

LOCAL AND OTHER MATTERS.

FROM WEDNESDAY'S DAILY, SEPTEMBER 21.

Attorney General Bishop, in answer to the chairman of the State board of health, T. B. Beatty, regarding the abatement of a nuisance in the shape of an open sewer in the town of Eureka, gave the opinion that the remedy should be in the nature of an action upon the relation of the local or State board, as the case might be, against the party or parties so permitting this nuisance, to compel the abatement of the same and to perpetually restrain the continuance thereof.

Robert Harmon of Mill Creek was made a victim yesterday afternoon of the old saw, "a small boy and matches are a dangerous combination." One of Harmon's playful and promising little sons struck a match while roaming about the yard. There was an immediate conflagration, and despite the efforts to extinguish it, corals, haystacks, strawstacks, a calf, thirteen pigs and other property were soon destroyed. The loss was complete and will fall heavily upon Mr. Harmon; no insurance.

Gun Inventor Whitehead leaves for Connecticut this evening accompanied by Colonel Nat Ward Fitzgerald. The object of his visit is to avail himself of the skilled labor in the gun factories there to build several guns that will be used in the test before the war departments of the various governments.

Mr. Whitehead says that he will give the United States government the first refusal of the gun, and if a deal is effected, he will go no farther in his attempts to dispose of his gun.

Whitehead and Fitzgerald will be joined in the East by Mr. Henry Altman and the three will work together to push the invention to the front. They will not return home until after tests are made by the war department at Washington.

Attorney General Bishop transmitted an opinion today to Secretary of State Hammond on the question of fees to be charged a foreign corporation doing business in the State prior to the enactment of section 956 Revised Statutes, and which has amended its articles and increased its capital stock to double its former amount.

The question was whether to charge twenty-five cents on each one thousand dollars of the increase or only the nominal sum of \$25.

The opinion of the attorney general is that the intention of the Legislature was that the charge of 25 cents per \$1,000 of the increase be charged, as to do otherwise would give foreign corporations an advantage over home corporations. The attorney general adds:

"While the question is one not wholly free from doubt, on the whole, I am inclined to the opinion that the better plan for you to pursue would be to require the payment of twenty-five cents on each one thousand dollars of increase of capital stock and leave the parties to institute proper proceedings in court if aggrieved thereby, and thus settle the question judicially."

FROM THURSDAY'S DAILY, SEPTEMBER 22.

The city authorities accomplished a very clever coup at the mouth of Parley's canyon this morning, when with a force of over thirty men under Watermaster Seddon, and reinforced by Sheriff Lewis and Deputy Ab Dyer, it surprised and overwhelmed the gang of men employed by Mrs. Duder to prevent the water being turned back into the original channel.

Edwin J. Cowley, son of W. W. Cowley, of Glenwood, Sevier county, met with an accident Tuesday afternoon at Willow Creek, same county, which resulted in his death Wednesday morning.

Mr. Cowley was working on a threshing machine, when he was thrown off, his right hand catching in the cylinder, which reduced the greater part of the arm to shreds. The young man was given every attention, and it was thought he would ultimately recover. But it was not so. The shock was too great, and he passed away as above stated.

Mr. Cowley was 26 years of age, and was married on April 18th last to Miss Lydia Z. Jackson. His death has proved a shock to the entire community, among whom he was highly respected.

FROM FRIDAY'S DAILY, SEPTEMBER 23.

Senator Frank J. Cannon received a telegram last evening from the war department at Washington announcing that an order had been issued directing the immediate and honorable discharge from service of Color Sergeant Burton C. Morris from troop I, Second regiment United States volunteer cavalry, more commonly known as Torrey's rough riders. The application for discharge was made some days ago and Senator Cannon interested himself with the result stated. Like many more of the volunteers, Sergeant Morris's health is in a precarious state and his many friends will be pleased to welcome him home again, where he can speedily recover. It may be a week or ten days before he arrives.

Early this morning the police department was notified that a man had died suddenly and rather mysteriously at the corner of First West and First North streets. Officer Janney was dispatched to that section, to investigate the matter. He learned that the dead man was Samuel Savery, aged 84 years and said to be an early settler here. Mr. Savery, it appears, was living with a family named Cooley and had accustomed himself to sleeping outside in the back yard. Last night he complained of not feeling well, but it was not thought that his illness was of a serious character. This morning, however, his body was found clasped in death's embrace.

The dead man was removed to the undertaking establishment of Joseph William Taylor on West Temple street, where a post mortem examination will be conducted in order to determine the cause of death. It is believed, however, that the old gentleman's death was brought on through a rupture caused by chopping wood.

William A. Ness, who resides at 361 south Ninth East street and who has been employed for some time at the Wagener's brewery as an engineer, met with a distressing accident between 3 and 4 o'clock yesterday evening. He was engaged in putting tallow upon the cogwheels, that run the malt masher. In doing so he was obliged to bend over in order to reach the wheels, when his foot slipped and caught the fingers of his right hand between the cogs, mashing them frightfully. When seen at the Holy Cross hospital this morning he said he could hardly tell how the accident happened. He was alone in the room, and only remembered slipping on one foot and the next instant his hand was caught in the machinery. He had the presence of mind to throw himself back which tore his

hand from the machine, and though lacerating his hand terribly, doubtless saved his life, as he certainly would have been drawn into the machinery.

Shortly after the accident he was conveyed to the Holy Cross hospital, where Drs. Beer and Wilcox amputated the three fingers of his hand. The little finger, though badly mashed, the doctors hope to save. He is doing as well as can be expected.

FROM SATURDAY'S DAILY, SEPTEMBER 24.

A letter from Ed. Kenner at Manila, to his father here, was received today, the remarkably short time in which it came being disclosed by the date of the missive—August 28th. The boys at that time were generally well and strong, but the place altogether is pronounced the worst that they ever got into. They, or at least some of them, are happy in the belief that their term of service is drawing to a close and the expectation is that they will spend Christmas at home. The blame for the riot and shooting in one of the suburbs of Manila is placed entirely upon the boys who were shot by the natives, one of them fatally; this is borne out by the dispatches received from there. Ed. has a monkey which affords the boys any amount of amusement and which he intends to bring home with him. Altogether, they rather enjoy the situation but will board the first steamer bound for San Francisco without regret.

Judge Hiles made an important ruling today in the case of C. E. Brubaker against J. H. Bennett, deciding that attorney's fees cannot be collected in mechanic lien cases.

The case was an action to foreclose a mechanics' lien. The statute provides for an attorney's fee not to exceed \$25, to be allowed to the lien holder in case he wins in court. Atty. Pierce claimed that this provision of the statute is in violation of the fourteenth amendment of the Constitution of the United States, in which it is provided that no state shall deny to any one the equal protection of the laws. Mr. Pierce claimed that the allowance of an attorney's fee to the lien holder, if he wins, and not to the owner of the property if he wins, is a denial to the owner of the property the equal protection of the laws.

Judge Hiles holds that the statute providing for an attorney's fee in such cases is in contravention to the Constitution of the United States and is therefore inoperative.

The Republican convention completed its labors of nominating a legislative and county ticket and adjourned just before last midnight. Its work was very expeditiously done.

For the State Senate, long term:

John C. Mackey of Granger.

Gill S. Peyton of Salt Lake.

Short term:

W. L. Pickard of Salt Lake.

For House of Representatives:

Mrs. Emmeline B. Wells of Farmers.

Mrs. Edna L. Smith of Salt Lake.

Henry Harker of Taylorsville.

F. L. Cushing of Bingham.

Andrew Jensen of Salt Lake.

S. H. Love of Forest Dale.

Fred C. Loofbourow of Salt Lake.

E. F. Jenkins of Salt Lake.

Charles H. Post of Salt Lake.

B. M. Harmon of Mill Creek.

COUNTY TICKET.

For County Commissioners:

W. W. Wilson of Sandy.

Hal Brown of Salt Lake.

W. H. Halgh of Taylorsville.

For Sheriff:

Peter Condie of Salt Lake.

For County Clerk: