ADMITTED MEMBERS.

Third Precinct Delegates Received by the Convention.

A GREAT DEAL OF DISCUSSION

On Case of John Henry Smith, George R. Emery, W. H. Preston, Andrew Kimball and A. H. Raleigh.

The second day's session of the Constitutional convention opened at 10:35 this morning with many prominent citizens and distinguished visitors present as were able to crowd into the long narrow aisle outside the railing, never wide enough for the audience set apart for the members.

Prayer was offered by the Rev. Dr. C. F. and the minutes of yesterday were read and approved, after which Mr. F. H. Richards moved that the oath of office be administered to the members who were not present when the first meeting.

Chairman Kimball—Who shall perform the oath?

Mr. Richards—Yourself.

The Chair—Very well.

Chairman Kimball then administered the oath to Moses Thatcher and F. A. Hammond. The secretary read Hon. J. L. Rawlins and Percy Christensen were not sworn that they were not present at the opening session, and therefore did not take the oath at that time. Yet late in the day they had got Judge Chief Justice Merritt with them to do the deed.

Mr. Evans—Mr. Chairman, I want to know—said Mr. Evans, of Weber, with a sonorous voice.

Mr. Jeffs—With Mr. Crane.

Oh, I simply noticed the name, replied Mr. Evans with another look, the manner and proportions of which disposed Messrs. Jeffs and Christensen to the extent that they consented and obtained permission to take the oath again, which they did.

COMMITTEE ON CREDENTIALS.

The committee on credentials reported the list of delegates entitled to by the Territorial constitution, including all except the delegates from the First precinct. Concerning those protests the committee reported that efforts had been filed with them seeking to show that John Henry Smith, George R. Emery, Andrew Kimball, W. H. Preston and A. H. Raleigh had been elected. These were submitted with the report without recommendation.

Mr. Van Horne moved that the report be referred back to the committee with instructions to ascertain the qualifications of the members-elect of the present question.

MR. VAN HORNE'S MOTION.

Mr. Van Horne said he had to apologize to the minority and said that it was supposed something the convention had not the power to do. He wanted it distinctly drawn to the last that there was nothing in the way of his vote in the Constitutional Convention of Utah. In summary a preliminary meeting. He had supposed yesterday that the question was thoroughly understood and settled. He asked for a few minutes time to show the convention a case that has similarity enough to point the very essence of power to organize the question of the right of any person to a seat and vote in the convention. That was a matter that needed weighty and exhaustive consideration. He for one, in the convention, was aware of error and couldn't know officially without certified returns that there was a contest, and an election in the Third precinct. There must be a sworn or accompanying evidence or proper case. To permit the simple filing of affidavit of claim for a right to office was a clear violation of law. He had no doubt but that the convention if unanimously and peremptorily required would reach out its arms and wind up to do it fair and settle the question. But it could not do it now without transgressing plain and well known principles of law. He wanted to know why there was undue haste in the matter and asked the question if it were not to make a certain individual who up to date was without a certificate an official of the convention. It was apparent to all who were conversant with the question that it was proposed to reach a certain result. That fact could not be disguised out of existence. There had been a good deal of turbulence and wrangling over conditions that arose out of the election in the Third precinct but not one member present was able to set up a complaint that could not be met with an affidavit. Very little weight could be given to the claim that there was anything up to date in the Constitutional Convention in Utah. The Enabling Act provided that eligible by saying that such a body should meet at the territory on the 4th day of March, 1894. It further said that that body should be composed of 101 members—not less.

Mr. Evans believed this question for which could be produced no remedy, he claimed, that the Convention had not the right to consider the credentials in the manner indicated. To do so would be unwarranted by constitutional—not either the meaning of all precedents. He had no right to throw obstacles in the way of the honest and unobstructed in other words who was entitled to the presidency of the Convention. His right to a seat was not in question. If it were contended that on find the right to the Democratic seat, now he stands this position. (Applause).

Mr. Richards was in favor of grappling with the situation just as the gentleman from Weber had it. He had no wish to see anyone who was entitled to be seated in the convention, and who was at once for the seating of the Democrats in the persons of A. H. Raleigh, Andrew Kimball, W. H. Preston, Mr. Van Horne, Mr. Emery, Mr. John Henry Smith and George R. Emery. (Applause). The people of Utah had been sufficiently informed from the inquiries of correspondents (Applause). There seem to be sufficient of such weighty conditions.

Mr. Christensen, of Carbon county, spoke of people in favor from Carbon, Emery, Utah, Weber, Salt Lake and Morgan counties, who had come to see and talk with Mr. Emery and Mr. W. H. Preston. He was sorry he was compelled to differ with valuable friends, but he felt, with unknown without benefit of law.

Mr. Evans—Mr. Chairman, the point, Mr. James, has been sufficiently explained and discussed. Gentlemen—a convention, in contrast, without authority, proceeding to organize.

Mr. James—The city of Kingston, which is in Carbon, Gentlemen.

Mr. L. R. Evans said to the gentleman, there was a course of conduct on the part of anyone to deprive a village corporation from the Utah product of a seat in the Constitutional Convention of Utah. In the opinion of Mr. James he must said that the convention must be present in the appointment of committees of individuals of their own. It was a dangerous course to bring to the present body a convention coming an effort to make a certain contingent was held on certificate, protest of the convention. War is possible that out of the 102 delegates who had a certificate that not one of them was due to fill the position that a seat was subject to was held to be entitled?

Judge Goodwin in reply said that every one of the 102 delegates was competent to fill the position. (Laughter).

George R. Cannon made a vigorous speech in favor of the motion to which he was prepared to speak days, if necessary, to retaining his position as a member of the Mormon Church.

Mr. Alex Billingsley of Sanpete County moved that the report of the committee contemplated the creation of conditions favorable for the election of a contestant who was without a certificate to the position of delegate, but for the purpose of giving 1,000 votes representation in the convention.

Moses Thatcher, of Cache county, said he did not intend to speak and hadn't intended to. He had heard the report of the committee read and it was not that it was powerless to settle anything.

On roll call the motion carried on a vote of 41 to 38.

At 12 o'clock, or a minute was taken until three o'clock.

Afternoon Session.

It was just 3 o'clock this afternoon when Chairman Kimball called the meeting to order.

Mr. Van Horne moved that the chairman appoint a committee of five whose duty it shall be to officially select and report upon a place for holding the convention and provide such furniture as shall be necessary for the accommodation of the members. Carried. The chairman appointed W. G. Van Horne, of Salt Lake county; Aquilla Nelson, Henry S. H. Thomson, Uintah; J. A. Hyde, Juab; A. C. Lund, Sanpete.

Thomson moved that the chair appoint a committee of one from each county to determine the number of standing committees for the convention and that such committee report at the first session hereafter. Carried.

THIRD PRECINCT DELEGATES SEATED

At this juncture the committee on credentials brought in a unanimous report on the Third precinct case, as follows:

Your committee to whom was referred the matter of right to seats in the convention from the Third precinct of Salt Lake City, begs to report that they have examined the evidence in the cases named, pro and con, and from the best of the evidence, that the following named gentlemen are entitled to seats in the Convention: George R. Emery, W. H. Preston, Andrew Kimball and A. H. Raleigh. Respectfully submitted.

Mr. Evans—Mr. Chairman, I rise to say that the committee have acted in the spirit of Mr. James in that and