

LOCAL AND OTHER MATTERS.

FROM SATURDAY'S DAILY OCT. 25.

A BIG FIRE.

At ten o'clock last night fire was discovered to have broken out between the roofing and the ceiling of the attic floor of the Clift House. Pails and water were brought into requisition as soon as possible, but owing to the fire being confined between the shingles on the outside and the lath and plaster on the inside, it soon became evident that it could not be controlled. The fire originated from a defective flue.

The alarm was sent to the City Hall, when the fire bell was rung, but owing to the wind blowing strongly at the time from the north-east the ringing could not be heard in some portions of the City. A large number of the Fire Brigade turned out, however, and were on the ground as speedily as possible, with all the apparatus.

In the meantime the interior of the building presented the appearance of a miniature pandemonium. The guests were running around, securing their baggage and having it removed, assisted by many willing hands. The most of the furniture of all the floors but the upper one was transferred from the building to the street. The smoke soon became so suffocatingly dense in the upper floor that no person could breathe it and live.

When the Fire Brigade got to work they did splendid work. They labored for the accomplishment of two objects—to save as much as possible of the burning building and to keep contiguous buildings from catching fire also, and their efforts were crowned with much more success than could have been expected under the circumstances. In fact it is a matter of surprise that the whole of the buildings on the east side of the block were not destroyed.

Fools is too mild a name for the crowds of bellowing jackasses who stood around in knots, with their hands in their pockets, criticizing the efforts of the firemen, who worked bravely and nobly, many of them having their clothes frozen on their bodies as hard as boards, yet holding to the work of directing the hose, &c., while others were exposed to scorching heat and working all the time like beavers. Others of the brigade worked away at the hand engines till nearly fainting from exhaustion. And these growlers would stand around with their warm great coats on and would not even lend a hand at the pumps. It is an easy matter for people to say that such and such should be done, but as with loud barking dogs, the most open-mouthed fellows are proverbial for their inactivity. It is a rule in society that the ignoramus generally like to do the talking, while others do the work. Out on such miserable subterfuges.

By plying the water upon Mr. J. R. Winder's house the flames were prevented from communicating with it, although the water did considerable damage to the interior. His loss, including the damage to his new store, next door north to the Clift House, will probably amount to about \$400.

The walls of the Clift House remain intact, without an apparent crack. The upper story, however, is completely gutted, and a large number of the ceilings of the next floor have fallen in, but the partition walls of the latter portion of the building remain almost intact. The estimated value of the building was about \$50,000, and there was an insurance upon it of \$12,000. The loss has not yet been estimated. Mr. Kitchen, the lessee states the estimated value of his furniture, &c., at \$30,000. He was insured in the Imperial Insurance Company, of London, for \$5,000. It is probable, however, that he may have more insurance, as he wrote to his partner in San Francisco a short time since to obtain more, and he has not yet been informed as to whether his partner acted in the matter. The loss on the building will probably amount to about \$25,000 and that on the furniture about \$15,000, making a total loss of about \$40,000.

Mr. Kitchen placed a number of guards over the goods and chattels in the street. Those guards were distinguishable from the ordinary bystander by their each wearing a white blanket. A few of them got so drunk that they needed as much guarding as the goods.

We repeat that from the chief engineer down, the members of the

Fire Brigade did all they could, and their efforts are worthy of commendation.

Mr. Fred. Walker showed a worthy example to those who stood around doing nothing but growling. Seeing that the working men were becoming exhausted, he at once went to work and procured something to eat for them, with supplies of coffee, etc. He also went around among the bystanders and induced a number of them to relieve those who had been working for hours at the pumps, and furthermore worked away at them himself. Besides all this he procured a quantity of bacon and other material to keep up the fire in the fire steamer.

By three o'clock this morning the firemen had the fire completely under control, and it was finally completely extinguished.

Since writing the above we have received a note from "One of the Wasatch," who alludes to some derogatory remarks reflecting upon the company, emanating from a disreputable source. The writer of the note says, "I wish to state that the 'Wasatch' Company remained in the centre of the building, playing till between four and five o'clock this morning, till all danger was over, the fire being subdued."

We may say to the "Wasatch" boys and all other members of the Fire Brigade, that they should consider the source from which such reflections proceed and be satisfied. Blame from some quarters is an excellent recommendation.

Mr. Henry Dinwoodey had a narrow escape with life. He was inside the building, second story, when the fire was at its zenith. The ceiling of the room in which he was at work fell in, absolutely burying him in a mass of burning debris. By a series of kickings, pushings and scramblings he managed to extricate himself from his perilous situation, getting off with an injury to his right wrist, which is not serious.

Somebody inside the building thoughtlessly threw a piece of crockery out of a second story window. The article struck a bystander in the forehead, cutting him severely. We did not learn the name of the injured man.

Chief engineer J. D. T. McAllister, who was very active, received a severe injury in the foot. He was able to walk home after the fire was extinguished, but this morning the foot is much swollen and discolored.

Mr. Howard Spencer, who assisted at the fire very energetically, received several rather severe bruises in both arms.

W. Hall, of the First Ward, member of the "Alert" Hose company, became insensible, supposed to be from exhaustion and cold, his clothing being frozen on his body. He was carried to the Walker House, where he remained all night. He was taken home in a conveyance this morning, feeling quite ill.

The police did excellent service during the fire. They assisted in removing the goods from the building, besides keeping down the rowdy element, which gave indications of a desire for a general outbreak. Captain Burt, assistant engineer, was most energetic at the fire and could be seen among the thickest of the work.

SUPREME COURT.—The U. S. Supreme Court of this Territory assembled yesterday, Oct. 24, Chief Justice McKean and Associate Justices Emerson and Boreman, and a large number of attorneys being present.

The following business was done—

TERRITORY OF UTAH, }
Supreme Court. }
October Term, 1873.
The People of the }
United States in the }
Territory of Utah, } of counsel for
vs. } the Dft.
Thomas Hawkins. }

McKEAN, Chief Justice, delivered the opinion of the Court.

The defendant, Thomas Hawkins, had been held to answer at the September Term of the Third District Court, A. D. 1871, on a charge of adultery, an offence cognizable under a statute of the Territory. The Grand Jury present at that term of said Court was summoned by the United States Marshal for the Territory, on a venire issued to him. The defendant's counsel challenged the array for that and other reasons. The United States Attorney, who officiated as public prosecutor, demurred to the challenge. The

Court sustained the demurrer and overruled the challenge. The defendant's counsel excepted to the decision. Afterwards, at the same term, the Grand Jury brought in a bill of indictment against the defendant for the said crime; and after various motions, pleas, and proceedings, the defendant was tried before a petit jury, convicted and sentenced. He now brings the cause to this Court.

Since the trial of this cause the Supreme Court of the United States has held, in the case of *Clinton et al. vs. Englebrecht et al.*, that the United States Marshal of this Territory cannot lawfully serve a venire in a cause arising under the statutes of the Territory, or cognizable thereunder. The judgment herein is therefore reversed.

Emerson and Boreman, A. J., concurred.

W. H. Smith, vs. Faust & Houtz, appellants; judgment affirmed.

Silas A. Minton, appellant, vs. Union Pacific R. R. Co.; judgment reversed.

The People of the U. S. ex rel. J. M. Orr, vs. J. D. T. McAllister; motion for re-argument overruled.

Mary G. Hussey, appellant, vs. Job Smith; judgment affirmed.

The People, &c., vs. Chas. H. Douglas, appellant; judgment affirmed.

W. C. Anderson, appellant, et al, vs. J. R. Walker, et al, respondents, on appeal from the Third District Court. In so far as the petition of the plaintiffs for leave to confess the demurrer and amend the bill of complaint, was overruled, the judgment of the lower court was affirmed; in so far as the bill of complaint was dismissed, the decision was reversed. Opinion by McKean, C. J., Boreman, J., dissenting to the after part of the decision.

D. D. Magee vs. P. E. Connor, sued with J. M. Murphy, appellant; judgment affirmed. C. J. Emerson dissenting.

Sarah A. Cook vs. Brigham Young, appellant; dismissed for failure of notice.

J. B. Milner vs. Edward Friel, appellant; manuscript of judgment remanded for correction.

Charles W. Emerson was appointed United States Commissioner for the Territory of Utah.

Alice Cast vs. E. M. Cast, and the First National Bank vs. M. Kenner; justices had not had time to examine law points. Justice Boreman said his mind was fully made up on the case.

FROM MONDAY'S DAILY, OCT. 27.

SABBATH MEETING.—The congregation at the Tabernacle yesterday afternoon, was addressed by Elder Erastus Snow.

GONE EAST.—Associate Justice P. H. Emerson left yesterday morning on a visit to his old home in Battle Creek, Michigan.

ADJOURNED.—On Saturday evening the Supreme Court of the Territory adjourned till the first Monday in May, 1874, at 10 a.m.

THE MISSIONARIES.—A dispatch from Elder R. V. Morris to President Geo. A. Smith, states that the missionaries arrived at New York on the evening of Oct. 25.

QUITE ILL.—J. D. T. McAllister, Chief Engineer of the Fire Department, is confined to bed with the injury he received in his foot at the fire, and in consequence of a fever, brought on by exposure and over-exertion on Friday night.

A FIGHT.—Phil. Kohlhey, a burly German butcher, and Charles Rasmussen, a herder, had a fight on Saturday night. Both were arrested. Rasmussen was fined \$10. Phil. had not appeared for trial at one o'clock.

CONTRACT AWARDED.—The contract for the carpenter work of the Seventeenth Ward new school-house has been awarded to Mr. William Asper, who commenced laying the joists of the first floor on Thursday.

PHOTOGRAPHY.—Mr. Carter, photographer, was at the scene of the late fire on Saturday with his apparatus taking views. He took pictures from the different points, including the Clift house, the piles of furniture in the streets and the crowds of bystanders.

CLOSING.—Rock-laying on the walls of the temple has nearly closed for the season, there being only a small portion of the north side to do, when the work will close for the winter. The prospects

for progress on the building next season are excellent.

PERSONAL.—We had a pleasant interview this morning with Mr. N. W. Garrettson, of Central Iowa, Deputy Master of the "National Grange." He is travelling in the interests of the society, and is now on his way east from California and Oregon, where his labors have been most successful. Mr. Garrettson intends remaining in this city for a few days.

BURNING PRAIRIE.—Yesterday great clouds of dense smoke were seen to float upwards from a point south-west of the city, creating the impression for a time that a farmstead was on fire. It was discovered, however, that some parties were firing the prairie to burn off the dry grass, which is a common custom in this part of the country, in the fall of the year.

CRACKED AND BROKEN.—The dial plates of the Enaprium clock are cracked, and on the east face quite a large piece has been broken out entirely. It is supposed that the keen frost, combined with the powerful wind of Friday night, did some of the damage, though they were cracked before, apparently by the cold draft of air rushing through immediately after the lights were put out one morning.

DRY CANYON.—Mr. C. R. Savage returned from a visit to Dry Canyon on Saturday night. He informs us that there was a severe storm there last Thursday, including a six inch fall of snow. Mining matters are rather dull in that locality, but the Chicago smelter is kept running all the time. There is as much ore in sight in the Chicago mine as can be got out in two years. The ore is low grade. The Halliday wire tramway works to a charm. Mr. Savage considers the Chicago smelter the best and most complete in Utah.

HIGHWAY ROBBERY.—On Saturday night John Bolser, tent maker, was going home, feeling very cold, carrying a pair of shoes under his left arm and having his hands in his pockets. When near the depot somebody struck him on the back of the head, partially stunning him and knocking him into the water ditch, where he lay for a few minutes while two men rifled his pockets, and took all the greenbacks he had in them, which amounted to nothing at all. After this the highwayman departed in haste, John assumed a perpendicular attitude and resumed his slow march to his domicile, probably a wiser though not a poorer man.

AMPUTATION.—It was stated in Saturday's NEWS that on that day William H. Attwell met with a very severe accident in falling from the roof of the house of Mr. George Wiscombe, 20th Ward, and that it was thought that the bones of his left leg were so shattered and the ankle so severely crushed that amputation might be necessary. We regret to have to say this morning that the surgeons came to that conclusion and the operation was performed on Saturday evening by Dr. J. M. Benedict, assisted by Dr. W. F. Anderson. The leg was taken off below the knee.

Mr. Attwell is about forty years of age, is a married man and resides in the north-eastern part of the 20th Ward.

RUNAWAY.—There was a bad runaway in the Twentieth Ward yesterday. The team was the property of Mr. Elijah Jones and was being driven by his brother. While up above the city wall, on the north bench the driver dropped one of the lines and got upon the tongue of the wagon, when he fell, and received some bruises, but not of a serious character. The horses became frightened at his fall and ran at terrific speed down Oak Street. The wagon dashed against a picket fence in front of Mr. Joseph Daynes' residence, completely demolishing about one rod of it and throwing the balance of it out of position. The corner post against which the wagon first collided was also broken to pieces. The vehicle itself was a complete wreck, its broken remains being left upon the ground, while the horses continued on their course. The animals ran against a shade tree in the Twelfth Ward, when one of them fell to the ground. But it was soon up again, and the two renewed their race in an eastward direction.

INCIDENTS.—One of the incidents of the fire on Friday night was an

accident to Captain Andrew Burt. He was stationed on the top of the Winder house, directing the hose of the "Vigilant" hand fire engine, where he remained for hours. All the men at that post became exhausted from cold, &c., and gave out, but himself and two others. In changing the position of the nozzle it slipped out of the almost frozen fingers of the men and caught Captain Burt on the side of the head. The blow was so heavy that he was knocked down over the hatchway on the roof and remained insensible for several minutes. The Captain is also suffering from the effects of being exposed to alternate heat and cold.

Fred. J. May, foreman of the Wasatch Company, found a drunken man inside the burning building, who refused to get out. Mr. May dragged him out, and had he not done so it is probable that the fellow would have lost his life.

A foolish or perhaps malicious person kicked one of the large plates of glass in the show window of Mr. J. R. Winder's new store, smashing it to pieces.

During the progress of the fire several rascals went to the engineer of the fire steamer and told him that they were sent to tell him that no more water was wanted and that he was to stop the engine. Fortunately he had too much sense to pay any attention to them.

UTAH COUNTY.—Professor Morgan, principal of the Morgan Commercial College of this City, returned home on Saturday evening, from Springfield, where he has been spending a few weeks for the benefit of his health. From him we learn the following in regard to Utah County:

The grain and fruit crops are generally gathered, and are of the best in quantity and quality. The people are alive to the railway interest of the country. The Utah Southern is expected to reach Provo within ten days, and one or two other projected roads will probably assume shape during the coming winter. Professor Dusenberry's school is in successful operation. Mrs. Mary N. Hall, recently of Des Moines, Iowa, is conducting a first-class ladies' school at Springfield, and is doing much toward creating a healthy interest in educational matters. The Springfield co-operative store declared a dividend of 30 per cent for the past six months. The people, under the vigorous leadership of Bishop Bringham, are going into co-operation in earnest.

DESPICABLE.—Among the contemptible robberies perpetrated by prowling thieves on Friday during the fire was the stealing of a trunk belonging to Mr. Creik, a guest of the Clift House, estimated to have contained about \$300 worth of property. Also some carpets and a mirror, the property of Mr. C. W. Kitchen, and half-a-dozen water-buckets belonging to Walker Brothers.

The ever vigilant police officers tracked up the stolen property till they finally, on Saturday, found all the goods named but the trunk and contents. They were stored away in an upper room over Moritz's saloon, East Temple Street, south of the Groesbeck building. These goods were returned to the owners. Information received by the police led to the arrest, on the charge of committing the robbery, of John W. Fagan, shoemaker, and Frank Noman, bar tender in the saloon named, and also of another man whose name we did not ascertain.

The police kept up the search for the missing trunk and this morning their efforts were crowned with success, so far as its remnants are concerned, for these they found, broken up, in an out-house in the rear of the saloon. As soon as this latter discovery was made, Mr. Creik was sent for to identify the pieces as portions of his trunk and he did so.

Those who would be guilty of stealing the property of persons thrown into distressing circumstances by a calamitous fire, must be miserable wretches indeed—they are the most despicable of thieves, and should receive the full extent and benefit of the law.

A BLOODY TRAGEDY.

We have information to the effect that an Indian was shot and killed by another red skin yesterday evening, near the bridge that crosses the Jordan river, below Crismon's mill, Mill Creek Ward. A number of Indians were camped there and one of them was seen lying