

ABOUT WATER.

This city gets larger every year, at least so far as houses and holdings are concerned, and consequently so far as the supply and distribution of water are concerned. Where people have good wells, they have sufficient supply of water for domestic purposes, sufficient to make them independent of the creeks for that purpose. But for irrigation the creeks are still the resource, and they are also for water for many of the large houses, as but few citizens, comparatively, have wells, or use them for every household purpose when they have them.

The extension of the city and the increase in the number of houses call for a corresponding increase in the division of the water in the various ducts in the streets. As the population gets more mixed there is less likelihood of harmony in the use of the water, and consequently there is a growing necessity for more and more active and energetic official supervision of the aqueous supply, in order that every citizen may get the amount to which he is entitled, so far as he requires it. The office of watermaster is really one of the most important pertaining to the municipality, and to it should be brought a regularity, a carefulness, and an impartiality of supervision to which a highly important public function is entitled. The time is coming, if it is not now come, when the city should see that the division of water into the several principal channels is officially and competently supervised, the gates and dams constantly and properly attended to, and the flow of water equitably regulated, by the proper officers and no others, so that no lot or house holder, in any part of the city, shall be defrauded of his plain rights in this particular. Complaints are heard every now and then about this water question, and some profanity is indulged in, but the local authorities should have the matter under such strict and efficient regulation that no complaint can justly be preferred by any person.

THE MODOC BUSINESS.

In connection with the letter of "Inquirer" concerning the Modocs, our readers will notice the fact that our dispatches give the opinion of Attorney-General Williams; that the Modocs be dealt with by the military, the chief charge preferred against them being assassination of the bearers of flags of truce, a crime punishable with death. It is intimated that the prisoners will be tried by military commission, under instructions from the war department. So far as Gen. Davis and the soldiery, regular or volunteer, are concerned, the Modocs will have a poor chance, as it will be remembered that the preparations for the summary stringing up of them were only stopped by word from Washington. Whatever the fate of the Modocs, those who participated in the Captain Wright treacherous massacre of Modocs in an early day are worthy of the same, and should receive it.

By latest dispatches we learn that several of the Madoc prisoners have been massacred. Their assassins are worse than the Indians. Read the dispatches. The affair is an everlasting disgrace to Oregon.

THE U. P. R. R. TERMINUS.—The following is from the Washington correspondence of the New York Herald—

The Attorney General, on the 8th of May, in giving his opinion on the Omaha Bridge question, said that its determination did not involve the inquiry as to the terminus of the Union Pacific Railroad, and therefore, the subject was not then, and is not now before him. The Attorney General thinks, however, the matter can be settled by the Courts under the late legislation of Congress.

And such matters can be settled by the courts, some of them, according to political bias, or some other equally authoritative principle.

THE RESULTS.—Thus speaks that outspoken paper, the Omaha Herald—

The Mormons were Colfaxed nearly to death at one time, and now they are Blained over and over again. Out of all this Colfaxing and Blaining we get such small practical results as that Brigham Young celebrates his seventy-third birthday with as much power over his own in Utah as he ever had.

LOCAL AND OTHER MATTERS.

FROM FRIDAY'S DAILY, JUNE 6.

MAKING ARRESTS.—The city police have been around to-day making arrests of parties for breaches of the liquor ordinances.

STRAWBERRIES.—It is probable that native strawberries will begin to be somewhat abundant in the market about the end of next week.

TRACKLAYING.—Tracklaying on the First South St., extension of the street railroad is progressing, being completed some distance eastward of the City Hall. On Third South Street the cars find a resting place for the present at the corner opposite Dr. Benedict's, on Fourth East Street.

YELLOWSTONE PARTY.—Thirteen surveyors, under the command of Captain Jones and Lieut. Kahn, also Dr. Hyser, all of the U. S. A., left Omaha on the 1st inst., and stopped at Denver. They will at once proceed to the Yellowstone river to survey the grounds for the National Park which is to be located in that region.—Ogden Junction, June 5th.

DISCHARGED.—J. W. Haskins, who was arrested at Vallejo on Saturday, as mentioned in our last issue, was brought before Judge Clark yesterday on a writ of habeas corpus and discharged from custody, it appearing that the warrant for the arrest was not issued upon a sufficient affidavit, as required by the act of Congress. Catlin & McFarland appeared for Haskins and S. C. Denson for the agent of Utah Territory. Judge Clark gave the matter a thorough investigation.—Sacramento Union, June 3.

DECIDED.—The case of Kennedy and Parkinson, charged with stealing \$75, was decided by Justice Clinton, this morning. Kennedy was fined \$100, or in default of payment, to work one hundred days for the municipality. Parkinson was discharged, as Kennedy stated that although that individual received a portion of the money, he was not aware that it was stolen. Kennedy having represented to him that he had found it. Parkinson is from one of the settlements of Morgan County, and has been in this city about two or three months, during which time he has fallen into the habit of drinking, and other bad ways.

ACQUITTED.—The examination of C. S. Cleveland, at Bingham, for the killing of Green and O'Neil, lasted two days, being concluded yesterday. The evidence showed clearly that Cleveland acted purely in self-defense, and that the quarrel that led to the tragedy was not of his seeking, he having rather sought to avoid a difficulty, the justice therefore acquitted him. When the decision was rendered the bystanders cheered lustily and Cleveland received the congratulations of many friends. Those who were best acquainted with the circumstances of the case expected such a termination of the investigation.

Green and O'Neil were desperadoes of the worst type and but few if any regrets are expressed at their summary call from this life.

THE TIMPAWAGS MANUFACTURING CO.—An advertisement of this company appears in our Semi-Weekly issue, in which they announce that they are prepared to purchase 300,000 pounds of merchantable wool. The enterprise manifested by those who built the magnificent factory, at Provo, is most commendable. It is one of the most complete establishments in the country, and is worthy of all the patronage and support that can be accorded to it. It is to be hoped that the farmers and sheep-raisers will respond to the call of the company for wool, that the latter may not experience difficulty in running this splendid factory on account of being unable to procure sufficient raw material.

This factory is a large step in the advancement of the material interests of this Territory.

The company state, in the advertisement alluded to, the prices they will give for wool.

AN ABLE ARGUMENT.—The argument in the Grizzly and Lavinia mining suit, after several days' reading of the voluminous testimony in the case, was commenced by Mr. Royle for the defense on Wednesday, closing Thursday morning. Judge Wilson replied in the afternoon. The Judge has the reputation of being a strong lawyer; and we are informed by gentleman who was present that his argument was sound logical and convincing and that he handled this case like a master. Our citizens, acquainted with his history as Chief Justice and predecessor of Judge McKean, will call to mind with pleasure the reply which he said to have made on being asked at Washington, "to use his judicial power to convict the 'Mormons'."—"Mr. President, I am sent to execute, not to make the laws. If you require that I shall act as judge and legislator at the same time, you will have to send some one else." And some one else came. We hear it said that Judge Wilson's plea of Thursday afternoon—occupying, as it did, but about one hour and a half—was one of the most clear, comprehensive and able arguments ever delivered in Utah.

BURGLARS.—On Tuesday night an attempt was made by some unknown persons to burglariously enter the 20th Ward Co-operative store. Those who made the attempt worked at the shutter of the west window for about fifteen minutes, but did not succeed in effecting an entrance. It is well for them that they did not, for there was a young man within, who is not easily scared. He did not make the least noise, but waited patiently for the entrance of the burglar, whom he was prepared to greet with a regular fusillade, from a double-barreled shot-gun.

That 20th Ward store is by no means a healthy place for parties who might enter there, at unseemly hours, for dishonest purposes, for the watchman has a regular battery of small arms, and which he would not hesitate to open upon such intruders.

This occurred on the same night upon which the 12th Ward market stand of May & Lucas, a short distance from the store, was entered and a quantity of eggs and butter stolen therefrom.

CONSIDERING.—Those liquor dealers in this city who have taken a stand against compliance with the ordinance relating to liquor licenses recently engaged a legal trio to carry their cases through the courts. One of this trio, Judge Strickland, whose fame has spread abroad, called upon the prosecuting attorney to-day, we under-

stand, and requested that action in regard to the liquor cases now pending before the Justice's Court, be suspended for a short time until a grand pow-wow had been held upon the matter. Some additional and very brilliant legal counsel had been engaged, besides the luminous three before alluded to, and it was probable that the conclusion might be reached that it would be sound policy not to fight the city, but to comply with the law.

It was agreed that action in the cases should be postponed till five o'clock this afternoon, when the result of the deliberations of the "eminent counsel" of the liquor dealers would be announced to the city authorities.

It is to be hoped that the course determined upon will be in conformity with the law, the only sensible and righteous conclusion that could be arrived at in the matter. A whiskey ring is not a very respectable combination.

FROM SATURDAY'S DAILY, JUNE 7.

"HABEAS CORPUS."—Five liquor dealers were arrested, to-day, for selling liquor without license, and these not being their first offenses, they were liable to imprisonment. They were immediately, however, taken before Judge McKean, on habeas corpus. After arguments on both sides, the parties were released on their own recognizances, the Judge deferring his decision till Monday. A full account of the proceedings is crowded out to-day.

COMPLIMENTARY BENEFIT.—For twenty years past in this City Brother Wm. Derr has labored diligently and faithfully in connection with the dramatic corps. During the years in which dramatic entertainments were given in the Social Hall, and we believe every night since the first performance given in the Theatre, he has been punctually on hand to attend to his duties. It is true that he has not been one of the bright and shining lights of the company, but his labors have helped them to shine, for he has attended to the lighting of the establishment, and by his uniform punctuality and gentlemanly deportment he has won the good feelings of all the attaches of the establishment, those appearing before the footlights as well as those laboring in less conspicuous spheres. Lately Bro. Derr has had a pretty hard row to hoe—he has had affliction in his family and his two milch cows—all the cows he possessed—have died. Everybody knows that circumstances such as the above are enough to make a poor man a good deal poorer. Bro. Derr has found this out, and some of his friends have found it out too, and they have told it to others, and to prove their good feelings they have determined to give him a complimentary benefit at the Theatre. It takes place, we understand, next Wednesday night. We hear that actors, musicians and all other hands have volunteered their services on the occasion. A capital entertainment will be provided, and as the recipient of the benefit is a really deserving man in a rather tight place, it is desirable that the Theatre be well filled on the occasion, and we hope it will be.

THE BENDERS.—Yesterday afternoon Captain Burt, chief of the police of this City, received a circular containing descriptions of the notorious Bender murderers, accompanied by a request for the police here to keep a lookout for them. The Governor of Kansas offers a reward of \$1,000 for the arrest of each of them. Here are the descriptions of those villainous fugitives from justice:

Old man Bender is 55 to 60 years old, about 5 feet 7 inches in height; round shouldered, dark complexioned; has heavy beard cut short; hair long and dark, mixed with grey, heavy eye-lashes, sharp nose, hands spare with prominent cords on the backs; gait slow and sluggish; weight 140 to 150 pounds. He had a sleepy, downcast look, and was grim and surly in his deportment. His voice seems to come rather from the breast than the mouth. He speaks English in a very broken manner, his native tongue being Low Dutch.

The old woman is aged about 50 years, is very nearly as tall as her husband, is broad-shouldered and long-waisted; skin dark and tawny; face wrinkled; neck slim and cordy; hair dark brown. She has a quick, nervous walk, and speaks broken English sharp and quick.

The young man, John Bender, is about 23 years old, strongly built, full round face; large mouth, eyes and nostrils; swarthy, leather-like complexion, light brown hair, and heavy jaws; was inclined to run his boots over on the outside. He has a wild, scary expression, but looks square in the face when talking, and is generally smiling when in conversation. There is a scar across two of his fingers of the right hand, and one finger is stiffened.

Katie, the "she devil" of this gang of fiends, was aged twenty-one or twenty-two years. Her complexion yellow. She had very high cheek bones, sharp chin, and the contour of her countenance is said to resemble that of a wolf. Her hair is a light brown, with a tinge of red. She is somewhat round or stoop-shouldered, and hollow breasted; slender and has a long slim waist; eyes dark grey; nose somewhat flat with large nostrils; weighs 110 pounds. She speaks French fluently.

The opinion has been expressed that this is as likely a place for the Benders to come to as any other part of the country, for it does seem as if many of the blackest scoundrels in creation are finding their way to this city. The idea has also been expressed, although, of course, rather sarcastically, that the Benders could not do a better thing than come along here, for although they might be captured by the local authorities, releases on writs of habeas corpus, at the hands of U. S. officials, have been easily obtainable here for the worst class of criminals, apparently for the sole purpose of opposing the local authorities, right or wrong.

THE LIQUOR CASES.—It will be remembered that it was stated in the News of yesterday that Judge Strickland, one of the counsel for Lawrence and Mann and Hale and Lannan, arrested for selling liquor without license, and whose cases were before Justice Clinton yesterday morning, applied to the prosecuting attorney for a stay of proceedings until five o'clock in the afternoon. The reason he gave for asking for the delay was that additional counsel had been engaged by the liquor dealers, and there was going to be

a consultation, the result of which, he thought, would be that the liquor dealers would conclude to pay their licenses. It appears that the attorney and Justice believed what Mr. Strickland said, but why they did thus believe, in the face of certain well remembered and not very distant circumstances, does not appear. Anyhow the indulgence asked for was given, but instead of the pacific consultation taking place Judge McKean was applied to for a writ of injunction, which he granted, by which the city was enjoined from further proceedings in the two cases mentioned.

We need not ask what any decent person thinks of individuals who resort to misrepresentation and trickery to accomplish their ends, and then boast that they had taken "a flank movement" on the city authorities. The only way in which a flank movement was taken on the city authorities was in their believing that the "flank movers" had some little spark of self-respect remaining which would lead them to represent matters and not misrepresent them.

The police will be very likely to continue to perform their duty in the matter of breaches of the liquor ordinance. They have made several arrests of parties selling liquor without license, to-day.

DISTRICT COURT.—This morning, before his honor Chief Justice James B. McKean, the case of Mr. Thomas Taylor, merchant, of this city, charged with taking forcible possession of the Richmond mine, in Big Cottonwood, was called up and disposed of, for the present. It may be well to give a brief history of the case and of the charge against Mr. Taylor. It appears that some time back, owing to circumstances not necessary to name here, the Richmond mine was sold by the marshal. Mr. Taylor, acting in behalf of a number of parties, himself included, bought the mine, or the interest of that portion of it offered for sale, but it seemed, from the remarks of the Court this morning, although no evidence was adduced to that effect, that he never obtained legal possession, and other parties, namely, Samuel Smith and his partner, William Windgate, who claim to have had peaceable possession of and to have been working the mine for eighteen months past, retained possession until, as stated in the affidavit of Smith, made on the 23rd of May last, they were ejected by force of arms by Mr. Taylor and a party of men, on the 6th of May. On this affidavit Judge McKean issued a warrant for the arrest of Mr. Taylor and party, and they were brought before him, examined, and each held under bonds to answer at a future day. This took place on the 23rd of last month, but notwithstanding the action of the court, defendants, it is alleged, refused to give up the Richmond, and retained possession until the 28th of May. For this contempt of court, the defendants, or rather Mr. Taylor, was again brought before Judge McKean, who ordered him to be kept in custody, not for his contempt of court, but because he, the court, being busily engaged with other matters, had not time to investigate the case. He, the court, said that under the circumstances he had the right to detain the accused in prison, in Camp Douglas or in his own house; and Mr. Taylor was therefore kept in durance vile for two days and then liberated in \$5,000 bail.

The case was heard this morning, Mr. McCutchen and (in the absence of Mr. Smith) Judge Tilford appearing for defendants, Messrs. Marshall & Baskin for the people. The complaint, the nature of which in substance is given above, was read by Mr. Marshall. Defendant's counsel waived any examination. The opposing counsel wished the court to exact heavy bail from Mr. Taylor and his co-defendants, and also, seeing, as they said, that Mr. Taylor still had possession of the Richmond, that he be bound over to keep the peace towards Smith.

Defendant's counsel assured the Court that Mr. Taylor had not present possession of the Richmond, that he had no design of interfering with Mr. Smith, or in any way to resist the orders or processes of the court in relation to the property in dispute. And as for the bail of the co-defendants with Mr. Taylor, they were merely his employees, had no interest in the property, and therefore the bail required of their case should be light, for being poor miners, if the amount required were excessive, they would be unable to procure it, and would have to lie in prison, and it would not be just to punish one set of men to deter others from committing crime.

The Court thought that in passing judgment on criminals, the object was twofold, one to punish the guilty, the other to warn the evil disposed.

Mr. McCutchen—"That is very true, sir, but you will not punish one man to keep others from committing crime."

Court—"There have been several men hung lately who would have been pardoned for the effect on the public mind."

The Court in its comments, said that disputes of this kind had been frequent in mining countries, and they had often caused bloodshed and loss of life. There was a right way to go to work to gain possession of property by parties who had legal claim thereto. Mr. Taylor had not gone the right way to work. If he would produce proper title to the property of which he had taken forcible possession, and assert his claim in a legal manner, he, the Court, had no doubt that he would obtain his rights. At any rate, this system of petty warfare must be stopped, and if he had the power he was determined to stop it.

As regards the amount of bail for the co-defendants, if he fixed it at a small sum, he would perhaps be misunderstood, for other parties might thereby be induced, for a small additional daily compensation, to run the same risk as these had done. He had been thinking of the propriety of refusing bail in such cases as this. He had not yet fully investigated the subject, and did not know that he had the power to do so. He would not expect to find, outside of Utah, any law giving him such a power as that, but if among the curious and unusual laws of Utah he found one that would empower him to refuse bail in such cases as the present instance, he should hold Mr. Taylor to answer the action of the Grand Jury in \$5,000 bail, and at the risk of being misunderstood, he would hold his co-defendants in \$1,000 each, but counsel need not expect that he would be so lenient in future cases of the kind.

FROM MONDAY'S DAILY, JUNE 9.

TABERNACLE YESTERDAY.—Elders R. F. Neslen and W. Woodruff addressed the congregation in the morning, and Presi-

dent Joseph Young and President Brigham Young in the afternoon.

COMING HOME.—From a reliable source we learn that Thomas Jennings' son of Mr. William Jennings of this city, reached New York yesterday. He expects to travel thence to Salt Lake in company with President George A. Smith.

THEATRE.—There was a good sized audience at the Theatre on Saturday evening, and various portions of the performance were loudly applauded, especially one of the nature of "How Not to Do it."

Another performance on Wednesday evening.

BRIGHAM CITY, June 7th, 1873.

A young man, about twenty years of age, son of W. H. Wrighton, of this place, went over to Bear River, this afternoon, to swim, with several other boys, and was drowned, about three o'clock, this afternoon. His body is not found yet.

DELICATE OPERATION.—Last Saturday morning a difficult and dangerous operation was performed, in the extraction of a large tumor from the neck of Bro. George Taylor, a highly respected citizen of Parowan. Drs. Anderson, Benedict and Richards officiated as the surgeons, and the operation was executed with safety and skill. Though Brother Taylor is now in his sixty-fourth year, he bore the operation well; and is expected to recover.

FROM CACHE VALLEY.—Col. Thomas E. Ricks, just in from Cache Valley, called this morning. He says the Utah Northern will be completed to Corinne to-morrow for certain.

One storey of the new co-operative store at Logan is built and the upper one commenced upon. It will be a handsome building, with lower part of front of iron and the upper portion of white cut sandstone. He says they had a heavy shower at Logan on Friday, and the country there and all he way down looks handsome.

SAD ACCIDENT.—"A. C." writes from Brigham City, June 3, as follows:

"While the men working on the branch line of the U. N. R. R., running to Corinne, were dining on the banks of Bear River, several of the boys were bathing in the river, and William Henry Wrighton, son of William Wrighton of this place, aged about fifteen years, while swimming, was caught by a whirlpool, or under current, and drowned instantly. All efforts to rescue him were vain, and his body has not been seen since he went under."

COMPLIMENTARY TO AN OLD AND RESPECTED CITIZEN.—All our citizens who are acquainted with the beneficiary, will be glad to see the subjoined correspondence.

SALT LAKE CITY, June 5th, 1873.

MR. WM. DERR:

Dear Sir:—We, the undersigned, members and attaches of the Salt Lake Theatre, wishing to express in a suitable manner the esteem in which you have been held by us, through the many years we have been associated, and in consideration of the fact that you are the oldest member of the company, and also wishing to substantially testify our sympathy with you for the many misfortunes you have been afflicted with during the past few months, hereby volunteer our respective services for a complimentary benefit, to take place on some suitable occasion agreeable to yourself.

Respectfully yours,

To this document the signatures of the members of the dramatic company, the orchestra, and other attaches of the Theatre are appended. Mr. Derr replies as follows—

SALT LAKE, June 7th, 1873.

To the members of the Salt Lake Theatre:

I am in receipt of your kind letter tendering me a complimentary benefit. It affords me the greatest pleasure to learn in this substantial manner the kindly feeling that exists between us, and doubly so coming as it does in this my hour of trouble. If convenient to you, I would name Wednesday evening next, June 11th, leaving the selection of the plays entirely with yourselves. Gratefully yours,

WM. DERR.

FROM THE SOUTH.—Elder George Halliday, in from Pleasant Grove to-day, reports that the warm weather is causing the streams to rise rapidly, and that the railroad track in American Fork Canyon is in danger of being washed away. Mr. Pike, manager of the road, is doing all he can to protect it. He has between thirty and forty hands at work at this business, and by their labors he has already secured all the bridges. Yesterday the big dam at Lewis Robinson's saw mill gave way, causing an immediate rise of over three feet in the stream below, which came rushing down the creek, and when it got to American Fork City it struck the bridge and carried a portion of it away, and travelers on the road to-day will have to ford the stream. Bishop Harrington and the people of American Fork, with their usual promptness, are at work, and expect to have the damage repaired and the bridge more secure than ever by to-night.

On Saturday and yesterday meetings, well attended, were held at Springville, the speakers being a number of home missionaries of Utah county. The subjects spoken upon were tithing, the emigration of the poor, and a more extensive plan of co-operation. A good spirit prevailed, and the meetings were a time of refreshing and enjoyment to the large congregation which attended.

Our informant added that at the close of the meetings a gentleman came forward, and presented a specimen of the practical results of one branch of co-operation very popular in Utah, though rather unpopular in some of the Eastern States. This was a fine stout four year old boy, which the father stated was the 10th child of his mother and the 4th born to him since he was forty years old.

Such co-operation as that is hard to beat, and is worthy the imitation of all good men and women every where.

A fourteen-year-old son recently paid his father's fine for drunkenness, and procured his release from the Jackson, Tenn., calaboose. He told the officer that perhaps he'd be drunk himself next week, and then the old man could do the square thing in return.