

EDITORIALS.

REPLIES TO CORRESPONDENTS.

A GENTLEMAN of Garden City, Rich County, asks:

"Can any person interested in a canal enlarge or extend said canal, without the consent of the company? Or having made a ditch to convey his portion of the water from the land for which it was originally intended, and the land to which it is taken is not taxed, can he compel the company to pay him for said ditch?"

Unless further explanations were made, we should answer both of these queries negatively. A canal, and the water therein contained, are the property of the canal company, and are subject to the exclusive control of its officers. Incorporated canal companies, or irrigation districts organized according to law, are here spoken of. A new ditch might be commenced where the canal ends, if the owner of the land at that point consented; and it might be called an extension to the canal. But no water from the canal could be run into such extension without the consent of the canal company; nor could the latter be required to pay for such an extension unless the same was constructed under its direction and authority. Stockholders in a canal cannot make ditches for their individual accommodation, and require the canal company to either bear any part of the cost of such ditches, or furnish water for them, unless arrangements to such an effect are made with the canal company through its proper officers.

A settler at Meadow, Millard County, writes to the News as follows:

"I have a quarter section of land. When I first filed on it I could not fence it all at once, so a little water in the spring of the year, would run through my land that was not fenced. If a person comes and settles below me and has his stock drink that water, when my fence is up can he still insist on taking down that fence and coming upon my land till he finds water for his stock? Is it not as inconsistent for a person to come and settle below me and try to force me to send water down to him, as it would be to go above and take it in the summer time? When I commence to use what little water I have, I don't like to have somebody come and turn it off when it belongs to me and he has none. Can the selectmen of the county settle these affairs?"

If our correspondent has correctly and fully stated the case between himself and his neighbor, there can be but one view of it taken by an intelligent person: His neighbor should find a water supply elsewhere than on his land. One settler has no right to drive his stock on the land of another without the latter's consent, to procure either food or drink. The ownership of water is as sacred under the law as is the ownership of cattle, land, or any other kind of property, and should be as much respected. County courts have nothing to do with settling disputes between neighbors about water, or any other kind of property. Justices of the peace and the district courts have jurisdiction of such matter.

Mr. Joseph W. Carpenter, of Bloomington, Washington County, Utah, propounds the following:

1. When applying to a county surveyor to have land surveyed, must the party applying make the application in writing? If not, how can the surveyor file the application?
2. If a verbal application is made, and a second party brings a written application to be filed for the same piece of parcel of land, not knowing that the first party had made an application; and the surveyor acknowledges he has no other application on file, which party must he survey the land to?
3. What is technically called "the bed of the stream" of a river or creek? Is not the low land, where the river overflows several times a year, included in "the bed of the stream?"
4. Where there is a narrow strip of unsurveyed land that is low and swampy (some which the river overflows occasionally), meandering from three to thirty rods wide, contiguous to surveyed land, and the owners of the surveyed land let their waste water run on to the low land, washing upland down on to it for ten or fifteen years, thereby improving it and making a portion of the low land produce will pay more or less during each season, does it give the owners of the surveyed land the prior ownership of the unsurveyed swampy land?

Under the county government law, passed at the last session of the legislature, a county surveyor "must make any survey . . . upon application of any person." He is required to keep a record of all surveys made, etc., but the law says nothing about written applications for surveys, nor the filing of them.

It is not necessary to make the application in writing, though that would be more the businesslike way. The surveyor must survey the same piece of land for as many persons as apply for a survey of it, no matter whether the applicant is interested in the ownership of the tract or not. He may have va-

rious reasons for desiring to know its corners, boundaries, etc., and the law gives him the privilege of acquiring this knowledge, though he must pay the expenses of making the survey. The making of a survey of a tract of land, by a county or any other surveyor, has nothing whatever to do with the title, possession or ownership of it. Ordinarily, surveys are made in the order in which applications for them are received by the surveyor.

There is no statutory definition of the term "bed of the stream." A court would probably hold it to have its ordinary, common sense meaning, i. e., the space between the banks. It may or may not be always covered with water. The answer to the fourth question is, no. "Prior ownership" of a piece of land, large or small, straight or crooked, near to or far from a surveyed farm, can be acquired only by filing upon it at the land office, and complying with the requirements of the land laws. Improving, using, or cultivating a piece of government land, for any length of time, will not give to the person so doing even a color of title of which a court would take cognizance. The one who first files upon it acquires the first claim to it which the law will recognize. If the land is private instead of public, the rule is different, as seven years' undisputed possession gives the legal title to the possessor.

A NEEDED LESSON.

UNDER the above heading the Chicago News has the following leader on one of the many disappointed Republican candidates for the Presidency:

"There is one thoroughly satisfactory outcome of the Republican National Convention in the signal defeat of Russell A. Alger. The lavish employment of money in his canvass and the promise of proportionately larger sums in his campaign, if nominated, presents a spectacle which has saddened and disgusted the thoughtful citizens of all classes."

It is alleged without contradiction that he has expended over \$100,000 in his efforts to secure the nomination; and he was quoted—equally without contradiction—as having promised, first, to spend \$500,000, and subsequently to increase this amount to \$1,000,000, if necessary to secure his election.

It is needless to say that no such sums could be legitimately or honestly used for such purpose; that only wholesale bribery and corruption could make demands of such magnitude upon the private purse of a candidate, nor that the candidate who would resort to such means had already proclaimed his utter unfitness for any office of trust, responsibility, or representative character.

It is already a stigma upon the fair name of the United States Senate that so many of its members owe their seats to the lavish use of money. But until this candidacy of the Michigan millionaire, no aspirant to the presidency had ever openly avowed his purpose and ability to purchase the honor.

It is a cause for congratulation that this first attempt has so signally failed."

THE PRESIDENTIAL OUTLOOK.

As there is now a deep interest in the probable outcome of the approaching political campaign, the following statement of the relative positions of the various States, with reference to the electoral vote, will be of interest:

DEMOCRATIC STATES.

Alabama	10
Arkansas	7
Florida	4
Georgia	12
Kentucky	13
Louisiana	8
Maryland	8
Mississippi	9
Missouri	16
North Carolina	11
South Carolina	9
Tennessee	12
Texas	13
Virginia	12
West Virginia	6

REPUBLICAN STATES.

California	3
Colorado	3
Illinois	22
Iowa	13
Kansas	9
Maine	6
Massachusetts	14
Michigan	13
Minnesota	7
Nebraska	5
Nevada	3
New Hampshire	4
Ohio	23
Oregon	3
Pennsylvania	30
Rhode Island	4
Vermont	4
Wisconsin	11

DOUBTFUL STATES.

Connecticut	6
Delaware	3
Indiana	15
New Jersey	9
New York	36

Total Electoral vote.....

150

Additional votes necessary.....

71

69

201

201

201

Thus it will be seen that for Demo-

cratic success the carrying of New York is absolutely necessary, as is also a victory in Indiana, or in both New Jersey and Connecticut. If the Republicans get New York, they win. If they carry Indiana they still need four votes. As Delaware has but three, that would leave them one behind; but with either Connecticut or New Jersey, in addition to Indiana, they would have a safe majority. Thus it will be seen that the line of battle is close, and victory for either side means hard work from this time on. The result of the contest is enshrouded even more deeply in doubt than it was after the nominations in June, 1884, as there are now new questions regarding the tariff that have never been fairly submitted to the popular judgment. Both parties are confident, but both realize the magnitude of the struggle they are entering upon, and the political fight that will be carried on from now to November next will doubtless be the most hotly contested that the Republic has ever experienced. In 1884 all of the states now classed as doubtful were carried by the Democrats.

Those who care to note the progress of the coming struggle will find it convenient to cut the foregoing out and paste it in their hats.

MIGHT HAVE BEEN A "MYSTERY."

THE people of Portland, Maine, were startled a few nights ago by a strange light which suddenly illuminated the town about ten o'clock. It presented the appearance of a luminous cloud, at a distance above the houses of about one hundred feet. Various speculations were indulged in and some fears. The superstitions found in it an opportunity for predictions of evil, and it might have passed for a supernatural "sign," if one investigating spirit had not looked closer at the phenomenon than the multitude. His house was high, and he went on to the roof and gazed at the glowing mass. He found to his astonishment that it was a big swarm of lightning bugs, moving slowly in a body towards the north. Moral: Look closely into "mysteries;" things often "are not what they seem."

FROM THURSDAY'S DAILY, JULY 5, 1888.

INDEPENDENCE DAY.

The Celebration of the 112th Anniversary of Our Nation's Birth.

Extensive were the preparations made in this city and elsewhere in the Territory for the celebration of Independence Day, 1888, all parties uniting in doing honor to the anniversary of our nation's birth, without a trace of sectional or party feeling or bitterness. In this city, during the whole of the night preceding the dawn of Freedom's Day, the air was full of bursting bombs, rockets, etc., and sleep was almost an impossibility so constant were the volleys. At daybreak the national salute was fired at Fort Douglas, and again at noon and at sundown the cannon belched forth their thunders.

When daylight came it revealed the stars and stripes waving from the public buildings, the Temple, Tabernacle, Theatre, the principal business houses and residences, while many of the stores and homes of the people were liberally decorated with red, white and blue.

The Procession.

Throngs of people gathered and lined the streets along which the route of the procession lay. From the Walker house to the Continental, great crowds stood waiting to see the cortege. First South Street, for six blocks east of the Continental was lined with multitudes of people, on foot and in vehicles, and when the procession counter-marched to East Temple Street, and proceeded down that thoroughfare to Fourth South, it passed through a solid mass of humanity for half a mile, to the point of turning eastward.

FIRST DIVISION.

Col. Henry Page and aides with Col. Blunt, rode at the head of the column. Next came the sixteenth Regiment Band, a splendid one, which poured forth thrilling strains in an artistic manner.

Next came the Sixteenth U. S. Infantry, commanded by Col. Blunt, and marching in platoons. The infantry were immediately followed by Battery D, Fifteenth U. S. Artillery. This display of military was very fine and imposing, and constituted a splendid feature of the procession, and of the celebration. It completed the first division.

SECOND DIVISION.

Next in the order named came the exhibits of the second division as follows:

Kent's Military Band. A carriage containing Governor Caleb W. West, President of the day, Secretary Hall and General P. E. Connor.

Another carriage containing Hoos, A. B. Carleton, A. L. Thomas, and Abner Williams of the Utah Commission.

Another carriage containing Hon. C. S. Zane, J. E. Talmage, Esq., Judge C. C. Goodwin and Judge H. H. Benson.

A number of carriages containing other gentlemen on the programme of exercises at Liberty Park, the civic officers of the city and county, prominent citizens, etc.

THE THIRD DIVISION

of the procession was led by Held's Band, which was followed by the Salt Lake Fire Department in uniform and with hose cart and steamer. This was a fine feature.

Next came a cart containing a boat and the members of the Salt Lake Rowing Club in uniform. A streamer bore this legend: "Sister cities copy us. Ogden and Provo; brace up."

A cavalcade of eight gentlemen terminated the third division.

THE FOURTH DIVISION

was headed by the Sixth Ward Band. Then came the following:

A carriage containing several gentlemen representing the Co-op Wagon and Machine Co., who scattered lithographic pictures and similar souvenirs along the streets.

An immense cart laden with buckets, supposed to contain products of the Culmer Jolly and Preserve Works.

A similar car, laden with home made demijohns, both the glass and wickerwork being produced in this city.

A car containing the machine of a knife and scissors grinder.

A car representing the Deseret Woolen Mills, on which was a powerloom and other machinery. This was an interesting feature.

A car containing an organ and other musical goods, representing Calder's music store.

A car containing a splendid display of carpets, and another loaded with fine furniture, from the establishment of Henry Dinwoodey.

A splendid architectural car, representing the Sierra Nevada Lumber Company, which was one of the most beautiful features of the procession.

A car suggestive of pioneer reminiscences, by Ed. Senior, "land locator," which was a unique advertisement.

A car from the Salt Lake Brewing Company.

A plumbing establishment on wheels and a good display, by J. H. Midgley & Sons.

A car representing the "Utah Sugar Company," bearing the mottoes "A million dollars saved yearly," and "To be self-sustaining is independence."

A splendid car from H. A. Tuckett's candy factory, containing candy makers in working costumes, which was a center of attraction to juveniles, as from it candy was liberally strewn among the crowd of youngsters which surrounded it.

Simpson's brick yard had a car marked "capacity 60,000 daily."

Sears & Liddell had two cars loaded with goods in their line. On one of them was a banner bearing the figure of a house painter and the legend "We'll paint the town red."

W. C. Morris had a fine car advertising his house decorating business.

Sam Levy had two cars representing his cigar factory.

A car laden with sash, doors, etc., was from Mason & Co.

McDonald, the candy maker, had a car from which large quantities of candy were thrown to the crowd.

The St. Elmo had a unique and suggestive advertisement on a vehicle.

A fine car drawn by six horses represented Garfield Beach.

New came the

FIFTH DIVISION

of the procession headed by Pederson's band, and embracing the Antiques and Horribles, and characters in costume. A great variety of unique and comical features were included among the former, and a representation of George Washington and the cherry tree and hatchet was probably one of the best of the latter.

The following features of this division are worthy of mention:

Hapgood's display of Shetland ponies, seven in number, was a unique and beautiful feature of the procession. Two of them, each with a colt, drew a phaeton, while small boys with high hats rode the others.

A car representing the abode of the damned, was a striking feature. It contained several fiends bearing tripods around which serpents were twined, boiling caldrons and other characteristics of hades. One of the fiends who wore a fantastic head-dress, was painfully burned by having his costume accidentally set on fire.

An overland mail coach, followed by a number of native Indians, in paint and costume.

A comical band of musicians, in grotesque costumes, from Coalter & Snelgrove's music store.

A negro family in a dump cart, who created much amusement.

A cavalcade of irregular horsemen, numbering about 100.

A cage drawn by two burroughs tandem, containing a burrough's foal.

Several cars representing business firms.

Besides all these there were riders in costume, Indians, cowboys, clowns, etc., aggregating an odd mixture of the ludicrous, grotesque and comical.

At the Park.

It was 11:30 o'clock when the procession reached Liberty Park. The Sixteenth Infantry presented a fine appearance as they formed on the grass along the west side of the main road through the Park. There they stacked arms and shortly afterwards broke ranks. Battery D drew up its guns on the field to the west of the line of

infantry. About an hour later the troops left for Fort Douglas on a special train furnished by the S. L. & F. D. R. R. The trades wagons turned at the entrance of the Park and returned homeward. The carriages led along the west drive, and turned to near the grand stand, which is located in the large grove near the centre of the Park.

On the grand stand were the glee clubs, four bands, the committees, the speakers, and invited guests. On the seats in front about two thousand people had assembled. At 12:25 p. m., attention was called by Kent's Military Band playing "Hail Columbia."

GOVERNOR CALDWELL WEST

called the assemblage to order, and stated that one hundred and twelve years ago today, a declaration of freedom to all mankind was promulgated by the revolutionary fathers and patriots. Those who signed it pledged their lives, their fortunes and their sacred honor to the maintenance of that freedom and independence they there proclaimed. Today sixty million people witness the redemption of that pledge, and it is felt that freemen should meet today, and honor the day we love.

Elder Arthur Stayner offered the opening prayer.

Held's band played a selection.

CHANCELLOR ORSON F. WHITNEY.

read, in a strong, clear voice, the Declaration of Independence. The reading was frequently interrupted with applause.

The Philharmonic Glee Club sang the "Star Spangled Banner."

The Garfield Beach Band rendered "Sheridan's Ride."

The "Sword of Bunker Hill" was sung, in character, by an old army veteran.

Governor West then introduced the orator of the day.

JUDGE H. H. BENSON,

who made an address that was greeted with frequent applause. A brief synopsis, such as we have space for, does not do it justice. He said that when man was placed on this earth he was created a king, and an everlasting charter was vouchsafed to him when God said he was to have dominion over the earth. The dominion thus given made him a sovereign, not only over the animals, but over all things, including man himself, who was to govern himself, and be subject to none else but the great Jehovah.

Subsequently the doctrine of kings reigning by divine right grew up, and the people were told that what privileges they enjoyed were by the sufferance of the king—the favor of those whose birthright was in a "royal family." Opposed to this "divine right of kings" to rule came up the doctrine of the divine right of man, as given at the creation, and since that time the two have met in fierce combat on many a battlefield. If victory is to come to the right, and the divine right of man to be secured to every creature, it must come under the shadow of the republic. When the ancient republics grew and flourished, they were based on the power derived from and exercised by the people. But when these selected to rule began to make slaves of the people, the governments went down in seas of blood. Then came the dark ages, with the cry of the downtrodden and oppressed everywhere, and none to give them relief. There were then no people—nothing but kings and nobles.

It is true, the fires of liberty occasionally burned in Switzerland and Germany, but they were like flashes of light in the stygian darkness. Suddenly from a distant land came a voice that made tyrants tremble on their thrones. That voice proclaimed that all men were created equal. That doctrine startled the world, and by its proclamation three millions of people flung down the gauntlet to tyrants everywhere. The greatest empire on earth sought to crush the glorious principle enunciated, but was humbled by defeat. Those who established the doctrine of equal rights were a band of heroes who have never received the meed they earned. They were gathered of every nation, like the congregation assembled at Jerusalem to listen to the disciples, and they declared anew the divine right of man to rule, and thus opened broad the gate for the liberty loving and oppressed of all nations to plant themselves beneath the shadow of a free flag.

Thus was freedom established in the earth, and the work has gone forward till now the domain of freemen reaches from ocean to ocean and from the orange groves of Florida to the home of the Polar bear. Then there were three million people in thirteen colonies; now there are sixty millions spread over this broad continent, with more homes, better schools, braver and more intelligent men, and more beautiful and nobler women than in any other nation. O what victories have been won in this century of freedom and free thought! And with the political and intellectual progress of the people the development of the sciences has kept pace.

But there came in the midst of this progress a terrible trial. There was still in servility four million human beings, and the principle of freedom and equal rights arose to battle with that condition. The South were not to blame; nor were the North responsible. True principle was being violated, and God's thunder belched forth in anger at the spectacle of four million slaves under a free flag. For four years brave men met brave men on the bloody field as never Greek met Greek. When the end came and the last shot