

WATER DISTRIBUTION.

State Engineer Willard Young has submitted the following questions to Attorney General Bishop:

1: Has the State engineer authority to give instructions to watermasters of all the ditches diverting water from the main stream as to the measurement of water so as to secure a just distribution of the same; or can he give instructions only to those who apply for them?

2: If the State engineer has authority to give instructions to the watermasters of all ditches, has he the authority to see that these instructions are complied with and carried out?

3: How shall the state engineer proceed to enforce his instructions in case some of the watermasters decline to comply with such?

The following reply was sent Mr. Young today:

Section 7 of chapter 38 of the laws of 1897 provides:

"The State engineer shall, free of charge, give any information desired by any person as to the proper method of measuring water or of constructing an apparatus for such measurement upon proper application being made; and shall give special instructions to all watermasters as to measurement of water, so as to secure a just distribution of the same."

It would seem that the Legislature in enacting this section had in mind two classes of persons whom it was made the duty of the State engineer to advise in reference to the measurement of water and the construction of an apparatus for such purpose. First, the people of State, generally, especially those interested in the use of water from the public streams for irrigation and other purposes. Second, those who have been designated by corporations, irrigation companies or individuals as watermasters.

Clearly it would not be the duty of the State engineer to give the information desired by any person of the first class except upon proper application being made therefor. While as to the other class, it would seem to have been the intention of the Legislature to impose upon the State engineer the official duty of giving special instructions to them. In the use of the term "watermaster" it may be said that the Legislature assumed that there were persons, who, by reason of their employment in relation to the uses of water are so known and designated. The term, so far as I have been able to ascertain, has never been used by the Legislature before or since the enactment of the section above set out. It is a matter of common knowledge, however, that irrigation companies have what they call watermasters whose province it is to superintend irrigation ditches, see that the proper quantity of water is taken from the public stream and that the same is properly distributed to those entitled thereto. Undoubtedly the Legislature had such persons in mind when it enacted the last clause of said section 7 directing the State engineer to give them special instructions as to the measurement of water, etc. And I think it may be fair to assume, that in order to secure uniformity of measurement of water as it is taken from the public streams it was

intended that such special instructions should be given in any event, and that without waiting until application should be made therefor. In other words, it is a direction, a command from the Legislature to the State engineer to perform an official duty, the purpose being to secure a just distribution of the waters of the public streams of the State to the various corporations, companies and individuals entitled thereto.

Answering your second and third questions, I am of opinion that when you have given the instructions above suggested, then your authority ceases. In other words, you have no power to compel obedience, thereto. Should these instructions be ignored or should the parties to whom they are directed refuse to comply with them, there are other provisions of law covering such cases.

You are therefore advised that it is your duty to issue special instructions to all water masters throughout the State relative to the measurement of water taken from the public streams of the State for some useful or beneficial purpose without waiting for application therefor. This being done your duty in the premises will have been discharged.

I have the honor to be,

Very respectfully yours,

A. C. BISHOP,

Attorney General.

RUINS IN ARIZONA.

TAYLOR, Navajo County,

Arizona, July 28, 1897.

There is perhaps no other subject that is of more interest to the Latter-day Saints than that of the prehistoric ruins that are to be found in different portions of the United States, and also in Mexico and Central and South America, and the investigations that are being made by agents of the government; as every discovery made goes to prove the divine authenticity of the Book of Mormon.

Arizona is proving to be a valuable field at present for scientific research. Dr. Fewkes and associates are at present engaged with a force of hands making excavations near the site of an ancient town or village which is located two miles west of here. They have already taken out quite an assortment of pottery beads, etc. I understand also that they found a small bell made of hammered copper. These articles seem to be buried in their cemetery, as there is a large number of bones found with them. They are generally found some distance from the ruins, and on lower ground.

This village is located on a small hill elevated some fifty or sixty feet above the surrounding country, while the graveyard seems to have been at the foot of the hill, and about 100 yards from the village.

The writer paid a visit to their work on the 28th of July, in company with several other parties from Taylor, and found the doctor quite willing to impart any information that he possessed. He was making the collection for the Smithsonian Institute, and has been working on the ruins of Arizona and New Mexico for upwards of three years. He was quite well acquainted with his business and thinks

the remains are of a people who are of the same family as the Mcquies Indians and he says they originally came from the south.

In support of this theory he says the farther south you go the more extensive are the ruins, and they seem to have been a wealthier and more enlightened race the farther south you go. He has taken out a great many skulls that are in a fine state of preservation. These with other bones that have been taken out, seem to show that the people are of about the average size. He had collected a good many specimens of pottery and other articles. The pottery is covered both on the interior and exterior with many curious paintings, such as beasts, birds, reptiles and insects, and is in a fine state of preservation considering the many centuries it must have lain in the earth. Many of the bones crumble as soon as they are exposed to the air, while others remain firm. He expects to make other excavations in this part of the country as there are a great many old ruins and the Indians now do not seem to have any traditions concerning them.

The Twenty-fourth passed off very quietly here, in about the usual manner, with the exception of a visit in the afternoon from the Snowflake ward folks who came up in their wagons and carriages and on horseback, in representation of the Pioneers, with James M. Flake as captain. They formed their vehicles in the shape of a corral, I suppose as they used to do in crossing the Plains, and then the two towns proceeded to trip the light fantastic toe within the enclosure in true '47 style, as they had neither lumber nor rock for flooring—not even a bucket of water to sprinkle over the ground to settle the dust; but the old gentlemen and ladies seemed to enjoy the treat, perhaps better than those who were younger. After enjoying themselves together for a short time the Snowflake brethren and sisters moved on, and left us. We were very much pleased with their visit, and hope they will come again and stay longer.

We have with us one of the original Pioneers, Brother Charles Shumway, who is very active at present; also Brother Marshall Hunt, one of the Battalion; also a pioneer band drum that once did valuable service in the Nauvoo Legion in the days of the Prophet Joseph Smith. We are pleased to have these veterans of Pioneer days in our midst, and wish them success and happiness during the remainder of their lives.

JUMBO.

WEEKLY CROP BULLETIN.

SALT LAKE CITY, Utah,

August 3rd, 1897.

The week ending August 2nd was the warmest so far this season. At several places throughout the State the temperature reached the 100 mark on the 23rd. Refreshing showers occurred in many districts on the 29th and 30th, doing much good to the growing crops. The warm weather has ripened the grain rapidly, and in a week or ten days the most of it will be cut and stacked. Report, as a rule, indicate that the yield of grain in most districts will be much below the