

which to irrigate his claim. These canals head in the Jordan river, and long before either of them was constructed all the water flowing in the river in ordinary years, during the irrigating season, had been appropriated. Not enough water flowed in the consolidated canal to irrigate more than a few hundred acres, a small fraction of the claims. In the aggregate, which depended upon that canal. The greater part of contestee's land lay higher than the canal water level. Water was turned on such portions of the land as could be reached with it after the close of the irrigating season, which terminates in August. This is not, contestant claims, irrigating desert land within the meaning of the law.

The leading features of this case are alleged to be common to a large number of other desert claims in the same vicinity, but it is explained that Mr. Auerbach did not testify in his own case, being absent from the city, and that he depended, in making his final proof, upon information furnished to him by other persons, and not upon personal knowledge.

The attorney for the contestant, M. M. Kaighn, Esq., in his printed argument, says:

This case is of vast importance, and the principles and facts that must be determined herein are necessarily applicable to thousands of acres of land in the same neighborhood, that is, lying between Jordan river and Great Salt Lake dependent upon the same water supply and embraced in a number of desert entries.

He also quotes from General Land Office circular, sec. 10, page 37:

"Persons making desert land entries must acquire a clear right to the use of sufficient water for the purpose of irrigating the whole of the land and of keeping it permanently irrigated."

And the following from the Territorial statute upon the subject:

A right to the use of water for any useful purpose * * * is hereby recognized and acknowledged to have vested and accrued as a primary right, to the extent of, and reasonable necessity for such use thereof, under any of the following circumstances:

1. Whenever any person or persons shall have taken, diverted and used any of the unappropriated water of any natural stream, water course, lake or spring, or other natural source of supply.

2. Whenever any person shall have had the peaceable, uninterrupted use of water for a period of seven years.

It is urged that the unlawful acquisition of large tracts of land by syndicates and speculators, to the injury of the genuine settler and home-seeker, should be put a stop to.

THE SIOUX MOVEMENT.

WASHINGTON, Oct. 27.—The Indian Bureau has received from Agent McLaughlin, at the Standing Rock Indian agency, a report upon the prospective outbreak among the Sioux in consequence of the promised coming of the "New Messiah." He says in part: "I do not wish to be understood as considering the present state of excitement so alarming as to indicate an immediate uprising or a serious outbreak, but I do feel it my duty to report the present 'craze' and the nature of the excitement existing among the 'Sitting Bull' faction of Indians over the expected 'Indian

millennium,' the annihilation of the white man and the supremacy of the Indians, which is looked for not later than next spring."

He repeats in detail the stories which have been told the Indians by the medicine men, and adds: "Sitting Bull is a high priest and leading apostle of this latest Indian absurdity. In a word, he is a chief mischief-maker at this agency, and if he were not here, this craze so great among the Sioux would never have gotten a foothold at this agency. He has been the disturbing element since his return from confinement at the military prison in the spring of 1883, but has been growing worse the past year, which is partly to be accounted for by the presence of a lady from Brooklyn named Mrs. Weldon who came here in June, 1889, announcing herself as a member of Dr. Bland's Indian Defense Association, and

OPPOSED TO THE INDIANS ratifying the act of March 2, 1889. While here she bestowed a number of presents upon Sitting Bull, considerable being money, which had a demoralizing effect in flattering him with his importance. The woman is now located just outside this reservation and about twenty-five miles north of the agency. Sitting Bull has been a frequent visitor to her house, and he has grown more insolent and worthless with every visit he has made there. Her lavish expenditure of money and other presents on him enabled him to give frequent feasts and hold councils: On the 9th inst. upon invitation from Sitting Bull, an Indian named Kicking Bear, belonging to the Cheyenne river agency, chief medicine man of the ghost dance among the Sioux, arrived at Sitting Bull's camp on Grand river, to inaugurate a ghost dance and initiate members. I sent a detachment of Indian policemen to arrest and escort him from the reservation, but they returned without executing the order, both officers being in a dazed condition, and fearing Kicking Bear's medical powers. Sitting Bull was very insolent to the officers. He kept the ghost dance. The agent has now sent for him to talk with him personally and hopes to check matters."

INTO THE JAWS OF DEATH.

LONDON, Oct. 28. — News has reached here of a fight between French troops and natives in Senegal. For weeks after the capture by the French of Oussebogon, the principal fortified city of his empire, King Ahmadou courageously resolved to fight the Europeans to the last. His Toucouleur soldiers have just displayed, in their efforts to capture the small fortified post or block house of Koniakary, the bravery which they showed when defending Oussebogon when besieged by the French under Colonel Archinard. The town was taken by storm, but almost entirely burned by its black defenders, who refused to surrender, and all of them perished during the fight or in the fire which followed their defeat.

All this courage, however, was of no avail, and the French continued to advance still further in the interior of the country, but their march being suspended during the worst period of the rainy season, Ahmadou resolved to make a supreme effort to capture the advanced post of Koniakary. It has been seized by Colonel Archinard last June and had been left under guard of Lieutenant Valentin, supported by a sub-lieutenant commanding Forty Senegalese fusiliers, nine of whom were sick, a navy doctor, two European non-commissioned officers and four artillery men, with two small cannon. Three hundred auxiliaries were also in the place, but they could hardly be relied upon. The "ta ta," or small blockhouse in the middle of the village, had been prepared, however, for defense. Provisions were stored inside and all the surrounding huts had been burned down in order to give free play to the artillery.

King, or rather Emperor Ahmadou established his camp on August 20th at Kolome, two miles distant from Koniakary. He remained there during the attack, leaving the command of the army to his brother Bassierou. On September 8th the defenders of Koniakary saw the besiegers advancing in deep columns, many of them carrying ladders to be used in the attack. The black soldiers, though decimated by the artillery fire, rushed on the blockhouse at the first sound of the "tabala" or war drum. They hurried the ladders to within fifty yards of the walls, despite the tremendous fire from the besieged men. With wild cries many of them succeeded in planting their banners at the foot of the wall, but the well directed fire of the cannon and musketry caused them to falter, then scatter and hide in the bush. The fight had begun at 6 a.m. At 9 o'clock a heavy rain fell and the Toucouleurs took advantage of it to pick up their dead and wounded, but though they carried away many of them, corpses could be seen afterward lying all around the blockhouse, twenty-three being counted in a single heap, and it is estimated that the loss of the assailants reached 500 men at least. The French had only two fusiliers slightly wounded. By 11 a.m. the whole army of Ahmadou had disappeared.

MAJOR GENERAL MILES.

WASHINGTON, Oct. 29.—Major General Miles, in his annual report of the military division of the Pacific, while reporting the tone and character of the service most excellent, says any system is defective which leaves with little advancement and slight hope of recognition the class of citizens who devote themselves entirely to the military service. The artillery branch should be increased by at least two regiments and the same organization be given the infantry that exists in the best armies of the world, namely a three battalion organization. General Miles says the various methods resorted to, to reduce desertions have