TRACTION BILL JAMMED THROUGH

House Obeys Dictates of Light and Railway Monopoly.

CAPITOL MEASURE PASSES

LEGISLATION AGAINST BUCKET SHOPS DIES THE DEATH.

The house of representatives was in an uproar for a few minutes yesterday afternoon following the passage of senate bill No. 52, by Hollingsworth, "authorizing the consolidation of corporations of the same kind engaged in the same general business in the same vicinity." Joseph had led in the fight against the measure, but on final passage surprised all by loudly shouting "aye."

While the announcement of the vote was on the lips of Wilson (speaker pro tem), Joseph demanded that his vote be announced. He was insistent that he had voted "nay," and asked that he be so recorded.

Then he made his way over to where ex-Secretary of State James T. Hammond, at present counsel for the Utah Light & Railway company, was seated, and shouted:

"I say it's a disgrace with Attorney Hammond here right on the floor without any authority while we are considering a bill of this kind. It's not right."

Joseph was going on in this vein when Hull came to Hammond's rescue with an explanation that he had a right to be on the floor of the house.

"He's here as my guest," asserted Kinney.

The incident was attracting undesirable attention and, a motion to saunter having been made, the discussion was dropped.

Bill in Aid of Monopoly.

The senate bill which provoked the row amends section 340, Revised Statutes, so as to apply specifically to the case of the Utah Light & Railway company. This is the part of the bill which validates the consolidation a few years ago of the light and street railway companies. It provides that "corporations organized for the purpose of owning and operating street and interurban railroads, and corporations organized for manufacturing, producing and selling light, power and heat by electricity, gas, steam or other means, shall for the purpose of this section be deemed corporations of the same kind."

When the bill came up for third reading, Joseph attacked its constitutionality in that it conflicted with the statute prohibiting the dealing with the consolidation of competitive railroads. Kinney explained away this objection. On final passage, including the affirmative vote of Joseph, who, as explained unintentionally voted "nay," the bill carried by a vote of thirty-one to five, as follows:

Ayes—Anderson (A. V.), Anderson (J. A.), Austin, Carroll, Christensen, Cottam, Fishburn, Hawley, Johnson, Jones, Kinney, Kuchler, Lyman, Luther, Maughan, Merrill, Pace, Pancake, Panter, Peterson, Richards, Roberts, Simons, Spencer, Stewart, Stookey, Thompson, Tolton, Wilson, Wootton and Speaker Hull—31.

Nays—Cromar, Edward, Marks, McCrea and Stringham—5.

Capitol Fund Bill Goes Through.

Marks scored a point yesterday afternoon when one of his pet measures (house bill No. 177, providing for a state capitol fund), was passed by the house. The bill appropriates $10,000 per annum as a "sinking fund" for a capitol. It was killed in the house about two weeks ago, but was subsequently called up and placed at the foot of the calendar.

Marks, Austin and Joseph led the fight in favor of the measure. Kinney incurred the wrath of Edward by opposing the bill because of the low tide of the state treasury, and moving that the enacting clause be stricken out. Edward was one of the foremost in the fight against the legislative appropriation for Utah's exhibit at the Lewis and Clarke fair, while Kinney argued in favor of the exposition bill. Edward administered a gentle roast to his Salt Lake colleague for voting to put $30,000 into an exhibit and opposing an appropriation for a state capitol.

On final passage, house bill No. 177 carried by a vote of twenty-four to fifteen, as follows:

Ayes—Anderson, A. V., Austin, Carroll, Cottam, Cromar, Curtin, Dean, Edward, Gundry, Hawley, Hone, Hopes, Joseph, Marks, McCrea, Miller, Pace, Pancake, Panter, Peterson, Stewart, Stookey, Stringham and Speaker Pro Tem Wilson—24.

Nays—Allen, Christensen, Daily, Johnson, Jones, Kinney, Luther, Maughan, Merrill, Richards, Simons, Spencer, Thompson, Tolton and Wootton—15.

House Busy Passing Bills.

Action was taken on other bills as follows:

H. B. No. 234, by committee on irrigation, relating to formation of water users' associations. Passed unanimously.

H. B. No. 235, by committee on irrigation. Passed. Ayes, 35; nays, 2.

H. B. No. 226, by Kinney, relating to service of summons on non-resident corporations. Passed. Unanimous.

H. B. No. 210, by A. V. Anderson (by request), providing for the giving of new bonds by state officials who are "hold overs." Passed. Unanimous.

S. B. No. 94, by Hollingsworth, to tax legacies and gifts. Passed. Unanimous.

S. B. No. 59, by Bennion, compelling parents to send children of certain ages to school, and providing for associate examiners. Passed.

Garnishment Bill Passed.

S. B. No. 76, by Bamberger, providing for the attachment, garnishment and execution of salaries of public officials. Passed. Unanimous.

"Associated Press Bill" Favored.

By adopting the favorable report of the committee on judiciary yesterday afternoon, on senate bill No. 110, by Lawrence, the house foreshadowed its action on the measure, which proposes to make Utah the plaintiff in suits to compel the Associated Press to sell its news service to any person offering to pay for it. The bill is entitled "an act to prevent unjust discrimination against publishers of newspapers, by persons, associations of persons and corporations engaged in the business of gathering and distributing for publication, information or news, and declaring such combinations to be unlawful."

Other Committee Reports.

Other committee reports were adopted as follows:

Judiciary—S. B. No. 84, by Park, making certain exemptions from liability to act as a juror. Recommended for passage.

Judiciary—S. B. No. 111, by Lawrence, establishing a board of commissioners for the promotion of uniformity of legislation in the United States. Recommended for passage.

Judiciary—S. B. No. 88, by committee on judiciary (substitute for H. B. No. 11), relating to changes of venue in actions in municipal courts. Recommended for passage.

Irrigation—H. B. No. 194, by Austin, granting to the United States the right of way over state lands for ditches, tunnels and telephone and transmission in connection with irrigation works. Recommended for passage.

Bucket Shop Bill Killed.

Despite a hard fight made by Representative Marks to save the anti-bucket shop bill (S. B. No. 87, by Lawrence), the house yesterday adopted the report of the sifting committee, killing the measure. Marks' efforts were also directed toward eliminating from the sifting committee's list of "dead ones," S. B. No. 127, by Lawrence, directed against trading stamp combines.

The sifting committee's report recommended for slaughter the following bills:

S. B. No. 887, by Lawrence, relating to bucket shops.

S. B. No. 127, by Lawrence, relating to trading stamps.

S. B. No. 79, by Johnson, relating to attachments.

S. B. No. 8, by Walton, relating to constables' fees.

H. B. No. 5, by Joseph, abolishing the state institute of art.

"Motormen's Bill" Killed.

House bill No. 100, by Joseph, providing equipment of street cars with motormen's seats and air brakes.

Marks, in speaking for the elimination of senate bills Nos. 87 and 127 from the report, charged that the sifting committee had acted adversely on the measures in spite of the fact that the majority of the judiciary had not been consulted in the matter.

The house, however, decided that bucket shops weren't so bad, and Marks' motion failed.

Immediately after the sifting committee's report was adopted, Cromar moved that his bill (house bill No. 148) reported adversely by the "sifters" Wednesday, be taken from the table. The bill provided that prison-made goods offered for sale be plainly marked as such. The bill was first referred to the committee on manufactures and commerce, subsequently to the judiciary committee for a report as to its constitutionality, and then back to the committee on manufactures. It was later turned over to the "sifters" without notification. Cromar's motion to take house bill No. 148 from the table lost.

AT THE MORNING SESSION.

House Passes Lengthy Senate Bill Protecting Fish and Game.

The house put in the better part of the forenoon wading through Callister's bill (senate bill No. 55) revising the fish, game and bird laws of Utah, and then passed the measure with a few conference committee amendments by a vote of thirty-six to one, Hawley voting in the negative. At the afternoon session Wilson asked that the bill be calendared in order that further amendments might be made. The motion failed.

The feature of the debate incident to the passage of the voluminous measure was a difference of opinion between the members as to whether the government regulated the rising and setting of the sun for duck hunters, or whether the thing just happened that way. Several intimated that the sun moved by government regulation. The term government standard time went into the bill, however, with reference to the daily duck hunting periods during the open season. The new bill allows a ten-day open season for quail in Salt Lake county, as well as in Weber and Davis counties. Five months are allowed in Wayne and Washington.

An amendment by Edward carried, providing a means whereby resident non-citizens might shoot and fish. The amendment consists in a provision that upon payment of a license of $25 such residents shall be allowed to cast flies and go in quest of game for a period of one year.

The house also passed house bill No. 230, by Kinney, providing for the certification of complaints.

SMOOT'S DICTATE BECOMES LAW

Tanner For State Engineer and Others Confirmed by Senate.

A. F. DOREMUS DRAWS OUT

OTHER LEGISLATION IS PUT THROUGH WITH RUSH.

CONFIRMED BY SENATE.

For State Engineer—Caleb Tanner of Utah.

For Members State Board of Labor, Conciliation and Arbitration—John Dern (Democrat) of Salt Lake, Representative T. C. Pancake of Weber.

For Members State Board of Land Commissioners — William Spray of Tooele, W. D. Candland of Sanpete, W. H. Thain of Cache, H. N. Hayes of Sevier, John DeGray Dixon of Utah.

For Members State Board of Sheep Commissioners—Lewis R. Anderson of Sanpete, J. S. Ostler of Juab, John E. Austin of Wasatch.

For Members Lewis and Clark Exposition Commission — Wesley K. Walton of Rich, Web Greene of Sanpete, Rudolph Kuchler of Weber, F. W. Fishburn of Box Elder.

As predicted, "advices from Washington" put the name of Caleb Tanner for state engineer through the senate yesterday. No opposition developed to the dictate of Senator-Apostle Reed Smoot.

With information to the effect that Governor Cutler had been promised the votes of Senators Park and Williams of Salt Lake, thus making the ten necessary to confirm the appointment, the friends of State Engineer A. F. Doremus realized early in the day that their case was hopeless. Mr. Doremus took this view of it and the following communication from him was presented at the executive session:

"To the Honorable President and Members of the Senate—Gentlemen: It being evident that my continuance in the office of state engineer will not be acceptable to Governor Cutler, I take this opportunity to express my most sincere appreciation of the honor which your action in my behalf implies, and to implore you to make no further effort to retain me in the position. Again expressing my earnest appreciation of and thanks for the honor shown me, I am, very respectfully,

"A. F. DOREMUS."

This, of course, settled it, and the appointment was confirmed by unanimous vote.

"Advices from Washington" appears to be the most effective lobbyist that has appeared during the session.

The other appointments were likewise confirmed without any bother.

There is a little story back of the Portland commission appointments.

Kiesel Rejects Nose-Ring.

Recently Governor Cutler asked the Democratic senators if the appointment of F. J. Kiesel of Ogden, member of the old commission and a Democrat, would be satisfactory to the senate minority. The three Democratic members heartily endorsed Mr. Kiesel and expected his appointment. Even as late as yesterday the list of appointments was called back by the governor, presumably for the purpose of substituting the name of Kiesel for that of Kuchler, a Republican representative of Weber.

But Mr. Kiesel's refusal to fall in with the schemes of the Republican politicians resulted in keeping him off the commission. He was asked to promise his support to Speaker Hull for secretary of the commission and to oppose the appointment of S. T. Whitaker for director general of the exhibit. Mr. Kiesel refused to commit himself in advance to either proposition and was calmly eliminated, leaving the commission solidly Republican, and composed of men who, by logical inference, will vote for Hull and against Whitaker.

Thus goeth things legislative these days.

No Agreement on College Merger.

All members of the senate were in caucus for an hour during the forenoon, the subject for discussing being the college merger. The various phases of the matter were considered, but the caucus agreed on no plan of definite action.

Senate bill No. 150, providing for a commission to investigate the matter, came back from the house with amendments and, on motion of Hollingsworth, was laid on the table subject to call.

The two other bills, senate bills Nos. 151 and 152, are still in the education committee. They are certain to be closely examined by the committee and will probably come back with amendments.

It is not known definitely whether the consideration of the two measures will reopen the whole merger question on its merits again, although there is a little talk along that line.

Senator Callister's joint memorial No. 4, asking congress to take steps to protect the production of alfalfa seed, was killed, with only the votes of Callister, Hollingsworth, Johnson, Larsen, Lawrence, McKay and Williams behind it.

Senator Callister said the memorial was in line with the policies of the Republican party, and was just such a measure as would delight President Roosevelt. Senator Rusband ventured an opinion that it would get up a good laugh in congress. "Farmer" Bamberger opposed the measure because, in his judgment, "we are now paying enough for our alfalfa seed."

Differences Over St. Louis Fair.

The receipt of the information that the house had killed Johnson's senate bill No. 7, providing an appropriation to reimburse the men who came to the rescue of the St. Louis exhibit, was quickly followed by house concurrent resolution No. 3, by Joseph, directing the treasurer of the St. Louis commission to at once pay into the state treasury the amount of money, about $2,100, now in his hands.

Senator Johnson, treasurer of the commission, immediately moved a suspension of the rules and the striking out of the enacting clause. The motion was seconded from all over the senate and was carried unanimously, killing the bill.

Senators appeared to be greatly incensed by the measure, which they pronounced an insult to a member of the body. Some of them privately expressed regret that some more humiliating mode of death for the measure could not be employed.

Bennion moved to strike from house bill No. 171, by Hawley, the second section, which required persons who had secured credit by personal representations immediately to inform the persons to whom the representations were made of any change that might lessen his financial responsibility.

Bamberger and Callister supported the motion, while Johnson opposed it.

Williams moved as a further amendment to lessen from one year to three months the period during which the rule should apply.

Williams' amendment was lost and Bennion's motion to strike out the entire section was carried and the adoption of the bill by unanimous vote followed.

Other Measures Passed.

Measures were passed as follows:

House bill No. 114, by Kinney, relating to change of venue in justice courts.

House bill No. 139, by Edward, "the bulk bill," relating to purchase and sale of goods in bulk.

House bill No. 178, by Marks, relating to reports by banking corporations and private banks.

Senate bill No. 136, by Hollingsworth, relating to licensing peddlers of farm machinery, etc.

Senate bill No. 145, by judiciary committee, substitute for S. B. No. 18, by Lawrence, relating to the recording of plats of cemeteries.

Senate bill No. 162, by Walton, relating to registration of births and deaths, etc.

Senate bill No. 134, by Callister, relating to powers and duties of school trustees.

Senate bill No. 140, by Lawrence, repealing section 4036, revised statues, relating to notice in probate proceedings.

Senate bill No. 139, by Lawrence, relating to publication of summons in municipal courts.

House bill No. 170, by Hone, to prevent deception in sale of renovated butter.

House joint resolution No. 3, by Miller, proposing a constitutional amendment relating to appropriations for high schools.

House bill No. 75, by Marks, relating to county school districts of the first class.

The senate concurred in house amendments to the following:

Senate bill No. 43, by Walton, relating to reservoir land grant fund.

Senate bill No. 196, by Hollingsworth, relating to real estate held by counties under tax deeds.

House bill No. 138, by committee on agriculture and horticulture, creating central Utah experiment station.

Killed by the Senate.

The following measures were killed by the senate:

House concurrent resolution No. 3, by Joseph, requiring the treasurer of the St. Louis commission to pay into the state treasury all money of the commission now in his hands.

Senate joint memorial No. 4, by Callister, asking congress to protect the production of alfalfa seed in the United States.

Senate bill No. 66, by Callister, appropriating $500 for the use of the Utah Dairymen's association.

The following were killed in committee:

House bill No. 20, by McCrea, relating to salaries of certain state officers.

House bill No. 16, by Curtin, relating to state coal mine inspector. S. B. No. 141 substituted.

Reports by Committees.

Favorable committee reports were adopted on the following:

Senate bill No. 122, by Lawrence, relating to drainage districts.

House bill No. 181, by Marks, relating to juvenile courts.

House bill No. 204, by Kinney, relating to office of state chemist.

House bill No. 75, by Marks, relating to county school districts.

House bill No. 232, by committee on irrigation, substitute for H. B. No. 193, 195 and 197, codifying the irrigation laws.

Governor Cutler informed the senate that he had signed senate bill No. 144, by Johnson, providing $10,000 additional for contingent expenses; senate bill No. 42, by Hollingsworth, the new Lewis and Clark exposition bill; senate joint memorial No. 3, by Williams, relating to adulterated food, drugs and medicines; senate bill No. 82, by Walton, relating to contracts for the erection of school houses; senate bill No. 89, by Hollingsworth, relating to present ownership maps; senate bill No. 87, by Walton, relating to reports on cases of tuberculosis.

The only new measure introduced was the following:

Senate bill No. 141, by joint conference committee, substitute for house bill No. 16, by Curtin, providing for the office of state coal mine inspector, defining duties, etc.

The senate "sauntered" to 10 o'clock this morning.

HAVE FUN WITH WALTON.

Senators Insist on Having Certificate of Character.

When the appointments for the Portland fair commission were read in the senate yesterday Senator Hollingsworth arose and solemnly said:

"Mr. President—I am willing to vote to confirm three of these appointments, but I would like to know something about this man Walton before I vote for him. I would like to have the senator from Rich county inform me as to this man Walton's character, his politics, where he spends most of his time and how many sons he has."

Senator Walton was in the cloakroom at the moment and the sergeant-at-arms was sent for him. When the senator from Rich, who is the father of ten (10) sons and three daughters, appeared the question was repeated to him.

"Mr. President, I shall exercise my constitutional right not to say anything that might incriminate me," he said.

Senator Bamberger asked for time to prepare a resolution of sympathy for Senator Walton, while the president suggested the appointment of a committee to investigate him.

After the vote was taken and the appointments confirmed Hollingsworth broke out again:

"Mr. President, I would like to know how the senator from Rich voted on this," he cried.

"I voted 'No,'" replied Walton.

"Well, I didn't hear any negative vote," said Hollingsworth.

In Session Till Tuesday.

It looks now as if the legislature would not take its final adjournment before Tuesday. The appropriation bill, the irrigation bill, the juvenile court bill, the fish and game bill, the college bills, and several other measures have not been finally acted on by both houses. Some of these are certain to occasion considerable debate so that an adjournment before Tuesday is viewed as unlikely.

IDAHO RURAL ROUTE.

(Special to The Herald.)

Washington, March 10.—Rural free delivery route No. 1 has been ordered established April 15 at Blackfoot, Bingham county, Idaho. Population to be served, 525; houses on route, 105.

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We give doctors the formula for Ayer's Sarsaparilla. Then they can tell, when asked, just what it will do. Suppose you ask your doctor about this medicine in cases of impure blood, thin blood, debility, exhaustion, nervousness, anemia. J. C. Ayer Co., Lowell, Mass.

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