

passengers on the *Oceanic*, and when she started to go down she went with a rush. I was among those on her who had to go down. Like the rest of us I was lucky in getting hold of wreckage. I went under. The next I knew I was at the surface with wreckage of every conceivable sort about me. On every side of me people were in the water, some of them doing their best, others wildly struggling. I do not think many of these people were saved. I was picked up. I don't see how the disaster could have been avoided. The vessels came together in such a thick fog it was impossible to see."

CAPTAIN METCALF,

of the *Oceanic* made a statement: "We were entering port this morning with the weather foggy. I was on the deck myself as is customary entering port. We were steering amid the channel course when I observed a steamer about two points on the starboard whose whistle we had heard some time previous. She was going at a high rate of speed, while we were proceeding slowly. I immediately gave orders to have starboard helm and gave two short blasts of the whistle, which were responded to, but through some mistake she ported instead of starboarded, and the collision occurred. The *Oceanic* was going slow at the time. The steamer, which we then recognized as the *City of Chester*, had in some manner turned broadside, and we struck her on the port side abaft the foremast. The passengers on board immediately made a rush and many clambered on board, we in the meantime throwing over life bouys and lowering the boats. By this means we reached some fifty or sixty persons. In about five minutes after the collision the *Chester* went down, taking one of our boats in the whirlpool. The third officer was in command, and the crew came up and were picked up, but the lady they had previously rescued never came up again."

ALLEN CURTIS, one of the

RESCUED PASSENGERS

of the *Chester*, told the following story: "I was standing amidships on the left hand side and saw the *Oceanic* bearing down toward us. She was fully 100 yards distant. She struck us 40 feet from the bows on the left hand side. As she struck there was a rush of passengers toward the *Oceanic*, and for a time there was a horrible tumult. It was a most horrible sight. People got there first, and who were the strongest, clambered on board the *Oceanic*. I made a rush for a boat and helped to lower it. It was the first boat lowered, and into it I threw my wife and child. Some fifteen people immediately made a leap from the vessel. We had barely got clear of the vessel when the *Chester* went down head first."

J. L. Munse, another passenger, said:

"I also helped to cut away a boat. The crew of the *Chester* deserted the passengers, and only thought of saving themselves. The *Chester* went down in about 15 fathoms, and it is not probable that she will be seen again. The undertow at this position is strong while numerous currents and eddies lie beneath the surface."

The *City of Chester* was an iron steamer that had been in the coast trade for many years. She was built at Chester, Pennsylvania, in 1875. She is the property of the Oregon Railway and Navigation Company and formerly ran to Portland. She was valued at \$150,000, and was insured in San Francisco and other companies for about half that sum. She had about 2000 tons of assorted cargo in her hold worth about \$40,000.

WASHINGTON, Aug. 15.—The President sent the following nominations to the Senate:

Judges of Probate in the Territory of Utah—

Francis A. Hammond in San Juan County.

Francis L. Daggett in Washington County.

S. J. Harkness in Emery County.

William G. Stark in Piute County.

T. B. Kinney in Sevier County.

William T. Stewart in Kane County.

Jacob Johnson in Sanpete County.

George W. in Millard County.

Wm. Goodwin in Cache County.

Charles A. Herman in Tooele County.

C. R. Foot in Juab County.

S. V. Brazier in Rich County.

Henry Shields in Summit County.

Thomas H. Watson in Wasatch County.

Samuel Francis in Morgan County.

MILWAUKEE, Aug. 23.—The boiler of the Whiting paper mill at Neenan, Wis., exploded at an early hour this morning, killing sixteen persons and injuring eighteen others.

NEENAH, Aug. 23.—At midnight last night a large paper mill owned by George Whiting, on an island between this city and Menasha, burned. While the burning structure was surrounded by a crowd, a battery of rollers exploded. The roof and walls were thrown outward, sending a shower of bricks, timbers, etc., among the spectators. Sixteen persons were killed, seven fatally injured, and a number less seriously hurt, several of whom will die. The mill was a three-story structure. Loss \$100,000. It was operated day and night.

When the flames broke out fifty men were at work in the building. The fire alarm brought several hundred to the spot, who crowded so close to the burning building as the intense heat would permit. About 1:30, while the building was a mass of flames, the ex-

plosion occurred without warning. The roof was thrown upward and outward and the walls of brick crumbled and crashed into the street. In an instant scores of men were buried under the debris. There was a moment of silence, then a cry of horror from the multitude. A strong impulse to fly from possible further danger was soon overcome, and hundreds began the work of recovering the bodies of the dead and rescuing the injured. Body after body was found, crushed and mangled by great timbers and masonry almost beyond recognition. The injured were carried to neighboring residences, and thence to their homes as soon as their identity could be fixed.

The fire started from shavings in the engine room. After the roof fell a fireman turned a hose upon the immense revolving iron bleacher filled with straw and rags, and super heated. An explosion followed, and the bleacher was carried two hundred feet across the tramway where most of the people were standing, mowing them down like grass. It passed about as high as a man's head and most of those killed and injured by it were struck on the head.

Seven of the killed were coopers by trade, and nearly all leave large families in poor circumstances. They will be buried at the city's expense, probably all together, next Sunday. The Mayor has appealed to the citizens for aid for the destitute families. A coroner's jury is impaneled and will investigate.

NEWS NOTES.

Items Gathered from Various Sources.

Colusa, Cal., Aug. 19.—Sam Probat, nine-year-old son of B. Probat of this city, while looking for a cow last night, fell off the river bank adjoining town and was drowned. His body was discovered at 5 o'clock this afternoon by an Indian diver 100 yards below where he went down.

Silverton (Or.), August 19.—Charles Smith, a farmer living three miles from Silverton, became enraged at a Chinaman working in his threshing crew Friday evening and knocked him over the head with a pitchfork handle, crushing in his skull. The victim lay unconscious until yesterday morning, when he died. No arrest has yet been made.

Butte, Mont., Aug. 19.—About midnight last night, at a slugging exhibition in a Galena Street dive, A. V. Corey, proprietor of the place, and William Doherty settled an old feud with dirk-knife and revolver. Corey was fatally stabbed, and J. F. Harrington, a spectator, was also disemboweled by Doherty and died in a few hours. Corey fired several shots without effect. Doherty resisted arrest desperately, flashing his fatal knife in the face of the officers, but was finally jailed.

Pomona, Cal., August 18.—Hiram Bell and family of Ontario were driving to Luxonia beach this afternoon for a vacation of a few weeks. They rode in a large covered wagon. While passing through Pomona Mr. Bell, who had been holding his infant child in his arms, laid it down to assist his wife in driving. For a moment his attention was attracted from the baby, which rolled off the wagon seat and fell beneath the wheels. The child's head was terribly crushed, and death followed a few minutes later.

San Jose, Cal., Aug. 19.—P. A. Van Tassel and wife made a fizzle of the balloon ascension and parachute descension at Agricultural Park today. As soon as the bag was filled and the basket attached a large rent was made in the top of the balloon and it collapsed. The large crowd in attendance grew very indignant and a yelling mob made a rush for the ticket office. A box containing a few dollars was thrown out and the ticket sellers escaped with the rest. The mob followed Mrs. Van Tassel to her parents' home and remained in front of her place for half an hour, when it dispersed. No one was hurt.

Salem, (Or.), Aug. 19.—Last March J. C. Joseph, a well-to-do stone mason of Salem, died suddenly, and his estate, valued at \$15,000, fell to his son William, aged 23 years, who was at that time a member of the Salvation Army. When he came into his property he left the army and commenced a wild course of profligacy, spending money in riotous living, drinking excessively and associating with fallen women. He has succeeded in making way with a large portion of the estate. Yesterday his uncle David W. Joseph filed a petition with the County Court asking that a guardian be appointed over his person and estate.

Seattle, W. T., Aug. 19.—Richard A. Jones, Chief Justice for Washington Territory, died suddenly at 3 o'clock this morning from dropsy of the lungs, aged 38 years. He had been suffering for a few weeks and his case was not considered serious, hence his death was unexpected. He was a native of Indiana. He went to California in 1850, returned to Minnesota, began the practice of law and attained prominence at the bar in that state. He made a speech seconding the nomination of Cleveland in the Chicago convention in 1884. He afterward removed to Portland, Or., and from there was appointed chief justice of this Territory in April, 1887, in the place of Roger A. Greene, now the prohibition candidate for delegate to Congress.

LAND REVIEW.

Lands in Railroad Limits—When Rights of Grantees Attach—What Tracts are Excepted from the Grants—Withdrawals of Indemnity Lands—Lands Excepted from such Withdrawals—Rights of Grantees and Settlers to Indemnity Lands Excepted from Withdrawals—Act of June 22d, 1874—Act of April 21st, 1876—Act of January 13th, 1881—Act of March 3d, 1887.

Editor Deseret News:

As a rule, only the odd-numbered sections within prescribed limits are granted in aid of the construction of railroads, though in one or two instances even-numbered sections have been so disposed of. The acts making grants, whether of odd or even-numbered sections, usually provide for an increase in price of the lands in the alternate odd or even-numbered sections within the grants reserved to the government, so that they are sold at double the price asked for lands of like character not within the limits of the grants.

Rights under railroad grants attach to the lands granted upon the filing by the grantee (state or company) in the office of the secretary of the interior and the acceptance by that officer of the maps showing the definite or final location of the lines of route of the railways.

If at the date of the filing of such maps any of the lands which might otherwise have passed under the grant are occupied by actual bona fide settlers entitled to enter the same under the homestead or pre-emption law, or if they are covered by an uncancelled filing, entry or selection, or if there appears upon the official records anything to indicate that the same have been appropriated or reserved in any manner, except as indemnity for a prior grant—the tracts so occupied, covered, appropriated or reserved are excepted from the operation of the grants and cannot therefore be legally appropriated to the purposes of the grant, but remain subject to disposal under the public land laws as though no grant had been made.

Indemnity lands are those set apart for the purpose of supplying to the grantees any deficiency in quantity, or losses from the grants, caused by sales, reservations, or appropriations by the government of lands which might have passed under the grants, and usually consist of the sections corresponding in number to those granted, though it has occurred in the history of grants of this character that the odd-numbered sections have been taken as granted lands while the indemnity has been selected from even-numbered sections. Upon the definite location of lines of railway it has been customary to withdraw for indemnity purposes the lands specified by the grant for that use. In some of the granting acts special provision is made for such withdrawals, in others the withdrawals are ordered by the Secretary of the Interior without express statutory authority, and the courts have held that such withdrawals are legal and operate, while in force, to reserve the lands from sale or disposal except on account of the grants. These withdrawals take effect upon receipt of the orders at the district land offices, and all tracts occupied, covered by filings, entries, etc., at that time are excepted from the operation of the withdrawals. Such exceptance does not operate, however, to prevent the grantee from subsequently selecting the same if they be found vacant and necessary to make up the complement of the grant. A tract covered by an entry at date of withdrawal, and thereby excepted from withdrawal, becomes subject to settlement and entry by the first legal applicant or to selection on account of the grant, immediately upon the cancellation of the entry by which it was excepted.

The act of June 22, 1874, allows the grantees in case a settler be found upon any of the granted lands—who could, if it were not for the grant, acquire title thereto—to relinquish to the government, for the benefit of such settler, the land so occupied and select in lieu thereof any vacant, unappropriated, unreserved tract of public land within the limits of their grants not exceeding in area the quantity of tract relinquished. Under this law the lands are almost invariably taken from even numbered sections.

The act of April 21, 1876 (19 Stat., 35), protects settlers who have made entries of lands in railroad limits under various circumstances, but is too intricate in its operations to admit of a full explanation in an article like this.

The act of January 13, 1881, allows persons who have settled upon railroad lands in expectation of acquiring title from the companies (where the lands have been restored), to enter under the homestead or pre-emption law, or if they have exhausted their rights under said laws, to purchase for cash or scrip not to exceed 160 acres of the land occupied by them.

The act of March 3, 1887, authorizes the institution of suits to restore to the United States title to lands erroneously conveyed under railroad grants, and affords protection to settlers on and purchasers of such lands.

HENRY M. CORR.

NOTES BY THE WAY,

On a Trip to the Pacific Coast.

PULLMAN "ISTILAU,"

HUMBOLDT, Aug. 14th,
11:15 p. m., 1888.

Editor Deseret News:

It is not often that a passenger gets the privilege of more than one berth on a passage West, but your correspondent was favored with three. My first was a "lower" on the midnight "flyer," engaged by a friend; but concluding to take the 8 o'clock passenger I presented myself at the Pullman office and requested a change. "No lowers on this train," said the somewhat crusty clerk, with a peculiar look in his left eye.

After importuning on the ground of sickness, as if I was pleading for an alcoholic refreshment in Kansas, and found that it was impossible to change the mind of the gentleman in charge, I said, "Well, I'll take the upper, but I don't want a lady in the lower one." He kindly consented to give me a gentleman, and with check in hand and a News in my pocket, entered the "Santa Clara," and enjoyed an hour's reading. Pretty soon after that a gentleman with a semi-trunk appendage came, and with eye-glasses began scrutinizing the numbers on the sections. At last he says, "I think this is ours." "I suppose it is," said I, thinking him to be my nether co-partner. Well, it was, but I soon found out that the clerk had not only furnished me with a gentleman as promised but a lady as well, for she followed accompanied by 142 parcels, consisting of valises, satchels, lunch baskets, bags, bundles and babies. I at once put on my most fascinating smile of self-sacrifice and volunteered in view of the lack of room to take another section and happily surrendered my seat to the happy pair and their multitudinous parcels. The porter whom my sagacity had prompted me to fix with a silver token, said he'd "fix me all right," but I happened to know a white friend who came to see me off—the same that had secured my midnight berth, and he found the manager—not the crusty clerk aforementioned—and I was sent for, my check changed to another car—"Istlan," an elegant, new palace, upholstered in peacock green, high backs, patent arrangements everywhere, electric bells, smart porter, "and," said the manager, "this is a lower berth and there'll be no one above you." So I soon found myself conveyed from figurative terrestrial to celestial heights in point of comfort and elegance, and without having found any fault or done any growling except a mental squirm or two, wrung from me by the sight of the bundles before mentioned.

At Ogden everybody is cautioned about the intense heat crossing the desert. "Thermometer 106 in the car, alkali dust an inch thick," says one; "eyes, nose and everything stopped up," says another. Fans sell rapidly, and we lay in a stock of fruit and pickles, lest the water should wane and we die of thirst, and we supply ourselves with caps and cotton to keep our heads from getting bald and our mucous membrane from becoming excoerated.

We start and we have a most delightful night, sleep soundly and wake up feeling as though we can stand a simoon. Along about noon we ask "when will the worst come," and learn that about 2 o'clock we reach the real test of the journey. It is pretty warm with some dust, but nothing to what I have stood in crossing the eastern plains with teams seven times before. And when evening comes we are all alive; no death by drouth, no sacrifice of a soul by suffocation having marred our peace, we sit and sniff the balmy air, until we arrive at this oasis, for supper. This is a delightful spot. Unlike the great American desert of sand and soda and sagebrush, we are now in the midst of delightful verdure. Fertile fields send forth their fragrance. Grand old trees shoot upward and cut the clear blue starlit sky with their stalwart branches and waving foliage, typical of earthly surroundings which often come between us and heavenly things, and serve to draw our admiration in spite of ourselves from the eternal to the evanescent. Yet can we be blamed for admiring nature in her greatest beauty; when we compare such scenes with the barrenness which for ages has cursed so much of the land once gifted with paradisaical glory? I guess not.

OGDEN ITEMS.

The Court Asked to Stop Railway Building in Ogden.

Yesterday an injunction against Ogden City Corporation was filed with the clerk of the first district court by C. R. Hank. It states that complainant is a resident on Pearl Street; owns property on that street; has expended large sums of money in laying out his grounds and improving them; has five children between the ages of 16 months and 16 years; that Ogden City has begun constructing a railway along said street; that trains will pass his place daily every half hour; that thus the lives of his children will be endangered and his property deteriorated in value. He therefore prays the court to restrain and perpetually prohibit the city from constructing said road. The law firms of Kimball & White, Smith & Smith, and Emerson & Allison, will represent the defendant.

This injunction has long been talked of and meets with the support of a few residents of that street, while the majority of the people, especially those in the southern part of the city who have long suffered with bad roads, look with great disfavor upon the injunction move. Alderman Reeve stated at the last session of the city council that the tramway, if laid on Pearl Street would only remain there for a year, and when taken up the street would be left graded and in good shape. The latter is certainly needed, especially east of Lester Park.

A young man in this city had a tough experience a night or two ago with a real live burglar. He had gone to bed at 10 p. m., but was very nervous waking up every few moments. His mind was on the last attempts at burglary and he finally became convulsed in his sleepy thoughts that a burglar was in the room. The moon was shining brightly on a large mirror facing south. The window was open and the waving branches of the trees were painting fantastic shadows on the wall. As he rose in bed, sleeping, yet with open eyes, he saw in the mirror the open window, the shadows of the trees and his own image. The latter appeared as if on its knees on the window sill just effecting an entrance in the room. Forgetting the mirror, he only saw a burglar coming through the window, and grabbing the most handy article—a pillow—he threw it with a shout at the burglar. Crash went the lamp and a tumbler of water. Attributing the crash to the breaking of a window pane he grabbed the other pillow. By this time he became fully awake and restrained himself. Collecting his scattered senses he guessed the truth and proved it by striking a light. The joke has leaked out and his many friends enjoy a hearty laugh at his expense.

Yesterday morning a fire occurred in the residence of Mr. Heber Wright, on North Main Street. Mr. Wright had left his work only a few moments when his children ran to their mother, saying that something was burning. Mrs. Wright rushed into the house and found the wall of the pantry ablaze and the flames greedily licking the rafters overhead. A five gallon can, full of coal oil, was standing near. Instead of screaming for neighbors, as many would have done, she rushed into the room regardless of the heat, which had already melted a zinc stove-board, seized the oil can and carried it out, though so hot that her fingers burned. A number of other things were taken out, and all the time the plucky woman kept dashing water against the burning walls, and sent it splashing to the ceiling, never ceasing until every spark was extinguished. Then she sat down exhausted and looked upon the ruin caused by fire and water. How she succeeded in conquering the flames she cannot herself explain. Had the oil exploded, the most fearful result can easily be imagined. The cause of the fire is inexplicable.

A letter was received yesterday by M. E. Brown from Thomas Noy, of Alhous, Keweenaw Co., Michigan, brother of James Noy, who shot himself in this city, a few days ago. He says that he can give no reason for the suicide. He has a mother living in England. He also inquires about his brother's baggage.—Ogden Standard, Aug. 27.

Elder E. Z. Taylor Buried.

At 9:20 Tuesday evening the remains of Elder Edmund Taylor arrived at Ogden via the D. & R. G. The widow and relatives met the remains at the depot. They were taken from there to Undertakers Larkins & Lindquist's establishment and prepared for burial. Elder Taylor had been absent from home about eighteen months. During that time he labored in the Southern States as a missionary. The greater portion of his time was spent in Virginia. He was taken with dumb chills and fever, caused by exposure to which he succumbed on August 13th. The news was telegraphed to Chattanooga. A metallic coffin was at once obtained by Elder A. J. Stookey, then at the office in Chattanooga. He left Elder Miles H. Jones, who had just arrived from Connecticut on his way home, at the office and accompanied the coffin to Lockland, Virginia. On the night of the 16th Elder J. C. Harper, of Payson, Utah, started for home in charge of the remains assisted by Elder M. H. Jones. Upon reaching Memphis they learned that the express office had at the last moment refused to take the coffin and it had been left at Chattanooga. This caused a delay of twenty-four hours. On the evening of the 17th the remains were forwarded, reaching Memphis on the 18th, Kansas City on the 19th, Pueblo on the 20th and Ogden on the evening of the 21st.

Yesterday the remains were taken to the cemetery. Services were held at Harrisville in conjunction with those over Mrs. Rawson. The procession left the grave of the latter, when closed up, and followed Elder Taylor's earthly tabernacle to the grave, where impressive services were held.—Ogden Standard, Aug. 23.

Prescott, A. T., August 18.—Mrs. Daniels, wife of a soldier, was found in a dying condition at her home at Cortez at an early hour this morning. It is supposed that the cause of her death was an overdose of morphine, as she was addicted to the habit. Her husband is in the Seventh Infantry, stationed at Wyoming.