DESERET EVENING NEWS.

Wednesday, February 25, 1891.

FRAGMENTS.

A brief session of the County Court was held yesterday afternoon, but no business of importance was transacted.

MR. C. R. WALLACE will deliver a lecture tomorrow evening in the Twentieth Ward meeting house, subject—"Life and Teachings of H. Rider Haggard." The lecture commences at 7:30 o'clock. The public are invited.

THERE will be a farewell party held in the Sixth Ward meeting house on Friday, March 6, 1891, in behalf of Elders David Fullmer and Alma H. West, who are about to leave on a mission to the Southern states. Friends are cordially invited.

THE 1st[illegible] of Z. C. M. I. will give a social party in the Fourteenth Ward assembly hall, Friday evening, March 6. Charles Ball popularity dance will finish the music. An enjoyable time is confidently expected.

TOMMY F. CHEANEY, an aged resident of the Fifteenth Ward, died suddenly at his home last evening. Coroner Harris was notified, but after investigating the matter he decided not to hold an inquest, as it was evident that general debility was the immediate cause of his sudden demise.

The Funeral.

The funeral of Elder George W. Hill the veteran pioneer and Indian interpreter, will be held at the Nineteenth Ward school house at 1 p. m. tomorrow. Friends of the deceased and of his family are invited to attend.

Bold Boy Robbers.

At about five o'clock yesterday afternoon, William Eddington, who keeps a store on First West between Third and Fourth South streets, which is connected with his residence, heard a noise in the store. He went in and found a boy there. He asked the youngster what he wanted and the latter asked for tobacco. Mr. Eddington turned to get the article, and as he did so the boy bolted out of the door. The action instantly aroused the merchant's suspicions and he locked into the till. It was empty. Mr. Eddington gave chase to the boy, who joined two companions that had been on the watch near by, and the three started his pursuer. From $5 to $7 was taken from the till.

How the boy gained ingress to the store, more is not understood, as the store door cannot be opened two inches without ringing a bell which would be plainly heard by persons in the apartments behind the store.

Amusements.

The Swedish Ladies' Concert at the Salt Lake Theatre last night, was a complete success. The organization consists of eight ladies, all capable and accomplished singers. Mr. Day varied the programme by some choice recitations.

Tonight the Thalia Dramatic Club will present at the Salt Lake Theatre the Swedish drama Vermlo utvandrare.

On Thursday, Friday and Saturday nights and at the Saturday matinee of this week Rubey Kindly's gorgeous fairy spectacle, the "Water Queen," will be presented at the Salt Lake Theatre. It is conceded by the press and public unanimously, that it is the greatest indoor spectacle of the age.

WONDERLAND.

"Wonderland" is fast becoming one of Salt Lake's most popular places of entertainment.

Death of Judge Preshaw at Ogden.

Judge Samuel M. Preshaw of Ogden, died suddenly and unexpectedly at his residence yesterday afternoon, at 4:30 o'clock, from heart failure superinduced by "la grippe."

Judge Preshaw was a native of Ohio and settled in Ogden in 1872. He was engaged in the undertaking business in the city several years ago, but moved back to Ogden, where he has since lived.

Two years ago he was elected to the office of alderman of Ogden City and during his term of office acted as police magistrate.

He leaves a wife and married daughter, the former now in Gainsville, Texas, on a visit, and the latter at Omaha. The sad tidings were telegraphed to both. Besides these relations he has two brothers in Merced, California, whom he intended to join at an early date.

DEATHS.

WEBER.—At Salt Lake City, February 22, 1891, of a cancerous affection of the liver, Samuel Weber, aged 72 years. He was born in Lancashire, county of Suffolk, England, June, 1818, received into membership a Wesleyan Methodist church, and was a member of the Church of Jesus Christ of Latter-day Saints in 1851, was joined with his husband, Hulda more and six others, crossed the plains in January, 1852, arriving in Salt Lake City in September of the same year. In crossing the ocean on the ship Josephine for New Orleans, the ship was dismasted, the passengers and crew had to live for four days on salt meat, with no family in the general cabin of six barrels to sponge the water on forward of the mast of her sister ship Wilmington, N. C., which was turning from a voyage to Great Britain. There was a very sorry time with her. She passed through trials, privations and hardships to women who came a pioneer day.

She was the mother of 12 children, proud mother of 44 great grandchildren of 12 more expected to come in the view age of 40 years, 4 months and 14 days.

The funeral services were conducted by Counselor Joseph F. Smith, at the Tabernacle Ward Assembly Hall. Prayer was offered by Bishop T. J. Stevens, of Ogden. Affectionate tributes to Sister John Henry, Elder H. R. Savage, and Bishop T. J. Stevens. The musical selections were rendered by Elder J. S. Sponsler. The sermon and prayer were rendered by Elder James Jacobs.

Solomon Spry and Assembly choral choir sang.

WEBER.—At the residence of her daughter (Mrs. William G. Webster) on a normal hill street, Salt Lake City, at 11 minutes past 11 p. m., February 24th, 1891, from general debility, Mary Ann Stoddard, relict of the late Elder William Weber. Deceased was born near Ipswich, Canada, December 14th, 1836, and was married to her eldest husband, Elder William Weber, in her 17th year. The funeral service will be held on Friday, February 27th at 11 a. m., at the Tabernacle above written. Friends are invited.

THE MOSS CASE.

The Trial Jury Completed Yesterday.

THE RESPECTIVE SIDES STATED.

Synopsis of the Testimony Offered at Yesterday's Session.

The examination of James in the Moss case was resumed at two o'clock yesterday afternoon. James Gardner being was challenged by the prosecution, on the ground that he was an old Sandrock's friend. The challenge was allowed. Mr. Burton, Robert M. Wells and M. L. Cummings were called to the box. Mr. Wells was accepted, but the other two were excused on peremptory challenges.

Fred Little and Mr. Crane were next called to fill the two remaining vacancies on the trial panel. After examination both were excused.

R. McIntosh and W. C. Staines were called to the box. The former was excused on account of ill health, and Mr. Crowther was called. Both he and Mr. Staines were accepted.

Another batch of names went down from the box and a venire issued, pending the return of which D. C. Johnson was arraigned on a charge of having been concerned with four other defendants in stealing a barrel of whiskey from the U. P. He pleaded not guilty.

A wait of half an hour ensued, when the jurors summoned on the venire began to drop in. W. L. Harlow was the first one examined. He was accepted, and was the eleventh.

W. J. Cottrell was called but obtained exemption from jury service on account of being a fireman. He was excused.

C. S. Stevenson came in after a while, but was excused because he had expressed an unqualified opinion.

After another wait Elias A. Smith arrived, was examined, and peremptorily challenged by the defense.

E. Thomas was next called in but he was excused on account of sickness. Another long wait was ended by the appearance of W. Wilcomb, who was examined and sworn, and the trial panel was complete.

The indictment which charges murder in the first degree, was read when Mr. Snyder outlined the case for the prosecution.

He began by saying that the prosecution did not expect a verdict of murder in the first degree, but it did expect to show the defendant guilty of murder in the second degree. The prosecution proposed to prove that a quarrel existed between Langton, the man who was killed, and a man named Thomas Kearnes; that Moss was an intimate friend of Kearnes' and took the latter's fight on his own shoulders; and that defendant, some time prior to the shooting, had made threats against Langton.

Following is the version of the shooting as given by Mr. Snyder: On the evening of the night of October 16, the deceased, the defendant, a man named Squires and Sheriff Weber were all in the Capitol saloon drinking; the proprietor, Mosby, being behind the bar. Langton came in and said to defendant: You're a lickspittle for Tom Kearnes." Defendant replied: "You're a liar; I'm a lickspittle for no man," at the same time drawing his pistol and firing the fatal shot. Langton's dying statement claims that he struck defendant. It was no case of self-defense. The sheriff was present and defendant had a right to call on him for protection. There had been bad blood on the part of defendant towards Langton for a long time, and the former was the aggressor.

Judge Powers said the defendant desired to make a statement now also, and he proceeded to do so. He said in substance: Defendant is fifty years of age, industrious and peaceably has lived in Park City since 1882, and had been an engineer at the Ontario mine. He is a man physically, but Langton was a powerful man. A quarrel arose between Langton and Thomas Kearnes. The former slandered the latter, and Moss, who was a warm friend of Kearnes', heard of it, and sought to act as a peacemaker.

On a certain occasion Moss and Kearnes went into a restaurant and sat at a table, when Langton came in. Only three there were present. Langton spoke to Kearnes about a letter. Moss interposed Langton a letter and asked if he wrote it. Langton said "no." Moss then said to Kearnes: "I told you there was some mistake about it."

On a later occasion Moss saw Kearnes and Langton fighting on the street, and interfered to separate them. There was great excitement after this, and the part of Langton against Moss, Kearnes, and David Foith. Langton was heard to threaten the life of Moss, and carried a pistol with the avowed purpose of "getting even" with him.

Now on the afternoon of the shooting, quiet was said, and dropped into a saloon and took one drink. Just before supper he dropped into Mosby's saloon and took another, and engaged in conversation with Mosby and Squires. Moss stood with his right arm on the bar when Langton came into the saloon, and invited some men present to drink.

Moss stepped away from the bar and was about to walk out when Langton said to him: "I want to speak to you." Moss said, "What is it?" Langton asked, "Where is that letter?" meaning the one discussed in the restaurant. Moss said Kearnes had it. Langton said: "You are a lick spittle for Tom Kearnes." Moss replied: "You're a liar." Langton then called Moss a——of a low, vile, mean, sneaking man with his fist, and then made a movement as if to draw a pistol. Moss staggered, but believing that Langton was about to shoot, and that it was merely a question of which could shoot first, drew and fired.

After being shot Langton slowly walked out of the saloon. Moss could have shot him several times if he had been actuated by malice, but fired only once shot.

Twenty witnesses present will all testify that Langton struck Moss. Langton dropped his pistol just as he emerged from the saloon door, showing that he had drawn it at the instant Moss fired. If Moss had not fired first, in all probability Langton would have shot Moss, and he only had been killed.

The introduction of testimony was begun by the calling of S. W. Mosby, who testified for the prosecution. Resides in Park City; knew deceased and defendant; kept the Capitol saloon there in September last; on the night of September 16th, Moss and others came into the saloon, and he saw Langton there; Langton came in and Moss had given one Langton cause to and invited Conners, Robinson and myself to drink; we drank when Langton came to Moss and said: "Here, Moss, I want to speak to you." Only heard some time and Sheriff asked Sheriff Weber for a dollar to treat the crowd with. Weber gave it to him. While they were drinking I heard Langton call Moss, "You are a lickspittle for Tom Kearnes." Moss replied, when Langton struck him. Moss staggered back against the bar. Moss then drew the shot was fired, Moss, Langton, Weber, Squires and myself were all the persons in that room. In the rear is another room in which were several persons. The rooms are connected by an archway.

After the blow Langton called Moss a lickspittle. I was stirring a toddy for Moss. Moss and Langton talked together some minutes after Langton had left the room. Moss was manufacturing a letter, and Moss said he did not have it, and that if Langton would get to Kearnes the latter would give it to him.

To Mr. Dickson—Moss drank only once before Langton spoke to him. At the time Langton struck Moss the former had just put the glass down the bar, and they faced each other. After Moss was struck I saw blood on side whiskers.

Mr. Snyder—In testifying before the coroner, did you not say that you heard Moss call Langton a liar?

Mr. Dickson—Well, I think that Moss did call him a liar. He'll testify to it himself.

On account of the illness of Judge Zane he did not take the bench this morning, and a wait occurred while Judge Anderson completed some business in chambers, before assuming the duties of the absent judge.

Shortly before eleven o'clock Judge Anderson appeared and took the bench. He stated that there was a question of the propriety of changing the presiding judge in a case of this kind, but that if the defense would waive any irregularity, and if the prosecutor consented, he would not be taken advantage of, the trial would go on.

Mr. Dickson said that he did not think it was an irregularity, but the defense was willing to let it appear of record that they desired the change to be made, and he was ready to be proceeded with without any delay.

Judge Anderson concluded that without such a stipulation he should expect to proceed, but with that it would be all right. He ordered the jury to be brought in, and when they were in the box ordered the court's witness examined yesterday, S. W. Mosby, to take the witness stand, and the reporter to read his testimony.

In answer to the court, the witness said it was a correct report of his testimony.

In answer to Mr. Snyder, the witness said only a second or two intervened between the blow struck Moss by Langton, and the shot fired by Moss.

Sheriff John L. Weber was placed on the stand by the prosecution. He said—Had known defendant well for several years; on the night of Sept. 16, was in Mosby's saloon; saw Moss and Langton and Moss were standing at the east end of the bar, and Mosby and myself were some two feet to the right. Langton came in and said to defendant: You're a lickspittle for Tom Kearnes." Defendant replied: "You're a liar; I'm a lickspittle for no man," at the same time drawing his pistol and firing the fatal shot. Langton's dying statement claims that he struck defendant. It was no case of self-defense. The sheriff was present and defendant had a right to call on him for protection. There had been bad blood on the part of defendant towards Langton for a long time, and the former was the aggressor.

Judge Powers said the defendant desired to make a statement now also, and he proceeded to do so. He said in substance: Defendant is fifty years of age, industrious and peaceably has lived in Park City since 1882, and had been an engineer at the Ontario mine. He is a man physically, but Langton was a powerful man. A quarrel arose between Langton and Thomas Kearnes. The former slandered the latter, and Moss, who was a warm friend of Kearnes', heard of it, and sought to act as a peacemaker.

On a certain occasion Moss and Kearnes went into a restaurant and sat at a table, when Langton came in. Only three there were present. Langton spoke to Kearnes about a letter. Moss interposed Langton a letter and asked if he wrote it. Langton said "no." Moss then said to Kearnes: "I told you there was some mistake about it."

On a later occasion Moss saw Kearnes and Langton fighting on the street, and interfered to separate them. There was great excitement after this, and the part of Langton against Moss, Kearnes, and David Foith. Langton was heard to threaten the life of Moss, and carried a pistol with the avowed purpose of "getting even" with him.

Now on the afternoon of the shooting, quiet was said, and dropped into a saloon and took one drink. Just before supper he dropped into Mosby's saloon and took another, and engaged in conversation with Mosby and Squires. Moss stood with his right arm on the bar when Langton came into the saloon, and invited some men present to drink.

Moss stepped away from the bar and was about to walk out when Langton said to him: "I want to speak to you." Moss said, "What is it?" Langton asked, "Where is that letter?" meaning the one discussed in the restaurant. Moss said Kearnes had it. Langton said: "You are a lick spittle for Tom Kearnes." Moss replied: "You're a liar." Langton then called Moss a——of a low, vile, mean, sneaking man with his fist, and then made a movement as if to draw a pistol. Moss staggered, but believing that Langton was about to shoot, and that it was merely a question of which could shoot first, drew and fired.

After being shot Langton slowly walked out of the saloon. Moss could have shot him several times if he had been actuated by malice, but fired only once shot.

Twenty witnesses present will all testify that Langton struck Moss. Langton dropped his pistol just as he emerged from the saloon door, showing that he had drawn it at the instant Moss fired. If Moss had not fired first, in all probability Langton would have shot Moss, and he only had been killed.

The introduction of testimony was begun by the calling of S. W. Mosby, who testified for the prosecution. Resides in Park City; knew deceased and defendant; kept the Capitol saloon in Nebraska, and remember Thomas Kearnes with it. I looked to S. A. Sgt[illegible] I saw the scene of the shooting.

Last night (Sunday, 15th) I met Moss. I asked him about the shooting. He said he had not intended to kill Langton, but had fired in self-defense. In the Matter and Sgt. Wanted the letter, but I had a letter which I showed to Moss. He said look, does not do good and show me. I did not show a letter to either Kearnes nor Langton to anybody.

ALEX. SANDROCK.

Subscribed and sworn to before me this 15th day of September, 1890.

WILLIAM C. WEBER,
Notary Public, Summit County, Utah.

The Witness O'Neil, under cross-examination by Mr. Dickson, said he was one of the men who picked Langton up where he fell, and that the latter walked, after being shot, about 100 yards, to the next street.

George Wanless was testified—I kept a restaurant in Park City last summer. Moss and Kearnes came in and sat at a table for supper; soon Langton came in and sat at another table; Moss showed Langton a letter and asked if he wrote it; Langton said, no. Kearnes said: "Langton you've denied your friends sitting." Other talk followed which I don't remember.

To Mr. Dickson—The parties next to me were Moss and Langton; I was a part of what they said; heard Moss say that Kearnes was the only true friend he had, and he would die for him.

Joseph McGinnis testified—Resides at Park City; am a carpenter; saw Langton, Kearnes & Co. in a fight last June; saw Kearnes and Langton and arrested them; Moss was present but took no part in the fight.

Mr. Snyder—Well, what was that Moss did call him a liar. He'll testify to it himself.

On account of the illness of Judge Zane he did not take the bench this morning, and a wait occurred while Judge Anderson completed some business in chambers, before assuming the duties of the absent judge.

Shortly before eleven o'clock Judge Anderson appeared and took the bench. He stated that there was a question of the propriety of changing the presiding judge in a case of this kind, but that if the defense would waive any irregularity, and if the prosecutor consented, he would not be taken advantage of, the trial would go on.

Mr. Dickson said that he did not think it was an irregularity, but the defense was willing to let it appear of record that they desired the change to be made, and he was ready to be proceeded with without any delay.

Judge Anderson concluded that without such a stipulation he should expect to proceed, but with that it would be all right. He ordered the jury to be brought in, and when they were in the box ordered the court's witness examined yesterday, S. W. Mosby, to take the witness stand, and the reporter to read his testimony.

In answer to the court, the witness said it was a correct report of his testimony.

In answer to Mr. Snyder, the witness said only a second or two intervened between the blow struck Moss by Langton, and the shot fired by Moss.

Sheriff John L. Weber was placed on the stand by the prosecution. He said—Had known defendant well for several years; on the night of Sept. 16, was in Mosby's saloon; saw Moss and Langton and Moss were standing at the east end of the bar, and Mosby and myself were some two feet to the right. Langton came in and said to defendant: You're a lickspittle for Tom Kearnes." Defendant replied: "You're a liar; I'm a lickspittle for no man," at the same time drawing his pistol and firing the fatal shot. Langton's dying statement claims that he struck defendant. It was no case of self-defense. The sheriff was present and defendant had a right to call on him for protection. There had been bad blood on the part of defendant towards Langton for a long time, and the former was the aggressor.

Judge Powers said the defendant desired to make a statement now also, and he proceeded to do so. He said in substance: Defendant is fifty years of age, industrious and peaceably has lived in Park City since 1882, and had been an engineer at the Ontario mine. He is a man physically, but Langton was a powerful man. A quarrel arose between Langton and Thomas Kearnes. The former slandered the latter, and Moss, who was a warm friend of Kearnes', heard of it, and sought to act as a peacemaker.

On a certain occasion Moss and Kearnes went into a restaurant and sat at a table, when Langton came in. Only three there were present. Langton spoke to Kearnes about a letter. Moss interposed Langton a letter and asked if he wrote it. Langton said "no." Moss then said to Kearnes: "I told you there was some mistake about it."

On a later occasion Moss saw Kearnes and Langton fighting on the street, and interfered to separate them. There was great excitement after this, and the part of Langton against Moss, Kearnes, and David Foith. Langton was heard to threaten the life of Moss, and carried a pistol with the avowed purpose of "getting even" with him.

Now on the afternoon of the shooting, quiet was said, and dropped into a saloon and took one drink. Just before supper he dropped into Mosby's saloon and took another, and engaged in conversation with Mosby and Squires. Moss stood with his right arm on the bar when Langton came into the saloon, and invited some men present to drink.

Moss stepped away from the bar and was about to walk out when Langton said to him: "I want to speak to you." Moss said, "What is it?" Langton asked, "Where is that letter?" meaning the one discussed in the restaurant. Moss said Kearnes had it. Langton said: "You are a lick spittle for Tom Kearnes." Moss replied: "You're a liar." Langton then called Moss a——of a low, vile, mean, sneaking man with his fist, and then made a movement as if to draw a pistol. Moss staggered, but believing that Langton was about to shoot, and that it was merely a question of which could shoot first, drew and fired.

After being shot Langton slowly walked out of the saloon. Moss could have shot him several times if he had been actuated by malice, but fired only once shot.

Twenty witnesses present will all testify that Langton struck Moss. Langton dropped his pistol just as he emerged from the saloon door, showing that he had drawn it at the instant Moss fired. If Moss had not fired first, in all probability Langton would have shot Moss, and he only had been killed.

The introduction of testimony was begun by the calling of S. W. Mosby, who testified for the prosecution. Resides in Park City; knew deceased and defendant; kept the Capitol saloon

Testimony of Joseph Conner.

Joseph Conner, being duly sworn says: On the night of September 16, I was with my Moss a Kearnes of getting a drink; Moss had my money to pay for it, but which I did not know; I was standing with Moss from seen conversing on alleged matters

full time, and hence the expense of the guards; that the report of the street superintendent for the year ending December 31 be published in full. A[illegible]

THE OLD FORT SQUARE.

The committee on public grounds to whom was referred the proposition of James H. Bacon to purchase the Old Fort Square reported as follows:

"Your committee on public grounds, to whom was referred the proposition of James H. Bacon, relative to the purchase from the city of Pioneer or Sixth Ward square for the sum of $150,000, when 200 miles of mineral shall have been completed west from the city, excluding into the State of Nevada, the time for the building being limited to two years, recommend that the petition be granted, but that the title to and possession of said block remain in and with the city until the first piece of rock are built and the road operated for the entire distance; that no extensions of the time within which work shall be commenced and completed be granted; 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 questioned in the courts or otherwise. And we recommend that in case this report and recommendation be adopted, provided that the city attorney prepare the necessary papers and submit them to this council at the next regular meeting."

Mr. Pickard—I move that further action in the matter be deferred for one week.

Mr. Hall (promptly)—I second the motion.

Mr. Pendleton—I am at a loss to understand why the matter should be delayed. It seems to me, the greater importance a matter is, the longer it is delayed by the Council. (Laughter, applause from the spectators.) A week ago tonight this petition was virtually granted but I withdrew my motion out of deference to Mr. Pickard. I hoped that the matter be given immediate attention.

Mr. Hall—I want time to consider this question, as I do not believe in hasty action, on such an important matter.

Mr. Pendleton—Mr. Pickard owns private property near the square in question, and I understand that that is the chief objection he has to the proposition. I mention this purpose. Such a fact ought not to be allowed to check a public benefit. The city is running to the whatever, no risk, no expense to the city. I am surprised that any member of this Council should act as an obstructionist.

Mr. Hall—A few months ago the same petitioner asked to lease the Old Fort Square, at a nominal rental, for a term of years. The committee who had the matter in charge reported that the city did not have power to lease it. If the city has no authority to convey the property, it certainly cannot sell; it must have it from organized authority that the sighters and promoters of this railway scheme are the authorized representatives of Sanpete. I want them to understand that I will not be a party to their schemes. There is here a well-defined fish well that the city cannot convey the property to them, or anyone else for the matter of that; but they have the authority to ask the Council to agree to do so, and with these, supposed to be the assessors of the East that they can get $200,000 worth of property in this city for $150,000. That would be obtaining money under false pretenses, I suppose, I shall not become a party to such an infamous transaction.

Gentlemen, if you cannot comprehend the situation, you will do so when the votes are taken from the ballot box at the next election. I am called an obstructionist for the course I take. I care not for that. It has been urged that the property is in a locality where just people live, and therefore it should be sold to such people. That is a wrong premise for argument. If there are poor people there as alleged, then it goes without saying that a park should be established there in preference to any other locality.

Another argument used in favor of disposing of this property is that it is needed to bridge over a portion of the Trust is short sighted policy. If this thing is permitted, there will be those who will come in every month in the year, in large cities of the East, railroad corporations have to pay dearly for their rights, and we will be obliged to pay cost the New York Central $11,000,000 to get into New York.

Mr. Pendleton—I do not think it is right for Mr. Hall or any other member of this Council to traduce the character of a business man like Mr. Bacon.

Mr. Bacon was permitted to take the floor in his own behalf. He said: It is the first time that any man has had the honor-fared audacity to accuse me of being guilty of a dishonest act. What he has said is unqualifiedly false. (emphatically) Seeing that Mr. Hall has been to New York——

Mr. Hall—I object to being insulted by a man who has been allowed to speak by courtesy of this Council.

Councilman Pickard (warmly)—Mr. Bacon has insulted and attempted to insult me and my friends, and I object to his saying another word.

City Attorney Merritt (indignantly)—Mr. Mayor, I move for the appointment of a committee to frame a rule that will prevent any person who is not a member of the Council from addressing this body. The spectacle that has been presented here tonight is without precedent in the history of any legislative body. To allow such outrageous and impertinent outsider to insult and abuse us as we have been vilified tonight, is indecent and intolerable. The Council has no more right to insult it has no more right to dispose of that path than I have to barter away the private property of another person. Never in my experience in city has any such property been deed away for any such purpose as is now proposed. If we can sell the Fort Square today, tomorrow and the day after we can dispose of Washington Square and Liberty Park, respectively.

Further action in the matter was finally deferred for one week.

PETITIONS GRANTED.

The committee on waterworks reported favorably on the petition of E. L. Cow et al., for an extension of watermains on Third South Street from Second East to Third East, between Second and Third East Streets, also on the petition of D. Weedmanner and A. H. Raleigh and others for an extension of waterworks on Fifth West Street from First to Fourth North Streets. Adopted.

COMMITTEE ON WATERWORKS.

The committee on waterworks recommended that the report of the superintendent of waterworks be adopted; that the reservoir at the head of First South Street be enlarged; that a new reservoir be located in City Creek canyon, this will capacity of 1,000,000 gallons to supply the Capitol Hill province and the Twentieth Ward pipe line. The committee reported that they were in favor of allowing the superintendent a sum of not exceeding $500 to be expended during the coming season in developing the supply in City Creek. The committee has considered a proposition for the purchase of eight acres of land in City Creek canyon called Manitou springs property, and they recommended that the land be purchased at a cost not to exceed $3500. Adopted.

IN HONOR OF GENERAL SHERMAN.

The following resolutions were adopted by a rising vote:

WHEREAS, The superb soldier and true citizen William Tecumseh Sherman has been called from his earthly home, and

Resolved, That in a kindred spirit to that which prompted the members of congress to adjourn in recognition of the profound sorrow which causes the mother country to extend services to commemorate her patriot, the American people be called to their homes as something sacred, and stated, the memory of General Sherman as a martyr to the cause of liberty in freedom and military genius, all that is sublime and holy in patriotism.

Resolved, That we do hereby express our sympathy with the great mother who has died, that in thought we may be nearer to the dead, that posterity may be admonished and caused not to become the concentration of all civilized people and emblazoned in the annals of time, that the memory of Sherman as a martyr to the cause of liberty in the wake of peace the perfect example and sublimest type of the patriotic citizen.

Resolved, That the death of General Sherman is a mighty loss to the Republic, a national calamity, which should be accompanied by a proper service to indicate the loss of a hero.

Resolved, That we tender our sympathy and deepest condolence to the family of the dead hero, and venture to remind the survivors that if there is any comfort in the knowledge that it is extremely doubtful if any other death should be victory.

Resolved, That a copy of these resolutions be spread upon the minutes of the Council records, and a copy be transmitted to the family of the deceased hero.

HE WILL NOT SIGN IT.

Architect Kleinig refuses to sign the contract for the supervision of the erection of the Joint Building and gives the following reasons:

First—The figures in the bond of $40,000 demanded, too high, and I would need to double the amount which he expects to make on the contract—$200 or $300.

Second—He now owes $1,000 to the association. He offer of time for revising and completing the plans was accepted by me since which time the building is not made satisfaction on paying for material, thereby working a hardship on contractors who expect to pay their bills, thereby injure me.

Resolved, That after the 1st day of March, 1891, all lumber dealers of this city be selling material in excess of $100 shall be entitled to open the written order of the owner or agent.

Signed,

Taylor, Romney, Armstrong Co.,
Sierra Nevada Lumber Co.,
Salt Lake Building & Mfg. Co.,
Carey-Lombard Lumber Co.,
J. W. Earsley,
Wm. Asper & Co.,
Geo. Beggs & Co.,
Angell Brothers,
19th Ward Lumber and Building Association,
Morrison, Merrill & Co.,
The Burton-Lardner Co.,
Parker & Dupe,
W. T. Cannon,
Leaver, Conrad & Co.,
Pacific Lumber and Building Co.

BED COMFORTS AT DINWOODEY'S.

Buy your drugs of "the boys," Johnson, Pratt & Co., 49 Main st.

Go to SPENCER, BYWATER & CO., 19 and 19 West South Temple Street, for the Roofing Galvanizing, Spouting Stoves and Tinware, etc.

SLEDS AT DINWOODEY'S, CHEAP.

FOR RENT.

SMALL HOUSE, WITH BUSINESS, RENT $12 per month. Enquire at this office.

NOTICE!

A MEETING OF THE STOCKHOLDERS of the Wonderland Amusement Association will be held on Tuesday, March 10th, at 7:30 p.m., at store of said corporation. A full attendance of the stockholders is requested.

A. H. WOODRUFF, Secretary.

NOTICE TO CREDITORS.

Estate of Janet Cope, Deceased.

NOTICE IS HEREBY GIVEN BY THE undersigned executor of the estate of Janet Cope, deceased, to the creditors of and all persons having claims against the said deceased, to exhibit them, with the necessary vouchers, within four months after the date of the first publication of this notice, to the said executor at his residence, in Salt Lake City, Salt Lake County, Utah Territory.

Dated February 9th, 1891.

ISAAC M. WARDELL,
Executor of the estate of Janet Cope, deceased. 6t

NOTICE TO CREDITORS.

Estate of William Howard, Deceased.

NOTICE IS HEREBY GIVEN BY THE undersigned executor of the estate of William Howard, deceased, to the creditors of and all persons having claims against the said deceased, to exhibit them, with the necessary vouchers, within four months after the date of the first publication of this notice, to the said executor at his office, at 1 and 2 Eagle Block, South Street, Salt Lake City, in the county of Salt Lake, Utah Territory.

Dated February 21, 1891.

ISAAC M. WARDELL,
Executor of the estate of William Howard, deceased. 6t

NOTICE!

THERE WILL BE A MEETING OF THE stockholders of the Utah Stove and Hardware Company, at the office, the store of Eldredge Fuel Smith, Jones, Salt Lake City, Utah, on Thursday, 12th day of March, 1891, at 2 o'clock p. m., for the purpose of considering the advisability of incorporation, or to transact other business that may come before the meeting.

JOHN M. WINDER,
Secretary.

Through Sleeper to St. Louis.

Commencing Sunday, February 1st, 1891, a through Pullman Palace Sleeper will be run from Salt Lake City and Ogden to St. Louis via Denver and Kansas City over the Union Pacific and Missouri Pacific Railways. 4[illegible]

BUILDING AND ROOFING PAPER, CHEAP, AT H. DINWOODEY FUR CO'S.

"AT a special meeting of the Lumber Dealers Association, held at the office of the Barber Asphalt Paving Company, Friday evening, the 20th inst., the following resolution was adopted, and signed by members of the Exchange:

"Whereas the present Law of sales are very imperfect protection to lumber dealers, unless sold direct to the owner, and

Whereas, many contractors have found it convenient to take advantage of the situation by defaulting so low that no one could afford to be competitive with such calculation on paying for material, thereby working a hardship on contractors who expect to pay their bills, therefore

Resolved, That after the 1st day of March, 1891, all lumber dealers of this city be selling material in excess of $100 shall demand to open the written order of the owner or agent.

Signed,

Taylor, Romney, Armstrong Co.,
Sierra Nevada Lumber Co.,
Salt Lake Building & Mfg. Co.,
Carey-Lombard Lumber Co.,
J. W. Earsley,
Wm. Asper & Co.,
Geo. Beggs & Co.,
Angell Brothers,
19th Ward Lumber and Building Association,
Morrison, Merrill & Co.,
The Burton-Lardner Co.,
Parker & Dupe,
W. T. Cannon,
Leaver, Conrad & Co.,
Pacific Lumber and Building Co.

BUILDING PAPER, CHEAP, AT H. DINWOODEY'S.

Go to SPENCER, BYWATER & CO., 19 and 19 West South Temple Street, for the Roofing Galvanizing, Spouting Stoves and Tinware, etc.

Highest of all in Leavening Power.—U. S. Gov't Report, Aug. 17, 1889.

Royal Baking Powder

ABSOLUTELY PURE

LAST NIGHT'S CITY COUNCIL

The City Bonds Sold at a Discount to T. R. Jones.

THE OLD FORT SQUARE AGAIN.

City Attorney Merritt Says the City Cannot Sell It.

The City Council met at the regular hour last night and an interesting session was held.

Mayor Scott presided. The following members responded to roll call: Parsons, Anderson, Armstrong, Hall, Wohlenhaupt, Heath, Pendleton, Kerrick, Spafford, Pickard, Noble and Pendleton.

Petition of Joseph Warburton, asking that Tenth East Street south be put in a passable condition. Committee on streets.

R. R. Thomas and twenty-seven other merchants asked that a stone crossing be put down from the northwest corner of Commercial Street across First South Street. Committee on streets.

Hoyt Sherman, Jr., et al., asked that an electric light be placed at the intersection of First South and Thirteenth East streets. Committee on improvements.

The pawnbrokers of the city asking that the ordinance pending before the Council, relating to pawnbrokers be amended by striking out the words "any member of the police force of the said city of Salt Lake," and inserting in lieu thereof the words "upon the written order of the chief of police." Committee on municipal laws.

E. R. Kahler et al., of the Nineteenth Ward, represented that for the last two months there had been no water in the ditch from which it was customary to receive their supply. They asked for prompt relief. Referred to the watermaster.

Mr. Hall—I myself asked to be allowed to pile building material in front of 41 and 43 South West Temple Street for 30 days. Granted under the usual restrictions.

Harry F. Duke asked for the privilege of piling building material in front of Lot 5, Plat B, Block 52. Granted.

H. Pendleton applied for permission to pile building material on Commercial Street. Granted.

John Richardson asked to be appointed deputy watermaster. Committee on waterworks.

A NEW POLICEMAN.

Mayor Scott reported that he had appointed John P. Jensen as policeman instead of Michael Charlton, removed. Committee good of the order.

TENTH SOUTH STREET BRIDGE COMPLETED.

City Engineer Doremus reported that the bridge across the canal at the intersection of Tenth South and First East streets was completed. He also recommended that such grading be done as is necessary to bring the street up to a level with the bridge. Adopted.

SPRIT AND VIOLATIONS MUST GO.

The committee on license reported adversely on the claims of the right of licensed fish and fruit venders to sell their wares on the streets. Adopted.

VARIETY THEATRE LIQUOR LICENSE AGAIN.

The committee on license reported favorably on the petition of C. S. Ford for a liquor license at 31 South, Franklin Avenue.

Mr. Hall—I cannot see how we can consistently grant this request in the face of all that has occurred in relation to the matter. I move that it be laid over for one week.

Mayor Scott—If I understand correctly, this is only a renewal of the old application to sell liquor at the Variety Theatre, is it not.

Councilman Kerrick—Under a new name, yes.

Mr. Hall—Under the rules the matter must lay over by request of two members. I second Mr. Hall's motion.

The matter was laid over.

FLYNN'S PLAY AUTHORIZED.

The committee on streets recommended that the play of Flynn's Sub-division be approved. Adopted.

THE OGDEN COMPTROLLER'S BONDS.

The committee on streets recommended as follows: That the pavements be divided, one half working in the morning and the other in the afternoon, or that all teams would pay the

SPECIFICATIONS.

Sealed proposals will be received at the office of the Board of Education, Salt Lake City, Utah, for the erection of a school house in the Fifteenth Ward, Salt Lake City, according to plans and specifications on file at the office of the Board of Education, Salt Lake City, Utah.

Bids will be received for the entire work, or for the following separate parts:

1. Excavation and masonry.
2. Brick work.
3. Carpenter work.
4. Plastering.
5. Tinning and slating.
6. Painting and glazing.

Each bid must be accompanied by a certificate of deposit, or a bond with sureties, for the sum of $500, payable to the Board of Education, Salt Lake City, Utah, as a guarantee that the bidder will enter into a contract and give a bond for the faithful performance of the work, if his bid be accepted.

The Board of Education reserves the right to reject any or all bids.

Bids will be opened at 7 o'clock p. m., March 2, 1891, at the office of the Board of Education, Salt Lake City, Utah.

By order of the Board of Education.

JOHN R. WINDER,
President.

Attest:
JOHN M. WINDER,
Secretary.

Salt Lake City, Utah, February 23, 1891.

NOTICE TO CONTRACTORS.

SEALED PROPOSALS WILL BE RECEIVED by the undersigned, Chairman of the Committee on Public Buildings, Salt Lake City, Utah, for the erection of a school house in the Fifteenth Ward, Salt Lake City, according to plans and specifications on file at the office of the Board of Education, Salt Lake City, Utah.

Bids will be received for the entire work, or for the following separate parts:

1. Excavation and masonry.
2. Brick work.
3. Carpenter work.
4. Plastering.
5. Tinning and slating.
6. Painting and glazing.

Each bid must be accompanied by a certificate of deposit, or a bond with sureties, for the sum of $500, payable to the Board of Education, Salt Lake City, Utah, as a guarantee that the bidder will enter into a contract and give a bond for the faithful performance of the work, if his bid be accepted.

The Board of Education reserves the right to reject any or all bids.

Bids will be opened at 7 o'clock p. m., March 2, 1891, at the office of the Board of Education, Salt Lake City, Utah.

By order of the Board of Education.

JOHN R. WINDER,
President.

Attest:
JOHN M. WINDER,
Secretary.

Salt Lake City, Utah, February 23, 1891.