

REPUBLICANS REVEAL PLAN TO RAISE SALARIES FOR PRESENT OFFICIALS

GARNISHMENT BILL PASSED BY SENATE

Practically all of yesterday morning's session of the senate was taken up with the discussion and passage of a bill by Senator Allison to provide for the establishment of a city court in Ogden. The Weber county man secured unanimous consent for the taking up of the measure, No. 98, and made a talk in favor of it.

First the salary proposed for the city judge, who is to perform all the work of the justices of the peace, besides trying all city cases, was reduced from the proposed \$2,900 per year to \$1,500. Then the clause providing that in the absence or disqualification of the judge, the mayor or president of the council should act, was stricken out, and the mayor authorized to appoint a judge under such circumstances.

His argument for the act Senator Allison said that the bare justice of the peace in Ogden had become mere matters of form. Whenever a case was brought before him it was always appealed. "I thought," he said, "it was a rule, tried to do their duty honestly, but cases had been known where they were in partnership with the plaintiffs, and judgments against defendants were matters of course."

Senator Smoot opposed the bill. He said that if second class judges were included in its provisions it would take in Provo, Park City, Logan and other towns. There was no necessity for the measure, he said, and he was against encumbering the statutes with class legislation. He then moved to strike out the enacting clause. Senator Lawrence, however, the author from Weber was better qualified to judge what was needed in Ogden than a senator from another county. The bill seemed to have no chance, but would favor it. The motion to strike out the enacting clause was lost.

At the opening of the afternoon session house bill 21, Hewlett's wage exemption measure, was taken up, amended and passed. The debate was opened by Senator Murdock's motion to strike out that provision of the bill which requires plaintiffs in garnishment proceedings to pay the costs of the suit. In opposing this motion, Tanner made a strong argument for the rights of the laboring man. He said that the evident purpose of the act was to protect the creditor, the cost feature being the only sop that had been thrown to the debtor.

He cited an instance where a laborer owed a debt amounting to \$175. As a result of garnishment proceedings he paid out \$25 on the debt and still owed \$20. The costs in each instance amounting to more than the sum attached. All kinds of protection, said Mr. Tanner, is given to the wealthy, while the poor man is left to take care of himself.

Then Senator Thomas moved that two-thirds of the judgment debtor's wages for thirty days be exempt, and such exemption be provided for by the bill. This motion was voted down without discussion. The next amendment proposed that at least \$30 per month be exempt instead of \$20. The amendment was incorporated, and then the bill was passed.

President Evans voted against it, and Senator Whitney was absent. Unfavorable reports were received on senate bill 106, providing for the taxation of franchises, and on senate bill 44, carrying an appropriation of \$8,000 for a Utah exhibit at the Pan-American exposition at Buffalo. The first named report was adopted, killing the bill. The other was made a special order for this morning at 10:45.

should not apply to the present state officers. The amendment was promptly killed and the Ogden man proposed to reduce the pay of the governor to \$10,000. He said he knew it was unconstitutional and he believed the whole bill stood in the same light. "The constitution must be our fixed star," he concluded, "and we have no right to alter or change it. Before he sat down Senator Kiesel withdrew his amendment."

Senator Allison disagreed entirely with President Evans and others who had figured that the bill would be unconstitutional. He boldly stated his belief that the contemplated increase would apply to the present officials and made his argument from this point. He held that the clause in the constitution fixing the salaries of state officers "until otherwise provided by law" made it possible for the legislature to increase the pay of public officers during the term for which they were elected.

Senator Allison insisted that a close scrutiny of the constitution would show his position to be right, although he admitted that there might be some doubt about the matter. There was no question but that the salaries could not be changed during the term of incumbents, after the legislature had once fixed them. He said that a senator could show him a legislative enactment on the subject, he would quit at once. He spoke briefly in opposition to the bill, expressing the belief that it was unconstitutional, and stating further that even if it were, he would still be in favor of it because the increases were not sufficiently uniform.

Bannon believed the spirit, rather than the letter, of the constitution should be observed, and that such a construction might make it possible to increase the pay of the present officers, and the salary of the governor. He thought no such step should be taken.

To Pay Campaign Debts. Murdock injected some politics into the discussion by charging the Republicans with an effort to raise the salaries of the present officers, and a chance to pay campaign expenses. The Democrats, he said, had no idea that the present pay was far beneath their deserts, they didn't make much effort to win.

"Do you mean that you let the election go by default?" asked Allison. "Practically so, yes," replied Murdock. At the end of the debate Senator Howell asked that the roll call on the bill be made a special order for Wednesday morning, and that the suggestion was adopted and the order made.

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HOUSE MEASURES OF INTEREST

Whitney's Text Book Bill is Killed. The senate voted down a motion to adjourn and a motion to amend the bill, No. 30, an act to license dogs, to permit the killing of unlicensed canines and to make owners of licensed canines responsible for damage done to herds of sheep. Allison promptly moved to strike out the enacting clause and without stopping to argue the question of the constitutionality of the bill. Senator Barnes asked that house bill 225, which was killed by the senate on Saturday and returned to the house, be recalled from that body. This is the act making it a misdemeanor for any employer to contract for more than eight hours a day's labor. The bill will be brought back to the senate and it is said a majority of the members will vote to pass it.

The committee on mines and mining recommended that house bill 44, requiring the introduction of safety apparatus in coal and hydro-carbon mines, be rejected and that a substitute, to be known as senate bill 119, be passed. The substitute varies from the house bill in that it requires the use of a safety lamp law that was inadvertently left out of No. 44.

CITY FINANCES. Treasurer Morris' Report for Month of February. Treasurer Morris yesterday issued his report of the city's financial transactions for the month of February. By reason of the fact that Auditor Reiser will not issue a final report until after the end of the quarter, March 31, the report on Feb. 28 was only \$14,469.53, making an overdraft necessary for April 1. Before that date \$200 will have to be paid out of the waterworks fund for interest on general fund water bonds, and in April the interest on water bonds will be \$20,000. Interest on other bonds. The treasurer's report shows as follows:

Table with columns: General expense fund, Waterworks account, Water scrip fund, etc. Total revenues: \$19,428.59. Total disbursements: \$12,962.36. Balance in treasury Feb. 28: \$6,466.23.

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NEV. FIRE STEAMER. Proposition Considered by Council Committee. The council's fire committee met last night in the central headquarters and discussed a number of matters pertaining to the waters of the department. It was decided to recommend that the annual reports of Chief Devine for 1899 and 1900 be printed in pamphlet form, so that the members of the council might have the recommendations contained in them in an intelligible form.

NAVAL OFFICER'S VISIT. Commander Marix's Brief Stay in Salt Lake. Commander Adolph Marix of the United States navy, arrived in Salt Lake yesterday afternoon and will be in the city until 12:30 today, when he will resume his trip to the coast. He is on his way from San Francisco on the Japanese vessel, Maru, on the 11th of the present month, and will stay in the city until the 12th, when he will depart for the coast.

DEMAND HIGHER PAY. Mortar Men and Hod Carriers Ask an Advance. The troubles of the Salt Lake contractors did not end with the demands made upon them by the city. Before the Trades Council in the matter of shutting out non-union laborers from all buildings after the 1st of April. Now the mortar-men and hod-carriers are making demands for increased wages, at least 10 per cent.

Headache Saps Your Vitality and wrecks the brain. One dose of Sherman's Headache Cure will cure you. You swallow a pill, the headache is gone. They cure neuralgia, rheumatism, and all the ills of the head. Price, 25c and 50c. Sold by Goddard's Drug Company, Salt Lake City, Utah.

NATIONAL GUARD BILL GOES THROUGH WITHOUT OPPOSITION

Besides passing the Evans polygamy bill, the house yesterday disposed of a number of other measures. Several were slaughtered at the suggestion of the sifting committee, which pushed over for the ax bills which had already been reported adversely by various standing committees. Among the measures thus laid away was Senator Whitney's bill to offer \$5,000 in prizes for text books on scientific subjects, senate bill 32.

The national guard measure, house bill 171, introduced by Kelly and amended by a factory, passed without opposition. This bill removes the provision that an officer must have served in the guard at least three years, extending the term to five years for fifteen days, and makes provision for a summary court.

Other bills were passed as follows: Senate bill 28, by Murdock, Making the state superintendent of public instruction make out the teachers' examination papers for country schools. Senate bill 231, by Page, by request. Providing for the immediate publication and transmission to county clerks of bills passed without emergency clause.

House bill 108, by Harmon, Providing that the state superintendent of public instruction make out the teachers' examination papers for country schools. House bill 121, by Page, by request. Providing for the immediate publication and transmission to county clerks of bills passed without emergency clause.

House bill 120, by Phillips, relating to property exempt from taxation. At the evening session these bills were passed. House bill No. 178, by Homer, relating to the care of insane patients committed to the state insane asylum.

House bill No. 204, by Morris, providing for the care of insane patients committed to the state insane asylum. House bill No. 128, by Holmgren, to encourage the manufacture of starch from potatoes in the state of Utah, was killed on motion of Cutler.

There was considerable discussion on the bill, and Holmgren thought the potatoes that rot in the pits every year could be made into starch if there were a factory in the district county. He took the floor and made a vigorous speech against it, showing that there was a market for potato starch in the state.

House bill 192, by Homer, to amend the statutes relating to amendments to justice of the peace, was killed. House bill 212, by Smith, an act admitting the waver of the undertaking an appeal from city, municipal and justice courts to the district court in civil actions, was passed.

House joint memorial No. 4, by Hall, providing for establishing a home for old soldiers and sailors at Fort Douglas, was adopted. House bill 216, by Smith, making it a misdemeanor to steal a horse, was amended, making it a misdemeanor to steal a horse, more than \$50, instead of \$25 and \$100.

MURDERER RELEASED FROM PEN

Albion York was ordered released from the state prison yesterday by Judge Hall on a writ of habeas corpus. York was convicted at Provo of the crime of murder, committed at Santaquin in the summer of 1899, and sentenced Oct. 7 of that year to serve twelve years in the state prison. York's victim was a young man named Johnson, and the killing was the result of a drunken row. The writ was granted on a showing that the prisoner had been prosecuted and tried by the district attorney, instead of by the county attorney, and this proceeding the supreme court has held in similar cases to be void. York's liberty was brief, however, for he was immediately re-arrested by Sheriff Storrs and will be taken back to the state prison.

Terrence Burton was also released yesterday from the state prison, where he has been serving a sentence of two years and a half from June 14 last on a conviction in Juab county of grand larceny. Burton's release was granted for the same reason as in the York case. His petition was presented to the court by Judge C. F. Looftbour.

Forger Pleads Guilty. James R. Hay yesterday entered a plea of guilty to a charge of forging P. E. Schoppe's name to a check for \$100 on the National Bank of the Republic and on Mrs. W. M. Mrs. J. A. Claypool on Feb. 25. The defendant waived time for passing sentence and Judge Stewart sentenced him to serve one year in the state prison.

Street Car Controversy. County Board Hears Arguments on Franchise Petitions. The county commissioners, sitting as a committee on railway franchises, heard arguments from President Cameron and Attorney Baldwin of the Rapid Transit company in support of the petition to grant franchises on the line from Eleventh South street, so as to enable a connection to be made with the street line extending north from Calder's park to the city hall. The Rapid Transit company was also on hand to refute the arguments of the Rapid Transit company, which is permitted to invade the Rapid Transit territory on the south side of the city.

Springville Happenings. (Special Correspondence.) Afternoon William Harward, a well known citizen of this place, died from the effects of a stroke of apoplexy. He had been sick for a number of months and in health for some time. Mr. Harward was born in England about sixty-eight years ago. He leaves a wife and several sons and daughters.

Case of Smallpox in the City. There was consternation and serious uneasiness in police circles yesterday afternoon when it was discovered that a bad case of smallpox had developed in the city jail, that forty prisoners had been exposed to the dread disease for nearly three days and that a number of officers had come in contact with the infected men. As a result of the discovery two prisoners are now in the isolation hospital and the jail is under quarantine and undergoing a thorough disinfection.

Death of Miss Pearse. Estimize Young Lady Who Had Many Friends. The many former pupils and old friends of Miss May W. Pearse will be grieved to learn of her death in this city yesterday morning of tuberculosis. The funeral will be held this afternoon at 3 o'clock, from the residence of Mrs. M. E. Bourgard, 56 West Fourth street, and tomorrow morning the body will be sent to her old home at Mt. Vernon, Ind., to be laid by the side of her parents.

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Provo Paragraphs. (Special Correspondence.) Provo, March 11.—The county commissioners met today. The petition of citizens of Lake View in reference to changing boundary lines of school district was set for hearing March 13. A petition to repair a lower bridge on Provo river. Provo City appropriated \$100, citizens appropriated \$100 and ask county for appropriate \$100. Report was adopted.

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