

NO BILLS AFTER FORTY-FIFTH DAY.

Resolution Passed Placing a Limit
On the Introduction of Pro-
posed Measures.

TO AVOID STRENUOUS TIMES.

Hope Wants Opening of Reservation
To Occur in June—Counterfeit-
ing Bill Passed.

That strenuous times may be avoided at the end of the session, Representative J. A. Anderson yesterday introduced house concurrent resolution No. 2 providing that no bills be introduced after the fortieth day without the consent of the house in which they are introduced. "What do you mean by consent of the house?" asked Joseph. "A majority, of course," answered Anderson, who likewise moved a suspension of the rules and the immediate passage of the resolution. Many of the members failed to see the point until Anderson had explained that at the last session bills were introduced right up to the eleventh hour, which not only created confusion at the end of the session, but necessitated a few days' overtime in order to give them even cursory consideration. Wilson moved to amend by checking the introduction of bills after the fortieth day, while Tolton suggested 50 and Roberts 45 as a compromise. The two first amendments were voted down, while the author of the resolution secured the amendment offered by Mr. Roberts and in this shape the resolution went through the roll call on its passage being unanimous.

Each moved that the resolution be printed in order that the members might not overlook its provisions, and to this end it was referred to the committee on public printing.

RESERVATION OPENING.

Another feature of the session was the introduction by Hope of a joint resolution asking Congress to delay the opening of the Utah Indian reservation till June. Following is the text of the memorial:

"To the honorable the governor and the senate of the State of Utah, we, the undersigned, memorialize the Congress of the United States of America to withhold the opening of the Utah Indian reservation until some day in the month of June, 1905, for the following reasons:

That at any time of the year before the month of June it is practically impossible for a prospector or honest homesteader to reach the reservation because of the inclemency of the weather and the long distance from the railroad.

That it has been openly charged, and never denied, that gross frauds have been perpetrated by reason of which valuable lands of the public domain, agricultural, have been appropriated by private parties, thereby depriving individual prospectors and honest homesteaders from having a fair chance to secure property as provided for by law.

That these charges of fraud ought to be thoroughly investigated, and the results of such investigation should be made public.

That we heartily endorse the action of Congressmen Howell of this state in his attempt to have the opening of the reservation postponed.

The memorial was referred to the committee on federal relations.

MORE BOUNTY TALK.

During the session, Joseph made a motion to discontinue the payment of bounties on silk until the house had taken action on his bill to repeal the bounty act. He said he understood that applications had been made for bounties on cocoons during the past few days whereas this was not the time for such bounties as "raided."

Thompson, Lyman, Stokely and Hone argued that it would be safe to let the payment of bounties go on until the assembly had time to act on Joseph's bill. The resolution was defeated.

Nothing daunted, Joseph then moved for a reconsideration of house concurrent resolution No. 1, relating to the bounty on fraud investigation. The motion was ruled out of order, no notice of reconsideration having been given when the resolution was passed Monday.

Despite this ruling Wilson wanted the motion pushed through and moved a suspension of the rules for this purpose. The motion was lost by a vote of 28 to 18, the necessary two-thirds not having been reached.

H. B. 25 came up for third reading and final passage, and on motion of Wilson was made the special order for Monday next at 3 o'clock.

Provision for the appointment of a board of commissioners to secure uniform legislation in all the states.

TWO BILLS PASSED.

H. B. 44, by Kinney, relating to counterfeiting and forging, was amended to include "time checks and other evidence of indebtedness," and in this form was read the third time and passed by unanimous vote. The bill amends the law so as to make the forgery of clearance cards, etc., a misdemeanor.

ROBERTS' FEE BILL.

Among the bills introduced during the afternoon was H. B. 67, by Roberts, relating to fees of district and county clerks. The bill establishes a flat rate of \$7.50 for the services in any action or proceeding and allows \$2.50 additional in injunction, attachment or receivership cases. For appeals

"Because the other man has been successful and you have not, don't attribute it all to luck, he has brains too."

TREE TEA SELECTED WISDOM

The pure, good tea, sold in packages only.

M. J. Brandenstein & Co.
Importers,
San Francisco.

Fifty Years the Standard



BAKING POWDER

Made from pure cream of tartar derived from grapes.

PRICE BAKING POWDER CO., CHICAGO.

TWENTY YEARS AGO TODAY.

(DO YOU REMEMBER?)

Clinton G. Wells, president of the Galveston Cotton Exchange and of the Island City Savings bank, committed suicide. Both concerns were found to be absolutely wrecked.

TEN YEARS AGO TODAY.

Hans Sorenson, a popular young employee of Z. M. L., died.

FIVE YEARS AGO TODAY.

Former U. S. Attorney General A. H. Garland dropped dead while addressing the supreme court at Washington, D. C.

A. W. McCune gained more votes in the senatorial contest, the total cast for him being 26.

To the supreme court it allows \$3.50, for filing remittitur from the supreme court, \$1, and recording judgment thereon, 10 cents per folio; for filing and docketing abstracts of judgments of justice's courts, \$1 instead of \$1.50; for issuing executions or orders of sale, \$1; for issuing transcript of judgment, and certifying thereof, \$1; for the settlement of estates worth from \$5,000 to \$10,000, \$30 instead of \$35; as before.

These fees are cut out altogether. Swearing jurors and witnesses, 10 cents entering and recording interplevy or decree, \$1; filing papers and issuing letters testamentary or of administration, guardianship or special administration, \$2; dismissing appeal from justice's courts, \$2.50.

H. B. 68, by Kinney, provides that the time allowed by the court for making motions relative to the service, filing or presentment, as well as preparation of bills of exception, may be extended upon the showing of good cause.

H. B. 69, by Kinney, makes a slight change in the law relating to the preparation, settlement and signing of bills of exceptions. The law now provides that a party desiring to have exceptions taken at a trial settled in a bill of exceptions may, within 30 days after receiving notice of the entry of judgment, prepare a draft of a bill and serve the same upon the adverse party. The bill reads: "May within 30 days after service of notice of entry of judgment."

At 4:15 the house adjourned till 2 o'clock this afternoon.

AGRICULTURE IN THE PUBLIC SCHOOLS.

Representative Stokely introduced in the house this afternoon, a bill having for its object the teaching of the elements of agriculture in the public schools. The bill is entitled, "An act to amend sections 1707 and 1708 of the Revised Statutes with reference to qualifications of teachers in the public schools," and provides that teachers shall have a knowledge of the elements of agriculture, including a fair knowledge of the structure and habits of common plants, insects, birds and quadrupeds. This clause, which is the only change in the law now in effect, shall be in force on and after July 1, 1906, and shall remain in force for two years to qualify in the new branch sought to be introduced in the public schools.

There is a bill now before the Legislature which, it is thought, the bill offered by Mr. Stokely will supersede.

Imperfect Digestion.

Means less nutrition and in consequence less vitality. When the liver fails to secrete bile, the blood becomes loaded with bilious properties, the digestion becomes imperfect, the bowels constipated, the bile will rectify this; it gives tone to the stomach, liver and kidneys, strengthens the appetite, clears and invigorates the complexion, infuses new life and vigor to the whole system. 50 cents a bottle. Sold by Z. C. M. L. Drug Dept.

VALENTINES! VALENTINES!

Artistic Novelties, Fanciful Drops, Dainty Booklets, Lace Valentines, Fin Cards, Mechanicals, etc., etc.

Wholesale and Retail.

DESERET NEWS BOOK STORE, 4th and Main Street.

ONLY FIVE COUNCILMEN.

A Bill That Would Reduce Them to That Number in Utah.

If the bill prepared by Assistant City Attorney Bramel becomes law, city councils that are now composed of 15 men will be reduced to five, who shall serve their constituents at a salary of \$1,500 per annum. Doubtless the proposition in the Legislature in the course of a day or so, will be vigorously fought, but despite this it is believed by many that it will have support enough to go through. The bill provides:

"The municipal government of all incorporated cities is hereby vested in a mayor and a city council. In cities of the first class and in cities of the second class the city council shall consist of five councilmen, one from each ward and in cities of the third class of five councilmen chosen at large by the qualified electors of the city. In cities of the first class the salaries of the councilmen shall be \$1,500 each per annum; and in cities of the third class the salaries of the councilmen shall be fixed by ordinance."

Mr. Bramel has also prepared another bill enlarging the power of mayors in the matter of appointments. The bill amends section 214 of the Revised Statutes of 1895, as amended by chap-

ter 81 of the laws of 1899, and reads as follows:

"The mayor may appoint all appointive officers and agents that may be provided for by law or ordinance, and in like manner fill all vacancies among the same except as otherwise provided by law; provided, that elective officers shall have the sole right to appoint all their deputies and assistants."

Pleasant and Most Effective

T. J. Chambers, Ed. Vindicator, Liberty, Texas, writes Dec. 25, 1902: "With pleasure and unhesitatingly I bear testimony to the curative power of Ballard's Horchmond Syrup. I have used it in my family and it has cured all our ailments. It is the most effective and pleasant remedy for coughs and colds I have ever used." 25c. per bottle. Sold by Z. C. M. L. Drug Dept.

HIT ROCKS HARD.

Jig is Up With the Frank James "Fatal Scar" Company.

The speech that Frank James made at the conclusion of the "Fatal Scar" performance in this city in which he claimed so strongly on all the things the dime novels said about him, and asserted his one aim in life was to get a competence for his family, seems to have indicated a rather hopeless aim. At present the company of the lone highwayman is in trouble, and Miss Esther Rulano, who played the part of Kate Manville at the performance here, is trying to pull the actors out of their present difficulty. The Denver Post contains the following relative to the stranding of the concern:

Miss Esther Rulano of Denver is truly the angel of the "Fatal Scar" dramatic company, which is one of the celebrated James brothers, Frank James, who plays the star part. The company, stranded in Pueblo last night, after giving a performance at the Grand Opera House. They had a prosperous week in Denver, but it is claimed that a man named Bell of Sioux City, Iowa, who had financed the company since its organization, secured possession of all the Denver earnings, so that the company left Denver for Pueblo with no money.

Miss Rulano and Frank James notified Treasurer E. M. Johnson of the Grand to turn over none of the receipts to Bell, and stated they would hold him accountable to Bell.

W. W. Bittner, an old-time Colorado theatrical man, was manager of the company, but during the week in Denver, he deserted him. Miss Rulano is an actress with the company, playing the part of Kate Manville. She is a native of Kansas, and is either walking back to Denver or playing the small towns in the Arkansas valley. Miss Rulano went into her pocketbook and got out the money to get her companions in distress out of the city.

The company has gone to Kansas City and Miss Rulano has been ejected to manage the "Fatal Scar" combination.

STOMACH TROUBLES COMMON NOW.

Winter Food and Living Strain Digestive Organs—Use Mi-o-na and be Well.

The hearty food and overeating, so common in winter, strain the stomach and digestive organs so that by this time the average person is out of health. It may be a simple headache, possibly drowsiness, or a general tired, weak feeling, but the chances are that the stomach is weak and cannot properly take care of the food, and as a result there is heartburn, indigestion, lack of energy and a general fagged out state.

The stomach needs health and strength. The various aches and pains that you have are the stomach's cry for help and its warning that it has been overworked.

Give it strength by taking a Mi-o-na tablet before each meal, and it will soon do its work so promptly and naturally that you will not realize you have a stomach. There will be no acidity, no flatulency, no gripping about the heart, no unpleasant gases, no furred tongue, no inflammation of the mucous membrane.

A box of Mi-o-na will bring buoyancy of spirit in place of lassitude and despondency. It will help the overtaxed stomach to start fairly on the road to health. It will give the sleep so necessary to brain and nerve centers.

Ask P. C. Schramm, one of the most reliable druggists in this section, to show you the strong guarantee under which he sells Mi-o-na. Use Mi-o-na and you can soon eat what you want and all you want for it will strengthen the weakened condition of your stomach and re-establish good digestion.

WANTS PRESIDENT TO TAKE ACTION.

Senator Smoot Introduces Important Utah Reservation Measure.

ALSO SEVERAL OTHER BILLS.

One Sets Apart 100,000 Acres of Mountainous Timber Lands—Indian Rights to be Protected.

These are days that keep the best posted man busy in figuring out the exact status of the Utah Indian reservation. Yesterday Senator Smoot introduced a bill in Congress providing that on March 10, 1905, the date set by the existing law, unallotted lands, excepting such tracts as may have been set aside as national forest reserves, shall be disposed of under homestead and townsite laws, and shall be opened by presidential proclamation, which proclamation shall prescribe the manner in which lands may be settled upon, occupied and entered. No person shall be entitled to enter any of said lands until 60 days from the time when the proclamation issues. Rights of honorably discharged soldiers and sailors of the Civil, Spanish and Philippine wars shall not be abridged, says a Washington special to the Herald. All lands opened to settlement and entry under this act remaining undisposed of at the expiration of five years shall be sold for cash by the secretary of the interior, not more than 60 acres to one person. Proceeds from this sale shall be applied as provided in the act of May 27, 1902.

LOCAL OPINION.

In view of the complications that have arisen and the obstacles legal and illegal, that have been thrown in the way of the opening of the reservation, it is the belief of many of the local persons who have given careful thought to the great question that the measure introduced by Senator Smoot is probably the best possible solution of a much vexed question at this particular time. There was some talk this morning of having the legislative memorial, introduced yesterday by Hope of Juab, as chronicled in another part of the Deseret News, amended so as to refer to a reservation of land dealt by the senate or making such requests. "I have not had time to examine that bill," said Smoot, "so I ask that it be amended."

EXCLUDES TIMBER LANDS.

As the Herald special says, yesterday was Smoot's busy day in the senate, as he introduced other prospective measures relating to the reservation.

Senator Smoot today introduced a bill setting apart 100,000 acres of mountainous timber lands in Utah Indian reservation. Mineral lands within this proposed addition to the forest reserve shall be subject to entry under the mining laws; in fact this entire addition is to be subject to all laws as to the forest of which it is a part. All merchantable timber in this proposed addition to the forest reserve is to be sold to the highest bidder under the direction of the bureau of forestry, the first sale to take place within one year and thereafter annually for 15 consecutive years. The secretary of the interior shall fix the minimum price for the sale of timber lands within the reservation. The price to be fixed by the secretary of the interior is given authority to lease to the purchaser of any timber, not more than 20 acres of land for mill purposes at an annual rental to be fixed by the secretary, for a term not over five years. Timber disposed of at any sale shall be cut and removed within five years and no tract shall be cut over more than once in 15 years. Each purchaser of timber shall make an agreement to remove the timber and within each tract ordered by the purchase under regulations of the secretary of the interior, and shall, when practicable, employ Indian labor in cutting, handling and manufacturing timber.

No timber shall be removed from the reserve until duly sealed and measured and marked and paid for at the local land office.

There shall be set apart for private and exclusive use of the Utah Indians, a small tract of this timber land, which shall be managed as a permanent source of timber for their benefit. There shall also be set aside a 160-acre tract of coal land on Farm creek for the exclusive use of the Indians.

INDIAN RIGHTS' BILL.

Senator Smoot also introduced a bill providing that whenever land to which

FLESH BUILDER

The liver of the cod fish produces oil that is a wonderful flesh builder. No fat or oil can compare with it in that respect. To get the best out of it, it must be emulsified and made like cream. In Scott's Emulsion it is prepared in the best possible form to produce the best possible results. Thirty years have proven this.

We'll send you a sample free.

SCOTT & BOWNE, 409 Pearl Street, New York.

The Indians of the United States have color of title may be appropriated by Congress for public use, other than in accordance with treaties, such Indians shall be allowed to institute suits in the court of claims against the United States. This court shall determine the amount of damages. When damages are awarded the sums so awarded shall be paid out of the treasury as well as costs of suit. No part of the money thus adjudged to be due Indians shall be withheld from equal distribution among all living members of a tribe or tribes, more than 25 years after judgment is rendered.

In any suits instituted under this act the attorney has to be the choice of at least two-thirds of the Indians interested, and his combined fees shall not exceed 20 per cent of the sums of judgment, and not be above \$25,000 in any one case.

Senator Smoot also introduced a bill authorizing the secretary of war to deliver to Utah Indian war veterans three pieces of old field ordnance with gun carriages, caissons and harness.

PRICE LAND OFFICE BILL.

A Herald Washington special, under date of last night, also says:

The first indication on the floor of the senate of the antagonism existing between Senator Kearns and his colleague, Senator Smoot, was shown this afternoon. Mr. Kearns presented a favorable report from the public lands committee on his bill to create an additional land office in Utah to be known as Price district, with headquarters at Price, Utah.

In presenting the favorable report, Mr. Kearns asked unanimous consent that the bill be given immediate consideration. It is customary for the senate in the exercise of senatorial courtesy to accede to such requests on matters relating to a reservation of land dealt by the senate or making such requests. "I have not had time to examine that bill," said Smoot, "so I ask that it be amended."

Kearns did not look pleased, but could do nothing, as Smoot was entirely within the rules of procedure, and the bill went over.

WRONG RESERVATION.

Jesse Knight of Provo has written the editor of the Salt Lake Tribune as follows, concerning the use of the names of Senator Smoot and himself with regard to a reservation of land dealt by the United States district court.

"Editor Salt Lake Tribune—The telegraphic account from Denver, published in the issue of the Tribune of Jan. 25, 1905, in which the correspondent states that I decided to Senator Smoot a one-half interest in certain gilsonite claims, located in the Utah reserve, wherein suit was filed against me by the United States district court, is quite true to fact, but is absolutely false, in so far as it refers to Senator Smoot, as he never did have any interest whatever in any claims at any time located in the Utah Indian reservation."

"The claims involved in the deal between Senator Smoot and myself were located in what was formerly the Uncompahgre Indian reservation, and this deal was consummated before Reed Smoot became senator, and every transaction connected with the same was perfectly straight, and I hereby request that you publish the facts in the case as stated above."

Yours respectfully,
"JESSE KNIGHT"

DIRT IS TO FLY IN TWO MONTHS.

Actual Construction Work on
Western Pacific is to Com-
mence in 60 Days.

\$50,000,000 UNDERWRITTEN.

Gould Road to San Francisco Promises
To be an Accomplished Fact in
Near Future.

San Francisco, Jan. 26.—It is now said that the actual construction work of the Western Pacific railroad will begin within two months, and that a Gould road to San Francisco promises to be an accomplished fact in the near future. Rights of way and a San Francisco terminal are said to have been finally secured without fear of interference, and the necessary money is available, the sum of \$50,000,000 having been already underwritten to be drawn upon as needed for the construction work.

KUHN LOER IN IT.

Harriman's Bankers to Take Hand in
Santa Fe Bonds.

New York, Jan. 26.—A syndicate has been formed, according to the Herald, to underwrite \$25,000,000 of \$50,000,000 convertible 4 per cent bond issue of the Atchison road which was authorized by the shareholders at their meeting at Topeka, Kas., Tuesday.

The contract for the underwriting has been made with J. Pierpont Morgan & Co., but Kuhn, Loeb & Co., will participate in financing the securities. The bonds will, it is said, be underwritten at par, less a commission of 2 1/2 per cent.

NEW TRADE MARK.

Lo, the Colorado Midland Indian, Gets
The Can.

Lo, the poor Indian, with his No. 11 moccasins, rooster feathers in his scalp lock and Pike's Peak route emblem on his shield, has made his bow to the public and withdrawn from active service. No more will nervous tourists glance apprehensively at his passive face on the walls of eastern hotels and union depots. The Colorado Midland has changed its trade mark, even the snarling head of the mountain lion has been called in, so there is no chance to collect any bounty on a reservation of stationary received today by General Agent L. H. Harding bears the new emblem. It is plain, severe and carries no frills—simply a black disc bearing the name of the road in white letters, that's all.

The Colorado Midland, apparently, is cutting out all romance and getting down to straight business.

LIMITED STALLED.

New York Central Crack Train in a
Snow Drift.

New York, Jan. 26.—Among the trains stalled on the New York Central is the Twenty-first Century limited due in Chicago this morning. The train is stuck in drifts near Irvington with about 50 men and women aboard who will not be able to communicate with the engine.

TEA

Schilling's Best is not
extravagant.

Schilling's Best: Eco-
nomical.

Your grocer returns your money if you don't like it.

Have you money enough to buy a box of pills?

Then be thankful! It means so much to have a box of Ayer's Pills always in the house. Just one pill at bedtime, now and then, and you need have no fear of bilious attacks, indigestion, sick-headaches, constipation. Sold for 60 years. J. C. Ayer & Co., Lowell, Mass.

the outer world until 500 workmen sent from New York can clear the tracks. The passengers of the limited, however, will fare much better than those on some other snow bound trains. They have plenty of light and heat and there is a well stocked dining car attached. For several hours, after the train left New York, the dispatchers completely lost track of it. A member of the crew succeeded in reaching a telephone late at night and sent a message to Harrytown, telling of the dilemma. Snow was drifting in about the train every minute, he said.

An effort was made by a party of men from Irvington to go food to the men and women on the Albany express and the Croton local, but they could not fight their way through the drifts. They will remain warm so long as the coal holds out and the engine can force steam through the heating pipes, but they can get nothing to eat.

SPIKE AND RAIL.

Traffic Manager T. M. Schumacher of the Oregon Short Line is in Portland, Or., on a business trip.

Commercial Agent J. A. Foley of the Illinois Central is expected to return from Idaho and the north tomorrow morning.

S. W. Eccles, traffic manager for the American Smelting and Refining company, has returned from Boise and a visit to Idaho points.

A. C. Emerson, who has been connected with the freight department of the Harriman roads at Ogden for a number of years, resigns Feb. 1 to accept a position in the traffic department of Fred J. Kiesel & Co.

A special train will leave Ogden this afternoon for Evanston. It will carry a number of commuters and wives from the three big roads who tonight hold open house with a ball and banquet at the Wyoming railroad town.

District Freight and Passenger Agent Moore of the Salt Lake Route this morning received a dispatch from Birmingham, Iowa, informing him of the death of his father-in-law, A. Manning of that city. Mrs. Moore who is at present in Los Angeles, will in all probability start for her old home this evening.

The Rio Grande and the Salt Lake Route will run excursion tomorrow night to Salt Lake from outside points on the occasion of the appearance of Melba at the Tabernacle. From reports received from agents it can be safely said that close upon 700 people will come in from the north and south for the sole purpose of hearing the diva.

The Salt Lake Route is advertising a mastodon rabbit hunt down on the Leaning out-of Sunday. So as to obviate crowding, it is the intention of the company to drop parties off the train at stated intervals, if so desired. Special rates have been put in to St. John, Ajax and Faust. Rabbits are said to be as thick as grasshoppers out there.

Statistics show startling mortality from appendicitis and peritonitis. To prevent and cure these awful diseases, there is just one reliable remedy, Dr. King's New Life Pills. Mr. Flannery, of 14 Custom House Place, Chicago, says: "They have no equal for Constipation and Biliousness." 25c at Z. C. M. L. Drug Dept.

Starting Mortality.

Statistics show startling mortality from appendicitis and peritonitis. To prevent and cure these awful diseases, there is just one reliable remedy, Dr. King's New Life Pills. Mr. Flannery, of 14 Custom House Place, Chicago, says: "They have no equal for Constipation and Biliousness." 25c at Z. C. M. L. Drug Dept.

TOMORROW AND SATURDAY!

High Class Suits, \$15.00 to \$20.00 values	\$9.75
High Class Overcoats, \$15.00 to \$20.00 values	\$9.75
Sweaters, all wool, \$1.75 and \$2.00 grades	\$1.48
Men's Shirts, all sizes, \$1.00 grades	.49
Men's Shirts, all sizes, \$1.25 and \$2.00 grades	.69
Men's Underwear, \$1.50 kind, the suit at	.95

BARTON & CO., ONE PRICE 45-47 MAIN.

Keith O'Brien
The People Are With Us

Handkerchiefs FOR Men Flannel Waists

Fine Cambric with 1/4 inch hemstitched border, 18 inch size. Regular 20c grade at, each . . . 11 cents

Full size cambric handkerchiefs with 1/2 inch hemstitched border at, each . . . 8 cents

Suspenders. Our regular 50c line, embracing three well known makes at, each . . . 38 cents