SHAMROCK II WAS TOTALLY DISMASTED

Struck by a Squall Off Cowes-King Ed= ward Was on Board and Had a Miraculous Escape—Towed Back to Hythe.

165ger with King Edward and a party board was totally dismasted today by a squall, off Cowes, Isle of Wight. The king, who was on deck, had a mineulous escape. The topmast, mainmast and bowsprit were broken short

The disaster occurred while arrangements were being made for the start off Brambles Buoy.

STRUCK BROADSIDE ON. Lordon May 2,-3155 p. m.-During the net between the two Shamrocks of the Sybarita in the Solent today, so the Sybarita struck the yachts. The spinst of the Shamrock II was carried ay and then her mainmast went by the bard carrying all her sails with fram leaving her practically a wreck. The population is the Shamrock I was also

offed away in the squall. The squall struck the yachts broad-

THE KING'S VISIT.

THE KING'S VISIT.

Southampton, May 22,—The interest shown in the event by King Edward added special zest to today's trial of the shamrocks. His majesty, who was accompanied only by his personal attendiompanied only by his personal attendiompanied at the pier by Sir Thomans, was met at the pier by Sir Thomans, was met at the pier by Sir Thomans, in the pier being the only evidence of the pier being the only evidence of anything unusual. It was originally intended that the king should sail on board the Shamrock II. and although it was pointed out that there was a considerable element of danger when a lightly built racer was hard driven, his majesty would not consent to change the program and go on the Erin.

TRYING THE YACHTS.

TRYING THE YACHTS. Ryde, Isle of Wight, May 22.-The vachts were sent today reaching over a triangular course similar to one of the America's cup courses. The entrance into the race of the sawl Sybarita, (about 99 feet after all), added to the interest taken in the contest, especially interest taken in the contest, especially as the fresh weather, and reaching course were both in favor of the yawi, placing the captains of the two Shamnocks under the necessity of driving the other boats at full speed in order to make a creditable showing against the outsider and promising King Edward, who was on board the Shamrock II, an opportunity of witnessing what mised to be the smartest race of the

There was a fine fresh easterly breeze driving a short white tipped sea up the channel when the three yachts set their club topsails shortly after noon and seeded to the starting point, here was some delay in establishing a starting line. The wind freshened considerably and blew 12 to 13 knots an

hour with the prospect of magnificent King Edward, desiring to take a more active part in the proceedings than was essible from the deck of the Erin, was aken on board the challenger, accom-

southampton, May 2.—The cup chal- | ladies. The preliminary starting signal was given from the Principles. SQUALL COMES ON.

> While the yachts were maneuvering for the start, a squall came without the slightest warning and the bowsprit of the challenger was carried away short. The extra strain thus thrown on the topmast proved too much for the spar. It whipped, broke and doubled off to leeward, carrying the whole weight of to leeward, carrying the whole weight of the jackyard and gear over the side in a terrible tangle. Almost as the top-must fell the great steel mainmast, weighing more than two tons and car-rying spars and gear weighing an ad-ditional three or four tons, swayed for a moment and then, almost by a mira-cie, plunged over the side and into the water with the sound of breaking wire and tearing gear in the air?

and tearing gear in the air?
The members of the royal party were seated on deck, close to the companion way. The king was showing keen pleasure, watching the fight which Capt. Sycamore was making for the advantage at the start. The yacht was racing along at a formidable angle and the sloping deck, with a mere fringe of rail, seemed a rather perilous place for the accommodation of the visitors.

KING IS COMPOSED.

As the wrecking swept the deck it was most astonishing that no one was injured. For a moment or two the situation appeared to be very grave. The king maintained his composure. Most

king maintained his composure. Most of the head men went overboard.
Within five seconds of the disaster, the Shamrock I bore around to render assistance, when she in turn, was caught by the squall and her gaff and top sail spars collapsed, leaving her helplessly crippled.

The press tug following the racers ranged alongside the helpless yachts and a torpedo boat which was in the vicinity and the Sybarita sent boats to the scene. But in answer to a hall

the scene. But in answer to a hall Capt. Sycamre sent the reassuring mes-

sage that all on board had escaped without injury.

As quickly as possible the king and the royal party were transferred to the Erin, and later the king, accompanied by Sir Thomas Lipton, landed at Southhampton from which place his majesty

will proceed to London.

In the meanwhile, the crews of the racers set about clearing away the wrecking. Owing to the unwidely nature of the spars and gear it was found impossible to get them on board and they were cut away and allowed to sink, after buoys had been placed the places where the wrecking sank. The pachts were then towed back to what should be done towards repairing

them. MAY BE NO CUP RACE.

Southmampton, May 22.-Sir Thomas Lipton fears it will be impossible to re-pair the Shamrock II in time for the cup races. It looks as if the contest was off for this year. Sir Thomas Lip-ton will cable to the New York Yacht club a long account of the accident with an expression of doubt if he will be able to fulfill his engagement. Nothing can be finally settled until the con-ference which is to be held between the builders and Mr. Watson, the designer panied by Sir Thomas Lipton and two of Shamrock II.

GREAT FLOOD IN EAST TENNESSEE

New Anything Like it Known Before-Many Persons Drowned -Ten Steel Bridges Carried Away-Property Loss Will be Millions.

greatest flood in the history of this secthen swept through here last evening, downing three persons and wiping out C dwellings. The names of the vic-

Mrs. Filley.

A pero man named Souchong. Others are missing and are believed to have been drowned. Two hundred and fifty families are homeless and all the bridges in the county washed away. Telephone and telegraph The flood swept away all the farm houses along the Dee and Watauga rivers, and the damage in Carter county alone is estimated at ver a million dollars.

STEEL BRIDGES CARRIED AWAY. Knozville, Tenn., May 22,-Reports Resided here from upper East Tenness- | very high and is rising.

Elabethion, Tenn., May 22.-The | see this morning indicate that the streams of that section are out of banks higher than ever before. The Southern rallway bridge over the Watauga river near Bristol is washed away through traffic east by way of Bristol is stopped. Three bridge crews and a of officials left here this morning for Watauga. The Southern rall-way bridge at Embreville was also carried off its piers and is a wreck. Traffic on the Embreville branch been abandoned. At Elizabethton one man died of fright at seeing the rapidly rising water. At Ripley's island on Chucky river three children named Hill were drowned. Their homes was washed away. At Tate Hill, Thomas Jerold's store is almost entirely submerged by the Chucky river and Jeroid is believed to have been drowned. Ten steel bridges belonging to Green county over the Chucky river were washed away last The Tennessee river here

SENTENCE OF CAPT. F. J. BARROWS

of the Associated Press learns that the following approved sentences will be soon promulgated:

Capt. Frederick J. Barrows, Thirtieth volunteer infantry, late depot quartermaster of the department of Southern Luzon, who was charged with embezzlement and selling government

Manila, May 22.—The correspondent | property, to be dishonorably discharged and to undergo five years' imprisonment.

Lieut. Frederick Boyer, Thirty-ninth infantry, former depot commissary at Calamba, on Bay Lake, on charges, to be dishonorably discharged and to undergo a year's imprisonment. Both Barrows and Boyer will eventually be removed to Leavenworth prison, Kansas.

FRED C. FOSTER SUICIDES.

Was Under Suspicion of Causing Explosion in Cambridgeport Bank. Cambridge, Mass., May 22.-Fred C.

feater, of Cambridgeport, who was unsuspicion of the police in conneca with the explosion which wrecked e Cambridgeport National bank yesday committed suicide by shooting In the presence of a police officer in connection with the case. He as 44 years old.

RIOTERS STONE POLICE. Collision Between Russian Author-

ities and Strikers.

London, May 22.—A dispatch from St.

The strikers at the Obuchoff Iron

Tole Strikers at the Obuchoff Iron bake at Alexandrovaky in this city.

had a collision with the authorities yes-Some 3,500 rioters stoned the police, injuring twelve of them. The police were reinforced by soldiers who fired three volleys, killing two men and wounding seven. One hundred and twenty parsons were arrested.

Chinese Import Duties.

Berlin, May 22.-It is authoritatively announced that the powers will agree to require the present Chinese import duties to be paid in gold which is equiva-lent to doubling the duties. The same payment also will probably be required in the case of the salt and opium tax. Germany is apparently averse to in-terfering with the likin duties since they are too complicated, requiring too much administrative machinery and too much mixing in the internal

affairs of China.
Officials here admit the powers are likely to divide into two groups upon the method of settlement, some follow-

ing Great Britain in favor of a loan and others supporting payment through increased revenues. It is not expected, however, that a disagreement will disturb the present harmonious action.

BEAR KILLS THREE CHILDREN. Partly Devoured Remains Found by a Searching Party.

Job, W. Va., May 22.—The three children of E. P. Porterfield, a mountaineer residing about two miles southeast of this place, while gathering flowers in the woods, were killed and partially devoured by a bear. The remains were found by a searching party which had been out since Sunday evening. The bear was discovered later and killed.

The children were Mary, aged 3: Wille, aged 5, and Henry, aged 7. The parents are almost crazed with grief, the bereavement leaving them childless. residing about two miles southeast of

FROM PRESIDENT DIAZ.

Congratulates People of Buffalo on Their Exposition. Buffalo, N. Y., May 23,-The following telegram from President Diaz, of Mexi-co, was received today by Mr. Buchan-

an, director general of the Pan-Ameri-"Permit me to be one of the first to present my congratulations through you to the worthy people of Buffalo, and justly to felicitate them upon their activity in inaugurating the first exposi-tion with which American civilization salutes the twentieth century.'

PHILIPPINE REGISTRATION TAX. Everybody Except Soldiers Will be Compelled to Pay it.

Manila, May 22.-The Philippine commission has passed the weather bureau act an dhas also voted a loan of \$2,500 for each province to help pay the ex-penses until the land taxes are avail-able. These loans are payable at the end of 1892.

The commission has imposed a registration tax of one peso annually on all males over 18 years excepting soldiers. Non-payment of the tax disqualifies from voting and involved a namely of one handled become volves a penalty of one hundred pesos which can be enforced by the sale of the delinquent's goods and chattels.

The provincial treasurers have been made land registrars pending the en-actment of the system of land registra-

Deputies and clerks appointed by the provincial officers are exempted from such rules until March.

THE STRIKE SITUATION.

O'Connell Estimates That Number of Men Out Today is 40,000.

By Monday Morning Probably 90 Per Cent Will be Back at Work With

of Machinists, estimates that the number of machinists engaged in the strike today is 40,000. He claims to be satisfied with the situation and has confi-

dence in the result. "By next Monday," he said, "probably
90 per cent of the men who went out
will be back at work with their demands granted. The other 19 per cent are mostly on the Pacific coast and in several Ohio cities. San Francisco is the only place where we look for a prolonged strike. The situation there & good and the strike may cover several weeks. No important developments are reported at Cincinnati, though about fifteen small firms have signed the agreement. The situation also is unchanged at Hamilton, Dayton and Alliance, Ohio, and Tacoma and Senttle Washington. Reports from all other sections indicate that negotiations are progressing and that agreements are in

President Mutholland, of the Allied Metal Trades association, comprising the semi-skilled men in machine shops, has notified the machinists' headquar-ters here that he is ready to order out his men whenever the latter body deems it necessary. The strike leaders, however, do not care to involve any more men in the movement than is necessary and the indications are that there will be no general augmentation of the force of the strikers by the allied men.

Kansas City advices report new firms there signed the agreement today. Fourteen firms in Hoboken have signed. In Buffalo 22 firms are reported as having made agreements with the strikers. At Snaron, Pa., the Continental Iron company has signed and the Hazelton Iron works and the Janesville Iron works at Hazelton, Pa., have made the

Mr. O'Connell will not attend the conference in New York tonight be-tween District No. 2. National Metal Trades association, the Employers organization, and District No. 15 of the Machinists' association.

JERSEY CENTRAL MEN OUT. New York, May 22 .- The strike of the machinists of the Central Railroad o New Jersey continues and begins have the appearance of a lockout, Men who applied for the vacancies at Communipaw shops today were informed that the company did not at present care to hire any machinists to work in Jersey City,

PARADE IN CINCINNATI. Cincinnati, O., May 22 .- Final plans were made at a monster mass meeting today for a parade of striking machin ists and their sympathizers. The parade will start at 2 o'clock p. m., and is expected to have five thousand men in Out of compliment to non-union strikers the machinists will not wear the badge of their organization, but all wear white ribbons, typifying peaceful purposes. What purports to be an official statement shows that fifty-nine plants are involved in the strike here and that the total number of strikers is 6,772.

The manufacturers have not yet formulated their plans nor made any public statement, though they hold daily meetings at their headquarters.

S. F. STRIKERS ORDERLY. San Francisco, May 22.-The strike situation in this city remains practically unchanged. A few additions to ranks of the strikers have been made by the walk-out of a number of The strikers are very orderly and show no signs of weakness. manufacturers are emphatic in their statements that they will not give in to the strikers.

Judge Advocate General Barr Retires

Chicago, May 22.-After occupying for but a few hours the high position of judge advocate general of the United States, with the rank of brigadier gen-eral. Thomas F. Barr retired from the cryice today at his own request. Age would have obliged him to retire next November, and this obligation was anticipated to permit Col. J. W. Clous to retire in a higher rank. Gen. Barr was for two years judge avocate of the department of the lakes. He served as military secretary under Secys. of War Ramsey, Lincoln, Endicott and Proc-

THE PRESIDENT STARTS SATURDAY

San Francisco, May 22.-Secy. Cortelyou has ceased issuing regular bulletins about Mrs. McKipley's health, but he stated this morning that she had a very good night and was sitting up

It has been definitely decided that the President and his party will leave here Saturday nixt. They will go direct to Washington and no stops will be nade, except those made necessary by railroad arrangements.

The reception of President McKinley y the Knights Templar was the feature of the presidential program for today. The reception, which was held in Mechanics' pavilion, was preceded by a parade of Knights from all parts of the state. Gen. W. H. L. Barnes presided at the pavilion and introduced the cheese of the day by a saddless being sided at the pavilion and introduced the guest of the day, his address being highly eloquent. A chorus of 150 Knights chanted the Lord's prayer, President McKinley responded with a soul-stirring speech, after which nearly 12,000 voices sang "America" to the waving of flags. President McKinley will receive as a survent of the goodwaving of high. President steather will receive as a souvenir of the occasion a handsome silk fing inclosed in a case of morocco. The flag will be mounted on a staff of manzanita wood. inished at both ends in solid gold, one end being in the form of a spear head and the other the emblem of the order. Seey. Hay has abandoned his idea of returning to Washington lumediately. It has been definitely decided that all manhances of the collection of the members of the cabinet shall remain here until the departure of the President. Meanwhile official business will be transacted in the same manner as though the members of the presidential family were at their desks in Washington.

BIG FIRE IN DENVER. Warehouse of Eaton-Ritchell Com-Company is Destroyed.

Denver, Colo., May 23.-The factory and warehouse of the Eaton-Ritchell company, manufacturers of tinware, occupying nearly half a block at the corner of Fifteenth and Wynkoop streets, was destroyed by fire this mornng. Lieut. William Kuhn was severely burned by an explosion of paints and several other firemen were slightly in-jured. Mr. E. C. Ritchell, manager of the works, estimates the damage at \$125,000, which is fully covered by in-surance. The Eaton-Ritchell company recently joined the American Tin trust.

Gen. Corbin to Sail on the Hancock Washington, May 22 .- Maj Gen. Henry

Bemands Grauted.

C. Corbin, adjutant general of the army, will sail for the Philippines on the transport Hancock, which leaves San Francisco June 25. He intends to make a general inspection of the military conditions in the Islands.

Mrs. McKinley Convalescing. Son Francisco, May 22.-At I o'clock Secy. Cortelyou gave out the follow-

Mrs. McKinley's physicians report that she is now convalescent and is daily gaining strength

Boarding House Blown Up. Madisonville, Ky., May 22.-A boarding house in which were eight nonon miners was blown up by dyna-

Steamer Hartford Goes Aground. Lynne, Conn., May 22.-The steamer Hartford of the Hartford and New York Transportation company, ran aground at Calves Island at the mouth

was terribly burned in a gas explosion

at the residence of J. H. Michaels at

hospital at 6:50 this marning as a result

of her injuries. Mrs. Meikle was 62

The explosion occurred about an hour

after the lady had retired, and was

caused by a leakage of gas from a

pipe in the room which she occupied

upstairs. According to a statement

made to some of the firemen last night

the odor of gas was detected several

days ago and the company was noti-fied to repair the leakage. It is be-

lieved that after Mrs. Melkle had been

n bed some time she arose and struck

The unfortunate woman was blown

dress and the bed clothes immediately took fire and she was nearly roasted

to death before help came. The ex-plosion did great damage to the house,

causing a part of the ceiling to fail in

and shaking the surrounding houses violently. Three other members of the

violently. Three other members of the household were almost thrown from

their beds so terrific was the explo-

Mr. and Mrs. Michaels, and the moth-

er of the latter were sleeping on the second floor when they were suddenly

awakened by the shaking of the house

an earthquake. They saw flames shooting from the door and heard the

Michaels ran to her room and there saw

the woman writhing on the floor in ter

in flames and the ceiling had fatten in

He rushed into the room and though his arms are injured, tried to rescue

Mrs. Meikle. Her weight was too much for him and he was forced to leave the

room. By that time Nightwatchman Mikesell turned in a fire alarm, and

too, was unable to move her but man-

aged with considerable difficulty to cut some of the clothing from her body. By the time the fire department ar-rived the other inmates of the house

were running down stairs screaming for some one to get Mrs. Melkle out of the house. Chief Devine was the first

o reach the scene, and taking the situa-

tion in at a glance dashed up stairs, and seizing Mrs. Meikle in his arms

messages were sent for an ambulance and medical aid, but none came. Chief

Devine then took the woman in his surance.

carried her to another room.

then ran to the woman's rescue.

The room was enveloped

agonizing screams of Mrs. Meikle.

as though seized in the convulsions of

a match causing the terrific explosion

almost across the room.

years of age and has been visiting here in a few minutes.

The great dama.

Her night

The ex-

the dense fog. At present she is stuck fast, and it was impossible to tell what damage was done. There is little dan-ger, however, to the passengers, all of whom have remained on board. A tug has been sent for and an effort will be made to free the steamer from her

position.

Later—The steamer Hartford was floated at 11 o'clock and will proceed at once on her way to New York. She suffered only slight damage.

AFTERNOON MINING CALL. Mammoth and Century are Much Higher-Ajax and Star Con. Weaker.

Business was not very brisk on the mining exchange this afternoon though the prices of several stocks show improvement. Mammoth sold at \$2.411/2 and closed with \$2.42 bid, while Century of Park Valley established a new recof Park valley established a new record for itself. As high as \$2.15 was bid this afternoon but none could be drawn out. Con. Mercur was quoted at \$3.32 bid, while Silver King was offered at \$82.50, with \$77 bid. Ajax declined to \$1.161/2 bid. \$1.167/2 asked at the close. Martha Washington sold down to 37/2, while May Day weakened to \$3%. while May Day weakened to 80% at which price sales were made. Star Con. weakened to 46, while Yankee Con. was offered at \$2.77 with \$2.74 bid. Tetro sold at 12%c, Ben Butler was offered at 10%c with 10%c bid. Richmond Anaconda was much stronger with 24c bid, 30c asker. West Morning Glory bid, 30c asker. West Morning Glory sold at 34c, while Joe Bowers changed hands up to 4%c. Lower Mammoth was traded in as low as 33.98 though it reacted to 34 bid at the close, Galena was a little weaker as was Dexter and South Swansea. Grand Central was offered at \$5.61 with \$5.50 bid.

SIX HORSES CREMATED. Barn of the Davis County Nursery Destroyed by Fire.

(Special to the "News.") Centerville, Utah, May 22,-The barn belonging to the Davis County Nursery was totally destroyed by fire this morning. Six valua's ses were cremated and several sets of harness were burned up. The fire is thought to have been of an incendiary origin. Sheriff Ab-bott and one of his deputies are now working on the case and the officers have gone to Salt Lake to apprehend

the suspected party.

The fire was first discovered at 4:45 this morning and before anyone could reach the barn to loosen the horses the flames had gained such headway that it was impossible to enter the building. The six animals that were burned were very valuable horses from the fact that they were trained to nursery work. It is as hard to get a good nursery work. It is as hard to get a good nursery horse as it is to obtain a well trained fire equine, and the animals will be hard to replace. The total loss is placed at \$2,000. The nursery is operated by Van Meeter and Harness who have an office in Salt Lake.

fice in Salt Lake.

The flames and the noise attendant upon the burning of the barn brought out a big crowd of citizens who did everything in their power to rescue the animais, but their efforts were in vain. The neighling of the horses could be seard above the roar of the fire and them their gles and human-like shricks were of pain were slienced in death.

"HANK" BARNES VERY ILL. Condition Extremely Critical and the Worst is Feared.

mite last night but none of the occu-"Hank" Barnes, who for several years past has been one of the proprietors of the Warm Springs Bathing resort is very ill at St. Mark's Hospital. His trouble is caused by a complication of ailments such as diabetes, and ganof the Connecticut river this morning | grene. The latter trouble developed in

gave orders to drive to the Holy Cross hospital. There she was placed under

destroyed by fire, but they soon had a

line of hose stretched from the chemi-cal and the flames were under control

The great damage was done by the

explosion, which wrecked the rear part

of the house. Upon a more careful in-vestigation it was found that the pipe

the bed occupied by Mrs. Melkle. Three of the walls were blown out of plumb and one side of the brick chimney was

also blown out. The top of the marble

wash stand in another room was com-

For a time last night, or rather early

this morning, it was believed by the doctors that Mrs. Meikle had a chance

for recovery. She remained conscious for a long time but on account of the burns about her head she was unable to

tell anything about the terrible affair

this morning when death relieved her sufferings. She resided in this city for

about twelve years until 1897, when she

moved to Cleveland. She was a widow,

She had many friends here who are grief stricken over the frightful man-

ner of her death. No arrangements have yet been made for her burial, pending

In discussing the features of the ex-

plosion this morning Chief Devine was very indignant over the lack of re-

sponse on the part of the ambulance and medical aid. The chief said that

after carrying the woman to an adjoin

ing room he went to a house next door

informed by a lady there that she had telephoned for an ambulance and was

told that she could not get one without

"That part looks very strange to me," said Chief Devine, "and it seems to me

that if such conditions exist in a city

of this size it should be looked into a

jected to call at any time and respond

at a minute's notice without any red

conscious when he entered the room and that when he took her in his arms

she said: "Oh, God, will bless you for helping me!" While on the way to the hospital on the hose wagon she begged

for some fresh air and later asked for a drink of water.

damaged to the extent of about \$300.

while the loss on the contents is placed at \$200. The latter is covered by in-

Chief Devine says that the building is

The chief said that Mrs. Meikle was

The ambulance should be sub-

telephone for assistance, and

word from Cleveland.

an order of a physician.

She suffered intense agony until 6:50

which had exploded was directly

pletely torn off.

the care of Drs. King and Kerr.

WOMAN KILLED BY GAS EXPLOSION

Frightful Fate of Mrs. Mary Meikle at 749 East First South

Street-Taken to the Hospital by Chief Devine, Where

She Died at 6:30 a. m.

Mrs. Mary Meikle of Cleveland, O., | arms and mounting the hose wagon

740 east First South shortly after last But for the prompt action of the fire-midnight and died at the Holy Cross men the entire building would have been

the toes of one foot about two weeks ago and has spread to such an extent that much of the limb is now involved. while slowly picking her way through Mr. Barnes for many years has been a well known Salt Lake character and his friends will be pained to learn that his condition is such that his recovery is practically despaired of.

Afrin Cook

NO NEGLIGENCE.

Verdict in the Accidental Killing of Miss Ribbach at Ogden.

(Special to the "News.") Ogden, May 22.-A coroner's jury, consisting of 'D. N. McKee, W. G. Kind and W. P. Thompson, this morning brought in a verdict in the case of the sad death of May Ribbach, who was run over by a Rio Grande Western engine yesterday. The verdict was to the effect that the young woman met her death by being run over by Rio Grande Western engine No. 2 without any negligence on the part of the railroad company of its employes.

FRIGHTFUL ACCIDENT. Woman Probably Fatally Injured and

Man's Legs Broken. A frightful runaway accident occurred

about 2:30 this afternoon on Fourth West between Second and Third South which may prove fatal to Mrs. A. J. Cronnin of 536 west Second South

C. H. Cockwell, the driver of the run-away rig, which belongs to the Salt Lake Hardware company, was thrown to the ground and both his legs were

It seems that Cockwell's wagon col-ilded with a buggy on Second West and his horse became frightened and dashed down the street, despite his desperate efforts to stop it. On Fourth West between Second and Third South Mrs. Cronnin was walking along with her baby, the latter being in a cary carriage. The runaway was upon her hardly before she had time to realize her danger. She grabbed up her baby and tried to reach the fence, but the frightened animal struck her before she had Zone a yard, and crushed her against a tree.

Cockwell was still in the wagon at the time but when it struck the tree he was thrown to the ground, breaking both his legs. The wagon was almost splintered to kindling wood.

Mrs. Cronnin was picked up in an un-conscious condition and carried into the residence of Dr. Hazesi. The baby es-caped uninjured. Cockwell was taken to his home at 875 Sixth street and Dr. Raldwin summoned to attend by Baldwin summoned to attend him. He has a wife and a baby boy. At last accounts Mrs. Cronnin was still uncon-

SURVEY PARTY AT WORK. Activity in Tooele County in Behalf of Southern Pacific.

(Special to the "News,") Grantsville, May 22 .- D. G. Griffiths of Oakland, California, with 23 men. twoChinese cooks, twenty-two mules, five wagons and eleven tents, are camped at Wrathall Wells and are engaged in aking a survey for the Southern Pacific railroad. There is a party here at Grantsville after supplies for the Previous to this the suphave been delivered to them from ferrace. But from now on they will ome from the half-way house in Tooele county. There are four cars now here ready to be taken to the camp. The party started from Lucin station and have run a line to Strong's Knob, where it was the original intention to run the line. But it is the intention now to run the line to a point below the Wrathall Wells. The surveyors will return to New Foundland called on the map Desert Range, and will go from there in a southeasterly direction to Wrathall Pass on the Lake mountain and run the survey on the lake shore to Garfield Beach.

xpect to reach the latter point in Sep-Mr. Griffiths is chief engineer and William Graham of California is the assistant engineer, and he attends to He was a member engineering corps in the Philippines during the Spanish war, and was well acquainted with some of the Utah

The citizens of Grantsville are jubilant over the prospects of the railroad coming to this town. The merchants The merchants are seeing visions of trains and traffic, until there is a roseate atmosphere hovering over the town.

ATTY. GENERAL'S OPINION. Cannot Move Schoolhouse Except by a Two Thirds Vote.

Attorney-General Breeden today forwarded an opinion to State Superintendent of Schools Nelson, in answer to a query submitted by the people of school district No. 15, Utah county. These people had voted on the question of selecting a new site for their school house and to dispose of the present school property. The attorney general holds that they cannot move their school house only by a two-thirds vote.

DAMAGE SUIT UP AGAIN.

Margaretta Haun Seeking a Verdict Against Rio Grande Company. A second trial of the damage suit

brought by Margaretta Haun against the Rio Grande Western Railway company, in which the plaintiff seeks to cover \$15,500 for the death of her hus-band on March 20, 1899, and the destruction of a team and wagon which he was driving across the rallway company's tracks at Murray, was commenced before Judge Stewart and a jury this morning. The case was tried in this court last spring before Judge Cherry, and the issues found for the railway company. On appeal to the supreme the case will now be decided a second time. The plaintiff's case is in the hands of Attorney J. J. Whitaker with Judge W. H. King and George Halverson of Ogden associated. Judge Howat and Waldemar Van Cott are conducting the

A jury had not been impaneled by noon and an additional venire for jurors was issued returnable by 4 o'clock this

The following venire of ten jurors returnable at 4 o'clock this asternoon for he purpose of completing a jury to try the damage suit of Margaretta Haur against the Rio Grande Western Railway company, was issued by Judge Stewart at 12 o'clock today: Thomas Stewart at 12 October 1993; Indians Golightly, Thomas Sparr, Adam Speirs, Alvin A. Colwell, Alma C. Lambert, Leonard Kimball, Curtis P. Mason, George W. Keel, Albert Preece, S. B.

Failed to Provide.

Ella Graham this afternoon filed suit for divorce in the Third District court against her husband Albert Graham on the grounds of desertion and non support since August, '97. The parties were married, October 23, 1892 in Salt Lake Plaintiff asks court to restore her maid-en name, Ella Kohns.

PARLEY'S CANYON BEFOULING CASE

David B. Brinton Suit.

FINDS FOR THE DEFENDANT

Judge Stewart Gives Judgment in

Holds That Cattle Must Not be Driven Up the Canyon to the Jeopardy

of Public Health.

Judge Stewart this morning rendered a decision in the case of David B. Brinton, et al., against Salt Lake City. The opinion is lengthy and comprehensive. This was a case which concerned the befouling of Parley's eanyon, and is of vital importance to residents of Salt Lake City as well as

On June 1st, 1900, Deputy Phineas Young, acting under the orders of Land and Water Commissioner Westerfield, stopped forty-eight head of neat cattle which were being driven up Parley's canyon, by one of the drovers of David B. Brinton, to pasturage owned by him in Summit county. The cattle had to be taken by a circuitous rote over what is known as the Emigration trail, which took twice as long and is not considered as good a road for small herds. Mr. Brinton retallated against this peremptory action by bringing suit against

the city for \$50 damages. An ordinance was passed by the City Council on September 26th, 1899, prohibiting the pollution of Parley's Creek. For twenty years prior to this date it had been the custom to use the Parley's canyon road for all purpose, including the driving of cattle, sheep, horses and hogs. On the following September the Council pussed another ordinance mak-ing the matter more definite, by pro-hibiting entirely the driving of locase stock in the canyon within a distance of ten miles from where the water is

taken for use in the city.

Judge Stowart holds in his decree that Judge Stowart holds in his decree that excrement from loose stock cannot be taken care of, and being scattered among the bushes in the canyon it naturally befoul, the water. Such water is deleterious when used by the inhabitants of the city. The court says: "All reasonable and lawful measures for the programment and heteroment of for the improvement and betterment of sanitary conditions of large cities should be encouraged and sustained. Under aubdivision 15, section 206, compiled Laws of Utah, 1898, city councils may construct waterworks without the limits, and in order to maintain and protect these from injury, and the water from pollution, jurisdiction shall waterworks, and the reservoirs. ditches, etc., used supply and maintenance same, and any stream or source of water within a distance of ten miles rom the point at which such water is

"The plaintiffs contend that the statute above referred to gives the city the right only to control the stream, and that it cannot exercise jurisdiction over the highway. To confine the operaion of this statute to the stream only would practically make the statute inffecuve, and the court does not consider that such was the spirit and in-tent of the Legislature. From the evi-dence it appears that the stream runs long the lowest level through canyon, and the natural drainage is to-wards and into the creek; and, as the highway is in close proximity to the through the ten mile limit, and the drainage being from the highway into the creek, it is fair to conclude hat the right to control said highway and adjacent territory so far as is necssary to preserve the stream and wafree frem polution is vested city council, and was so intended

by the Legislature. It is clear that the driving of stock along the said highway will necessar-ily result in the pollution of the waters of Pariey's canyon, and while the city ordinances do not prohibit the driving of teams along said highway, yet by preventing herds of cattle, sheep and horses from going through said canyon it greatly minimizes the deleterious substances that would otherwise find their way into the said creek."

The court holds that the defendant, Salt Lake City, did not exceed its power under the statute, and that the ordimnicis in question are reasonable and intended to subserve the best incrests of the public health and the ommunity in general, and that the robbbing of persons from driving ose stock through Parley's canyon is out unreasonable. The court considers has result to stock owners by the enconsidered as against the security nd preservation of public health, Judgment is therefore entered for defendant for costs.

CHAMBERS ESTATE.

Judge Stewart Grants a Petition Asking for Special Disbursements.

Chas. L. Rood, executor of the estate f the late Robert C. Chambers, has ded a petition in the Third Judicial istrict court in and for Sumpit county icing to be allowed to make the fol-wing disbursements: Mr. Chambers owned an interest in a mining propo-sition known as the "Marvel Venture" San Bernardino county, California, so a dwelling in San Francisco ad pe "Patermo Ranch" in California. The editioner prays to be allowed to pay k on the mine, to maintain the house m, and to maintain and keep up the ork on the ranch.

work on the ranch.

Prestoner also prays to be allowed to pay the interest on mertgages on certain properties owned by the estate in California, and to provide for the maintenance of M. E. Charabers, sister of the deceased, as he had during life by ne deceased, as the half disting his by aying to her \$150 per month. Petitioner asks to be allowed to pay he taxes on the "Juliet Groupe" of pines in Idaho, and to carry on necesarry work for their development, also, a pay the costs of a certain mining wit in Idaho which had gone against he estate and to return 162 shares of Oglen and Lucin mailroad stock to that opany without receiving recompense refrom. The stock was held in trust

therefrom. The stock was held in trust by Mr. Chambers.

The petition came up before Judge Stewart in his chambers here and he made an order yesterday afternoon granting the petition.