

SALT RIVER BOOMING

The Stream Higher Than Before Known.

Sixteen Feet Above Low Water Mark.

Fears for the Safety of the Railroad Bridge—Washouts on the Southern Pacific.

At 2 o'clock this morning word was received from the Arizona canal dam, by telephone, that the water of Salt river stood 16 feet upon the dam, the highest ever known, and 4 feet higher than at any time during the great flood of last spring.

Without a doubt, however, every other dam on the river will be swept away.

The railroad bridge at Tempe cannot possibly stand the rise as it would be almost covered by water, and the driftwood, coming down as it is in whole groves of trees, will surely take out the trestlework on the north side.

Some apprehension was felt by Secretary McMillen, who received the news, that the water might possibly reach Phoenix, but Engineer Barry, who is thoroughly familiar with the trend of the country, declares that it would be impossible, against natural laws, for any volume of water to flow by means of the canal routes into this city.

Injury may be expected at the fair grounds and Farrington's nurseries, two miles south of the city on the river bank and at the Broadway ranch, south of the river.

The town of Tempe and several of the outlying up-river farms are also in danger.

At 2:30 THE REPUBLICAN'S telegraphic report ceased coming but the wire was still working between this city and Tempe, showing that the bridge had not so far been broken by the flood, as the wire is attached to the side of the trestle.

The river can be heard from the city in the early hours of the morning roaring hoarsely and louder than ever heard before from this point.

The fire bell was rung at 3 o'clock and a number of firemen gathered to go down the river and warn the people living on the bottoms.

Private advices from along the line of the Southern Pacific Railroad show that at Jayne's there is one span gone out. At Rialto about forty feet of track is washed away.

At Texas Hill water was running over the track about 1000 feet wide and washing badly.

At Mohawk there are several small bridges washed badly around the ends.

West of Yuma, in the Colorado desert, there are some very bad washouts. Passenger train No. 10, of yesterday, and the great Pennsylvania train are tied up at Red Rock. Train No. 19, of last night, will tie up at Indio.

Needless to say, there will be no trains over the Southern Pacific from either direction for several days, if not a week.

Red Rock, east of Casa Grande, is one especially bad place and exceptionally difficult of repair.

LOCAL BREVITIES.

N. A. Morford is recovering from his recent illness.

Tantan & Kellner yesterday received a carload each of coal oil, potatoes and sugar.

Tom Davis, representative of H. S. Bridge & Co., San Francisco, is in Phoenix in pursuit of orders.

If washouts don't prevent, the "Barrel of Money" Company will hold the boards at the Opera House tonight.

William Widmer returned yesterday from a trip summoning witnesses to testify before the coroner's jury in the case of the Mexican burned. He had to go about ten miles beyond the Agua Fria, and on his return was compelled to swim the stream, which had risen from the rains. The jury returned a verdict in accordance with the facts already published.

The rains up to last night had very much swollen the Salt river, and the canals leading from it were full. Up to 4 o'clock last evening the river registered a rise of 4 feet 6 inches at the Arizona canal dam. Considerable alarm was felt at Tempe over the chances of the railroad bridge being washed out and the river was still on the rise at latest accounts. The danger is the more by reason of the fact, that the main channel is now on the north side, under the trestle, and a force of men is at work pulling off the driftwood. The ferry has not been able to run on account of the roughness of the water. The rise is attributed to the reported heavy rains on the Verde and on the western slope of the Matatzal mountains.

BOARD OF SUPERVISORS.

Payment for the Week on the Hagan Hala Road.

The Board of Supervisors held a special meeting yesterday. The report of C. H. Slankard on his investigation of the road built by T. N. Clanton, from the west bank of the

Agua Fria to Haqua Hala, was filed. It being represented the work was done according to contract, the claim of Mr. Clanton for \$575 was allowed. A committee of citizens, composed of Messrs. Goldman, St. Claire, Trask, Blankenship, Marsh and Place, appeared before the board, asking an appropriation to repair the road leading to the Bradshaw Mountains, at a point near Frog Tanks. They represent that the road was practically impassable at that point. Mr. Marsh reported the amount necessary to be about \$400 or \$500. The matter was laid over until Monday, February 23.

The District Court held a short session yesterday and the trial of other causes against the Walnut Grove Water Storage Company were set for a week from next Monday, and a drawn jury was ordered returnable for the same date. The argument of a motion for a new trial in Wickenburg to the Water Storage Company will be heard this afternoon. Argument in the case of Wormser et al. vs. the Arizona Canal Company et al. will commence this morning at 9 o'clock.

"A Barrel of Money." "A Barrel of Money," is the taking and indicative title of a new play styled "an American character comedy," from the pen of that justly popular playwright, Herbert Hall Winslow, author of "Silent Partner," "Chip O' the Old Block," etc., which will be presented at the opera-house to-night.

A California Horticulturist Suggested. SAN FRANCISCO, February 18.—The State Board of Trade today adopted a resolution recommending N. P. Chipman as head of the Horticultural Department at the World's Fair.

THE SUPREME COURT.

A DECISION IN THE BEHAN SALARY SUIT.

The Former Warden Entitled to the Emoluments of the Office Until He Surrendered to Ingalls.

The Supreme Court yesterday handed down an opinion on an application for a writ of mandate addressed to the Supreme Court, requiring the Board of Prison Commissioners to audit the claim of J. H. Behan, for salary as superintendent of the Territorial prison during the time he held the office after the appointment of the new board, and preceding the time he surrendered the office to Ingalls.

Judge Kibbey announced the decision of the Court, and said: "That as a general rule the right to the emolument of an office is incident to the title to the office. It has been almost universally held by the courts of this country and of England that a person, who, although he may actually perform the duties of an office, and have been possessed of all the insignia thereof, yet he cannot recover or compel the payment of the emoluments of the office unless he shall also have been lawfully invested with the office itself. In nearly, if not quite all those cases, however, in which that doctrine is asserted, there was a de jure officer, one who was lawfully entitled to the office. This doctrine depends upon the very obvious rule of public policy, that is, that no person shall assume an office or attempt to perform its duties until he shall have been legally appointed or elected thereto, and have qualified therefor as required by law, and that if he do so he does so at his own risk and compensation therefor will be withheld and given to the one who has been elected or appointed and qualified. There may be some exceptions to this rule. They are however not necessary to be considered in determining this case. In this case Behan was not legally appointed to the office he claimed, although he was appointed in pursuance of a Territorial law that had been conceded for a number of years to be valid. The office itself existed, but no valid appointment had been made thereto. There was, in other words, during the period for which he now claims the salary, no person legally appointed thereto. The court are of the opinion that where a person in good faith and pursuant to a law which, though it be unconstitutional so far as the manner of appointment to the office is concerned, but is otherwise valid, and in pursuance of an appointment thereunder assumes that office and performs its duties and there being no person legally appointed thereto, is entitled to the emoluments of the office.

"The prayer for the writ is therefore granted and the board is ordered to audit the claim up to the time of the appointment and qualification of Ingalls to that office, less the salary already paid."

Death of an Old Resident. C. H. Bury, an old resident of Phoenix, died at his residence on the corner of Pima and Jefferson streets yesterday. Mr. Bury has been employed as engineer at the Castle Creek mill and was taken down about a week ago with typhoid fever. He was brought home Monday evening by physicians called. The disease had secured a fatal hold, however, and he breathed his last about 3 o'clock yesterday. Deceased was a member of the A. O. U. W. and will be buried under the auspices of that order. The members of the lodge will meet at 1 o'clock to prepare for the funeral. Deceased leaves a wife and three children.

An extensive forgery of Dallas, Tex., city bonds has been discovered. Mrs. Clara Harris, of Los Angeles, Cal., sent a \$1000 bond to the Houston Bank to be sold or collected. Upon examination it was found to be a forgery. The name of the Mayor, W. C. Connor, appears on it as C. C. Connor.

At Pensacola, Fla., the Italian bark, Meolini, reports of having picked up on January 13 six men, in charge of the chief officer of the British bark, Caribon, abandoned January 21 in a sinking condition. The captain and six men are missing.

THE HOTELS. MILLA HOUSE. E. E. Hazard, Gila Bend. L. Washoff, Los Angeles. CENTRAL HOTEL. D. W. McDonald, Santa Ana. N. H. Smith, Los Angeles. B. G. Goodwin, Tempe. J. M. Taylor, Tip Top. COMMERCIAL HOTEL. W. S. Crawford, Detroit. F. H. Taylor, St. Louis. E. D. Nichols, Blaine. A. W. Lewis, Cincinnati.

PREFERRED LOCALS. Sonora Orange Trees.

Any one desiring budded or seedling Sonora orange trees should call at H. E. Kemp & Co's. Trees shipped from the finest nurseries in Hermosillo. 80-04

Just Received. One car load sugar. One car load coal oil. One car load seed potatoes.

Extra low to the trade for spot cash at McNULTY & CHAPMAN BROS. 88-93

Cold lunch every day at the Q. T., opposite postoffice. 87-98

FOUND—A small topaz, evidently lost from setting. Owner can recover same by calling at this office and paying for this advertisement. 87 Window glass at Talbot & Hubbard's. Go to the Q. T. saloon for mixed drinks. 87-98

Do you trade at the Mesa Fruit Store? If not you are losing money. Green and dried fruits, nuts, candies, etc., at the Mesa Fruit Store. Good beds for 25 cents, on Jefferson street, two doors east of Pima. 61-1f

For a first-class breakfast go to the Maricopa House, at Maricopa. Valentine's Valentines! at the Irvine Company's bank, stationary and news store. 80f

Finest cigars in the city at Baker's Shaving Parlor. Shaving only 15 cents. Thos. F. Baker. 83 Ladies can purchase hats and toques within the next thirty days at Mrs. Norton's at half price.

Choicest roses at Turner's nursery, 50 cents each. Ash, Palm, Umbrella and fruit trees, very cheap. 73-90

Golden Rule has Artists' Supplies. Mrs. Norton will in the next thirty days give to the ladies all styles of hats and toques at half price.

Good rooms and board at the Williams House, opposite the Court House. Mrs. J. Harriman, Proprietress. 15-1f Pianos and Organs

Sold on easy payments; old instruments taken in exchange at the new music store of Clark & Whitson, at Rhodes' Photogallery on West Washington street.

A

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FOUND

This idea a most excellent one in disposing of our surplus stock. We have lately received some very artistic designs in Wall Paper and Window Shades. We carry Musical Instruments of every kind. Think of it! Latest Songs for 10 cents in Sheet Music. And then there are our "Domestic Sewing Machines and Patterns." Send for our "Style," published monthly and mailed free. Unless you are

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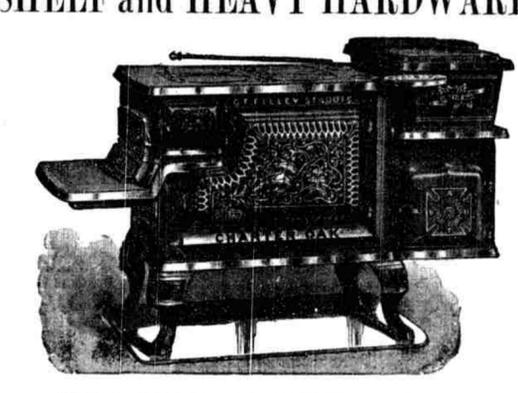


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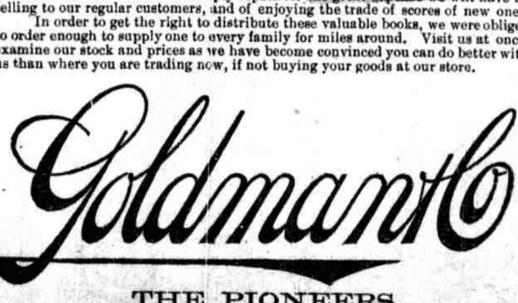
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