

side of the controversy. The Coloradans on the one hand desire the settlement of their Utes upon Utah soil. The cattle men on this side of the border are opposed to the movement. Both act and write from personal motives.

The letter we now present shows on its face its sincerity and truthfulness. The "Mormons" in the region designed as the dumping place of the Colorado Utes are *bona fide* settlers. They went there to establish permanent homes. They have no wish to remove. But they will not oppose any measure of the Government which is decided upon as necessary to its Indian policy. Still they are not willing to sacrifice their improvements at a tenth or even a third of the value. There is no reason why they should do so. They should receive at least what their property is worth.

The course of the Commission, in the light of this communication, does not appear very commendable. We were aware that their report was very unfair to the San Juan people, but not that the injustice attempted was so glaring and excessive. The fact that they are "Mormons" has nothing to do with the merits of the question, and would not influence any one but bigots, and sectarians, and those who permit prejudice to govern them in the discharge of public duties. It must not be allowed to cut any figure in this Indian movement.

Justice would say that as this place is required for the public use, full compensation should be given to its possessors. They may be only "squatters," but they have gone upon the public domain in a legal way and have endeavored to acquire legal title. The fault that the land has not yet been officially surveyed is not theirs. They have tried for nine years to get it done. Nine years occupation, with permanent improvements, is pretty strong evidence of good faith and entitles them to the right of entry when the land comes into market.

The Government cannot ignore the rights of these people nor lawfully compel their removal without affording just compensation for the private property thus taken for public use. We do not believe that the authorities at Washington will have any disposition to do so when the facts are properly represented. Our Delegate in Congress has done what he could in this matter. The proposition to

have some one at hand, fully posted and specially authorized to urge the claims of these settlers, is wise and necessary. Congress must be appealed to, intelligently and forcibly, and if necessary the President will have to be personally informed as to the facts, that no treaty may be ratified without provision for adequate remuneration to the people who vacate their possessions to make way for "the Wards of the Nation."

THE WATER QUESTION.

ONCE more the water question is worrying a good many people in this neighborhood. The City Council has been wrestling with it mightily for some time, and the people are very much disturbed over it. There are several complications which make it more than ever a knotty problem. Conflicting interests and alleged rights figure in opposition to powers claimed by the municipal corporation, and the cry for *more* water comes up from different directions. What we said on this last fall and which was pooh-poohed in certain quarters, is now forcing itself upon general recognition.

We have no doubt that the City Fathers will give this matter their most earnest attention. They will, we are sure, seek to bring about the greatest good to the greatest number. But there is one feature of the question that they ought not to undervalue. It is the prior rights which some of our citizens claim and which they consider are ignored or treated with contempt.

The City Council, of course, do not *own* the waters that flow into this city. They have ample powers conferred by charter to regulate, control and distribute them for the best good of the inhabitants. No one owns anything that pertains to flowing water, but "the reasonable use thereof," and that ownership is, under the laws, by priority of appropriation. These prior rights, it is claimed, have in many instances been set at naught in the deals, and transfers, and changes that have been made, and settlers who have no water rights under the law have been supplied, to the detriment and loss of the lawful owners of such rights.

One thing is sure: Citizens who had prior rights to the use of the waters of City Creek do not now receive any water from that stream, and their gardens are drying up, while the water they originally appropriated is being sprinkled upon

lawns and allowed to run upon sidewalks by day and night, in comparatively newly improved localities.

There is a feeling of great dissatisfaction growing up over this. It is complained that the violation of these prior rights has not been condoned by the substitution of service from other sources, because the latter are totally inadequate to the demand and out of all proportion to the supply of the prior appropriation. This swapping and trading does not seem to answer the end designed. It has created complications without increasing the supply, at any rate to anything like the proportions required and expected.

The City Council will have to look for some permanent source of water, the right to control which cannot be disputed, which will not involve the ruin of farmers who have settled upon streams, whether their claims are legal or moral, nor the deprivation of old settlers of water the right to use which is capable of complete demonstration, and to assert which some are talking of an appeal to the courts.

There is a disposition in certain directions to throw odium upon everything done by the City Council. This is part of a deep and dirty scheme of a political character. It should be discouraged by every good and reasonable citizen. And at the same time the City authorities should be careful that they do not play into the hands of the enemy, by giving people who have undoubted rights any valid and certain cause of complaint.

All the water powers conferred upon the City Council are qualified by such provisos as these: "That nothing herein shall be construed to interfere with the water rights accrued by priority of appropriation" (Amendment to charter 1886). "That the control shall not be exercised to the injury of any rights already acquired by actual owners" (Amendment of 1888). This is a subject pregnant with importance, and unless it is properly treated it will bring forth a whole progeny of troubles.

AN ANTICIPATED VICTORY.

"IT LOOKS very much as though the Gentiles were going to gain a victory over the Mormons in Salt Lake City. It will be a great thing for the owners of real estate in that town if the Gentiles carry the next municipal election. A Gentile victory would be followed by an enormous rise in the value of city property."