

a cane and threw his hand behind him as if about to draw a pistol and shoot. The officer, believing his life to be in danger, struck him twice to disable him.

For this act of self-defense and determination to do his duty the officer was arrested, convicted and fined. Had he not been a "Mormon," he would not only have been undisturbed, but in all probability commended for having done his duty.

When the bill was presented last night one member wanted to know why it was brought there. This brought the emphatic statement in favor of the officer from the city attorney. The incident is but a fragmentary illustration of the fact of the practical abolition of trial by jury in this Territory. The allowance of the bill was not only proper from a financial standpoint, but was a necessary vindication of Mr. Barlow, who had been unjustly dealt with.

CITY COUNCIL.

The City Council met in regular session, Tuesday evening, June 17, Mayor Scott presiding.

A communication was received from F. H. Dyer, enclosing a check for \$2381, dividend on the gas stock belonging to the city. Filed.

Barzillai Williams asked that a washout in front of petitioner's premises on South Temple Street be filled up. Referred to the committee on streets.

Smith Heap asked for a free license to sell candy and temperance drinks, at a stand near the People's Equitable Co-op. Referred to the committee on license.

B. G. Raybould and others asked for the passage of an ordinance prohibiting the erection of sheds, barns, etc., next to the streets. Referred to the committee on municipal laws.

Dallas & Hedges asked permission to pile building material in front of the Mountain Ice Company's premises on Eighth South and Third West streets. Granted under the usual restrictions.

C. E. Wantland, George Crismoun and others petitioned for a franchise for a street railway on Tenth South, or Roper Street, from Eleventh to Seventh East Street. Referred to the committee on streets.

George Openshaw and others protested against being taxed for extending the water mains on First Street. They were residents on H. Street, already had the water, and had paid a tax of \$82 each for the extension of the mains. Filed.

E. B. Wicks asked permission to put flagging instead of cement on the sidewalk in front of his premises at the corner of First East and First South Street. Referred to the committee on streets and city engineer.

Smith and Ensign asked the privilege of erecting a stand to sell refreshments in Liberty Park on July 4th. Referred to the Mayor.

Mayor Scott stated that the general committee on celebration had been granted a privilege for refreshment stands in the Park on the Fourth.

Thomas W. Carter and others represented that the water from the canal on Ninth East Street, between Sixth and Seventh South streets, had seeped into their cellars, and was undermining their residences, and asked immediate relief. Referred to the committee on irrigation.

Eli A. Folland and others asked that the R. G. W. be restrained from laying another track on South Temple Street, from Fourth to Sixth West, as the street was being completely blocked up. Referred to the committee on streets, with instructions to act promptly.

Hadder and Jacobsen asked that the city engineer be instructed to establish the grade on First East Street.

Mr. Pembroke moved that the request be granted.

Mr. James said he did not want any more grades established till the Council knew what it was doing. The members should go and see what was being done. Streets were being dug up to unreasonable depths, sidewalks were cut down, trees torn up and property ruined, and there was no common sense in the proceeding. He did not want his vote to go on record for that kind of engineering.

The motion was carried, Mr. James only voting in the negative.

Mrs. Clara Heath Skewes said that she owned property near the sewer sump. Without her knowledge or consent, the agents of the city had gone into her premises, made a roadway through the lucern patch, put in poles for the electric wire, and done other damage to the extent of \$150. She asked to be compensated, and that the unsightly poles be removed. Referred to the committee on claims.

The following was read:

SALT LAKE CITY, June 17, 1890.

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

On my return from Park City day before yesterday I received a communication from you, through the city recorder, notifying me that you had denied my request regarding the excavation being made on First North Street, past my residence. The grade fixed by the city engineer, and which is now in process of construction, works a wanton and unnecessary injury to my premises, not required or demanded by the public interest, as a simple inspection of the ground will show. Believing that the majority of the City Council have not been made fully acquainted with the facts in the premises, and when fully advised in regard to the same, will grant me relief, I respectfully ask a reconsideration of your action, and that each member go upon the ground and inspect what is being done before taking final action. At present the street has been excavated about eight feet below the surface of the south line of the sidewalk and it is proposed to go deeper still. If left in this condition, it will be impossible for me to conform to the grade at all without removing the sidewalk to a level of this grade up to the south line of my lot, and when this is done, being already two feet above the level of the sidewalk, the surface of my lawn will be eleven or more feet above the level of the street. To conform to this grade would involve the destruction of my lower lawn and render the passage to my barn impracticable, besides requiring a very large expenditure of money. The damage and inconvenience could be greatly lessened by grading the sidewalk down three or four feet, and raising the street in front of my premises to

that level, by throwing the material removed from the sidewalk and further up the street into it. The grade thus changed would be much better than that of other streets in the vicinity, and the lower portion of First North Street, and such as to meet fully the public interests and requirements.

Your predecessors in office established the grade of this street, a record of which is in the city surveyor's office. The grade so established, I am informed, unlike the present one, was rational and just, and such as to fully meet the demands of the public interest.

The injury unnecessarily inflicted by the grade now being made is of such a character that no payment of money can compensate.

With confidence much shaken, but still relying upon the judgment, justice and fidelity to an official trust of a majority of your honorable body, I again appeal to you to arrest the consummation of a glaring outrage.

R. N. BASKIN.

Mr. James moved that the request be granted, and that the motion adopting the report of the committee on streets be reconsidered.

Mr. Lynn opposed this proposition.

Mr. James said he supposed the council wanted to be just, and if a mistake had been made it should be corrected. A mistake has been made. I looked at the work on that street today and I consider it an outrage. There was no necessity for it in the world—no more than there is to dig up all other streets in the city. It has been used for twenty years, and the change makes it no better. The grade up Capitol Hill has to be overcome anyway. Are you going to cut down clear to Ensign Peak? I say there is not another such piece of engineering work in all the country. Washington City is built on hills, and has the best engineer in the world, but there is no such work there. The hill where the Capitol is built was every inch of it maintained, and it adds to the beauty of the city. The cutting down of South Temple Street is a mistake, and it has cost thousands of dollars of the people's money unnecessarily. The sidewalks were cut down without reason, and now the street must be cut down also, at a waste of money.

Mr. Pembroke—I call the gentleman to order.

Mayor Scott—The gentleman is in order.

Mr. James—If you don't like it, you need not listen. As long as I speak to the motion and am respectful in my language, this council will hear me. The grade of South Temple was good, and there was no necessity of a change. Why do we dig down the sidewalks in that way? Is it so we must dig the streets down also, and thus waste the people's money? I will advocate what I believe to be right, and I am satisfied that this engineering is all wrong. I don't want to see Mr. Baskin or any other man put to an unnecessary expense, for no good purpose. The people or the west end of that block have been ruined to accommodate those on the other end.

Mr. Pembroke—I believe the 12 other residents there have as much right to consideration as the one, and I am opposed to this reconsideration. Shall we favor the one against the twelve?

The motion to reconsider was lost—by a vote of six to four.