

not so largely attended as they would otherwise have been. Measures are being taken to prevent, if possible, the spread of the dire disease.

Here in Lake Town our conference convened under very favorable circumstances. The morning was warm, bright and bracing. A slight shower had laid the dust and enhanced greatly the pleasure of going to meeting. Counselor James H. Hart represented the Stake Presidency, and, besides him, we had Patriarch Hugh Findlay, all of the bishopric and several of the people of Meadowville ward visiting. Addresses were delivered by the brethren just named, also by Bishop Joseph Kimball, Elder H. M. Hodges and Eugene S. Hart. Reports rendered by the representative of the authorities and societies of the ward indicated that scarcely any sickness—no apostacy—no want—no complaints—and while some, and perhaps all, fell short of being as good as all would desire to be, no great wickedness abounds in any of the habitations of the Latter-day Saints of Lake Town. The meetings were well attended, and the remarks admirably adapted to the wants of the people.

Joseph Irwin, at his request, and agreeable to the bishop and fellow counselor was honorably released from acting as Sunday school superintendent, and Elder Joseph Gibbons unanimously sustained as his successor.

President Hart announced that Brother Gibbons was honorably released from his calling as one of the Stake home missionary corps in order that he may be untrammelled in the pursuance of his Sunday school duties, etc.

In recent months our population has been increased by twelve births—ten females and two males.

Raudolph and Lake Town, have recently been having some ball contests with each other in their respective public squares.

The boys of the county seat, "got there," by a small majority, both times. First when our boys went there our brass band accompanied, and the Randolph lads, treated them with the utmost courtesy and consideration, and gave them a nice send off in the way of a social ball at night.

Our boys, though Democrats, but believing in "reciprocity," did likewise to their fellow baseballists from over the hill on Saturday last, and all passed off lovely.

Meredith Nebeker—seven year old son of our county assessor and collector, while his parents were going to meeting here on Sunday, fell down two or three cellar steps in the house of Mr. Job Shelby and broke his left arm, between the elbow and wrist.

Squire James Kears was soon on the ground and set the broken limb and the unfortunate little fellow is doing as well as could be expected.

Laketown held its special fast meeting at the appointed time and though the weather was quite inclement had a very fair attendance. The sum of \$104.85 was donated by the worshippers immediately after the close of the meeting and, had the weather been fine, there would doubtless have been quite an increase on this.

Drummers, pedlers, tinkers "penny showmen" and other concomitants of great cities drop in on us at regular

and some times undesirably short intervals.

We had quite an interesting lecture at our meeting house from Elder Alfred Osmond, the Bear Lake poet.

The mercantile business here is moderately good and would be more so if Uncle Samuel would cause more of the dollars coined at his mints to circulate more freely with us.

A better health period we have not had than of late here. Scarcely any sickness worthy of note.

Our sheep men, Nebeker and Sons, are just sharpening their blades for the wool clip. They and others in their lines hereabouts report the present as a success season in the much talked of sheep industry. JOSEPH IRWIN.

### THE BREWERY NUISANCE.

The end of the criminal calendar of the Third District Court was reached this morning, when the indictment found by the late grand jury against the Salt Lake City Brewing Company, for permitting a nuisance in the vicinity of their premises, was brought up before Judge Zane.

The defendants were represented by ex-City Attorney Hall, who on their behalf entered a plea of guilty, with an accompanying explanation. As previously stated in the NEWS, the alleged nuisance consisted of an overflow of water and refuse from the pipes at the brewery over the roadway and into the neighboring ditches.

Mr. Hall said that, at an expense to the defendant company of about \$2000, wooden pipes were laid down some years ago to carry away the slops from the brewery. When these broke or burst they were replaced by iron ones by the defendants. The water which flowed from the brewery through these pipes was "practically clear."

Judge Zane—Is this complaint made by persons living near the brewery or along the line of the pipe?

Mr. Hall said he believed it really emanated from those residing on or about the second block west from the brewery. Where the pipes had burst the water came up through the ground, but the defendants had been replacing the pipes as fast as they broke.

Judge Zane—And propose to substitute iron pipe for the wood?

Mr. Hall—That is our proposition: It would be quite a heavy expense to substitute iron pipes all at once; but our idea is to protect the people as far as possible from any further cause of complaint in this respect. So far as the public health is concerned, I am satisfied that none of the residents in that locality have been injured by any smell from the beer, or what flows from the brewery. The smell is not injurious to health.

Assistant District Attorney Stephens remarked that if the actual condition of things was such as Mr. Hall had stated he should not have entered a plea of guilty. He himself had no actual knowledge of the circumstances; he only knew what had been told to him by the witnesses whom he had questioned. It seemed that this wooden pipe was put in some years ago and had become filled up, in a measure, with solid matter from the liquid flowing through it. Some of the witnesses had said that the pipe would not carry

off the quantity of water for which it was originally intended. Consequently, the refuse from the brewery, at times, oozed out and ran down the street and into the gutter without getting into the sewer pipe at all. The evidence given was that when the pipes burst and the liquid made its escape over the ground the smell was very offensive. A large fine was not, however, now asked for; all the complainants required was that the nuisance should be effectually abated. Mr. Stephens asked that Judge Sawyer be allowed to make a statement on oath.

The judge was sworn. He said he resided on Fifth South, between Seventh and Eighth East. The wooden pipe now in use from the brewery was entirely inadequate for the purpose intended—that of carrying off the refuse from the brewery. Being old and rotten, whenever there was a heavy pressure of the liquid, this broke through the surface of the ground and ran all over it. At times the refuse had found its way into the ditches from which people used water for irrigation and other purposes. The smell was "simply horrible" when this refuse was exposed to the atmosphere. All this was a great detriment to property in one direction in that immediate end of the city, and virtually amounted to a "confiscation" of the same. The residents did not wish to see the Brewery Company mulcted in heavy damages; the complaint was simply made that the nuisance might be abated. He wished to do Mr. Moritz justice by stating that whenever notified of the pipe having burst, that gentleman had always hastened to remedy the trouble by having a new piece of pipe inserted.

Asked by Attorney Hall whether he had ever found any bad smell from the overflowing of the liquid, Judge Sawyer answered—Yes, sir, as bad as any decaying human corpse I have ever smelt in my life. (Laughter.) I have reported the matter often to Dr. Hall, the medical officer of health, but it was of no avail, and he ought to be removed from office for neglect of duty in this respect.

Mr. Stephens—We have more witnesses here if the Court would care to hear them.

Attorney Hall—If you are going on like this we had better let the case go to trial.

Judge Sawyer—I have no desire to see the brewery company punished.

Attorney Hall (sarcastically)—So it seems from your evidence. (Laughter.)

Judge Sawyer (rising)—If you will pardon me, Mr. Hall—

Attorney Hall (turning his back upon the last speaker and bestowing upon him as he did so a clean cutting look)—"No sir, I will not. I have heard quite enough from you already. (Laughter.)"

Judge Sawyer—Very well, I can't help what you think; those are my feelings.

Mr. Stephens—We have no objection to sentence being deferred in order to give the defendants an opportunity of remedying the cause of this complaint. Then, perhaps, there will be no desire to have any fine at all imposed.

Judge Zane—I suppose all you want to know is that the nuisance has been abated.