

WATER SUPPLY CONSIDERATION.

Commissioner Joseph F. MacKnight
Says Rights ought to Be
Attended To.

HE FILES HIS ANNUAL REPORT

Says Many of Titles Held by City Are
Clouded by Erroneous Tax Sales
And Levies.

The annual report of Land and Water Commissioner Joseph F. MacKnight was filed yesterday afternoon, with the mayor, and includes recommendations which will probably be given careful consideration by his honor, especially with reference to the water supply. The commissioner calls the mayor's attention to the action of the last administration in having appropriated \$300,000 for a Parley's canyon reservoir without having first secured to the city the surplus and primary water rights to the waters of Parley's canyon and Mountain Dell streams, intended for conservation.

The report shows the total cost of maintenance of the land and water department for 1903 as \$7,516.91, with receipts, credits and inventory amounting to \$1,925.12, or as net cost of maintenance, \$5,591.79. The total value of real property and improvements owned by Salt Lake City corporation is given as \$1,340,310.06, the real estate proper at \$709,425.03 and the improvements at \$630,884.03. The city's real estate possessions include fire departments, half interest in city and county building, stores, barns and shops, public parks, watersheds, canal lands, isolation hospital, sewer farms, vacant city lots and lands in Summit, Utah and Morgan counties.

CLOUDED TITLES.

The commissioner reports that many of the titles held by the city are clouded by erroneous tax levies and sales and there are cases of occupancy of city lands by persons holding undisputed possession from eight to 15 years. The commissioner further says "A most flagrant case is the Soderberg ranches, consisting of 320 acres and improvements in Emigration canyon, wherein the city paid \$4,500 for the possessory rights of the occupants, which rights expired immediately upon the occupants removing from the premises, but so far as I am able to ascertain, the city made no effort to perfect its title and the whole property was lost." So a systematic compilation of the records is advised and an ordinance requiring "the parties selling real estate to the city to furnish an abstract of title before receiving payment." He shows that the city holds considerable property under tax titles, which must be perfected to save the city further loss.

PROPERTY OWNED BY CITY.

Following is a schedule of real property values and improvements thereon, owned by the city corporation:

Real Estate.	Improvements.
Fire departments	
1, 2, and 3, jail and old city hall	\$30,420.00
Half interest city and county building and post house	52,000.00
Stores, houses, barns, shops, etc.	11,712.43
Public parks	26,839.22
Watersheds, etc.	157,937.95
Canal lands (not complete)	15,467.65
Isolation hospital and pump	1,850.00
Total	\$630,884.03
Value of city real property and improvements held as private property:	
Sewer farm (in Salt Lake City)	\$624.85
Sewer farm (in Davis County)	18,906.70
Paris lots 10 and 11, 5-acre plat A	3,937.50
Lots in plat A	1,419.21
D. E. F. and K. city	48,050.02
Lands in Summit County	1,749.21
Lands in Utah County	2,447.94
Lands in Morgan County	790.75
Total	\$76,637.60
Total value real estate	\$709,425.03
Total value improvements	\$630,884.03

WATER RESOURCES.

In the matter of increasing the city's water resources, the commissioner has this to say: The most substantially promising one of these appears to be the Big Cottonwood water. If the city could acquire one-half of the Big Cottonwood stream (which would be nearly double the amount now obtained from all sources), the 50 per cent acquired could be increased at least 25 per cent in addition by the storage of the city's season's waste water, which amounts to nearly 25 per cent of the entire stream, thus giving the city, free of charge, practically 25 per cent of the cottonwood water. This is a tangible proposition, and does not necessitate the expenditure of a large amount of money, without a visible benefit, measurable with the outlay.

This water may be partly acquired by the exchange of Utah lake water as part of the consideration, as the city does not use its entire portion of the water from the Jordan river, as apportioned by the decree of the court, and partly by purchase of lands with water rights in the Big Cottonwood stream. But the exchange of water, under existing conditions, has not proven satisfactory in the past, owing to the difference in the quality of the water, which the city has to exchange, and the exaction of unreasonable differences by the parties making the exchange. I believe that the requirement of these water rights by direct purchase is the only means promising fairness to the city.

REDUCING UTAH LAKE.

The commissioner says: "It seems to me a dangerous plan, depending upon the delivery of Utah lake water, through the Jordan and Salt Lake City canal, for the continuity of the right to practically all the water of Parley's canyon stream and taking out water from the lake by operation of pumps, beyond its natural supply, thus continually lowering the lake, for the city to build reservoirs, or to spend any money at all, without first having secured itself in the matter to at least a reasonable degree."

"Reducing the Utah lake waters on the one hand and conserving the wa-

ters of Parley's canyon on the other, under present conditions, would seem to be diametrically opposite to the interest which the city has in both of these water sources. For to lower the lake will naturally reduce the city's portion of the waters there, and if the city failed to supply the amount of water determined to be the nominal flow of Parley's creek, through its canal, the inevitable result would be the forfeiture of its rights to the 315 per cent of the Parley's water."

However, if the reservoir is constructed before the water rights are purchased, the city will be subjected to the exaction of unreasonable and exorbitant prices, and would be compelled to submit to the extortion to obtain the water necessary for its reservoir."

In closing Commissioner MacKnight states that the percolation system in operation on the ranches owned by the city of Mountain Dell and Parley's canyon have proven successful in preserving the water of Parley's creek. He advises the protection of the city's water sheds and stringent ordinances to prevent fouling the water.

TO CURE A COLD IN 1 DAY.

Take Laxative Bromo Quinine Tablets. Druggists refund money if it fails to cure. E. W. Grove's signature on box. 25c.

POLICE REPORT.

Annual Statement Filed Today Shows
Nearly 3,500 Arrests for Year

Chief of Police W. J. Lynch this morning filed the annual report of the police and prison department for the year 1903 with Mayor Morris. The report shows that the expense of maintaining the police department was \$42,337.53, as compared to \$36,152.75 for the year 1902. The expense of maintaining the prison for the year was \$7,434.54. There were 40 members of the department for the year, including the chief, detectives, patrolmen, jailer and matron. The total number of arrests made was 3,478, of which number 2,539 were male and 939 females.

Following is a statement of the expenditures of the police and prison departments and also the receipts of fines and forfeitures during the year:

DISBURSEMENTS.

Regular payrolls	\$28,974.24
Special payrolls	242.50
General expenses	2,020.78
Total	\$31,237.52
Credit by fines, etc.	\$20,803.95

Not cost of operating, \$21,433.57

Expense of maintaining prison, 7,434.54

Total cost, \$28,868.11

An itemized statement of the work of the department follows:

Arrests during year	3,478
Paroled by this year	56
Prisoners in jail Dec. 31	29
Trips by patrol wagon	1,359
Miles traveled by the wagon	1,383
Meals furnished in jail	26,802
Children brought to headquarters	22
Lodgers	158
Total number in care and custody	3,558

Following is a statement showing the disposition of the cases of persons arrested by the department:

Convicted	1,908
Sentence suspended	234
State cases	197
Dismissed and discharged	1,042
Pending	7
Total	3,478

Amusements

"Maloney's Wedding" was the cause of much hearty laughter at the Grand last night. Though there is nothing particularly striking or original about the play, yet the plot is amusing and the comic parts are well sustained.

The musical numbers were nearly all old friends, but they proved none the less acceptable. By far the cleverest item was Laura Pierpont's imitation of Anna Held's singing of the "Maiden With the Dreamy Eyes," while her rendering of "On a Saturday Night" earned rounds of applause and encores. Lew Nelson as Dan Maloney was very amusing; another Irish part, that of Mrs. Clancy being taken by Nettie Fillmore in a way that earned much laughter and applause.

Maud Sutton was very good as a beauty, and the songs of "The Girl and the Soldier" and "The Girl and the Soldier" were very good. Harry Fannette was weak and too automatic, but the other parts were capably filled. The play was moderately well attended, and should prove popular during the rest of its stay here, which lasts till Wednesday night.

SOCIAL AND PERSONAL.

Mrs. W. W. Flagg entertained at a delightful tea this afternoon in honor of Mrs. Jack Jevne.

Tonight the musical and reception to be given by Mrs. L. C. Miller and Miss Olive Jennings will take place at the First Congregational church.

Mrs. Le Grand Young and Miss Young will entertain at luncheon on Friday in honor of Miss Jane MacKintosh.

Mrs. George M. Downey and Miss Gertrude McClintock arrived today from Denver.

Miss Lawson will entertain the East Side Club club tonight.

Mr. and Mrs. Joseph H. Young left today in Mr. Young's private car for a trip to Mexico taking with them a party consisting of Mr. and Mrs. William Lehigh, Mr. and Mrs. Clifford Pearson and Mrs. Kenneth Kerr.

Mr. G. F. Downey will arrive from Denver shortly to spend a few days in the city.

Miss Cora Snyder will spend a week in Park City as the guest of Mrs. A. R. Weeter and Mrs. Le Compe.

Tonight

If your liver is out of order, causing Biliousness, Sick Headache, Heartburn, or Constipation, take a dose of

Hood's Pills

On retiring, and tomorrow your digestive organs will be regulated as you will be bright, active and ready for any kind of work. This has been the experience of others; it will be yours. HOOD'S PILLS are sold by all medicine dealers. 25c.

THOMAS M'KEAN IS DISCHARGED.

Man Who Killed C. A. Westerman in a Quarrel Last August Goes Free.

CASE AGAINST HIM DISMISSED.

Important Witness is Missing, Consequently District Attorney Moved That Prisoner be Turned Loose.

Upon motion of Dist. Atty. Elchorn, Judge Morse this morning dismissed the case of the State vs. Thomas McKean charged with involuntary manslaughter for the reason that an important witness in the case is missing and cannot be located, and without his evidence the prosecution would be unable to convict defendant. McKean, who has been held in jail since being bound over to the district court on Dec. 15, 1903, was ordered discharged from custody.

On Aug. 6, 1903, McKean became involved in a quarrel with C. A. Westerman in front of the Return saloon on east First South street, and struck the latter a blow with his fist and knocked him to the pavement. Westerman's head struck on the sidewalk with such force that concussion of the brain resulted and he died shortly after the assault. McKean was charged with murder in the second degree for the reasons stated above. The case was heard upon by the preliminary hearing he was bound over on the charge of involuntary manslaughter. No information was filed against him by the district attorney in the district court for the reasons stated above. By Mr. Elchorn in asking the dismissal of the case. Upon the statement made by Mr. Elchorn the court ordered the case dismissed and the defendant discharged from custody.

SUES THE RAILWAY.

Special Administrator Lowry Asks for \$20,000 Damages.

Charles A. Lowry, special administrator of the estate of Atkinson Whitworth, deceased, has filed suit in the district court against the Consolidated Railway & Power company to recover \$20,000 damages for the death of Mr. Whitworth, who was killed by one of defendant's cars on the night of Oct. 14, 1903, at the corner of Second and South Temple streets. Whitworth was driving across the tracks in a wagon when a car struck his vehicle and threw him to the ground killing him instantly.

TWO DAMAGE SUITS.

Federal Court Actions to Recover \$75,000 for Personal Injuries.

Luis Scarpelle, Italian, 43 years of age, has filed a suit for \$25,000 damages against the Southern Pacific company, claiming that he was injured by one of the company's cars on the night of Feb. 27, 1903, at the corner of Second and South Temple streets. The plaintiff claims that he was thrown from his car and suffered lasting injuries, including the amputation of one of his feet.

The case of Don Farnsworth vs. the Union Pacific Coal company has been removed from Summit county to the United States court. The plaintiff sues for \$50,000 for injuries sustained in the company's mine because of the failure of a beam that supported a large piece of coal.

SUIT FOR OVERTIME.

State Board of Corrections File Answer in Schettler Case.

The State of Utah and the board of corrections have filed their answer in the suit instituted in the district court against them by C. L. Schettler, formerly a guard at the state prison, to recover the amount due him for overtime work and above and beyond the regular salary while employed at the state prison.

Defendants deny that they required plaintiff to perform work and labor to exceed eight hours during any calendar day, while plaintiff was employed by them. It is further alleged that when the eight-hour law went into effect the defendant informed all of the guards that they would be allowed the same compensation for the eight-hour day as they did for the 12-hour day with the understanding and positive agreement that each one should, on each alternate night, remain in the prison as a reserve of the emergency of an emergency or an attempted break of the prison to abide by this rule and has never protested against it, but has received his pay for the eight hours' work without complaint. Defendants' pray, therefore, that the case be dismissed. Defendants also filed a demurrer to the complaint on the ground that the State of Utah is improperly made a defendant for the reason that the state is not subject to be sued in a state court.

KANE PLEADED GUILTY.

He Waived Time of Sentence So Was Given Three Months.

J. W. Kane was arraigned before Judge Morse in the criminal division of the district court this morning and entered a plea of guilty to the charge of obtaining money by false pretenses. He waived time for sentence and was given three months in the county jail. It was charged that Kane obtained \$65 from C. Bonner, a bogus check. He pleaded guilty to obtaining \$45. The date of the crime was Nov. 18, 1903.

Estate of Douglas Harrison.

Peter Adamson today filed a petition in the probate division of the district court asking for letters of administration of the estate of Douglas Harrison, deceased, the father of petitioner, who died at Murray on Nov. 3, 1887, more than 16 years ago. The estate consists of real property valued at \$4,200. There are 10 heirs to the estate. The petition will be heard by Judge Hall on Friday, Jan. 23.

Jurors to Appear.

An order has been entered by Judge Morse summoning the jurors drawn for service in the district court during this term to appear in his court room on next Monday, Jan. 18.

Setting of Cases.

Judge Lewis will make a setting of cases in his division of the district court on Friday, Jan. 15.

T. H. CLARK BANKRUPT.

Salt Lake Miner Goes to the Wall for \$18,900.

John Henry Clark, a miner residing in Salt Lake, has filed a petition in bankruptcy, setting forth liabilities of \$18,900, and practically no assets. The largest creditors are James Malloy, promissory note, \$5,000; W. S. McCormick, \$2,200; James Sampson, \$2,000; and S. M. Whittemore, \$1,500.

Why Don't You Drink Three Crown Tea.

It Creates

THE SMILE THAT WON'T WEAR OFF.

Imported direct from Japan by

Hewlett Bros. Co.

TRIAL OF ROSE.

Upon Request of Attorneys for Defense Date Changed to Feb. 23.

Judge Morse this morning changed the date of the trial of Frank Rose, charged with murdering his wife, from Tuesday, Feb. 2, the date agreed upon yesterday, to Tuesday, Feb. 23. The change was made upon request of Atty. Christensen and Straup, who were appointed by the court to defend Rose. Dist. Atty. Elchorn consented to the change provided there would be no further postponement of the case.

Atty. Christensen stated this morning that probably the only defense which would be interposed in Rose's behalf will be a plea of insanity. Should it be proven that he was in his right mind when the crime was committed, then the only verdict which can possibly be returned is that of guilty as charged in the information.

MINERS PLEASE WAKE UP.

Fair Commissioner is Clamoring for Representative Exhibit for Utah.

Director General Whitaker wishes that the mining men who are to provide mineral exhibits for the world's fair at St. Louis, would hurry up and do something. Little or nothing has been received from Tintic, Mercu, Silver City of Mammoth, which are among the most important mining centers in the west. Mr. Whitaker will have to close up his shipments shortly, and if the mineral display intended to illustrate the resources of this state fails of materialization, there will be disappointment. The coal companies have come to time in commendable style, to the gratification of the director.

BUSINESS NOTES.

Today's local bank clearings amounted to \$463,881.50 as against \$444,249.01 for the same day last year.

The local national banks, in connection with other national banks in the country, are holding their annual meetings today. The stockholders of the Deseret National bank re-elected these directors: J. R. Barnes, J. C. Cutler, A. W. Hill, W. H. McQuay, David Eccles, W. W. Ritter, George Romney, James Sharp, John R. Winder, Moses Thatcher, Reed Smoot. The directors meet next Tuesday to choose officers.

The result of the election at the Utah National bank will be known at 5 p. m., and the result at the National Bank of the Republic will be announced about the same time. The meeting this afternoon of the Commercial National stockholders include action on the proposition to amend the articles of incorporation relative to the number of directors.

The Mahan Liquor company, organized to succeed the firm of Hogle Bros., has filed articles of incorporation with the county clerk. The company is capitalized at \$25,000 divided into 1,000 shares of par value of \$25 each. The officers are: John Mahan, president; E. F. Beattie, vice-president; and John P. Quillen, secretary and treasurer.

Articles of incorporation of the Calistoga Land and Livestock company have been filed in the office of the county clerk. The capital stock of the company is \$35,000, divided into 20,000 shares of par value of \$1.75 each. The following are the officers: E. H. Calister, president; R. C. Callister, vice-president; and W. D. Callister, secretary and treasurer. These with A. T. Lewis, E. J. Cassett and Samuel Rea were present. In the last few days there have been other conferences in Philadelphia. These meetings, continuing the Herald, marked the beginning of serious consideration of all the questions at issue.

Persons interested in the negotiations are unwilling as yet to state definitely upon what basis the present adjustment is being worked out.

ANOTHER CUT-OFF.

Harriman and Rock Island to Join on Concrete Causeway to Galveston.

San Francisco, Jan. 12.—E. H. Harriman and Julius Kruttschnitt, on behalf of the Southern Pacific company, have just agreed to join the Rock Island railway in spending \$1,000,000 for a causeway 500 feet across the bay back of the city of Galveston to that city. This will be part of the general plan of improvement by which Galveston is to be made safe from the waters of the surrounding ocean and bay, by having its present level raised 17 feet.

The proposed causeway will establish permanent and safe communication between the island, on which Galveston stands, and the mainland.

BILT LINE FOR PENNA.

Big Road Said to Have Secured Chicago Terminal Transfer Railway.

Chicago, Jan. 12.—The Tribune today says: The Pennsylvania company is said to have secured control of the Chicago Terminal Transfer Railway. President Fairbairn of the latter road says he has no information on the subject, but considers the report quite plausible.

Control of the road, he said, might be purchased without knowing anything about it. The Terminal Transfer road would give the Pennsylvania a belt line, connecting it with every railroad entering Chicago and providing it with an independent route for all through freight.

COMPOUNDS PROVE TO BE A FAILURE.

Believe That Big Baldwins on Entire Harriman System are To Be Changed.

SINGLE CYLINDERS ORDERED.

Big Locomotives Are to Be Made Over Into Simple Engines—Southern Pacific Gives First Order.

For some time past there have been rumors on the Union Pacific, Oregon Short Line and the Southern Pacific to the effect that the big Baldwin compound engines have been to all intents and purposes a failure. Several have blown up under the pressure and there has been so much trouble with the water that there has been talk of installing plants at various points where the water is bad, for the purpose of chemically treating it before it flows into the tanks that supply the engines. Owing to the matter held in solution the tubes become quickly clogged.

In the face of reports that have been sent in from all over the system involved it is asserted that President Harriman has given instructions to the purchasing departments to countermand all outstanding orders for Baldwin compounds.

Under an order issued to H. J. Small, superintendent of the motive power department of the Southern Pacific, all the Baldwins now in use on the Southern Pacific are to be changed from compound to simple locomotives. The work will cost in the neighborhood of \$1,700 per engine. The company is now purchasing the new cylinders from the Baldwin company at a cost of \$700 a pair.

As previously announced the entire Harriman system is to be standardized in every particular it is a foregone conclusion that this order will hold good on the Short Line, Union Pacific and the Chicago & Alton.

NESLEN'S LATEST.

Tells of Woman Who Thought She Was in Heaven While on Burlington.

General Agent Neslen was born and reared in Utah; he is one of the shining examples of what an energetic young man can accomplish. That he should tell such experiences as the following, however, is a matter of sincere regret to his many friends and competitors—especially the latter:

"The great Burlington Route, in taking passengers from Chicago to Omaha, Denver, Utah, the Black Hills and Billings, Mont., show passengers in Omaha—what?"

"Why, the finest marble, bronze, onyx and mosaic depot on the continent."

"That is a dream of beauty inside and as fine as the Forum Romanum outside."

"The only trouble about this depot is that the passengers, when they first behold its magnificence, become dazed. They become dizzy and sometimes get onto the wrong train for Chicago and Kansas City when they want to go to Denver, Salt Lake or Portland, Or."

"The other day an old lady from Missouri saw the depot for the first time. She stood transfixed. She seemed hypnotized."

"Are you asleep or have you taken opium?" I asked a passenger.

"No, no, I'm all right, laughed the old lady."

"Where are you?"

"In heaven."

"O, such beautiful cars—a moving dining room with golden letters on it—Burlington and—"

"Don't wake her up—don't!" cried a stranger kindly. The voice was from the quivering lips of General Passenger Agent Francis.

"She has just come in from Chicago on our new Limited and she has been told here have hypnotized her. Our beautiful trains often act that way on them. Let her sweet dream go on. Poor thing, she isn't used to it. Let her enjoy it. Don't wake her up. She'll wake up all right when she goes back on some other railroad."

Then Neslen had to run, because "Buzz-Saw" man became very tropical in their remarks.

GOULD-PENNA SQUABBLE.

Negotiations for a Settlement Are Now Said to Be Under Way.

New York, Jan. 12.—Negotiations for a settlement of the Gould-Pennsylvania controversy, which culminated in the chopping down of the Western Union Telegraph poles along the Pennsylvania railroad lines, have, according to the Herald, been resumed, and it is said a common ground has been found on which to settle the settlement of the differences which are alleged to have primarily grown out of the Gould plans to reach the Atlantic seaboard.

There has been a long conference at the Pennsylvania railroad offices in this city, at which A. J. Cassett and Samuel Rea were present. In the last few days there have been other conferences in Philadelphia. These meetings, continuing the Herald, marked the beginning of serious consideration of all the questions at issue.

Persons interested in the negotiations are unwilling as yet to state definitely upon what basis the present adjustment is being worked out.

NEARLY DROWNED.

A. E. Miles of This City Has an Experience Near Rexburg.

Word comes from Rexburg, Ida., to the effect that A. E. Miles of this city had a narrow escape from drowning at a point on the Snake river, about 40 miles from that place, several days ago. It appears that Mr. Miles attempted to cross the river in a sleigh when the swollen condition of the stream overtook the conveyance, and threw him and his companion into the river. Miles, who was driving, clung to the reins and was pulled across, while his companion turned around and made for the shore. The Salt Lake man was completely exhausted when he reached the other side, and before he arrived at the nearest house his clothes were frozen stiff. However, he was none the worse for his experience.

LATE LOCALS.

J. C. Cutler has gone to New York on a business trip, to be gone three weeks.

Henry Jones, formerly of Wales, now of this city, was admitted to citizenship today by Judge Lewis.

The funeral service over the remains of Joseph Nicholson will begin at 2 p. m. tomorrow, Jan. 13, at 332 west North Temple street. Friends of the family are invited to attend.

The Council of Jewish Women will hold an open session tomorrow afternoon at 3 o'clock at the B. B. rooms in the Auerbach building. All members and friends are cordially invited to attend.

One case of chickenpox and one of whooping cough were reported to the board of health today. Vera Dyer, aged 7, residing at 1070 East Third South street, has chickenpox and Clara Dahlquist, aged 7, residing at 632 North Fifth West, has the whooping cough.

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Whenever you see this trade-mark on your furniture you may be sure it is well made.

If you want Furniture with this trade-mark on it, we have it.

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FURNITURE COMPANY.

freight. The terminal road operates 256 miles of tracks in Chicago and vicinity.

Howard Huntington Appointed.

Los Angeles, Cal., Jan. 12.—Howard E. Huntington, son of Henry E. Huntington, has been appointed general manager of the Los Angeles Railway company, vice J. A. Muir, deceased. A circular announcing the appointment was sent out by President H. E. Huntington and caused considerable surprise among local railroad men.

Howard E. Huntington has been for some time assistant to Gen. Manager Eps Randolph of the Pacific Electric company, which is one of the electrical transportation companies controlled by H. E. Huntington.

The Los Angeles Railway company comprises practically all of the street railway lines in Los Angeles. The new general manager of this system is 27 years old.

RABBIT HUNT.

peel Rate on Rio Grande for Nimrods To Indiana on Sunday Next.