

COUNCIL DEFERS LICENSE MATTER

Delays Action in Following Liquor Orders of District Court.

QUESTION OF CONTEMPT VARIOUSLY DISCUSSED

New Law Presents Many Difficulties; Will Meet Again Today.

After an hour's discussion Friday afternoon as to whether or not it would be in contempt of court if it refused to grant liquor licenses which had been ordered granted by the district court under the new liquor law, the city council, which met in special session to take up the question of causing the licenses to issue adjourned until 2 o'clock this afternoon, when the city attorney will render an opinion on the matter.

Twenty-nine applications for retail club, manufacturers' and wholesale liquor licenses were ordered granted in the Third district court by Judges M. L. Ritchie and C. Loofbourrow Friday. Almost as many more applications are pending for action in the district court and in the city council for the approval of bonds preliminary to being referred to the court.

When the twenty-nine applications were referred to the city council, whose duty it is under the law to cause to issue all licenses so ordered by the court, numerous complications immediately arose in the city council. Not only did questions arise as to the proper procedure under the new law and its rightful interpretation, but its constitutionality also was questioned.

After pointing out that under the law the council must grant the licenses which have been ordered granted by the court, Councilman M. E. Mulvey asked if a judicial body had the right under the constitution to control, order and direct actions of an elective, legislative body, which was elected by the people to represent the people. Mr. Mulvey declared that it was his opinion that the council could not direct or order the court to issue a license against the judgment of that body.

Then arose the question as to whether or not the council would be in contempt of court if it refused to grant a license ordered issued by the district court.

Is the council under the jurisdiction of the court to vote as the court sees fit under its own jurisdiction to vote as representing the people of this community? asked Mr. Mulvey. Mr. Mulvey furthermore inquired as to whether the city recorder, whom the law requires the council shall cause to issue the licenses, is under the jurisdiction of the court in the matter or under the jurisdiction of the city council itself.

Councilman J. W. McKinney read the law relative to the matter, and again brought out the arguments made by Mr. Mulvey. The city attorney was then asked for an opinion on the question. Councilman E. H. Strudness, who acted as a representative of the people, he would vote just as he thought right upon the question of granting the licenses after the court had made its order. Councilman Fernstrom was of the same mind, declaring that it was his opinion that the council had no power to tell the councilmen that they must vote to grant licenses at the court's order.

Vote Is Postponed. Councilman I. J. Wood made a motion that the council instruct the city recorder to issue the licenses ordered granted by the court, which was seconded by Mr. McKinney. This did not come to a vote, however, adjournment being taken until this afternoon.

The names of the applicants given licenses by the court were read and it was found that a part of them had failed to pay the license fee as required by ordinance, but had nevertheless been granted licenses by the court. This gave rise to another lively discussion in which members of the council declared that they would not vote for the issuance of any license to an applicant who had failed to comply with the law.

The applicants to which the district court yesterday ordered that licenses issue to follow: Fifth East pharmacy, C. S. Domina, Owl Drug company, C. S. Swain, Henry Wagner Brewing company, Schramm Institution, Salt Lake Brewing company, Elks' club, Nicholas Rugs, Willis Horne Drug company, Raffle Mando, Dean C. Richmond, Zion's Co-operative Mercantile Institution, Smith-Bailey Drug company, Salt Lake City Brewing company, Adam Snyder, E. H. Strudness, Frank Blattnich, James Richards, Albert Fisher, Druel & Francken, Halliday Drug company, Nick Pikeette, William J. Wilfinger, Commercial club and the George T. Brice Drug company.

Upon an examination of the applications it was found that the licenses had not been paid into the city as required by statute by the following applicants: Fifth East pharmacy, C. S. Swain, Henry Wagner Brewing company, Elks' club, Zion's Co-operative Mercantile Institution, Salt Lake Brewing company, Adam Snyder, Halliday Drug company and the Commercial club.

The argument on these had become interesting, when it was moved to adjourn and the council will meet again this afternoon at 2 o'clock, when the matter will again be taken up.

Applications Pending. A number of applications are still pending in the district court, which will be taken up this morning. Also there are some applications still in the hands of the city council, the

Student Who Is to Lecture on Bible



BIBLE STUDENT TO GIVE FREE LECTURE

Benjamin Barton Will Speak at Knights of Columbus Hall Sunday.

Benjamin H. Barton of Philadelphia, Pa., has been engaged by the local class of the International Bible Students' association to deliver a free lecture Sunday afternoon at 3 o'clock in Knights of Columbus hall, 137 East First South street. The subject of the discourse will be "Conversion After Death."

Mr. Barton is regarded as a reverent Bible student and a careful reasoner, and has had an extended experience in discussing scriptural themes on both sides of the Atlantic. He holds the same views as Pastor Russell of the Brooklyn tabernacle, who spoke here ten days ago.

One of the rigid rules observed at all International Bible Students' association meetings is that no admission be charged, and no collection taken.

CONSOLIDATE FIELD SERVICE DIVISIONS

Boise Office Closed and Men and Furnishings Are Transferred to Salt Lake.

With the closing up of the Boise, Idaho, field division of the United States land office by Captain George E. Hair and the transferring of all reports and employees to the Salt Lake office, the last step has been taken in the consolidation of the two land offices into one division, with headquarters at Salt Lake. Captain Hair returned yesterday from Boise and announced that the complete change will go into effect today.

With the new annexation of the local United States land office will cover the entire states of Utah and Idaho, from the southern boundary of the Yellowstone National park to the Grand canyon in southern Utah. The local inspectors will now have to keep tabs on all mineral, coal and agricultural entries throughout the new division, to see that the homesteaders or purchasers comply with the laws and regulations which are new employees for the local office.

All the furniture and fixtures of the Idaho office have been transferred to the local department and will supplant the furnishings that have been used here, which are old and shabby. The change in the personnel of the Utah-Idaho field service through the change is the dropping of Clinton H. Hartson, former head of the Boise office, who is designed to enter the law practice at Boise.

bonds of which have not yet been approved, and which have, therefore, not been referred to the court.

Thus it will be seen that action on the applications was tied up and if the hearing were held today, as expected yesterday open for business this morning they will be doing so without a license.

Judge F. C. Loofbourrow was busy Friday morning disposing of the applications upon which hearings were held before him the previous day, and a number of other applications were heard. Judge Ritchie spent a large part of the afternoon disposing of the applications, but the work has been but about one-half completed thus far.

The numerous legal technicalities which are pending themselves are making it exceedingly difficult for both the court and the council to handle the licenses. A number of applications were tied up in the court Friday for the want of proper qualifications. These will also come up again today. Other applications were set up because of the failure of the applicants to appear for examination by the court, as required by the law. These, too, will be acted upon today if the applicants appear.

At the present time the licenses are being granted by the court in a rather informal manner as the judges have not thus far had time to arrange the procedure, which the law provides they must do. However, to give the residents asked for in time it was necessary for the applications to be acted upon immediately. Rules of procedure in the hearing and granting of liquor applications are now being made, and when these questions are finally settled it is expected that there will be little difficulty as to the court procedure. There are several questions of more than passing importance to be finally decided upon the granting of liquor licenses.

The question of limiting the number of saloons on a block came up Friday, when a property holder asked for information as to the possibility of cutting down the number of saloons on the south side of First South street between Main and State streets. Judge Loofbourrow expressed the off-hand opinion that the law made no provision for limiting the number. He did, however, emphasize that portion of the law which provides for revocation, showing that licenses anywhere could be revoked for cause at the discretion of the court. The property holder said he might go to the courts with the matter and determine whether or not the saloons could be limited. What the outcome of this question will be remains to be seen.

The session of the council this afternoon unquestionably was an interesting one, and the city attorney's opinion of some of the questions which have arisen in the council with reference to the new law will be awaited with the keenest interest.

SPANISH WAR VETERANS MEET

Thirty-five Delegates and Many Others Attend State Encampment.

JOSEPH KNIGHT OF OGDEN DEPARTMENT COMMANDER

Quiet and Orderly Observance of Memorial Day Advocated in Resolutions.

Spanish-American war veterans met Friday afternoon in the fourth annual encampment in the headquarters, 222 South West Temple street. Thirty-five delegates attended the meeting. A number of members of the encampment not delegates were in attendance. The principal matter to be considered was the election of officers. The election was contested closely by Ogden and Salt Lake members and the officers were chosen by close votes.

Joseph H. Knight of Ogden, the new department commander, named J. G. Brill of Ogden as quartermaster and will appoint a department adjutant later. Delegates to the national encampment to be held at Oklahoma City in August will be appointed by the department commander. Following the election the officers were installed. At the close of the session the delegates went to Saltair, the guests of General E. A. Wedgwood. The women of Wedgwood camp served lunch and dinner to the visiting delegates.

New Officers and Resolutions. The officers elected follow: Department commander—Joseph H. Knight, Ogden. Senior vice commander—J. G. Winter, Salt Lake. Junior vice commander—Alfred Hinkle, Salt Lake. Surgeon—H. C. Jorgensen, Salt Lake. Inspector—L. C. Meek, Ogden. Judge advocate—E. A. Wedgwood, Salt Lake. Chaplain—E. W. Batchelor, Ogden. Marshal—Robert Reid, Salt Lake.

Resolutions as follows were passed by the encampment: We, the delegates of Utah department, U. S. W. V. in annual convention assembled, express our gratitude at being permitted to once more meet together, and we extend to E. A. Wedgwood camp our appreciation for entertaining the comrades and to the ladies auxiliary of the camp for their part in the entertainment, and do hereby: Resolve, That to the legislature of the state of Utah we extend our heartfelt thanks for restoring by law the poll tax of the Spanish-American war to voters exemption in this state.

Resolved, That once more we extend to the G. A. R., Indian War Veterans and to all other patriotic organizations our unqualified and loyal support, and take pleasure in the privilege of our affiliation with these bodies.

Resolved, That we encourage the loyal support of our organization by all comrades in good standing and earnestly invite all veterans not yet affiliated to join with us and partake of the emoluments accruing from membership in the United Spanish War Veterans.

National Uniform. Resolved, That we recommend that Utah delegates to the national encampment use their best endeavors to have adopted as a national uniform campaign hat with service cord, khaki trousers, leggings and tan shoes.

Resolved, That we heartily recommend that the general public dispense with all forms of amusement and other diversions during the morning of Memorial day that take the mind of the people from the duties of that day, and which are which that time is tenderly dedicated.

Resolved, That since the U. S. W. V. is a fraternal organization, we recommend that we impress upon all comrades a more emphatic and more earnest effort to promote closer harmony in the department and in the individual camps, thus cementing a stronger and more effective union.

Resolved, That a copy of these resolutions be spread upon the minutes of this department, and that copies be sent to the press.

JAMES BREEN CONSENTS TO REMOVAL OF BLUFF

James Breen, owner of the hot springs property at the north edge of the city, has advised Mayor Brandstrom that it will be all right to go ahead in the construction of the new road, to tear down the bluff on his property at this point on the road the abrupt turn around the point of the bluff makes the road dangerous. By cutting away part of the bluff the road will be made safe. Mr. Breen is out of the city and was reached by telegrams.

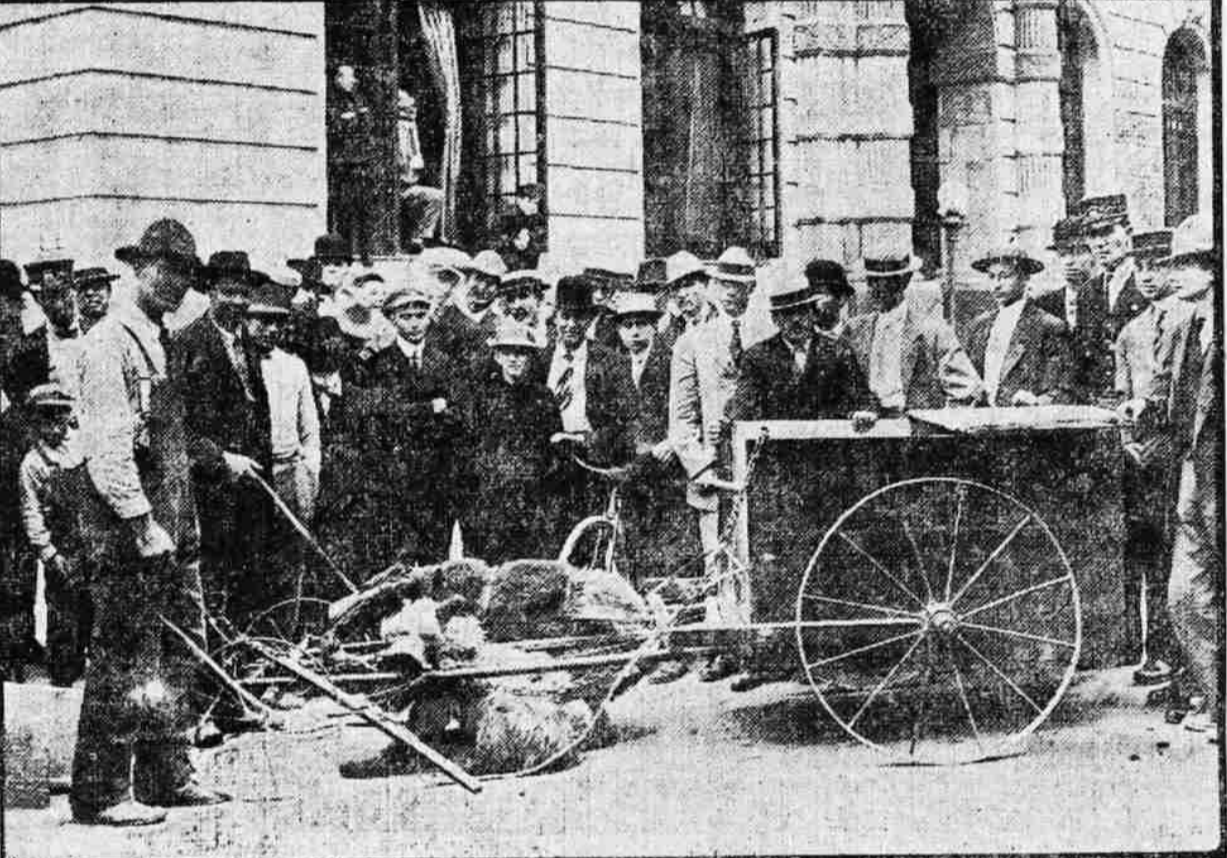
MORAN ONLY BIDDER ON CITY WATERWAYS

At the regular meeting of the board of public works Friday night the contract for the construction of waterways at the intersection of Second South and Seventh East streets was let to P. J. Moran for a bid of \$360. Mr. Moran was the only bidder.

The board decided to advertise to contractors for bids for curb and gutter extension on 3500 bonds. Perry is now waiting trial in the Third district court.

WALTER PERRY, who is charged with grand larceny in connection with the \$1000 diamond robbery of Judge Gladys Whitney recently was acquitted, was released from custody Friday afternoon on \$500 bonds. Perry is now awaiting trial in the Third district court.

Propose to Advertise Utah With Help of Bear Team



McNeil and Ellis and Their Team of Bears.

Ventures to Make Trip From Salt Lake to New York With Strange Equipment; Will Scatter Literature Along Way.

All the way from Salt Lake to New York City behind a team of bears! This is what George McNeil and J. H. Ellis propose. A specially constructed cart for the convenience of the two men was built. It is their purpose to have the bears haul them across country to deliver a message from the mayor of Salt Lake to the mayor of New York. The bears have been trained to the work and the two plucky tourists have confidence in finishing the trip. The start was made Friday noon from the Commercial club. The

publicity bureau of the club equipped the wagon with literature on Utah to be distributed on the way. The bears did not take kindly to city life when brought to town Friday. They were unruly and did not show tractability. While posing for a picture they assumed positions of defense and one of the trainers received an ugly "side swipe" from one of the animals. One trainer leg was nearly torn off. The trainers say when out in the country and away from curious strangers the bears perform admirably and will pull them and the wagon along at a surprisingly rapid gait.

If the men succeed in crossing the country with their strange equipment it will be the most novel adventure of its kind ever undertaken. There is no set time for the party to reach New York. An attempt will be made to travel with few long stops. The route to be taken will be determined as they proceed eastward. The bears are evenly matched in strength, although one is the better trained. The men were ready to start a week or two ago when one of the team they had trained died. It was necessary to capture an other bear and train it. This delayed the start.

ZEIGICH MURDER CASE NOW BEING ARGUED

Assistant District Attorney Farnsworth Opens for the Prosecution.

Arguments in the case of the state against George Zeigich, on trial in Judge T. D. Lewis's division of the Third district court for the alleged murder of Samuel De Kay, whom he stabbed in a saloon at Mivale May 9, causing his death, began yesterday afternoon. The case will go to the jury today. Assistant District Attorney P. T. Farnsworth began the argument for the state. The arguments will be resumed at 8 o'clock this morning.

GRAND LODGE OFFICERS OFF ON LONG TRIP

Grand Master Parley P. Christensen, Grand Secretary P. A. Simpkin, Grand Marshal F. C. Colvendra and Grand Potentate L. R. Mudge of the Odd Fellows left Salt Lake City yesterday for a tour of eastern Utah. The officials will be of price by rail and from there to Vermilion by team. All day, were begun Friday. The trip will be substituted at Vernal and a new lodge at Myton.

COLLISION IS BASIS OF A DAMAGE SUIT

John D. Bowen began suit in the Third district court Friday afternoon against Harvey F. O'Brien for damages in the sum of \$1500 for injuries alleged to have been sustained when the defendant's automobile ran into a vehicle driven by Bowen on May 27 on Main street. It is alleged that Bowen suffered serious injuries to his right arm.

CONDITION OF SHEEP MOST SATISFACTORY

Charles B. Stewart, secretary of the Utah Woolgrowers; Arthur Callister, his assistant, and Dr. A. C. Young, state veterinarian, have returned from a trip through Morgan and Summit counties, where they inspected sheep on the Utah range. Mr. Stewart said yesterday: "We found the sheep in most localities to be doing better than for years. A heavy wool clip looks sure. The sheep are fat and healthy and the lambs equally so. I have never seen the grazing land in such good condition. Plenty of rich feed abounds there and under existing conditions I see no reason why this year should not be a banner one for the woolgrowers of eastern Utah."

RALEIGH & HARMON TO BUILD NEW TRACK

The contract for the new race track on the fair grounds has been awarded to Raleigh & Harmon, the grading to be done at the rate of 1 1/2 cents a cubic yard. The estimated amount of dirt to be moved is 120,000 cubic feet, making the contract approximately amount to \$20,000. The contractors agree to complete the work in twenty working days. Work of putting in the cement flooring for the new grand stand will begin early next week.

AMERICAN CLUB TO MEET THIS EVENING

The regular monthly meeting of the American club will be held at the city and county building this evening at 8 o'clock. The committee will report on the American day outing at Lagoon, which will be held on July 20.

THREE UNHAPPY DIVES ARE GRANTED

On the ground of non-support of the three ungranted dives were granted by Judge Morse in the Third district court yesterday afternoon. Create C. Young was granted a divorce from E. H. Young, Sarah E. Burns from Harvey L. Burmann and Hattie V. Boat from Clara E. Bean.

NORTH BENCHERS MAY APPEAL TO COURTS

Fifty residents of the north bench met at Harper's store last night in connection with the matter of a new school for the district. The committee which had waited on the board of education reported that an offer of a small building had been made, and the question resolved on the point of whether or not that offer was acceptable to the residents. By unanimous vote it was decided that it was not.

MASS MEETING DECIDES UNANIMOUSLY TO REJECT OFFER OF BOARD OF EDUCATION.

The committee was continued in office and was instructed to seek legal advice as to the advisability of bringing action in the courts to compel the board of education to build a school-house of the size which was promised the residents at the time of the vote on the bond issue, according to the residents.

SPRING CROP OF TREES IN SPLENDID CONDITION

Most of the trees planted last year are looking fine, according to the report of County Horticulturist George C. Young. During the season there were 249 orchards visited and a number of trees were planted on account of near blight.

ZANG CAFE

Merchants' noonday lunch. Always the best. Society night tonight at Saltair.

SEEK TO BEAT N. E. A. SYSTEM

"Insurgents" Will Make Campaign at San Francisco Convention.

DECLARE OLD METHODS FAR BEHIND THE

Matter of Expenditures Search Work One of Points of Contention.

The long standing contest between the "old guard" and the "insurgents" of the National Educational association will be taken up at the meeting at San Francisco next week. The fight waged to the bitter end to reports from headquarters that D. H. Christensen, intendent of the Salt Lake city and a member of the N. E. A., had declared that there was a well defined sentiment of dissatisfaction over the methods under which the association is governed and that it should be governed by its members in a "wise meeting." The cause of the national council, a council with unlimited power and self-perpetuating, a majority of the membership all vacancies.

At the meetings of the association in the last few years the insurgent element has made gains in the number of its members and it is probable they will succeed in electing at least a part of the executive committee. Mr. Christensen, in sympathy with the insurgent movement, believes the association should be governed by its members. "Old guard" now amounts to the national council. I feel that the foremost educators in the country have withdrawn from the association. The council has full power to change the finances of the association. The more money should be expended in search work but the old order will not permit it.

"I do not think Mrs. Flagg, president of the association, can be classed as a surgeon or that her action is entirely correct. That was strictly a move of the part of women teachers to be presented in the association. I know that the leader of these forces lent his influence to bring her election. "I cannot say that I will floor at the San Francisco meeting. I want to be classed with the men that is seeking to overthrow the existing power and give the association a new life and make it a valuable institution to the teachers."

Expanding the Funds. "In the matter of expanding funds in research work there is reason for a change. Under the present by-laws the association may not less than 10 per cent of the receipts in this work. In the two conventions, 1909-1910, administration expenses amounted to \$1000. This year the research work last year was \$25,000. The administration was \$35,000. The of the association exceed \$5000.

"An important matter, which is of vital importance, will be discussed at this meeting. This is the adoption of a report favorable to a complete system of diacritical marking in word committees has returned a favorable report on the proposed change and slip through the convention much notice. It is a matter of vital importance. I do not wish to watch it closely. I do not wish to be candidates for president. Flagg has made an exceptional record for himself."

Some Desired Changes. The changes in the by-laws were discussed and which championed by the insurgents. Practical abolition of the council, a self-perpetuating body, recommends appropriations, and research work and appointment of special committees. Investigation by a special committee of the country and of salaries as compared with other associations and with regard to increasing the number of members.

Expenditures of not less than 10 per cent of the gross receipts of the association for educational investigation. The vesting of the present national council in the hands of the members, whose members of the main body at the annual meeting. Popularization of the association by permitting teachers to take membership on presentation of testimonials attesting to their educational status, as opposed to a program of membership to restrict participation in meetings to members of three standing.

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