

novels and from the matter contained in some of these their oaths are formulated.

Now that the gangs are known and located a vigorous policy will be pursued towards them. Their pilferings have been so small that the officers have been trying to reach the boys through their families, some of whom are among the best in the city; but if that will not put a stop to the unlawfulness a term behind prison walls and bars will be the next persuasive brought into requisition. In some cases the desire to steal has caused the boys to commit the more serious crime of burglary; but the patience of the officers is now exhausted and a vigorous course will be pursued upon the first indication of a repetition of these unlawful acts.

The desire to spare pain to the parents has heretofore kept off the hand of the law. In fact the officers think that in some if not most of the cases the parents were not aware of the behavior of their boys, but they have now been notified and if the youngsters are not restrained the terrors of criminal law procedure will stare them in the face.

Attorney General Bishop has delivered the following opinion to State Superintendent of Public Instruction John R. Park:

Dear Sir—I have considered the communication of County Superintendent Van Cott, transmitted by you to me at a recent date, wherein my opinion is asked in reference to the liability of the school trustees of school district No. 28, on account of certain trespasses committed by children attending the school, in crossing the street and entering upon private property to get water from a ditch, thereby destroying a fence which was between the ditch and the street, and also stating that the owner of the property has filed a bill with the trustees against the district, for damages.

While the acts of the children were in the nature of a trespass, and while they may be liable therefor, the question of the liability of the trustees and of the district for damages resulting from the trespass is quite another consideration. As a general rule, no man ought to be responsible for acts not his own, unless they were done at his instance, or were authorized by him or assented to and ratified by him. The communication of the county superintendent does not disclose any authorization, assent or ratification which would be sufficient, in my opinion, to charge the trustees personally with damages resulting from the wrongful acts of the children. It does not follow from the liability of the children that the trustees of the district would be responsible. A child while on the school premises might so injure other children as to become responsible for a tort, but there would be no authority in the law for holding the district, trustees or teacher responsible for such tort unless there should be some participation in it, as above specified. It is therefore my opinion, under the facts stated in the county superintendent's communication, that the claim cannot be legally paid.

Hon. Daniel Thompson of Scipio, Millard county, is in the city on a brief visit. He reports the people of

Millard county generally as in good condition and happy at the prospect of continued prosperity. Many have good crops this season, and the recent rise in the price of agricultural products has been a great boon to them. The town of Scipio is now rid of diphtheria, although there were nearly one hundred and twenty-five cases, mostly of a mild form, before it was stamped out. The cause of the epidemic has not been discovered and remains as much of a mystery as the cause of the more recent typhoid malaria development at Holden, the town next south of Bevier. Analyses of the water has shown the cause of Holden's affliction is not in that. The place is also high and well drained, there being no low or swampy ground in the locality. Heretofore it has been one of the healthiest places in Millard county. It was thought by some that the cause of trouble might be in the debris brought down in the summer floods, but there is more of this at Fillmore, Kanosh and other places than at Holden, and no malaria exists there; so no explanation is forthcoming yet. The disease is now abating.

Mr. Thompson says the plan of a big canal from Lemmington to convey the waters of the Bevier for irrigation of a vast area seems to be about given up, but that another project is on foot. As he came upon Saturday he met surveyors going out to work on the new scheme. It is to form an immense reservoir at the Bevier river bridge between Salina and Jumb, and to make of the depression known as Mud Flat, a lake where a vast quantity of water could be stored to supply irrigation for about eight months in the year. Two points of mountains come close together, and a dam could be constructed making a vast lake of considerable depth to be filled from the river. The water thus stored could be conveyed when wanted through the lower canyon through the river channel, and could be taken out above Farmington and used to irrigate thousands of acres of excellent land now lying waste. By this arrangement the regular supply in the river for the irrigators from Lemmington along down the Bevier would not be interfered with. When the scheme will be carried out remains for the future to develop.

From Shooting and Fishing of October 22nd: The ordering of the Colt Automatic Gun, Browning patent, by the United States navy has recently been announced. This arm is a very ingenious piece of mechanism. It seems to be between a shoulder gun and a field piece, and we think it will claim the attention of the rifleman wherever he sees it. It belongs to the class of ordnance known as rapid-firing guns; the trigger is pressed and the firing begins, and continues until the pressure on the trigger is released or the ammunition exhausted.

The Colt Automatic Gun was among the number submitted for trial at the government proving grounds at Indian Head in response to a call from the bureau of ordnance, United States navy, for guns of this type taking the new .238 navy cartridge.

The trial was a very severe one. There was a rapidity test; firing with dummy cartridges in belt at intervals, showing the shortest possible time

these could be removed from gun and firing continued; accuracy test at 500 and 1,000 yards; dismounting and assembling, showing the shortest possible time in which this could be done; and, finally, the endurance test, which consisted of continuous firing for eight consecutive minutes.

The Colt gun was the only one that was not disabled, and as soon as the trial was concluded, an order for fifty of these guns was given for the navy. At the same time other competitors were told that sixty days would be given them to produce a gun superior to the Colt gun. The time elapsed without such a result being attained. On Sept. 28th, nine months after the conclusion of the first trial, instead of sixty days, two competitive companies, the Maxim and Hotchkiss, presented their guns for trial. This lapse of time was of great advantage to them, as the Naval .238 cartridge was much better understood and improved, but with these advantages one gun, after repeated trials, was only able to fire 100 shots in one minute and thirty-seven seconds, and in the endurance test of eight minutes was disabled after firing 241 shots. The second gun only fired 400 shots in fifty-four seconds, but in the endurance test broke down after firing twenty shots.

During the trial of these two guns the Colt company presented a gun for acceptance. With this arm 400 shots were fired in 52.8 seconds, being 7.2 seconds less time than allowed. This gun was then fired for endurance, and with the exception of three stoppages caused by defective ammunition, fired 2,111 shots.

### THE VILLAGE OF HOOPER.

The quiet village of Hooper lays along the northeastern borders of the Great Salt Lake, some ten miles west of Ogden. It is on the road to no place and as a consequence visitors are few, and no matter what its public or private affairs, they rarely find notice in the public press.

Nevertheless there is some enterprise and public spirit, which the visitor might easily overlook because of the interminable streets and the fact that there is no special embodiment of a town or city. Diffusion rather than concentration is its leading characteristic. Yet there is one good meeting house, a dance hall, theater, four or five district schools, and one high school.

Farming is the main occupation, but there is a good dairy which collects milk from all over the settlement, and converts the same, very successfully, into first class butter and cheese.

The tomato canning factory there is an enterprise which originated in 1894 under the joint association of Nephi Hardy, Lars P. Johnson and James Beus. The first season they packed 55,000 three-pound cans, which commanded much comment because of the high quality of the goods. The following year (1895) Johnson bought out Beus, and Hardy added his sons to the company, in the expectation of a successful run; but on Sept. 16th there came an early frost, and over one-half the crop was lost, the pack only reaching 30,000 cans. The present season (1896) the company moved to a better