

fence are upon the calendar, all but one in each case awaiting dismissal on call.

Sure enough, as some prominent journals assert, it is time that a kinder and more persuasive policy were adopted toward the "Mormons," who are entitled to better treatment than they have been receiving. It is about time for a reaction to set in, that there may be a reciprocity of more sympathetic sentiments than those that have prevailed for some time past.

QUERY REGARDING WATER.

A CORRESPONDENT, "D. S.," writing from Clover, Tooele County, on the 9th inst., propounds the following:

Has a recently organized irrigation district within the claim and appropriate water that springs up below the dividing dam, said water having been used by private parties for twenty years without any person or persons having laid claim to said water during that period? Can said water be taken from original users without their consent?

If the water "springing up below the dividing dam" flows from a natural fountain, then it belongs to the person or persons who have appropriated it, is its property as fully and in the same sense as is the land they own and irrigate with it, and they cannot lawfully be deprived of it without their consent. This statement of ownership applies to that portion of the water flowing from the natural source which they have appropriated. Thus if they put to an actual use half of the water flowing from a spring, only that half is theirs, and the other half belongs to the parties first appropriating it.

But if the persons referred to by our correspondent appropriate all the water flowing from a certain source, then it all belongs to them, and no part of it can lawfully be taken from them without their consent, any more than a portion of their farming land can be. If the water referred to by "D. S.," is seepage from a canal, the case may wear a different aspect, but the law in relation to it could not be safely stated without full information relative to the facts.

The rule by which to determine the ownership of water is simple. It belongs to the first appropriator, or his successors or assigns. It is subject to sale, transfer and inheritance, the same as other property, real or personal. A new owner of an irrigation district or company must either obtain water for its use from some natural source not previously utilized, or it must purchase water from those whose title to the same is based upon prior appropriation.

SHOULD RECEIVE THE EXTREME PENALTY.

RECENTLY a pure young lady was lured under a deceptive pretense into a low dive in St. Paul, and was assaulted by a human fiend with intent to rob her of her virtue. She ended a long and frightful struggle by leaping from a third story window to the street, preferring an almost certain chance of death to the loss of her honor. At about the same time another shocking case of assault with similar intent and better success on the part of the villain who made it, occurred in the same city. Commenting on these two felonies the Pioneer Press says:

"The crime passes most that are known to this world. It stands as a murder, in that there is no possible reparation in this world. Its punishment should be measured accordingly. One of the excuses which may palliate seduction can be admitted here. For a complete rape the penalty should be life imprisonment, without possibility of pardon; for accomplishing rape by seduction, the death of the offender, and it ought to be executed without hesitation. We deal with great leniency in the case of crime. The case of outraged justice nowhere else so frequently defies the law and makes the public draw the criminal as here. There should be no apology for lynchings, because the law should be as swift and as remorseless as Judge Lynch himself."

THE RACE QUESTION IN THE SOUTH.

THEY are having a dispute down in Georgia over the race question in schools. Such subjects have engaged the serious attention of people in other sections—nearly all the South and parts of the North—for a generation past, and there seems no general aversion to the subject. It is hard to discriminate on account of color when the law forbids it, though few there be who respect the law if they are not inclined that way, and they need not openly violate it either. They have only to ostensibly submit to it while really circumventing and rendering it practically a nullity. Where mixed schools are provided for, the "mixing" is accomplished by a certain number of white children and black ones' names appearing indiscriminately on the rolls and they going to the same institution; but they are taught in separate rooms and have separate playgrounds. This is reported as "classification," which is undoubtedly true, but in the same the trustees would have it understood. Shortly after the passage of the civil rights bill, which forbade discrimination of whatever nature as between the races in hotels, all the principal ones in the South at once became "private" and refused to admit such a "draw the line as strictly as before. Thus the farcical character of all laws against nature and our better understanding is well illustrated.

What is the destiny of the colored man is a question which fades in immediate importance as the day of a correlative question becomes prominent—What is the destiny of the white man? Figures, particularly those of the census taker, are becoming startling in this connection. Each succeeding ascertainment of increase of population shows a ratio to be much greater on the side of the colored people, and as things are going it will not be long till they are in the majority.

Apart from the fact that the political supremacy of the Caucasian is unassailable, there is a more important question existing. If it were merely a case of getting and holding the offices, might be contemplated without serious apprehension. But the negro as a political and racial entity has too frequently demonstrated that freedom and suffrage with white espionage as far as in the scale of human progress as he can be permitted to go with safety, if commingling with our people and practices. Something of his nationality generally clings to him despite all education and surrounding, and his proverbial fondness for acquiring petty personal property without exercising legal methods to do so, is pretty well understood; it is also the case that he has not yet recovered from the effects of the sudden transition from enforced servitude to absolute freedom, and is disposed in many cases to still construe the latter as freedom from toll, contracts and the general restraints of law. This is not the case with all, we know. Some former slaves have completely outgrown their slavery of body, and added to the disenfranchisement thus accomplished culture of the mind and acquirement of the arts, but these are only here and there. When they are met and their former rulers become the ruled, it is not putting it too strongly to say that a good many old

scores—real and fancied grievances—will be paid in full with liberal interest.

The two races were not intended by the Creator nor qualified by nature to "herd together" without let or hindrance, upon the one showing itself to be the inferior creature. Clashing will inevitably result, with more or less serious consequences. The negro is not to be despised, and he should never have been abused, for these things may intensify the course of events if ever the time should come when they arise against their former masters with intent to do evil and power to consummate it.

SUCCESSION BY DEATH.

THE death of Governor Washington Bartlett, of California, which occurred at 5 o'clock on Monday afternoon, makes R. W. Waterman the chief executive of the State. This method of rotation was hardly looked for by those who chose those two gentlemen to their respective positions, but it is one that happens with remarkable frequency, as is readily understood by those who keep track of such things. Not only in State governments has it happened that those who were chosen for the second place in the government have attained to the first through the instrumentality of death, but in the national government as well, three being recorded with respect to the present generation. These cases were when Millard Fillmore, as Vice President under Zachary Taylor, succeeded to the Presidency on the death of the latter on July 10th, 1850; Andrew Johnson's accession to that office by the death of Abraham Lincoln on the 15th of April, 1865; and when Chester A. Arthur was elevated to it by the death of James A. Garfield on September 19th, 1881.

There was a good deal of political sagacity, if not wisdom, shown by the delegate at St. Louis who seconded the nomination of the Vice President on the ticket with Samuel J. Tilden. He said: "We are going to win this time, and while I hope nothing serious may happen to Mr. Tilden, something might, and in that event we want as good and able a man as he is ready to take his place." It was also a lofty and well-deserved tribute to Mr. Hendricks.

TO-DAY'S TELEGRAMS.

The Supreme Court of Illinois Gives Its Ruling on the Anarchist Case.

THE JUDGMENT OF THE TRIAL COURT IS FULLY AFFIRMED IN ALL RESPECTS.

The Six Convicted Men to be Hanged on the 11th of November.

THE NEW YORK REPUBLICAN CONVENTION ORGANIZED AND AT WORK.

Anxiety for the Steamer "Thetis"—Another Break-up in the French Cabinet, Etc.

By Telegram to the News.

THE ANARCHIST'S DOOM.

The Judgment of Death is Affirmed.

OTTAWA, Ill., Sept. 14.—Judgment affirmed.

THE DETAILS.

OTTAWA, Sept. 14.—The supreme court this morning delivered its opinion in the anarchist case, affirming the judgment of the court below. The execution is to take place Nov. 11, between 9 and 4 o'clock.

OPINION BY MAGRUDER.

In this case the judgment of the court below is affirmed as to all and each and every one of the defendants. An opinion has been prepared setting forth the reasons of the affirming of the judgment. The opinion is now handed the clerk to be filed.

Judge Mulkey—"And while I agree in the opinion, and also the general views of the court, I do not wish to be understood as holding that the record is free from errors, for I do not think it is, but none of them are of such a nature as to require a reversal of the judgment. In my opinion were of such a serious character as required the reversal of the judgment."

Sheldon said: "In this case the court orders that the sentence of the superior court of Cook County on the defendants in indictment—August S. Samuel, Philip, R. Parsons, Adolph Fischer, A. Engel and Louis Liag—be affirmed."

CARRIED INTO EFFECT by the sheriff of that county on the eleventh day of November next, on Friday, between the hours of 9 o'clock in the forenoon and four o'clock in the afternoon, of that day. The judgment of the court was unanimous.

THE OPINION was written by Judge Magruder, of the Chicago district, and is an able exposition of the law and previous interpretations thereof by eminent jurists in this country as well as of the course bearing upon the alleged and perhaps real errors in this record. In his view he was aided by each of the other six defendants, and each of them made him their spokesman and through their expressed consent drew the opinion from the court. The opinion covers 225 pages of closely written manuscript and about 50,000 words. This is the announcement of Judge Mulkey: "It is not my intention to offer a separate opinion."

As I should have done, I desire to avail myself of this occasion to say that while I concur in the conclusions reached, and also in the general views as expressed, I do not wish to be understood as holding that the record is free from errors, for I do not think it is, but none of them are of such a nature as to require a reversal of the judgment. In my opinion were of such a serious character as required the reversal of the judgment.

NUMBERLESS RULINGS the court was required to make, the argument to me is the errors were not more numerous and of a more serious character than they are. In short, after having fully examined the record and given the questions arising on it my very best thought, with an earnest and conscientious desire to fully discharge my duty, I am satisfied the decision reached vindicates the law and does justice between the people of the state and the defendants, and is fully warranted by law and the evidence."

INCIDENTS.

CHICAGO, Sept. 14.—The Daily News' Ottawa, Ill., special says: At 9 o'clock this morning Justice Magruder delivered the announcement of the decision in the anarchist case. Just before the opening of court, every one seemed to have a feeling that something was going to happen. Before the hour for the announcement of the decision had passed, the court room was filled with reporters and correspondents.

The court was required to make, the argument to me is the errors were not more numerous and of a more serious character than they are. In short, after having fully examined the record and given the questions arising on it my very best thought, with an earnest and conscientious desire to fully discharge my duty, I am satisfied the decision reached vindicates the law and does justice between the people of the state and the defendants, and is fully warranted by law and the evidence."

DEATHLY STILLNESS pervaded the entire building. Deputy Sheriff Walter H. Smith, who trembled as he pronounced the "Hear ye," as the justices filed into the court room, headed by Chief Justice Sheldon, they appeared more dignified

than ever. The chief wailed his association with the anarchist cause, and his nod to the sheriff was more stiff and his "Open court" less audible than on the previous days.

Justice Magruder appeared flushed and nervous as he entered the court room, and the decision was read a few minutes later, when Chief Justice Sheldon turned to him and in a low voice said: "The decision is a saving for the deathly stillness which pervaded the room, said: 'Justice Magruder, have you any comments to make?' The flushed appearance of the justice

CHANGED TO PALLOR and his voice was husky as he said: "In August 1893, and others against the State of Illinois, number 80,000, docket."

The chief justice nervously turned to the clerk and said: "The decision is read, when the justice read the decision of the court in the anarchist case, as he announced the verdict, regained his composure, his voice was clear and distinct until the order fixing the death penalty and death of from execution was reached, when his reading became labored, his voice husky and his manner showed that he was with

GREAT EMOTION he performed the duty he had been given to perform, and then voiced the decision of the court in the most celebrated case it has been called upon to decide, and the justice read the announcement at once left the bench and retired to his room, the oral announcement being made by the clerk.

THE CONDEMNED GET THE NEWS.

The first official information of the supreme court decision reached the city was a telegram from the court clerk to the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock." The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock." The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th at 9 o'clock."

The clerk of the court, who had been waiting for the news, following on his heels was a messenger carrying a dispatch for the city of Chicago, the anarchist case office, saying: "Anarchist case affirmed; execution November 11th