COMPROMISE POINT.

The Litigation Against Canal Companies in Salt Lake County.

BRIEF HISTORY OF THE DISPUTE.

The Case For Trial Being Referred to Yes—Various Interests Involved in the Contest.

Last evening, at Provo, the jury in the suit of George T. Peay against the canal companies in Salt Lake county which take water out of the Jordan river rendered a verdict awarding Mr. Peay $9,731 for damages alleged to have been done to his property on the shore of Utah Lake through the subsiding above what is known as "compromise point."

For a number of years prior to 1884 considerable difference existed between some of the people of Utah county and the Salt Lake county ranchers. The latter along Utah Lake claimed that they were being damaged through the canal companies putting a dam in the Jordan river to get water out for irrigation. The canal companies stated that they were the cause of damage, and claimed that the people took up land close to the lake which was flooded by natural high water; they also claimed that they had the right to dam the river and take the water up to a certain level.

The dispute led, in 1885, to the filing of a suit by a prominent citizen of Utah county against the Salt Lake Jordan Water company, which has been tried on the merits at that district for the different canal companies, but within the last year, on the eve of a trial, it was agreed that there should be a compromise, it being thought that Judge Zane could not open the case and look into these points with the view of finding something fair to all. He (Judge Zane) on December last, at the request of the parties, called a board of arbitration, which was composed of a number of the most capable men experienced men in Utah on the questions involved. This board of arbitration met in Dec. and after a patient hearing of all places of the controversy presented a decision. This gave to the Utah county people some 18 cubic feet more water than they had before. In consideration of this payment, the canal companies were granted permission to raise the waters of the river to a level of three feet more and a half foot above the water mark—the other parties being mainly agreed upon. Which this gave the canal companies were to be held free from any liability for damage.

This decision of the board of arbitration was commonly called an agreement by the canal companies and the ranchers along the lake shore adjacent to their respective tracts. One of the provisions of the agreement was that there should be a commission appointed to regulate the operation of the dam in the Jordan.

Among those who signed the agreement was Mr. Peay, who now reported by the decision about prior damages. In his present suit he claims that the waters of the lake have been raised three and a half feet above compromise point by the canal companies putting a board in the dam, and that he ought to be entitled to damages.

The canal companies deny that the water reached compromise point. They had Guy Harrison Dickson make a survey, which shows that of Mr. Peay's 1,000 or 1700 acres of land, if the lake was up to compromise point, all the land therefore would have been submerged, and as this was not done, therefore the water could not have passed beyond the limit. They further assert that their dam was so regulated as to the water being as high as it was, as they say the boards in their dam were never put up to the level where they were authorized to go.

In the trial, the jury found for Mr. Peay for $9,731, and in the judgment asked. The canal companies will move for a new trial on the ground that the verdict is contrary to the evidence. If this should be overruled an appeal will be taken, in which event the case will be settled by the higher courts.

In the meantime there are quite a number of other land owners who intend to bring suit in case Mr. Peay wins.

Joint Council Caucus.

There was a quietly called meeting of the outgoing and newly elected Council members in the City Hall last night. Most of the latter were present but only about half of the former were in attendance. The matter of fixing the salary schedule as agreed to in the platform of resolutions adopted by the Citizens' committee of fifty was the subject of discussion and consideration from the old and the new Councils were appointed as follows to report on the matter: Lawson, Hess, Bloh, Horn, Lynn, Young, Remington, Watson, Cohn and Clawson.

Action Against a Sheriff.

The suit brought by John Everill against John Webber, sheriff of Summit county, was called up in Judge Zane's court this afternoon, Judge Powers and Attorney Stump appearing for the plaintiff and Attorneys R. C. McLaughlin and J. H. Hart for the defendant. It is an action to replevin with damages a fifty head of sheep, which are alleged to have been seized by the sheriff under an execution. The sum of $500 is claimed as the value of the sheep and $200 as damages.

HARRY HAMMOND.

He Will Be Taken to the Columbia Reform School on Sunday.

Harry Hammond was brought down from the penitentiary this afternoon in sign his depositions, which were taken last week, to be used on the trial of George Taylor at the February term of the Third district court. On Sunday morning next Harry will start on his journey for the Columbia Reform school, whither he will be escorted by Mr. Bailey, U. S. Marshal Hoge, Hoge's representing clerk and secretary.

His mother, grandmother, two younger brothers, and the one sister and were remained with him for some time before he was taken back to the penitentiary. The boy himself does not seem to mind the prospect before him at all, but his mother and aged grandmother are tried-stricken at thought of the separation.

Young Hammond, who has already been a great favorite with the officials at the penitentiary, will be missed very much around Week.

Theodore Peisler.

D. Theodore Peisler will sell at his office to-morrow morning at 10 o'clock, a lot of unclaimed goods, consisting of clothing, boots and shoes, etc. Parties desiring to attend should call at his office, 111 Main street.

Lecture by Dr. Maurer.

Tomorrow, in the Latter-day Saints' College building, Dr. Karl G. Maurer will lecture on the Mormon question before the Salt Lake Theater Twenty-Five Conference to commence at 2 p.m.

Theater Ed. Tonight.

The sale tonight will be the opening office of the season in the theater, in which attractive and strong the sale will be continued for months, the committee is made up of a number of popular young gentlemen, and a large demand is believed.

OGDEN.

OGDEN, UTAH, Dec. 14, 1893.

Fourth District Court.

Wm. Brown, who is charged with robbing the United Elks recently, was tried, his case occupying nearly the whole of the court's time yesterday. The jury retired at 5 p.m. and returned a verdict of guilty of the charge of robbery, but with the recommendation that the defendant be given the minimum sentence, for which the court sentenced him to two years in the penitentiary. It appears that the prisoner, Frank Smith and Harry Jones, had been drinking all the day and had been with women. At 2 a.m. the case was given to the jury, whose verdict will be made known today.

John Wilson, mentioned in yesterday's News as having been robbed of a gold watch and about twelve pieces of silver, has given information which led to the arrest of two men, who are suspected to be the robbers.

John Jo Farrell, of Ironton, charged with cattle stealing, was arraigned yesterday and pleaded not guilty to the charge of grand larceny. His bail was set at $1,000 for his appearance. Charles Jones will have a hearing on a similar charge in the same case.

In the A. H. Nelson embezzlement case, a jury was empaneled and two witnesses examined.

Attempted Suicide.

A young woman residing with Mrs. Stevens, the fashionable dressmaker, at Washington avenue, attempted suicide last night, by swallowing seven grains of morphine. The cause is said to be that her husband some weeks ago deserted her, taking all their money, several thousand dollars, with him. He is supposed to be a Boston man and of Logan who met and married the young woman in Chicago. Through the prompt treatment of physicians the woman will recover.

Notes.

From a list of the goods received by Union Pacific Freight Agent H. M. Cross, yesterday, it appears that ten thousand-pounds of a car load was saved from the fire in the recent wreck near Lima. Seventeen cars were burned.

The family of M. J. Ole, who is now in the Utah penitentiary on a serious charge, is said to be in a pitiable condition, having placed out as well as the necessities of life. The Ladies' Relief Society has taken them in charge and will continue to provide for the family necessities.

A hearing was had in the probate court yesterday in the matter of the estate of Wm. Turner. A number was objected concerning the sale of real estate, authority was obtained by the administrator to sell at a private sale.

An exact representation of the famous Ferris Wheel of the World's Fair may be seen in the jewelry store of L. H. Walker, in the Reed building.

Real estate sales are slow. They amounted yesterday to $2,000.

The disagreeable weather came to a climax last night in a genuine snow storm. This morning the ground is covered with about an inch of snow, and the air is fresh and chilly—a great change from the dull atmosphere of the past few days. Clouds will never prevail.

The grand jury yesterday considered the case of C. M. Scofield, charged with robbing Wolcott's liquor house. Two indictments were returned by that body under a similar charge, yesterday. They were Rees and Hammond and Sill.

A suit, entered by the proprietors of the Post, a defunct newspaper, against A. W. Paterson, came up in Commissioner Hollenbeck's court. The plaintiffs charged Paterson with making a libel of the Post, and claimed $50 damages. After a long trial the case was dismissed, there being no cause for action.

Prof. J. M. Peaj, of the B. Y. College at Logan, is expected to return before the Alumni association, at the Social Assembly building tonight, on "The Dreamer."

The passage of the Utah statehood bill through the House was the topic of conversation everywhere yesterday. It is noticed by all the news was favorably, if not enthusiastically, appreciated.

Constitutional Constitution is expressed with which it is alleged to be a combination between the U. P. railway and a ring of leading dealers. It is said the competition in the Chicago market which would tend to reduce living rates, not to some degree, but all, save through the combine.

Two hundred and fifty seven pack of Australian quail went West this morning.

PROVO.

PROVO, UTAH, Dec. 15, 1893.

Threatened to Strike.

A large number of the foreign employees of the Provo Woolen Mills walked into the office yesterday and demanded a part of their pay in cash, they having recently received their pay in cash and paper. In the event of a refusal to comply with their demands, they threatened to strike. Mr. Ross Harris addressed the employees, explaining that the business was running at a loss, and asked for a day's grace. If the employees would allow their accounts to lay during that time, they would be refunded in full. After considering the matter, they concluded the safest plan would be to accede to it.

At the Lecture Opera.

Dr. Cox was the object of considerable public speaking in the opera house in the form of a lecture, which was delivered to a large audience, but comprised no unusually strong. The night was a case of the unmitigated "Cox and Box." The author and Mr. Harry Cox were acting some of a few hour from several amateurs. While the performance occurred in the Woolen Mills, the house was well with the boxes and occupied over a dozen students, south of the Bluffs, on the east, a couple of five or six hot. There was evening of "Sweet Bay," "Cox and Box" and "Cox and Box." Twenty people were present with attendance of the Utah school in the 3 a.m. early morning. The cows was serious, where the strike and golden cow of the cow from the lower side. The happy was worked and the laugh described.

Notes.

The case of John Jones vs. Albert Davis, a suit for the possession of 13 acres of land just south of Provo, was tried yesterday, it is in progress in the First district court.

Wellington Rogers, a M. I. A. missionary in Mesa, Arizona, yesterday received from home a box of food, packed that, consisting of pumpkin, chickens, pumpkin, etc.

Elizabeth Mathews was yesterday fined $10 and costs by Justice Jackson Wooley, for selling liquor in Charles Fogel without a county license. The fine was paid to jail.

The National Bank of Commerce is to be closed for period with the end year, and the 1st of the year, at the Harris establishment.

Ernest S. Harding and Lily M. Dugan, both of this city, were married yesterday by Bishop Libby at his residence in the bride's parents. A reception followed the ceremony.

The Rio D. C. T. A. moonlight excursion will be held on Friday night.

Prof. H. E. Giles was given a surprise at the Young Men's Mutual Improvement Association on Wednesday evening by friends of his friends. Music, refreshments and association of the good things of life was the order of the evening.

LIST OF LETTERS.

Remaining uncalled in the Post office at Salt Lake City, Utah, for the week ending December 15, 1893. In order to secure any of these letters the applicant must call for "Advertised letters" and give the date of this list, and pay a cent for each letter advertised. Persons calling for letters should also give the date of this list, and be sure to ask for "Advertised letters."

LADIES' LIST.

[illegible]

GENTLEMEN'S LIST.

[illegible]

A. S. HEMS, Postmaster.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Yesterday's clearings were $[illegible] balances $[illegible].

TODAY'S QUOTATIONS.

New York—Sterling, [illegible] and [illegible]; Sterling—Silver, [illegible].

SILVER BULLION.

Wells, Fargo & Co. received today: Silver bullion, $[illegible]. Copper Matte, gold. Total, $[illegible].

Salt Lake City received today: Silver bullion, $[illegible]; silver and lead ore, $[illegible]. Total, $[illegible].

T. R. Jones & Co. received today: [illegible]

SAVINGS BANK.

[illegible]

Utah Title Insurance & Trust Co.

[illegible]

[illegible] Publishing Co. [illegible]

W. H. M. Howard has to-day [illegible] J. W. Cutler has [illegible] lots of Ashton [illegible]

REAL ESTATE.

[illegible]

MARRIAGE LICENSES.

[illegible]

DEATHS.

[illegible]

Mares Wanted.

[illegible]

Lost.

[illegible]

We know of nothing that can compare with the

Graefenberg Pills

As a Family Pill. They are not only Mild, but Exceedingly Effective.

THE BEST HEADACHE PILL.

Graefenberg Catholicon

Cures all Forms of Female Complaints, Nervousness, Weakness and General Debility.

Sold by Druggists and general dealers. Send for pamphlet.

Graefenberg Co.,

111 CHAMBERS ST., NEW YORK.

HURRAH FOR

Statehood!

—AND THE—

EASTERN MISFIT CLOTHING PARLORS.

One will be a welcome newspaper and the other has been benefactor of Utah since the last three years.

OUR SIXTH ANNUAL CLEARANCE SALE is now in full progress, and from the way the goods disappear from our counters shows its appreciation by the public of our GREATLY REDUCED PRICES. Look at our bargains, which will be in force until more is ordered by the Joint. Our determination to close our entire Overcoat in stock, the prices below will convince you of good faith.

. . OVERCOATS . .

CHINCHILLA, KERSEY, BEAVER, MILTON, MOUNTANAO, CHEVIOT.

They have been selling at $25, $20, $18, $15, $12.50, $10, $9, $7.50.

They are selling now at

$22.50, $20, $17.50, $15,

$12.50, $10, $9, $7.50.

[illegible]

Our Goods' Pleasing Department has received the same from [illegible], and a proportionate reduction has been made.

To save money and get the best of everything, go to the

EASTERN MISFIT CLOTHING PARLOR,

10 E. 2nd South, 2th Salt Street.

R. K. THOMAS.

26, 28, 30, 32

EAST, FIRST SOUTH STREET, SALT LAKE CITY.

"THE SILK HOUSE"

Special Holiday Offerings At Less Than New York Cost.

Silks

$1.00 Double Warp Surah Silks for 55c.

10 SHADES IN PINK. 10 SHADES IN BLUE.
5 SHADES IN RED. 5 SHADES IN HELIOTROPES.
5 SHADES IN GREEN. 5 SHADES IN TOPHYES.
5 SHADES IN GREY. 5 SHADES IN SLATES.
5 SHADES IN TAN. 5 SHADES IN NILE.

$1.00 Colored Satins for - - 55c.
About 15 shades to close.
$1.50 Assorted Gros Silks, - - 75c.
About 10 shades to close.
75c, 32 inch Chiks Silks, - - 55c.
40c, 27 inch Chiks Silks, - - 35c.
Bright colors for fancy work.
Colored Surah Silks, - - - 20c.
Printed Chiks Silks, - - - 25c.
90c Black Satin Brocades, - - 65c.
80c Colored Crystal Silks, - - 60c.
$1.25 Shaded Crystal Silks, - - 85c.
$1.25 Colored Diagonal Silks, - - 85c.
SPECIAL PRICES IN BLACK SILKS.
Shaded Silks, - - 85c, $1.00, $1.25.
Ombre Shaded Silks, - - $2.25 yard.
ELEGANT FOR DRESSES AND TRIMMINGS.
$1.00 Colored Silk Plushes, - - 55c.
$1.25 " " " " - - 75c.
$3.25 " Brocaded Velvets, - - $1.50.
$3.25 Fancy Silk Velvets, - - $1.50.

Nothing is more appropriate for a Christmas Present than a Silk Dress.

INITIAL HANDKERCHIEFS.

VERY FINE.

Ladies' Linen Cambric, 3 for $1.00. Gents' Linen Cambric, 3 for $1.00.
Ladies' Linen Cambric, 4 for $1.00. Gents' Silk Initial, 50c and $1 each.
Ladies' Silk Initial, 25c and 50c each.

What is Nicer Than a

Plush Wrap

For a Christmas Present

ALL NEW.

No. 1242. Plush Jackets $[illegible], now, - - - - - $16.75.
No. [illegible] Plush Coat, $[illegible], now, - - - - - $15.75.
Plush Butterfly Cape Coat, $[illegible], now, - - - - - $25.75.

FOR THE LADIES.

Gents' Handkerchiefs and Mufflers.

Gents' Hemstitched Linen Cambric Handkerchiefs, $[illegible] dz., worth $1.50.
[illegible] " " $1.00 " " $0.75.
Colored Border Linen Cambric Handkerchief, $[illegible] " " $0.25.

SPECIAL NUMBERS IN LADIES' COATS.

ASK FOR THEM UNDER THESE NUMBERS.

No. [illegible] Ladies' Fine Tricoteed Cloth, $[illegible], now $[illegible].
No. [illegible] " " " " $[illegible], " $[illegible].
No. [illegible] " " " " $[illegible], " $[illegible].
No. [illegible] " " " " $[illegible], " $[illegible].
No. [illegible] " " " " $[illegible], " $[illegible].
No. [illegible] " Fur Trimmed Cloth, $[illegible], " $[illegible].

...Old Stock...

Last Season's Ulsters, 25c on the Dollar.

[illegible] Ladies' Jackets, [illegible] Great Bargains.

Remnants! Remnants!

Thousands of Them Very Cheap.

R. K. THOMAS