



GEORGE Q. CANNON.....EDITOR

Wednesday, ... August 31, 1870

## ABATEMENT OF A LIQUOR ESTABLISHMENT.

SECOND South street this morning was the scene of an occurrence that has afforded a topic of conversation to-day almost as interesting as the war news. At about twenty minutes past seven this morning, the city marshal, John D. T. McAllister, Esq., with Captain Burt, chief of police, and a corps of eighteen regular and special policemen, made a descent upon the liquor establishment of Paul Engelbrecht, empowered with a warrant from Alderman Clinton, and proceeded to demolish the casks, cases, bottles, &c, containing liquor and to pour out their contents upon the ground.

About three or four months ago, Mr. Paul Engelbrecht concluded to drop the saloon license for the sale of liquors which he had taken out, and in the stead thereof applied for a wholesale liquor license, which was granted him. As will be seen by reference to the city ordinance relating to licenses for the sale of liquors, which we append to this article, ten gallons is the smallest quantity which a person holding a liquor license is authorized to sell, except where bottles, &c., are sold in original packages; but Mr. Engelbrecht did not so view the wholesale license, for he sold at retail, for which he was arrested and fined three times. At the expiration of the time for which the wholesale license was given, he applied for its renewal, and his application was granted; but he refused to sign the bond required in Section eight of the ordinance, which, of course left him without a license. He has been in this condition since about the first of the month; but, notwithstanding he had no license, he has continued to sell wholesale and retail. During this time, some twenty-six or twenty-seven days, he has been arrested and on three different occasions fined; but he has taken an appeal against this action of the city authorities, denying their jurisdiction. No decision has been arrived at upon these appeals as the District Court has not been in session since they were made. Meanwhile he kept on treating the city, its ordinances and its officers with the greatest contempt. Another complaint was recently made upon oath before the Alderman, setting forth that Mr. Paul Engelbrecht was continuing to sell liquor without license, and that at his place it could be bought in any quantity from two bits worth up to the barrel, upon which the Alderman issued his warrant, in accordance with Section seven of the city ordinance, directed to the city Marshal, commanding him to enter said place and to demolish all things found therein used for the unlawful selling and disposing of spirituous, vinous or fermented liquors without license. Armed with this document, the City Marshal with his force proceeded to Mr. Engelbrecht's saloon, and finding Mr. Engelbrecht was absent, having gone out of town yesterday, of which fact, however, the officer was ignorant, read his warrant to Mr. Chris. Rehmke and then proceeded to carry out his instructions. He and the Captain of Police assigned the men their various duties, some to roll out the barrels which were on the upper floor, into the street, others to go into the cellar and demolish what they found there, others to knock in the heads of the barrels, and others to break the bottles and cases. The police proceeded quietly but sternly with their duty; they used no unnecessary violence; and did not break anything that did not hold liquor or was not used for its sale, even the counter was carried out uninjured, the rack to hold bottles, cigar cases, and boxes of cigars which were in the cellar and all the furniture and ornaments were left intact. But no spirits, wine or fermented drinks were left. The heads of the barrels were knocked in;

they were raised on to their ends and then rolled into the middle of the street. Some strangers in town gathered with the crowd to witness the scene, and they commented upon the fact that not a drop of any kind of liquor was tasted by the officers. The work of demolition occupied half an hour, and before it was ended about 200 spectators had collected; but quiet prevailed, and there was no excitement manifested throughout the whole transaction.

It is with unalloyed satisfaction that we chronicle this act of rigid and necessary justice on the part of our city authorities. The sale of liquors in our city and Territory, except for medicinal purposes, we have been thoroughly and uncompromisingly opposed to. These are our private feelings on the subject. But it has been deemed necessary by the City Council, after being petitioned and remonstrated with on the subject, to grant a limited number of licenses to sell liquor. The propriety of this action we do not question. But in granting thus much, the Council has also taken care to prescribe metes and bounds, to prevent the abuse of this liberty. Not satisfied, however, with the privilege of selling by license, there has been a disposition manifested by certain evilly disposed persons to trample upon and defy the authority of the city and its ordinance and officers in this business, so much so that they have evinced a determination to sell liquor when and where they pleased, independent of any license. Mr. Engelbrecht has been one of the foremost of these individuals. He has the unenviable distinction of being the first to attempt to test the validity of the city charter and ordinances in the courts on this very question; but Judge Titus decided in favor of the city. And that he has been persistent in his attempts to override all law and authority in this matter, is evident from the fact that this is the third time his establishment has been abated. But he is not the only one.

Our city has a reputation for sobriety now that it would not long maintain if men of this class could carry out their designs. But we are glad that our city officers have the nerve to magnify the law and to use all the authority with which they are invested to check the tide of corruption that seeks to wash down every barrier erected for the maintenance of law and order. This land has been dedicated as a home for the virtuous, the industrious and the temperate. Up to the present, virtue and temperance have been honored, while intemperance and its long train of vices have been frowned upon and contemned. Who wishes to have it otherwise? Do the people? No; their influence and voices are utterly opposed to the free sale of intoxicating drinks. They would have their sale restricted. But a few individuals would coin the heart-blood of their fellow creatures into some shape if they could get sale for it, and it is this few whose persistent attempts at selling liquors in this city in defiance of all law, have excited the disgust of every good citizen. Our city officers can rely upon a sound and strong public sentiment to sustain them in their efforts to check such schemes and to preserve peace and good order here; and, what is more, they can depend also on the moral support of the best classes of society outside of this city when the facts are known. On behalf of the community we thank our city officers for what they have done, and we trust they will neither slacken their vigilance, nor be overawed by the threats of the vile. In saying this we but give expression to the sentiment of the entire people. Posterity will bless the men who wisely and valiantly battle against the insidious advance of the dreadful demon intemperance.

## An Ordinance

Relating to Licenses for the Manufacture and Sale of Spirituous, Vinous and Fermented Liquor.

SEC. 1.—Be it ordained by the City Council of Great Salt Lake City, that it shall not be lawful for any person or persons to manufacture, sell or otherwise dispose of any spirituous, vinous or fermented Liquors, nor to establish, or keep, or to assist in keeping or conducting any house or place for the purpose of manufacturing, or selling, or otherwise disposing of any spirituous, vinous, or fermented Liquors within the limits of this City, without first obtaining license from the City Council for such purpose.

SEC. 2.—That a wholesale liquor license shall not authorize any person to sell, barter, or deliver any wines, spirituous or fermented Liquors in less quantity than ten gallons, or in original packages; and bottled Liquors or wines, only in original packages as imported, and in no case to be drunk on the premises of parties so licensed.

SEC. 3.—That a retail liquor license shall not authorize the sale of wines or spirituous Liquors in a greater quantity than three gallons, and in no case to be drunk on the premises.

SEC. 4.—That a license to keep a bart drinking saloon or dram-shop, shall not authorize any person to sell, barter, or deliver, or suffer or permit to be sold, bartered or delivered, any spirituous, vinous or fermented Liquors, or any composition of which wines or spirituous Liquors form a part in any quantity, except to be drunk on the premises of the person so licensed.

SEC. 5.—That all persons so licensed as set forth in the preceding section, shall institute such regulations in their houses as shall restrain drunkenness, riotous or disorderly conduct, and shall keep a cleanly, well regulated establishment, which shall not be open for the sale of Liquors between the hours of eleven o'clock at night and four o'clock in the morning, and the police shall have access to the premises at all hours.

SEC. 6.—It shall not be lawful for any person to sell or dispose of any spirituous, vinous or fermented Liquor to any person under sixteen years of age, or to any Indian; nor to sell or otherwise dispose of any Liquors on the Sabbath day.

SEC. 7.—Any person having reasonable cause to believe that any house or place, mentioned in the foregoing sections of this Ordinance, is established and kept for the purpose of manufacturing, selling or otherwise disposing of spirituous, vinous or fermented Liquors, without first obtaining license from the City Council, and will make oath of the same, describing the place, and if upon investigation, it shall so appear, the Mayor or Alderman before whom such complaint has been made may issue his warrant, directed to the City Marshal or any of his deputies, commanding him to enter said house or place and demolish all things found therein, made use of for the purpose of manufacturing, selling, or otherwise disposing of spirituous, vinous or fermented Liquors, and to arrest the person or persons owning, keeping or conducting said house or place and bring him or them before the Court, and such person or persons, on conviction, shall be liable to a fine not to exceed one hundred dollars and imprisonment not to exceed six months, or both fine and imprisonment, at the discretion of the Court.

SEC. 8.—The City Council, on granting licenses to any person or persons for the manufacture or sale of spirituous, vinous or fermented Liquors, shall determine the time for which it shall be given and the amount to be paid thereon, and shall require bonds, with security, and determine the amount thereof, for the due observance of the ordinances and regulations of the City. Said bonds shall be approved by the Mayor or City Council and filed with the Recorder.

SEC. 9.—Any person violating any of the provisions of this Ordinance shall be liable to a fine in any sum not exceeding one hundred dollars and forfeiture of license.

SEC. 10.—All ordinances and parts of ordinances relating to the manufacture and sale of spirituous, vinous and fermented Liquors, heretofore passed by the City Council, are hereby repealed.

Passed, October 27th, 1866.

DANIEL H. WELLS, Mayor.

ROBERT CAMPBELL, City Recorder.

Territory of Utah,  
Great Salt Lake City. } s.s.

This certifies that the foregoing is a true copy of the Ordinance passed by the City Council, October 27th, 1866.

Given under my hand and the Corporate Seal of Great Salt Lake City, October 29th, A.D., 1866.

ROBERT CAMPBELL,  
City Recorder.

## PASSING EVENTS IN THE CITY.

It will be seen by an item in another column that Alderman Clinton, Captain Burt and several of the officers engaged in the abatement of Engelbrecht's liquor establishment on Saturday morning, have been arrested, under a warrant issued by Judge Strickland, and held in heavy bail to answer certain charges made against them by the aforesaid Engelbrecht. We understand that the warrant was for the arrest of all the officers engaged in that laudable transaction, and that the remainder will be dealt with as the few have been.

This proceeding will not surprise our citizens, many no doubt anticipated such a result. It is but a repetition of the old, old story. The majority of the people here are desirous and determined to have a well regulated, peaceful and orderly community, and for years they have labored, and are still laboring, to have it so; but a few, amongst whom are men whose business, legitimately, is to second their efforts, are determined that it shall not be so if they can help it. We have heard it asserted that this man Engelbrecht, in selling liquor without a license, acted under advice. This we can well believe, and have no doubt whatever of its truth. We are persuaded there are men here who reap the greatest harvests when the greatest

infractions of law and order are perpetrated. They have tried their little game before, and will no doubt keep on trying it as long as Salt Lake City is infected with their presence.

In contests, similar to the one now on hand, the city has been victorious, because its course has been declared to be in accordance with the common law of the country. But no matter in whose favor such suits are decided, the pettifoggers to whom we allude are always on the right side; for whether the parties who, beguiled by them to resist the law, win or lose, they themselves win, that is, they exact exorbitant sums for their professional services, and that is all they care for.

We have no doubt that all that legal lore and sophistry can possibly do will be done in the present instance, to mulct the city in heavy damages; and with packed juries, and Judges notoriously prejudiced, whose every act and sentiment is in avowed hostility to the people, such a result is easily attainable.

Of the course that events may take in connection with this case we, of course, are utterly ignorant, and quite as ignorant of the line of policy that may be adopted by the authorities of the city. We are satisfied that their course up to this time in connection with the case, is strictly in accordance with the Constitutional law of the land; and we do hope that, rather than be over-ridden by the "ring," who are determined to break down law and order here, and to introduce riot, dissipation, lawlessness and all the other delightful concomitants of their bastard civilization, the matter will be tested before the highest legal tribunal of the land.

No better illustration can be given of the results that would follow the triumph of the "ring" we have alluded to above, than the stabbing case, which occurred yesterday morning on Second South street, an account of which will be found elsewhere in to-day's paper. Such an affray is unprecedented in the history of Salt Lake City, for many years past, a result due, wholly, to the determination of the city authorities to prevent, or restrict the sale of intoxicating liquors. But where the beautiful system of modern civilization prevails in full blast such affrays are every-day occurrences, and would be here if the regenerators could have their say and sway. That day we are satisfied will never come; but to prevent it the people must be on the alert. If eternal vigilance is the price of liberty it is equally necessary to preserve peace and good order in a community. The experience of this people has proved, and is proving this continually.

But to return to this case on Second South Street: Such an occurrence is a stain on the community, and a special disgrace to all the parties connected with it. Drinking and card playing would scarcely be permitted in any respectable place at any time, and least of all on Sunday morning. But to have such a carouse terminate with a beastly, bloody and probably fatal encounter is most abominable. Of one of the parties engaged—namely Burke, who is said to be a miner and gambler, it is probably as good as might be expected; but there were others, one of the principals, and the keeper of the saloon, from whom better things had a right to be expected. A disgraceful affair like this is enough to make the city authorities and the people generally more than ever determined to repress the sale of intoxicating drinks. We have no doubt that it will have this effect; and another effect we it ought to have—namely the abatement of the place as a nuisance in which it took place.

We think the latter part of our article points a moral, if it do not adorn the tale contained in the former.

## CULLOM'S DISTRICT.

FROM present indications the eighth district of Illinois, now represented by Mr. Cullom, is likely to return a democrat as representative to Congress. Besides the republican and democratic nominees, there is another candidate by the name of George W. Minier, who stands on a platform of teetotalism, Sunday laws, and woman's suffrage. The Chicago Post thus discourses about this latter candidate:

"Here we see Republicans combining to secure the election of the Democrat; temperance men combining for the success of the party which most of the sots and bartenders support; advocates of woman's suffrage combining for the success of a party which resists all progressive ideas and movements; Sunday school teachers combining for the success of a party that has no Sunday; prohibitionists combining to prohibit the election of a Republican. If this is not the blindest fatuity, what is it?"