# THE WAR IN COURT.

## Legal Phase of Hostile Demonstrations in the Park.

### THE CRESCENT VS THE SILVER KING

**Restraining Order Issued—An Attachment Suit—Owen Under Bonds—A Dismissal.**

The trouble between the Crescent and Silver King mining companies has got into the courts, the Crescent having filed a suit in the Third district today, asking that the Silver King be restrained by injunction, and that it pay the Crescent $6,000 damages. Zane & Zane and Marshall & Hoyle are attorneys for plaintiff. The dispute is over the right to the waters of Thayne's or Shadow Lake, in Thayne's canyon, near Park City, and the Jeannette tunnel which runs thereto, and also the Aetna, Hecla, Rosellina, Climax, James A. Garfield, Senate, Walker, Walker Extension, Spring, and Pinto mining claims, all in Summit county.

As to the water right, the Crescent company asserts that it appropriated and owns all the water of Thayne's or Shadow Lake, with the stream running from the Jeannette tunnel into the lake, except such as was appropriated for agricultural purposes prior to the Crescent's appropriation; that the company built a dam at the outlet of the lake for the purpose of raising the water and increasing the supply, and made a reservoir, which took into its farm all the natural sources of supply of the lake and also the stream from the tunnel, subject to the rights of the agriculturists referred to, and that the use of such water is necessary to the working of the Crescent property.

Then as to the cause of action the Crescent brings up the trouble of last Monday, July 14, when a considerable company of armed men were made by the parties. The complainant asserts that "on or about the 14th day of July, 1895, the said defendant, and its managers and agents, servants and employes, unlawfully and without right, with force and violence, with a strong force of armed men, entered upon the said mining claims of said plaintiff, against its will and consent and against protest, and after overpowering circumstances of violence and terror, the said employes dug a trench over and across the said claims named above as the Hecla, the James A. Garfield, the Climax, the Senate and the Walker and Walker Extension, and also across the said Spring and Pinto mining claims, to the outlet of said lake, and laid a pipe line therein, and by means of said pipe line, with violence, with said force of armed men, and unlawfully and wrongfully, did begin to divert the waters of said lake and to forever deprive plaintiff of its rights and ownership therein to its great and irreparable damage."

For this action the Crescent company sues $500 damages.

The complaint then goes on to say that in the fall of the year 1894 the Silver King unlawfully laid a trench from the lake without the knowledge and against the will of the Crescent company, by which secret action the Crescent is damaged to the extent of $1,000.

It is alleged that the Silver King company, by force and violence, continues to maintain its trench and pipe line, and by reason thereof the Crescent already has suffered damage to the sum of $2,000.

A second cause of action is stated to the effect that July 14th, the Silver King company, "with force and violence and with a large force of men" entered upon the mining claims named, and as a pipe line after overpowering the Crescent men, and with such "force of armed men patrolled said pipe line wrongfully and unlawfully," thereby damaging the Crescent to the amount of $2,000.

Upon this statement the Crescent asks for $6,000 damages and costs of suit; for a restraining order against the Silver King taking the water referred to or entering upon the claims and property named; and that pending the hearing of the case, the Silver King men be restrained from their present action of maintaining possession.

At the filing of this complaint, Judge Merritt granted the temporary restraining order, setting August 3rd as the date when the Silver King company is to come into court to present its side of the case, as to whether or not the injunction shall continue.

ATTACHMENT SUIT.

The Schlitz-Judson Drug company also entered suit against George E. Wright, of George E. Wright & Co., for $505.50, balance alleged to be due upon a bill of $3,856.25, for medicine purchased from the plaintiff, between July 3 and 8, 1895. An attachment was also asked for and issued, the ground being set up that Mr. Wright "has assigned, disposed of, and concealed portion of his property" with intent to defraud his creditors.

ORDER BONDS.

Henry Owen, who was arrested at Callaway, Elko County, as stated in the NEWS, was before U. S. Commissioner Pratt today, the charge against him being the theft of a saddle. He was placed under $500 bonds to appear for trial tomorrow afternoon.

DISMISSED THE LOT.

In a dispute about some property interests, Mrs. S. M. Free had Mike Sidney Davis and three others arrested on a charge of conspiracy. The case came up before U. S. Commissioner Morris Sommer today, but there were no officials present to prosecute it, so the commissioner discharged the accused parties.

### Today's Police Court.

The case against McNamee has been set for 2 o'clock, Monday, and it will probably be tried before a jury. The defendant is out on bail.

The case against Charles Spinal, charged with using abusive language to ex-Fireman Bywater, has been continued until Monday at 2 o'clock p. m., Bywater is at present dangerously ill.

Jack Dowd, whose trial for keeping a vicious dog was commenced yesterday and who was arrested last night for vagrancy, will come up for both charges tomorrow at 10 o'clock.

Fred Brieg was arraigned for trespass. He had come from Hooper Junction on a flat car and on arriving he got into a box car and slept. He was discharged.

Charles Harrison was charged with riding his bicycle on the sidewalk at a greater speed than the rate of eight miles an hour. Harriet Hunter testified that she saw Charlie or some one she thought to be him, run against a child Sunday evening at 6 o'clock, on Second East. Eliza Hunter testified that she had also seen the boy run over the child.

Charles Harrison testified that he had not ridden a bicycle on Sunday afternoon or evening.

Two boys, Albert and Charley Ait, testified that they were with Charley Harrison until after what they thought to be half past six o'clock.

H. C. Harrison, the father of the boy, stated that another boy had confessed to him that he had run against the child, and he would bring his name to the court tomorrow. The case was then dismissed.

R. Johnson and C. Beers forfeited $25 each for keeping gambling houses.

Harry Bronson forfeited $5 for drunkenness.

### A Bay Contest.

Samuel Gloesbeck was before U. S. Commissioner Sommer this afternoon on a charge of feloniously taking five bales of hay belonging to J. D. Mortensen, and valued at $35. There is a dispute as to the ownership of the hay. The trial was in progress as the NEWS went to press.

## MINING AND BUSINESS.

**Scarcity of Water at the Bullion-Beck—Machinery for the Grand Central to Be Ordered.**

Messrs. A. H. Cannon, J. Hack and Simon Bamberger, of the Bullion-Beck Mining company, went out to Eureka last evening for the purpose of ascertaining what could be done towards developing the water supply of the mine, there being such a great scarcity that the mill has had to close down on that account. During the wet season plenty of water can be gotten by means of reservoirs, but in the summer that supply is soon exhausted.

Mr. Cannon returned this afternoon, but what will be done to remedy this great hindrance is not yet known. Messrs Hack and Bamberger are still at the mine but will return tomorrow.

The directors of the Grand Central Mining company, owners of all the valuable mining properties between the Centennial Eureka and the Mammoth mines, held a very important meeting at Provo today. The result was that they have ordered the purchase of all the necessary machinery to fully develop the mines, which Tintic experts say are the best in that district. The officers of that company are: Lafayette Holbrook, president; Isaac Smith, vice president, and C. E. Lomer, manager. These with Messrs. David Evans, of Ogden, and A. H. Cannon make up the board of directors.

### Personal Paragraphs.

Count and Countess Pelin d'Amoiselle, of Paris, France, are guests at the Templeton.

The Cullen arrivals are as follows: C. Andrews, Nephi; A. O. Wilson, Cleveland, O.; R. McVicar, Denver; and F. S. Gray, San Francisco.

W. Morgan, Nephi; Alma M. Willard, S. S. Willard and Julia A. Dowling, Chicago, Ill.; H. Holmes, Portland, Oregon; J. A. Cutler, Butte; and Mr. and Mrs. J. P. Douglas, New Orleans, are registered at the Walker.

The Templeton register shows the following: T. Isaac, New York; Mrs. Gillibrand, Mrs. Mae, Miss Ellen, St. Joseph, Mo.; N. B. Larmon, Cincinnati; F. H. Aiken, San Francisco; and E. G. Abernethy and C. H. Schrader, Philadelphia.

The Templeton has: John S. Cassell, San Francisco; W. Carroll and wife, New Orleans; F. J. Meyer, Indianapolis; Jos. Bowmer and F. E. Gardner, New York; R. J. Marmon, Provo; and Mr. and Mrs. F. M. Brown, Phila. Pa.

Mr. J. S. Moreton, clerk of the board of education, who has been on his summer vacation in Denver, will return home tomorrow night. During his absence Mr. Moreton attended the national educational convention held in that city.

## WILL VISIT UTAH COUNTY.

**A Party of Salt Lake Experts To Inquire Into the Old Water Dispute.**

There are suits pending in the District court at Provo between the people owning land along the shore of Utah lake and the canal companies of this county who draw water from the lake. The property owners along the lake claim that the water of the lake has been raised and has flooded their lands on account of bands having been placed in the Jordan dam by the canal companies.

The companies deny this, and as one of the canals is owned by Salt Lake City, a party will be sent down Monday by the city to gain information by which they may prove that the claim of the Utah county people is untrue, and that they may be prepared for suits in the future.

A survey will be made of the exact line of the edge of the lake and also the old government survey will be found. In this way it will be found whether the water is below the old government line or not. If it is below then the property owners will have a cause of action, as their land is bounded on the side next to the lake by the government survey line.

A dispatch from Sundance, Wyoming, on Monday says: William Bell, aged 70, undertook to commit suicide Saturday last, by a peculiar method. He prepared a mixture of glue powder with cap and lime, lighted the fuse and told himself down on the powder. It exploded and threw him into the air, but he was only slightly injured, being burned about the breast and arms. He is now being cared for by one of his neighbors and will recover. This is Bell's second unsuccessful attempt at self-destruction. On June 4 he undertook to hang himself and had fastened a rope to a tree and was standing on the top of a bridge adjusting a slip noose about his neck when the bridge gave way and he fell to the ground, sustaining a few bruises about his person. Bell said he decided to die because he is old and has no relatives.

SALTAIR TRAINS on Page 8

## INDIANS AND THE FOURTH.

**How the Red Men Celebrated on the Crow Reservation.**

**Independence Day in Northern Wyoming Observed by Aborigines Who Present a Peculiar Scene.**

A reunion of the Indian tribes was held on the 4th and 5th of July on the Crow reservation on the Wyoming line in the northern part of the state, a short distance from Sheridan. The Sheridan Post gives an account of the celebration, and speaks of the Indian parade as follows:

The parade was the next number on the program which was arranged by the Indians themselves and carried out in a sort of go-as-you-please manner. They rode two abreast, the bucks preceding the squaws, making a pageant at least a mile and a half in length, nondescript in appearance each was ornamented and rigged out according to his particular taste and the amount of variegated finery he happened to possess. There were the inevitable gaudy colored blankets, beaded vests, veils and sacks trimmed with rows of elk teeth, strings of beads, articles of clothing ornamented with small shells, bear claws and weasel skins, hair braided and interspersed with pointed feathers, face and bodies greased and stifled to give a grotesque appearance to some and to others a make-up that was positively hideous. It was a motley throng, utterly indescribable in detail, and to be fully appreciated had to be seen.

Plenty Coups and Medicine Tail led the procession, bedecked in all the finery imaginable. Plenty Coups is at the head of the western band and exerts more influence over the entire tribe than any other chief in it. He is rich in horses and cattle and shrewd in business matters. He derived his name from the fact that he has many valorous deeds to his credit, the word "coup" meaning a brave deed. Medicine Tail carried a yellow guidon, a fac simile of those carried by Custer's men, which bore the inscription, "Custer's 7th U. S. Cavalry." Chief Dead Bull carried an umbrella and a feather quiver. The chief wears a large silver medal conferred upon him forty-five years ago, during the presidency of Millard Fillmore. He also was one of the participants in the Crow outbreak of 1887, and subsequent to the disturbance was confined in the military prison at Fort Snelling for a period of nine months. While in the prison he made several attempts to commit suicide by cutting his throat which still bears the marks of the weapon he used.

Following the chiefs and braves came citizens and papooses, of which there seemed to be a legion, dressed and undressed, painted and powdered and fixed up "to kill." Patents of every color and kind, sleigh bells and horse trappings and clothing, peacock feathers and fly brushes, trimmed with handkerchiefs and red ribbons to match, making the greatest conglomerate aggregation we ever witnessed and one we are utterly inadequate to the task of describing so that our readers could obtain even the faintest conception of it as it actually appeared.

The riders then formed a semicircle opposite the stand on which were located the officers from the agency and Fort Custer, and the white people who had traveled miles to witness the novel exhibition. Within the space intervening, the dance took place and continued during the remainder of the afternoon. There were the Grass or War Dance, the Scalp Dance, the Owl Dance, the Tobacco or Medicine Dance, and a number of others, apparently all alike. The orchestra of Tom-Tom and vocal artists, however, changed the style of their music for each particular dance, indicating to the participants in "the hay" what was next expected of them. After the scalp dance one little squaw—if Sioux stepped out in front of the audience and made a great talk, recounting the "coups" of the Sioux in their contests with the Crows, how the latter had been whipped time and time again, and beaten of the number of scalps he had taken personally. He carried a Winchester, which he held aloft that all might see the three or four scalps with which it was ornamented as evidence of the fact that his statement was veracious. Then an interchange of presents took place to show that the hatchet had been buried and the white winged dove of peace hovered over all. In 1885, during a similar celebration, the Crows took offense at a talk made by a Sioux brave and a genuine row resulted in which two of the latter tribe were killed.

After the sham battle, which amounted to little beyond the wasting of considerable ammunition and several cavalry charges, a Sioux buck and squaw were selected to represent a killing event which occurred during the Custer campaign, in which both were slain. They stepped into the arena and were fired upon by a detachment supposed to be our cousins. When they fell, a Sioux squaw sitting on the ground at our feet, afflicted with a "that heart," struck up the most unearthly wail that a mortal ever listened to, and kept it up until the report started that her husband had died in her arms and one sympathetic-ally inclined white lady slipped out of the stand to investigate. It transpired however that the papoose story was a myth, but that the scene just enacted was a repetition of one in which her sister had been killed on the Little Horn some four or five years ago and for whom she was mourning. After her grief—which was perfectly natural and not "make-believe" by any means—had subsided, she was presented with a couple of pieces of dress goods and her sorrow assuaged.


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### LETTER LIST.

Remaining uncalled for in the Salt Lake City, Utah, post office for the week ending July 13, 1895. In addressing letters for any of these names care should be taken to write the name of the town, county and state in full. Letters will be held for 15 days and then returned to the Dead Letter Office at Washington, D.C.

LADIES' LIST.

[illegible]

GENTLEMEN'S LIST.

[illegible]

AT SALTAIR all private bathing suits are cared for FREE OF CHARGE.

## COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $[illegible], balances $[illegible]; same day last year, $[illegible].

TODAY'S QUOTATIONS.

NEW YORK.—Silver, 65½; lead, $2.20. London.—[illegible].

ORE AND BULLION.

W. S. McCornick & Co. received today: Silver and lead ores, $4,200; Bannister bullion, $3,958. Total, $[illegible]. T. R. Jones & Co. received today: Base bullion, $[illegible]; ores, $[illegible]. Total, $9,800.

Wells, Fargo & Co. received today: Fenn. bullion, $4,113.

STOCKS AND MARKETS.

NEW YORK, July 19.—Official stock sales were generally in order opening, but the tone became weak and prices declined fractionally [illegible]. Sugar declined 2 [illegible] after it opened [illegible] Lead, $2.90.

[illegible]

CHICAGO STOCK.

Corrected to the NEWS.

[illegible]

Cattle receipts, 300; market active & steady.

[illegible]

CHICAGO GRAIN.

Corrected daily by [illegible].

[illegible]

NEW YORK STOCKS.

[illegible]


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**Book of Mormon.** (Large Print.) Morocco, Extra cloth, $2.50; Leather, $3.50; Morocco, Leather, $3.00; Cloth, $2.00.

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**Joseph Smith—Was he a Prophet of God?** By J. M. Sjodahl, price, Paper, 10c.

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