

Quorum. The reports were interspersed with preaching by Elders Forsell, of Salt Lake City, and C. Anderson.

At the Monday afternoon meeting, statistical reports were read, and general and Stake authorities presented by C. Anderson. They were all unanimously sustained, after which the meeting was addressed by Elders William Rydahl, C. F. Christensen, J. E. Hickman, Frank Hinkley, Presidents Daniel Thompson, I. N. Hinkley and D. R. Stevens.

Conference then adjourned for three months to meet at Deseret.

Notwithstanding the bad condition of the roads the meetings were well attended. The reports of the condition of the various wards, quorums and institutions were in the main very good. The topics treated upon by the speakers, were family and Church government, education, kindness and forgiveness. The addresses were spirited and the good influence of the Spirit of God was much enjoyed by both speakers and hearers.

C. ANDERSON, Stake Clerk.

### THE PIONEER BLOCK.

At a late hour March 5, Mr. W. L. Pickard, through his attorney, Frank Hoffman, Esq., filed a complaint in the Third District Court, the full text of which appears below. Judge Anderson issued an order to show cause, and this will be heard on Monday, March 9th, at 10 a. m.

W. L. Pickard, plaintiff, vs. Salt Lake City, a municipal corporation, George M. Scott, Mayor of said Salt Lake City, and James F. Jack, Recorder of said city, defendants.

The plaintiff complains that he is a resident of Salt Lake City, Salt Lake County, Utah Territory, and owns taxable property, real estate and personal, in said city, and abutting on the premises hereinafter described, immediately on the north, and pays taxes on the same to the tax assessor and collector of said city; that as such taxpayer and resident of Salt Lake City, and abutting owner, he brings this action in behalf of himself and of all other taxpayers residing in said city who may hereafter choose to unite with him in this action.

Plaintiff further alleges that the defendant, Salt Lake City, is a municipal corporation, created and existing under and by virtue of the laws of Utah Territory as well as an act of Congress of the United States, regulating municipal incorporations in the Territories within the jurisdiction of the United States; that George M. Scott is the regularly elected, qualified and acting Mayor of said municipal corporation; that the defendant, James F. Jack, is the regularly elected and qualified and acting Recorder of said municipal corporation; that among the other officers of said defendant corporation is a Council composed of fifteen members, three from each of the five municipal wards of said city; that at a regular meeting of said City Council held in the Council Chamber at the City Hall, Salt Lake City, Utah Territory, on the 3rd day of March, 1891, the following resolution was adopted by a vote of said City Council, and by the Mayor, the presiding officer thereof, declared to have been passed, to wit:

To the Honorable Mayor and City Council of Salt Lake City, Utah:

GENTLEMEN:—Your committee on public grounds, to whom was referred the petition of James H. Bacon, relative to the purchase from the city of Pioneer or Sixth Ward Square, for

the sum of one hundred and fifty thousand (\$150,000) dollars, when 210 miles of railroad shall have been completed west of this city, extending into the state of Nevada—the time for the building being limited to two years. We recommend that the petition be granted, but that the title to and the possession of said block remain in and with the city until the 200 miles of road are built, and the road operated for the entire distance; that no extension of the time within which work shall be commenced and completed be made.

That the petitioner bind himself to hold the city harmless against all costs, in case the right of the city to convey said property should be contested in the courts or otherwise; and we recommend in case this report is adopted and the petition granted, that the city attorney prepare the necessary papers and submit them to this Council at the next regular meeting.

That the said defendant, Salt Lake City, has for a long time past been the owner in fee simple of block 48, plat A, Salt Lake City survey, in Salt Lake City, Salt Lake County, Utah Territory; the same comprising ten acres of land, lying between Third and Fourth South streets and Second and Third West streets, in Salt Lake City, and known as "Pioneer Square;" that the same has been dedicated and appropriated for the uses and purposes of a public park for the benefit of the residents and taxpayers of the defendant Salt Lake City. That the resolution of the City Council above referred to and adopting the majority report of the committee above set forth was on the petition of one James H. Bacon, a copy of which said petition is herewith annexed, marked exhibit "A," and made a part of this complaint.

That the said James H. Bacon and others, whom plaintiff alleges are the employers of said James H. Bacon, are pretending to incorporate and are pretending to build the railway referred to in the petition of James H. Bacon, "exhibit A," and in the report of the committee of said Council purely on a speculative enterprise, and for their own private and individual gains, and not for the benefit of the public, and especially not for the benefit of the defendant corporation, Salt Lake City. And that the action of the Mayor and City Council is in direct violation of their trust and authority. That the Council in adopting the report of the committee, as above set forth, are attempting to loan the property of the defendant corporation, Salt Lake City, to the said James H. Bacon, and his co-owners in their private enterprise, purely for the purpose of private and individual gain, which is contrary to an act of Congress of the United States, approved July 30, 1886, entitled "An act to prohibit the passage of local or special laws in the territories of the United States, to limit territorial indebtedness and for other purposes."

That the price offered by the said James H. Bacon and agreed to be accepted by the vote of the Council adopting the majority report of the committee, is entirely inadequate. That the property is of far greater value than the sum of \$150,000, to-wit, of the value of more than \$500,000.

This plaintiff further alleges that the difference in the value of the property between \$150,000, offered by the said Bacon, and the actual value of the property, would be a simple gift from the city to said Bacon of the difference between the price offered by said Bacon and the actual value of the property.

Plaintiff further alleges that the said property is of great value to the city for the uses and purposes of a public park, to which the same has been dedicated. That long since the city has been the owner of this particular block or park; it has been compelled by the sanction of all the residents of the city and Council and the Mayor to purchase other property and dedicate the same for the use and purposes of parks; that in the purchase and improvement of said properties said city has expended and is today expending large sums of money, hence to sell or dis-

pose of this particular park and premises described in the complaint would necessitate the city to purchase other and different tracts of land at other and different and largely increased prices. That the sale of said property to said Bacon would not only be in violation of the law and in violation of the rights and interests of the people of Salt Lake City, but that it would also result in a great financial loss to the city.

Plaintiff alleges that the Mayor, George M. Scott, and the recorder, James F. Jack, are the only parties who can bind the city by executing the contract authorized by the Mayor and said Council to be executed to the said James H. Bacon, and that he is informed and believes that unless a restraining order of this court be granted against each of them as well as said Salt Lake City, said defendants will so execute said contract; that the same, if executed, would be a cloud upon the title of the property, and bind the defendant, Salt Lake City, to convey the same upon the fulfilment of the terms in said petition and resolution agreed to be performed and fulfilled by said James H. Bacon.

Wherefore, plaintiff prays that any and all taxpayers and residents of Salt Lake City who demand in writing to be allowed to become associated with this plaintiff as plaintiffs in this action, be allowed to become plaintiffs herein.

That an order issue out of and under the seal of this court direct to the defendants and each of them, commanding them to be and appear before this court on a day to be designated by the court, and show cause, if any they have, why they, and each of them, should not be restrained and enjoined from signing or executing any contract that would in any manner cloud or encumber the title of said block 48, plat A, Salt Lake City survey, or any portion thereof, or that would create any liability or contract on the part of the defendant corporation or its officers to in the future sell or dispose of said premises, or any part thereof.

That pending the hearing on said notice that the defendants, and each of them, be restrained from signing or executing any writing or contract that will in any manner cloud or encumber the title of said property or render the defendant corporation liable by contract or otherwise to dispose of the same, with such other and further relief as to this court may seem meet and just, and that the plaintiff and his associates may recover from the defendants the costs expended in this behalf, and that on the final hearing the said restraining order be made perpetual.

Reports from the Gila River country in Arizona are alarming. Houses, stables and fences have been carried away. Lives have been lost, but how many cannot yet be ascertained. The river was never known to be so high as it is at present.

Major Wilkes says that the Salt Lake, Hailey and Puget Sound Railroad is an assured reality. He has secured the backing to put the work through, and it will be built immediately. This is a road that will benefit both Salt Lake and the western country in general.

Fred Simon, president of the Chamber of Commerce, has just returned from the East. He gives a woful description of Kansas and the Eastern States. Deserted homes, unroofed barns and decaying dwellings are the features in Kansas at present. He says the people of Utah are more favored than any other in the country in the way of worldly blessings.