

REPORT ON UTAH LAKE PROJECT

Probabilities That Uncle Sam Will Carry It Through For Us.

UTAH LEADS ARID STATES.

Presentation of Situation at Washington by Mr. Richards Much Appreciated.

At the meeting of the Utah Arid Land Reclamation Fund commission yesterday afternoon Hon. F. S. Richards, who was recently sent to Washington by the commission, made official report of his work while in the national capital in the interest of irrigation matters in this state.

The members of the commission who were present were State Engineer Doremus, who is chairman, Joseph A. West, of Ogden and Representative White of Marysville. The commission expressed its appreciation of Mr. Richards' work by retaining him as counsel and passing a resolution thanking him for the able assistance thus far rendered.

MR. RICHARDS' REPORT.

Tells the Utah Arid Land Commission What He Did in Washington.

May 25, 1903.—"To the Honorable Chairman and Members of the Arid Land Reclamation Fund Commission of the State of Utah, Gentlemen: On the 27th of April, 1903, I started for Washington, D. C., bearing credentials from His Excellency, Heber M. Wells, governor of the State of Utah, to Hon. E. A. Hitchcock, secretary of the interior, and also a letter from Hon. A. F. Doremus, chairman of your commission, to Hon. F. H. Newell, chief engineer of the United States Geological Survey, authorizing me to represent your commission and the state, in asking the government to take up some irrigation project in Utah and prosecute the same under the national irrigation law, so that the state might receive the benefit of the reclamation fund, and I was instructed to present the Utah lake proposition as being the one most desired.

ON REACHING WASHINGTON.

"When I reached Washington, Secy. Hitchcock was absent from the city, expecting to be gone several weeks, so I presented my credentials to First Asst. Secy. Ryan, who was the acting secretary. He received me very courteously, and, after discussing the matter in a general way, stated that it would be necessary for me to file a formal application, setting forth what was desired, with such a statement of the law and facts as would enable our views concerning the application of the law to our particular case. He also informed me that the subject pertained to the geological survey, and that Mr. Newell was the man who should be informed as to the details, it being probable that he would be called upon to make recommendations in the matter. He also sent a messenger to introduce me to Asst. Atty. Gen. Campbell, who is the head of the legal department, and I had a very pleasant and satisfactory interview with him.

"Mr. Newell's reception was very cor-

BLOOD HUMOURS

Skin Humours, Scalp Humours, Hair Humours,

Whether Simple Scrofulous or Hereditary

Speedily Cured by Cuticura Soap, Ointment and Pills.

Complete External and Internal Treatment, One Dollar.

In the treatment of torturing, disfiguring, itching, scaly, crusted, pimply, blotchy and scrofulous humours of the skin, scalp and blood, with loss of hair, Cuticura Soap, Ointment and Pills have been wonderfully successful. Even the most obstinate of constitutional humours, such as bad blood, scrofula, inherited and contagious humours, with loss of hair, granular swellings, ulcerous patches in the throat and mouth, sore eyes, copper-coloured blotches, as well as boils, carbuncles, scurvy, sties, ulcers and sores arising from an impure or impoverished condition of the blood, yield to the Cuticura Treatment, when all other remedies fail.

And greater still, if possible, is the wonderful record of cures of torturing, disfiguring humours among infants and children. The suffering which Cuticura Remedies have alleviated among the young, and the comfort they have afforded worn-out and worried parents, have led to their adoption in countless homes as priceless curatives for the skin and blood. Infantile and birch humours, milk crust, scalled head, eczema, rashes and every form of itching, scaly, pimply skin and scalp humours, with loss of hair, of infancy and childhood, are speedily, permanently and economically cured when all other remedies suitable for children, and even the best physicians, fail.

Sold throughout the world. Cuticura Remedies, 50c. Six forms of Cuticura: Ointment, Pills, Soap, for scalp, face, hands, feet, etc. Price, 25c. per box. Prepared by J. C. Ayer & Co., Lowell, Mass., U.S.A.

THE OLD RELIABLE



There is no substitute

dial and pleasant. He devoted a great deal of time and gave careful consideration to the matters which I had to present. We had daily interviews during my sojourn, and discussed every phase of the situation that has been considered here. When I first presented the legal phases of the matter to Mr. Newell, they seemed somewhat new to him, but, after repeated consultations and careful consideration of the subject, he appeared to appreciate the correctness of our views and the justice of our cause.

UTAH LAKE PROPOSITION.

"I hand you herewith a copy of the document which was filed with the secretary of the interior, and hope that it will meet with your approval. You will note that it consists of a statement of the law and facts relating to the Utah lake proposition, but is not intended as a full argument or brief on the subject. I was informed that it was desired to have the matter presented in as concise and simple a form as possible, and that if a fuller brief or argument was desired, it would be called for later on. You will also observe that the request is made for the government to treat all the rights of Salt Lake City and the canal companies as vested rights, and permit them to complete what unperfected rights they have, by the government assuming the cost of the canal and canal companies paying the cost thereof.

"During my sojourn, I had a very satisfactory interview with the director of the geological survey, who had just returned from Salt River Valley, Arizona. We discussed the Utah lake proposition very fully, and he was exceedingly kind and complimentary in the expression of his views concerning the course we had taken in bringing the matter to the attention of the department. I also had lengthy and satisfactory interviews with the assistant attorney-general of the interior department, and his assistants, during which I explained to them the legal phases of our question, and was assured by them that they would be greatly aided in arriving at a correct conclusion by reason of our consultations.

LOOKS GOOD AHEAD.

"The secretary and other officers whom I met, that are interested in the administration of the irrigation law, assured me that it was the desire of the government to give the law such a liberal construction as would enable the earliest construction as would enable the greatest and best possible results to be obtained from its administration, and that, if the engineering features of the Utah lake project prove to be satisfactory, after the preliminary work has been done, the legal difficulties which have appeared to be in the way, can be overcome.

TO THE GOVERNMENT.

Utah's Needs and Conditions Presented by F. S. Richards.

Washington, D. C., May 9.—To the Honorable, the Secretary of the Interior, Sir:—The arid land reclamation fund commission, appointed by the governor of the state of Utah, pursuant to the provisions of an act of the legislature of said state, a copy of which is herewith submitted, respectfully represents that the Utah lake project is one which should receive the benefits of the national reclamation fund. It is the natural and only source of water supply for the irrigation of a large area of semi-arid land situated near Salt Lake City, that with sufficient water will be the most valuable and fertile land in the state. Salt Lake City itself is also dependent upon Utah lake for the increase of its water supply, which is already entirely inadequate to meet the wants of the present inhabitants of the city.

As certain questions have arisen concerning the interpretation and construction of the national irrigation law which should be answered before the commission can intelligently proceed with the work of formulating plans to carry forward this important project, I am instructed to submit the following statement and respectfully request your early and favorable consideration of the same.

STATEMENT.

The present owners of the right to store water in Utah Lake are Salt Lake City, a municipal corporation, the North Jordan Canal company, the East Jordan Irrigation company, and the Utah and Salt Lake Canal company. The stockholders of these canal and irrigation companies are the owners of the land which is irrigated by the water being in the name of the corporation, but the stockholders themselves being the water users and the owners of the land irrigated.

The first dam was built at the narrows in Jordan river, a distance of about 10 miles north of the outlet of Utah lake in 1872. The fall in the river between the lake and the dam is so slight that by placing obstructions in the dam to the height of two or three feet, water can be stored in the lake. Some of the canal companies mentioned had previously constructed, and were operating their canals, taking water from the river below the dam, and others had commenced the construction of their canals prior to the building of the dam.

FINDING OF FACTS.

The foregoing facts were found by

the court in a suit to quiet title to the waters of Jordan river, decided in 1861, at which time the court decreed that the city and canal and irrigation companies had the right to shut off, impound and store the entire flow of the Jordan river, (with certain limitations which are not material here), and hold and save by such action in future use of the water should exceed the capacity of any of the canals such excess might be used by the remaining canals as had the capacity to take the same in equal proportion.

UNAPPROPRIATED SURPLUS.

On the 15th of January, 1900, a notice of water appropriation was posted for the use and benefit of the city and its inhabitants by which it appropriated all of the unappropriated and surplus waters flowing into, arising from and flowing out of Utah lake and the Jordan river with their natural sources of supply for the purpose of storing said water in Utah Lake to the extent of 100,000 cubic feet, and of maintaining the same to a height of five feet above the present compromise level, which is 3 1/2 inches above low water mark, and claimed a flow of 300 cubic feet per second; and a second notice was posted on behalf of said city by which it acquired the right to straighten and dredge the channel of Jordan river, so that its bed would have a uniform gradient of a foot and a half between the lake and the head of the East Jordan canal, the dredging to be of such depth as would enable the city to utilize and draw off through the Jordan river the entire flow of water below the present low level, being an approximate flow of 400 feet per second.

In aid of these appropriations, on the 15th of January, 1900, Salt Lake City made application to a reclamation of Utah lake under the act of Congress of March 3, 1891 (25 Stats. 1055), by filing a map, field notes and other data, with the register of the United States land office at Salt Lake City, as required by section 1 of the act, and the department of the interior concerning the location of reservoirs. It was found by the department that some further data was required before the map could be approved, and the question of national aid in the establishment of reservoirs, was then being discussed, the matter was left in abeyance to see what action, if any, would be taken by the government.

FOR CITY AND CANALS.

The appropriations were made by the city for its own use and for the benefit of its associates, the said canal and irrigation companies, and the thousands of dollars have been expended towards perfecting the appropriations. At the time the original appropriations were made the laws of Utah did not require any notice to be recorded, and the construction of the canals and use of the water being recognized by the courts as sufficient to give title to the water used. This was so prior to 1888, but since that time it has been required in order to have the title to the use of the water, when completed, relate back to the time of filing the notice.

AS VESTED RIGHTS.

So far as the canal and irrigation companies are concerned the important question affecting them is how the government will recognize and respect their claims as vested rights. The aggregate capacity of all the canals is 828 cubic feet per second, and when the water is at compromise level in the lake the flow of the Jordan river is approximately 1,000 cubic feet per second. While there has been sufficient water to fill all the canals during most of the irrigation seasons since 1882, during the exceptional years above mentioned, the excess of water over the 828 cubic feet per second, and during the last two years it has been considerably less than that, which necessitated the establishment of the pumping plant.

TO INCREASE SUPPLY.

Inasmuch as the city and the canal and irrigation companies have acquired the right, under the laws of Utah, to increase their water supply by straightening the storage capacity of the lake, and thereby secure a constant supply of water sufficient to keep their canals full during each and every irrigation season, the question is, whether the government will do this work for the companies and so perfect their additional water rights and have the companies pay them for so doing. While the city and canal and irrigation companies have the right, under the local laws and existing conditions, to do the work themselves which is necessary to perfect their water rights and secure a

SNAP, PUSH AND GO

As What One Should Get From Food.

A young St. Louis lady learned a food lesson she won't forget. She says: "I suffered from indigestion for nearly 10 years and although I tried all kinds of foods for relief, I could not get any of them until one day I discovered Grape-Nuts and now I wonder how I ever did without it."

"I am a stenographer in a business office and need all the energy possible, but I formerly spent a greater part of every morning wishing I had gone without breakfast for I was continually reminded of it by the uncomfortable distressed state of my stomach. The Grape-Nuts I lost through this I could not eat but now all is different for I eat some fruit and a saucer of Grape-Nuts and I work hard all the morning and never think about my food, and I am in the best of health. I feel the good effects of Grape-Nuts in a sharpened brain, better memory and increased thinking capacity. The only difficulty I have about it is that I want to give it to myself to the required amount for I love it so." Name given by Postum Co., Battle Creek, Mich.

Ayer's Cherry Pectoral

What would you do the next time you have a hard cold if you couldn't get Ayer's Cherry Pectoral? Better think this over.

constant supply sufficient to fill their canals every year, it would be better and more convenient for all parties concerned, if the government should take the work of straightening and perfecting their additional water rights in the manner suggested. This would simplify the matter in every particular, as all the water would then go to the benefit of the city and the canal companies, and the payments would be made by the companies directly to the government.

THE CITY'S POSITION.

The position of Salt Lake City is a little different from that of the canal and irrigation companies. It requires, in addition to the quantity of water necessary to fill its present canal, about 100 cubic feet per second, which would represent a depth of about seven inches on the surface of the lake. One of the principal uses which the city has for this water is to exchange it with the owners of the canals of mountain streams flowing into the Jordan river south of the city, so that the water from these streams might be taken to the city and used in its water works system for municipal purposes, while the water from the lake would be used for irrigation of the lands heretofore irrigated by the mountain streams. It is exceedingly desirable that the city should have an opportunity to perfect its rights to this additional water by having the government perform the work and let the city pay its charges for the same.

ADDITIONAL RIGHTS.

Of course, if it should be determined that the city and the canal and irrigation companies may perfect their additional water rights in the manner suggested, by having the government do the work of straightening and perfecting their additional water rights as aforesaid to effect a consolidation or merger of their interests into one company, or whether the government would deal directly with each company for the water taken by it. Of course, the city, being a public corporation, could not affect a merger with the canal and irrigation companies, as they are private corporations.

REMAINING WATERS.

When these vested rights are disposed of there would still remain a quantity of water for the city to use, depending, of course, upon its size and capacity, to be used in the reclamation of large areas of land which have never yet been irrigated. The question is, whether the city would deal directly with each company for the water taken by it. Of course, the city, being a public corporation, could not affect a merger with the canal and irrigation companies, as they are private corporations.

With such an interpretation of the law as is here suggested, the water in the reservoir would consist of three classes: 1.—The water representing the quantities that have heretofore been used by the city and canal and irrigation companies, and for which the government would not be entitled to receive pay; 2.—That which is now being used by the city and the canal and irrigation companies under their several appropriations, for which the government would receive pay; and 3.—The remainder of the water in the reservoir which would go to the members of the water user association and become appurtenant to the lands upon which they are used and for which the government would be paid.

SUMMARY.

In conclusion, I respectfully request, on behalf of the commission, that the honorable secretary of the interior consider the matters contained in the foregoing statement and determine the following: 1.—That this commission receive official recognition and such arrangements be made that the officers of the department in immediate charge of the work, will consult the commission, whenever practicable, concerning details of interest to Utah.

2.—That the recommendation of the commission regarding the primary importance of water storage in Utah lake be given due weight and that work upon this important matter be taken up at the earliest practicable date.

3.—That if, in the judgment of those in charge of the matter, the work connected with Utah lake is of such magnitude as to involve such complications, that rapid progress cannot be made, then attention be also given to some other or more simple project, but without prejudice or delay to the work on Utah lake.

4.—That physical facts as regards the amount of water now available and utilized, and as to the amount of water which might be available under the best possible conditions be ascertained, and that the extent be estimated to which lands now arid and without water may in future be irrigated.

5.—That the claims and rights of the city of Salt Lake to waters not now available in years of drought, and to increase its water supply as heretofore stated, be recognized and plans made by which lake water may be exchanged for the water of the canals for municipal purposes and the domestic use of the inhabitants of the city, while the flow must be sufficient to irrigate the possible degree in the extension of irrigation.

6.—That it may be determined, under the law of June 11, 1882, that existing canal and irrigation companies can be dealt with as representatives of individual irrigators and resident landowners, and whether in so doing a merger of such companies is not necessary.

ation of water users may be formed to reclaim these lands, may be determined. A copy of the actions of Revised Laws of Utah, 1888, which seem to be pertinent to this inquiry, are herewith submitted. Any further information that may be desired, concerning either the law or the facts, will be gladly furnished upon application, as the commission desires to do everything in its power to facilitate this important matter.

Respectfully submitted, F. S. RICHARDS, Counsel for Said Commission.

TELFORD WILL GRADUATE Utah Boy Seventh on West Point Academy List.

(Special to the "News.") New York, June 2.—A class of 91 will graduate at the West Point military academy this month. Among them is Charles Telford of Utah, who was born in Utah and admitted June 20, 1898, and stands No. 7 on the list supplied by Col. Mills.

NURSES GRADUATE. Class From St. Mark's Training School Receives Diplomas.

Interesting graduating exercises were held last night at the Ladies' Literary club of St. Mark's Training school for nurses. A class of seven young women received their diplomas. The graduates were Miss Mary McClain, Salt Lake; Miss Susan Couper, Helena, Mont.; Miss Clara May Stedman, Helena; Miss Katharine L. Madison, Salt Lake; Miss Marie Leona Miles, Payson; Miss Theresa Alphin Wilkinson, Salt Lake; Miss Annie Josephine Hastings, Madison, Wis.

Rev. Mr. Perkins pronounced the invocation and Dr. Union Worthington presented the class in behalf of the training school. Bishop Abel Leonard presented the diplomas to the graduates in behalf of the institution. Rev. Dr. Fadden delivered an address to the class. A letter from Mrs. Fidelity B. Hamilton, widow of Dr. Hamilton, the founder of the hospital, was read by Bishop Leonard, offering her sincerest congratulations to the graduates. Mrs. Hamilton also enclosed \$5 to purchase something for the nurses' quarters at the hospital.

The musical program included two selections, "Mrs. Winslow's Soothing Syrup" in this country about 30 years ago. A quartet, including Messrs. Knowles, Abbott, Curtis and Dunbar, "Poppies" and "Lullaby" by Harry Shearman; a violin solo by Mrs. Underwood; and a song by Mrs. Curtis, "If I Were King" and "King Charles." Miss Theodosia Harris was the accompanist.

Extraordinary Embroidery Sale. 50 to \$2 a yard kinds at 3c to 65c. WALKER'S STORE.

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MR. GEO. A. HUGHES

"I FEEL AS GOOD AS I DID AT 20."

Many Suffer With Catarrh and Don't Know It.

The Phase of Catarrh Most Prevalent in Summer is Run Down, Worn Out Condition Known as Systemic Catarrh.



Mr. Geo. A. Hughes.

"Per-na is the Medicine for the Poor Man." Mr. Geo. A. Hughes, 508 Mass. Ave., Indianapolis, Ind., writes: "Per-na has done me more good than anything I have ever taken. I am forty-five years old now, and feel as good as I did at 20. I was very thin and run down, but Per-na acted just right in my case. I am a carpenter and sometimes need a tonic. Per-na is the medicine for a poor man."

Mr. R. M. BAKER, a prominent citizen of Buckhead, Ga., writes in a recent letter his experience with Per-na to build up a broken down system. He says:

"Some time ago I was troubled with catarrh of the stomach and spent lots of money in buying so-called catarrh medicines and paying doctor's bills. Per-na was recommended to me by a friend and after taking a few bottles I am happy to say that I am entirely cured."

"I can recommend Per-na, because I believe it to be the best catarrh remedy on the market. My whole system was out of order and my health generally was very bad, but since taking Per-na I am now enjoying better health than I can ever remember, and fully believe that Per-na did the work. I shall always speak a good word in its behalf."

A Congressman Uses Per-na in His Family.

Hon. Thos. J. Henderson, Member of Congress from Illinois, and Lieutenant

in the Union Army for eight years writes from the Lemon Building, Washington, D. C., as follows:

"Per-na has been used in my family with the very best results and I take pleasure in recommending you valuable remedy to my friends as a tonic and an effective cure for catarrh."

Thos. J. Henderson.

Catarrh assumes different phases in different seasons of the year. In the early summer systemic catarrh is most prevalent. That tired, all worn out feeling in nine cases out of ten is due to catarrhal condition of the mucous membranes and cures the catarrh wherever located.

If you do not derive prompt and satisfactory results from the use of Per-na, write at once to Dr. Hartman, giving a full statement of your case, and he will be pleased to give you his valuable advice gratis.

Address Dr. Hartman, President of The Hartman Sanitarium, Columbus, Ohio.

The Excursion Season Is Here.

THE little folks are clamoring for their outing, and their mothers are hoping that it can be arranged to suit their convenience and pocket books. As far as convenience goes, and convenience means comfort, Lagoon is the only place to be considered. As to expense, no price could be too great for the enjoyment the whole family would get.

TRAINS LEAVE—6:30, 9:00, 11:00 a.m.; 1:30, 3:30, 5:30, 7:30 p.m.

FARE. 50c. Children under 12 years, 25c.

TO

(CONTINUED TOMORROW.)

Chicago Elects Democratic Judges

Chicago, June 1.—Out of the 13 candidates voted for in the judicial election in Cook county today the Democrats elected 14 and the Republicans four. A light vote was cast owing to the wet weather and straight tickets were few and far between. Among the defeated Republicans was Judge Elbridge Haney, a close friend of Congressman Loomer, the Republican leader in Cook county.

Do You Enjoy What You Eat?

If you don't your food does not do you much good. Kodol Dyspepsia Cure is the remedy that every one should take when there is anything wrong with the stomach. There is no way to maintain the health and strength of mind and body except by nourishment. There is no way to nourish except through the stomach. The stomach must be kept healthy, pure and sweet or the strength will be less and disease will set up. No appetite, loss of strength, nervousness, headache, constipation, bad breath, sour risings, rifting, indigestion, dyspepsia and all stomach troubles are quickly cured by the use of Kodol Dyspepsia Cure. Sold by all druggists.

Summer Excursion.

Via THE MISSOURI PACIFIC fast, through train for St. Louis, Kansas City and other eastern points. Only fifty-one hours Salt Lake City to St. Louis by the World's Fair Line. Through cars, no transfers, no baggage. Three trains daily from Ogden and Salt Lake to the east.

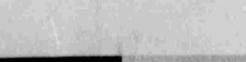
Half rates plus \$2.00. Tickets on sale June 4th, 5th, 9th and 10th. Good until Sept. 30th.

Inquire also any Rio Grande ticket office, or call on or write, MISSOURI PACIFIC R. R., 165 Duoly Block, Salt Lake City.

Lowell Extra Super Ingrains.

This brand of Ingrain Carrels has been made for upwards of one hundred years, and is the highest standard in design, coloring and quality manufactured. The goods are wound on a hollow stick, which is a trade-mark, protected by letters patent, and is a guarantee to the purchaser.

MANUFACTURED BY BIGELOW CARPET COMPANY, NEW YORK. Ask your dealer for Lowell Ingrains.



Shores & Shores

Any kind of COAL you want? WE HAVE IT. Burton Coal & Lumber Co. 80 W. 2nd St.