

LAND REVIEW.

Final Proof on Various Classes of Entries--Who May Make It.

Editor Deseret News:

Of course, the person who initiates an entry for public land under whatever law or method of disposal it may be, is the person having the primary right and being legally required to make final proof, where such step is necessary to perfect title under the provisions of the law.

The question as to who may make such proof in the event of the death of the entryman is one of general interest and no little importance, and respecting which the public at large has very little knowledge.

THE PRE-EMPTION LAWS.

are the oldest of the so-called "Settlement Laws," and stand first in order. A claim having been initiated by settlement and in due time by filing of declaratory statement, may be perfected upon the death of the settler by the heirs or for their benefit. That is, if the heirs have reached the age of twenty-one years, they may either collectively or by one of their number, acting for all, submit the necessary proofs and make payment for the land, whereupon the patent will issue to "The heirs" of the deceased entryman. If none of the heirs have attained their majority the final proof and payment may be made for the benefit of the heirs by a guardian duly appointed. The widow, as a general rule, is not entitled to perfect the claim of her deceased husband in her own right, but in the states where by law she is one of the heirs, she is entitled to all rights and benefits accruing to other heirs.

THE HOMESTEAD LAW.

next in order, awards the land embraced in the claim of a deceased entryman, first to the widow. If there be no widow, the right and fee inure to the benefit of such "infant child or children" as may survive the death of the parents. In such case the land may be sold for the benefit of the child or children, or title may be perfected for their benefit, in the usual manner, by a duly appointed guardian. There being no widow or "infant child," the right descends to the heirs or devisee of the deceased entryman and the proof may be made by any one of them for the benefit of all, and patent will issue to "The heirs." Where patent is to be issued for the benefit of "infant child or children," the full name of each and every child must appear therein.

INSANE PERSONS.

Where entries or claims have been duly initiated under the homestead and pre-emption laws by persons who have subsequently become insane, the same may be at once perfected by any person duly authorized to act for the entryman during his disability, it being necessary to show in the final proof only that the requirements of law were fully complied with by the entryman, up to the time of becoming insane, and that the insanity exists.

THE TIMBER CULTURE LAW.

While the timber-culture law does not require actual residence upon the land entered, yet by reason of the cultivation, etc., required, an entry made by its authority may fairly be considered a "settlement claim." Proof upon an entry of this class can be made by or for the benefit of the heirs only.

THE DESERT LAND LAW.

Is applicable only to the States of California, Oregon and Nevada, and the Territories of Washington, Idaho, Montana, Utah, Wyoming, Arizona, New Mexico and Dakota. The final proof and payment may be made by or for the benefit of the heirs, or by a duly appointed administrator.

THE TIMBER LAND LAW.

operative only in the States of California, Oregon and Nevada and Washington Territory, requires proof precedent to entry. This must as a rule, as any one can see, be made by the party applying to make the entry. Exceptions to the rule are made, however, and where an applicant who has initiated a claim, and commenced the publication required, dies before the expiration of the prescribed period of publication, the entry may be perfected by an administrator for the benefit of the heirs.

THE MINING LAWS.

The proofs required under the laws relating to mineral entries may be made by any party in interest, or the duly authorized agent of such party.

Senator Stewart informs me that he does not expect or desire Senate bill No. 1888, amending the mining laws, to pass at this session of Congress. He invites correspondence with the view of making the bill perfect before its passage. Copies of the bill can be obtained from Senators and Representatives. As it passed the Senate the date of relocating mines was changed from January 2d to August 1st. The proposed law allows an individual to make only one location on a vein of twenty acres of placer, and prevents a person from relocating a mine who has once abandoned it.

There is no other measure before Congress affecting mining interests that has any prospect of becoming a law during the Fifteenth Congress.

HENRY N. CORP.

Boston Malden (to young man from New Jersey)—In New Jersey, Mr. Redmud, blood, I understand is not considered of the first importance?

Mr. Redmud—It is among the keeters, Miss Waldo.

SANDWICH ISLANDS.

Homespun and Others Visit Kilauea and the Volcano.

LATE, July 21, 1888.

Editor Deseret News:

If you put Kilauea in head lines to this letter with the volcano in small caps, I am afraid nearly all your readers will "skip" this, for the reason that the particular spot of earth called Kilauea has been as nearly written treadbare as any one subject on this round globe. Therefore, we will not mention our destination; but just simply drive down to the wharf, get on board the *Kilauea* in time to look about us a little.

The island steamer *Likilike* (pronounced Lik-e-Lik-e) starts at the same hour that we do. We can amuse ourselves watching the motley crowd, observing the quantities of that indescribable thing called style which sweeps from the tall be-winged hat of the San Francisco maiden through every varying stage to the equally tall, narrow-crowned hat atop of the immensely fat native woman's greasy, perspiring face.

Come walk about our own ship. Our stateroom you observe is one of a luster on deck, whose open door looks out at sea on every passing wave. Electric bells, and lights, every convenience, even to an almond-eyed waiter, graces our quarters. The deck is roomy and comfortable. Here is the huge skylight looking down into the engine house, and its polished shining metal belongings with huge brass trimmings have a charm of their own to the traveling novice. On towards the prow we reach the entrance to the saloon; a wide stairway, the woodwork being polished walnut. And as you are familiar doubtless with the elegant interior of our first-class Ocean steamers, I will merely add further that this is a counterpart of those larger but no more finely appointed vessels.

If we had time we would note in detail the bustling, shifting scene. As it is, the horn blows, bells ring, people shout and the now easy swing of the gliding vessel apprizes us of the fact that we are moving out of the bay.

What a delightful voyage this would be—gliding, dipping, careening along through waves of topaz, here, gleaming at times like broken emeralds crowned with sets of pearls; sweeping past curved lines of shore, dotted with villages and groves of stately coconut trees. What a dream of loveliness to one whose digestive apparatus is of that elastic quality that accommodates itself equally well to *terra firma* as to rolling waves.

About midnight I awaken from my light doze, and realize the constant rocking has almost ceased. The moonlight pours in at my open door and window, and I hastily arise. It is but a moment to dress and step out on deck. Before me stretches a long dark line of shore; white houses struggling up beyond the surrounding green of the ocean; behind great banks of dusky green make a shadowy background.

We anchor in Lahaloa Bay, or rather just outside the Lahaloa reefs. We remembered this was the spot where Brother Lorenzo Snow came so near losing his life; for this reason alone the place was full of interest for us. The high mountains of Western Maui loomed up back of the town in gloomy grandeur; lights twinkled here and there along the shore. Silent boats came to and fro on the placid waters; our crew rattled and pounded and helloed to the boatman in the soft liquid language of the natives; the long, lazy ship swayed from side to side with gentle regularity; and over all the calm and lovely moonlight cast its own sweet witchery. The scene entranced me, and will long linger in my memory, like a star trembling in the blue of heaven, changeless.

In the dim dawn we moored at a little town beyond whose rustling cottages swept up in grand outlines the walls of that wonderful "House of the Sun" (Hale-a-kala), whose upper walls, bathed in rosy splendor, stand far above the cloud line. Around and below its colossal head, drifts and floats a misty cirlet of pale clouds. One's soul is filled so full with such scenes of gorgeous beauty that like a goblet, even full, one added thought or spoken word o'er spills the tender fluid, and tongue or pen must speak the overjoy. The islands of Lanai and Kahoolawe lay to our windward.

At noon the following day we

CAST ANCHOR AT HONOIOPO,

on Hawaii.

Hawaii is the largest island of the group, and its outlines to the south-east were dim in the distance. While here we learned that our route would be around the kona side of the island, which being the lee, and consequently the dry side, was a little disappointment. I was quite anxious to see Hilo and all the smaller towns that cluster on the shores of the windward side. One advantage, however, of this course was that by taking this direction we would escape the rough seas of the part, which was exposed to the trade winds. From here, until we reached our stopping place at eight o'clock next morning, we were conscious of nothing but a longing desire to get once more upon land, mixed with a yearning to yield up our very inwardness to the confidential receiver at the bunk side.

About 8 o'clock next morning we were told that a certain black, rocky, barren point was Keouhou. In a little while anchor was cast, a boat was

lowered and the purser called out "All aboard for Keouhou." We hurried down the steep, narrow steps and watched our chance, then jumped. Hurrah! All right. Did you ever get down from a stairway or ladder into a boat in rough water? If you have, you know how the boat is now up, directly under the ladder, and again the ladder is away off and up in the air. If your head or body should happen to come between the ladder and the boat seat as they come together, the weaker object is sure to be crushed. And as I was none too sure about the requisite solidity of my venerable pool, I strictly observed the many warnings and pieces of advice I had previously received.

Three or four passengers followed. One, a large heavy man, who came hurriedly down, stepped quickly onto the nearest object in the boat, which happening to be a chicken-coop, the chicks protested against such treatment, whereupon issued a struggling mixture of splintering rails and kicking heels and voices shouting in a series of vigorous exclamations, when down came the heavy ladder! Fortunately the gentleman had succeeded in so twisting his head that it escaped being crushed. Results: a ruined chicken coop, a swollen and bleeding eye, a bruised shoulder, and a chorus of consolations.

At last we pull out bravely for the black, rocky point of land, just ahead of us, jump out on a huge boulder, hurry lower the rocky path with a sense of relief at the firm ground beneath us, enter the low shanty for a moment's rest and a drink of water, then, mounting our steeds of various sizes and colors, Mr. Pogue, our guide, gives the word and away we go.

A LAVA REGION.

Those who have picked their slow, careful way over the lava rocks of Dixie's volcanic country will be able to form a very good idea of our road. For about four miles from the sea, the whole country inward is a comparatively level upland stretch, covered with black, jagged, broken lava rock. Ahead of us rises an abrupt wall or precipice of lava, the top of which looks like a high almost level tableland, whereon we see groves of trees.

Our little party of six, headed by the guide, soon became sufficiently sociable to discuss all sorts of topics, from the Gresham-Sherman probability to the correct pronunciation of "can't." Two professors, one the principal of the John Swett Grammar School of San Francisco, the other the president of the Nevada State University, a Senator from Boston, and a genuine "Yankee schoolmarm," with ourselves and baby made a party of six.

The ascent of the hill was somewhat difficult and precipitous; but once on top we found an almost level plain stretching away for miles, with clusters and groves of trees and shrubs, as far as the eye could reach. A mile's pleasant ride brought us to the Half-way House, a clean, tidy little home, set in a frame of flowers and towering trees. The simple lunch of biscuits, milk and coffee taken here was thoroughly appreciated by our seaship travelers; and in another half hour, we were all comfortably seated in three two-wheeled breaks, and off again at a lively pace.

A long grassy road, bordered with high blossoming trees of *ohia lehua*, great banks and beds of tall, waving fern-plumes,

VISTAS OF WILD LOVELINESS

at every break in the forest around us, the sweet cool air of mid-spring fanning our faces, together with the quiet excitement of expectation, thrilled the nerves and senses with exquisite harmony. As for me, I was watching for all this forest loveliness to cease, and for our road to enter upon a bleak, barren lava country, much like the beach whereon we landed.

There! Did you see that? A faint puff of smoke curled upward away beyond the open trees. Surely now we leave the grassy road. Our native guide filled our cart with lovely ferns, the sharp sword plant, great handfuls of scarlet ohelos (a berry resembling in looks the bullberry of our Utah canyon) and then—actually wild strawberries, here on the very verge of a belching pit of fire! Afterwards he threw into my lap some of the most delicious ground cherries. I was surprised with these last familiar favorites.

We have completed almost a semi-circle since we left the Half Way House, and as we make a sharper curve I exclaim, "Houses! Surely this is not the volcano." But it surely is. Through a big gate we ride on, up a grassy lane bordered with a nodding rose hedge of fairest pink. Trees and ferns on the left; cows standing about in the pasture chewing lazy cuds with mild-eyed content, and then, a house, wide, one-storied, many-roomed with shaven lawn and beds of riotous blooms around it, flanked by grassy hill and distant outbuildings and corrals; a huge dog with noisy welcome; a waiting host; grooms hurrying to and fro and—we are here! On the wide sheltered porch we turn our faces outward and there in awful inky majesty rolls, twists, and shines like polished glass a sea of ebony.

WITHIN THE HUGE CRATER.

A great, huge, round pit lies before us, with its straight perpendicular walls which often flaunt their tufts of ferns to every sulphurous breeze within this horrid hole. The walls are even, not jagged and broken, as I sup-

posed, but like a mighty scooped out basin. The blackened flood has reached the sides in stilly evenness. For no wave—like dash or break around its edge, is visible from where we stand. Two miles away on the dark bosom of this lava lake are reared a chain of broken lofty hills. And behind and about them pour out great waves and pillars of dark, smoky clouds.

To the right of the pit and far beyond looms up the lofty peaks of Monna Loa, from whose side at rare intervals, this now living lake below, will burst out and plow great thoroughfares clear into the bosom of the sea, miles away. When this transpires, the crater (called Kilauea) is dead and silent.

It was about 2 o'clock when we reached this point. And we are soon informed by our genial and handsome host Col. Maby that dinner will be served at three, and at four or half-past the guide will be ready to take us down into the pit.

I have talked so much of ourselves that I have failed to make you at all acquainted with the members of our most delightful party; or with Col. Maby and his charming family. Yes, family; for you must know that here in this lovely spot, we found a whole cluster of pretty dark-eyed children, even down to a three-month's old baby.

Across the road from the gate, we go through a barred gateway, and at once commence our downward path, it being about 500 feet from the top to the bottom of the pit. Our path is bordered with rare ferns and clustering roses mingled with the rich blooms of the scarlet nasturtiums, and guarded by tall whispering trees. Prof. Lyser is unable to continue the journey, and about half way down, he decides to return.

Once down we step at once on to the jagged, broken lava, and then on for two miles our path leads over huge boulders, masses of twisted forms like coiled ropes of glossy black, across great rents and seams in the mass that have no visible stopping place. Anon, we find steam issuing from holes and seams and sometimes the rocks beneath are hot to the touch.

When we reach the ledge of hills, the space between us and the mountains is full of

GRUESOME SIGHTS.

Great empty hollow cones, and inky caves, a huge yawning pit appears, which two years ago contained the living mass of fire and called then the "New Lake." Now empty, black, fathomless it appals with its vacant loneliness. Between two hills we pick our way, and at last step down into a ravine or wide winding crevice, whose floor is one mass of crumbling, crunching, crackling, recent lava. "Oh, yes," I am assured, "this is quite safe to walk upon, being nearly two months old."

"And can we go up on top of it?" ask the adventurous ones of the guide. "Perhaps," he answers smilingly. "But the lava is here rather soft." Soft! I should say it was, for I am forced up by command and entreaty, that I, too, may look into that awful, gleaming, eye of hell. Soft? I sink down in the thin crust, sometimes bursting a bubble cavern that precipitates me a foot down, and horribly near the thundering, lashing, roaring mass of molten lava, dashing against its slender prison.

Our guide darily goes up, and standing on its very apex, crushes in with his heavy boots great blocks of the crust, which, making larger the narrow opening at the top, go crashing down into the molten depths below. I turned away shuddering, and at last we are all once more on the comparative safety of the "two-months-old" flow, that behind us being only a few days old.

Going round the south side of the highest hill we begin to ascend its steep, sharply broken sides. Half-way up, we step out onto the edge of a precipice which overlooks a sort of vale a hundred feet below, and there in its center, at least three hundred feet in circumference rolls the flaming billows of

THE LAKE OF LIVING FIRE.

In the center, it has crusted over with a thin scum of the cooled black lava, but around its edges for many feet the molten mass lashes and frets and foams with the wrath and terrible power of a fire demon. It is enclosed with a ten feet high, thin wall, or cooled crust, which keeps it from pouring out on the surrounding plane which plane was at least eight feet below the surface of the lake. I am here likewise persuaded against my fears down the face of the precipice, and after many protestations, up the steep, rocky walls of the lake itself. But, oh, how well am I rewarded! Beneath my feet, not two feet below, tosses and roars this fiery mass. It leaps up high against its cave—like slides, and anon throws great showers of burning fire, away up in air and across the bosom of the lake. The men with shielded faces, stick their staves into the edge, and draw out chunks of the red lava that almost instantly cool to shining iridescent black. Coins are inserted, and Uncle Sam's and Kalakaua's faces look up from a frame of gleaming lava.

The wind, well for us, blows the stifling, blinding

CLOUDS OF SULPHUROUS SMOKE

directly away from us, leaving us in comparative safety. Every few minutes the slender cavernous foothold which, only a few inches in thickness, stands between us and eternity, threatens to give way beneath the force of the dashing tide, and down the steep hill we

stumble and slide in riotous confusion. All is still safe, and up goes the guide again, then the men, and we follow, determined in spite of our nervous terrors, to see all that may be seen of this beautiful terrible spectacle.

The swift-coming shadows of twilight warn us to seek a place of comparative safety on the distant hill top, where, being able to witness the night glories of the scene, we can still be able to rest in peace, knowing the guide and our lanterns will lead us safely home.

The night! That night! What words can bring to you the beauty and glory of that one, long, vivid night. For hours we sat and watched the lava glow and tremble with inward force, compared it to a burning city, and told each other with bated breaths the many thoughts called up by such a scene. Insensibly our thoughts were swept up on this glowing pillar to the matchless throne of Him who holds all things in His hand; and with quite earnestness we asked of each other—

"Who can deny the Great Maker when in the presence of His terrible handiwork?" HOMESPUN.

A DISASTROUS STORM.

Hailstones an Inch in Diameter—All Kinds of Crops Destroyed—Bridges Carried Away and other Damage Done by Flood.

ORANGEVILLE, Emery County, August 3, 1888.

Editor Deseret News:

We had, on the last day of July, as good a prospect for crops of all kinds as I ever saw in this section of country, but today it is quite different. On the 1st and 2nd of August the destroyer came along in the shape of hail stones. The icy chunks measured over an inch in diameter, and cut down our vegetables and vines. Everything that had a leaf on was almost denuded. Cabbage was entirely cut out by the heart; cucumber, melons, squash and all other vines were so destroyed that you could not tell where they had been. Potatoes were uncovered and lay open to sight. The lucern was left denuded of leaves. Before the storm it was ready for cutting the second time. Where there was any fruit it was literally chewed up and beaten off the trees. Even limbs and leaves were cut off the trees. I could not mention anything in the field or garden but what was completely demolished.

The streets were running a flood in every direction; our canon road is a wreck. It will take thousands of dollars to make good bridges over washes that were good a few days ago. One cannot see a sign of where the bridges were. The timbers are all gone and the washes are cut out from ten to twenty feet wider and deeper. The labor in building up new homes has been great and they have multiplied on our hands in the last few days.

This country is liable to storms at this time of the year, but the late storms were something unprecedented in our history. The damage to crops alone cannot be estimated, but it will foot up into the thousands, and is very discouraging to poor people. Those only who have experience can sense it properly. The season for harvest is over and our yield would have been better than ever before. But our labors have almost come to naught. Even our hay that was in the stack is two-thirds spoiled. But it is said we must acknowledge the hand of God in all things and put up with our trials and losses, whatever they may be.

This morning the sun is shining as brightly as it ever did and there is not a cloud in the sky, so we can take the words of the song:

Tomorrow the sun may be shining,
Although it is cloudy today.

We look for better things in the future and thank God that we have health and are not very easily discouraged. The most of us are young and able bodied. What damage has been done in the other settlements in the county I have not learned yet. Huntington and Cleveland have been disputing over water; it is to be hoped they have got sufficient now, for this season at least, and see that it will be to their interests to divide without bringing extra cost on themselves, and keep good feelings with each other.

E. MERRY LIX.

Didn't Like his Humor.

Frankish Man (to wife)—"I wonder what could have given me such a cold? It surely wasn't coming out too soon after taking a Turkish bath."

Wife—"That's just exactly what it was. Why you ought to have more sense than to act in that way."

Man—"I don't think it was the Turkish bath."

Wife—"But I know it was."

Man—"But I am confident it was not, for, you see, I have never taken a Turkish bath."

Wife—"I don't know about that, but I do know one thing. You've got less sense than any man I ever saw."

Man—"Why, Mary, I just wanted to be a little humorous."

Wife—"Well, then why didn't you be? To be humorous is to be pleasant, and if you had wanted to be pleasant you would simply have said 'I know that a Turkish bath couldn't have given me this cold, for I have not taken one.' Then, having arrived at a perfect understanding we could have talked of something else."