

of Fourth South street was passed under a suspension of the rules. The total cost is \$75,559.75 or \$22.15 per front foot. The first payment is due in three months, the second in nine months and the third in fifteen months and the fourth in twenty-one months. The payments are equally divided.

PAVING DISTRICT NO. 3.

An ordinance creating Paving District No. 3, embracing all of West Temple street to the north side of Fourth South street was laid on the table after being read the first time.

The ordinance provides for the assessment and collection of taxes on property embraced in the district named. The cost is estimated \$77,220.80.

ON FIRST SOUTH.

An ordinance for a similar purpose effecting First South from West Temple to State street was also passed. Payments in this case will also be made in installments equally divided over a period as follows: The first in three months, the second in nine months, the third in fifteen months, the fourth in twenty-one months. The total cost is \$36,692.25.

ON SECOND SOUTH STREET.

An ordinance similar to the previous one, covering Second South from West Temple to State was also passed. The total cost is \$35,464.25. Payments are also made as in the former case.

The above estimates are made with the idea in view that bituminous asphaltum and stone block will be used in paving. Such material is now being used in paving State Street. The cost per front foot to the property owner will be as follows: On Main, \$15.22; on First South, \$15.54; on Second South, \$13.69. West Temple street will not be paved until next year and consequently no tax levies will be made on that property this year. The first installment of taxes is due in the new districts in ninety days from the passage of the ordinance.

HOTEL RUNNERS.

The committee on municipal laws reported an ordinance regulating the operations of hotel runners. It amends chapter 29 of the revised ordinances, Salt Lake City. It was, on motion of Ewing, laid on the table indefinitely.

LIGHT FOR APRICOT STREET.

On recommendation of the committee on improvements an electric light was ordered for Apricot street.

A REJECTED APPLICATION.

A. Herg sent in an application for a renewal of his liquor license. The petitioner's place of business is connected with the People's Opera House on Commercial street.

The Mayor—I want to say that that institution is now holding a license in violation of law, and I signed it under a misapprehension and I am sorry for it. But now I will neither approve their bond nor sign their license.

Hardy—I move that the application be rejected.

Koiland—I second the motion.

Carried.

BACK SALARY CLAIM REJECTED.

The majority report on the claims of the People's councilmen for back salary during the time that they were robbed of their seats by the bogus "Liberal" councilmen came up again. The report recommended the rejection

of the claim, and Loofbourow moved its adoption.

Horn said that there were two sides to the question—a moral and a legal one. The Council could certainly pay the bills of the councilmen during the time they were deprived of their seats. When they did serve the city they did so faithfully. It is no fault of theirs that they did not serve the city for two years instead of six months. The claims only amounted to \$285 for each of the six councilmen and the city could easily afford to do them justice.

Following is the vote on the rejection of the report.

Ayes—Beardsley, Evans, Ewing, Heiss, Lawson, Loofbourow—6.

Nays—Moran, Rich, Simondl—3.

Excused—Bell, Folland, Hardy, Horn—4.

THE SMOKE NUISANCE.

The committee to whom had been referred the petition of M. B. Sowles and others in reference to the smoke nuisance from the stacks of the Salt Lake City railway company, recommended that the ordinance on the subject be enforced. They further recommended that thirty days be allowed persons using boilers coming within the provisions of said ordinance to provide the same with smoke consumers, and if at the expiration of that time they shall have failed to comply with the ordinances, the law be enforced by the city council. Adopted.

THE WALDEN FRANCHISE

came up and on motion of Horn was laid over for one week.

WHAT MAKES THE WATER MUDDY?

Ewing offered a resolution asking the sanitary inspector to ascertain what makes the water of City Creek so muddy. Committee on public grounds.

NEW SEWER PROPOSED.

A resolution calling on the city engineer to report an estimate of the cost of constructing a sewer on Third West street between North Temple and Fifth South streets, with a view to advertising the city's intention to construct the same, was adopted.

DUE TO THE MAYOR.

Evans offered the following:

Whereas, By an act of the last legislature the Mayor has been relieved of the duties of presiding over the Council; be it

Resolved, That we desire to make it a matter of record, that in our Mayor this Council recognizes an able officer, and are pleased to acknowledge that the harmony which has marked the proceedings of this body as well as the amount of business this Council has been enabled to transact has been principally due to his ability and efficiency as such.

Adopted unanimously.

APPROPRIATIONS.

The following appropriations were ordered:

Samuel Gallozzel.....	\$ 215 00
Wm. P. Rows.....	11 15
A. W. Cairne & Co.....	3 85
G. M. Scott & Co.....	10 32
J. J. Farrell.....	35 01
Mount & Griffin.....	10 50
Warren Bros.....	11 70
F. W. Dennis.....	21 50
G. M. Scott.....	17 10
J. O. Barker.....	2 25
Heesch & Ellerbeck.....	9 25
Brown & Carter.....	14 23
M. W. Hennessy.....	1,462 47
A. M. Wooley.....	13 43

Total \$1,836 76

SAID GOOD BYE.

Before the council adjourned the Mayor arose from his seat and said: As this is the last occasion that I will have the opportunity of thanking you officially for the uniform kindness that you have one and all manifested towards me as presiding officer, I do so now. I am proud of you and believe you are working for the city's interest. I never have detected the disposition among any of you to do other than that which you considered right. Again I thank you.

Adjourned for one week.

ALL ABOUT THOSE BOOKS.

At two p.m. today Justice Lochrie gave his decision in the "book case," which was tried in his court yesterday afternoon, and reported at length in that day's NEWS.

Following is a verbatim copy of the decision:

TERRITORY OF UTAH, } ss. County of Salt Lake, }

In the Justice Court in and for the city and county of Salt Lake. Before Hon. P. Lochrie, Justice of the Peace.

H. T. Duke, plaintiff, vs. A. G. Norrell and Elias A. Smith, defendants. Opinion of the Court.

This case was commenced by the plaintiff filing his complaint on the 6th day of May, A. D. 1892. In his complaint he alleged that with other gentlemen he was elected a member of the body of individuals known as the Territorial committee of the political organization called the Democratic party of the Territory of Utah; that he was secretary of the body of which he was a member, and as such secretary was entitled to the custody of the books and records of the committee; that the defendants claim the right to hold and retain the custody of the books and records of the committee; that they had the possession of the same; that the plaintiff had made due demand of the defendants for said books and records of the Territorial committee of the Democratic party of Utah covering the years succeeding the year 1887, but that the demand had been refused, and that the value of the documents sought to be recovered was the sum of \$15.00.

Afterwards the defendants appeared in the action and filed their demurrer to the complaint. Upon the hearing of the demurrer the sole question before the court was as to whether the complaint stated a good cause of action. This was decided by the court in the affirmative. The defendants then announced that they did not desire to file an answer, but that they would take an appeal. Thereupon the court set the case for trial, which setting was made for the 28th day of May, 1892, in order to enable the plaintiff to introduce proof sustaining the allegation of his said complaint. On the last day named the defendants appeared and requested an adjournment until Tuesday, the 31st day of May, 1892, at 2 o'clock p. m., which adjournment was granted. The case came on for hearing on the day last named, and the plaintiff proceeded to introduce his proof. At the request of the plaintiff the court had issued its subpoena du