

precedents for the granting of the relief we now ask, by the donation of lands to various States to aid in the construction of canals for navigation, and for the building of railways, and by the outright gift of all swamp and overflowed lands to all the western States.

That the aid we ask is an absolute necessity to the States and Territories herein named, and will contribute far more to the general prosperity of the whole nation than any, or all, of the above classes of donations.

That the control of the water supply and its distribution for irrigation should forever remain in the hands of the people through their representatives—the legislative assemblies of the several States and Territories—and should in no case or degree be surrendered to individuals or corporations.

Therefore your memorialists would most respectfully pray that a law be enacted by your honorable body embracing the following general provisions:

**First.**—To grant to the several States and Territories named in the preamble to this memorial, one-half of all the arid lands, not mineral, within their borders, said lands, or the proceeds thereof, to be devoted to the construction of irrigating canals and reservoirs for the reclamation of said arid and waste lands.

**Second.**—That the construction and maintenance of irrigating canals and reservoirs shall be under the exclusive control and direction of the Territory or State, as sole owner thereof, under such laws, rules and regulations as the legislature thereof shall from time to time provide.

**Third.**—That the territorial and state legislatures shall have power to make all needful rules and regulations, and take all needful steps for the proper construction and maintenance of such canals, and that such power shall include the power to provide by laws for the issuing of the bonds of the Territory or State for the construction of such canals.

**Fourth.**—That the proceeds of said lands herein granted shall be kept as an exclusive fund by the Territory or State; first, for the payment of the principal and interest of all bonds so issued as aforesaid; second, that any balance remaining after the payment of the bonds issued as aforesaid shall be used in the maintenance of said canals, or the construction of other canals as the legislature of said Territory or State shall from time to time by law direct.

**Fifth.**—That any lands within said Territory or State which shall be filed on under the provisions of the pre-emption and homestead laws of the United States, after the passage of this act, shall be subject to the operation of this act, if the said lands shall be brought under irrigation by the construction of said canals.

**Sixth.**—That the bonds so donated to the several States and Territories herein named, and the remainder of the public domain therein belonging to the general government, shall be disposed of under revised and more strict pre-emption and homestead laws than are now in force, and that no title shall issue until the claimant shall be a bona-fide actual settler upon the land claimed.

Delegate Musser from Utah submitted through Governor Elbert, chairman of the committee, the following resolutions, which were unanimously adopted:

**Resolved,** That it is the sense of this convention that we enlist every possible influence at our command to induce speedy and favorable legislation in behalf of its important propositions on the subject of irrigating the public arid lands of the great West.

**Resolved,** That we appeal to the different legislative bodies of the States and Territories directly interested in this grand irrigating scheme, and through the executives of said States and Territories ask said assemblies not only to ratify and approve of the conclusions of this convention as embodied in the accompanying memorial, but also to exert their utmost influence through their senators and representatives, and by the memorial to induce governmental legislation in this behalf.

**Resolved,** That we send to each of said executives and legislative bodies an engrossed copy of the memorial, and that it and the appeal be duly signed by the chairman and secretary of the convention.

## W. U. T. CO. AT OMAHA.

CONSIDERABLE excitement has been prevailing at Omaha, in consequence of the divulgement to the public of some private messages sent by that line. The following documents, published in the Omaha Herald, will explain the matter—

MANAGER LEHMER'S CARD.

OFFICE WESTERN UNION TEL. CO.,  
OMAHA, Neb., Oct. 14, 1873.

To the Public:

The publication in newspapers of this city of private dispatches sent over the wires of this company entitles the public to a full explanation. The most emphatic and explicit orders are given to every employee to treat as most sacredly confidential every message committed to us. Every effort is made by all persons in charge of the business to secure the utmost secrecy in connection with it. The young men whose affidavits are published herewith have been in the employ of the company for several years. They have never been guilty of such offence before and have been always considered worthy of the fullest confidence. I had not the slightest reason to suppose they were not perfectly trust-worthy in the line of their profession. Under the direction of Mr. Stager, the general Superintendent, I have consulted counsel to learn if our laws provide any punishment for the offense, and am advised that they do not. If they did, these young men should be punished to the fullest extent of the law, in order to vindicate the rights of the public and this company. They have been discharged from our service and can never obtain anywhere any employment from this company, and no other telegraph company will dare to trust them as its employees. This is all the punishment which can be inflicted on them. It destroys their occupation, and is perhaps enough. This action has been summary as it is severe. It may prevent others from committing the same offense, if anything were necessary. We assure the public that the utmost vigilance will be practiced by all employees of this company to secure, to all persons entrusting it with messages, that sacred confidence to which they are entitled, and we believe no similar violation need be feared. This case is remarkable as being the only instance known to the company where operators have betrayed its confidence.

Respectfully,  
FRANK LEHMER, Manager.

CONFESSION OF A. C. BARKER.

STATE OF NEBRASKA,  
County of Douglas,

A. C. Barker, being first duly sworn, says that he was, on the 13th day of October, A. D., 1873, in the employ of the Western Union Telegraph Company as a telegraph operator in the city of Omaha; that at about 2 o'clock p. m. of said date he took the telegram signed by A. J. Poppleton and addressed to S. H. H. Clark and T. L. Kimball at Denver, a copy of which was published in the Omaha Bee of the 13th inst., from the office of said Telegraph Company to the office of said Omaha Bee and gave the same to Mr. E. Rosewater, editor of said newspaper, and affiant further says that he took said dispatch and delivered it to said Rosewater upon his own responsibility and without the knowledge of Mr. Frank Lehmer, Manager of said Company, or of any other official of said Company.

A. C. BARKER.  
Subscribed in my presence and sworn to before me, October 14, 1873.

JOHN W. LITTLE,  
Notary Public, Douglas Co., Neb.

In presence of—

A. G. DRAKE,  
JOHN D. HOWE.

CONFESSION OF W. D. LINTON.

STATE OF NEBRASKA,  
County of Douglas,

W. D. Linton, being first duly sworn, says that he was, on the 13th day of October, A. D., 1873, in the employ of the Western Union Telegraph Company as operator in the city of Omaha; that affiant knew at the time that the telegram signed A. J. Poppleton, and addressed to S. H. H. Clark and T. L. Kimball, at Denver, that A. C. Barker purposed to take said telegram, and to show the same to E. Rosewater, editor of the Omaha Daily Bee; that affiant was cognizant of all that was done touching said telegram, as shown by the affidavit made this day by said Barker in this behalf; and further says that no other person or persons connected with said company in their office at Omaha or elsewhere, as an officer or employee of said company, knew anything about the said matter, except affiant and the said Barker.

W. D. LINTON.

In presence of  
E. B. KNIGHT, JOHN D. HOWE.

Subscribed in my presence and sworn to before me, October 14th, 1873.

ALBERT SWARTZLANDER,  
Notary Public in and for Douglas County, Nebraska.

STATE OF NEBRASKA,  
Douglas County,

W. D. Linton being first duly sworn, says that he was, on the 13th day of October, 1873, in the employ of the Western Union Telegraph Company as operator in the city of Omaha; that on the night of the 13th day of October, 1873, at about 12 p. m., he gained possession of the press copy of the original message in answer to the telegram mentioned in his previous affidavit, namely, from A. J. Poppleton to S. H. H. Clark and T. L. Kimball, Denver, and did, without the

knowledge of any employee of the Western Union company except A. C. Barker, allow its contents being made known to parties who had no right to know the contents thereof. [Signed]

W. D. LINTON.  
Subscribed in my presence and sworn to before me this 14th day of October, 1873.

ALBERT SWARTZLANDER,  
Notary Public, Douglas Co., Neb.

Mr. Rosewater, who claims that he obtained the message for publication "in a perfectly legitimate manner," was formerly an operator in the W. U. office at Omaha. Mr. Poppleton is attorney of the Union Pacific Railroad.

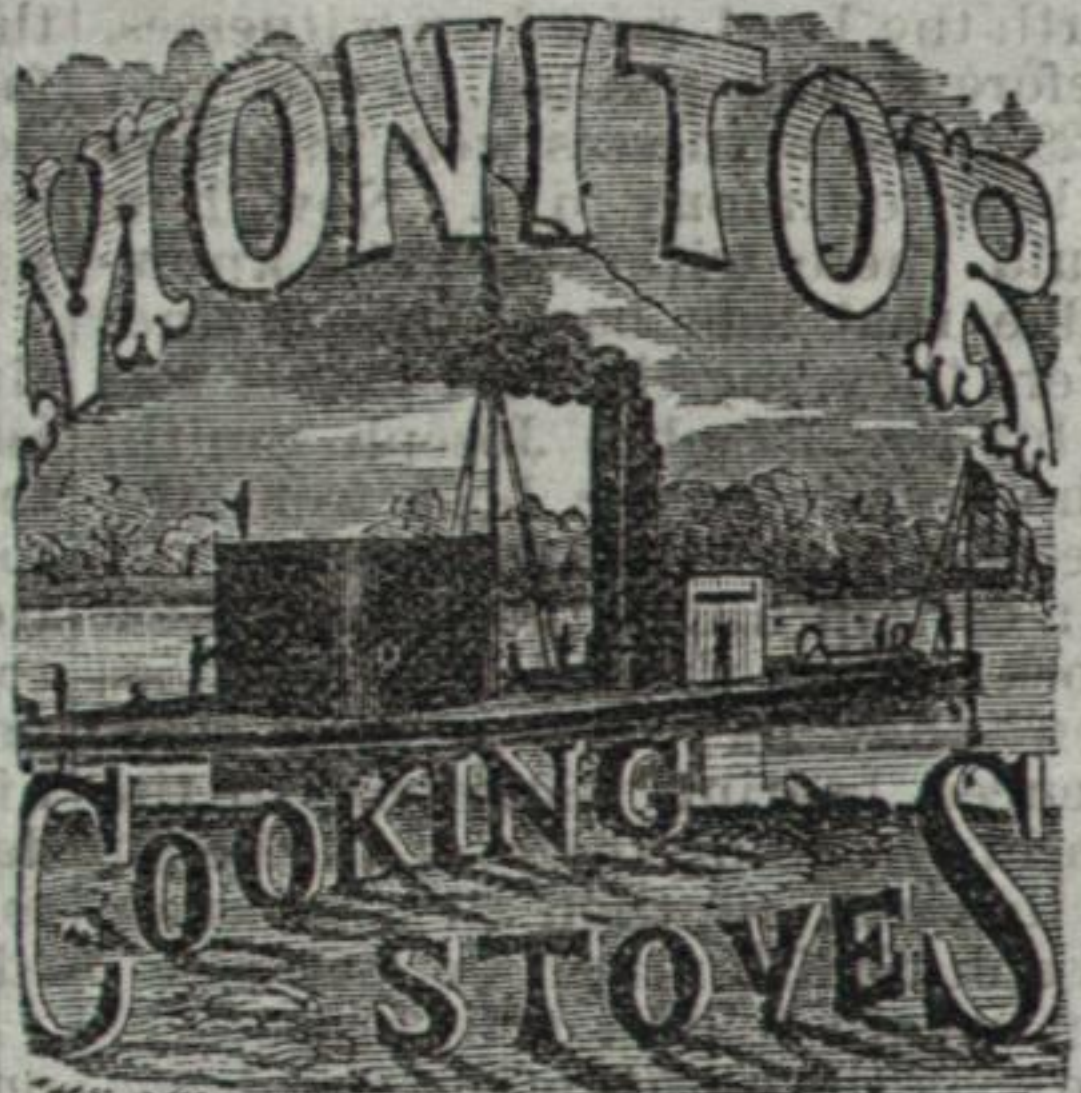
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PHOTOGRAPHS, PICTURES.—On or about the 1st of November, I intend making a tour of the principal settlements south of Salt Lake City, and shall be prepared to take and make photographs, ambrotypes and pictures of all kinds. I shall also have an extensive and varied stock of Chromos, Frames, Mouldings, etc., and will frame pictures to order. Look out for my mammoth posters and big Portable Gallery, and don't fail to call.

JAMES FENMORE,

Late with C. R. Savage.

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H. D. CLAWSON, Superintendent.

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FOR SALE AT THEIR WAREHOUSES,

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2 Market-st., CHICAGO, ILLS.,  
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