VENING NEWS. "Holished Daily, Sundays Excepted, AT FOUR O'CLOCK. PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY. CHARLES W. PENROSE, EDITOR.

lun 1.

· March 2, 1888

ALLEN'S SCHOOL BILL.

Friday.

Trus bill passed its second reading in the House on Wednesday, by sections. Only a few unimportant verbal amendments were made to it, its vital features not being affected thereby. As every parent and tax payer in the Territory may feel the effects of this bill, and as there is a division of opinion respecting some of its provisions, we will give a further description of its contents than we have hitherto, and will reproduce a portion of it. It is too long to print in full in our columns.

It is divided into seventeen chapters. Chapter I treats of the powers, duties. etc., of the Territorial Commissioner, and Schoel requires him to apportion school procure reports, provide funds, blanks for the same, and other necessary printed matter and to exercise a general supervision of the schools, etc. Chapter II. in a similar manner sets forth the duties, powers, etc. of county school superintendents. Chapter III provides for the holding of county teachers' institutes, and chapter IV ner as Territorial and county taxes. provides for and specifies the duties of county examining boards. Chapter V treats of school districts, and the maaner of establishing and changing their boundaries, election of trustees, helding and conducting of school meetings, levying taxes, etc. This

chapter defines in detail the powers and duties of trustees. Chapter VI provides for census marshals, and prescribes their duties. Chapters VII, VIII, IX, X and X I treat respectively of clerks of school districts, defining their duties, etc.; schools, defining the school terms, year, etc.; pupils, causes of expulsion, etc.; teachers, their duties, etc; district libraries.

Chapter XII, providing for the territorial and county school taxes is as follows:

TERRITORIAL TAX AND COUNTY SCHOOL TAX.

Sec. 76. A tax of three mills upon each dollar's value of taxable property is hereby levied, and directed to be collected and paid into the Territorial Treasury, as a special fund for school purposes, to be disbursed as hereinafter provided; said tax to be levied and collected at the same time and in the same manner as other territorial reveaues. It shall be the duty of the Territorial Treasurer to receive and to hold as a special fund, all public school moneys paid into the Territo-rial Treasury, and pay them over on a

common shools, and pupils over eighteen years of age may be ad-mitted to and instructed in such school or department, as to tuition and otherwise as the trustees may pre-Sec. 83. The county assessors and collectors of the several counties of the Territory are hereby constituted the assessors and collectors of district school taxes, each of whom shall re-

Sec. 86. All school taxes, whether levied by trustees or by a special meet-

in the courts. The Council will have an opportunity ceive such compensation, and shall give bonds in such a sum as shall be to correct the bill if it desires. determined by the county court of his county for the efficient and proper performance of the duties enjoined upen him by the several provisions of this act; *Provided*, said compensation shall not be spaid out of the school fund

THE LEGISLATURE. COUNCIL.

March 1, 1888. H. F. 7, (substitute) "providing a board of equalization for territorial and school taxes was called for third

ing called for that purpose, shall be computed from the valuations of the county assessment roll, and shall be levied during the month of December of each year, and within ten days after any such meeting shall have been held, the according the month of a certireading, and on motion of Smoot the enacting clause was stricken out and the bill killed. C. F. 39, on the civil practice act, the school trustees shall make a certi-fied statement of the per cent. of the was made the special order for tomor-

C. F. 34, in relation to occupying claimants, was called for third reading, he assesses for Territorial and county taxes, and he shall give to district and on motion of Smoot, under sus-A report was read from the com-mittee on penitentiary and reform school on H. F. 10 (reform school), school taxpayers the same notices as are required by law to be given to taxpayers of Territorial and county taxes. Sec. 87. At the time of computing recommending its passage. The re-port of the committee was adopted and the bill filed for second read-

the tax in the county assessment foll, the county clerk shall compute the district school taxes of the several districts of the county in which school taxes have been levied. The county court shall sit as a board of equaliza-The conference committee of the House reported on H. F. 38, on dis-puted county lines, recommending that the Council recede from its tion of district school taxes, and shall equalize in the same manuer as is pro-vided by law for equalizing Territorial amendments. Carlisle of the commit-

and county taxes. Sec. 88. All school taxes levied and assessed under the provisions of this act shall attach to and become a lien on the property assessed from the date of assessment. They shall become and shall be collected in the same time, and shall be collected in the same manand shall be collected in the same mantion for \$5000, for the purpose of assisting in the erection of a bridge over Weber River near Uintab, and recom-Sce. 89. The trustees shall have power to appoint a clerk and treasuren mending that the two counties con-cerned have joint jurisdiction of the and prescribe their qualifications. They shall also appoint an auditor, not of their own numter, whose duties shall be to examine the financial accounts appropriation. Also praying an appropriation of \$1000 for the erection of a wall for the protection of the bank in Weber Cafion near Devil's Gate. Referred to the committee on of the trustees for the current year and report thereon at the annual school meeting. Sec. 90. The collector shall, on the

highways. The Council adjourned till 10 a.m tomorrow. March 2, 1888.

first of each month, or oftener if re-quired, pay over to the trustees all money collected by him for district school purposes; and on or before the Sist day of December of each year shall Council convened at 10 a.m. A communication was received from make a final settlement with said the House requesting a joint session of both houses at 11 a. m. for the purtrustees, paying the full amount of all pose of electing three directors of the Territorial Insane Asylum and a chan-cellor for the University of Deseret. school taxes due, whether collected by him or not. School trustees' receipts shall be received by the collector in payment of district school taxes.

Granted, The Council was notified of the pas The remaining chapters treat ressage by the House of the memorial to Congress protesting against the re-moval of Indians from Colorado to pectively of the apportionment of school funds; bonding school districts Utah. to raise means for buildings, etc.; text H. F. 79, amending civil proceedure,

mittee on education.

Olsen, from the committee on claims

books; the last chapter is comprised was read the first time and referred to of miscellaneous provisions, specifythe committee on judiciary. H. F. 26 (substitute), on private corporations. Referred to the com-mittee on corporations. H F 47, public schools, was read the first time and referred to the com-

ing penalties, etc. Section 94 of the bill is as follows:

Sec. 94. If at the expiration of two years from the time this act goes into effect any school district has failed to supply schoolhouses sufficient to comfortably accommodate all children of school age within the district who ap-ply for admission, such district shall thereafter and until such houses are supplied, be allowed and apportioned school moneys in proportion to the number of children only for which it has convenient and comfortable room reported on the petition of Samuel Kazier asking compensation for tae capture of prisoners, etc., recommend-

The vote was twelve ayes to nine noes, lacking one of the required ma-jority, which the chair cast, thereby causing the bill to pass. gence on the part of the stock owner, in requiring live stock, killed on a railread, to be paid for by the railroad company, it is violative of justice, and

King came in and asked to have his vote recorded aye, which was done, making the vote fourteen ayes and of elementary principles of law, and It is very questionable whether that feature of the bill would be sustained

nine noes. The House adopted the memorial to Congress, protesting against the re-moval of the White River Utes from Celorado to the Uintah reservation. Hatch said that if those ledians came to Utab they would be under good

government and could come to our free schools. [Laughter.] He would vote against the memorial. King's high license liquer bill came up on second reading, and was read by sections. It is a very stringent

Richards moved to amend the first

Richards moved to amend the first section by striking out certain words which probibit the giving, furnishing or disposing of liquor, allowing the bill to prohibit the manufacturing, selling and bartering. Lost. Hoge moved to strike out the whole of section 2, which requires dealers to get permission from the owners of a majority of the land within 400 feet of their seloons before commencing busitheir saloons before commencing business; to give an ironclad bond, etc

Lost. A number of amendments were made to the bill and considerable antagonism was aroused over its provisions. Attempts to refer it and postpone it failed, and it was filed for third read-

Moyle moved to invite the Council to meet in joint session March 2d, to elect three directors of the insane asylum and the chancellor, board of regents and treasurer of the univer-

The Council bill relative to occupy ing claimants was sent to the con

Hoge's bill to amend the civil code in Hoge's bill to amend the civil code in respect to judgments, making them a lien on real property acquired after rendition, was passed unanimously. The bill relating to killing of stock on railroads came up on third reading. Hoge moved to amend so as to re-quire the killing to be done negligently n order for damages to be recovered ost.

Agents

The bill passed.

H. F. 30, the local option bill, Came up on third reading. King moved the adoption of a src-tion providing for injunction sgainst liquor dealers in certain cases. Car-

ried. King moved to strike out the pro-visions relating to sales of liquor on physicians' prescriptions and for sac-ramental purposes. Carried. Allen moved to strike out the enact-ing clause. His main reason was be-cause the bill, as amended, prohibited the sale of liquor for medicinal pur-poses. He was in favor of local opposes. He was in favor of local option, but the House was carrying it too far.

King made a speech in opposition to Alien's motion, referring to the neces-sity of 'abolishing the "drug store" liquor traffic. He took the ground that no law could prohibit the sale of liquor for medicinal purposes.

Richards favored postponing the bill till to-merrow, to be considered in connection with the high license

Allen replied to King's speech, and Creer took part in the debate, favoring the bill.

Hatch said his name was on the back of the blil, and he protested against the murder of it. The House refused to strike out the H. F. 76, for the incorporation of cities, was read the first time and re-ferred to the committee on municipal-

enacting clause. The Speaker stated that Mr. Musser had a tank of fish in the rear of the building, which he invited members to

inspect Hatch asked if they were cooked Laughter.]|

Agents.

SALT

AFTERNOON, 2 O'CLOCK.

ESTRAY NOTICE.

P. O. Box, 156.

FOR SALE EVERYWHERE.

LEGAL NOTICE.

BUY

THE



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warrant of the Territorial Auditor, issued upon the order of the com-missioner of schoels in favor of the County Treasurer, or such other person as may be authorized by law to receive the same, which order duly endorsed by the County Treasurer, or such other person, shall be a valid voucher in the hands of the Territorial Treasurer for the disbursement of said moneys.

Sec. 77. All school moneys due each county in the Territory shall be paid over by the Territorial Treasurer to the County Treasurer, as follows: On the second Monday of January, June and September, or as soon thereafter as the County Treasurer may apply for the same, on a warrant of the Territorial Auditor, drawn in conformity with the apportionment of the com-missioner of schools.

Sec. 78. The county superintendent in each county must, on or before the fifthish the 91 March "Estimate" in writing of the minimum amount of school funds needed for the ensuing

Sec. 79. The county court of each county must annually, at the time of levying other county taxes, levy a tax to be known as the county school tax, the maximum rate of which shall not exceed six mills on each dollar of tax-able property in the county, nor the minimum rate to be less than and finance and is hereby amended, to read as follows: Sec. 55. That any corporation oper-scing a railway or railroad within this minimum rate to be less than sufficient to raise the minimum amount reported by the county superintendent in ac. cordance with the provisions of the preceding section.

Sec. 80. Said taxes shall be collect. ed as other county taxes are collected, and shall be paid into the treasury of the county to the credit of the county

Sec. 81. It shall be the duty of the treasurer of each county: First-To receive and to hold, as

special fund, all public school moneys, whether received by him from the Territorial Treasurer or raised by the county for the benefit of public schools; or from any other source, and to keep a separate account thereof, and when the same is apportioned among the school districts to open and keep a separate account with each district.

Second-On receiving any public moneys amounting to five hundred dollars, subject to distribution, to immediately notify the county superin-tendent of public schools of the amount thereof.

Third-To pay over, on the warrants of the county superintendents, duly endorsed by the persons entitled to re-ceive the same any or all of said

ondorsed by the persons entitled to re-ceive the same any or all of said moneys. Fourth-On or before the first day of August of each year to make a report to the commissioner of schools, show-ing: 1-The amount of schoel moneys re-ceived from Territorial school fund. 2-The amount received from county school tax. 3-The amount received from other sources. 4-Total expenditures for school purposes. 5-Balance on hand at close of school year. And in case of the failure or neglect of said County Treasurer to make such year. And in subdivision second of this section, he shall be liable to the county ty of the hundred dollars; and it is here-by made the duty of the county attor-ney of said county, upon the direction of the county, county of said county, to find the county attor-ney of said county, upon the direction of the county court of school tars. 5-Balance on hand at close of school the ball be released from all liability un-ty of which he is treasurer in the sum of five hundred dollars; and it is here-by made the duty of the county attor-ney of said county. county of said county to the school tars. 5- and approval." ney of said county, upon the direction of the county court of said county, to bring suit in the name of said county, against such treasurer for the recovery thereof, and any money collected un-der the provisions of this section shall be paid into the county school fund. SEC. 82. No county treasurer shall

be allowed any percentage on any school moneys received or disbursed

Chapter XIII, which treats of special school taxes is as follows:

CHAPTER XIII.

Special School District Tor.

has convenient and com and accommodation. And it shall be Tuttle, from the committee on agri-Tuttle, from the committee on agri-culture, recommended the passage of H. F. 74, for the prevention of cruelty to animals. The report was adopted and the bill filed for second reading. Tuttle, from the same committe, re-commended the rejection of C. F. 28, providing for a geological survey, as the bill for an agricultural college substantially covers the provisions of the former. the duty of the county superintendent to ascertain and determine whether this requirement is complied with, and in every case of failure he shall only make such allotment of school funds as is provided in this section. The fate of the bill is still problem-

atical. QUESTIONABLE MEASURE.

YESTERDAY the House passed a bill

H. F. 77 (deaf mutes). Adopted, and the bill filed for second reading. Marshall, from the committee on municipal corporations and towns, re-ported on H. F. 69, for the relief of the inhabitants of cities and tows, reamending the present law relative to. the killing of stock on railroads. As the subject is one of importance to commending its passage. Adopted and the bill filed for second reading. C. F. 39, providing for executions in day; was called for tund reading the railroad companies, their employes, and stock owners on railroad lines, as

the former.

well as the proprietors of live stack. "Section 1. Be it enacted by the Gov-ernor and Legislative Assembly of the Territory of Utah: That section 35, chapter 3, of chapter 45, (Laws of 1884) of an act entitled: "An Act compiling

took a recess for joint session, subject to the call of the chair. On reassembling at 11:25 a.m., the Council resumed consideration of H F. 74, which was amended and passed its second reading, when, at 11:50 p.m., the Council took recess till

as follows: Sec. 85. That any corporation oper-sing a railway or railroad within this Territory, which shall injure or kill any live stock, by running any engine 2 p.m. A communication was received from the House notifying the Council of the passage of H. F. 73, to prevent in-jury by barbed wire fences; the bill was read by title and filed for second or engines, car or cars over or against any such live stock, shall be flable to the owner or owners of such live stock for the damages sustained by such owner or owners, by reason of such injury or killing of such live stock. And any such corporation in-taring or killing and live stock by

rending. House concurrent resolution No. 6, Juring or killing any live stock, by running any engine or engines, car or

on the anti-polygamy bill, was read and concurred in by the Council. H. F. 30, prohibiting the sale of liquors against the will of the people, was read by title and referred to the committee or indicars. cars, over or against any such live stock, shall within ten days thereafter notify the owner or owners of such live stock so killed or injured of the fact. H. F. 44, to license and regulate the sale of intoxicating liquors, was read and referred to the committee on judi-

Provided, That if the ownership of such stock so killed or injured is un-known, such corporatiog shall the in the office of the Recorder of the county the Go A communication was received from A communication was received from the Governor notifying the Council of his approval of the Orphans' Home memorial praying for a grant of ten acres of Fort Douglass reservation. Shurtliff, from the committee en Capitol Hill grounds reported a reso-lution providing for the accept-ance of the grounds by the Governor and Legislature, on cer-tain conditions, the lands to change ownership on the passage of the resoin walch such live stock was so killed or injured, a full description including the number, classes and brands of such live stock, naming the locality where such stock was so killed or injured. And any corporation failing to com-ply with the requirements of this section shall be liable to the owner or owners of such live stock so

killed or injured, in double the amount of damage sustained by the owner or owners of such stock, by reason of ownership on the passage of the reso lution. The report of the committee was adopted and under the suspension of the rules the resolution was read a second and third time and passed

without amendment. Woolley, from the judiciary commit-tee, reported on H. F. 79, code of civil procedure, and recommended its passage. The report was adopted and the bill filed for second reading. H. F. 74, for the prevention of cruelty to animals, was read the third time and passed.

H. F. 60, providing for sale of town site lands, was read the second and third times and passed. H.F. 77, in relation to deat mutes, was read the second and third times

and passed. HOUSE

Creer moved to make the county tax, provided for in Alien's school bill, four mills instead of six. H thought four mills would be enough in addition to the Territorial three mill tax, to pay

The first sentence of section 35. included in section one of the new bill, teachers. though it might not, at first sight, attract special attention, on a close examination, will be found to be a provision of a far-reaching character, and one which overturns some of the

fundamental principles of the law of damages, around which the substance of that law has been crystalizing for hundreds of years. It arbitrarily re-

Jones meved to increase the com-pensation of the county superintendents to \$20 instead of \$10, for each district in their county. Lost. Allen moved to amend so as to make persons under 17 years of age ineligible as to scherg quires rallfoad corporations to pay for the stock they kill, without regard to as teachers. the circumstances under which such

as teachers. Jones opposed the wmendment. He thought examining beards should be left to determine the qualifications of teachers, age included. He urged that

March 1, 1888.

appointed on the county boundaries bill, consisting of Howell, Allen and Lund. At six o'clock the House adjourned

till 9 a. m. March 2. March 2, 1888.

Opening exercises. Hatch presented a number of local option petitions, which went to the elections committee. King introduced a petition and bill relating to the sale of injurious drugs.

Another

Carlisle, from the committee on education, recommended the passage of H. F. 77 (deaf mutes). Adopted, and Both went to the committee on p health Lund, for the committee on counties. reported adversely on the petitions for the division of Plute County. Adopt-

the division of Piute County. Adopt-ed, and petitions denied. The judiciary committee reported a substitute for the bill defining the boundaries of the fourth judicial dis-trict. Ordered printed. At the argentian of the chair a mor-tion to reconsider the Vote by Which the resolution, introduced by the judiciary committee Feb. 15, recom-mending the rejection of King's anti-polygamy bill, was adopted, was car-ried, and the resolution was again before the House. The object of this action was to so amend the resolutions so as to make it concurrent, that both Houses might act upon it. It was so amended and agreed to by the House. King, for the municipal committee, reported adversely on the petition to amend the charter of Moroni, for the reason that the general municipal bill H. F. 74, prohibiting cruelty to ani-mals, was taken up for second reading, pending which, at 11 a.m., the Council

reason that the general municipal bill afforded the desired relief. Adopted. The local option bill came up as un-

anished business, Hoge moved to strike out the first,

section, which provides for local op-tion in cities as a whole or by wards. Lost. Hoge moved to strike out the enact-

ing clause. Lost.

King moved that the bill pass, and it passed by a vote of 16 ayes, 5 noes. The bill punishing persons for damaging barb wire fences came up, and was treated with great levity. Hatch moved to reject the bill.

HAVE IN MY POSSESSION: After some further discussion, the bill passed by a vote of 18 to 5. The House took a recess.

JOINT SESSION.

At 11 o'clock the members of the Council entered the hall of the House, for the purpose of holding a joint ses-sion for the election of three directors of the insane asylum, and a chancellor, twelve regents and a treasurer of the University of Deseret. The following were elected:

Directors of the insane asylum: Francis Armstrong, L. W. Shurtliff and James Dunn.

Chancellor of the University: Orson F. Whitney.

F. Whitney. Regents: John T. Caine, W. W. Riter, E. A. Smith, Frank W. Jennings, Prof. Edward Benner, James Sharp, C. C. Richards, A. W. Carlson, Geo. M. Scott, Wm. M. Stewart, S. R. Thurman and Fred. H. Auerback. Treasurer: T. G. Webber, The Liberal members absented them-selves from the joint session. After transacting the above business

After transacting the above business, the joint session dissolved, and the

HOUSE

resumed, the subject under considera-tion being King's high license bill. Allen moved to make the minimum license \$600 instead of \$1,200. Hatch moved to make the minimum \$400, thinking \$600 would be prohibi-tery in the rural districts. The House made the amount \$000. Other features of the bill were dis-cussed and some amendments were made, while others were lost. The rigerous character of the bill created differences of opinion. Moyle moved to strike out the rev

Allen opposed the amendment Counties were not required to levy a heavier tax than necessary, and six mills was not a high maximum.

differences of opinion. Moyle moved to strike out the re-pealing clause, so that, should the courts declare any of the features of the bill invalid, the present law would be in force. The amendment was modified and adopted. Allen, for the committee on public health, reported adversely on the bill to prevent the use of certain medi-cines, referred to that committee this morning. Adopted. Moyle moved that the high license bill pass. It passed by a vote of 20 to 1. The solitary negative was Mc-Laughlin. At 12:20 the House took a recess un-till 2 p. m. 2 p.m. Creer's amendment prevailed by one vote, and the maximum of the county tax was reduced from six to four mills.





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Taylorsville, Salt Lake County, March

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We are now prepared to promptly supply the vablic with Key and Bottled Beer of a superior quality, at popular prices. Estate of Orson Pratt, deceased. City Bepet 100 s. Hain St. Tolephone 128. OTICE IS HEREBY GIVEN BY THE Nortick is HEREES GIVEN BY THE of Orson Frait, to the creditors of, and all persons having claums sgainst the said, de-ceased, to exhibit them with the necessary rouchers, within four months after the first publication of this notice, to the said Ad-ministrator, at 16 Commerce Block, Second South Street, Sait Lake City, in the County of Sait Lake. HARMEL, PRATT A. FISHER BREWING CO. 129

Administrator of estate of Orson Pratt, Dated Kabruary 25th, 1889. dlaw fw

> NOTICE TO CREDITORS. Estate of Elizabeth T. Groesbeck, Dec

EVE:

NOTICE IS HEREBY GIVEN BY THE Estate of Elizabeth T. Groesbeek, deceased, to the creditors of, and all persons having claims against the said deceased, to ex-hibit them with the necessary vouchers, within ten months after the first publica-tion of this notice, to the said Adminis-trator, at his office, 45 Wassich Building, Sait Lake City, in the County of Salt Lake. Dated February 2nd 1808. BREAM Dated February 2nd, 1888.

HYRUM GROESBECK, Administrator of the Estate of Elizab



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