THE EVENING NEWS.

GEORGE Q. CANNON
EDITOR AND PUBLISHER.

The Day, - - - October 1, 1872.

THE pending law suit between the Emma and Illinois mining companies is heralded abroad as expected to be one of the most interesting and exciting of the current causes in the country. Numerous, able, and costly counsel are engaged on each side of the question, and as millions of money depends upon the ultimate decision it is likely that no means will be spared by either of the companies to secure to itself a favorable judgment.

Of course there is a right and a wrong in the matter, and if both parties were bent upon discovering and abiding by the right, it would be a very easy thing to settle. There is so much at stake in this case, and human nature is so proverbially weak in doing just right and strong in doing just wrong, that it would be an extraordinary thing, little less than a miracle, if these two powerful mining companies were to come to a speedy and equitable settlement of the vexed question of right of possession or claim that lies between them. Exhorting them to pursue the simplest, easiest, most rational and least expensive method of settling their dispute may be a forlorn hope, but that is just the kind of hope which we shrink not from going upon in our endeavors to bring about peace on earth and good will to men. We therefore do most sincerely and earnestly advise the gentlemen composing the Emma and Illinois companies to abandon the idea of going to law in the matter, and to refer the dispute to arbitration instead. There are good, sound, ample reasons for the advice which we give.

In the first place, if the suit at law be prosecuted, in all probability it will be a long, tedious, strenuously contested and exceedingly expensive business. The costs will be great, and somebody must pay them. No matter which way the judgment shall fall, an appeal to the Supreme Court will be almost certain, and also an appeal thence to the United States Supreme Court. This will necessitate not only great expense, but long delay, perhaps years, before a final settlement can be obtained. All this time, besides the torture of suspense to the parties litigant, and the running costs, the mining interests of the Territory, and in part of other Territories, will be in an unsettled, fluctuating, feverish condition, the inflow of capital, like mercury ever sensitive, will be greatly checked and prevented, the immigration to the Territory of men of wealth, influence, enterprise, business capacity and proclivities, and sound commercial character will be very much more limited than otherwise it could have been expected to be, and the settlement, improvement, and development of the resources of the Territory will be correspondingly set back and hindered. We have been repeatedly informed, by gentlemen of experience, information and trustworthiness, that millions of English capital is ready now to flow into Utah, for mineral and other investment, at a moderate rate of interest, if the business men of that country could only be well satisfied that such investment would have a reasonable guarantee of safety. This guarantee must come from the absence of vexatious and unnecessary litigation, and, where litigation is necessary, from speedy and impartial administration of the law. It is no use to talk transcendentally and 4th of July of the greatness of this blessed country and the wonderful soaring abilities of the bird of freedom, the confidence in which capital especially delights and without which prosperous legitimate business languishes, comes only through a well founded reliance in the security of life and property. This is a lesson which the legislative, executive and judicial powers of this Territory and of the whole Union would do well to thoroughly understand and begin to act upon as soon as possible, and the sooner the better, if they wish to see the Union move in the front rank of prosperous and respected nations.

As to this matter of arbitration, It is a friendly and peaceful mode of settling vexed questions. It is comparatively inexpensive. It is the only mode worthy of intelligent beings, for the spectacle of a number of learned and gifted men engaged in multiplying costs and in racking their ingenuity to defeat the ends of justice in a court of law as courts, hereabout go, is one of the most pitiable that can be presented by human beings endowed with brilliant abilities and godlike capacities.

Arbitration has now a grand precedent, presented by the two foremost nations in the world, a precedent which it would be an honor to the litigants in this great mining case to be the first to follow. Every honorable impulse is an incentive to these mining companies to withdraw their cause from the courts and refer it to some honorable tribunal of arbitration, as near impartial as can be found. We might refer them to the High Council of the Church of Jesus Christ of Latter-day Saints as an equitable tribunal, widely reputed and well known to be such. Or to a selection from the various high councils in that church. Or to a selection of a number of the most honorable, most highly and widely respected, and most impartial members of this community Or to a choice of high minded gentlemen from the various Territories and States. Or to a selection embracing a number of British gentlemen of intelligence and probity, as the moneyed and business men of that nation have a more than ordinary desire to see the mining interests of Utah placed on a basis of solidity, security and fairness that shall be absolutely unimpeachable. Or a selection comprising a number of British and other foreign gentlemen of high character, broad experience and comprehensive capacity. One or other of these selections, and this mode of settlement by arbitration are the very best things that we can think of in this connection, and would be infinitely superior to the miserable, expensive tedious and irritating resource of going to law.

Correspondence.

MIDWAY, Wasatch County,
September 25, 1872.

Editor Deseret News:

I arrived at this interesting little town last evening, and, contrary to my expectations, found it to be a place abounding in interest and importance. Many residents of the Territory are not aware of the existence of such a place, and although I am perhaps as well acquainted with the various towns and cities of the Territory as any other person, having visited nearly every one, I had no conception, until I came here, of the location or magnitude of Midway. It is one of the most pleasantly situated towns I ever visited. The site is a southern slope at the mouth of Snake Creek, about four miles west of Heber City, in Provo Valley. It is just below what was known in years past as Mound City, and midway between there and a small settlement established in the lower part of the valley in 1860, hence its name—Midway. In 1866 the two small settlements mentioned were abandoned, and the present site of Midway substituted by the settlers, as being more easily defended against the attacks of Indians. The settlement now numbers upwards of eighty families, most of whom are Swiss, who, by the way, make the best of citizens.

On entering this valley north of Heber City and looking in this direction, my attention was attracted by something resembling a huge sheet of ice, glistening in the sunlight on the hill side. A tin roof to some enterprising citizen's house, doubtless, but no! a closer scrutiny reveals a number of smaller glistening objects. They cannot be accounted for in that way. Arrived here I inquire the cause of the phenomenon, I am told it is the water running down the sides of the "pots." The pots! Well, I am about as wise as before. I subside into silence and try to imagine what the pots can be, and await the approach of daylight to reveal them to my curious vision. Daylight comes and I behold the town, a pretty little town containing a number of good and two really handsome dwelling houses. The surface of terra firma for the most part is covered with a stratum of porous limestone formation, which in some places is quarried up in chunks to build walls of. But I look in vain for the "pots." Presently brother Van Wagoner proposes to show me around town and among other sights to visit the "pots." We ride over a bed of the aforementioned limestone extending towards the mountains and second a mound down the sides of which water is running and spreading out like a sheet. My phenomenon is partially solved. We trace the water to its source at the summit and there gaze into the cavernous depths of a spring, throwing up, apparently out of the solid rock, warm water so strongly impregnated with lime as to deposit in its course a sediment or formation of limestone similar to that on which the town is built. I am informed that this is a "pot." On looking around I see numerous other mounds, shaped like an Indian's wick-i-up, and varying in size from that rude structure to a pyramid 150 feet in height and still growing. They are really shaped like a bulging pot, the inner sides receding from the top downwards, and extending down, no one knows how far. The springs in some are extinct, while in others the surface of the water is far below the top of the pot. The limestone exposed to the air becomes exceedingly hard, but will decompose and become pulverized from the action of manure, so that the citizens manage to work it up into pretty good soil.

Near the mountains the soil is very rich, four hundred bushels of potatoes being an average crop per acre, and 587 bushels having been raised on less than an acre of ground.

Just now, I see a man leading a pack horse loaded with boxes towards the mountains, and I am told that he is freighting butter and eggs for the citizens to the mines of Little Cottonwood, Big Cottonwood and American Fork, distant from this place only nine miles over the mountains west. The small "co-op" store here does a big business and the inhabitants of H. S. Alexander's Ward are alive. When the narrow guage railroad now started between Echo and Coalville, shall have extended on through this valley, the curiosities of this locality will be sought out by scientific men and curiosity seekers, and the fine marble quarry and the illimitable quarry of red sandstone near Heber City will be more extensively utilized.

G. C. L.

SPECIAL TO THE DESERET NEWS.

By Telegraph.

PER WESTERN UNION TELEGRAPH LINE.

TO-DAY'S DISPATCHES.

EASTERN DISPATCHES.

NEW YORK.—The National Democracy met at Mozart Hall, last night, and nominated John McCool for mayor. The Workingmen's Central Union nominated John E Burrill, for judge of the supreme court; Judge Dennis, for the superior court; Gunning S. Bedford, for city judge; Charles S. Spencer, for district attorney.

A Washington dispatch says that private advices from Japan report a crisis in public affairs, which indicates the ascendancy of the old Japanese party over the reformers, and the end, for the present, of the spread of civilization in that empire. Minister Mori is to be succeeded by a representative of the non-progressives. Horace Capron, commissioner of agriculture, who went from Washington to fill the same post in Japan, has been discharged. Peshine Smith, who went to organize a law department there, is also discharged. Information from Europe represents the embassy to the western treaty powers as stranded in London, without funds or authority. The work on their war vessel in New York is stopped for want of these. In consequence of these complications Northup, Connecticut's State commissioner of education, declines a similar position tendered him some time ago by the government of Japan.

The State department at Washington has information that ex-consul Gen. Butler, and Wadleigh and Stroleg, his assistants, are now in London, under assumed names.

A Boston special to the *Tribune* says a letter has been received from Sumner declining the candidacy for governor. F. W. Bird will doubtless be selected in his place.

Two mutilated bodies were found hidden in a barrel in North Tenth st., Brooklyn, last night.

Tweed's son Richard denies the rumors that his father has fled from the city. Tweed was absent yesterday, however, but he is expected to return to-day.

CHICAGO.—The verdict in the Fair case was received here with general surprise and indignation. The *Tribune* comments on the case from the suppositious stand point that the plea of insanity was used to secure the acquittal. The *Times* says it is a strong statement, but nothing more infamous and disputable than this result has been believed by an American jury for many years, but the circumstances warrant the expression: It would certainly be an interesting subject of inquiry, what could be the mental and moral constitution of the twelve men who agreed upon this verdict, and the motives and rationalization by which they reached to it.

The garden on the Chehalis reservation produces rutabagas weighing 40 pounds.

EASTERN NOTES.

More rain fell during the first seven months of this year than during the same period of the previous twenty years.

Whitney, one of the first laborers for a railroad to the Pacific Ocean, if not the author of the scheme, died lately in Washington of typhoid fever. Whitney had lived in the District of Columbia for twenty years, and was seventy-five years old.

The rivers of Maine have kept fuller this year than ever before, and consequently no mills have suspended for want of water or materials with which to work. The Kennebec has been almost literally full of logs since the opening of spring.

Texas has a good thing this year. The crops in all parts of the State are glorious. The corn crop is unparalelled. The cotton is magnificent everywhere, the worms having done no damage as yet, and it will soon be too late for them to hurt the crop. Potatoes, peas, beans, oats, rye, barley, wheat, hay, fodder, pecans and the mast which fatten hogs without corn are absolutely immense.

Thousands of bushels of apples will be left to rot on the ground in the orchards of New England this autumn. In some towns the farmers are offering cider at $1.50 per barrel, and it is difficult to find purchasers sufficient to exhaust half the apples at any price. The best varieties of winter fruit can be obtained back in the rural districts at a merely nominal price.

The Detroit *Post* publishes the following notice:

"Gentlemen and ladies contemplating suicide by drowning will confer a favor upon the harbor master and coroners by leaving word at the Central station what dock they intend jumping from. The harbor master is now provided with a handsome new drag and set of grappling hooks, and is prepared to bring up dead bodies with neatness and dispatch."

We learn that the "head and front" of the "Greeley Colony"—Father Meeker—is in receipt of a letter from Horace Greeley, in which the "Philosopher" informs Mr. Meeker that in the *event of his defeat in November*, he intends selling out all his Eastern interests, throwing up his position on the New York *Tribune*, and coming out to the flourishing town named in his honor, there to pass the remainder of his "busy life."—*Denver Tribune.*

Our street Arabs, we sometimes flatter ourselves, says the New York *Times*, are as bad as any in the world. But according to a correspondent of the London *Telegraph*, they might take lessons in wickedness from their fellows of Berlin. These young ruffians, in age ranging from ten to twenty, are called "Banzel," and their chief amusement consists in stoning foreigners. But a lady on horseback is their special and most delightful prey, since she is most sure to be a stranger. Lady riders have, as a consequence, been so frequently thrown and run away with, thanks to the efforts of the worthy "Banzel," that a female equestrian is said to be as rare a sight in Berlin as some years ago it was in New York. The "Banzel" resemble our own street Bedouins in enjoying almost perfect immunity for their ruffianly pastime, since "the police are afraid to meddle with them, as they gather in hordes with magical rapidity when any of them get into a scrape, and will pull a man down and trample upon or kick him unmercifully until he becomes insensible." The Berliners, however, are in one respect luckier than we, for their "Banzel" go into the army at last, and get plenty of rough usage to tame down their vivacity; while our juvenile scamps graduate into burglars and highwaymen; or, quite as bad as either, professional ruffians like "Reddy the Blacksmith."

WESTERN NOTES.

Prospecting on an extensive scale is still going on in the Grizzly Mountain District with considerable success.

The *Silver State* pronounces the Ginacca reduction works at Winnemucca a complete success. The roasting or chlorination furnace is said to be fully equal to the Stetefeldt.

J. E. Woods, of King's Canyon, Ormsby county, Nevada, has raised an Irish potatoe this season weighing three pounds and one ounce.

The petty thieves of Eureka, Nevada, take everything that comes in their way, from a pair of pants to a pound of dried apples.

Clingham of Polk county has this year raised some grass which is twelve feet high, from seed furnished by Knott of Portland. K. received the seed from Peru.

A petition is being circulated through Oregon asking the Legislature to pass a law providing a chance for the votes of women to be counted at the Presidential election in November.

The Atlantic and Pacific Railroad Company is constantly receiving accessions to its stock subscriptions, despite the defeat of the subsidy propositions.

The *Mountaineer* says eastern Oregon has proved itself to be a good agricultural country, and that corn, wheat, rye, barley and oats are raised there without difficulty. Fruit of all descriptions thrives and matures well under the genial suns.

In the search for rottenness in public affairs at Brooklyn, it is discovered that the water officials got up a "corner" in the water supply in order to get a fat contract for a new reservoir, costing a million and a half of money, given out.

The Woman's Tea Company of New York city has bought a ship and fitted it out for trade between New York and China. It has been named the *Madame Demorest*, after the president of the company. This is the first time a ship was ever bought and fitted out by women for commercial purposes.

Large numbers of Indians are in and around Carson City. They are terribly independent, and when asked to chop wood or do odd jobs, they set their price, and if not paid, they give an involuntary ugh! and say, "You ketch-um Chinaman; Injun no work so cheap."

An old settler in Yamhill county, Oregon, has a horse which has reached his thirty-second year. He crossed the plains in 1844, being then a four-year-old. He has been constantly worked for thirty years, and still "his eye is not dimmed nor his natural force abated."

In all parts of the city new buildings are being erected. Some of our croakers are beginning to say that the thing is being overdone, and that so many buildings are going up that there will be no demand for them; yet every day we see people in search of rooms.—*Territorial Enterprise.*

The total amount of mixed bullion, gold and silver, received at the Carson Branch yesterday, says the *Enterprise* of September 26, was 9,849 ounces, 861 ounces of which were sent in from Humboldt for coinage. The balance, 8,988 ounces, came from the Crown Point mine, Gold Hill, sent to the mint for melting and assay.

Mr. Yung Wing, Yale '54, has made arrangements in New Haven, Conn., for the accommodation of thirty Chinese boys and girls who have recently arrived in this country to pursue the study of English. They are to be placed in private families for the present, where they will receive domestic care and instruction in the rudimentary branches.

"The old oak chest" tragedy was enacted lately in Kansas. Two children in Rock Creek, aged seven and ten, were left at home by their mother, and in their play climbed into a large chest which closed with a spring, and they were buried in that "living tomb," and when found were smothered to death.

In the recent failures in northeastern cities, some very old and respectable business houses have gone down. Among the suspensions in New York is that of Philip Deter & Co., a prominent grocery firm, that has been in existence over thirty years and has descended from father and son.

George Francis Train was among the passengers leaving New York for Europe, on the 7th Sept. His farewell remark was that he withdrew this year from his candidacy for the Presidency. He thinks, further, that when a politician of his caliber is expelled from a convention of mere spectres and hirelings, like that at Louisville, it is time to emigrate for a season.—*Ex.*

The surplus wheat crop of this State for this year, says the Stockton *Independent*, is estimated at 750,000 tons. When the population of the State is taken into consideration this immense surplus will seem more surprising. Our population in 1870 was about 600,000, and therefore it will appear that we have not only raised wheat enough to supply our own population, furnish seed for the next sowing, but we have a surplus remaining of one ton and a quarter, or forty-two bushels, for every man, woman and child in the State. If there is another State in the Union that can make a better showing than this we are unaware of that fact.

The price asked for wood at the present time in Carson City, says the *Register*, is higher than poor people can afford to pay, and therefore that article will, until further notice, come under the head of "luxuries." We understand that it is the intention of the coal companies in the eastern part of the State to introduce that article into our market as soon as the Virginia and Truckee Railroad Company run regular freight trains from Reno to Carson City. A citizen of Carson experimented on the difference between coal and wood last winter, and after a fair trial found that coal was cheaper than wood at $5 per cord.

From W. D. Foster, who has just arrived from Robinson, says the White Pine *News* of September 28, we learn that the body of Samuel Powers, Justice of the Peace, residing on Murray Creek, near Mineral City, was found on Saturday morning last in his cabin, which had been destroyed by fire on Friday night. The body was burned to cinders, and upon examination it was found that he had a hole in the back part of his head, supposed to have been made by a bullet. There is some mystery involved in the death of Mr. Powers. He was a sober and industrious man, and respected by all who were acquainted with him, and was formerly a resident of Hamilton. Coroner Taylor left for Robinson yesterday morning, and on his return may enable us to clear up this mysterious affair.

DIED.

October 1st, in the 17th Ward, of old age, ABENATH, wife of Elder George A. Neal, aged 74 years, 1 month and 4 days.

Deceased joined the church in Cambria, Niagara Co. N. Y. in April 1843; and with her husband and family emigrated to this Territory in 1853. She lived and died faithful to her religion. Funeral services to-morrow at 1 o'clock at the 17th Ward schoolhouse. Friends are invited to attend.

D. COOPER,
ATTORNEY AND SOLICITOR
OFFICE: Over Mrs. Colebrook's Millinery Store, East Temple Street. d751f

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SIX HUNDED BUSHELS
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NOTICE!
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Persons knowing themselves indebted to said estate are requested to settle immediately.
SARAH COLTRIN, Sole Executrix,
Mountain, Davis Co., U. T.
Sept. 16, 1872. d[illegible]

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HOMŒPATHIC PRACTITIONER
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d264

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Will continue the sale of their IMMENSE STOCK of SILVER-WARE, DIAMONDS, JEWELRY and FANCY GOODS during the SUMMER MONTHS. All goods will be sold WITHOUT RESERVE, at a GREAT REDUCTION, TO CLOSE THEM BUSINESS.

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Performance will commence at half past 8
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BENEFIT
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Captain Beesley's Martial Band have Kindly Volunteered.
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Will be presented, for the first time in this city, the beautiful Comedy, entitled
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Hortense de Beliniere, Miss Jean Clara Walters
Popular Selections, by Capt. Beesley's Martial Band. Mrs. E. F. Thomas has kindly volunteered, and will sing the beautiful Scotch Ballad, entitled "Wilt thou, my Bonnie Lass." Ballad, "The Gipsey's Warning," Miss Lizzie Davis. Duett, "So hear the Gentle Lark," for Cornet and Flute, by Messrs. Crosbie and Hedger, arranged for Orchestra by Prof. C. J. Thomas.
To conclude with the great semi-comic Drama, as played by John E. Owens, over 400 consecutive nights in New York, entitled
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"My Barrel of Apple sauce."
Solon Shingle..... Mr W T Harris
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SEASONED CORD WOOD,
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MINTON COAL,
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Orders left at our Boxes at Deseret National Bank, Post Office, or Wells, Fargo & Co.'s, will receive prompt attention.
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Between Judge Hoyt's residence and Warm Springs Bathing Establishment.

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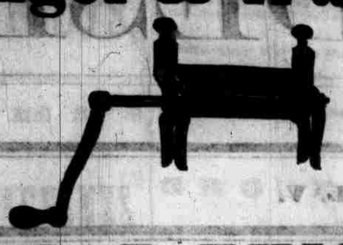
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To which we invite Special Attention.
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Numerous Patrons
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Looking through our Magnificent Stock and seeing our increased facilities for doing business.
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