

publican party, was not in a condition rendering it necessary for the latter to step in and save it from overwhelming ruin. It, however, great care, foresight and statesmanship are not displayed from this time forward, a crash may come within the limit of the ensuing Presidential term.

A WONDERFUL MEMORY.

THE memory of man is a miraculous and utterly inexplicable faculty. All we can say of it is that it is an impression is received upon it through one or other of the senses, which sometimes remains for ever, again for a period and in many cases is lost immediately. It is this divergence in the gift that causes as much astonishment as anything else known to us. Some can reproduce volumes with all the pieces, parts and features making them up, at any time and at will after reading or hearing them read once, while others more powerfully and physically and scholastically spend hours and days contemplating small scraps of matter and are unable to say and only account for it on the ground that nature has made some people's memories better than others. This is about as satisfactory as the candidate accounting for his defeat by saying he didn't have enough votes or a like nature; but it is the best we can get.

Occasionally those whose memories are so sensitive and retentive in a given direction as to make their possessors prodigies are not as "bright" as the average of our race. This would seem to be a disadvantage, but it is not. It is a disadvantage only in the sense that it is a disadvantage to be a prodigy in a direction which is not the direction of the others, and should not therefore be classed as a great gift. A conspicuous instance in point is Blind Tom, the negro pianist, who has twice paid Salt Lake a visit and whose performance was a very phenomenal one. But even he was surpassed in point of mental achievements, age considered, by a little colored urchin four years old now on exhibition in Chicago, and who, like Tom, is entirely destitute of vision. His name is Oscar Moore and he was born at Waco, Texas, early in 1885. He seems to be in possession of his faculties, but his method of answering questions and his interjectory remarks go to show that he is simply a human automaton.

Little Oscar is a puzzle for the medical and scientific fraternity, numbers of which have visited and examined him thoroughly. The tests to which they subjected him were very severe and searching, containing dates, names and figures that ran up into millions. Such questions as "What is the population of China?" and the same with reference to the large cities of the United States, were correctly answered without hesitation. To the query "How many square feet in an acre?" he replied, "Oh, I know—43,560." He can count in almost any language, Latin, Danish, Polish and Chinese, and can also sing songs correctly.

WATER FOR DOMESTIC USE.

WE are in receipt of the following communication:

LAKE VIEW, Tooele Co., Dec. 8, 1888.

I have been located by a certain creek of water in this county during a period of twenty-five years, and own about one-fifth of the water. This summer the water has been less than in years past and the parties owning a sufficient quantity to supply their necessities for domestic use, but when the other shareholders have turned the water in another direction, not leaving any water in the old ditch for cultivation purposes. In consequence I have had to carry the water for home use a long distance, or do without, subjecting me to much inconvenience to get my water supply for home use.

The same of water comes to the shareholders every ten days, two days before the water is turned on. I have the water, I always turn it on the creek and give the four shareholders a sufficient quantity to supply their necessities for domestic use, but when the other shareholders have turned the water in another direction, not leaving any water in the old ditch for cultivation purposes. In consequence I have had to carry the water for home use a long distance, or do without, subjecting me to much inconvenience to get my water supply for home use.

The rule of law in relation to the ownership and right to use water flowing in natural channels is: The water belongs to the first appropriator to the extent of his appropriation. The rule has been held to be superior to legislative enactment, and is virtually a constitutional provision in the states and territories in which irrigation prevails. If our correspondent is a settler, he is entitled to the water he appropriates, and the entire stream, agreeing that each should have the whole stream two days in every ten, during the irrigation season, and if no part of the stream was, in the beginning, or by subsequent agreement, or on contract, allowed to remain in the channel for the domestic use of the four settlers who were not at the time using the main body of it for irrigating purposes, then our correspondent has no right.

But if the original practice among the five settlers was to leave a small portion of the stream to be used for the domestic use of four of them, while the fifth had the bulk of the stream turned upon his land, then the extent of the appropriation of each settler would be: The bulk of the stream two days in ten, and a small portion of the stream for domestic use. Such would be the extent of the water right of each settler, and such would be the relief which a court would grant in case of a legal contest. The rights of the five settlers referred to, respectively, depend upon the original arrangement and custom which were established among them.

In case of such a shrinkage in the stream as to render it insufficient to serve both for domestic and irrigating purposes, and the rights of each party in interest to use it for both purposes are equal, a court of equity would, on a showing of the facts, order the water to be devoted to the most urgent and necessary use. The law upon this subject is the same as the judgment of a wise, humane and impartial man would be; and whatever the latter decision might be, it would be done, a court of equity would be very likely to order.

THE NEW NAVY.—The new navy, including the iron ships of the old navy, is composed of thirty-one vessels, and it is proposed to increase the number to seventy-five, so that there are forty-four vessels to be done, a cost of \$100,000,000. The new navy is to be composed of ships there will be no more hold-up in the navy, and the vessels now building are ready to be turned over to the government. The new navy is to be composed of ships there will be no more hold-up in the navy, and the vessels now building are ready to be turned over to the government.

CAPITAL CORRESPONDENCE.

The Church Suit in the Supreme Court.—Opening of the Last Session of the Fifteenth Congress.

WASHINGTON, D. C., December 3, 1888.

Editor Deseret News:

The second session of the 39th Congress opened today. The Republicans of course are jubilant, and no matter how much the Democrats may exhibit cheerful tones to keep their courage up, blue is the color that shows on their countenances. A few strong men preserve their equanimity and are already planning for another struggle, but the rank and file are bewildered and feel that they are not only beaten but routed.

THE VICTORY.

It is a long time to come, and the indications certainly appear to warrant the anticipation. But human calculations are so often fallacious that they are not to be relied upon, and the city of Washington is not to be deceived by the apparent success of the Republicans. The victory is not yet won, and the city of Washington is not to be deceived by the apparent success of the Republicans.

THE CAPITAL.

was crowded today, and eight-sevenths were as numerous almost as at the opening of a new Congress. Your Delegate, Mr. Caine, was in his place looking as usual, and ready to represent the Territory he represents. Flowers were plentiful on every side, and both houses were odorous with the fragrance of the flowers. Handshaking was vigorously indulged in by rival parties, and seemed to have each other in cordial and friendly feeling. Some of the Republicans, however, could not repress a smile of triumph, mingled with sarcasm, and an occasional allusion to "hitching" and "cycling" and a query of "how'd you get?" indicated the undercurrent that rolled beneath the polite and courteous exterior.

THE PRESIDENT'S MESSAGE.

was listened to with close attention, and the Democrats broke into loud applause when the clause was read which referred to "the people's cause" which should never be compromised. The Republicans responded with a derisive laughter.

The direct tax bill in the House and the tariff bill in the Senate were the subjects of considerable discussion. The House bill was the subject of considerable discussion. The House bill was the subject of considerable discussion.

MR. RANDALL.

seems to have fully recovered and would have received an ovation on entering the House, but he quietly slipped in while the chaplain was performing his duty. He was the center of a throng of admiring friends as soon as recess was taken.

When the chaplain of the Senate repeated the Lord's Prayer, Senators Ingalls and Culbertson responded as though in church; the former, who has not been considered piously inclined, but perhaps in his case the action will not hold good, on the abundance of the heart the mouth speaks.

THE SUPREME COURT.

of the United States, and Hon. F. S. Richardson appeared before that tribunal and moved that the appeal from the decision of the Supreme Court in the case of the Church of Jesus Christ of Latter-day Saints be dismissed.

Fourth—Under the decree appealed from, the Church of Jesus Christ of Latter-day Saints is now held by a receiver. Much of said property being of a perishable nature, great and irreparable loss and damage would be done by the property so held and left in the hands of the receiver for the three years or more before it could be reached in regular order. It is requested that the court will set aside the decree appealed from, and the costs and expenses thereof, and the loss sustained by reason thereof, will amount to a very large sum, and will be in effect a denial of justice.

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Sixth—Under said decree appealed from, the United States has seized and now holds by its receiver possession of several hundreds of thousands of dollars worth of property belonging to the Church of Jesus Christ of Latter-day Saints, the value of several hundred thousands of dollars, and the Church of Jesus Christ of Latter-day Saints is now held by a receiver. Much of said property being of a perishable nature, great and irreparable loss and damage would be done by the property so held and left in the hands of the receiver for the three years or more before it could be reached in regular order. It is requested that the court will set aside the decree appealed from, and the costs and expenses thereof, and the loss sustained by reason thereof, will amount to a very large sum, and will be in effect a denial of justice.

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he declined to make the motion he stated that no opposition should be offered to the motion, and that it ought to be and will be granted.

Gen. Butler, George Ticknor Curtis, the Attorney and Solicitor General and many others.

CELEBRATED LAWYERS.

were present at the opening of the court. Chief Justice Fuller made a good report of the session, and the city of Washington will be able to feel that they are not only beaten but routed.

WASHINGTON.

just now is pleasant, business lively, "prosperity" is getting ready for "bad season" which will be a sad and festive and the city content to grow and improve. Your Mr. Richardson intends to stay and learn the fate of his motion in the Supreme Court and, if it is favorable, to prepare for the trial, which will determine not only the property question as it shall affect the Church of Jesus Christ of Latter-day Saints, but also the still more important question of the powers of the State in relation to the Church of Jesus Christ of Latter-day Saints.

MR. RICHARDS.

makes a good impression and the prevalent opinion as to the case is here to defend it, that the law be construed in favor of the Church of Jesus Christ of Latter-day Saints. This opinion is yours truly.

TO-DAY'S TELEGRAMS.

Another Terrific Explosion in Chicago and Several Men Killed.

The Steamers "Galena" and "Yankee" to Start for Haiti Tomorrow.

The Situation at Birmingham Greatly Improved.—The Troops Still There.

A Sanguinary Fight Between a State Vessel and an Oysterman in Maryland.

Hon. L. P. Morton Off for Indiana to Confer with Gen. Harrison, etc.

By Telegram to the News.

ANOTHER EXPLOSION.

An Oatmeal Factory in Chicago Explodes with Loss of Life.

CHICAGO, Dec. 11.—An explosion occurred at the oatmeal mills at the corner of Halsted and Fulton streets at 2 o'clock this morning and the building was partially destroyed. Several lives were lost. Particulars soon.

LATER.

Shortly before 2 o'clock this morning, an explosion occurred at the corner of Halsted and Fulton streets at 2 o'clock this morning and the building was partially destroyed. Several lives were lost. Particulars soon.

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An Important Move.

HALIFAX, N. S., Dec. 11.—An important move in the practical settlement of a vital point in the fishery controversy was made here. On Saturday the Gloucester schooner "Newport," Captain Campbell, came from the banks with a cargo of halibut. Under the treaty of 1858 Captain Campbell decided to land part of his cargo here, enter it at the customs, pay the duty and transfer the balance to Boston, the last spoke of a wheel of fish on the public wharf right under the noses of the customs officers, and delivered it to Philip A. Son, Agents for the Boston, Halifax and Prince Edward steamship line, who shipped it for Boston. Captain Campbell frankly admitted that the fish was not his own, but that he was acting as a broker for the Gloucester fishermen, and that he was not to be held responsible for the actions of the fishermen. The ship was not made under the treaty, but under the rights claimed by the United States under the treaty of 1858. Captain Campbell was a passenger on the Gloucester schooner "Newport," which was in constant telegraphic communication with Secretary Bayard. The division officials know all about the transaction and the fact that they have not interfered is taken as a sign that the transaction is made with the approval of the Canadian government, and that the fishermen are not to be held responsible for the actions of the fishermen. The ship was not made under the treaty, but under the rights claimed by the United States under the treaty of 1858. Captain Campbell was a passenger on the Gloucester schooner "Newport," which was in constant telegraphic communication with Secretary Bayard. The division officials know all about the transaction and the fact that they have not interfered is taken as a sign that the transaction is made with the approval of the Canadian government, and that the fishermen are not to be held responsible for the actions of the fishermen.

For Haiti Tomorrow.

WASHINGTON, Dec. 11.—Orders were issued by the navy department for the United States steamers "Galena" and "Yankee" to sail from New York tomorrow for Port au Prince, Haiti, to enforce the demand of this government for the release of the American steamer "Hagley Republic." They will sail on the 12th inst. The command of Rear Admiral Luce, who has been instructed to transfer the vessel to the possession of the United States, is expected to be received tomorrow. The vessel will be restored to him as soon as the United States is in possession of the vessel.

Secretary Whitney declined to talk about the "Hagley Republic" case, on the ground that there is nothing to say at this time, but he said that the vessel was already a prisoner in the hands of the Haitian government.

NEW YORK, Dec. 11.—No orders had been received at the navy yard at 11 o'clock today for the "Galena" and "Yankee" to sail.

THE PARCEL COMMISSION.

LONDON, Dec. 11.—At a meeting of the Parcel Commission today, Inspector of Police Ardie testified in relation to the disturbed condition of County Mayo. He said the outrages increased after the issue of the anti-racket manifesto.

On cross-examination he said he knew that secret societies existed, but did not know the government supported such society as a counterforce to the league.

DAVID FREELY testified that because he paid rent, moonlighters visited his house and shot at him.

CROSS EXAMINED.

He had been a member of the local league until it was suppressed. Had no reason to believe the league implicated in the murder of a man. The league was a secret society, and he was not a member of it.

THE OYSTER WAR.

ANNAPOLIS, Md., Dec. 11.—There has been an oyster war between the steamer "Governor McLane" and the fleet of oyster dredges in Chester River. Two of the dredgers' boats were sunk and another was taken. The "Governor McLane" was wounded. This is the first fight between the state fishery force and the dredgers since the steamer was riddled with balls. Captain Howard requested that help be sent to the "Governor McLane" and the steamer was riddled with balls. Captain Howard requested that help be sent to the "Governor McLane" and the steamer was riddled with balls.

Considerable Crockedness.

CHICAGO, Dec. 11.—It is said the Interstate Commerce Commission have been notified by the present investigation. It appears that all the roads have been employing scalpers to dole out tickets to the public at regular rates, thus permitting rates to quote higher proportionate rates for short distances. The commissioners are said to be making a decision that the scalpers are guilty of violation of the law. The managers of the roads will be asked to take the matter up to day and will have the riot act read to them.

Democratic Conference.

WASHINGTON, Dec. 11.—A conference of democratic senators was held last evening at which the Senate substitute for the Mills bill was discussed but no vote taken. The gathering was merely a conference, not a caucus. It was unanimously determined to make no further amendment to the bill, but let it take its regular course. The views of the democratic senators on the bill, however, will be made known as each paragraph is read and such amendments as are deemed necessary and just will be offered.

Boston Election.

BOSTON, Dec. 11.—The stormy weather is unfavorable, influencing the vote of the city. The day is rainy and casting a heavy vote for school committees.

WARRIAGES.

SMITH-STEELES.—Last Friday evening the wedding reception of Mr. J. F. Smith, Jr., and Miss Alice Steeles was held at the residence of the bride's father. A number of guests were present and enjoyed the evening thoroughly. An elegant supper was prepared to which the guests did ample justice, after which the bride and groom were accompanied by the bridesmaids and best men to the residence of the bride's father.

Going to Seattle.

LONDON, Dec. 11.—The Star says General Warren, lately chief of metro-polis police, is expected to visit Seattle after the fighting between the British forces and the Arabs is ended.

Fatal Fire.

HALIFAX, N. S., Dec. 11.—A fire occurred last night in Deputy Warden Kieff's quarters in Dorchester penitentiary. Kieff was suffocated and his wife had a narrow escape.