

position that for sake of the administration of his own department he felt impelled to retain the present incumbent of the inferior position.

NOT REPRESENTING MORMONS.

In a dispatch from Kansas City, Mo., it is said that "Bishop Andrew J. Stewart of the Church of the Latter-day Saints of Chihuahua, Mexico, is in the city in the interest of the Mormon colonies of northern Mexico." From time to time there have been similar references in the press dispatches and in leading newspapers. The fact is that Mr. Stewart is not representing the Mormon colonies of northern Mexico in any official capacity whatever; nor is he a Bishop of any of the ecclesiastical wards in Mexico. He is associated with a colonization movement under his own personal direction, and so far as we know it is a perfectly legitimate business enterprise on the part of himself and associates. But any effort to connect it with Mormon colonization in Mexico, in official association with the Saints there, is wrong. Mr. Stewart is, we understand, a Mormon, and is desirous of securing Mormon colonies for his land grant; but all his operations are of a purely personal business nature, and do not have the significance of official association which is given in the dispatches and newspaper statements to which we have made reference.

PEOPLE WHO ARE VICTIMIZED.

Perhaps there are more people victimized in hard times than when money is plenty, for the reason that when there is a scarcity of ready cash people are caught by a "time" proposition, giving their notes payable at a future date, and without fully realizing that the time of payment surely must come. Now is a season, therefore, when people who are not on their guard against this method of business will have good opportunity of being trapped, and when too late will do their worrying and repenting.

An illustration of this kind is given in the News local columns today. It is taken from an Idaho paper, where the schemers got in their work, notwithstanding the warning given. The same thing was done in Utah last year, and is being worked at again. It is not confined to the stove business, but reaches into almost every line of trade. But the stove case illustrates the proceeding. The peddlers are clever fellows, and will show a good housewife how a stoveld can be dropped on the floor or even hammered on a rock and not be broken; and she has bright visions of what a splendid stove it is whose pieces will undergo all that. In her admiration she forgets that the procedure she has witnessed is not the use to which a stoveld is put, and she does not think or does not know that a piece of wrought-iron that will stand battering on a rock or with a hammer will not bear one-sixth as much fire as a piece of cast-iron that would be broken by the other treat-

ment. Yet the use of the stoveld is to withstand fire and not to hammer like an anvil. The delight with which the extraordinary performance of the stoveld is received causes a demand for a \$70 range that can be obtained of merchants here for half that sum, only the merchants do not like to push such goods because they are so very inferior. Then for the pay an ironclad note is taken, with fair promise of any time necessary to pay it in; but it is turned over to a bank, and soon the stove is made to cost double its real worth. It is just so with regard to a long list of articles that transient peddlers have to sell.

Of course people who think themselves shrewd will continue to be caught; that is the class which generally is victimized worst. The person who does not have such an exalted idea of his own shrewdness has room in his pate for a reasonable amount of caution, and though he may be really deceived once in a while it is by some deeper trick than one so easily avoided. Those persons who think they get bargains from transient peddlers always get the worst of it.

As to signing notes for the "time" purchases offered, every hardheaded farmer, laborer or mechanic makes it a rule never to do such a thing, no matter what the apparent inducement. That is the only way to be safe. When he wants anything he goes to a legitimate dealer, who will give him all the favors of time that the price agreed upon justifies. But everybody does not have the good sense to pursue that course, so there still will be victims for parasitic peddlers.

IRRIGATION CANAL RIGHTS.

William Ogden writes from Richfield, Utah, to the News as follows:

Will you kindly answer the following questions through your valuable paper, as they are becoming of great interest to irrigation companies and others in this section of the country:

1.—Where an irrigation company has constructed a canal, and maintained the same, before any of the land adjoining it was filed upon, or purchased from the government, can it lawfully claim a right of way along the banks of the canal, of say one rod wide, for operating purposes?

2.—Where parties have constructed fences along the banks of the canal, and are thereby preventing the irrigation company from having free access to the canal, can the owners of such fences be compelled to remove the same?

The amount of land to which an irrigation company has a right of use in the operation of its canal depends upon circumstances, so that a claim to a rod in width, or any other space, on each side of a canal could not be fixed for a uniform rule. The company's right of way over land amounts to an easement, for canal purposes, on so much of the land as may be necessary for the operation of the canal. The area of land so used would not be the same in a city or town and in a place distant from such city; neither would it be the same on a hillside and on level ground, or in a cut and at an embankment. In the case cited, the owner of the land would have the use of the same for any purpose except that

which interferes with the operation of the canal. For instance, he might desire to plant trees along the ditch, and would have a perfect right to do so if such planting did not affect the canal or its operation; but if it interferes in any way with the canal or its operation he is not permitted to plant the trees. Both parties have joint use of the land over which the canal company has the right of easement. Neither can exclude the other from a use which does not interfere with the other. In some cases the canal company might need more than a rod, and in other cases would not require any land. The courts would allow just what was necessary.

As to the second question, it is answered in what has been said, except that there may be the further explanation that in acquiring the right to use land for canal purposes the irrigation company also acquires the right of access to such land. The owner of a tract of land cannot shut out the canal company from its ditch or from any land the use of which is necessary to the operation of such ditch, and a fence designed to do so is unlawful. The property owner may fence his land, but he must do so in a way to allow the irrigation company access to its canal for all purposes necessary to maintaining the same. But a canal company could not say that because it needed the use of five rods of land at a given point the owner must leave that space open to be overrun with animals; he may put up such fence, gates, etc., as will not interfere with the canal company's operations, but no more.

Both parties have equal rights, one to the easement over the land for the canal and its operation, and the other for all purposes which do not interfere with the first named. But neither has a paramount interest which will exclude the other. There is a joint and friendly use of the land over which both interests extend. The quantity of land so affected is uniformly determined by the courts to be such as is necessary for the proper maintenance and operation of the canal or waterway.

DRINK, PAUPERISM AND CRIME.

The Massachusetts bureau of labor statistics has just completed an exhaustive report on the relation of the liquor traffic to pauperism, crime and insanity. It is the most perfect work of the kind yet issued, and is in conformity to a legislative call of 1894. The paupers are first considered. Of the 3,280 of both sexes and all ages found in state institutions during the twelve months ending August 30, 1895, 2,108 or 65 per cent were or had been addicted to the use of liquor. Some 505, or about a fourth of the liquor users, had been excessive drinkers. The total abstinents numbered 866, of which, however, 429 were minors. Thus over three-fourths of the adult paupers have been addicted to the liquor habit and 89 per cent of the whole number of paupers attributed their pauperism to their own intemperate habits. Nearly two-thirds of the whole number use tobacco, but only three could be found who had used drugs of any kind. Sixty-