HERALD SPORTING NEWS

HURRY-UP HABIT AT RACE TRACK

Different Events Are Pulled Off With Plenty of Speed.

HORSES ARE RATHER SLOW

TWO-THIRTY IS BEST TIME OF DAY IN HARNESS EVENTS.

It was hurry-up day at the state fair races yesterday, and as a result six heats in the harness races and three runs were pulled off in a little over two hours. It suited the public, and was a great improvement over the long waits of the three previous days.

Father Time did not cut much figure in the harness heats, the fastest of the day being a trifle over the two-thirty mark, but it was a guess all along as to who the winners would be. The first race of the day, a special 2:27 trot and pace, was captured by Sarah, owned by Al Pendleton of Salt Lake. The two other starters, Mike and Raymond C, were easily in Sarah's class, but spent too much of the time breaking and getting back in their strides again. The result was that Sarah captured the event in three straight heats.

County Horses Have It Out.

In place of the Murray special, a match race was put on between Sammy J and Don B. The horses were evenly matched although shy of speed, and it took the rubber to decide the winner. The race was for a side bet of $50 and the championship of the farming district south of Salt Lake.

Little Dutch again proved his title to being the best horse in a quarter of a mile dash around this part of the country. As in his race of the day before he beat the field off by two lengths and was never headed. The crowd again set up a howl over the start, but in justice to Starter Curtis, it must be said he did all he could to get the horses off together. Little Dutch simply outclasses all the other horses in quick starting and any time the flag is dropped he will be two lengths in the lead before the other horses get under way.

The Summary.

First race, 2:27 trot and pace, purse $150.

				Place.
Sarah; Al Pendleton, owner	1	1	1	
Mike; M. Thatcher, owner	2	2	2	
Raymond C; L. G. Crawford, owner	3	3	3	

Second race, match race, $50 side bet.

				Place.
Sammy J; H. Jones, owner	2	1	1	
Don B; J. Burch, owner	1	2	2	

Times, 2:24½; 2:40½; 2:43.

Third race, five-eighths mile run, purse $100—Saxby (Grant up) first; Blaze (Boynton up); Pat L, (Nevins up). Time, 1:05¼.

Fourth race, six and one-half furlongs, purse $100—Red Damsel, (Boynton up); Vassella, (Tattersall up); Lady Palladine, (Smith up). Time, 1:27½.

Fifth race, special quarter mile—Little Dutch, Senator Dubois, Wapaka. Time, :25.

BIG CROWD AT LEXINGTON

Nine Starters in Transylvania Stakes Worth $5,000—Ethel's Pride Takes Race.

Lexington, Ky., Oct. 5.—One of the largest crowds that ever attended the trotting races here saw Ethel's Pride, the favorite, win the classic Transylvania stakes, worth $5,000, in straight heats today. It was the seventeenth renewal of this race. There were nine starters, and Ethel's Pride sold favorite, with Turley second choice. Ethel's Pride is owned by John Shepperd of Boston, and was driven by W. J. Andrews. Dan Patch, the world's champion pacer, equaled his record of 1:56 today, and also broke the track record for the fastest mile ever trotted or paced over it. He was driven by H. C. Hearsey, and his fractional time was :29¾, :58¾, 1:27¼ and 1:56.

Results:

Pacing futurity, three-year-olds, value $2,000; three in five; Bonalette won three straight heats in 2:09¾, 2:10¾, 2:10½. Miss Adbell, Josie M and Countess Attaw also started.

Transylvania states, purse $5,000; 2:15 class trotting; three in five—Ethel's Pride won three straight heats in 2:08¼, 2:09¾, 2:07¼. Turley, Mainland, John Calwell, Kid Shay, Delarce, Morn, Belle C, and Pat Ford also started.

2:18 class trotting, purse $1,000 (first division) three in five, unfinished—Miss Kinney won second third heats in 2:10¾, 2:11½. A Penn won first and fourth heats in 2:11¼, 2:11. Belfast, Electric Maiden, Nordica, Altonette, Kipling and Claude M also started.

2:18 class trotting, purse $1,000, second division; three in five—Mainsheet won three straight heats in 2:08½, 2:08½, 2:10½. Czarina Dawson, Pat T, Joe N, Lady Mowry, Roscoe, Kenango, Ashland Dorf, The President and John Turney also started.

C. A. COMISKEY HAS A ROAR

Seems to Think Chicago Americans Still Have a Chance to Win the Pennant.

Chicago, Oct. 5.—President Charles A. Comiskey, of the Chicago American league club, is aroused over the action of the national baseball commission in announcing details and dates for the world's championship series between New York and Philadelphia before the outcome of the American league race is settled, and announced last night that as a result he would not now allow his team to play in the world's championship series, whether or not it won the American league flag.

"If we should win the penpant, and I have by no means given up hope that we will, I shall decline to have anything to do with the proposed New York series, but instead shall go ahead with the post-season games with the Chicago Nationals," he declared.

$50,000 STAKES IN LONDON

Won by Stamant—Specially Imported French Horse for the Race Was Not Even Placed.

London, Oct. 5.—The races for the Jockey club stakes of $50,000 for three-year-olds and upwards, a mile and three quarters, was run at Newmarket today. Stamant won, Polymeus was second and Mondamis was third. Six horses started. Mondamis led to the bushes, when Stamant drew to the front and won a popular victory by three-quarters of a length.

Branc's crack horse, Gouvernant, was specially sent from France to avenge his defeat in the derby of 1904 by Mr. Leopold De Rochschild's Stamant, but the French horse was not even placed. The betting was 100 to 7 against Stamant; 5 to 2 against Polymeus and 20 to 1 against Mondamis.

Sports at the Vatican.

Rome, Oct. 5.—The vatican was the scene of gymnastic contests today. The two hundred and fifty Catholic contestants were escorted by Papal guards to the court of Belvedere, where the contests took place. The events included bicycle races, running races and gymnastic exercises.

RECORD PRICE.

New York, Oct. 5.—A seat on the New York stock exchange was sold today for $85,000, a new high record.

STANDING OF THE TEAMS.

National League.

	Won.	Lost	P.C.
New York	104	46	.693
Pittsburg	96	55	.652
Chicago	88	61	.591
Philadelphia	81	68	.544
Cincinnati	76	73	.510
St. Louis	57	93	.383
Boston	49	102	.318
Brooklyn	47	102	.315

American League.

	Won.	Lost	P.C.
Philadelphia	92	54	.630
Chicago	90	58	.608
Detroit	77	73	.513
Boston	75	74	.503
Cleveland	69	77	.494
New York	71	74	.490
Washington	62	87	.416
St. Louis	52	97	.349

Pacific Coast League.

	Won.	Lost	P.C.
Oakland	56	25	.691
San Francisco	58	29	.667
Tacoma	58	28	.681
Seattle	55	27	.620
Los Angeles	56	29	.473
Portland	24	27	.471

NATIONAL LEAGUE.

New York, Oct. 5.—In a double-header today the Philadelphia Nationals broke even with the New York National league champions. Ten thousand persons saw the contest.

The second game was called on account of darkness after the visiting team had finished the first half of the sixth inning. Scores:

First game.	R.	H.	E.
New York	1	5	4
Philadelphia	4	7	4

Batteries—Mathewson and Bowerman; Lush, Parks and Dooin.

Second game.	R.	H.	E.
New York	5	2	1
Philadelphia	3	4	2

Batteries—McGinnity and Clark; Sparks and Dooin.

Brooklyn, Oct. 5.—Boston lost two games here this afternoon to the locals. Brooklyn batted Wilhelm for fifteen safe hits in the contest. Brooklyn captured the second game, which was called in the seventh inning. Attendance, 2,000. Sores:

First game.	R.	H.	E.
Brooklyn	11	19	0
Boston	5	10	4

Batteries—Eason and Ritter, Wilhelm and Needham.

Second game.	R.	H.	E.
Brooklyn	3	5	2
Boston	1	4	0

Batteries—McIntyre and Ritter; Young and Needham.

AMERICAN LEAGUE.

Cleveland, O., Oct. 5.—Cleveland's chances of regaining third place were settled today when they were defeated by Detroit. Cleveland could not hit and errors were responsible for most of Detroit's runs. Double plays of Cleveland were features. Attendance, 1,600. Score:

	R.	H.	E.
Cleveland	0	8	4
Detroit	7	12	0

Batteries—Rhoades and Clarke; Killian and Warner.

Boston, Oct. 5.—New York made today's game exciting by a batting rally in the eighth, which netted the visitors five runs. Young's home run with a man on base in Boston's half of the inning produced the final score of 10 to 5 in favor of the home team. Attendance, 3,100. Score:

	R.	H.	E.
Boston	10	10	1
New York	5	9	3

Batteries—Young and Criger; Puttmann and Kleinow.

Washington, Oct. 5.—Philadelphia won both games of a double-header today by superior work. One more victory will make the Philadelphias champions of the American league for 1905. Attendance, 6,700. Score:

First game:	R.	H.	E.
Philadelphia	8	15	2
Washington	0	7	1

Batteries—Linder and Schreck; Townsend and Heyden.

Second game:	R.	H.	E.
Philadelphia	9	13	0
Washington	7	11	2

Batteries—Coakley, Bender and Schreck; Patten and Heyden.

Called on account of darkness.

PACIFIC COAST LEAGUE.

Seattle, Wash., Oct. 5.—Ham lburg of the leaders had the local team up in the air with his slow ball today. Seattle could not hit at the right time and Jones was landed on when it did the Oakland team the most good. Score:

	R.	H.	E.
Seattle	2	7	2
Oakland	3	8	1

Batteries—Jones and Blankenship; lburg and Byrnes.

Umpires—Cachard and Howletts.

San Francisco, Oct. 5.—Householder today put a damper on any hope the Los Angeles team might have entertained of winning the game. In the seventh inning with the bases filled he lined out a home run hit. The locals rapped Baum hard in the sixth and seventh. The visitors fielded weakly. Score:

	R.	H.	E.
Los Angeles	1	5	6
San Francisco	9	12	2

Batteries—Baum and Eager; Hitt and Wilson.

Umpire—Davis.

Portland, Ore., Oct. 5.—Portland-Tacoma baseball game postponed; rain.

BOWLERS GET TOGETHER

Murray Ten-Pin Artists Threaten to Annihilate All Other Teams in the State.

The bowlers of Murray have organized a bowling league, and as soon as they get the pins going down in due form, it is their intention to take a fall out of some of the other bowling leagues in the state. This applies to Salt Lake above all other cities on the map. A meeting of those interested in the sport was held last evening and about fifty of the best ten-pin artists in the smelter city joined the league. Frank Murray was elected president and C. H. Lyon, secretary.

The league will probably be composed of six teams and games will be played twice a week, Tuesdays and Fridays. Prizes have been donated by the merchants of Murray. The league season will probably open next week and continue through the bowling season.

MINERS' EXCURSION RATES.

Ho! for the mining center of the west, via "Salt Lake Route."

Commencing Oct. 1, daily excursions will be run from Salt Lake to Nevada's great mineral belt at following rates:

Caliente and return	$18.90
Moapa and return	24.80
Las Vegas and return	28.80
Good Springs and return	31.35
Nippeno and return	33.30

Final limit, thirty days from date of sale. City ticket office, 17 W. 2d South.

J. L. MOORE, Dist. Pass. Agt.

The Popular Mountain Way

During any season of the year, to all points east, is via the MIDLAND ROUTE for scenery, service and equipment. The line of more unique and interesting mountain wonders than any other in the world. It isn't so much where you go, it's how you go that counts. Start right by seeing that your tickets read via the Colorado Midland. Through Pullman observation cars to Denver every night.

Come in and talk it over. Ticket office, 77 West Second South, Salt Lake. If you are going east get some of our illustrated scenery books.

Dr. E. M. Keyser's Method of Filling

teeth is painless, 162 Main street, Auerbach Bldg. 'Phones B. 1120-K. Ind. 117.

Dr. Robert Welles Fisher has moved his office and residence to northeast corner Fifth East and Third South. Bell 'phone 3088.

WYOMING DUE HERE TODAY

Football Warriors From Laramie Coming to Scalp Maddock's East Bench Gladiators.

If a few blood-curdling yells greet the citizens of Zion this afternoon, no alarm need be felt. It will not be a band of wild Indians, but simply the rah rah boys of the Wyoming university. They are due to arrive in Salt Lake today for the avowed purpose of taking a large-sized fall out of the students of the east bench in a football game tomorrow. The U boys say their friends from Wyoming are not able to turn the trick and it is this difference of opinion that is likely to make strenuous times on Cummings' field tomorrow.

Maddock's men had their last hard workout yesterday, when a number of the soldiers lined up against them. They are in winning shape, says Maddock, and a little secret signal practice this evening will complete their work.

KRELING ON THE SICK LIST

Jimmy Britt's Sparring Partner Has an Operation Performed for Case of Tonsilitis.

Tiv Kreling, sparring partner of Jimmy Britt, is able to be about again after several days' illness due to a bad case of tonsilitis. Kreling caught cold coming over the mountains when he left San Francisco, and has been unable to box with Britt since his arrival here. A local man was secured in his place. On Wednesday Kreling had an operation performed on his throat and yesterday was about the streets for some time. He says he is feeling much better and expects to be able to don the gloves again when Britt opens his engagement in Denver.

With Britt, Kreling took in the races at the fair grounds yesterday. Britt acted as starter in the five-eights of a mile dash and got the horses away in good shape.

SAMUELSON LEAVES TO RACE IN AUSTRALIA

W. E. Samuelson, the well known bicycle rider, leaves for Australia today. Samuelson goes to spend the winter season racing in the antipodes and expects to make a good sized clean-up while away. On learning through the press that he had been suspended by the National Cycling association, Samuelson hunted up F. E. Schefski, the N. C. A. representative, and discovered such was the case.

Samuelson says that when his side of the case is heard there will probably be a change in Mr. Batchelder's order, as yet he has not had any opportunity to tell the truth in the matter. Those who know the N. C. A. are not the least surprised at the snap judgment taken against the local rider, and there will probably be a different story to tell before long.

SOCKER FOOTBALL AT FAIR GROUNDS TODAY

The first of the two association football games to be played at the state fair grounds is scheduled to come off this afternoon, the game being set for 4:45 o'clock. The Eureka team and the Rangers are the competing teams. Tomorrow the Eurekas meet the Salt Lake team. Eureka and Salt Lake tied on their game in Eureka last Sunday and a hard fight is looked for in the game between the mtomorrow.

Crabbes Beat Star Team.

The Crabbe team of last year's Commercial league won three straight games from the Star team last evening. The scores were as follows:

Crabbe Team.

Harris	133	164	192
Levene	191	167	151
McKlon	181	156	178
Oleson	133	147	158
Silvers	176	220	179
	844	854	859

Star Team.

Kemp	150	202	176
R. Stevenson	120	145	152
Nogal	158	157	131
O. J. Smith	142	156	136
Roach	132	190	206
	783	850	808

WILL FORM CORPORATION.

Change in Management of Richfield Power Plant.

Richfield, Oct. 4.—A very important business deal was perfected in this city this week by which a partial change in the ownership and method of operation of the Richfield electric light and power plant was made. James Christiansen of Salt Lake and H. N. Hayes of this city become associated with Thomas and D. R. Brown, the original owners of the plant. The company has secured the upper water power rights above Glenwood. Later the company will be merged into a corporation with some of the most influential men of the county, who will assure its permanency and success.

Peter Gottfredson of Richfield and Hans J. Gottfredson of Salina have been made the victims of an outrage, one of the worst, probably, ever committed upon Gold mountain. The two men quit work on their claims last February, and when they went up the other day to resume their development work they found their cabin and contents, consisting of bedding, provisions, supplies, tools, etc., completely demolished. There had been a heavy charge of powder set off. The logs in the cabin walls were broken and some of them thrown a distance of over 100 feet away. The explosion had shot out the walls and let the roof drop down. When the two men quit work last spring they left about ten pounds of powder in the cabin, and this may have been used for the dirty work.

A very important deal has been transacted in Richfield the past week, whereby James M. Peterson, cashier of the James M. Peterson bank, purchased the interests of State Treasurer James Christiansen and Mrs. Sarah Peterson, the widow of the late James M. Peterson and founder of the above named institution. The consideration paid by Mr. Peterson was between $45,000 and $50,000. By the acquiring of this stock it will give Mr. Peterson the entire control of the Peterson bank of this city.

KEARNS' SHADOW OVER AMERICANS

Continued From Page 1.

popular stockman began. A delegation of "patriots" journeyed all the way from Zion to Montpelier to labor with him. He remained firm in his refusal to run. He was followed to Salt Lake with importunities. His home was besieged. Petitions, prayers, personal appeals made life a burden to him. It was not until Wednesday night that he made it clear to his persecutors that he would under no circumstances permit his name to remain on the ticket. All this time he was officially published as a candidate, and everywhere hailed as such by the crusaders.

Finally the Fourth ward committee, party in sorrow and party with gnashing teeth, conceded at the meeting last night that there was a vacancy to be filled. Arrangements were made to reconvene the ward convention for the purpose of selecting a substitute for Mr. Leary. The meeting will be held in Taggart's hall, on First street, Tuesday evening. J. J. Stewart is talked of extensively for the vacant place.

SEARCH FOR A CHAIRMAN.

Republican Committee Faces Gloomy State of Affairs.

Now the Republicans are engaged in another man hunt. This time it is for a chairman of the city committee. Fred C. Loofbourow left for California last night to be gone three weeks. This is taken as proof that he does not hanker after the job again. His time expired when the city convention was held. This is also true of J. Parley White, the secretary of the old organization. The new committee chosen at the ward conventions and ratified at the city convention has the pleasant duty ahead of it of finding a new chairman.

The new committee is composed of J. L. Weller and William Langenbacker of the First ward; J. J. Greenewald and J. A. Anderson of the Second; H. S. Anderson and W. C. Mitchell of the Third; Glen Miller and J. C. Sharp of the Fourth; J. W. Cottle and William Edwards of the Fifth.

Last night all that was left of the G. O. P. was in full cry on the trail of Glen Miller. Some Republicans, anxious to escape himself, pointed Miller out as the man of the hour. From that instant his fate was sealed. Unless he has a will of Bessemer steel he will be the victim to lead the forlorn hope "through the slaughter house to an open grave."

A fearful conditions confronts the party organization in the city. The party is honeycombed with treachery. The organization is but a shell. District leaders in various parts of the city are in full sympathy with the American movement and are holding their places in the organization only that they may be in a position to carry information to American headquarters. These men are planning to enter the councils of the Republican party, secure all the information possible and then give or sell it to the leaders of the American crusade.

This condition of treachery exists to a marked degree in the Fifth ward, where the party has difficulty in keeping up even a semblance of an organization. Other wards are undermined, but not to the same extent. The leaders are justified in feeling blue. The city committee and the candidates will meet this evening at the headquarters of the Young Men's Republican club for the purpose of organizing and choosing a chairman and secretary.

Political Notes.

When Councilmen Martin, Black and Wood dashed up to the city and county building in an open carriage yesterday afternoon there was consternation among the employes in the departments. It was construed to mean that the American party had arrived to demand the keys of the city. It developed later that the councilmen were out on a business only.

Republican headquarters in the Atlas block are completely deserted these days. Once in a while one of the old guard, a reminiscence of better days, drops in, lingers till the solitude becomes unbearable and then passes on. The real headquarters of the party are at the police station, and the prediction is freely indulged in that they will remain there throughout the campaign. J. J. Greenewald and Fred W. Price, one the surveyor for the port of Salt Lake City, the other the commissioner of statistics for Utah, are seen coming and going to the office of Chief Lynch at all hours of the day and night; and this is proof that there the fine work of the campaign is to be done.

Palmo Tablets

transform weak, broken-down, nervous wrecks into magnificent types of physical perfection. They restore the nerves and kidneys to their normal conditions and make you look and feel years younger. Guaranteed, 50 cents. Book Free. The S. R. Feil Co., Cleveland, O.

For sale by F. J. Hill Drug Co.

Assessment No. 2.

PIONEER CONSOLIDATED MINING company, principal place of business Salt Lake City. Location of mines, Little Cottonwood mining district. Notice is hereby given that at a meeting of the board of directors of the Pioneer Consolidated Mining company, held on the 5th day of October, 1905, assessment No. 2 of two (2) cents per share was levied upon the capital stock of the corporation, issued and outstanding, payable immediately to the secretary at his office at room — Central block, Salt Lake City, Utah.

Any stock upon which this assessment may remain unpaid on the 10th day of November, 1905, will be delinquent and advertised for sale at public auction, and unless payment is made before, will be sold on the 20th day of November, 1905, at 10 o'clock a. m., at the secretary's office, to pay the delinquent assessment thereon, together with the costs of advertising and expense of sale.

C. E. RICHARDS, Secretary.

First publication Oct. 6, 1905.

HOODLUM GETS DESERTS.

Insulting Language Don't Go With Farmington Justice.

Farmington, Oct. 5.—Ted King of Layton was tried before Justice E. F. Richards of Farmington yesterday on a charge of disturbing the peace. He was found guilty and fined $30 and costs. King and some others are said to have held up a party of Farmington young people, boys and girls, who were out enjoying an evening ride on a hayrack, and made things unpleasant for them for awhile by insults and abuse. It was very dark, but King was recognized and his arrest followed. The fine, though somewhat heavy, it is hoped will deter the band of rowdies that infests parts of Davis county from other overt acts.

IF YOU WANT CASH FOR YOUR

BAD DEBTS

Notes and Accounts.

We Can Get It!

No matter how large or old they are, or in what town, city, state or territory.

If we did not know we could collect bills we would not be paying out money to advertise. This business is no side issue with us.

We do not sell real estate, write insurance, or loan money, but we collect Bad Debts, regardless of lodge, politics or religion.

Like hundreds of satisfied clients that are continually talking for us, this ad is sure to bring many claims to us for collection and we are just as sure to collect these claims and make money in commissions thereon.

Why not list your claims today?

We recently collected $124 for Clark Bros. of Pleasant Grove. It was hard work, but we got it.

Merchants' Protective Association

SCIENTIFIC COLLECTORS OF BAD DEBTS.

Top Floor Commercial Block, Salt Lake City, Utah.

Francis G. Luke, Gen'l Mgr.

"SOME PEOPLE DON'T LIKE US."

WHITE HOUSE CONFAB

President and Congressman Townsend Agree Upon Legislation For the Railroads.

Washington, Oct. 5.—Railroad rate legislation was the topic of a long conference today between the president and Representative Townsend of Michigan, one of the authors of the Esch-Townsend bill which was passed last winter by the house of representatives. At the conclusion of the conference, which lasted an hour and a quarter, Mr. Townsend said it was his purpose to have his bill in readiness for introduction in the house as soon as congress convened.

"My efforts now," said he, "is to make certain that it shall cover what is expected of it. It will embody my ideas, and at the same time I am quite sure it will represent accurately those of the president.

"After making it perfectly clear that the provisions of the measure apply to private cars, refrigerator cars and terminal charges, it will be my purpose, through the measure, to confer upon the interstate commerce commission the power to make its finding in any particular case effective within a reasonable time after they are announced. Efforts have been made to create the impression that it is the purpose of the advocates of this legislation to give the interstate commerce commission the authority to fix all the rates of a railroad. This is not true. It is intended only that the commission, if complaint shall be made to it that any particular rate is unjust, shall have power, after due investigation, to substitute a reasonable rate in case the complaint shall have been shown to be well founded."

"Do you expect that rate legislation will be enacted during the approaching session of congress?"

"I have no doubt of it," replied Mr. Townsend.

LEONARD'S BAIL LOWERED.

New York, Oct. 5.—A reduction of bail for Henry A. Leonard, the young man who stole $359,000 worth of securities from the National City Bank last week, from $25,000 to $10,000 was made by Magistrate Powell today.

LYRIC THEATRE

Tonight Last Performance

TheKentuckyBelles

With

Jimmy Britt

Week starting with matinee tomorrow.

THE MERRYMAKERS

Extravaganza Company

Night Prices: 25c, 50c, 75c. Matinees 25c.

An Ordinance.

AN ORDINANCE GRANTING TO George A. Snow and William Darst and to their heirs, executors, administrators and assigns the right to manufacture gas and to construct, operate and maintain gas mains, pipes and necessary attachments for supplying manufactured gas, in the city of Salt Lake, county of Salt Lake and state of Utah, and defining the rights, privileges and powers granted unto the said grantees:

Section 1. Be it ordained by the city council of Salt Lake City, Utah, that George A. Snow and William Darst, their heirs, executors, administrators and assigns, have the authority and consent of the city council, and permission is hereby granted them, for a period of fifty years after acceptance of this franchise, to construct, operate and maintain gas works in said city of Salt Lake, and also the right to lay, use and maintain in, through and along any of the public streets, alleys, avenues, highways and public grounds within the limits of said city, gas mains and service pipes and the necessary attachments, connections and fixtures for conveying, distributing, supplying and selling manufactured gas for fuel and illuminating purposes.

Sec. 2. In consideration of the granting of this franchise the said grantees agree as follows, to-wit:

That the rates to be charged consumers for gas furnished by them, shall not exceed the sum of 85 cents per thousand cubic feet for gas for fuel purposes only, and not to exceed $1.35 per thousand cubic feet for gas for illuminating purposes only, with a deduction of 10 cents per thousand cubic feet if payment of bill be made on or before the 10th day of each month, following the meter reading, provided, however, that said grantees shall have the right and privilege to collect from each consumer a minimum charge of one dollar per month.

Sec. 3. The said grantees further agree that within six months after the acceptance of this franchise they will commence work thereunder, and within two years after the acceptance thereof they will have laid at least twenty miles of mains within the limits of said city, and at least ten miles additional mains each year for the next two succeeding years, and the said grantees further agree to cause gas to be delivered in said mains within said city within three years from the time of their acceptance of this franchise.

Sec. 4. Commencing January first next after the expiration of the first three years following the granting of this franchise, the grantees herein further agree, that from the gross revenues from the sale of gas, within the limits of Salt Lake City, there shall be paid to the treasurer of said city, within sixty days after the end of each year, 1 per cent for the first ten years, 1½ per cent for the next ten years, and 2 per cent for the remainder of the life of the said franchise, of said gross revenues, and for the purpose of determining the amount to be paid, the books of the grantees shall be subject to the inspection of the city auditor, and such amount, whether said percentages aggregate the same or not, shall never be less than $1,000 per annum.

Sec. 5. That said Salt Lake City shall in no way be liable for any accident or damage that may occur in the laying of said mains and pipes, or in the operation of any business conducted by the grantees, under and by virtue of this franchise, by reason of the default or misconduct of said grantees or their employees, and the acceptance of this grant shall be deemed an agreement on the part of said grantees for themselves to save said city harmless from and against any and all liability, loss, costs, expense or damage from any cause arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur by reason of any act done by grantees, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof shall be final as between said city and said grantees, and conclusive as to the liability of the latter to the former, provided, however, that the said grantees shall have had notice in writing of the pendency of such action in time to appear and defend the same.

Sec. 6. That in the construction, maintenance and operation of said mains and service pipes, the said grantees shall at all times conform to such ordinances, rules and regulations as now exist or may hereafter be adopted by the city council of said city in relation thereto, and the gas so furnished shall equal in efficiency the general standard of efficiency of gas used for like purposes in the cities of New York, Chicago and Philadelphia.

Sec. 7. The grantees herein further agree that before they shall begin the laying of mains or make any excavations in any of the streets, avenues, alleys or other public places in said city, they will give to said city an approved bond in the penal sum of $10,000.00 to indemnify said city against any loss or damage which may be occasioned by reason of making such excavations; and said grantees further agree to conduct the construction, operation and maintenance of said mains and pipes in such a manner as to cause as little impediment to the common, ordinary use of said streets as is consistent with reasonable diligence and proper workmanship, and that they will, at their own expense, promptly repair and put in as good condition as before the openings were made, every such portion of the streets, alleys, avenues or other public places in said city, where such openings shall be made.

Sec. 8.—Said grantees further agree that the mains and service pipes and apparatus and system employed shall be up to the approved standard used in the United States.

Sec. 9. Said grantees further agree, that if this franchise be not accepted in writing within sixty days after its passage and approval, or if work be not commenced within six months after its acceptance, or if twenty miles of mains be not laid within two years after the acceptance and ten additional miles each year for the next two years thereafter, or if within three years after acceptance of this franchise gas be not delivered in Salt Lake City, as provided in section 3, then this franchise shall be void, provided that no delay occasioned by the act of God, the elements, strikes, lockouts, or inability to procure with reasonable diligence the delivery of machinery, pipes, apparatus and supplies, shall be counted as a part of the time within which any act is to be performed under this franchise; the said grantees further agree that if at any time, after reasonable notice in writing so to do, they shall fail, neglect or refuse for sixty days to comply with any provision of this franchise, to be by them complied with, or shall, after like notice, fail or refuse for sixty days to comply with any reasonable regulation which may be lawfully imposed by the city council, then this franchise and all rights thereunder shall, at the option of the city council, be forfeited, and the said city shall at once, upon such forfeiture, have the right to require that all pipes and other property of said grantees be removed from its streets.

Sec. 10. To the said grantees there is further granted the right to require, at their reasonable discretion, a guaranty deposit from parties proposing to become consumers, the amount of which said deposit shall be reasonable under the circumstances under which said consumer proposes to use gas, which said deposit, with interest at 6 per cent per annum during the time the same has been deposited, shall be returned to the depositor when he ceases to become a consumer.

Sec. 11. That whenever and wherever the word "grantee" is used herein, the same, in addition to its ordinary meaning, shall be construed to mean and include the heirs, executors, administrators and assigns of the said grantees.

Sec. 12. This franchise shall not be transferrable or assignable except to a corporation organized under the laws of the state of Utah.

Sec. 13. In consideration of the premises, Salt Lake City agrees and ordains that during the life of said franchise as herein fixed it will not, by ordinance or resolution, make any rules or regulations in regard to the price of gas to be furnished for lighting or heating purposes different from the prices herein named; nor shall the said grantees or their assigns be obliged to furnish gas to anyone for less prices than herein named; provided, however, that if there shall hereafter be any new inventions or improvements or conditions that will materially reduce the cost of producing or distributing gas for lighting or heating purposes, then and in either event there shall be a reasonable readjustment by the city council and the mayor on the one part, and the said grantees or their assigns upon the other part, of the rates herein fixed.

In the event of disagreement between them, either in respect to the fact whether the said conditions authorizing a readjustment of said rates have arisen as above provided, or as to the amount of reduction thereof, or both, then the same shall be determined and ascertained by two competent and disinterested appraisers, the city and the said grantees each selecting one, and the two so chosen shall select a competent and disinterested umpire, and the appraisers shall then determine whether the said conditions exist, and what reduction or advance of rates should be made; and upon failing to agree, they shall submit their differences to the umpire, and the decision in writing of any two shall determine the question.

Each party shall bear equally the expense of the appraisal.

In the event the said grantees, their successors or assigns shall, upon demand of the city council, refuse or neglect to proceed to arbitration for readjustment of rates as herein provided, or shall fail to carry into effect the rates when readjusted as herein provided, then the city council reserves the right to alter, amend and change this franchise in respect to rates or charges for the services referred to in this section.

Sec. 14. The grantees further agree that they will during the life of this franchise, beginning three years after their acceptance of the same, furnish gas sufficient to heat the public library of the city, fire stations Nos. 1 and 3, the city jail, police station and old city hall, and the city's half of the joint City and County building free of cost, this obligation to extend not only to said buildings as they now exist, but as they may hereafter be rebuilt, improved, added to or repaired.

Sec. 15. The grantees further agree that on or before their acceptance of this franchise they will deposit with the city recorder a good and sufficient bond in the sum of ten thousand dollars ($10,000), approved by the mayor, the conditions of said bond being that if the grantees shall fail to commence work within six months after their acceptance of this franchise; or if twenty miles of mains be not laid within two years after such acceptance and ten additional miles each year for the next two years thereafter, or if gas be not delivered into the mains of said city within three years from the time of their acceptance of this franchise, then Salt Lake City shall recover as liquidated damages, from the obligees and sureties in said bond, the sum of ten thousand dollars ($10,000), and the same shall be immediately due and payable upon the failure to comply with each or any of said foregoing conditions; Provided, however, that the said grantees shall have the privilege if they elect so to do, to deposit with the city treasurer ten thousand dollars ($10,000) in cash in lieu of said bond, to be held subject to the conditions in this section provided.

If said bond be not given, or if said sum of ten thousand dollars ($10,000) be not deposited with the city treasurer upon acceptance by the grantees of this franchise, then and in that event this franchise shall become absolutely null and void.

Sec. 16. This ordinance shall take effect from and after its passage and approval.

Passed by the city council of Salt Lake City, Utah, Sept. 6th, 1905, and referred to the mayor for his approval.

J. S. CRITCHLOW,
City Recorder.

Approved this 7th day of September, 1905.

FRANK J. HEWLETT,
Mayor Pro Tem.

State of Utah,
City and County of Salt Lake—ss.

I, J. S. Critchlow, city recorder of Salt Lake City, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of an ordinance entitled, "An ordinance granting to George A. Snow and William Darst and to their heirs, executors, administrators and assigns, the right to manufacture gas and to construct, operate and maintain gas mains, pipes and necessary attachments for supplying manufactured gas, in the city of Salt Lake, county of Salt Lake, and state of Utah, and defining the rights, privileges and powers granted unto the said grantees," passed by the city council of Salt Lake City, Utah, Sept. 6th, 1905, and approved by the mayor Sept. 7th, 1905, as appears of record in my office.

In witness whereof I have hereunto set my hand and affixed the (Seal) corporate seal of said city this 7th day of September, 1905.

J. S. CRITCHLOW,
City Recorder.

Bill No. 82.

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