# DESERETEVENINGNEWS COMMITTEES IN

WEATHER REPORT.

Observations taken at 6 a, m. today, Observations taken at 6 a, m. today, for previous 24 heurs:
Salt Lake City—Barometer, 25:36 inches. Current temperature 44; Maximum temperature, 58; minimum temperature, 28; mean temperature, 52, which is two degrees above normal.

Accumulated excess of temperature since first of month, 79 degrees.

Accumulated excess of temperature since January 1st, 752 degrees.

Total precipitation from 6 s, m. to 6 m. 53 inch.

a, m., 53 inch.
Accumulated deficiency of precipita-tion since January 1st, 3.67 inches.

FORECASTS TILL 6 P. M., SUNDAY, Local forecast for Salt Lake City and vicinity: Fair tonight and Sunday; colder to-

night, severe frosts.

Forecast made at San Francisco for

Fair tonight and Sunday; colder tonight, severe frosts. WEATHER CONDITIONS.

The storm that was central off Washington and Oregon coast yesterday morning has moved rapidly southeastmorning has moved rapidly southeast-ward and is now central over western South Dakota, the barometric pressure at Rapid City being 29,18 inches. Pressure has increased in the northwest. It is generally colder throughout the intermountain region. Precipitation has occurred along the Pacific coast as far south as San Francisco, over Idaho, Newada and Utah. The heaviest rainfall reported is 52 inch, at Pocatello and Salt Lake City. A thunderstorm occurred at Salt Lake City last night, and the wind attained the velocity of 36 miles per hour from the southwest. miles per hour from the southwest.
J. I. WIDMEYER,

Temporarily in Charge.

TEMPERATURE TODAY.

10 a. m., 45; 12 noon, 47; 2 p. m., 48; 3 p. m., 48.

**&&**&&&&

## SEMI-WEEKLY NEWS...

# CIRCULATION TODAY,

January 1, 1899, 10,280.

(Issued Mondays and Thursdays.) The largest circulation of any paper between Denver and the coast.

#### OUR AIM:

20,000 by the 20th Century!

NEW NAMES ADDED TO THE NEWS SUBSCRIPTION LISTS

from January 1, 1809, to Saturday, October 20, 1900, (after deducting all copies discon-

 

 Daity
 1.350

 Saturday
 2.770

 Semi-Weekly
 8,470

 Total, - - 12,590

**\*\*\*\***\*

To-day's Metals. SILVER, Bar, 64 1-4

LEAD, \$4.00 CASTING COPPER 15 3-4 cents a fb.

#### LOCAL BRIEFS.

Home missionaries will visit the var-ious wards of the Stake tomorrow at the usual hour of meeting.

Mrs. Alice Merrill Horne goes to Provo Wednesday evening to lec-ture before the students of the B. Y.

A marriage license was, this forenoon, issued to John W. Palmer, 21, of West Jordan, and Etnia May Wardle, 15, of South Jordan.

The congregation at St. Paul's Episcopal church will endeavor to have their present small organ replaced with a pipe organ.

About \$20,000 in county warrants have been redeemed by County Treasurer Lynch, leaving about \$120,000 in warrants still outstanding.

Contracts for ten more feet of the new Catholic cathedral walls will probably be let next week, after which the work will cease for the winter.

Edward Kinney, the man who was injured at Dillon, Montana, a few days ago, died at St. Mark's hospital last evening. He was about 32 years of age

and lived at Blackfoot, Idaho. David Palmcrest, who was injured at Rio Grande Western roundhouse yesterday by a piece of a boiler falling upon him, is getting along as well as could be expected. He is at the Holy

Cross hospital. Rev. Geo. Dailey, LL.B., delivers the third in the series of popular lectures to young men at the Y. M. C. A. tomorrow at 1 p. m., subject is, "Do You Know a Good Thing When You See It?" The

quartet will sing. All men are in-It is, perhaps, needless to say that the C. M. Jackson who got a good stiff sentence in Justice Timmony's court yesterday afternoon was not Mr. Jack-

son the well known newspaper man, though he was considerably chaffed by friends today who should have known

The history section of the Ladice' Literary club will meet in the dining room of the club house Wednesday morning, October 24, at 16 o'clock. The subjects to be presented are: The Commonwealth, by Mrs. Boxine, and "The Protectorate." by Mrs. Delano. There will be one minute talks on John Milton

Money to loan on first class security, nterest low. No commissions charged ion's Savings Bank and Trust company.

CTAR COMMERCIAL AND SAVGS BANK Interest paid on savings. W. F. Armstrong, prest., P. W. Madsen, vice prest., J. E. Caine, cashler.

UTAH COAL.

# FAVOR OF CRANT

Councilmen Debate the Pioneer Square Question.

THEY VOTE TO VACATE PARK

After a Lengthy Meeting of Two and and One-Half Hours, the Motion Carries.

The first step in the matter of the granting of Ploneer square to the proposed Los Angeles and Salt Lake railroad was taken last night in the special meeting of the city council committees appointed to look into the matter. As an outcome of the meeting, which acted favorably upon the proposed grant, an ordinance will be drawn up and presented to the council at Tuesday night's meeting calling for the vacation of the property as a public park, and when that is accomplished the next step will be to consider the question of the donation of the square to that railroad com-pany, that is to be incorporated, for terminal facilities.

This preliminary action was taken af-

ter a spirited debate upon the proposi-tion by the various members of the committees and after the city attorney had handed in an opinion adverse to the right of the city to deed away any of the city property under gift and dedication to the people for all time. followed by an argument by Judge Dickson to the effect that the city counil would be within their rights and authority to give the debated property

Those who voted against this action were Canning Fernstrom and Tudden-ham; the ayes being Hewlett, Robert-son, Thomas. Whittemore and Harten-stein. Cottrell, Edgar Howe and Reid being absent.

The meeting lasted fully two hours and a half and during that period there was considerable spirited debate pro

The meeting was called to order at \$1.10 by Chairman Thomas when the first thing to come under the notice of the committees was the opinion of Attorney Frank B. Stephens which was as

CITY ATTORNEY'S OPINION.

Salt Lake City, Utah, Oct. 19, 1900, Hon, Committees on Public Grounds and Municipal Laws, Associated:—Gentiemen—Replying to your inquiry as to whether or not the city has the power to donate Pioneer square to the pro-posed railway company, would say that posed railway company, would say that this souare having been dedicated as a public park under an ordinance ap-proved July 6, 1898, the first question to be determined is whether or not the council has power to vacate this park, and cause the square to again become part of the open public lands of the city.

In order to determine the questions presented to me for consideration, it is necessary to ascertain from whence

municipal corporations derive their powers, and the extent of the same.

Municipal corporations in the State of Utah derive their powers from the authority conferred in title 10 of the Revised Statutes of 1898, and the particular newers granted to the city countricular new granted new granted new granted new granted new granted new granted ticular powers granted to the city counenumerated in section 296, and the subdivisions of this section bearing upon the questions presented to me are paragraphs 1, 2 and 8. Paragraph 8 is

Streets, etc.-To lay out, establish, open, alter, widen ,extend, grade, pave or otherwise improve streets, avenues, sidewalks parks and public grounds;

and to vacate the same."
This paragraph gives special power vacate streets and public parks. I cordingly conclude that the city council has power to vacate the park em-braced within the confines of Pioneer square, but such vacation must, however, be for a good and sufficient ever, be for a good and sufficient reason and in furtherance of a munici-

Assuming that there be a valid vacation of the park, the next question is: Has the city council power to make a donation of the same for the encour-agement of the construction of a rail-road? The petition presented by Mr. road? The petition presented by Air. Gibbon makes no express proposition. In ceneral terms he requests that the square be donated for depot purposes, under certain conditions to be formuated by the council, but the discussion so far has been upon the theory of an absolute grant of the square so far as the city is concerned; that is, the city to hereafter have no benefit of the square, except that indirect benefit re sulting from the construction of a rail-way and the increased amount of tax-able property; and the railway to have the exclusive ownership and -ossession of the square under certain conditions

POWER OF CITY COUNCIL. The power of the City Council over city property, real and personal, is con-ferred in paragraph 2 of section 206, Re-vised Statutes, and is as follows:

"Appropriations.-Property-To ap-propriate money for corporate purposes aly, and provide for payment of debts only, and provide for payment of deots and expenses of the corporation; and to purchase, receive, hold, sell. lease, convey and dispose of property, real and personal, for the benefit of the city, both within and without its corporate undaries; to improve and protect such operty, and to do all other things in ation thereto as natural persons The promoters of the proposed rail-way have expressed the opinion that Council, under the legislative y, have power to make the doequested, but I have made a examination of such authorities e been able to find bearing upon osition, and find myself unable r in their opinion. The de-n regard to the powers of il corporations to aid railroads n very numerous and upon vaes of the question. Some of icate that this is more of a question than I had thought first commenced to investigate and no case directly in point; nds of the city was involved it is to some extent presented lana case, but I am convinced great weight of authority is unicipal corporation can make tion, either of money or land, of a railroad company, unless legislative authority be given and it is my opinion that the

of our statute quoted above, broad, is not broad enough to end such authority ent members of the bar of this expressed a contrary view, is my best judgment. Our have not passed upon the ques-id it will require a judicial con-in to absolutely determine the In the absence of such construcsame. In the absence of such consista-tion, I feel that my duty compels me to resolve whatever doubt there may be in favor of the city and against the proposed grant. Respectfully submit-

d. FRANK B, STEPHENS. When the opinion had been read, Councilman Whittemore asked several Castle Gate, Sunnyside and Clear Creek—Lump, \$5.00 per ton. Winter Quarters Lump and all nut coal, \$4.75 per ton. Anthracite all sizes, \$9.50 per ton. 12 south Main St. Telephone, 429.

D. J. SHARP, Agt.

Councilman Whittemore asked several questions, and then proceeded to speak in favor of netion in the matter, to conclude by expressing a desire to hear from Judge Dickson, who was present. At this juncture, Canning took umbrage at the request, and after a speech

in opposition to the granting of the square, he moved that the opinion of the city attorney be sustained, and the recommendation of the pelitioners be denied. This motion was promptly seconded by Fernstrom.

THE OTHER SIDE.

Judge Dickson then proceeded to speak in favor of the grant, during the course of which he said:

"The city had no power to give th square away, but the city attorney does not recognize one fact, for there is an-other consideration than dollars and cents which is the fundamental law of contracts. Suppose I go to Mr. Stephens and say I will convey and grant northeast quarter of a certain block I own if he will obligate himself to expend \$500,000 or \$1,000 000 for the creation of a fine bolish of the contraction of a fine bolish of the contraction of a fine bolish of the contraction of a fine bolish of a fine b erection of a fine hotel on the land con veyed to him. No one will say I an giving him that land except 'for value received' and I would receive in end for the quarter more than the worth of the whole lot. Then the deed would recite 'that in consideration I hereby bargain, The legal gentleman then went into

the law of contracts and proceeded show that the city was receiving con-sideration. He also maintained that if the request of the company were granted the property would still be devoted to public use as a railroad sta-tion. If conveyed, he said, and the courts held that the city could not give it away under these conditions, the city would lose nothing, as the com-pany, he had no doubt, would have the title quieted in court and pay all ex-penses of the suit before they proceeded to put in any improvements. He then proceded to show how the city would be protected by the insertion of various clauses, and that the legality of the grant would be settled for all time by the action of the courts in he matter.

DENOUNCES MILLIONAIRES. After several question had been asked and answered by those present, Judge Dickson and Attorney Stephens, Mr. Whittemore produced a monster petition signed by over one thousand of the residents of the Second precinct in favor of the granting of the square. This had the effect of bringing Canning to his feet, who proceeded to denounce millionaires in general, and to declare that a number of the signatures upor the petition presented were fictitious names. Among other things he wanted to know why these men of millions were "not men enough to buy their own depot." Directing his remarks to Messrs. Kearns, Keith and C. O. Whittemore, who were present, he said: "You are crying to rob the poor people of this city of their park, Why ain't you men enough to buy it? You, with your millions, can go down to Saratoga in the hot weather and the poor meanle here have to."— His tirade was cut short by Whitte-

more objecting to the councilman pitching into citizens on the floor of the Council, but Robertson, who was temporarily in the chair, allowed him to proceed with his speech. Fernstrom then had an inning on his second to the motion of Canning and proceeded to maintain that if it were right to grant the square then to give it to the railroad, and have done with the matter. If on the other hand, there were any doubt in regard to the matter he said that he thought that the ques-tion sould be fully ventilated and gone into thoroughly. During the course of his remarks he referred to "underhand and roundabout" methods. This insin-uation had the effect of bringing Robertson to his feet, who spoke briefly in favor of giving the square to the com-pany. Hewlett also placed himself on record for the first time as being in fa-

vor of the preposition. NOVEL MOTION.

Then Hartenstein delivered himself of

the following startling motion, which found a second in Tuddenham:
"I move to amend that we grant to the Sait Lake and Los Angeles, to the Rio Grande Western, to the Oregon Short Line to Oregon Rio Grande Western, to the Oregon Short Line, to the Salt Lake & Ogden railroads, and any other railroad that may come in hereafter, the Pioneer square for a union passenger station."

He later corrected the latter part of the motion to read: "Hereafter have the right of way by paying their prorata and make proper arrangement with the companies already in posses-

Another passage at arms then occurred. This time between the city attorney and Councilman Canning, af-ter which C. O. Whittemore read a letter from T. E. Gibbon, received yesterday, which stated that surveys are being pushed upon the route of the line, and that it would be only a short space f time, providing everything went favorable to the granting of the square, before a force would be at work at this end of the road, and incorporation papers be filed. He also spoke of an invitation being extended to the other roads to make the depot a union sta-

J. J. Thomas then left the chair and spoke at length upon the development of the city which would necessarily fol-low the granting of the square for a depot. He said that he wanted to be placed among those who were in favor

f the grant, Robertson then offered a motion that the committee report favorably on the matter and draw up an ordinance va-

cating the square, It was carried as stated above, and the committees then adjourned. ACCIDENT ON THE WESTERN.

No. 5 Passenger Strikes a Broken Rail at Soldier's Summit.

No. 5 on the Rio Grande Western was delayed nearly four hours this morning on account of one of the passenger coaches leaving the rails and blocking the traffic in the vicinity of Soldier's summit. Owing to the fact that the train at that point has to proceed at a slow speed on account of th heavy grade nobody was injured beyon a general shake up. The accident is thought to have been caused by a rai giving way. As the consequence No was also delayed until the track cou be cleared by a wrecking party that was dispatched to the scene immediately upon the receipt of the news.

WESTERN BUYS LAND.

Railroad Corporation Fsles Deeds for Right of Way of Park City Branch. The Rio Grande Western yesterday filed with the county recorder eleven transfers of property for the right of way for the tracks of the company which are to be removed from Eight and Ninth South streets. The deeds which amount to \$10,350, are as follows G. A. Brox and #1fo, 104-1000 of an

John E. Wesley and wife, 1.16 acres \$50 Elizabeth R. Young, 1.11 acres. 1,250 Lorenzo Snow, George Q. Cannon and Joseph F. Smith, 8.6 acres. 1,700 George Romney, 1.15 acres. 760 Esther E. Buckle, 304-1000 of an

Ann M. Cannon, lots in Forest 1.400 Sophia E. Jenkins, lots in Dundee company, lots in Forest Dale .... 400

PLACE FOR SAMPLE.

Has Heen Appointed Consulting Engineer for the R. G. W.

Denver, Oct. 20.—Col. N. W. Sample who recently retired from the position of general superintendent of the Den-& Rio Grande road has been ted as consulting engineer of the Rio ande Western. The colonel will en-Grande Western. The colonel will ter upon his duties without delay.

SPIKE AND RAIL. W. J. Shotwell, general agent of the Denver and Rio Grande in San Francisco, is in town en route to the coast from Denver.

T. J. Clark, traveling passenger agent of the Rock Island, is expected to re-turn to this city this evening from Den-

A Raymond-Whitcomb party, twelve strong, left for Glenwood Springs and the East on No. 6 this morning over the Rio Grande Western.

W. J. Shotwell general agent of the Denver & Rio Grande in San Francisco, s in town en route to the coast from

Denver. S. W. Eccles, who returned from San Francisco yesterday, nails the dispatch in regard to the Los Angeles line as being a fake pure and simple

being a fake pure and simple E. R. Hunt, traveling passenger agent, Rio Grande Western, came down from Ogden this morning with the foot-ball special with 210 passengers on

H. C. Bush, general agent of the Colorado Midiand railroad in San Francisco, has been selected as general traffic manager of the road. The appointment will become effective on Nov. 1.

and Eureka yesterday afternoon. H. C. Bush, general agent of the Col-orado Midland railroad in San Fran-

The story from San Francisco that the coastruction of the Salt Lake and Los Angeles railroad is to be a joint enterprise of the Los Angeles Terminal, Oregon Short Line and Union Pacific is emphatically denied by J. Ross Clark, brother of Senator Clark, and one of the principal promoters of the Salt

Among the stock shipments that have been handled by the local agency of the Denver & Rio Grande this week are thirteen carloads of sheep from Colton, twenty carloads of sheep from Thomp-son's Springs, nine carloads from Gunnison and nine from Soda Springs, also eleven carloads of horses out of Dillon,

The story from San Francisco that the construction of the Salt Lake & Los Angeles railroad is to be a joint oregon Short Line and Union Pacific is emphatically denied by J. Ross Clark, brother of Senator Clark and one of the principal promoters of the Salt Lake & Los Angeles road.

### A SOLDIER'S BURIAL.

Funeral of William H. Savage With Military Honors.

William H. Savage, of Battery B. Utah Light artillery, was buried yesterday afternoon with all the honor that is given to a dead soldier. The funeral was held at Evans' undertaking parlors. Rev. Richard Wake conducted the services, which were short but im-

was placed on a caiseon and guarded by members of the battery. There were two sections of battery A, Utah light artillery and members of the National Guard followed by a long line of car-riages. The procession moved to the city cemetery, where the body was lowered in the soldler's plot. Taps were sounded and the last 54d offices were performed. performed

Performed.

The pallbearers were Joe Doyle, Charles Forslund, William Collett, Glen Benson, L. B. Eddy and Robert Sonroy, og battery B. and James Quinn and Charles Wahlquist, of battery A.

is given to card games in the home when our new packs are used, with our soldiers' and sallors' faces on the court cards. Gilt edges, round corners, inin leatherette case. Send 25 cents mon-ey or stamps for each pack to Malt-Nutrine Dept., Anheuser-Busch Brewing Ass'n, St. Louis, Mo.

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the faint struggle for existence seemed almost ended, resuscitated and made strong by the use of WHITE'S CREAM VERMIFUGE. Price 25 cents. Z. C. M. I. Drug Dept.

A "stitch in time saves nine," and a dose of BALLARD'S HOREHOUND SYRUP at the beginning of a cold will save you many weary hours and even days of distressing and harassing cough, Price, 50 cents. Z. C. M. 1. Drug Dent

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Persons wanting board and rooms for students should apply to the President between eleven and one o'clock in the University main building, corner of First North and Second West Streets.

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TO EXCHANGE FOR CITY PROPERTY, Young 6-acre orchard with 7 room modern residence, at Brigham City, (fruit paid \$1.00 this season.) Also farm from 30 to 70 acres, value \$2.00 to \$5.00, according to land wanted. Tuttle Bros., 149 Main St.

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DR. F. F. REED HAS REMOVED HIS dental office to rooms 49-50, over Walker Bros. Dry Goods store. LOST.

SATURDAY LAST. BETWEEN 1st SO and Walker's Store on Main, a gold pencil epgraved "M Latshaw." Heturn to "News" for reward. AUCTION.

1,000 BASE BURNERS AND HEATING Stoves at half p ice. I. N. L., 48 E. 2nd So. t P. A. Sorsalen

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C-U-B-A

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SEE US FOR GENUINE SNAPS, LOANS and Insurance, Stein, 22 Main. WILL SELL YOU AT A BARGAIN VA-cant lots, a cottage or a modern house in any part of the city. James K. Shaw, under Walker Bros.' Bank.

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> bonrd Traffic Manager S. H. Babcock of the Rio Grande Western and party returned from their inspection trip to Ogden, Heber, Mammoth, Silver City and Eureka yesterday afternoon.

> Traffic Manager S. H. Babcock of the Rlo Grande Western and party re-turned from their inspection trip to Ogden, Heber, Mammeth, Silver City

cisco, has been selected as general traf-fic manager of the road. The appointment will become effective on Nov. I. Lake and Los Angeles road.

The procession started its slow march to the cemetery headed by the artillery band. The casket, covered with flowers, was placed on a caisson and guarded

An Added Interest

The New City Directory, The regular canvass for R. L. Polk & Co.'s Salt Lake City directory, 1901,

on application.
R. L. POLK & CO., Publishers.
W. P. COOPER, Sec. and Mgr.

On Sunday, Oct. 21st, the Autumn Ex.

It's little but it can figure like lightn-CALCULATING PENCIL. Just give it a twist and there is the

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has decided to sell these through the ordinary agencies for Church publications. Your local agent will order the book for you or it will be sent postpaid from the Deseret News Office. Cloth. \$1.50; Half Morocco, \$2.00.

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FOR ONE WEEK ENDING SATURDAY, Oct 27th will sell at actual half price all from Beds all Fockers, Sideboards, Extension Tables, etc., in Antique cak. Thousands of birgains. L. A. L. Furniture and carpet installment House, P. A. Sorensen, proprietor.

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