SENATORS TALK OF BRIBERY.

Senator Smoot Opposes Popular Election of U.S. Senators.

RESOLUTION IS ADOPTED.

Barnes-Ellison Contest Receives Attention at the Hands of the Senate-Contestants Must Pay Expenses.

The machinery in the Ellison-Barnes contest for the seat from the Third senatorial district received a severe shock in the Senate chamber yesterday afternoon. Heretofore the senators seemed disposed to let the fight be confined to the committee, but when Chairman Murdock asked for an appropriation of \$100 for the employment of 'an assistant sergeant-at-arms to wait upon the committee, some of the senators wanted to know why they needed another man deeming the present force sufficient for all purposes. When senator Murdock announced that the extra man was required to serve subpoenas get the ballot boxes, etc., the storm 'arose. Senator Smoot's voice was the first one raised in protest, declaring that he was litterly opposed to going behind the election returns. He fur-ther contended that the expenses of the investigation should be paid by the contestants, as he had to do in the contest for his seat in 1896.

Senator Allison said that the contest may as well be dropped if the investi gation did not go behind the returns. Both contestants conceded that the de cision of the election judges gave Barnes the election, but they both avowed that there were irregularities which only a far-reaching investigation could disclose.

The outcome was, however, an ap propriation of \$500 instead of \$100 for hiring of all necessary assistance The turn was made on an amendment offered by Senator Whitney. President Evans voted "no" on the resolution, declaring that he was opposed to all elec. tion contests and setting forth numerous reasons therefor,

The elections committee met after adjournment and hired Thomas Gilles pie to act as assistant sergeant-atarms to begin serving subpoenas on Monday next. The committee also decided to make the contestants pay the expenses of the investigation. This de cision will be made known to Attorney's Critchlow and Hurd, representing Messrs. Ellison and Barnes, at a meet ing next Monday morning at 10 o'clock The Senate unanimously voted for for the adoption of Senate joint resolution No. 1. relating to the election of United States senators by the direct vote o the people. Although the vote was unanimous, personal convictions were not. One of the senators who held that the present system of electing senators was all right was Senator Smoot. He voted for the resolution, however, be cause, as he explained, his constituents wished him to, but he wanted it dis-tinctly understood that he was opposed personally to the popular election of United States senators, "It is true," said he, "that there have been disgrace-ful proceedings in the Legi-latures of some of the States." Yet he drmly believed that the present system was correct. That was one principal of Ham-ilton's which he endorsed heartily. He regretted the situation that prevailed in the last Legislature of Utah, and other Legislatures but despite these things the general operation of the sys-tem has been satisfactory. In regard to bribery, he avowed that it was his opinion that sixty-three men whom the people of Utah might name to repre sent them would be less purchasable than any convention that would be called on to name a senator. Senator Smoot said further that he did no think that there was a purchasable man in the Utah Legislature, but he did believe that in a convention it would be possible to purchase men. He reaffirmed his faith in the present system and closed by expressing the hope that it could never be truthfully said that a Utah legislator had been bought. Senator Allison made a vigorous ar gument in favor of the resolution. H contended that the present system wa not a success. That the matter of electing the senator sometimes serious. ly interfered with the making of laws, and cited the last Utah Legislature as an example. He said that it was use less to deny that corrupt methods have been and are being used in State legis latures in respect to the election of senators. He pointed for example to Pennsylvania. Montana, Wyoming, Oregon, Nebraska and California to show how the regular time of the legis. latures have been taken up in a futile effort to elect a senator. Senator Allison argued that while a man may manipulate a convention he would have to go before the people and manipulate them before he could get his credentials. He alluded to the recent election in this State. In which a senator was promptly elected by caucas meetings, "Some say that the caucas is right. Some say that it is wrong, and some say that it is better to not elect at all than to elect sometimes. Some say that we ought to elect any man so long as he can fill the chair. Senator Smoot concluded the debate with a few hot thrusts at the caucas denouncing it as the most contempti-ble machine in modern politics. The only virtue that it has is that it elects. but generally a kick comes after. As for himself, he would rather receive a kick for failing to elect, than for elect-ing someone who was not wanted. The vote was then taken and the res-ciution was adopted.

mission is also authorized to appoint HOUSE BUSINESS secretary and engage all the help that will be deemed necessary to make the exhibit a success. To carry all this into effect the bill

provides for an appropriation of \$8,000, and the commission will not be allowed to incur any expenses in excess of the appropriation. Senate bill 45, by Allison (by request)

An act authorizing the creating of a domestic science department in the University of Utah and making an appropriation therefor. The bill is a measure for an appro-

priation of \$4,000 or \$2,000 per year for the purpose of establishing and maintaining a domestic arts department in the normal department of the State

University, Senate bill No. 46, by Alder, An ac to amend section 2051, of the Revised Statutes of Utah in relation to mile-

age of judges of the district court. The provision of the amendment, in-creases the mileage of judges of the creases the mileage of judges of the district courts from 8 cents to 10 cents. Senate bill No. 47, by Bennion, An act to relinquish to the United States the unsurveyed school land in lieu of a grant of land of equal area to be made by the United States. By newsion of the states. Memorials, Resolutions and Other

By provision of the act the State of Utah is to relinquish to the United States all its claims to the second, sixteenth, thirty-second and thirty-sixth sections in the State, as remain unsurveyed, on the express condition that the United States shall grant to the State of Utah land equal in area to the sections involved in the bill. The State to have the right to select the land so granted in the smallest legal subdivision.

BANKRUPTCY CASES.

A petition in voluntary bankruptcy was filed yesterday in the Federal court by Robert T. Petty, Wm. H. Petty & Lewis J. Petty who did business under the firm name of Petis that the law makers turned out more ty & Sons at Richmond, Cache county. The firm's liabilities amount to \$1,443.30 with no assets. Robert T. Petty claims personal liabilities of \$5,227.78 and asiets of \$7,040, of which \$3,520 is exempt. Wm. H. Petty claims \$140 in asset which \$70 is exempted. Lewis J. Pet y claims \$390 in assets, of which \$195 a exempted. The two later have llabilities only in connection with the

hungry, and that any way it might be as well to leave some work to occupy A petition in voluntary bankruptcy was filed this morning by Domenico Plescio, a local liquor dealer. His lia-bilities amount to \$529.96 and assets of \$175, of which \$75 is claimed exempted. the legislative mind during the balance of the session, so that the legislator might draw his stipend with an easy conscience. But Speaker Glasmann admitted that he had a card up his

CHANGES IN THE LAW.

County Commissioners Appointed Committee to That End.

Sixteen bills had been introduced ear-At the meeting of the several county lier in the afternoon, besides getting rid of a mass of miscellaneous matter, and commissioners and officials, held in the now the impatient taps of the speaker's city and county building last Wednesgavel announced the passage of bills at the rate of one about every two minday night for the purpose of discussing and recommending changes in the utes The House was finally adjourned fruit-tree inspector and court stenountil 9:30 this morning. grapher laws, Joseph Stanford was ap-THE ROUTINE WORK. pointed chairman of the joint meeting: Here are the new bills which were launched in the House yesterday:

and this gentleman has appointed Chairman Anderson of the Salt Lake county board, ex-County Commissioner House bill No. 95, by Glasmann, amending the session laws of 1899 so as Anderson of Weber county, and County to cut out the clause making franchises Clark Phillips of Davis county, a committee to walt upon the Legislature and outline the need of changes in the laws mentioned. It is desired to so amend the court stenographer law so as to granted by the United States non assessable. House bill No. 96, by the committee on live stock, substitute for House bill No. 45, relating to the D. A. & M. socimake this part of the court's machinery ety. This bill amends the original to the extent of allowing premiums for self-sustaining, and the counties think inasmuch as they have to pay the fruitimported stock, and making it compultree inspector, they should say who shall serve them in this capacity. sory for the fair to be held in Salt

MRS. HILTON'S NEW MOVE. Makes Another Effort to Get Third of the Dr. Park Estate. Mrs. Annie F. A. Hilton, who claims to be the widow of the late John R. Park filed a petition in the probate division of the district court late yesterday afternoon, setting forth that S. W. Stewart, the executor of the will of Dr. Park, has not reported to the court the alleged fact that she is the widow of the deceased doctor and entitled to of the deceased doctor and entitled to one-third of the property beionging to the estate as such widow. Mrs. Hilton prays in her petition that the court compel the executor of the estate to do compel the executor of the property this, and that one-third of the property be set apart for her in fee. She also asks that family allowance be granted her pending the settlement and admin-istration of the estate,

DESERET EVENING NEWS: FRIDAY, FEBRUARY 8, 1901.

House bills Nos, 53 and 54, by Har-mon, in which the statutes are amended to the extent of placing on the distridt attorney duties heretofore performed by the county attorney, were rushed through the law-making machine. The next to come up was Smith's House bill No. 5, regarding the condemnation of water rights under eminent domain, which was also passed unanimously.

WAS RUSHING.

Members Exceedingly Expeditious

in Their Work Yesterday.

MANY BILLS WERE PASSED.

Matters - Suggestions That There

Were Other Days Coming.

A spirit of unrest seized upon the

House yesterday. It may be that the

luring panorama of three days of solid

through the hypersensitive legislative

conscience. There must have been a

tonic in the dizzy prospect of today

whirling over the Short Line metals in

Pullman palace cars bound for Boise,

and three solid days of unadulterated

loy and junket, when in the natural or-

der of things they would be sitting at

home in Salt Lake sawing wood, which

in their case means the construction of

laws. Whatever the cause, certain it

measures yesterday than in any two

fact the solons might have gone on

right through the dinner hour turning

out the finished article for the approval or disapproval of the Senate and Gov-

ernor, had, not Mr. Van Horne reminded

the speaker that there were other days

coming and the representatives looked

sleeve in the expected arrival of Mr. D.

S. Spencer of the Short Line to supply

the members with tickets, and with this

goal in sight he goaded on the jaded

lawmakers.

In

previous days during the session,

The other bills passed were: House bill No. 38, by Smith, provid-ing that appeals may be taken from judgments in equity courts and in cases tried without a jury without filing a motion for a new trial. House bill No. 39, by Evans, provid-ing that the right of eminent domain may be exercised by beet-sugar com-panies which desire to run pipe-lines

House bill No. 16, by Glasmann, relat-ing to the creation of the Intermountain State Exhibition society, was withdrawn and re-referred to the committee on judiciary, which had sub-mitted an adverse report.

House bill No. 29, by Hewlett, relating to property exempt from taxation, was made a special order for next Tuesday.

Senate concurrent resolution No. 2, joint resolution No. 1, and joint mem-orial No. 1, were referred to the com-mittee on federal relations and memjunketing sent a stimulating qualm The following bills were read for the

second time: Senate bills Nos. 11, 15 and 19, and House bill No. 93.

Senate joint memorial No. 2, regarding the metric system, signed by the president, was received and signed by the speaker and ordered transmitted to the Governor.

The committee on irrigation and reservoir reported ecommending that an oder be given for the printing of an extra edition of House bill No. 66, relating to irrigation, for distribution through the State to such people as are

interested in irrigation matters. Word was received from the Senate that it had passed House bill No. 43 by D. H. Morris, relating to the duties and powers of road supervisors and the time of collection of poll tax; also Sen-ate bills Nos. 11, 19 and 28. Just after the House adjourned the members received their passes for the

trip to Boise.

SMALLPOX SITUATION.

List of the New Cases-Reports from Over the State.

The city health board was notified of five new cases of smallpox yesterday afternoon. They are as follows: Annie Leticia Steward, aged 4; Samuel Steward, aged 4: Ruby I. Steward, aged 16 months, 1261 east Seventh South street: Clara Willetts, aged 18, 1261 east Seventh South street; Katle Bar, aged 16, 753 east Third South street.

Dr. Middleton of Cedar City has com-municated with the State health board with reference to the recent outbreak of smallpox at Parowan, and says there are no indications of precautions having been made to meet the emergency. Dr. Beatty has directed that the town

be quarantined. Seventeen cases of the disease have been reported from Green River by State Medical Inspector Baker, and he has been directed by the State board to quarantine the place.

It is reported that Indian Agent Moy. ton of the White Rocks agency has been successful in getting most of the Indians there to submit to vaccination.

ANOTHER BOND HITCH.

warn the people not to harm him, then he wanted the police to raid every den in Plum alley and lock the offenders in jail. Ming produced a petition signed by numerous school teachers, asking the authorities to protect him. He claimed that he was not treated fairly, and charged that the police were a cepting bribes from the gamblers to al-low them to run their games. It was thought at this point that the Chinaman was waxing too enthusiastic, and he was promptly sat upon, and informed that he was going a little too far. When asked to cite an instance where an officer had accepted money from Chinamen, or anybody else, Ming said he could not. At Ming's reques Officer Johnston went through Plum al-ley last night in search of "fan-tan" games, but found none. The reformer says he has the names of several keepers of the joints complained of, and he declares that he intends to swear out complaints against them. The Mongolians on Plum alley say there is no price on Ming's head, and declare that he is "clazy." The police say there is no gambling going on in the alley.

Their Cialms Set at Rest

The claim of other cough medicines to be as good is Chamberlain's are effectually set at rest in the following testi-montal of Mr. C. D. Glass, an employe of Bartlett & Dennis Co., Gardiner, Me. He says: "I had kept adding to a cold and cough in the winter of 1897, trying every cough medicine I heard of without permanent help, until one day I was in the drug store of Mr. Houlehan and he advised me to try Chamberlain's Cough Remedy and offered to pay back my money if I was not cured. My lungs and bronchial tubes were very sore at this time, but I was completely cured by this remedy, and have since always turned to it when I got a cold, and soon find relief. I also recommend it to my friends and am glad to say it is the best of all cough medicines."

Now Running Tuesdays and Fridays.

From Chicago to Jacksonville and St Augustine without change-an elegant w Pullman Train of Dining, Sleep ing and Observation Cars. Its The Chicago and Florida Special." The route-Pennsylvania Short Lines via Cincinnati. Leaving time-12:00 noon. from Chicago Union Station, Tuesdays and Fridays. For tickets and reserva-tions apply to H. R. Dering, A. G. P. Agt., 248 South Clark St., Chicago.

When pain or irritation exists on any part of the body the application of BALLARD'S SNOW LINIMENT will give prompt relief, Price 25 and 50 cents. Z. C. M. I. Drug Dept.

A powerful engine cannot be run with a weak boiler, and we can't keep up the strain of an active life with a weak stomach: neither can we stop the hu-man machine to make repairs. If the stomach cannot digest enough food 'o keep the body strong, such a prepara-tion as Kodol Dyspepsia Cure should be used. It digests what you cal and simply can't help but do you good, F. C

WO QUART HOT WATEL OTTLES FOR 75c. And we'll venture you'll say they're the greatest value you ever saw for the money. They're the greatest, we've.





The introduction of business in the Senate yesterday afternoon took the shape of two petitions from the citizens of of two peritons from the criteris of Piute county, protesting against the in-crease of the salaries of State officers as contemplated in a bill now pend-ing in the Legislature. The petitions were introduced by Senator Johnson.

PROVIDE FOR EXHIBIT.

Senate bill No. 44 by Whitney (by request), an act to create a commission to provide for the display of Utah's resources at the pan-American exposi-tion, to be held at Buffalo, in the State of New York, in the year 1901; to define its duties and to appropriate money

The preamble of the bill recites that It is a most desirable thing for Utah to have an exhibit at the Buffalo exposition, and for that purpose it provides that the Governor of Utah be authorized to appoint within thirty days after the passage of the measure, a commission to be known as the Pan-Amerlean Exposition commission, to be com posed of three members, who shall have full power to execute plans for the dis-play of all exhibits from the State of Ctah, and shall have full control of all the exhibits,

The commission is to be invested with power to provide for suitable space for the Utah exhibit by erecting a build-ing alone or in conjunction with com-missioners from other States. The com-

AFFECTS UTAH COMPANY. Such a Case Decided by the Supreme

Court of Idaho.

On February 5th, the Supreme court of the State of Idaho rendered a decision which affects a Salt Lake company. It is the case of O. L. Cleveland and wife, against the Western Loan and Savings company, appellants, and the decision of the district court of Bannock county is affirmed. From what we can learn of the record of the case, it apepars that plaintiffs borrowed from the defendant company some \$1,900 at two different times, and gave a mortgage on certain real estate to secure the payment of the money, six hundred and fifty of this amount was to cover premiums on the building and loan stock involved in the transaction, Afterwards the plaintiffs paid \$1,542.38 and then refused to make any further pay-ments, demanding that defendant rements, demanding that defendant re-lease the mortgage of record, which it refuses to do, contending that the lieh on the property in question should also hold good for the payment of usu-ry, or interest charged above the legal rate allowed by law. The plaintiffs prosecuted an action successfully in the lower court for the cancellation of the lower court for the cancellation of the mortgage, on the ground that when the principal is liquidated, the claim is The principle involved is satisfied. The principle involved is that "a mortgage given to secure the payment of an usurous contract is sat-isfied by the payment of the principal." The opinion was unanimous, all the justices concurring.

WANDERED FROM HOME.

Alabama Henderson Found in the Atlas Block Last Night.

About six o'clock last evening, Night Engineer A. Avery of the Atlas block happened to go into the hall of the building, and was somewhat surprised to find a little girl hugging one of the radiators, and shivering from cold. Mr. Avery asked the child what she was doing there, but the little one seemed slightly dazed and could not answer for several minutes. Finally she said that she came down from Dempsy, Ida., that she came down from Dempsy, Ida., that afternoon, and was looking for some friends. Avery took the child to the engine room, where she was warmed, and after sending for her supper he tel-ephoned to Chief of Police Hilton, and informed the officer of the girl's where-

Later in the evening W. H. Taylor ibouts. called at the Atlas block and claimed the child. He said that she had come the child. He shith that been here since from Idaho, but had been here since last August. It seems that the child is an orphan, and has been staying with Miss Grace Taylor of 1147 east Fifth South, which is next door to the place occupied by Mr. Taylor. The girl has been attending the training school and yesterday she wandered away after school instead of going home. She has been well treated and could give no reasons why she ran away. She was

House bill No. 97, by Smith, making trespass on unoccupied lands a misde-meanor where the occupant has posted notices to warn against it. House bill No. 98, by Stuart, by request, to allow counties to let contracts or supplies monthly instead of annu-

House bill No. 99, by D. H. Morris, relating to the filing and place of filing The provision of the act is that suits, where a contract has been entered into between a resident of this and an adjoining State, suit may be filed by the resident of this State in any county of the State in which the defendant may be found. House bill No. 100, by Barrett, to

amend the statutes relating to city and town taxes, making it the duty of county commissioners to equalize and ussess the roll of the whole county, and allowing the board to remit the taxes of any insane, idiotic, infirm or indigent person to an amount not exceeding \$5

for the current year. House bill No. 101, by Maughan, re-garding trespass on private lands for the purpose of hunting or fishing, with-out the consent of the owner. This bill covers the same ground as Smith's bill, No. 97, also introduced yesterday. House bill No. 102, by Harmon, to amend the school law relating to the

powers and duties of school trustees. It allows them to furnish pupils with note books, pencils and examination paper. House bill No. 103, by Harmon, to

provide contingent expenses of county superintendents of district schools, and for the payment of their salaries monthly. Payment is to be through the

county auditor. House bill No. 104, by Harmon, by re-quest, to amend the statutes, bearing on school law, relating to county examinations, and providing that they be held under the direction of the State board of education instead of the county superintendent. House bill No. 105, by Harmon, by

equest, to amend the statutes on school law with regard to teachers' examina-tions, which will be held at such time and place as may be designated by the State board of education.

House bill No. 106, by Harmon, by request, to amend the statutes on school law, relating to the apportionment of the county school fund, and providing that cities of the first and second class shall receive their pro rata before the apportionment to the counties is made, House bill No. 107, by Harmon, by request, amending the statutes relating to kindergartens, so as to make them a part of the State public school sys-

tem. in cities where the schools are graded. House bill No. 108, by Harmon, by request, providing for uniform examina-tions of teachers in the different coun-ties of the State, the examination questions to be prepared by the board of education instead of the county superintendent.

House bill No. 103, by Harmon, by re-quest, relating to the State and county tax. The bill amends the statutes by eliminating the provision excepting property in cities of the first and second House bill No. 110, by Bench, making

a misdemeanor to sell or give away



will arrange to meet the additional expenses that may be incurred in the w move. This will perhaps mean that the reading rooms will remain closed as the extra cost for heating the building, etc., will amount to about \$50 per month. The allowance for the maintenance of the institution is hardly suf ficient to meet its demands now, and it is thought that the library board it is thought that the library boar will hardly assume this new burden. CHINESE "REFORMER." Youg Ming Says There is a Price on His Head.

charged customers.

Yong Ming, the Chinaman who has begun a crusade against his countryof \$2,000 placed on his head, by Chines

a petition to the City Council the other evening, asking that steps be taken at ce to abolish gambling among the

Chinamen Last night Ming went to the police the misdementor to sell or give away cigarette papers. THE THIRD READING. Then commenced the third reading and passage of bills in which the House



