

THE DESERET NEWS.

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TRUTH AND LIBERTY.

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TERMS IN ADVANCE.

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SALT LAKE CITY, AUGUST 19, 1878.
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Local and Other Matters.

FROM TUESDAY'S DAILY, AUG. 13.

Water Stealing.—At Draperville, four persons have been arrested for stealing water. The case will come before Justice Terry, of that place, on Friday, August 16. This should act as a warning to others, equally culpable. A word to the wise is sufficient.

Writ Granted.—In the case of the election fraud in Tooele County, Judge Schaffner yesterday afternoon granted an alternative writ of mandamus, requiring the County officers to either canvass the returns from the several precincts or show cause, on the petition of the people's attorneys, Messrs. Sheeks & Rawlins. The writ is returnable on the opening of the District Court, a week from to-day.

Tossed by a Bull.—Saturday evening, Mr. Charles Wilckne, the lessee of the Mill Creek Farm, a portion of the estate of the late President Young, a few miles south of this city, was tossed by an infuriated bull. He was leading it to water, by a rod attached to a ring in its nose, when suddenly he was caught in the side by the horns of the desperate animal, and thrown a distance of ten feet, upon his head. His scalp is terribly torn and his head and face badly bruised. The bull, which was the property of Hon. John W. Young, has since been shot.

Scientific.—Prof. T. E. Thorpe, of the Yorkshire College, England, who is on a scientific tour across the continent, is at present staying at the Townsend House. He is accompanied by Professor Wright of Yale College, Conn., and Professors Schuster and Haskins, of Cambridge, England. He visits our city more especially with a view of making magnetic observations, and intends to obtain a complete series of measurements.

With the exception of a determination of magnetic variation made some years ago, by the coast survey officers, we believe that no magnetic determinations on the American continent, have been made west of the Mississippi. Professor Thorpe's observations will therefore be of great interest and value as a contribution to the magnetic history of the earth.

At Greenwich, England, the needle points about 23 deg. west of north. Moving westward, its direction gradually changes to the east, till, at a point near Pittsburg, Penn., it points due north. At Salt Lake it points considerably east of north, and it is expected that at some place in California the eastward variation will equal that at Greenwich, where it is inclined westward.

These facts noted, one object of these gentlemen is to ascertain, if possible, the causes of such variations. Another is the difference in the dip of the needle at different places.

Professor Thorpe was received by President John Taylor yesterday, who expressed great interest in the work, and offered every facility for its successful prosecution. A suitable piece of ground has been assigned to the Professor, on which

to erect his instruments, the transit circle in the Tabernacle yard has been placed at his disposal, and arrangements have been made to connect the observatory by wire with Lieut. Wheeler's position at Ogden, for the exchange of time signals, the accurate determination of local time being an important element in such investigations. The observations will be repeated at Ogden and at suitable locations along the line of the Pacific railroads.

We welcome these gentlemen to Utah, and hope they will be fully successful in the work they have undertaken.

FROM WEDNESDAY'S DAILY, AUG. 14.

Suit for Damages.—The Junction states that Mrs. Cutler, the lady who had her feet cut off by a Utah Central train, a few months ago at Ogden, has brought suit against the Railroad Company for \$50,000.

Lake Bathing.—There are prospects of some of the enterprising citizens of the northern settlements establishing a bathing place on the shore of Salt Lake, at Willard, Box Elder County. The suggestion of the Junction implies this.

Fire.—The Idaho Bakery, just east of Commercial Street, was discovered to be on fire about 1.30 o'clock this morning. Night watchman Hilton, who was the first person to discover the flames, aroused the bakers, and through prompt action the fire was extinguished with but little damage to the building.

Earthquake.—The following was received this afternoon, per Deseret telegraph:

"COVE CREEK, UTAH,
August 14th, 1878.

"This a. m., at 26 minutes after 10 o'clock, a distinct earthquake was felt at this place, lasting about 8 seconds, jarring the windows, and opening and closing doors that had been left ajar."

Orderville Fire.—We learn by telegraph that about 9 o'clock on the night of the 13th, a fire broke out in the blacksmith and wagon shop of the United Order of Orderville. The building, together with a quantity of timber and tools, was totally destroyed. Loss, over \$1,000. The fire doubtless would have destroyed the furniture and shoe shop, had it not been for the united energy of the people.

The Foot Race.—The foot race of 120 yards, between Raymond and O'Brian, at Agricultural Park, yesterday afternoon, was won by the former. Time, 16 1/2 seconds.

The runners were placed in position at four o'clock. Raymond giving his opponent six feet in advance, and at the signal of a pistol shot they started.

For the first 50 yards O'Brian held his advantage, but then slackened his speed, and as Raymond came up alongside fell headlong to the ground, allowing him (Raymond) to go in ahead.

Considerable excitement was manifested over this affair, last evening, a great deal of money had changed hands, and the general conviction was that the race had been sold by O'Brian and the whole affair was a fraud. Several fights have occurred in different parts of the city over it, and violent threats are made against O'Brian, which, if the proper authorities do not interfere, may result in something more serious.

Shooting Affray.—This morning, about 7 o'clock, an affray took place at the railroad depot, in which a number of pistol shots were given and returned.

A man named Hanley, met Raymond, one of the runners, whom he alleges to be in his debt for \$1,300. At the depot, and fired a pistol at him, striking him in the left arm. Officer Calder called upon him to put up his pistol, instead of doing which he fired again, though without effect, and immediately ran out of the yard and across the street, followed by the officer and others. One Robert Houton fired several times at Hanley, at the imminent

peril of several bystanders, and, with Raymond, continued the pursuit of the fugitive, until he arrived at Main Street, and ran into the mercantile establishment of Messrs. Kimball and Lawrence for protection, where, a few minutes afterward, he was found and arrested by officer Calder. Houton and others have been arrested also, for the reckless use of firearms on the public street, and the case is having a hearing before Justice Pyper, to-day.

It appears that Raymond, O'Brian, and Hanley were colleagues in the foot race affair, and that they travel together for the purpose of inaustrating such races, swindling those who stake money on the outcome, and dividing the proceeds among themselves. Hanley had provided his two associates with \$1,300 to stake on the race of yesterday, but the result being opposite to his expectations, he claimed that they betrayed him for money. This is why he sought Raymond, at the depot, yesterday morning, for the purpose of making him divide the spoils, or, as it afterward appeared, of killing him. Further evidence will no doubt be elicited at the examination.

City Council.—Meeting of the City Council, Tuesday evening, August 13th, 1878, Alderman Sharp presiding:

A petition was received from C. O. Asmusen, asking the privilege of planting two trees outside of the water sec, in front of his place of business on East Temple Street, the branches of which would not be lower than twelve feet from the ground, the object being to shade his ornamental balcony, and protect his building from the excessive heat of the sun. Referred to the committee on streets and alleys.

R. M. Kirby petitioned for the privilege of laying a water pipe from the 20th Ward street to the house occupied by Mr. Silver on Walnut and Gordon Streets, 18th Ward, for the purpose of obtaining water for domestic purposes, which was granted under the usual restrictions governing such grants.

A petition was received, asking that George Stringfellow be appointed to the office of street supervisor, watermaster and jailor, he offering to perform the duties of the office for \$1,000 per annum, and give the necessary bonds and furnish his own horse and feed. He also proposed to feed the city prisoners for 10c per meal. The petition had eighty signatures. Received and referred to the committee on streets and alleys and city prison jointly.

The committee to whom was referred the petition of James W. Cummings, made the following report which was received and its recommendations adopted:

To the Hon. the Mayor and Members of the City Council:

GENTLEMEN.—Your joint committee, to which was referred the petition of J. W. Cummings, offering his services to the city as jailor, watermaster and supervisor of streets, at a sum much less than is now paid to the present incumbent, respectfully represent that we have carefully considered the proposition of the petitioner, and in view of the whole premises, and for reasons hereinafter set forth, report unfavorably thereon.

First—That the City Council, under the present rule, should not appoint any of its own members to an office drawing salary, or emoluments, which is within the gift of the Council, for the late amendments to city charters are evidently intended to restrict municipal councils in disposing of offices of public trust, the salaries or emoluments of which are not provided for by ordinance.

Second—That William Hyde, the present incumbent, was elected by the City Council for the present term, his salary fixed and allowed for one year, to be drawn monthly after date, the Council holding the power to remove sooner, for just cause.

Third—That the petitioner voted in favor of the supervisor's salary and the price of prisoners' meals, no objection having been since raised to the same; and that the petitioner, being a member of the

council, has always had the right, under the rules, to make such motions or propositions, in council assembled, as in his own judgment might seem just and proper for the economical government of the city, and have them brought before the proper investigating committee for consideration and adjustment.

Fourth—That the act of underbidding for a public office occupied by an officer *de facto*, is beyond all known precedent, and especially so when submitted by a member of the body holding the appointing power and for his own benefit.

Fifth—That the propositions of the petitioner should have no more effect than a proposition to the general government to perform the duties of governor of Utah Territory on more reasonable terms than are now paid to his Excellency Governor Emery, or a proposition to whom it may concern, to assume the duties of superintendent of the Co-op. at a saving to the institution of \$1,500 per annum.

Although your committee considers the bid a very low one, nevertheless, having viewed all the points connected with the proposition, we recommend that the prayer of the petitioner be not granted.

Your committee would also represent that in their opinion, the duties of street supervisor, watermaster and jailor are incompatible with the abilities of any one man, and hence find the ordinance in relation to irrigation and water ditches almost obsolete. We believe that the duties required of the watermaster alone, during the season of irrigation, are sufficient to employ the constant personal labors of one good, active man in order to protect the rights of parties and enforce the law relating thereto. We recommend, therefore, that the council consider the advisability of separating the offices of street supervisor, watermaster and jailor.

We also recommend that the amount now paid for prisoners' meals be re-considered, and if any reduction is found necessary, that it take effect on and after September 1st, 1878.

Respectfully submitted,

JOHN SHARP,
DAVID O. CALDER,
ALEX. C. PYPER,
ISAAC BROCKBANK,
JOHN HENRY SMITH,

Joint committee on streets and alleys and city prison.

The special committee of five aldermen, to whom was referred the charges preferred against William Hyde, Street Supervisor, by Robert Smith, rendered the following report, which was received and adopted as the sense of the council:

SALT LAKE CITY,
August 13, 1878.

To the Hon. the Mayor and Members of the City Council:

Gentlemen.—Your committee of aldermen appointed by the Council for the purpose of examining into the charges preferred by Robert Smith against Wm. Hyde, supervisor of streets, respectfully represent that we have called for men and papers, together with any information relating to each separate charge, and after a careful examination of the evidence presented, we are of the unanimous opinion that no material charge has been sustained; and in the matter of dishonesty with the city the supervisor is clearly exonerated from the charge.

In the charge of imposing an unreasonable amount of labor upon Robert Smith, it was clearly in proof that the supervisor ordered, in compliance with Smith's request, that he have the assistance necessary, and that he did receive it. It is, however, in proof of that the supervisor did say that Smith did keep a bottle of liquor by him, but there is no reason to believe that it was said to injure Smith's influence with the prisoners. It is further in proof that the supervisor put R. Smith to grading the streets for the reason that he was better qualified for grading than guard prisoners, and we all agree with the supervisor in that respect.

In order to be more thorough in this examination we have employed the services of an expert to examine the supervisor's accounts for

the past eighteen months, and the report of said expert is herewith attached and made part of this report.

In conclusion, your committee are convinced that the complaining witness was honest in his belief of the allegations set forth in the complaint, but we find the charges to have been hastily and inconsiderately made, founded for the most part upon suspicion and rumor, and when brought to the test of a careful and impartial investigation are found to have no foundation in fact.

Respectfully,
ADAM SPEIRS,
HENRY DINWOODEY,
A. H. SHALEIGH,
JOHN SHARP,
ALEX. C. PYPER.

The report of the expert shows a few trifling errors in the accounts of the supervisor, which were against himself and in favor of the corporation.

In regard to the feasibility of carrying water from springs near the residence of Captain Hooper to the Warm Springs bath house, a verbal report was made, showing that, by a survey, the lowest part of the bath house grounds was but two inches lower than the springs.

A verbal report was rendered from the joint committee on streets and alleys and city prison, in regard to the petition to have George Stringfellow appointed street supervisor, watermaster and city jailor. The committee reported adversely on the petition for reasons similar to those set forth in the report given in the case of Mr. James W. Cummings.

Council adjourned till 7 o'clock next Tuesday evening.

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