DESERET EVENING NEWS.

Saturday, - - March 14, 1891.

Copy for advertisements which are expected to appear in the Evening News on the day when received should be handed in at the business department not later than 1 p. m.

Rates of Advertising furnished upon application.

Copy for advertisements must be in before [illegible].

RELIGIOUS SERVICES.

Religious services of the Church of Jesus Christ of Latter-day Saints will be held in the Tabernacle to-morrow (Sunday) afternoon commencing at 2 o'clock.

Home missionaries will visit the city wards tomorrow.

In the city wards services are held in the various ward meeting houses at the hours named:

First	2:30 p.m.	Twelfth	2:30 p.m.
Second	6:30 "	Thirteenth	6:30 "
Third	6:30 "	Fourteenth	6:30 "
Fourth	6:30 "	Fifteenth	6:30 "
Fifth	6 "	Sixteenth	6:30 "
Sixth	6 "	Seventeenth	6 "
Seventh	6 "	Eighteenth	6 "
Eighth	6:30 "	Nineteenth	6:30 "
Ninth	6 "	Twentieth	6:30 "
Tenth	6:30 "	Twenty-first	6 "
Eleventh	6 "	Twenty-second	6:30 "

Meetings convene in the country wards as follows:

Hammond	10:30	a.m.
Butler	10	"
Granite	10	"
West Jordan	10	"
Brighton	2	p.m.
North Point	[illegible]	"
Mountain Dell	[illegible]	"
Sugar House	[illegible]	"
Farmers	[illegible]	"
Mill Creek	[illegible]	"
East Mill Creek	[illegible]	"
Big Cottonwood	[illegible]	"
South Cottonwood	[illegible]	"
Union	[illegible]	"
Sandy	[illegible]	"
Draper	[illegible]	"
Bluffdale	[illegible]	"
Riverton	[illegible]	"
South Jordan	[illegible]	"
North Jordan	[illegible]	"
Granger	[illegible]	"
Hunter	[illegible]	"
Pleasant Green	11a.	m.

Services in foreign languages are conducted as follows:

Scandinavian, Social Hall, upper room, at 2 p.m.

German, Social Hall, lower room, 10 a.m.

FRAGMENTS.

COUNCILMAN COHN has returned from his business trip to the East.

JUDGE CROSS, of Ogden is down with "the grippe."

GOVERNOR THOMAS has gone to Idaho, but is not expected to be absent more than a few days.

YOUNG Robinson, who was so badly injured by a runaway at Ogden on Wednesday, is reported as going on favorably.

MR. E. M. DANIELS, advance agent for Hoyt's "A Texas Steer," is in the city, arranging for the company's visit to the Theatre next Friday and Saturday.

A SMALL dog, of the Scotch terrier species, was run over and badly mangled by a street car on East Temple Street, near the Utah Central Depot, today.

SECRETARY GILLESPIE, of the Chamber of Commerce, will spend much of his time answering inquiries relative to the future prospects of Salt Lake City for business.

THE members of the "Amarata" Club held an invitation masque ball last evening. There was a large company, and many of the costumes were very handsome.

THERE are messages at the Western Union Telegraph office for Mrs. Josie Copland, Joe Shephard, Johnny Mulahay, D. Tatham T. Ragonsky and J. Oppenheim.

UNITED STATES COMMISSIONER PRATT was busily engaged today in moving his law books and office fixtures from the Wasatch Building to the new Hooper Block, on First South Street.

ARRANGEMENTS have been made by the Chamber of Commerce for stereopticon lectures in New England, Indiana and Chicago to lecture on this city. It seems that the Chamber will furnish the lantern slides.

LITTLE JOHNNIE LOWE, of the Fifteenth Ward, who was so fearfully mangled beneath the wheels of a street car yesterday, was slightly improved this afternoon, and it is now thought that recovery is possible.

YESTERDAY afternoon the officials of the County Court visited the west side of the Jordan and inspected the route asked for by the Salt Lake, Hailey and Puget Sound Railroad, viz., over the river on the Salt Lake Rapid Transit line, and westward along the county road.

LAST evening, shortly after eight o'clock, the fire department received a call to a fire which had broken out in the cellar of Mr. Hansen's grocery store at the corner of Third South and First East streets. It was a very small affair, fortunately. The flames were soon extinguished.

IN the suit of Bolivar Roberts vs. Arthur Pratt, in which the plaintiff prays for a writ of mandamus to compel the defendant to issue his warrants to the plaintiff for a certain sum paid by the former auditor to James Jack, Judge Anderson, yesterday afternoon, in the Third District Court, ordered that the mandamus issue.

COMMENCING tomorrow, there will be a slight change in the Rio Grande Western time table. The south-bound passenger local reaches Manti at 11:20 p. m., instead of 10:50 p. m. Then the north-bound local leaving Manti at 5:30 a. m., reaches Salt Lake at 12:01 p. m., instead at 11:15 a. m.

AT 7:30 last evening a train of eight coaches, being the Pennsylvania visitors' first train to the Pacific Coast arrived in the city. This morning the party visited the Tabernacle and other places of interest in Salt Lake. This afternoon the tourists started for Colorado Springs, Denver, Omaha and Chicago, on the homeward trip.

IN the case of John White vs. the Union Pacific Railway Company, in which the plaintiff sued to recover $10,000 damages for injuries received by him at the hands of the employes of the defendant, at Salt Wells, Wyoming, in July last, the jury in the Third District Court, yesterday afternoon, after several hours' deliberation, brought in a verdict for the plaintiff, assessing the damages at $1,500.

THE Polytechnic Society of Utah held a meeting last evening. An interesting paper was read by Major Seaquill on the "Construction of Irrigation canals and reclamation of alkaline lands." In the debate which followed Professors Langton, Hirschling, Kingsbury and others took part. The commercial results in India and Egypt were brought out and many comparisons with our home system made.

JUDGE ZANE was occupied yesterday afternoon with the case of A. S. Harmon vs. A. J. White. The plaintiff sued to recover possession of an office building on Second South Street. It seems that Mr. White occupied the premises in question until May 1st, 1890, under a written lease, and after that time he continued the occupancy under an alleged verbal lease. Plaintiff denied this latter lease and the present suit was brought to eject the defendant. After the jury had been called, the court sustained a motion made by the plaintiff for dismissal.

THE JOINT BUILDING

And Paving Questions Discussed by the City Council.

CRIES OF TRICKERY AND DELAY.

Disgraceful Demonstration Between Spafford and Pembroke.

At a special session of the City Council held last night for the purpose of discussing the paving and joint building questions, Acting Mayor Parsons presided.

The following members and alleged members answered to roll call: Anderson, Armstrong, Cohn, James, Hall, Lynn, Pendleton, Pembroke and Spafford.

The following communication from W. H. Remington was read and referred to the committee on streets:

SALT LAKE CITY, UTAH,
March 13, 1891.

To the Honorable Mayor and Members of the City Council:

GENTLEMEN:—While you are considering the question of material for sidewalks in our city, I would respectfully ask your favorable consideration of the material known as the Strademann mastic asphalt, which is now being used extensively throughout the United States for sidewalk and street paving, and has been thoroughly tested and found to be superior to any other material, for cheapness, durability, cleanliness and beauty combined.

In behalf of this material, I make you the following proposition: I will lay the Strademann mastic asphalt sidewalks at the prices quoted below, and will give to the city a five years' guarantee for the same. These prices are for laying the walk, exclusive of grading:

Thickness.	Pr. Sq. Ft.	Pr. Sq. Yd.	Pr. Front Ft. 6 ft. walk	Pr. Front Ft. 8 ft. walk
1-inch	19 cts.	1.17 cts.	[illegible]	[illegible]
1½-inch	[illegible]	[illegible]	[illegible]	[illegible]
2-inch	[illegible]	[illegible]	1.20 cts.	[illegible]

The one-inch walk is generally used for sidewalk, the other two are sufficient for streets of light traffic.

I am prepared to commence work within two weeks and prosecute the same with vigor, laying a block or more per day, if required.

If your honorable body will refer this to a committee, I will endeavor to convince them that this material is all that I have claimed for it. Respectfully submitted,

W. H. REMINGTON.

The following communication from Engineer Doremus was then read:

In accordance with your instructions of the 10th inst. I beg to present the following estimates of the cost for sidewalk pavements of asphaltum and flagstone respectively:

For asphalt, ¾ inch thick, on 3 inch concrete base, per sq. yd. [illegible]
Or 6-foot walk per front foot [illegible]
Or 8-foot walk per front foot [illegible]

If we allow ten feet for a wagon way entering each 60 feet of frontage, at which places the pavement would require to be made stronger, the cost will be:

For 6-foot walk per front foot $1 [illegible]
For 8-foot walk per front foot [illegible]

FLAG STONE.

For flagstone, two inches thick, on 4 inch sand foundation, per square foot [illegible]
Or for 6-foot walk, per front foot [illegible]
Or for 8-foot walk, per front foot [illegible]

If we allow 10 feet for wagon way entering each 60 feet of frontage, the cost will be:

For 6-foot walk, per front foot $1 [illegible]
For 8-foot walk, per front foot [illegible]

Committee on streets.

The following report from the street committee was read:

"We are of the opinion that for utility, cheapness and cost of repairs that hard or vitrified brick walks take the precedence. Much of the prejudice against brick pavements or sidewalks and the doubt as to their durability, is based upon the experience in using common building brick that were improperly or insufficiently burned. We do not doubt that if properly burned brick be used according to the plans and specifications prepared by our engineer that these objections will be overcome. Suitable brick are made here and the money expended in the manufacture of the same and laying of sidewalk would not go outside of the city. The immediate necessity of good walks in this city cannot be over estimated. We would recommend that the city engineer furnish estimates for the cost of laying brick walks on the following streets and sidewalks: In district Nos. 1 and 2, both sides of First South, from west line of Seventh East to the east line of Fourth West and both sides of West Temple from First South to South Temple. In districts 3 and 4, both sides of Second South, from west line of Seventh East to west line of Fifth West. We recommend that a new district be created called district No. 12, to include both sides of South Temple, from the east line of East Temple to the east line of Third West.

Further, that where permanent walks are already laid that the abutting property be not taxed, and further, that where the improvements are not of a permanent nature and where abutting owners prefer some other material, that they shall be allowed to construct such walks, provided they do so immediately. This is a matter that can be adjusted fairly by the board of equalization. From Second East Street east we would recommend the laying of a six-foot sidewalk and balance of the district covered by this report, to lay an eight-foot walk. The cost as estimated will be for the six-foot walk, 66 cents per front foot or 11 cents per square foot, and for the eight-foot walk, 88 cents per front foot or 11 cents per square foot. That the sidewalk follow the contour of the present grades as nearly as practicable. This plan, if carried out, will give a good sidewalk and crosswalks to the railway stations on two of the main streets leading east from East Temple Street."

Acting Mayor Parsons—It is seen by the report from the street committee that brick is recommended as being the cheapest and best paving material that we can use. I will say, however, that the brick are not vitrified, as stated in the report, but are specially burned. Only a certain number can be used from one kiln, as many will be overburned, broken and warped. I am assured by our brick manufacturers that our brick will stand the test successfully, if properly laid. Another chief reason that the committee recommend brick was that the contour of the ground could be more easily followed.

Councilman James—I move the adoption of the report.

Councilman Spafford—Before we go any further, I will state that Mr. Jennings, who has recently opened up an extensive stone quarry, is present, and could probably give some valuable suggestions as to the cost of stone flagging. I ask that he be allowed to speak.

M. Pembroke—There is a motion before the house, and extraneous discussion is out of order. I am not in favor of adopting the report, inasmuch as we would then be compelled to use brick only. I question the durability of such walks. Other materials have been mentioned which are superior to brick, the cost of which is but little more. I will not and shall not be my vote to a brick. Further, I am not ready to vote tonight.

Acting Mayor Parsons—The adoption of the report will not in any way bind the city to the exclusive use of brick. It only refers to one district, and in that the property owners are given the privilege of using any other material. The defeat of the adoption of this report will only hamper and delay matters. I am surprised that any member of the Council should oppose it.

Mr. Pembroke—I wish to inform the gentleman that I am and have been as anxious to bring the paving question to a culmination as any one. I have brought up the subject frequently, much to the discomfiture of the street committee. I move that the whole matter be referred back to the city engineer with instructions to prepare and report a tabulated statement of the estimates of the various kinds of materials that have been mentioned from time to time.

The motion failed to carry.

Councilman Anderson—I move that the Council adjourn.

Mr. Hall—The report, in my opinion, covers too extensive an area. I want to see walks laid, but I am not sure that brick will prove successful in our climate. They have proven successful in Washington, but it does not freeze there as it does here. I am afraid that they will be heaved up by the action of the frost.

Councilman Spafford—I have lived in Minneapolis for a long time and I know that frost does not affect them there, and in winter the temperature there is much lower than here.

Mr. Doremus—If the brick are well burned, they are practically as durable as flag. The weather will not hurt them.

More fruitless discussion followed, after which the report was finally adopted.

THE JOINT BUILDING.

Councilman Spafford then offered the following:

"Resolved, First—That the joint city and county building shall be located in the center of the Eighth Ward Square, and that so much of said square as may be necessary be dedicated to said purpose.

"Second—That the joint committee are hereby instructed to enter into a contract with Salt Lake County subject to the approval of this Council for the erection of said building on said square, granting to Salt Lake County such property interests as may be equitable, with the condition, however, in said contract, that the existing agreement for construction at the corner of First East and First South Streets shall in no way be abrogated or annulled until all questions as to title and construction upon said square are fully settled and the erection of said building thereon is fully assured.

"Third—That the joint committee are instructed to use every effort to close such agreement and have the building commenced at the earliest possible date and that immediate steps be taken to improve and park the remainder of said square, including a provision to that effect in their agreement with the county."

Mr. Hall—If the change can be legally made, and I believe it can, then I am in favor of it. Many advantages could thus be gained; the police court can remain where it is.

Councilman Spafford—The city attorney says the change can be legally made inasmuch as the same rules that apply to Pioneer Square do not apply to Washington Square.

Mr. Pembroke—I move that the resolution be tabled.

Mr Spafford—(indignantly) I want to know why it is that Mr. Pembroke opposes every movement that is not inaugurated by himself?

This outspokenness on the part of Mr. Spafford was loudly applauded by several of the members as well as the spectators.

Mr. Pembroke (excitedly springing to his feet and assuming an air of bravado) I wish to say that what the gentleman says is false!

Acting Mayor Parsons—(pleadingly) Come to order! Come to order, gentlemen.

Councilman Lynn—I second Mr. Pembroke's motion, because I believe that this proposed removal is only a cunningly devised trick to prevent the erection of the building.

Councilman Spafford—I believe everything is all right and I am very anxious to see this dilly dallying brought to an end.

Councilman Lynn—Well, you are mistaken, that is all I have to say.

The motion to table the resolution was lost, Messrs. Pembroke and Lynn only voting in favor of it.

The motion to adopt the report was then put and carried.

Adjourned until Tuesday.

RIOTING ITALIANS.

Two Months in the Penitentiary and a $25 Fine and Costs.

In the case of the small crew of Italians, charged with rioting at Castle Gate, and whose trial has occupied the time of the First District Court at Provo for several days, the jury yesterday morning brought in a verdict of guilty as charged in the indictment with regard to six of the defendants, and of not guilty with regard to the other five. The five defendants were discharged, and on motion the sentence of the six was set for 2 o'clock. Attorney Sutherland asked for the clemency of the Court for his clients, believing that if they got out of this scrape they would go home and be peaceable and law-abiding citizens.

Judge Blackburn said this was one of a serious class of cases. Drinking whisky and breaking the Sabbath day by indulging in these disgraceful fights must be put a stop to. The sentence was that each pay a fine of $25 and costs of the prosecution, and be imprisoned in the penitentiary for the term of two months.

Latter-day Saints College.

PRINCIPAL'S OFFICE,
L. D. S. College, March 13, 1891.

The last half of the current term of this institution, virtually the last term of the school year, will commence on Monday next, at 9 a. m. in the Social Hall. All intending students will find it to their interest to enter at that time.

J. E. TALMAGE, Principal.

THE INJUNCTION SUIT.

Arguments Concluded Before Judge Anderson Today.

THE RESULT EAGERLY AWAITED.

A Decision Will Probably Be Given Sometime Next Week.

The opening of the case of W. L. Pickard et al. vs. Salt Lake City et al., in which the plaintiffs seek to enjoin the defendants from contracting to sell the Old Fort Square to James Bacon, was briefly reported in yesterday's NEWS.

Attorney Hoffman having read the complaint,

Attorney Dickson replied that it appeared upon the face of the complaint that the city was about to make a contract for the sale of the property two years hence under certain conditions, and that the action would be in violation of the law of Congress. The complaint was demurrable, but a demurrer would not be urged, as they wished to get into the merits of the case and have it disposed of. Mr. Dickson then proceeded to read the complaint.

Following this, Mr. Hoffman offered extracts from the minutes of the City Council from March 11, 1879, showing the action taken at various times by that body in reference to the square. He next read an affidavit of Acting Mayor Parsons, setting forth that the present Council had taken no action for the purpose of ascertaining what was the highest amount that might be obtained for the square, or that any offer besides that of Mr. Bacon had been considered. This was followed by an affidavit of John Reading, showing the number of trees set out by him on and around the square in accordance with his lease. Mr. Hoffman then produced a map of the square, and Mr. Dickson said he would ask the court to take a walk down by the square and see how beautifully it was decorated. A map of the square had been offered, and his side wished to offer the square itself as an exhibit.

Mr. Williams stated that he proposed to offer affidavits from James Sharp and J. T. Little, in which they would give it as their opinion that the square was worth $250,000, and that they would give $5000 as an option for the purchase of the property at that figure in two years.

Mr. Dickson said that this was merely speculating on the enterprise of Mr. Bacon. If he carried out his plan of building a road to Deep Creek, of course these men would make money in such a deal as that named and they could afford to risk $5000 on the chance. They did not make an offer to purchase the square for $150,000.

Mr. Hoffman then offered the following affidavit, which was received under objection:

"George A. Meears, being first duly sworn, on his oath says: I am a citizen of the United States and a resident of Salt Lake City. I have resided in Salt Lake City for over twenty years last past. My present occupation is that of mine owner and real estate agent. I am well acquainted with block 49, plat A, Salt Lake City survey, and known as Pioneer Square. I am and have been for a long time past familiar with the location and value of said land. I am now able and prepared to enter into a contract with Salt Lake City for the purchase of said land. Within two years of the date hereof I agree to pay therefor the sum of $200,000, and as evidence of my good faith in said transaction, I agree to give my bond for the same with a certified check of the sum of five per cent of the entire amount of my bid. The said money due on said check to be forfeited to Salt Lake City in case I do not fulfill the terms of my bid. GEORGE A. MEEARS."

Judge Powers—I move that this be referred to the City Council. (Laughter.)

Mr. Dickson called Mr. Harvey Hardy to testify as to the value of the square.

The introduction of oral testimony was objected to, and the court stated that it would be better to introduce all evidence in the form of affidavits.

Mr. Dickson replied that the defense would hereafter offer a number of affidavits from the most reputable real estate agents in this city as to the value of the property.

It was decided to proceed with the arguments at once.

Mr. Hoffman commenced by calling attention to the act of Congress referred to in the complaint, and continuing said that Mr. Bacon simply asked the city to loan him the square for two years, in order that he might pass around his hat and see if he could get money enough to build the road. He was simply borrowing the credit of the city to assist him in carrying out a scheme. Any loafer on the street could make such an offer. There was not a penny at stake. There was no risk on this Bacon. To carry out this scheme would simply be to tie up this valuable square for two years and create a cloud on the title, all to give this man Bacon a chance to raise money enough to carry out some scheme. If he failed, he wouldn't be out a dollar. It was not a sale; there was no element of a sale in it. He insisted that if there was to be a sale of the property, public notice of such intention should be given and the highest and best offer accepted. Instead of this the City Council made a secret, star chamber transaction, which was void in equity. He did not know just what allurement there was behind this Duncan proposal, but certainly there must have been something which moved the council to accept.

Mr. Dickson, for the defense, said that even if the city should give this property to Mr. Bacon, it would not be within the inhibition of the act of Congress referred to, because the city would not be loaning its credit. Of course, such an act would be stopped by the general laws, but the act of Congress would not be violated. He claimed, however, that $150,000 was a fair value for the property today. The plaintiff, in his complaint, alleged that the square was worth half a million. His counsel, at the outset, had knocked off a quarter of a million, and they had not undertaken to prove that. True, some men had offered to gamble $5,000 on the risk of the road being built, and in that event pay $250,000 for the square two years hence. It was claimed that the city had no authority to enter into such a contract as was proposed. If that was true, the contract would be void on its face, and the court would extend no relief because none was needed. In such a case, an invalid contract could create no cloud on the title. The plaintiff clearly stated himself out of court, and, besides, the suit was prematurely begun.

The most that the exhibits showed in regard to the dedication of the square as a public square was that at one time, in 1853, there was an intention on the part of the then City Council to make such dedication at some time in the future. All that had been done came far short of a dedication. It had never been used as a public park, but as a potato patch by lessees. There had been no expenditure of public moneys upon it. It had never been open to the public, and it had been closed to the public through all the years since the city acquired title to it. The city had the power to lease it to John Reading to raise potatoes and onions on, but it had not, said the plaintiff, to sell it to Mr. Bacon for a fair valuation. The City Council has a perfect right to consider the object for which the purchaser intended to devote the land. The argument advanced by counsel on the other side was simply ridiculous.

Judge Powers closed the arguments for the defense. He said there were evidences presented here that corporations supposed to be soulless had a philanthropic side, and wanted to preserve the park for the poor working man. At the very beginning of the history of this land it became the property of a private citizen, who deeded it to his son. The latter wanted to sell it and offered it to the city for $5000. The Council thought it was worth only $5000 and finally obtained it for that sum. Then they leased it to a private citizen and made it a condition that he should keep up the fences so as to exclude the public. Since that time the city had paid some fellow $10 to draw a picture of the square as it would look when parked. The city had given one square outright to the D. A. & M. Society, showing that the action in accepting the offer of Mr. Bacon was by no means so novel as Mr. Hoffman suggested. There had never been a dedication of the square, and he cited a number of authorities on that subject sustaining his position. Continuing, Judge Powers said that Mr. Bacon had made a fair, square proposition, and it had been accepted. So long as the city council had acted within the scope of its authority, the court would not interfere. Judge Powers concluded by offering the written opinion of himself and Mr. Dickson, which was prepared by them when the proposition was made.

The hour for adjournment being now reached, it was decided, after a brief conversation, that Mr. Williams would make his arguments on Saturday morning.

TODAY'S PROCEEDINGS.

Promptly at ten o'clock this morning, Mr. Williams commenced the closing argument for the plaintiff before Judge Anderson. He plainly portrayed and earnestly contended that Pioneer Square was a park to all intents and purposes, and, as such, the City Council could not legally dispose of it. Admitting that the Council could dispose of the property in question under any circumstances, it must be done by due process of advertising for bids. The Acting Mayor of the City Council has made affidavit that the sale has not been advertised or bids received. It was a matter of fact, as well as law, that the Council have no more right to sell the square to Mr. Bacon than they have to appropriate its value, in money, from the city treasury and present it to that gentleman. If they have, then other parks can be given to the same company for machine shops and round houses. The same rule, then, will also hold good in the establishment of any other business that was an act of public enterprise.

A municipality cannot without legislative authority aid or assist a railway corporation.

Unless there was a standard of law by which the execution of this theory could be prohibited, the realty, money or other property of a corporation could, by its trustees, and would, in all probability, be squandered with a spirit of the most reckless extravagance. The proposition was one that had not cost Mr. Bacon a dollar. There was no mutuality in the agreement whatever. In the annals of business transactions there never was a more cunningly devised, one-sided and monstrous proposition than that made by Mr. Bacon and accepted by the City Council of Salt Lake. For instance, he proposes to build and operate the road within a certain length of time, providing he is not hindered by the "elements" or "otherwise" prevented. Suppose that his money should give out, as it might; then he would be "otherwise" prevented; or if the snow of winter, and the desert dust and heat of summer, should, in Mr. Bacon's opinion, render the construction of the road unpleasant or impracticable, then he would be "otherwise" prevented; and, as a matter of course, would ask for and be granted an extension of time as often as these alleged "preventatives" might be brought about.

The members of the City Council, individually of course, have a right to assist Mr. Bacon; but as public servants in a corporate capacity they have no such right.

At the conclusion of Mr. Williams' argument, Judge Anderson stated that he expected to go away this evening, but would return in three or four days, and as soon thereafter as possible prepare and deliver an opinion in the case.

OTHER CASES.

The following other cases were heard before Judge Anderson today:

Cassady vs. Wilder; motion for judgment on pleadings set for Wednesday, March 18, at 10 a. m.

Elmer E. Merritt vs. John Howard; motion to set aside judgment overruled.

The Carey, Lombard and Lumber Company vs. Charles Sheets et al.; demurrer to complaint overruled; ten days allowed in which to answer.

Henry Williams et al. vs. Jesse Bell et al.; order made granting ten days time to answer.

BEFORE JUDGE ZANE.

The following cases occupied Judge Zane's attention at this morning's session of court.

Mary S. McLaren vs. Alonzo O. Best et al.; order to show cause why defendant should not be punished for contempt of court; set for Friday, March 20th.

United States vs. John R. Howard and Ellen Emmett charged with adultery; defendants plead not guilty.

The case of Samuel C. Ewing, administrator, vs. A. J. White, was again called and was in progress this afternoon.

THE Fourth Quorum of Elders will meet in the Sixth Ward meeting-house Monday, March 16th, at 7:30 p. m.

WHY Royal Baking Powder is Absolutely Pure.

The Royal Baking Powder has been found to be the only baking powder that is absolutely free from lime, phosphates, and all injurious acids and impurities. Prof. Mott, U. S. Government chemist, has explained the cause of this absolute purity. It arises from the new methods of refining cream of tartar, perfected by the Royal Baking Powder Company and exclusively used in the manufacture of the Royal, and by which only can a chemically pure article be produced. Prof. Mott in his report says:

"It is a scientific fact that the Royal Baking Powder is absolutely pure. . . . I will go still further and state that because of the facilities that company have for obtaining perfectly pure cream of tartar, and for other reasons dependent upon the proper proportions of the same, and the method of its preparation, the Royal Baking Powder is undoubtedly the purest and most reliable baking powder offered to the public."

HENRY A. MOTT, Ph. D.
Late Chemist for U. S. Govt.

Primary Associations' Conference.

This morning the Primary Associations of this Stake held their conference in the Assembly Hall. There was a much larger attendance than usual; the exercises were exceptionally interesting and carried out very successfully. Suitable remarks were made by Sisters Zina D. Young, Julia Ivens (President of the Primary of St. George) and Counselor J. F. Simmons, of the Twentieth Ward.

"The Lantern."

The first number of *The Lantern*, the new paper of the University of Deseret, has been issued and shows considerable merit. The leading article, being a review of "Dodd Weaver," is a very creditable literary production. Its object is to show the influence of the public school on a wild boy. The writer handles the subject well. *The Lantern* is to be published monthly and will have between two and three thousand subscribers. The management is in the hands of Eugene Young, J. F. White, W. D. Neal and D. O. Willey. The staff is divided into three departments—local, literary and corresponding, each department having a competent corps of editors.

The students are thoroughly deserving of public support in the carrying out of their enterprising work.

Students' Society.

A crowded session of the Students' Society of the Latter-day Saints' College was held in the Social Hall last evening. Standing room could not be found for those who desired to come in after all seats had been taken.

The programme hitherto published was carried out in a very creditable manner, and to the delight of the audience. All the parts were artistically rendered, and particularization of merit would be out of place.

The evenings spent with this Society are very pleasant.

Trouble About a Contract.

Thomas and Esther Black yesterday filed a suit in the Third District Court against Myra Holmes and F. A. Russell, in which they allege that on July 1, 1890, S. T. DeWooley and S. R. Landes were lessees of the Enterprise hotel, on Commercial Street, and that on said first day of July said lessees contracted to sell the lease and furniture in the premises to the plaintiff, Esther Black, with the permission of the lessor, Mrs. Ella F. Dyer; that subsequently the property was sold to defendants and the lease transferred, and that the defendants have refused to perform their part of the contract, and are in default of payment of rent due, etc. They ask for the appointment of a receiver for the property, and that the defendant be enjoined from selling or disposing of the property.

Amusements.

"A Barrel of Money" was presented last night at the Salt Lake Theatre to a very good house. The play is a mixture of farce, comedy and melodrama. It was well received by the audience, but especially so by the upper regions. There were in it some points which tickled the tastes and fancies of the "gods" and they applauded vigorously. In the third act there is a very realistic scene. Rosie is tied on the belt of the revolving mill-wheel, and about to be swept into eternity, when her lover, Hiram, rescues her. Then follows the gallery enthusiasm, which is almost hairlifting in its intensity. Miss Grace Emmett as Rosie, and Mr. Kohnle as Hiram, did well and were the principal characters in the piece. It will be presented again tonight.

BOSTONIANS.

Commencing Monday, March 16th, four nights and Wednesday matinee.

The virtues and vices of Robin Hood have been celebrated in song and story many times and in many ways since they were first preserved for the credulous people of the present, in that fourteenth century classic, "The Vision of Piers the Plowman." Such a romantic glory surrounded the famous robber that half of the early English ballads tell of his deeds and prowess. It remained for Reginald DeKoven, a nineteenth century composer and an American at that, to make an opera out of the familiar story, and he has been successful in producing a work that must rank with the best of its class which the country has produced.

"Wonderland" is having the usual satisfactory run of patronage this week and is giving the usual satisfaction. The curios in the lecture hall are interesting, and the stage performances varied and cleverly presented.

Grand Millinery Reception.

In response to the many inquiries of the Ladies of this city, since Mrs. Lamb's return from the east, she announces her Millinery Reception Tuesday March 24th. A cordial invitation is extended to all. Hours 2 to 5 and 7 to 9 p. m.—26 Main St.

Dr. Maggie C. Shipp Has removed to her old place, 19 Main Street. Telephone 386. dkw

John Reading.

Flower and garden seeds.—The largest variety and purest seeds; lower than Eastern prices, under the Utah National Bank, Clock corner, Salt Lake City. dkw

DINWOODEY'S WALL PAPER. SUPERB LINE. LATEST DESIGNS, LOWEST PRICES.

Cheapest place in town for Stoves and Ranges, Tin and Iron Roofing, Guttering, etc.

THE SPENCER BYWATER CO.,
17 and 19 West South Temple St.

All cash subscriptions for the *Millennial Star* should be forwarded to JAMES JACK at the President's Office, Salt Lake City. dkw

All parties indebted to us will please note that we are temporarily located with Spencer Clawson & Co., Broadway. Prompt settlements are requested. CONS. FURNITURE CO.

BED COMFORTS AT A SACRIFICE AT DINWOODEY'S

Gem Stoves and Ranges are the best. SPENCER BYWATER CO.,
17 and 19 West South Temple St.

Always in the Lead.

Peters & Hillstead, Barber Shop and Bath Rooms, the finest now open in the city. Open Sundays until 3 p. m. Opera House Block, 73 West, Second South. dlw

Bucklen's Arnica Salve.

The Best Salve in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever, Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. For sale by A. C. Smith & Co.

GENTS' SUITS
MADE TO ORDER
Spring Styles
Just in from
PROVO MILLS.
JOHN C. CUTLER & BRO.,
No. 36 Main St.

Go to SPENCER, BYWATER & Co's 17 and 19 West South Temple Street, for Tin Roofing Guttering, Spouting Stoves and Tinware, etc.

The Best Result.

Every ingredient employed in producing Hood's Sarsaparilla is strictly pure, and is the best of its kind it is possible to buy. All the roots and herbs are carefully selected, personally examined, and only the best retained. So that from the time of purchase until Hood's Sarsaparilla is prepared, everything is carefully watched with a view to attaining the best result. Why don't you try it? S

LOST.

A BAY HORSE, FIVE YEARS OLD, THREE white feet, star in face, [illegible] on left shoulder. Return to Geo. C. Lambert, DESERET NEWS Office and be rewarded. d & s

O TUESDAY AFTERNOON, A BLACK Cashmere shawl. The finder will do a great favor by leaving it at the Juvenile Instructor office. [illegible]

FROM CONTINENTAL OIL CO'S WAREhouse, a small dark bay saddle Horse, "Sally," long mane and tail, white star in forehead, branded with one of [illegible] on thigh and shoulder. Telephone Continental Oil Co. [illegible]

LEGAL NOTICE.

In the Probate Court in and for Salt Lake County, Territory of Utah.

In the matter of the Estate of Hannah Allwicks, deceased.

Notice of time and place for the hearing of petition for admission to Probate of Will.

PURSUANT TO AN ORDER OF SAID Court in said matter, notice is hereby given that Wednesday, the 25th day of March, A. D. 1891, at 10 o'clock a. m., at the County Court House in Salt Lake City, Utah Territory, in the court room of said Court, has been appointed the time and place for the hearing of a petition of Elizabeth H. Emery, praying for the admission to probate of a certain document therewith presented, purporting to be the last Will and Testament of Hannah Allwicks, deceased, when and where all persons interested may appear and oppose the probate of said will, or the granting of letters testamentary to Elizabeth H. Emery, as prayed for in said petition.

In witness whereof, I have hereunto set my hand and affixed the seal of said Court, this 13th day of March, A. D. 1891.

[SEAL.] E. R. ALLEN, Clerk of the Probate Court.

By C. E. STANTON, Deputy Clerk.

NOTICE.

THE GENERAL MEETING OF THE stockholders of Zion's Co-operative Mercantile Institution will be held at the Institution's Factory on South Temple Street, between East Temple and First East Streets, Salt Lake City, on Saturday, April 4th, 1891, at 2 p. m., for the purpose of hearing the President's Report, amending the Articles of Association, increasing the capital stock by changing Article 3 of the Articles of Association to read as follows: "The Capital Stock of the Institution shall consist of [illegible] shares of the par value of [illegible] each" and for the transaction of such other business as may be brought before the meeting.

T. G. WEBBER, Secretary.

Salt Lake City, March 12th, 1891. [illegible]