

## A BILL TO PROMOTE EDUCATION IN THE SEVERAL TERRITORIES.

Presented in the House of Representatives, January 6, 1876, by Mr. Maginnis, read twice, referred to the Committee on Education and Labor, and ordered to be printed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the passage of this act, the sixteenth and thirty-sixth sections of the public lands, or other sections or parts of sections selected in lieu thereof in conformity to law, reserved for school purposes in the several Territories, may be sold prior to the admission of said Territories into the Union as States, and the proceeds of sale applied to the support of common schools therein in the manner hereinafter provided.

SEC. 2. That the legislative assemblies in the several Territories may, subject to the requirements hereinafter contained, provide by law for the manner in which, and the officers or board by whom, such sections or parts of sections of its school-lands as it may be desirable to sell may be selected and designated for sale, and also the manner in which, and the officer or board by whom, such sales of land shall be conducted. Accurate descriptive lists of all lands so selected and designated shall be filed in the United States land office of the proper district, and a duplicate thereof in the office of the auditor of the Territory. Such lists shall constitute public records, open to the inspection of all persons. The officers or board whose duty it shall be to select and designate the lands for sale may, if authorized thereto by the territorial legislature, establish the minimum price at which the same shall be sold; but said minimum shall not be less, nor shall any lands be sold under this act for less than five dollars per acre when within the limits of a railroad grant, nor, when not within such limits, for less than two dollars and fifty cents per acre. Such lands shall be disposed of at public auction to the highest bidder, and shall be offered for sale at the county seat of the county within which the same are situated. Each lot or tract shall be offered separately, and in the order they are inserted in the notice of sale, and not more than one hundred and sixty acres shall be offered in such separate lot or tract. No sale shall be made until at least two months' notice, particularly specifying the lands to be sold, shall have been given in some newspaper published in the county; and when no newspaper shall be published in such county, then in the newspaper published nearest to the lands to be sold.

SEC. 3. That payment for school-lands sold under the provisions of this act shall be made in specie, or in United States legal-tender notes, or the notes of some national bank established under act of Congress, and the terms of payment shall be as follows: Fifteen per centum of the purchase-money shall be paid within five days after the day of sale, together with ten per centum interest on the balance of the principal up to the first day of October ensuing, which interest shall be paid to the officer or board hereinafter mentioned as authorized to receive interest. The balance of the principal shall be payable at any time within twenty years from the day of sale, at the option of the purchaser, and shall bear such interest, not less than seven nor more than ten per centum per annum, as the legislature of the proper territory may provide, which interest shall be payable annually in advance on the first day of October in each year, and shall be paid to such officer or board as the territorial legislature may provide: Provided, That the whole amount of the purchase-money may be paid on the day of sale, or at any other time or times before the same becomes due. And on making such payment the purchaser shall receive his proper certificate of the fact. Lands sold under this act shall be subject to taxation the same as other lands owned by private persons, but only the rights of the legal holder thereof shall be sold for taxes.

SEC. 4. That the officer or board conducting the sales of land under this act shall deliver to each purchaser, upon his compliance with the terms of sale prescribed herein, a certificate (authenticated

in such manner as the legislature of the proper Territory may provide), executed in duplicate, and numbered in the order of its execution, stating therein the name of the purchaser, a description of the land sold, the price thereof, the amount remaining unpaid, the terms and times of payment, and the rate and times of the payment of interest. The duplicate shall be filed in the office of such officer or board as the legislature of the proper Territory may authorize to collect and receive the interest annually accruing thereon. All such certificates may be assigned in writing, witnessed and acknowledged, and the legal assignee shall have the same rights, liabilities, and remedies thereupon as the original purchaser. In case of default in the payment of either principal or interest, as the same shall become due by the terms of the certificate of sale, and for the period of thirty days thereafter, such certificate shall become void from that time, and the holder thereof shall forfeit all interest in and to the land described therein, and the same may be resold to any person. The legislature of the proper Territory may provide by law for the protection against waste of the lands sold under this act until the purchase-money and interest thereon shall be paid up in full, and may also provide for leasing, instead of selling, any portion of said lands, but such leases shall not run for a longer term than ten years. No deed or patent shall issue for any lands sold under the provisions of this act, nor shall the title of the United States there-to be in any manner changed until the purchase-money and the interest thereon shall have been paid up in full. When the purchase-money for any lands sold under this act and the interest thereon shall have been paid in full, the register and the receiver of the land office of the proper district shall certify such lands so paid for to the Secretary of the Interior, who shall cause patents to be issued therefor, and such patents shall inure to the benefit of the persons owning the certificates of purchase.

SEC. 5. That the principal of the purchase-money of lands sold under this act shall be paid to the receiver of the United States land-office of the proper district, as in other cases. The register and the receiver shall keep an accurate and separate account of all lands disposed of in their district under this act, and make regular and due returns thereof to the Secretary of the Interior, as in the case of other lands sold on account of the United States. It shall be the duty of the Secretary of the Interior to invest, from time to time, on behalf of the proper Territory, the principal of the purchase-money of all lands sold under this act, in United States bonds, bearing not less than five per centum interest per annum, and shall pay or cause to be paid, to the treasurer of the proper Territory, the interest thereon as fast as the same shall accrue. All bonds purchased under the provisions of this act shall be subject to the legislation of Congress in the same manner as other United States securities. Three years after the Territory on whose account they may be held in trust shall be admitted into the Union as a State, they shall become the property of such State, and be turned over to the Treasurer thereof; and until the same shall be so turned over, the interest thereon shall continue to be paid to the treasurer of such State, in the same manner as though it was still a Territory. All moneys received by any Territory under the provisions of this act shall be applied exclusively to the maintenance and support of common schools therein, and all appropriations thereof to any other purpose shall be absolutely void. No portion of said fund shall be applied to the maintenance or support of any sectarian or denominational school, nor shall the same be divided on this account, nor shall any person be deprived of an equal benefit from said fund on account of race or color.

## A BILL FOR THE SALE OF TIMBER-LANDS IN THE TERRITORIES.

Presented in the House of Representatives, January 6, 1876, by Mr. Maginnis, read twice, referred to the Committee on Public Lands, and ordered to be printed.

Be it enacted by the Senate and

House of Representatives of the United States of America in Congress assembled, That surveyed public lands of the United States within the Territories, not included within military, Indian, or other reservations of the United States, valuable for timber but unfit for cultivation, may be sold to citizens of the United States, or persons who have declared their intention to become such, in quantities not exceeding forty acres to any one person or association of persons, at the price of two dollars and fifty cents an acre; and lands valuable chiefly for stone may be sold on the same terms as timber-lands: Provided, That nothing herein contained shall defeat or impair any bona-fide claim under any law of the United States, or authorize the sale of any mining claim, or the improvements of any bona-fide settler, or lands containing gold, silver, cinnabar, copper, or coal, in quantities sufficient to render mining remunerative, or lands set apart for school purposes under the acts of Congress creating said Territories: And provided further, That none of the rights conferred by the act approved July twenty-sixth, eighteen hundred and sixty-six, entitled "An act granting the right of way to ditch and canal owners over the public lands, and for other purposes," shall be abrogated by this act, and the same are hereby extended to all public lands affected by this act; and all patents granted shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights as may have been acquired under or recognized by said act, and such rights shall be expressly reserved in any patent issued under this act.

SEC. 2. That any person desiring to avail himself of the provisions of this act shall file with the register of the proper district a written statement in duplicate, one of which is to be transmitted to the General Land Office, designating by legal subdivisions the particular tract of land he desires to purchase, setting forth that the same is unfit for cultivation, and valuable chiefly for its timber or stone; that it is uninhabited; contains no mining or other improvements except for ditch or canal purposes, save such as were made by or belong to the applicant, nor, as deponent verily believes, any valuable deposit of gold, silver, cinnabar, copper, or coal; the deponent has made no other application under this act; that he does not apply to purchase the same on speculation, but in good faith, to appropriate it to his own exclusive use and benefit; and that he has not, directly or indirectly, made any agreement or contract in any way or manner with any person or persons whatsoever by which the title which he might acquire from the Government of the United States should inure, in whole or in part, to the benefit of any person except himself; which statement must be verified by the oath of the applicant before the register or receiver of the land-office within the district, or before the auditor or clerk of the district court of the county in which the land is situated; and if any person taking that oath shall swear falsely in the premises, he shall be subject to all the pains and penalties of perjury, and shall forfeit the money which he may have paid for said lands, and all right and title to the same; and any grant or conveyance which he may have made, except in the hands of bona-fide purchasers, shall be null and void.

SEC. 3. That upon the filing of said statement, as provided in the second section of this act, the register of the land-office shall post a notice of such application, embracing a description of the land by legal subdivisions in his office for a period of sixty days, and shall furnish the applicant a copy of the same for publication in a newspaper published nearest the location of the premises, for a like period of time; and after the expiration of said sixty days, if no adverse claim shall have been filed, the person desiring to purchase shall furnish to the register of the land-office satisfactory evidence, first, that said notice of the application prepared by the register as aforesaid was duly published in a newspaper as herein required; secondly, that the land is of the character contemplated in this act, unoccupied and without improvements, other than those excepted, either mining or agricultural, and that it apparently contains no valuable deposits of gold, silver, cinnabar, copper, or coal; and upon pay-

ment to the proper officer of the purchase-money of said land, together with the fees of the register and the receiver, the applicant shall be permitted to enter said tract, and, on the transmission to the General Land-Office of the papers and testimony in the case, a patent shall issue thereon: Provided, That any person having a valid claim to any portion of the land may object, in writing, to the issuance of a patent to lands so held by him, stating the nature of his claim thereto; and evidence shall be taken and the merits of said objection shall be determined by the officers of the land-office, subject to appeal, as in other land-cases. Effect shall be given to the foregoing provisions of this act by regulations to be prescribed by the Commissioner of the General Land-Office.

From Tennessee.—The following is a portion of a letter from Elder Joseph Standing to a gentleman in this city, from Tennessee, Dec. 31:—

"My position at the present time is not quite as I could wish, for I am now the only one of the missionaries at this place. The others have gone into the neighboring States. Bros. Teasdale and Winder, as you may have learned, are now in North Carolina, and Bros. Boyle and McAllister have gone to Arkansas to stay over winter. Bro. D. P. Rainey is now in the western part of this State, where he expected to meet Bro. Hendricks, with whom he had made engagements to travel previous to coming here.

"Two weeks ago we organized a branch of the church here, with 17 members. They are all good people, and they tell me to take things easy.

"In the private conversations which I have had with the sectarians I have, through the power of the Lord, got the best of them every time. Last week I was in four different counties, and in some places I was quite a curiosity, being, in some instances, the first 'Mormon' some of the people had ever seen. Many questions were asked about Brigham, polygamy and our religious belief, all of which I answered in a truthful manner, but the answers given did not seem to suit their ideas. I have been introduced as 'Parson' Standing, which I suppose some of the boys at home will laugh at.

"I am thankful to the Lord that I am here on this mission, for I have learned more about religious denominations and their different beliefs and workings than I could in a whole life time in Utah. I have also heard more about our own doctrine. I pass the time now in reading and studying the Bible, 'Voice of Warning' and other Church publications. Before I became what I am, I used to think those books were very prosy and dull, and did not see how any one could have the inclination to read them, but then I suppose I saw through 'glass darkly'; now I see different. Last Christmas I walked 22 miles through deep mud and water, with a bundle weighing about 25 pounds on my back, and my feet very sore. I hope you enjoyed yourself Christmas, and will do the same to-morrow.

"Bro. Brigham is right about dancing. The weather here is very warm, just like May in Utah."

At Toquerville, Kane Co., Jan. 18th, 1876, by Bishop Wm. A. Brigham, at the residence of John Steele, Esq., the bride's father, JOHN PETER JENSON and Miss JANE C. STEELE.

Long life to the pair.

On Jan. 27th, 1876, at the residence of the bride's father, Mr. GEORGE W. HINGTON, by the Rev. Mr. J. B. LEE, both of Sugar House Ward, Salt Lake County, Justice Jacob Gibson officiating. Philadelphia papers, please copy.

At York, Utah, of scarlet fever, January 20th, 1876, aged 2 years and 8 months, and on January 27th, NETTIE, aged 6 years and ten months, children of Charles F. and Louisa Decker.

Relatives and friends are invited to attend the funeral from the residence of Charles F. Decker, 12th Ward of this city, on Saturday morning, 29th, at ten o'clock.

In Scipio, Millard Co., ANN, daughter of Thomas and Emma Memmott, aged one year and seven months.—(com. Jan. 21.

At the 31st Ward, Salt Lake City, Jan. 31st, of scarlet fever, MARY FRANCES, daughter of J. P. and S. F. Meakin, aged 1 year, 4 months, and 2 weeks old.

## SPECIAL NOTICE TO OUR READERS SPECIAL CALL.

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The value of the celebrated new Patent Improved Eye Cups for the restoration of sight breaks out and blazes in the evidences of over 8,000 genuine testimonials of cures, and recommended by more than one thousand of our best physicians in their practice.

The Patent Eye Cups are a scientific and philosophical discovery, and as ALEX. R. WYETH, M. D., and Wm. BEATLEY, M. D., write, they are certainly the greatest invention of the age.

Read the following certificates:

FERGUSON STATION, LOGAN CO., KY., June 6th, 1872.

DR. J. BALL & Co., Oculists.

GENTLEMEN: Your Patent Eye Cups are, in my judgment, the most splendid triumph which optical science has ever achieved, but, like all great and important truths, in this or in any other branch of science and philosophy, have much to contend with from the ignorance and prejudice of a too sceptical public; but truth is mighty and will prevail, and it is only a question of time as regards their general acceptance and endorsement by all who have in their hands certificates of persons testifying in unequivocal terms to their merits. The most prominent physicians of my county recommend your Eye Cups. I am, respectfully, J. A. L. BOYER.

WILLIAM BEATLEY, M. D., Salisbury, Ky., writes: "Thanks to you for the great of all inventions. My sight is fully restored by the use of your Patent Eye Cups, after being almost entirely blind for twenty-six years."

ALEX. R. WYETH, M. D., Atchison, Pa., writes: "After total blindness of my left eye for four years, by paralysis of the optical nerve, to my utter astonishment your Patent Eye Cups restored my eyesight permanently in three minutes."

Rev. S. B. EAKINSBURG, Minister of M. E. Church, writes: "Your Patent Eye Cups have restored my sight, for which I am most thankful to the Father of Mercies. By your advertisement I saw at a glance that your invaluable Eye Cups performed their work perfectly in accordance with physiological law; that they literally fed the eyes that were starving for nutrition. May God greatly bless you, and may your name be enshrined in the affectionate memories of multiplied thousands as one of the benefactors of your kind."

HORACE B. LUTRANT, M. D., says: "I sold, and effected future sales liberally. The Patent Eye Cups, they will make money, and make it fast, too; no small catch-penny affair, but a superb, number one, tip-top business, promises, as far as I can see, to be life-long."

Mayor E. C. ELLIS wrote us, November 10th, 1869: "I have tested the Patent Eye Cups, and I am satisfied they are good. I am pleased with them. They are certainly the greatest invention of the age."

Hon. HORACE GREELEY, late Editor of the New York Tribune, wrote: "Dr. J. BALL, of our city, is a conscientious and responsible man, who is incapable of intentional deception or imposition."

Prof. W. MERRICK writes: "Truly I am grateful to your noble invention. My sight is restored by your Patent Eye Cups. May Heaven bless and preserve you. I have been using spectacles twenty years. I am seventy-one years old. I do all my writing without glasses, and I bless the inventor of the Patent Eye Cups every time I take up my old steel pen."

ADOLPH BJORNBORG, M. D., physician to Emperor Napoleon, wrote, after having his sight restored by our Patent Eye Cups: "With gratitude to God, and thankfulness to the inventors, Dr. J. BALL & Co., I hereby recommend the trial of the Eye Cups (in full faith) to all and every one that has any impaired eyesight believing, as I do, that since the experiment with this wonderful discovery has proved successful on me, at my advanced period of life—90 years of age—I believe they will restore the vision to any individual if they are properly applied."

ADOLPH BJORNBORG, M. D., Commonwealth of Massachusetts, Essex Co., June 5th, 1873, personally appeared Adolph BJORNBORG, made oath to the following certificate, and by him subscribed and sworn before me.

LAWRENCE CITY, Mass., June 9, 1873.

We, the undersigned, having personally known Dr. Adolph BJORNBORG for years, believe him to be an honest, moral man, trustworthy, and in truth and veracity unsupported. His character is without reproach.

M. BONNY, Ex-Mayor.

S. B. W. DAVIS, Ex-Mayor.

GEORGE S. MERRILL, P. M.

ROBERT H. TEWKESBURY, City Treas.

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