorial treasury, be passed; read the first time and filed for second reading.

Adjourned.

HOUSE.

February 7, 1888.

When we went to press yesterday afternoon, the bill for determining disputed county boundary lines was under consideration:

Richards moved a suspension of the rules and the third reading of the bill by its title. Carried.

Thurman moved that the bill pass. It passed by a vote of 20 ayes, 1 no, 2 absent. Farnsworth was the no.

The bill relating to the killing of live stock by railroad corporations was called up. Richards said a number of persons desired to be heard in relation to it, and moved its reference to the live stock committee. Carried.

H. F. 6, Hoge's bill in relation to marriages, was taken up. Hoge moved that it be made the special order for Feb. 8, pending the printing of the amendments offered by the committee, which are quite extensive. Carried.

King assumed the chair. H. F. 40, a bill amending the fish and game law was considered.

The committee had offered an amendment prohibiting the killing of ducks for one hour after sunset or one hour before sunrise.

Hatch moved the adoption of the amendment. A discussion arose in which Richards, Allen, Seegmiller and others took part.

Thurman—Is the object of the amendment to give the ducks a chance?

Seegmiller—Yes.

Thurman—Then I'm opposed to it.

Richards would favor the amendment if it was necessary in order to prevent undue slaughter of the ducks. A humorous debate ensued in which Thurman, Creer and others took part, when the amendment was agreed to.

Moyle moved to amend so as to protect partridges.

Hoge said sportsmen desired to have partridges and quail protected for five years, and thought the bill should be so amended, and offered an amendment for the purpose, pending which Allen moved to recommit with instructions to redraw the bill to protect certain game birds for five years.

Richards opposed so instructing the committee, thinking such extended protection unnecessary.

Seegmiller said that in some counties quail were so thick as to be almost a pest, and such counties should be exempt from protection.

Hoge said the instructions to the committee only contemplated protection to imported birds.

Moyle favored instructing the committee to investigate the subject and make recommendations accordingly.

Thurman had long watched legislation upon this subject, and never knew a member of the Assembly who claimed to know anything about it and he thought the bill should be recommended with a view to having the subject investigated and an intelligent bill drawn upon it.

The motion to recommit was carried.

The Speaker announced that Mrs. Brown of the Orphan's Home and Day nursery desired the presence of members at the ball in the Theatre Thursday evening.

H. F. 11, relating to procedure in justices' courts, and appeals to district courts in criminal cases, was taken up and read by sections.

Richards moved to amend so as to require the clerk of the district courts to file appeal papers without the prepayment of the fees for so doing.

Allen asked if there was not a United States law governing this matter and Richards explained there was not.

The amendment was adopted.

McLaughlin moved to strike out a clause in section 1, providing that an appeal should not stay execution unless the papers be sent up within 30 days. He urged that a defendant should not suffer because of a neglect of duty by the justice.

Moyle objected to the striking out, as did Richards, both of whom explained that the law in other ways gave defendants a remedy against the neglect of justices.

McLaughlin's amendment failed.

King moved to add a clause to section 2 providing that fines collected in the district courts, in cases originating in justices' courts, shall be transmitted to the county or city treasury as the case may be. He said such fines now go to the Territory.

Moyle explained that fines in city cases go to the city, but in other cases they go to the Territory.

Thurman said in his district the practice in city cases in the district court was to assess a fine only. He thought costs should follow the fines.

Moyle thought it might not be good policy to provide for taxing costs in all cases.

Richards thought where the county is liable in case of acquittal, the fine, if assessed, should go to the county treasury.

King's amendment was adopted.

Richards moved that the bill pass. It passed by a vote of 19 ayes and 2 noes; 2 absent.

A motion to adjourn was lost.

H. F. 27, relating to barb-wire fences, was put on its third reading.

Seegmiller offered an amendment, making the use of a pole, or board 1 inch thick and 6 inches wide, at the top or in the center of the fence, obligatory on all wire fences.

Rouche said a board an inch by 6 inches, 16 feet long, would be broken by the wind.

The amendment was lost.

Hoge again moved to strike out section 2.

Jones raised the point of order that the same amendment had been voted down once; but the chair left it to the House to dispose of the amendment. It was lost.

Creer moved to amend the penalty clause by limiting it to \$100, and striking out the provision for the recovery of damages.

Richards opposed the amendment, and it was lost.

Rouche moved to amend so that posts may be two rods apart, and urged that wire fences were less apt to hurt stock when the posts were wide apart than when they are set close together, as the wires would yield more. Lost.

Richards moved that the bill be put upon its passage.

Thurman said he would have to vote against the bill unless it were better matured, and moved an adjournment. Lost.

Richards did not want to rush the bill through.

Thurman desired more time to consider the measure, and thought, from the diverse views of the members, that others did also.

Creer favored the bill as it was, and opposed delay.

Richards opposed having badly constructed wire fences, and thought they should be prohibited.

The House again refused to adjourn.

Helm moved that the bill be made the special order for Feb. 8. Carried.

The minutes of Feb. 6 were read, when the House adjourned.

Feb. 8, 1888.

After the opening exercises, the speaker stated that the Utah Central Railroad Company desired to secure the services of the chief clerk of the House to take charge of a surveying party, at once, and that that officer desired to tender his resignation.

Hoge moved to accept the resignation.

Richards moved to lay on the table till tomorrow. The latter motion was lost.

Richards opposed "railroading" the question through today.

The speaker explained further the necessity of immediate action.

Hoge amended his motion so that the chief clerk's resignation take effect at the close of the session tomorrow, and it was carried.

King moved that the chair appoint a committee of three to nominate a new chief clerk. Carried and the chair appointed King, Moyle and Farnsworth.

H. F. 24, a bill to prevent crimes against the elective franchise, was brought up on third reading.

Howell offered an amendment to prescribe the same punishment for a private person as for an officer, for procuring the fraudulent registration of any name. The amendment was lost, and the maximum punishment of an officer remained at \$1,000 fine, and two years' imprisonment; that of a private person the same fine and one year's imprisonment.

Several minor and verbal amendments were made, none of them affecting the intent of the bill.

Allen asked why section 10 provided six months in the county jail, or two years in the penitentiary as the maximum imprisonment for certain offenses prescribed in the bill.

Richards answered that, in some cases, only a mild punishment, and in others a severe one, might be merited.

Jones offered an amendment to section 11, making it an offense to deceive a voter who cannot read, as to the names on a ticket, but withdrew it.

On motion of Hoge, a repealing clause was added.

Jones renewed his motion, and made an argument in favor of it.

Allen suggested that Jones' amendment did not fully cover the ground, as it did not provide against trickery by scratching.

Hoge opposed the amendment, but it was carried.

Hoge moved to strike out the clause prohibiting attempts to influence any elector in giving his vote, remarking that the language of the clause would prevent a candidate from making a canvass among, or even a speech to his constituents.

Richards maintained that the clause would not bear such a construction as Hoge put upon it, and the latter's motion was lost.

The bill passed by a vote of 21 ayes to 1 no, the latter being McLaughlin.

This completed the unfinished business pending for some days, and the regular order was resumed.

Hatch introduced five petitions from different parts of the Territory, having the same title, asking for the passage of a local option law. Referred to the committee on elections.

Farnsworth presented a claim from the sheriff of Beaver County. Referred.

Moyle, from the committee on education, reported favorably on the invitation of Dr. Park to visit the University.

Rouche, of the committee on agriculture and irrigation, reported favorably on the bill for a geological survey of the Territory, with amendments. Adopted.

Creer introduced four other petitions of the same kind from Ogden, Provo, and two other places. Same committee.

Hatch presented a petition from prominent citizens, asking for the establishment of a fish hatchery and the appointment of a fish commissioner. It asks an appropriation of \$8,000. Referred to the fish and game committee.

Lund, from the committee on counties, reported that, as a pending bill covered the question, the petition of the county court of Beaver County for a change in the boundary lines, he not granted. Adopted.

Pending further proceedings we went to press.

FROM THURSDAY'S DAILY, FEB. 9.

A Midnight Marriage.

At three minutes before midnight last night Commissioner Norrell performed the ceremony which united in marriage two residents of Juab County. A short time before, he had received a message asking whether he would officiate, and replied in the affirmative. The parties then appeared and gave their names as Luke Hickman and Sadie J. Keplinger. Several friends of the bride and bridegroom witnessed the ceremony.

New Incorporation.

The articles of incorporation of the Salt Lake Supply and Forwarding Company were filed with Clerk McMillan, of the Third District Court, today. The incorporators are:

John W. Young,	488 shares
George Crismon,	2 "
B. S. Young,	2 "
Le Grand Young,	2 "
Arthur Stayner,	2 "
Chas. W. Hardy,	2 "
F. S. Richards,	2 "

The organization proposes to conduct a general supply and forwarding business in and about the Territory of Utah and the adjoining states and territories. The principal place of business is Salt Lake City, and the capital stock of \$50,000 is divided into \$100 shares. The directors are: John W. Young, president; Le Grand Young, vice-president; Arthur Stayner, secretary; Le Grand Young, treasurer; F. S. Richards, Chas. W. Hardy, Geo. Crismon and B. S. Young.

ANTI-FUSION MEETING.

The Liberals Will Make a Straight Ticket.

About 7 o'clock last evening a large group of Liberals formed in front of the Federal Court Room. Additions to its numbers were made, until by 7:20 there were probably about 50 men assembled, when the doors of the court room were opened, and the crowd became seated within it. By 7:30 the hall was about full.

Inside the railing were Judge Rosborough, General P. E. Connor, E. D. Hoge, General Maxwell, B. F. Whittemore, K. R. Clute, C. E. Allen, Judge Gilchrist, P. L. Williams, O. J. Hollister, W. H. Sells and a number of other prominent Liberals.

"They don't file in as fast as I thought they would," said a Liberal who was inside the railing.

Mr. Sells called the meeting to order and P. L. Williams nominated Judge Rosborough for chairman.

He was unanimously elected, and in stating the object of the meeting he said: We have before us two propositions for a municipal government. The Territory is mostly governed by municipalities. One of these propositions is a bill in the Legislature, providing for ward representation, which for some reason had been embargoed. This bill does not provide for minority representation, but for the rule of the majority in the municipal wards.

The other proposition is the granting to the minority of a representation by what is claimed to be the magnanimity of the majority. Why was not that bill passed? The city election could have been postponed if necessary, long enough to mature and pass it. The bill would have given the minority representation on the American system. We want representation by law, not by favor, and we will get it by law if we have to wait two years for it. (Applause).

It is urged that the

HELP OF THE LIBERAL PARTY

is wanted to aid in important municipal improvements, and that this is the reason why the proposition for a fusion was made by the People's party. But if this proposition is made in good faith, why was not that bill passed?

This proposition has less to do with municipal government here, than with furthering certain purposes in Washington. The speaker said that he had just heard that the Senate committee on territories were prepared to report adversely on the bill for Utah's admission, but "Mormon" lobbyists had obtained a delay for the purpose of getting this business through. He was in favor of getting all the "Liberals" get by "a square-toed fight," and was in favor of keeping up the fight. The temper of his remarks on this point was very belligerent.

He continued his remarks at some length, inveighing bitterly against the titling system of the "Mormon" Church, and accusing a certain class of Gentiles of paying lip to it.

He predicted that, in two years more, the Liberals would control the city.

J. W. PIKE

was nominated for secretary. Carried unanimously.

P. L. Williams moved the appointment by the chair of a committee of five to draft resolutions expressive of the sentiments of this meeting. Carried without debate.

The chair appointed as said committee P. L. Williams, E. D. Hoge, C. K. Gilchrist, S. A. Merritt and Col. Sells. Mr. Hoge declined to act, and the chair appointed W. F. James.

The committee on resolutions retired, and there were calls for a speech from

W. G. VAN HORN, 1

who responded. He said: We have met as citizens of the Liberal party, and recent events make it necessary that we should consider what we are doing and where we are going. He hoped union would be maintained in the party. (Faint applause.)

So far as he was concerned union would depend on whether this convention should endorse the nomination of certain gentlemen for the city council, who had, he believed, been nominated by the People's Party. He did not believe that the Liberals of Utah would support any ticket nominated by that party. But if those gentlemen are not bound by any such nominations, then we can

WORK IN HARMONY

in electing them. He felt to say that if those gentlemen were willing to have their names placed on a Liberal ticket, he would be willing to vote for them. He would be unwilling to make any compromise with the majority party; nor would he assent to any arrangement which would require him to vote for members of the People's Party. He considered the fusion proposition a well-laid plan to introduce dissension in the Liberal party, and hoped it would not succeed.

If the gentlemen who agreed to a fusion are pledged to support the ticket framed by the People's party, the split is made immediately. If such should prove to be the case, the Liberals had

WALKED INTO A TRAP.

Important improvements were needed, and this convention should pledge itself to endorse a municipal ticket that will assure citizens that they will be made.

He hoped the convention would act in a spirit of harmony and conciliation. He believed the results of this election would be far-reaching, and if the Liberal party would keep a solid front it would get the rights it demands, including the right of being represented. Until he got the right, he didn't care much for the favor of representation.

He charged that the People's Party would boast of giving the minority that which they could not win.

Hollister and Maxwell were called for.

MR. HOLLISTER RESPONDED, and said he came to listen and not to

talk. He thought it was unfortunate that the meeting which accepted the fusion proposition did not adjourn for a fuller meeting, but it seemed necessary to act promptly. He was glad to see that a spirit of harmony was being displayed, referring to the remarks of Mr. Van Horn, and continued: Possibly a large majority oppose the action of the other day. While he did not think there was an explicit obligation on the Gentiles who endorsed the fusion, there was an implied obligation to support the fusion ticket, provided the People's party withdrew their ticket and a citizens' one was made. He would though, feel at liberty to scratch the fusion ticket as much as he pleased; he presumed others felt the same way, but he would not feel at liberty, in view of the action taken the other day, to support an opposition ticket. In his view the question of city improvements did not touch the great questions of the conflict here. He could not see any sacrifice of principle in accepting the fusion, and thought the wisest thing was to endorse the proposition. But the mass of Gentile votes were not governed by the action of a few.

P. L. Williams then read the

PREAMBLE AND RESOLUTIONS

prepared by the committee, as follows:

WHEREAS, the Liberal minority in Salt Lake City has for years been striving to obtain district representation among the municipal officers, and

Whereas, under existing laws passed by the Legislature, such officers are elected by a vote at large of all the citizens of whom the Mormon, or so-called People's party, have the majority, and such representation has been made persistently, and

Whereas, in some municipal wards, the Liberals have a majority, and upon the usual American system, could elect municipal officers, and

Whereas, The present Legislature has failed and refused to act upon or pass a bill changing the present system, and providing that aldermen and councilors shall be chosen in each municipal ward by the majority of the voters of that ward, and

Whereas, Certain citizens of Salt Lake City have accepted a proposition from a committee of the Mormon, or People's Party, providing that such citizens should nominate three councilmen and one alderman, and that said committee would use its influence to have such nominations ratified by a convention of said People's Party, and such nominations have been so made and ratified.

Whereas, The concessions made are made as a temporary expedient for this election, and carefully avoid recognizing or advocating the right to have each municipal ward select its officers by a majority vote of the qualified voters of said ward.

Now, therefore, be it resolved, That we, citizens and voters of Salt Lake City, and members of the Liberal Party, in mass meeting assembled, First—Look upon the temporary concessions as a trap, set by the leaders of the dominant party to prevent a full showing of the strength of the Liberal vote, and a plan to forward the admission of Utah as a State.

Second—Consider it to have been adopted as a means of avoiding the just odium and responsibility of refusing to change the present unjust and inequitable laws, and of posing before the people of the United States as a generous majority, freely conceding as a favor to their opponents, representation which could not be won by the ballot, while in truth, the majority persistently refuse laws which would enable such representation to be fairly won at the polls.

Third—Repudiate entirely the action taken by certain citizens in accepting such proposals, and making nominations in accordance therewith, and refuse to accept as a favor granted by suzerainty, the privilege of naming officers for localities in which we could not elect them, but assert our right, now and always, to have such laws that we could elect officers in localities in which we have a majority of votes.

Fourth—Resolved, That it is the duty of the city government to inaugurate, and we pledge our support to such effective measures as will in the least possible time, supply all points of our population sufficient water for domestic use and the purposes of irrigation.

Fifth—Resolved, That we pledge our support to the reasonable and speedy improvement of the streets and parks and drives of this city, and the establishment of suitable and thorough systems of sewerage and the equipment of a complete and sufficient fire department.

Sixth—That we put in nomination a full municipal ticket, and support and vote the same.

P. L. WILLIAMS.

Chairman.

The reading of the foregoing was followed by cheers and applause, and Gen. Maxwell moved to adopt the resolutions. Carried unanimously.

HENRY W. LAWRENCE

was called for and responded. He was proud to say he was on the side of the majority of the Gentiles. (Cheers.) Sixteen years ago his party had asked for representation in the city government and ever since had been struggling to secure it. They had paid taxes and acted as good citizens. He now felt like saying to the majority if you want our help give us a fair representation in the city government. He was radically opposed to the fusion, and was bitter in his invective against the People's Party. He predicted that in two years the Liberals will have numbers sufficient to secure representation.

P. L. WILLIAMS.

being called for, proceeded to deliver a lengthy speech in which he reviewed the long contest in this Territory between the Liberals and the People's party, giving his own version of the history he was ostensibly narrating. His address was little more than a prolonged arraignment of the "Mormon" church and of the People's party, in which he reiterated the accusations of a quarter of a century.

COL. E. SELLS

was called for and responded. He remarked that money did not rule in this