

The Salt Lake Tribune.

NOT POLITICAL
No, it is not the part of politics to push Salt Lake to the front. Only the political charlatans are interfering. Be a booster.

VOL. LXXVII, NO. 54.

WEATHER—Local showers; cooler.

SALT LAKE CITY, UTAH, SUNDAY MORNING, JUNE 7, 1903.

BUILDING A CITY
Is like building a business. It requires intelligence, energy, money and loyalty. Are you helping build Salt Lake?

36 PAGES—FIVE CENTS.

FLOOD LOSSES MAY REACH MILLIONS

Situation in Montana Is Worst Ever Seen in History of the Northwest.

MINES AND SMELTERS CLOSE; THOUSANDS IDLE

Principal Damage Is to Railroads and to Crops in Fertile Valleys.

BUTTE, Mont., June 6.—With crop losses estimated at two-thirds of the state in several of the rich valleys of the state; with damage to railway lines estimated at more than \$1,000,000, while the systems scarcely can be put upon a normal basis under two weeks; with from 500 to 10,000 passengers stalled in this state, with little hope of immediate relief; Montana is in a most deplorable condition.

Shortly after midnight the Northern Pacific moved here from Logan many of the westbound passengers stalled at that point but it is now impossible to get a train in our out of Butte over any railway. The Great Northern lines to and from Helena are tied up near Basin.

Short Line Trouble.

The Short Line trouble is said to be between Divide and Dillon. On the other roads the trouble is everywhere. The new road of the St. Paul, west of here, is badly washed in many places. Butte, Anaconda and Pacific has lost four bridges between here and Anaconda. In this connection, the dramatic incident of the flood is the fact that the Anaconda Standard and an old cowboy, who rode the range in Montana and North Dakota for years, must be rescued.

Money started for Anaconda, twenty miles away, at 5 o'clock last night. Three horses fell under him. He was silvered creek twice, losing his horse each time and borrowing fresh horses from the ranches. He arrived at Anaconda at midnight, with the first news of conditions in Butte.

Because of washouts on the Great Northern the Boston and Montana proprietors of the Boston and Montana are throwing thousands of men out to work here and forcing the smelter at Great Falls, which employs thousands, to shut down.

Can Soon Resume.

The wires of telegraph, telegraph and power services having been disconnected, street car service was resumed after dark, and the city will be lighted tonight. The storm has done little damage to the city, but the extent of the storm is believed to be great.

Damage to the Washouts between here and Anaconda.

where the new Washoe smelters are situated, all the property of the Amalgamated company, except a few small mines with big storing capacity, are now closed. Between 5000 and 6000 men have thrown out. The North Butte and Red Metal, which also smelt at Anaconda, are closed. The Clark mines are closed because of flood waters in the lower part of the Basin. Boston and Montana properties are down because of communication between this city and Great Falls, where the Boston and Montana smelter is located. Mining operations here are to be resumed early next week.

Situation Improved.

The railroad situation in Montana is improved today, principally from the fact that it has stopped raining. The Northern Pacific is sending trains from Butte tonight, although all the line east of Bozeman was washed out by another washout at the recent destruction of two bridges that tied up traffic for four days.

Boats in the Streets.

With fourteen coaches, is held until the tracks are cleared. Wolf on the Great Northern, is reported under water; at Craig people are driven out of all one-story houses. Tracks are also under water and telephone communication was interrupted yesterday a report stated that the culverts went out near Silver, Helena and Great Falls, but the tracks of Northern Pacific west of the break came. These are now at the break.

Small dam up Lump gull went out and the flood which poured into the smelters to a depth of three feet. Before the company is again at work at 4 o'clock in the morning and scores of farms in the valley. The Silver Bow tracks of the Great Northern Pacific tonight probably displace its trains to the tracks of the O. R. & N. at Pocatello and Northern Pacific.

ANTI-TAFT MEN TAKING NEW STEP

They Refuse to Submit Further Evidence to an Alleged Prejudiced Committee.

WILL ISSUE STATEMENT SETTING FORTH GROUNDS

Will Take Appeal to National Convention, Under Leadership of Senator Bradley.

CHICAGO, June 6.—No more evidence in contested cases will be put before the Republican national committee by the allied candidates, according to a decision reached tonight at a conference between managers representing the interests of Senator Knox, Vice-President Fairbanks and Governor Hughes. The managers for Speaker Cannon did not participate. There were present at the conference Representative James Francis Burke of Pennsylvania, Senator Hemenway and Joseph B. Keating of Indiana, Senator Craun of Massachusetts, A. B. Humphreys of New York and Governor Bradley of Kentucky.

Convinced that the national committee as at present constituted has prejudged all contests in favor of Secretary Taft, and that all of the delegations instructed to vote for him will be seated by the committee, the managers of the three candidates named decided upon a radical course. They talked the matter over informally and then called a meeting for a late hour tonight. They expect also to have several sessions tomorrow and map out a definite programme, and when that has been done, to issue a statement, addressed to the public, setting forth their reasons for refusing to continue their cases before the court of first instance, for such is the national committee.

Reasons for Decision.

In reaching a decision tonight the gentlemen in the conference came to the conclusion that if they continued to present their claims to the national committee and received nothing but a succession of defeats on which to appeal to the credentials committee of the convention, they would receive a "black eye" from that body, and probably from the committee which is to court of last resort. They admitted also that if they decline to present their evidence to the national committee they may have a poor case to present to the superior court at the national convention. The determination to take the steps outlined, therefore, was not a hasty action, and the conferees state that they realized full well what the step meant.

Senator Bradley of Kentucky has been selected as the man best fitted to conduct the appeal to the national convention, which explains his presence at the conference. He was interested only from the committee which is to be Fairbanks, in his state, and he had been retained to conduct the Fairbanks case before the committee in the four contested districts from Kentucky.

Cannon Cuts Some Figure.

The allies concede that they are weakened by the non-concurrence of the Cannon managers. The headquarters of the speaker are now under the direction of Representative Frank O. Lowden. Mr. Cannon has nothing to gain by the contests, however they may be settled, as these could not be beneficial to any case. Mr. Lowden is of the opinion that it is not good party politics to precipitate a row in the Republican ranks just prior to the election, and for that reason is not in sympathy with the movement to bolt the committee in each instance. These delegates will go on the temporary roll and name one of the state delegations so seated would name a member of the credentials committee.

Taft in the Saddle.

Sixteen more Taft delegates were added to the temporary roll call of the national convention today as the result of the determination of contests from Florida and Georgia. The opposition to Taft failed to score and the slate was wired clean in favor of the delegates instructed for the secretary.

One Florida district, the third, and three Georgia districts, the first, second and third, were passed over until Monday because representatives of the anti-Taft delegations were not ready to proceed. Counsel for the delegations instructed for Secretary Taft moved the postponement and announced that they did not desire to take "snap judgment" use of the gavel by Chairman New, and the interference of friends, was all that prevented a personal encounter between principals in the Florida state contest. The proceedings were enhanced also by the assertion that Representative Butler Ames of Massachusetts, who is said to have engineered the anti-Taft fight in Florida, was responsible for the use of alleged forged tickets of admission to the state convention hall. This charge was made in the form of an admission by former United States District Attorney J. N. Stripling, one of the anti-Taft contestants, who spoke in opposition to the seating of the Taft delegation. It created a distinct sensation.

Claim of Forged Tickets.

The claim that forged tickets had been used for the purpose of packing the convention hall had been made by Henry S. Chubb, state chairman, and one of the delegates at large instructed

Getting Ready for the "Big Doings."



WANTED AT OGDEN FOR EMBEZZLING

Frank W. Fielding, Former Salt Lake Bookkeeper, Arrested at Oakland, Cal.

SECURED LOAN WITH REALTY BELONGING TO HIS MOTHER

Is Said by the Ogden Police Chief to Be a Bigamist.

Word was received here late last night that the authorities at Oakland, Cal., upon the request of Chief of Police Browning, of Ogden, had arrested Frank W. Fielding, a bookkeeper, formerly of this city, and thought to have been an employee of Sheets & Neel, stock brokers in the Walker block, upon the charge of embezzling about \$300 from the First National bank of Ogden. According to Chief Browning, Fielding is also wanted at Seattle for embezzlement. In the event that the Washington officers do not oppose the requisition of the Governor of Utah, which will be requested this morning, Fielding, the Ogden chief says, will be returned to Ogden and prosecuted both for embezzlement and bigamy, having married Miss Mary Carter, a teacher at the Quincy school, there several months ago, although he had a wife and two children in Salt Lake City. It was stated by S. R. Neel last night, however, that Fielding had been divorced from his first wife about a year ago, and this tends to dispose of the bigamy charge.

Second Offense.

The specific offense for which Fielding has been arrested was the embezzlement about three weeks ago of \$300 from the First National bank at the junction city. He borrowed this sum, it is said, putting up as collateral, without authority, real estate worth \$800 and belonging to his mother, who, it is thought, now lives at Mantel. This is said to have been his second offense of the kind, Chief Browning asserting that Fielding at one time tried a similar trick successfully at the Utah National bank in Salt Lake City, the intervention of his mother saving him from prosecution.

In this latter instance the mother has refused to make good the sum and the Ogden bank officers are determined to prosecute Fielding, according to Chief Browning. He is being held at Oakland pending the arrival of requisition papers and Chief Browning says he will send an officer to California as soon as these can be obtained.

Fielding is described by men who knew him here as being somewhat of a "high-flyer." He is only 24 years old, but has figured in a number of incidents which were on the verge of scandal. Up to a year ago, when he is said to have left the employment of Sheets & Neel, Fielding bore an unsavory record. His wife obtained a divorce after a sensational suit. He left Ogden with his latest wife some time ago.

WILL TRY TO FLY FROM ST. LOUIS TO CHICAGO

ST. LOUIS, June 6.—Encouraged by a forty-mile flight which he made May 27 last in a dirigible balloon, controlled by a steering apparatus of his own invention, John Berry, a local aeronaut announced tonight that he will next week attempt a flight from St. Louis to Chicago.

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CLARENCE W. MACKAY GENEROUS TO NEVADA

RENO, Nev., June 6.—Clarence W. Mackay, his wife, and Colonel George Harvey, of Harper's Weekly and the North American Review, arrived today. Mr. Mackay is here for the purpose of presenting to the University of Nevada the new mining building for the Mackay School of Mines, costing over \$120,000, and the unveiling of his father's statue, which cost \$32,000. Elaborate ceremonies will attend the presentation of the building and the unveiling of the statue on Wednesday, June 9.

No Bail for Hitchcock.

NEW YORK, June 6.—Raymond Hitchcock, the comedian who was committed to the Tombs prison without bail yesterday, will probably have to remain in prison during his trial. Counsel for Hitchcock made an effort today to secure the consent of the District Attorney to have the comedian released on bail without avail.

TWENTY-THREE MISSING; ALL MAY BE DEAD

SILVERTON, Colo., June 6.—Twenty-three men are missing, and may be dead, in the Gold King mine at Gladstone, as a result of the fire which destroyed the mine buildings last night. It was discovered today that three men were missing, and a party of thirty-four went into the mine to find them. The missing men were supposed to be on the fifth level, and when the rescue party reached the fourth level they met with bad air and gas. Fourteen of them managed to reach the surface again, but twenty were overcome. Two special trains, with 300 men, accompanied by doctors and nurses, were sent to the mine tonight from Silverton, and late tonight a second rescue party entered the mine.

"TEN YEARS" FOR STEALING MILLION

Pittsburg Bankers Get Off Easy After Confessing Their Years of Crime.

PECULATIONS AT FIRST WERE SMALL IN AMOUNT

Later Thefts Committed in Effort to Win Back Sums First Lost.

PITTSBURG, June 6.—For the embezzlement of \$1,105,000 from the Farmers' Deposit National bank, Harry Reiber and John Young, former paying teller and auditor, respectively, were sentenced to serve ten years each in the penitentiary. Questioned by Judge Young, Reiber stated that he was 49 years old and had three children. Young said he was 45 years old and married. "I have nothing to say but that I am sorry to be here," said Young. "The affair started in a small way and I had first lost all of my own money."

DELUGE FOLLOWS WIND

Following the tornado a hard rain, which lasted well into the night, soaked the storm-stricken sufferers, making their lot doubly hard. The deluge was absolutely without shelter and the storm occurring so late in the evening made it impossible for them to seek either shelter or relief during the night. Wire communication had entirely cut off with the stricken district full details are hard to obtain, but indications are that the list of casualties will run still higher. The home of Lester Carter was demolished and his wife and baby killed while Carter himself and another child received possibly fatal injuries. At Geneva the storm wrought great destruction.

HOLD-UP KILLED IN FIGHT WITH OFFICERS

PITTSBURG, June 6.—A tragical sequel to a number of hold-ups and robberies in this vicinity occurred about 10 o'clock this morning at Elizabeth, near here, when County Detective John Englar shot one of four men barricaded in the farm house of John Patterson, a woodchopper, located a short distance from Elizabeth, between McKeesport and Versailles. Detective Englar was himself shot through the wrist and side and is in a critical condition. Patterson is under arrest, but the companions of the dead man, armed with rifles and revolvers are holding in check a large posse of officers and citizens from Elizabeth. When word was received of the shooting at the county detective headquarters, an automobile carrying six officers was started immediately for the scene. Upon their arrival it is expected a desperate battle will be fought.

PROBABLY WAS VICTIM OF MURDEROUS WIDOW

LAPORTE Ind., June 6.—Mrs. E. Marie Svekerud, Christiana, Norway, through the Swedish consul in Chicago today made inquiry of Sheriff Sampson for her son Olaf Jensen, of Capron, Ill., who in 1902 left Chicago to marry a Norwegian widow living on a farm near Laporte. Jensen has never been heard from since.

TWENTY-ONE DEAD AND OTHERS DYING

Tornado Which Swept Southern Nebraska and Northern Kansas Wrought Havoc.

DEATH LIST MAY GROW WHEN DETAILS ARE OUT

Communication Cut Off From Towns; Property Losses Heavy.

OMAHA, June 6.—The tornado which passed over southern Nebraska and portions of northern Kansas Friday evening was the most destructive and covered the most territory of any similar storm which has visited the State in many years. At least twenty-one persons are known to be dead, six fatally injured and a score of others more or less seriously hurt, some of them dangerously. In addition, reports received tonight state that several persons were killed at the towns of Byron, Neb., and Courtland, Kan., which towns have been cut off from communication with the outside world. A revised list of the casualties is as follows:

LULU SMITH, domestic, at Shively home, near Geneva.
IRENE SHIVELY, aged 4 years, near Geneva.
MRS. MAUD CARTER at Carleton.
BABY CARTER at Carleton.
TWO CHILDREN of Mr. Small, near Guide Rock.
HENRY MADISON, near Franklin.
EDWARD AUGUST FENTLEL and 17-year-old son, near Hickley.
ELIJAH ARGENBRIGHT, near Hickley.
BABY FLAMING, drowned, near Fairfield.
MRS. DAUGHTERS of Mrs. Cliff Simpel, near Byron.
ONE ENTIRE FAMILY, four to six members, names unknown, all near Byron.

Fatally Injured.

JOHN SHIVELY, Geneva.
JOHN MERRIAM, Hickley.
PRESS BAILEY, Carleton.
AUGUST FENTLEL, Hickley.
MRS. CLIFF SIMPEL, Hickley.

Seriously Injured.

Mrs. John Shively, Geneva.
Edward Russell, farm hand, Geneva.
A. F. McReynolds, Fairfield.
Mrs. Young, near Guide Rock.
Mr. and Mrs. Grey, near Riverton.
Mrs. Bennett, near Geneva.
Lester Carter and second child, Carleton.
Mrs. Austin and one child.

Building of Conduit.

After the city acquired its right in 1905 the construction of the conduit was begun. The American administration began under Mayor Ezra Thompson, and what the city claimed as its supply of water was turned into the conduit. This was in February, 1906, and immediately upon the city turning this water supply into the conduit the Progress Power company, a corporation at Murray, brought suit to enjoin the city from diverting the quantity of water which it claimed through the conduit. The city averring that it had a prior right to the flow of all the water during the season from October 1 to April 1 of each year. The court, upon the demand of the company, granted the application for an injunction. Pending the final hearing of the case a compromise agreement was reached between the city and the power company, by which each took one-half of the water involved by the order of the court, and under this arrangement the city has taken water pending the decision made Saturday. During the irrigation season the city took the share that it claimed to have acquired through the exchange of water rights—which was approximately twenty-seven sixtieths of the entire flow of the creek.

Knudsen Right.

After the hearing on the injunction the court decided to continue the final hearing of the case until such time as all users of water from that source could be made parties to the action. The pleadings were then amended, and all the water users were made parties to the suit, and the decision of Saturday quieted title to all the waters coming from the Big Cottonwood source, so that it should be an end to any further litigation so far as this creek is concerned. The city based its claim principally on the purchase of the Knudsen right, which was the oldest power right on the creek. Under the Morris administration, suit was begun to condemn this right. Knudsen asked \$100,000 for his privilege, but the administration of Mayor Thompson in 1906 this matter was compromised by paying Knudsen \$30,000 and thus securing the right. It appears from the evidence in this case that long prior to the bringing of this action, all of the waters of the Big Cottonwood creek for all the waters coming from the Big Cottonwood source, had been appropriated for beneficial uses by the several parties to this suit.

Dates of Canals.

I find from the evidence that the various canals used for the diversion of water from the creek for irrigation purposes, were constructed in the following order: Tanner, 1848; Green, 1848; Big, 1848; Walker, 1849; Hill, 1841; Farr & Harper, 1852; Newman, 1854; Upper, 1856; Lower Canal, 1866; Brown & Sanford, 1869; Lower Ellison, 1872; Butler, 1872; Buckley & Knudsen, 1876; Knudsen, 1882; McShie, 1884; Upper Ellison, 1884; Harper & Taylor, 1885; Severson, 1887; Bagley, 1894.

Dozen Houses Destroyed.

DURANT, Okla., June 6.—A tornado which swept over a territory twelve miles west of Durant last night destroyed a dozen farmhouses, and, with a heavy storm of hail which accompanied it, did damage estimated at \$150,000. A number of persons are reported injured, none fatally.

SALT LAKE VICTOR IN PROGRESS SUIT

Judge Morse Renders Exhaustive Decision in Famous Water Litigation.

RIGHT OF DEFENDANTS TO BIG COTTONWOOD INVOLVED

Stream's Flow Adjudicated in Lengthy Decision of District Jurist.

Judge Morse rendered a decision in the third district court Saturday in the noted case of the Progress company against Salt Lake City and nearly 500 other defendants, and which involves the rights of the various parties to the waters of Big Cottonwood creek. The Progress company, which operates a power plant at Murray, based its claims upon an appropriation made by Brigham Young in 1855, and sought to establish its right to a much larger flow of water than the city and the other defendants would admit that it was entitled to. The decision is a victory for the city, in that it establishes the rights claimed by the city and limits the use of the water by the Progress company.

Under the decision, the rights of the various parties are adjudicated. A commissioner will be named by Judge Morse to further investigate the matter and report back to the court, when a supplemental report will be issued.

Long-Standing Litigation.

The city acquired its right to the water which it claims in Big Cottonwood by exchanging its water rights from Utah lake. The rights in Big Cottonwood secured by the city had been appropriated and used prior to that time by the Big Ditch irrigation company and the Smith Ditch company, known as the Hill Ditch, the water appropriated by those companies being used for irrigation purposes. Those rights were acquired under the Morris administration of Mayor Morris in 1905. In 1870 all the water of Big Cottonwood was appropriated by the three companies named and twenty-one others, but the irrigators' water allowed to each was never judicially determined, and there was much controversy among the irrigators themselves. At that time a board of arbitration was appointed and the water apportioned, but all the irrigators did not agree to be bound by the decision of the board, so that the question in controversy never has been settled, although it was pacified by the decision of the arbiters.

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