DESERET EVENING NEWS.

Wednesday, - - June 24, 1891.

City for Advertisements which are expected to appear in the EVENING NEWS on the day when received should be handed in to the Business departments not later than 1 p. m.

Rates of Advertising published upon application.

Cards for advertisements must be in before 10 a. m.

BISHOP McRAE'S FUNERAL.

Will be Held in the Eleventh Ward Meeting House Tomorrow.

It was expected that the funeral services over the remains of Bishop Alexander McRae of the Eleventh Ward would have been held this afternoon, but were necessarily postponed in consequence of the non-arrival, in time, from Arizona, of Joseph, son of the deceased. He, however, arrived safely in the city today after a long and wearisome journey. The time of the funeral has now been fixed at 2 p.m. tomorrow, and will be held at the Eleventh Ward meeting house.

FRAGMENTS.

HOME missionary meeting tonight.

Last evening the Jefferson Drum Corps had a parade.

THE young ladies of the Fifteenth ward will hold a strawberry festival in the ward meeting house this evening.

THE address of the Democratic Committee will be found on page seven of this issue of the DESERET NEWS.

THE *Illustrated American* for June 27th contains some interesting matter. It can be had at the Utah Book and Stationery Co., 72 Main Street.

A REPUBLICAN meeting will be held in the Twenty-first Ward this evening, beginning at 8:00. The speakers will be Messrs. Arthur Brown, James Devine and John Morgan.

THE Odd Fellows' excursion to Bingham, which was to have taken place last evening, has had to be postponed in consequence of the great prevalence of diphtheria there.

Owing to the pressure upon our space we are compelled to omit the proceedings, today, of the session of the proceedings of a number of interesting Republican meetings held in the various towns of this country.

THE Harmony Club went out to Garfield beach on a special train last evening, leaving Salt Lake at 7 o'clock and returning some four hours and a half later. The company numbered eighty people. A very pleasant time was spent.

RETURNS of the school registration have been received from the following places: Bingham 214, not increase, 112; South Cottonwood 205, not increase, 57; Heber 194, not increase 21; Farmington 142, not increase 26; Price 72, not increase 19; St. George 214, not increase 27. Ogden has not yet reported.

A PRESENTATION was made to the Central Democratic Club of Salt Lake County, last night, by Mr. J. M. Kennedy, of this city, in the shape of a handsome silk banner, on it is the name of the club, also the date of organization. A life-size portrait of the Hon. B. H. Roberts has further been presented to the club by W. H. Irvine.

Territorial Teachers' Convention.

The convention closed last evening. After the discussion over Judge Sutherland's interesting address in the afternoon, Professor Avery read a paper on School Discipline.

Resolutions were passed thanking the temporary officers and speakers. Judge Sutherland was elected an honorary member.

In the evening Miss Antoinette Brown lectured on the Kindergarten, music followed and the convention adjourned subject to call. It was a very interesting and profitable gathering and will prove a great aid to the cause of education in Utah.

FIRE AT THE REFORM SCHOOL.

The Fine Building Badly Damaged, but Fully Insured.

By special from Ogden we learn that at half-past eight o'clock this morning the Junction City was aroused by word that the Reform School building was on fire. The upper part was seen to be in flames. The third and fourth stories were completely gutted, the gables fell in, and the first and second stories were badly damaged with water. The main walls remain intact. No one was injured. The loss will amount to about $10,000 for the whole of which the building is insured.

The fire originated from a deposit of soot upon the roof and sparks from a chimney set it in a blaze. The boys and girls worked with a will to subdue the flames.

Col. Howard of the Military Academy has generously offered that building as a temporary asylum for the Reform School inmates. The members of the Board have all been telegraphed to and a meeting has been set for 3 o'clock this afternoon. The fire is a public misfortune, as the building is definitely located as a public necessity. However, it will no doubt be restored without needless delay.

Amusements.

Tonight "The Grab Bag" will be given at the Theatre, for this evening only. An exchange says: "There is not much plot but enough to keep interest centered in the story, which is that of the antics of a lot of clever people in a prohibition Jersey town on the eve of an election. Catchy music, clever dancing and new stage business fun throughout the entire play and keeps the audience shouting throughout the entire performance.

Miss Thelma Vaughn as Vera Van Vechten, the opera singer, is superb. She is a glorious woman, of handsome face and form and with a full, rich mezzo-soprano voice that is intensely pleasing. Miss Irving as Lalla Rook, of the Vaudeville, is a most graceful skirt dancer. Of petite form, pleasing expression and exquisite grace, she made friends of the audience every time she appeared.

The successful marine spectacle entitled "The Bottom of the Sea," will be produced at the Theatre commencing tonight. The piece abounds in scenic and mechanical effects of unusual brilliance. It has enjoyed long runs in Boston and New York. One scene of special beauty is that from which the piece derives its title, showing the bottom of the sea with diver at work on the wreck of a sunken ship, in which the beauties of scenic and mechanical ingenuity have been exhausted.

CITY COUNCIL MEETING.

The North Bench Water Question Settled Last Night.

RE-ARRANGEMENT OF COMMITTEES

Judges Appointed for the Coming School Trustee Election.—Street Paving Proposition.

The City Council met in regular session last evening, Mayor Scott presiding. The following members responded to roll call: Pickard, Spafford, Kerrich, Heath, Folland, Hyde, Hardy, Tuddenham, Young, Anderson, Lynn, Parsons, Pendleton and James. After the reading and approval of the minutes of the previous meeting the following

PETITIONS

were read: The Salt Lake Brewing Company asked for a rebate on liquor license. Committee on license.

C. F. Fisher asked for a rebate on real estate license. Committee on license.

W. D. Rowling et al asked that the temporary fence around the Cunningham corner be lowered from six to four feet in height. Committee on streets.

Sullivan & Lange, saloon-keepers, asked that the unexpired portion of their liquor license be remitted in favor of the Salt Lake Brewing Company. Committee on license.

John E. Butler asked that the grade for sidewalks on the south side of Second S. south street from Fifth East Street for a distance of 101 feet west be changed. Committee on streets.

Mount & Griffin asked for an appropriation of $200 for street sprinkling. Granted.

G. D. Ames et al. represented that the slaughter house near the Salt Lake Mill and Elevator company's ground northwest of the Warm Springs, was a nuisance and asked that it be abated. Sanitary and quarantine committee.

Josephine M. Spence asked that the time for laying the sidewalk on West Third South street be deferred. Committee on streets.

P. W. Maloney protested against a franchise being granted to the Rapid Transit company for an additional track on First South street, between State and Main. Committee on streets.

L. B. Coates et al. asked that a slaughter house nuisance, on Third South street over the Jordan river, be abated. Sanitary and quarantine committee.

Mrs. Kate McCornick asked for a remission of hotel license. Committee on license.

The Salt Lake, Hailey & Puget Sound Railway company presented a communication in which it signified the acceptance of the railway franchise granted it by the council on April 21st, of the present year.

George E. Woolley asked for the erection of a flume across Parley's canyon conduit. Committee on irrigation.

Mrs. Duller represented that her property had been damaged to the amount of $1000 by surplus water coming from Parley's canyon conduit, and asked that the amount be appropriated. Committee on claims.

Rudolph Alf et al. asked for an extension of sewer on Second South street. Committee on sewerage.

R. Kletting asked for permission to pile building material, for the erection of the State Bank of Utah on First South street, immediately west of the Salt Lake Theatre, for four months. Granted.

Ed Pullenson Lowry asked that he be allowed twelve days' pay. Committee on police.

Henry Grandelien asked to be allowed to maintain a beerhack stand on Second South street. Committee on streets.

R. Kletting asked permission to pile building material on Commercial street for four months. Granted.

Mary B. Burbridge and J. W. Burbridge asked that the tax assessed against them for extending the water mains be canceled. Committee on waterworks.

FROM THE BOARD OF PUBLIC WORKS.

The Board of Public Works reported that a contract had been entered into with the Pacific Paving company of Utah for laying 150,000 feet of bituminous or asphaltic rock sidewalk pavement on both sides of State street, between South Temple and Fourth South streets, and on Second South street between Second East and Fifth West streets, and also on Third South between State and Second East streets, and between West Temple and Third West streets, and asked that action be taken on the same.

The board also submitted the following abstract of the bids received:

Pacific Paving Co., were complete	Higher
Utah Construction Co., varied and grading	Higher
S. R. Warwick, without grading	[illegible]
Brickmacker Co., without grading	[illegible]

Adopted.

THE NEW COMMITTEES.

The Mayor announced that he had rearranged the standing committees as follows, the councilman first named being in each case the chairman of the committee:

Ways and Means—Kerrick, Anderson, Lynn.

Streets—Parsons, Pendleton, James, Hardy, Hyde.

Waterworks—Anderson, Spafford, Lynn, Young, Smith.

Finance—Lynn, Anderson, Kerrick.

Sewerage—James, Pickard, Parsons, Spafford, Young.

Public Works—James, Parsons, Folland, Hardy, Tuddenham.

Improvements—Lynn, Anderson, Tuddenham.

City Prison—Pickard, Kerrick, Hardy.

Irrigation—Pendleton, Heath, Kerrick, Smith, Hardy.

License—Kerrick, Pickard, Hyde.

Market—Spafford, Pendleton, Folland.

Engineering—Young, Lynn, Heath.

Revision—Pendleton, Lynn, Tuddenham.

Police—Anderson, Pendleton, Parsons, Heath, Folland.

Sanitary Regulations and Quarantine—Pickard, Heath, James, Young, Hardy.

Jordan and Salt Lake Canal—Anderson, Pendleton, James, Spafford, Smith.

Public Grounds—Parsons, James, Pickard, Tuddenham, Hyde.

Fire Department—Anderson, Parsons, Smith.

Municipal Laws—Lynn, Heath, Spafford, Parsons, Young.

Claims—James, Pickard, Young.

Cemetery—Kerrick, Pickard, Tuddenham.

Enrollment—Lynn, Anderson, Hyde.

Unfinished Business—Pendleton, Spafford, Folland.

PAVING PROPOSITION.

The board of public works presented the following communication from W. H. Remington, president of the Barrdamant company:

We herewith lay your honorable body to consider the proposition from the company to pave the streets of Salt Lake with asphaltic rock in one block, including intersection already awarded to us, in the middle of this city, the pavement to be our standard and of a smooth and open surface fit to be paid thereafter to be determined upon the same basis as the contract now in force for the same character of work on the 20th of July next. The conditions and guarantee in also comply with the ordinance and we stand prepared by your body. We desire that a full block of pavement in addition to the one block above mentioned for the reason that paving the intersection furnishes too small an area to thoroughly demonstrate the superior qualities of our Barrdamant pavement for the reason that immediate at the intersection will adjoin dirt streets, and soon after the pavement is laid, it will thus connecting the surface, which we desire to appear clean to the eyes of the public, and we respectfully request that your board appoint a committee to investigate it, also that some of the members of your honorable body expressed themselves to the effect that they would have sufficient knowledge of the treatment and other materials which are to be laid upon on July 20. In view of that fact, we desire to reach first an educator, as for any other purpose, we have our street paving tested before that date. We would request that your board appoint a committee to investigate it, also the engineers of the Leland Stanford, Jr., university, at Palo Alto, California, and also a report from the chemist of the board of health of the city of San Francisco, which we trust will meet with careful consideration. Trusting that you will favorably consider and act upon the acceptance of this proposition, we bring to remain.

SALT LAKE BARRADAMANT ASPHALT CO.

Councilman Hyde reported that the engineer of Curtis Barber, engineer of the Leland Stanford, Jr., university, and C. A. Ogden, chemist of the board of supervisors of San Francisco, be read, which was done.

Committee on streets.

BIDS FOR FLAGSTONE SIDEWALKS.

The board of public works reported the following abstract of bids for laying 20,000 square feet of flagstone sidewalk pavement on Third South street, all of which greatly exceeded the estimate, before submitted.

THIRD DISTRICT.

	Paving.	Grading.
F. G. Campbell and F. G. Palmer	42	40
Skinner & Co.	42	40
Mount & Griffin	42	40
Metropolitan Stone company	49	40

FOUR DISTRICT.

	Paving.	Grading.
Wm. Barnes	42	40
Palmer, Tree & Pickett	42	40
F. G. Campbell and F. G. Palmer	42	40
Metropolitan Stone company	49	40

FIFTH DISTRICT.

	Paving.	Grading.
Wm. Barnes	42	40
Metropolitan Stone company	42	40
F. G. Campbell and F. G. Palmer	42	40
Skinner & Co.	42	40

The matter was referred to the board of public works.

THE NORTH BENCH WATER QUESTION.

The following report from the city engineer, submitted April 7th, brought up a resolution by Councilman Anderson, authorizing the issuing of bonds to the amount of $50,000, for the construction of the system:

"In accordance with instructions received from the City Council on March 24, of last year, I have made a careful and honest estimate of cost for constructing a reservoir and pipe line system for supplying water to the portions of the city known as the "North Benches" and "Capitol Hill." To distribute the water so high as Tuckamanti street, it will be necessary to locate the reservoir 300 feet in elevation above the gutterway of the present Twelfth ward system, and will require about 14,000 feet of two and three-quarters miles of main pipe, which I think should not be less than twelve inches in diameter. A work a system will be about as follows:

For reservoir, enclosure, etc	$ 7,325 00
For 12-inch pipe main	50,850 00
Total cost of system	$58,175 00

Councilman Anderson—I renew my motion made one week ago for the adoption of the resolution authorizing the system to be put in.

Councilman James—I am emphatically opposed to the adoption of the resolution and call upon you good reasons for my objections. They are these: It has been asserted that members of a former city council pledged themselves to the purchasers of the unimproved and uninhabited land on the north bench with water. If any such pledge or promise was made the information is certainly on file in the office of the city recorder, and if such be the case I will oppose the proposition no longer, for then are we bound to supply that portion of the city with water, otherwise not. (Addressing Recorder Jack) Are there any papers in your office containing such promise or pledge?

Mr. Jack—I know nothing of such papers.

Mr. James—Then I certainly shall oppose the proposition because I think it is unjust. I have weighed the matter well and have carefully examined every detail, and enquired into the rights of the petitioners and the alleged obligation of the city. I have talked with ex-Mayor Armstrong, Messrs. Dudley, McCornick and Sharp, all members of the city council when that land was platted and sold and all of them are emphatic in their statements that there was no promise on the part of the city, either expressed or implied to furnish it with water. Purchasers of lots probably expected that water would be obtained at sometime in the distant future, but they took their chances. I have recently visited and carefully inspected the grounds, which the petition, if granted, is calculated to benefit, and, to my surprise, there are, if I remember rightly, but four small, cheap wooden houses located above the present water limit. Below the limit is much valuable and unimproved land on which people could easily settle and be nearer the center of the city. The people on the bench, many of whom I talked with personally, informed me that while they did not have the water force that that exists below them, they had sufficient to sprinkle their lawns and water their trees. If the gentlemen who advocate the granting of this petition can produce one single convincing thing in favor of it I should like to hear it. Reasons for they have, in my opinion, signally failed. An argument has been made in rebuttal of my position, by saying that the unoccupied land on the north bench if supplied with water, would be rapidly settled and soon begin to contribute revenue to the city in the shape of taxes. But there is much available land within the water limit to improve and from which taxes can be collected. Another thing is, we have many needed improvements to make and the city can ill afford to spare the money at this time.

Councilman Hyde—I am heartily in accord with the sentiments of Mr. James. While water is as plentiful as it has been this season and last, there might be water enough to supply the wants of people who may settle above the present water limit, but in such seasons as that of two years ago, they would have to go without. Besides, the water from City Creek belongs to another portion of the city. The old inhabitants have a vested claim upon it. To take it from them would be wrong. Another thing, financially, I believe, the city is running close to the wind. Our city's bonded mess man inquires carefully into the standing of his bank account, or, likewise, I believe we should understand the standing of our city's exchequer.

Councilman Harty—I do not think the City Council is under any obligation to grant the petition. I have a relative who purchased a great deal of land on the bench at the time of the public sale and he assures me that he received no promises from the city that he would be supplied with water, but that he took his chances.

Councilman Pickard—I know that there were several hundred thousand dollars spent in the purchase of land there, with the understanding that the city would furnish water.

Councilman James—Allow me to correct you, Mr. Pickard. I am able to do so as I have the figures in view and can quote you a paper from his pocket). You certainly cannot mean hundreds of thousands of dollars as on the portion of the bench there was but $11,000 sold and all above the water limit east of City Creek.

To this Mr. Pickard did not reply.

Councilman Parsons—I believe that it was understood at the time the property was sold, that the city would furnish it with water as soon as it was able to do so. I further believe that the time has now arrived. The taxes would more than pay the interest. The lots were last year assessed at $1550 each. The revenue was considerable.

Councilman James—I arise to correct a little error.

Councilman Kerrick—I object, Mr. Mayor, the gentleman cannot speak twice on the same subject without the permission of the council.

Mayor Scott—You are right Mr. Kerrick.

Councilman Young—I move that the gentleman be given the privilege to speak. Carried.

Councilman James—The lots were not assessed at $1550 each, nor yet one third of that amount. Here are the figures of the assessor's roll (quoting results from a paper, showing that the lots were disposed of at prices ranging from $250 to $500.) It is not likely that they were worth so much in excess of their real value.

Councilman Young—I agree that the land to be benefited by the granting of this petition is a very beautiful part of the city, and, in some day when we can afford to improve it by more very valuable and manu sought after, but it seems to me that the council should not commence the field of improvement in which it is now expending. At a future day, when our finances will permit the improvement might be proper, but to-day, I do not think it is. I have talked with ex-Recorder Wells and others that the city did not bind itself to supply that property with water. I am not yet thoroughly acquainted with the financial condition of the city, but I apprehend that we have no money to spare, and am therefore opposed to the granting of the petition at this time.

The question was then put, the vote being as follows:

Ayes—Parsons, Pendleton, Spafford, Anderson, Pickard, Kerrick and James—7.

Nays—Heath, Hyde, Folland, Hardy, Tuddenham, Young and Lynn—7.

Mayor Scott cast the casting vote saying: "I shall vote for the adoption of the resolution."

INSPECTORS OF SIDEWALKS.

The Board of Public Works reported that they had appointed R. H. Saunders, John Brandon and S. H. Carlisle as sidewalk pavement inspectors at a salary of $3 per day each for each. The appointments were confirmed.

LICENSE ORDINANCE.

The following communication from Treasurer Walton was read and referred to the license committee:

To the Honorable Mayor and Members of the City Council:

Gentlemen—I have inserted the addition of the sub-joined section to the license ordinance:

"In any action brought under or arising out of the provisions of this ordinance, the fact that the party thereto represented himself or herself engaged in any business or calling for the transaction of which a license is by city ordinance required, or that such party exhibited a sign indicating such business or calling, shall be conclusive evidence of the liability of such party to pay for a license."

Committee on license.

CONDEMNED LAND.

Attorney Hall submitted the finding of the Third District court in the condemnation proceedings, Salt Lake City vs. James H. Taylor and Thomas E. Taylor, in which the court found $1,325 for a portion of Third street taken and $1,650 for the Second street extension, the amount to be paid within thirty days. Referred to the committee on public grounds.

WASHINGTON SQUARE DRAINAGE.

Engineers Dorenus and Brooks reported that the Washington square could be drained to a depth of eleven feet by discharging the water into the ditch on Eighth South street or into the canal. As to the proper form of foundation on this site, they suggested that it should be such as would safely support the building under the existing conditions of the ground, independent of drainage. They did not think a ditch was a sufficient guarantee that the original conditions would not be restored in the event of any obstruction in the drain. Their idea was to provide originally on the worst possible conditions at any cost rather than take the risks of greater ultimate costs. The matter was referred to the joint building committee and the committee on sewers.

SCHOOL ELECTION JUDGES.

Attorney Hall reported that the school election in this district should be held on the second Monday in July next, and fifteen days before the election the Council should appoint from each precinct three judges of election. Notice of the time and place of holding the election should be given by the mayor for six consecutive days within ten days previous thereto. One trustee has to be elected from each precinct.

The report was adopted and the mayor appointed Councilmen Parsons, Anderson, Folland, Young and Kerrick to present names of persons to act as judges of the election. The committee reported the following names: First precinct, A. H. Parsons, William Fuller, Theodore Lovendale; Second precinct, J. C. Adkinson, A. H. Kelly, W. S. Burton; Third precinct, W. J. Beattie, H. Pentecke, George Lambourne; Fourth precinct, D. L. Murray, A. Hauser, H. A. Wells; Fifth precinct, J. F. Allen, J. R. Winder, Jr., C. B. Jack.

The nominations were confirmed.

SUNDAY AMUSEMENTS.

The committee on license to whom was referred the petition of the managers of Wonderland asking permission to keep their place of amusement open on Sunday on condition that they maintain the best of order, etc., recommended that the petition be granted.

The mayor suggested that there was an ordinance on this subject, and the report could not well be adopted without repealing or amending the ordinance.

Councilman Lynn said that the ordinance would not prohibit the opening of the museum, and if the concerts were suspended there was no ordinance prohibiting that. The report was referred to the committee on municipal laws.

JORDAN CANAL.

The committee on canals, to whom was referred the petition of H. F. Tenny asking that the Jordan canal be repaired, recommended that the same be granted. Adopted.

TO SELL REFRESHMENTS.

Mayor Scott suggested that the Young Ladies' Aid society be given the exclusive privilege to sell the refreshments on Pioneer Day this year. The suggestion was adopted.

MISCELLANEOUS.

The resignation of John Griffin as City Weighmaster and Poundmaster was received and accepted. In his letter of resignation Mr. Griffin recommended W. P. Eldridge for his successor as did a petition signed by Alonzo Young and others. Adopted.

The report of the committee on streets in regard to the arrangements of the Fourth of July, was adopted, and on Sixth west street and other thoroughfares, and the conditions on which they were to be allowed to remain, was taken from the table and adopted.

The committee on streets reported an ordinance relative to sidewalk payements, grades, etc., which was adopted.

An ordinance prohibiting the throwing of dirt, rocks and rubbish into ditches was presented and laid over for one week.

An appropriation of $2,000 was made to Mount & Griffin.

Adjourned for one week.

STREET RAILROAD FIGHT.

A Lively Scene During the Early Morning Hours,

ON WEST SECOND SOUTH STREET.

Supt. Reed, of the City Street Railroad, and Others, Arrested.

For some time past anything but a friendly feeling seems to have existed between the two rival street railroad companies of this city in regard to the laying of tracks in certain directions, and their difficulties have now and again been ventilated in the courts. About half-past eleven o'clock last night, however, matters took quite an unexpected turn. Towards that hour the Rapid Transit company's employes began to place rails and ties along West Second South street, a force of nearly 100 men being also occupied with picks and shovels in tearing up the road. The object in view was to lay a track from the Wasatch corner to the county court house. The work at first went on uninterruptedly, but just after the stroke of midnight a member of the Street Railroad company's cars were run down to the spot. It was then that the row commenced between the opposing forces. While the dispute was in progress Mr. Charles Reed, of the City Railroad company, and Mr. J. L. Rawlins, the company's attorney, put in an appearance and called upon Marshal Young—who was present with a strong staff of officers—to forthwith stop the operations of the Rapid Transit men. The superintendent, on the marshal's refusal to interpose, then ordered the officers to "pull the cutgels, but his request to the men to desist work was without effect. It is asserted that Mr. Reed was on warrantably assaulted by someone present; yet in the course of the melee he was arrested and marched to the City Hall, but liberated an hour or so later.

The trouble lasted for fully a couple of hours, and attracted a large crowd of people. Mr. Chambers, vice-president of the City Railroad company, being a conspicuous spectator throughout.

It was 2 o'clock when Attorneys Rawlins and Critchlow—who had watched the course of events for some time—departed from the scene to prepare injunction papers. Armed with these they repaired to the Cullen hotel, where Judge Anderson from his peaceful slumber, and obtained his signature to the document. In less than half an hour later the papers were served upon the defendants and work on the track was brought to an abrupt termination.

Interesting developments may be expected when the case comes before Judge Anderson next Saturday.

We are informed on most reliable authority that there has never been any arrangement entered into between the two companies as to the particular rail-road on Second South, but that the Rapid Transit company has again simply endeavored to take possession on its own account.

In the course of an interview with Supt. Reed this afternoon, that gentleman said to our reporter: All I have to state is that the police made a mistake in regard to my arrest on a charge of striking an officer. Our of the Rapid Transit men was putting a tie in our track. I went to him and told him to stop, at the same time I reached down to pull up the tie, when some of his men—I know—whether they were police officers or not I do not know—grabbed me from behind and shoved me. In the attempt to release myself one of my arms went up and I suppose my hand accidentally hit someone. Just then someone called out "Arrest him and take him off to the City Hall for disturbing the peace and striking an officer!" The sergeant of police, who was at that time standing near me in a striking attitude, his club in hand, said, "D—n you, if you don't look out I'll strike and arrest you!" I replied, "D—n you, arrest me then," and that was all the resistance I offered, except that I remonstrated myself from the men who had hold of me, and went off with the police officer. I want particularly to state that the insolence of the officer who had me in charge was disgraceful; he could not have treated a horse-thief with greater disrespect. He refused to take bonds for my appearance, and locked me up in a filthy cell with a negro and other prisoners. The clerk in charge at the City Hall asked this officer if he wanted to have me put upstairs, but he answered "No, d—n him, the lower part is quite good enough."

"Have you anything to say, Mr. Reed, regarding the action of the Rapid Transit Company in this affair?" asked the reporter.

"No," he replied, "only that we have a right of way there, and we claim that the Rapid Transit Company have no right to disturb it."

The complaint which is lodged with Clerk McMillan, of the Third district court, reads as follows:

Salt Lake City railroad company, plaintiff, vs. C. E. Jack, J. S. Cannon, the Salt Lake Rapid Transit company, defendants. Said plaintiff is a corporation duly organized and said defendant companies are corporations under the laws of Utah. That said plaintiff is the owner of a portion of and entitled to the possession of a double track street railroad, consisting of the right of way, ties, rails and other fixtures, and the necessary appurtenances for the full and complete operation of its electric street railroad; which said road is located on and known as Second South street, in the city and county of Salt Lake, Utah Territory, and said company is and has been engaged in operating said railroad for the carriage of passengers. That on the night of the 23rd and 24th days of June, 1891, said defendants unlawfully and with a large force of men entered upon said lines of railroad and said premises owned by said plaintiff, and have begun wholly without right to tear up and destroy said track and rendered so to interrupt and prevent plaintiff from operating its cars thereon and for the purpose of appropriating to its own use plaintiff's said right of way and railroad, to the great and irreparable damage of said plaintiff, not to the destruction of the rights and franchises of said plaintiff. That said defendants threatens and unless restrained by action of this court will continue said wrongs and injuries. That plaintiff has been damaged thereby in the sum of $5,000.

Wherefore said plaintiff prays the order of this court restraining said defendants and each of them, and their agents, servants, agents, servants and employes, pending this action, and until the further order of the court, from doing any and threatening to do any act or any manner interfering with their railway, track, roadbed, right of way, or the operation of cars thereon, enjoined upon said Second South street, in said city, and that upon the final hearing of this action said injunction be made perpetual.

For three damages, for costs, and for other proper relief.

RAWLINS & CRITCHLOW,
Attorneys for plaintiff.

The foregoing complaint was sworn to and subscribed by Supt. W. P. Reed.

The Rapid Transit company have filed the subjoined answer:

Salt Lake City Railway company, plaintiff, vs. C. E. Jack, J. S. Cannon and the Salt Lake Rapid Transit company, defendants.

The defendants deny that the plaintiff is the owner of the premises, or any lots or exclusive possession of the portion of said street occupied by its said railroad, or any right of way. They deny that those defendants, or either or any of them, at the said or any time, wrongfully with a large or any force of men or otherwise entered upon any lots of railroad so owned or possessed, as alleged in said complaint, or have begun to tear up or destroy said track or roadbed, so as to obstruct or prevent plaintiff from operating its cars thereon, or for the purpose of appropriating to its own use said right of way, or railroad, or otherwise. Deny that by the said alleged or any other acts the plaintiff is greatly, irreparably, or otherwise damaged, or that thereby or so at all in rights or franchises will be destroyed or otherwise injured or impaired. Denying that they threaten to or will continue to and so cause such wrongs or injuries to the great, irreparable, or any damage of the plaintiff, and deny that the plaintiff has sustained any damage in the sum of $5000, or any sum whatever.

For a cross-complaint against the said plaintiff, these defendants allege that the Salt Lake City Rapid Transit company is a corporation under the laws of the Territory, authorized to construct, maintain and operate street railways in said city of Salt Lake, and upon and along certain streets in said city, and the said plaintiff is maintaining and operating its said railway in said street and upon the portion thereof occupied by it is not definite, but, on the contrary, these defendants allege that the said space is subject to joint occupation and use by the said defendant, the Salt Lake City Rapid Transit Company. That the last named company has been granted the franchise and privilege by the said city to use the said portion of said street for railroad purposes, and it has the legal right to occupy the same. That in pursuance of such right it has begun the construction of an additional railroad track upon and over said street for its own use in such a manner as to conform to the grade and occupy substantially the same space as one of the plaintiff's said tracks, the rails, however, to be laid so that the corresponding rails of the track of plaintiffs and the said defendant will be about eight inches apart. That such construction by the said defendant will not obstruct, interfere with, or impair the property or franchises of the plaintiff. That the said plaintiff, and its said corporation by the said defendant, will not sustain any damage by the defendant, the Salt Lake Rapid Transit company, of said railway track as aforesaid, and that the said defendant has partially constructed said track, and the plaintiff threatens to and will, unless restrained by the injunction of this court, tear up and remove the same from the place of said partially constructed track and prevent the said defendant from the enjoyment of its said franchise and privilege, and operate a line of railway upon said street, to its great and irreparable damage.

Wherefore said defendant prays the order of said court restraining the plaintiff, its officers, agents, and employes from tearing up, removing, or in anywise interfering with said track, ties, rails, or other property of the said defendant, and that upon final hearing said injunction be made perpetual, and that the defendants have all proper relief.

WILLIAMS & VAN COTT,
C. E. JACK,
Attorneys for defendants.

The answer and cross-complaint are sworn to and subscribed by J. S. Cannon.

Mr. J. S. Rawlins, attorney for the Salt Lake City railroad company, was seen by a News reporter this morning, and said in substance:

"The Rapid Transit people have sought to forcibly take possession of the Salt Lake City railroad, on West Second South street, put down their rails, and construct a track on the same road bed as that occupied by the City railroad. With some 500 men they began operations about 12:30 the morning. Mr. H. C. Chambers, vice president of the City Railroad company, happened to be on the spot, and when we got on and at once communicated with superintendent Reed and myself. We went down to the spot and requested the workmen to desist. At this time most of the members of the police force were there. Mr. Reed and myself, on seeing the situation, had some sight or ten cars sent down to Hoe the road and to the Wasatch corner. At that time Mr. Reed called upon the men working upon the road to stop. One of them thereupon threw a tie across the track. Mr. Reed stepped to pick it up, when he was assaulted by three or four police officers, taken to the City hall and there lodged in custody, where he remained for about an hour. In the meantime I came up to my office, hastily prepared the necessary papers in order to get a restraining order, and proceeded with them to the Cullen hotel. There I saw Judge Anderson, who signed the papers, and they were served by Marshal Parsons about 3 o'clock a. m. As soon as this temporary injunction was obtained, Mr. Arnold, foreman of the City Railroad workmen, procured a staff of men and had the ties, etc., taken up.

This morning about 7 o'clock the police arrested four of the workmen, including Mr. Arnold himself, and took them to the City Hall. There they gave bonds to secure their appearance.

The hearing on the order to show cause will take place before Judge Anderson on Saturday next.

There is some talk of actions for illegal arrest arising out of the affair.

Superintendent Reed was to appear before Judge Laney at 2 o'clock this afternoon to answer a charge preferred against him of disturbing the peace and resisting a police officer.

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