HISTORIAN'S OFFICE

TWO-THIRDS GONE.

The First Session of the Utah State Legislature.

FIRE AND POLICE BILL AGAIN.

It Awakens Lively Interest in the House—Glen Miller's Journalists Bill—County Excess Warrants.

The first item of special interest to-day was the fire and police bill in the House, and a lively fight is on, both sides being prepared for a stubborn contest. The most important item in the Senate was the excess county warrants bill.

SENATE.

The first business in the Senate to-day was listening to committee reports.

The committee on labor reported on S. B. 65, to provide for the payment of labor in cash, and recommended that it be passed as amended.

The committee on appropriations and claims reported that C. C. Dey's petition for $1,000 for compensation as Joseph F. Bozeo, Territorial statistician, should go to the State board of examiners, report adopted.

The appropriations committee reported favorably on H. B. 125, making a special appropriation for the Reform school.

The committee on judiciary reported in favor of the passage of S. B. 91, in relation to deeds for real property sold under execution.

A minority was reported by the judiciary in Senate concurrent resolution No. 4.

The judiciary recommended the passage of S. B. 94, laws and judgments in district and circuit courts of the United States.

The committee on judiciary reported in favor of the passage of the bill authorizing district courts to confer militia powers on sheriffs in certain cases.

The judiciary committee also reported on S. B. 72, in relation to the orders of incompetent persons, introduced by Senator Warnock. The committee recommended that the bill be indefinitely postponed, for the reason that it was a full revision of the code, and might be properly taken up by a special commission of by the next legislature.

PROTECT EMPLOYES.

S. B. 50, to protect employes in their wages, was received from the House with amendments. The amendments were concurred in.

S. B. 69, relative to the payment of employes' wages in money, was amended and passed with that reading. There will be considerable objection to the bill.

TO PROTECT JOURNALISTS.

Glen Miller introduced S. B. 100, to protect journalists.

Booth asked what crime it was proposed should be punished journalists, but got no information.

The president asked if the bill should go to the committee on mines.

The author asked that it go to the committee on printing and it was so ordered.

ENLARGING MUNICIPAL POWERS.

S. B. 81, enlarging the powers of third class cities, was taken up and House amendments, which were not concurred in, and Cleveland, Snow and Clidbeter were appointed a conference committee.

MINING BOARD.

S. B. 49, providing for a State board of mining inspectors, was taken up. As introduced, Chambers, was absent, so action was postponed till Wednesday next. A motion that it lose its second reading by its title was defeated.

MINORS.

S. B. 89, empowering district courts to confer majority powers upon minors, passed its first reading and was fixed for second reading. Jones registered his vote as against the bill.

LIENS IN U. S. COURTS.

S. B. 94, relative to liens and judgments in district and circuit courts of the U. S. was taken up and passed without opposition.

DEEDS UNDER FORCED SALES.

S. B. 97, relative to deeds and real property sold under execution, was taken up and passed without opposition.

COUNTY EXCESS WARRANTS.

H. B. 94, providing for the payment of county warrants issued prior to Jan. 4, 1896, in excess of the legal limit, was taken up on final passage by the Senate.

The bill passed without a dissenting vote and the bill returned to the House with Senate amendments.

REFORM SCHOOL APPROPRIATION.

H. B. 125, special appropriation for the State Reform school, was passed. The appropriation is $1,000.

HOUSE.

The House adjourned yesterday evening at 6:10, having transacted the full week's business after gross time.

Senate bill 55, to protect employes, servants and laborers in their claims for wages, was read the third time and passed.

House bill 132, to amend section 4601 of the compiled laws of Utah, 1888, relating to justifiable homicide, was taken up on third reading and further consideration postponed until to-day.

On motion of Mr. Lewis the vote by which House bill 98, regulating the practice of dentistry, was recommitted and the bill fixed for third reading.

Mr. Musser gave notice of a motion to reconsider the vote by which House bill 8 was recommitted to the public health committee.

Today's Sitting.

At 1:55, city time, the House resumed business. There was a quorum present, but six proprietors would not be a source of congratulation. The minutes of yesterday were approved and the routine taken up.

PETITIONS.

Two petitions were received and referred to the elections committee. One was from eleven residents of Wayne county and presented by Mr. Mackfelt. The other came from J. H. McCue and fifty-nine other railroad employes at Ogden, presented by Mr. Curtis. Both petitions asked the passage of Senate bill 22, on elections.

AS TO EXTRAS.

The fire alarm committee reported amendments to House bill 14, relating to extras, and recommended the passage of the bill. On motion of Mr. Mansfield the report was adopted.

TO PROTECT SHEEP.

The same committee reported on Senate bill 12, to prevent the spread of disease among sheep, recommending its passage.

THE DOG BILL.

The committee on live stock recommended the passage of Senate bill 10 (substitute) providing for the recovery of damages for injuries by reason of trespass of dogs.

POLICE AND FIRE BILL.

The municipal corporations committee presented majority and minority reports, as well as an amendment by Chairman Nye, on Senate bill 9 and House bills 113 and 37, relating to fire and police boards. The majority report recommended the rejection of House bills 113 and 37 and the passage of Senate bill 9, with amendments attached.

Chairman Nye, of the committee, presented a personal explanation, saying that while, as chairman of the committee, he had signed the report of the majority, he was opposed to section one of the bill as amended.

MR. CURTIS PROTESTS.

A minority report from Mr. Curtis was read as follows:

"A minority of your committee on municipal corporations respectfully report that we do not concur with the action of the majority of the committee in submitting to the Legislature such a villainous measure as Senate bill No. 9, as amended.

"This bill takes away from the peoples' representatives and taxpayers of cities of 12,000 inhabitants and over—what few rights they have had left as to the police and fire law went into effect, and places all the power in appointed, which a part of, at most, should belong to the people's representatives, the mayor and city council, not the bureau of but one man, the governor.

"The bill also provides that the respective chiefs of the fire and police departments shall have the power to fine or suspend any member thereof, 'in the discretion of such chiefs,' and also provides that it will take three members of the board to remove a member as mentioned, it is taken away from him the amount of his fine, besides giving to three men an absolute power dangerous to the rights of free American citizens.

"Now, Mr. Speaker, with all due respect for our Governor, we most positively pronounce this 'treating the one-man power' over the people as un-American, vicious and dangerous to the extreme, and such legislation should never have a place on the statute books of the State of Utah.

"Why should the people be compelled to submit to such villainous legislation? Have they not a charter from the State conferring municipal matters on the Mayor and city council, officers elected by the people as entirely one of the municipality? If so, then why should these officers be deprived of a voice in the appointing power of the fire and police commission, if, in the judgment of the Legislature, such an organization should exist?

"We protest, and appeal to the intelligence of this Legislature to consider well what their action shall be before casting a vote for such a vicious and absolutely wicked piece of legislation as the size bill No. 9, 'as amended.'

[Signed] "CURTIS."

SQUABBLE OVER SEVERAL ORDERS.

Mr. Cushing moved that the House, at 2:10, go into committee of the whole on House bill 65, the Hobbs land bill.

Mr. Nye called the attention of the House to the fact that consideration of the report of the municipal corporations committee on Senate bill 38, authorizing cities, towns and municipalities to establish free gas in libraries and reading rooms was the special order set for 2 o'clock today, and the speaker ruled that 10 was entitled to preference.

The committee's report, recommending the passage of the bill, was adopted.

Mr. Nye now moved a suspension of the rules and the passage of the bill, but the proposition was defeated.

EIGHT BILLS NINE WAYS.

The motion to go into committee of the whole was to-day put by the Speaker when Mr. McMillan called attention to the fact that there were eight bills, House bills 120, 126, 99, 32 and 109, and Senate bills 40 and 81, ready for third reading and passage, and he desired to impose a condition that they could be sent to the Senate for that body's action. He contended that these bills in the aggregate were as important as the land bill, it would take long to dispose of them and time would be saved. The vote on the motion, however, showed that a majority of the members dissented from Mr. Morrison's opinion.

LAND BILL CONSIDERED.

Mr. Harris resumed the chair in the committee of the whole and consideration of the land bill was taken up.

Amendments were offered by Messrs. Macdiarmid, Morrison and Harkness, which received only their own affirmative votes.

Mr. Taylor moved that section 42 be stricken out. The section provides that lands sold under the provisions of the bill shall not be held until the right to a deed shall have become vested, except the amount invested in improvements. The gentleman desired to make his amendment because a man of means could purchase ten thousand acres of land and let it lie idle for ten years because he had no taxes to pay.

Mr. Mansfield detested the bill as reported by the committee.

Mr. Beard was in favor of striking out the section.

Mr. Lewis said the section was a good one if the bill was to be fixed "in view of the farmers living on sections 16 and 36 of these lands, but if we are legislating for farmers on or purchasers of the remaining forty-four sections, section 42 should be stricken out of the bill."

Mr. Thompson of Salpete thought the bill as reported was all right.

Mr. Nye said it has happened times without number that sec. 16 speculators have purchased neither 1 nor 2 of these public lands simply because they were in the hills and knew just what the lands were, to be sold and were induced by the incentive that the lands were not taxable for ten years.

Mr. Stevens thought the State was insured enough in allowing ten years in which to pay for the land, and taxes should not be paid on the property.

Mr. Taylor said that the outside counties were in error in thinking the exposition and tax was in favor of the farmers.

Mr. Bell he said the committee had not so much thought of the farmer's interest in this section as it had that of the State. It was desired to offset the tax-taxing proposition as an inducement to purchase the land.

Mr. Mattson offered an amendment to tax on improvements and all moneys paid on the purchase price.

A vote on Mr. Taylor's motion resulted in striking out that portion of section 42 providing for no taxable bill complete title had passed to the purchaser. The vote was 24 to 24.

Mr. Thomson, of Sanpete, moved to strike out section 43, reserving timber lands from sale were in the judgment of the board little sale would impell the water supply.

Mr. Mattson opposed a proposition to destroy natural reservoirs much more serviceable than any which could be built by human hands.

Mr. Cook was surprised at Mr. Thompson's remarks. "You're not the only one," said he, and hoped the motion would fail, and it did so, there being no votes to its defense.

Mr. Crouhan, in order to get the sense of the committee, moved to insert a provision for amendment in the future. The gentleman was taxing in face of his amendment at press time.

The project was to a complete or consideration of the bill before adjournment.

NOTES.

Quill Nebeker's committee meets in the "baggage car."

Senator Allison was in his place in the Senate chamber today.

Mr. Gibson is a firm believer in "economy" in State expenditures.

The indiscriminate printing of bills has received a setback in the interests of economy.

The Senate absentees today were Gurney, Chambers, Sutherland and Warnick.

Considerable of the afternoon's session in the Senate was taken up by the opening prayer.

S. J. Kenyon was a visitor to the Senate chamber today as also was County Treasurer W. F. Dyer.

The Ogden Standard is again a morning paper and expects it as soon as the House every day.

Mr. Nebeker, of Rich, objects to the content of the Tribune in making light of his "serious" resolution.

Mr. Ferguson of Carbon: "We have sidetracked a leaking one labor measure," referring to Senate bill 85.

There seems to be a disposition on the part of some Democratic members of the House to force into the land bill a politico complexion.

Mr. McKay of the Senate declares any concealing propensities on the part of Weber people in their misunderstandings.

Saturday sittings are now in order to complete the work of the Legislature, and it is quite likely that morning meetings may soon become necessary.

City Attorney McKay occupied Senator Clemmer's seat in the Senate for a time today. He met Bell a consultation with Senator Glen Miller.

Senator Candland's five-year-old girl, who had a portion of the third finger of her right hand accidentally chopped off the other day, is progressing nicely.

Mr. Lewis's call to regulate the practice of dentistry was "amended" to a Relief by Dr. Condon's committee, and the action was glad to see his creation "go by the board."

The Italian army in Abyssinia has been almost annihilated. If the same could be said of the Spanish army in Cuba, some of our legislators would see immensely satisfied.

The illness of Senator Barnes, of Davis county, who is reported to be sick, Arthur F. Wee has been laboring as a missionary in the Eastern States, has been telegraphed for to come home. He is expected to arrive on Saturday night.

The clock in the House, as if aware of the slow work of the Legislature, is doing its utmost to turn back the wheels of time and give the legislature another chance. The timepiece has succeeded in stealing ten minutes so far.

Docket Clerk Joe Odell and Messenger Al. Tomlin, of the House, are printers. Mr. Odell "lays down" a "bill" on the Ogden Standard in the shape of home and special editions, but he saw a very pretty "bill" Mr. Tomlin resides at North Ogden when at home and has been engaged in the printing business in Ogden at divers times, locating in the Standard.

The committee on calendar was instructed by the Senate to report definite salaries for the officers of Salt Lake and Weber counties, and a measure for the salary bill in other counties. This plan is pointed out by legal authorities as clearly in violation of the Constitution, leaves the dispute only to regarded as far from settlement as ever.

This is not from Mr. Condon, but he can [illegible]

[illegible]

A PROVO SENSATION.

Miss Eveline Bennett, Alleged Victim of Malpractice and Murder.

COMPLAINT SWORN OUT TODAY

Two Salt Lake and Three Provo People Accused of the Crime—Sad and Shocking Case.

Five persons, two of them residing in Salt Lake and three citizens of Provo, all men of honored standing, were in Assistant County Attorney Harrington's office late afternoon formally charged with the crime of murder. The victim in the case is a Miss Bennett. Those held responsible for her death, according to the complaint, are S. M. Duggins, Frank Carter and Dr. Noyes of Provo and Dr. Wm. McCoy and Mrs. Moore of this city. The particulars in the sad case to date are as follows:

This morning's train from Provo brought to this city James Bennett, the father of the unfortunate victim, and Colonel A. D. Cole, attorney for Utah county. The purpose of their visit here was to consult with the Salt Lake county authorities in regard to the matter, and procure a warrant to start an action against the guilty parties.

They proceeded straight to the office of Assistant County Attorney Dustin Harrington, where they held a consultation with him. Shortly afterwards a News reporter called at Mr. Harrington's office and found Colonel Cole there, for the gentleman from Provo had just left the assistant county attorney, however, was not inclined to be many way averse to giving the desired information sought to the News man he related the following:

"The young lady's father and Utah County Attorney took come on the morning in further inquiries into the details of this most extraordinary and shocking case. The result of the affair was one of Provo's terrible daughters and the leaving the town last night on a train against S. M. Duggins and Frank Carter, two of the alleged criminals, that not a trace to be found today would both be discovered.

"The facts which bring these two men so conspicuously into the case, so far as I can learn, are that on the 20th of last month, Duggins and Carter went to the office of Dr. F. H. Simmons in Provo, and asked him if he would perform an abortion on a respectable young lady. The doctor positively refused to have anything at all to do with the case, and late in at day it was learned that they came to this city, bringing back with them Miss Bennett, the unfortunate victim of their misguided confidence.

"Miss Bennett was immediately taken to the home of a Mrs. Moore, who resides close to Third South on First West street, and Dr. McCoy, of this city, was called in to attend her. According to the doctor's report the lady was suffering from peritonitis, for which he treated her and which, he says, was the cause of her death.

"On Wednesday night the body of the unfortunate girl was examined, and it was found on further and post mortem examination, at the hands of Drs. Allen, Taylor and Roberts, the result of which gives independent evidence of an abortion having been committed, and confirms Dr. McCoy's claim of the lady having died from peritonitis.

"On the strength of the disclosures that have been made, a criminal complaint was sworn to charging S. M. Duggins, Frank Carter and Dr. Noyes of Provo, and Dr. Wm. McCoy and Mrs. Moore of this city, with having murdered by the attempt to commit abortion, Miss Evelyn Bennett, of Provo, whose death occurred in this city on Sunday last.

HELD TO TALK.

Special to the News.

PROVO, Utah, March 6.—The News correspondent was called on Dr. F. H. Simmons this morning, to see if, perhaps, a few particulars regarding the death of Miss Eveline Bennett, which occurred in Salt Lake last Sunday. The doctor, however, refused to say anything about it, stating that he preferred to remain silent at present. A call was then made on Frank Carter, the young man who had formerly been keeping company with Miss Bennett, and when asked as to whether or not he had anything to say in the matter, he at first replied that he didn't know, and after a lapse of a minute or so, he positively refused to make a statement. Sheriff Brown leaves for Salt Lake this evening and will arrive there at 10 o'clock tomorrow.

GREEN MURDER MYSTERY.

Mrs. Rose Browning Taken Back to Murray to Testify in the Case.

The Alvin Green murder mystery at Murray has not yet been solved, and the lack of hands in the hands of the proper officials may result in it remaining so indefinitely.

Deputy Sheriff Corbin went down to Murray over the Rapid Transit at 4 o'clock this afternoon, taking Mrs. Browning, who is charged with being responsible for Green's untimely death. The prisoner was to be taken before Justice Maughan for trial, it is the opinion of the Salt Lake officers that she is innocent of the terrible crime, and that if Green was poisoned it was by a man who is already under the ban of execution.

Before Judge Young.

Judge Young disposed of the following cases in his department of the Third district court today:

Gold and Silver Extract company vs. Mercur Gold Mining and Milling company. On motion of plaintiff's attorneys the cleric was ordered to transmit files of these cases to Judge Lanckter of the United States circuit court.

W. and T. Smith vs. Henry W. Watson et al. for foreclosure of mortgage by default; judgment and decree for plaintiff.

Brace vs. Hance, hearing on motion for order for temporary alimony set for 9:30 inst.

Carey-Lombard Lumber company vs. Sarah M. Swan; stay five days and then if time given D. Walsh U. Ka[illegible] appointed receiver.

Personal Paragraphs.

James A. Langton, of Logan, is at the Templeton.

Dan Cronin and wife of Butte, Montana, are at the Knutsford.

[illegible] Pike, is registered at the Templeton.

[illegible] Jacobs, a merchant of Salina, is spending the day in this city and can be found at the Templeton.

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