

they shall become the property of the irrigation district; and thereafter all funds necessary for repairs upon said canal, ditch or reservoir, and for keeping the same in order, or for altering or enlarging the same may be levied by a tax upon the lands benefitted, the land-owners in the district to vote upon the same in the manner heretofore provided for in this act. And in case of any sudden emergency, caused by inundation or otherwise, said Trustees are hereby authorized and empowered to make such repairs, or take such measures as they may deem necessary to preserve the canals, or ditches, or other works of said company or district, and for payment of the expenses so increased the Trustees are hereby authorized and empowered to levy a tax for the necessary amount upon all the lands of said district benefitted by such canals or ditches, and said tax may be collected in the same manner and at the same time, if necessary, as provided for the collection of other taxes in said district.

Sec. 16. All property or money belonging to any irrigation district, in the hands of Trustees to be expended by them under the provisions of this act, is hereby exempted from all City, County and Territorial taxes.

Sec. 17. After any canal or ditch shall have been laid out under this act, or under any special charter where other provision has not been made, the Trustees or company may agree with the owners of land through which it will pass for the purchase of so much thereof, as may be necessary for the making of the canal or ditch, and the appurtenances thereto belonging.

Sec. 18. In every case, when the owner of the land so required, shall absent himself from the county, or shall not, from any cause, be capable in law so to agree, or shall refuse to agree, or ask an exorbitant price, the value of such land and the damages to the owner thereof shall be ascertained in the following manner:

1. The owner of or claimant to such land and the Trustees may each select a referee, and in case of disagreement they two may select a third, and these referees shall proceed to determine the value of the land under controversy, and assess the amount of damages, if any, which each owner of lands or improvements has sustained, or will sustain, in consequence of the canal or ditch.

2. The appraisal, with a description of the land so appraised, shall be acknowledged by the referees signing it, before the clerk of the County Court of the county in which the lands are situated, and when so acknowledged, it shall be filed in the said clerk's office within ten days after it shall have been made. In case the occupant or claimant shall refuse or neglect to select a referee as herein provided, the Trustees may petition the District Court of the district in which the land is situated, for the appointment of three or more commissioners to condemn the land and fix and determine the damages; said commissioners to be appointed upon such notice to the claimant or occupant as said Court shall direct. Said commissioners shall report to said Court their award and determination for approval or disapproval. The motion for approval of said award shall be heard on such notice as the Court shall direct.

Sec. 19. The Trustees, upon payment to the rightful claimant of the several sums assessed in the appraisal so made, or upon making a tender thereof when the sum shall be refused, shall be entitled to enter upon the lands described in the appraisal, and have and hold the same for the use and benefit of such irrigation district for ever.

Sec. 20. If on any parcel of the lands so described there shall be no person then living, authorized to receive payment for the damages assessed for such parcel, and such damages shall not have been lawfully demanded within ten days after the filing of such appraisal, the Board of Trustees may enter thereon without payment or tender of such damages, but subject to such payment whenever the same shall be thereafter lawfully required.

Sec. 21. If any person shall break, injure, or destroy any bank, dam, flume, waste weir, lock or gate on said canal or ditch, or any of the appurtenances belonging thereto or in use upon the same, or take water from the said canal or ditch, except by direction of proper officers, such person so offending, shall for every such offense be liable to a civil suit for the recovery of damages, to be prosecuted for, before and court having jurisdiction, by any taxpayer in the irrigation district; and shall also be subject to indictment and, upon conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both fine and imprisonment, at the discretion of the court.

Sec. 22. All companies or districts organized under the provisions of this act shall be liable for any damages which may occur by the breakage of any canal or ditch. When any land in an irrigation district is benefitted or damaged by the company's canals or ditches from soakage or other incidental cause, and the owner of said land and the company cannot agree as to the amount of the benefit or damage, the matter in dispute, as well as the question of damage through breakage, may be referred and decided as provided in the preceding section of this act. No Irrigation Company organized under the laws of this Territory shall be entitled to divert the waters of any stream to the injury of any Irrigation Company or person holding a prior right to the use of said waters and all cases of dispute arising from

such unlawful division, may also be referred and decided as provided in Section Eighteen of this act.

Sec. 23. Nothing in this Act shall be so construed as to interfere with the right of the Legislative Assembly to repeal, alter or amend the same at pleasure.

Sec. 24. That persons who have constructed canals, ditches, or dams, and taken out water for irrigation purposes before the passage of the act to which this act is amendatory, are hereby authorized to organize under the provisions of said act, and to enjoy all the rights, powers and privileges guaranteed therein: *Provided*, They shall proceed in the same manner as is provided for the organization of new companies.

Sec. 25. Nothing in this act shall be so construed as to prevent any association of persons incorporating under the laws of this Territory relating to private corporations for general purposes.

Sec. 26. All acts and parts of acts in conflict with this act are hereby repealed.

JAMES SHARP,
Speaker of the House.
W. W. CLUFF,
President of the Council.
Approved March 13, 1884.
ELI H. MURRAY,
Governor of the Territory of Utah.

UTAH TERRITORY, } ss.
Secretary's Office.

I, Arthur L. Thomas, Secretary of the Territory of Utah, do hereby certify that the above is a true and correct copy of an Act entitled "An Act compiling the laws relating to the incorporation of Irrigation Companies." Approved March 13th, 1884.

Attest my hand and the great seal of the Territory of Utah, this 21st day of March, 1884.
[SEAL.]

ARTHUR L. THOMAS,
Secretary.

A TERRIBLE EXPERIENCE.

FULL PARTICULARS OF THE NARROW
ESCAPE OF E. D. WOOLLEY AND
VICTOR D. CRAM.

Some time ago we published the fact that Brother E. D. Woolley, of Upper Kanab, had a narrow escape from perishing in the snow in Southern Utah. By courtesy of Brother John Irvine we are enabled to publish the details. The reason they have not appeared sooner is because the letter containing them was delayed on the way:

THE FIRST PART OF THE JOURNEY.

Feb. 10. Took the 3.05 train from Salt Lake City for Juab. Arrived there at 7.30 p.m.

Feb. 11. Remained at Juab all day waiting for freight. Snowed all day.

Feb. 12. Hitched up my team to the buggy or "buck board," and started on my journey. Broke road all day through ten inches of snow. Reached Willow Creek, where I camped with an old man in a hut about 12x12 feet. Myself, the old man and his wife, three cats, two dogs and four ducks (the ducks being my property) occupied the room. It had been very cold all day—25 deg. below zero; but the smallness of the room and the number of its occupants helped to keep us warm during the night.

Feb. 13. Drove from Willow Creek to Richfield; a short drive. Stopped with Brother Wm. Seegmiller. Still very cold.

Feb. 14. Drove to Harris' Ranch, which is situated up the Sevier about 10 miles above Marysville. Broke track most of the way. Snow six to eight inches deep.

Feb. 15. Drove through Circle Valley. Snowed nearly all day. Passed through Circle Valley Cañon. Snow twelve inches deep. Broke track all day. Camped at Varder's Ranch and then drove to Panguitch. Had dinner with Brother Crosby. There I learned of a young man by the name of Cram, who was returning home from a mission to the Southern States. He had contracted the ague while on his mission, and was having a chill every other day. He was very anxious to reach his home at Lower Ranch. I told him that I had heard that the snow was very deep, and that it would be dangerous in his weak state to attempt to make the journey; yet if he made up his mind to risk it I would lend him the assistance in my power to get him home. He concluded to take chances. I hitched up and drove twelve miles this afternoon. The snow kept getting deeper every mile; but there had been some stock driven down, and along the trail they had made we managed to get to Hillsdale about dark. Very cold.

Feb. 17. Could not take my buggy any further. Put saddles on the horses and mounted them and managed to make three miles in the face of a tremendous snowstorm. We could not see in any direction. Snow by this time about two feet deep. We had to lay over all that day. It never ceased snowing one moment all day and all night. We stayed at Bro. Scowls' ranch. Treated very kindly.

DIFFICULTIES INCREASE.

Feb. 18. Cleared up a little. We started out to make Asay's ranch, about eight miles from that of Scowls'. Now comes the "tug of war"—or rather of snow. The snow now reached the breasts of our horses, and one drift

after another went over their backs. You will remember that my companion was sick, and that I had got to do all the track breaking myself. In some places I had to go over the track three or four times before we could get the horses through. Well, we walled our way to Hatch's Ranch. Stopped a few minutes to rest, then started again and reached Peterson, within three miles of the Ranch we started for. A young man took a fresh horse and helped us to break track for about a mile on our way. By this time riding became almost impossible. I kept my sick companion on the horse as much as possible as he was too weak to walk; but the horse would hurl him into the snow every now and then. The young man who had come out to help us break track returned. My sick companion then took a chill and I myself was just about to give out. Had had nothing to eat since morning. My companion was up to the waist in snow when the chill came on, but strange to say it was the lightest one he had had. The chill ran down his back until it met the snow, there it got ashamed of itself and broke up, and I think it will cure him. He did not have another while I was with him. Night overtook us. I did not know the country we were in. We were in a terrible position. [I forgot to mention that just before the chill struck my companion his hat blew off in front of him; his horse stepped on it and drove it so far into the snow that I could not recover it, so then in addition to the other trouble, he was bare-headed.]

A TERRIBLE NIGHT.

We were a mile from the Ranch, and it was impossible for us to reach it. So I struggled up to a cedar on the side hill and camped for the night. About four feet of snow and one lone cedar (and that green) with which to make a fire. Had nothing to eat ourselves, and our horses had the same fare. I tied the horses up; took the saddles off, and covered my man up with the blankets from under our saddle. My companion by this time was entirely exhausted, and I had quite a time to keep him from freezing and start a fire at the same time. However, with great effort I accomplished both.

Our position was terrible. The night was very cold, and I think it was the longest I ever passed in my life. Fancy being compelled to keep stamping around all night in a cleared space of about eight feet square with very little fire, and certain death if we allowed ourselves to go to sleep. I dared not burn too much wood as I only had this one tree to serve during the whole of the night, and no axe to cut the limbs off, I had to depend upon those I could break off with my hands. So, between breaking limbs and pounding my companion to keep him from freezing to death, I was kept pretty busy all night. It was a close call for both of us.

As the weary hours wore away I had many curious reflections. I thought of DeLong's party a number of times, and could measurably appreciate the terrible suffering they must have endured in the region of the North Pole.

ANOTHER STRUGGLE.

Daylight finally came; but I had to wait until sunrise before leaving our stamping ground as it was too cold to venture on our journey before the sun made its appearance. We were thankful that we had been able to endure the severity of the night. We could hear the barking of the dogs at the ranch. So at sunrise I saddled up and made another start. Behind us we left the trunk of the old cedar, the limbs of which had saved our lives during the night; for I had stripped it of its branches pretty well, and any person would be surprised if they saw the size of the limbs I managed to break off with my hands. But it was a matter of life and death. And it is astonishing what a man is able to accomplish under such circumstances.

ASAY'S RANCH REACHED.

Well, we reached Asay's Ranch at 11 a.m., tired, sleepy, and hungry as you may suppose. We got a hot dinner of deer meat and potatoes, which helped to recuperate our exhausted bodies, and to cheer our drooping spirits. We rested the balance of that day and stayed over night.

BROTHER WOOLLEY NEARLY LOSES HIS LIFE.

Feb. 19. I hired three men and a horse to break track for me one mile and a half to the next ranch. There the mail contractor (Swan Andrewsen) had got a track broken over the divide, but was carrying the mail on snow-shoes, as all the horses and men in the vicinity were used up in breaking the track. I left my sick man at Asay's, and it is well for him I did, for he never could have made the day's march I made, during which I came as near losing my life as I want to, and live. With the assistance of the hired men I reached Little's Ranch. Then I got one of the men to go on with me. We left Little's at 1 p.m. to go over the mountain. I would not have started out at this time of the day, and so soon after the terrible day and night I had just experienced, but on inquiry I found that some twenty head of animals had gone over the trail. That being the case I thought I would be able to ride my horse at least part of the way. Unfortunately the wind had covered the track, making it impossible for me to ride a step of the way. My horse would go down in

the snow until he could not rise with me on his back. The horses were thoroughly "used up" from the terrible work they had performed almost with empty stomachs. So I struggled on until darkness overtook us. Then the horses were so much exhausted that they had not strength to carry the saddles. I therefore took the saddles off and stacked them and the blankets on the side of the trail, and turned the horses loose. I then asked my companion to go ahead as fast as he could for help. But he remarked he was nearly "used up" as I was. I told him there was no use of us both freezing to death, and encouraged him to rustle for dear life, and I would keep moving as fast as I could. He consented and went ahead. We had only two and a half miles to make; but it was just too long by that distance.

IN THE JAWS OF DEATH.

I fell down in the trail fifty times or more with exhaustion. At times I would lie until I began to feel sleepy and comfortably fixed; then I knew it was time for me to stir. So I went a few rods at a time in this way until help finally arrived.

ARRIVAL OF HELP.

My companion had started young Brother Wilkinson out on snow shoes, who came up to me about a mile and a half from the house. He put me on snow shoes—the first time I ever had a snow-shoe on in my life. With me it was a "ground hog" case; but the slipping and falling warmed me up a little and for this I was very thankful. In a short while the young man's father arrived bringing with him something for me to eat.

SAVED AT LAST.

When I arrived at their house I was well taken care of, and on a horse he had sent, I made for the house of Brother Jolley (half a mile distant,) which I reached at 11 p.m.

Feb. 20. I stopped over to-day and made a pair of snow shoes. I was still six miles from home; but left my horses with Brother Jolley.

ARRIVAL AT HOME.

Feb. 21. Brother Jolley and I came over home in good shape on snow-shoes to-day. How glad I was to get home. I never passed through a more terrible experience. There is no such thing as snowing me out of this country again, and it did not do it this time but came pretty near it.

HEAVY LOSS OF STOCK.

Brother Woolley concludes his letter by stating that the loss in stock in the Upper Kanab region of country will be very heavy. The ranchmen were out on snow shoes in every direction breaking trails to get the stock to move about and brouse and thus be kept alive. "You would be astonished," he says, "to learn how little stock can live on. Those I got in to-day must have lived a month on a little bunch of oak brush. They eat off branches as big as your arm."

An advance agent—The pawnbroker.

The taller the weed the higher its rank.

Never carry a barrel of potatoes on your head.

There ignorance is bliss, the American sardine takes the lemon.

The coming month will be the last for oysters. Let no fat one escape.

America produces 180 varieties of cracker, and China one—fire-cracker.

Some men imagine that they can't sow their wild oats without moistening them with old rye.

HO! FOR ARIZONA!

THE MOST DIRECT ROUTE TO Southern and Western Arizona is via Pierce's Ferry, leaving St. George and going South you will find plenty of water at convenient distances all the way to the Ferry, where you can be crossed without delay.
W3M THOMAS STEEN, Proprietor.

NOTICE OF FORFEITURE.

TERRITORY OF UTAH,
County of Salt Lake. } ss
SALT LAKE CITY, February 7th, 1884.
TO James Campbell, John F. Kinney, Jr., Eli B. Kelsey, Jr., James Lynch, J. F. Webb, Thomas Morris, Patrick Lynch, Elizabeth L. Kinney, their and each of their Executors, Administrators, Heirs or Assigns, you are hereby notified that I have expended One Hundred and Twenty Dollars (\$120.00) in labor and improvements upon the Dial Lode, situated in Main Bingham Cañon, West Mountain Mining District, Salt Lake County, Territory of Utah, located on February 3rd, 1872, and commencing at the Southwesterly end of the North Star Lode (patented) and running on its course Twelve Hundred, (1200) Feet. A more particular description of said Dial Lode may be had by reference to Book F, of Claims and Locations, page 447, in the District Record Books of said Mining District, as will appear by my certificate filed for record January 27th, 1884, in the office of the Recorder of said West Mountain Mining District and recorded in Book N of Notices, pages 337-8. Records of said District, in order to hold said premises under the provisions of Section 2324, Revised Statutes of the United States, and the amendments thereto, being the amount required to hold the same for the year ending 1883, and if within ninety (90) days after the notice of this publication you fail or refuse to contribute your proportion of such expenditure, as a co-owner, your interest in said claim will become the property of the subscriber, under said section 2324, and the amendments thereto.
W43m CHARLES F. BLANDIN.

CATARRH ELY'S CREAM BALM
effectually cleanses, cures colds, catarrhal value, causing healthy secretions. It allays inflammation, protects the nasal passages from additional colds, completely heals the sores and restores the sense of taste and smell.
APPLIED with the FINGER.
Thousands on the Pacific slope testify to its priceless value.
NOT A LIQUID OR SNUFF. A few applications relieve. A thorough treatment will cure. Agreeable to use. Send for circular. Price 50 cents, by mail or at druggists. ELY BROTHERS, Druggists, Owego, N. Y.

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SPLENDID POT PLANTS, specially prepared for immediate bloom. Delivered safely by mail postpaid, all post offices. Splendid varieties, your choice, all labeled, for \$1; 12 for \$2; 19 for \$3; 25 for \$4; 35 for \$5; 75 for \$10; 100 for \$13. WE GIVE a Handsome Present of choice and valuable ROSES free with every order. Our NEW GUIDE, a complete Treatise on the Rose, 30 pp., elegantly illustrated—free to all.
THE DINGEE & CONARD CO.
Rose Growers, West Grove, Chester Co., Pa.

CHALFAR II.
Wagen, Mass., Feb. 1, 1880. Gentlemen—
I suffered with attacks of sick headache—
Neuralgia, female trouble, for years in the most terrible and excruciating manner.
No medicine or doctor could give me relief or cure until I used Hop Bitters.
"The first bottle
Nearly cured me."
The second made me as well and strong as when a child.
"And I have been so to this day."
My husband was a invalid for twenty years with a serious
"Kidney, liver and urinary complaint,"
Pronounced by Boston's best physicians—
"Incurable!"
Several bottles of your Bitters cured him and I know of the
"Lives of eight persons"
In my neighborhood that have been saved by your Bitters.
And many more are using them with great benefit.
"They almost
Do miracles?"
(6) —Mrs. E. D. Slack.

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WILL CURE THE FALLING OF THE Uterus in 12 hours and will also cure other sickness originating in the Uterus; therefore they are indispensable in Childbirth and for Growing LADIES to escape that dreadful disease. \$1 each or 6 for \$5.

AGENTS WANTED.
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The majority of the ills of the human body arise from a derangement of the Liver, affecting both the stomach and bowels. In order to effect a cure, it is necessary to remove the cause. Irregular and sluggish action of the bowels, Headache, Stiffness at the Stomach, Pain in the Back and Loins, etc., indicate that the Liver is at fault, and that nature requires assistance to enable this organ to throw off impurities.
Prickly Ash Bitters are especially compounded for this purpose. They are mild in their action and effective as a cure; are pleasant to the taste and taken easily by both children and adults. Taken according to directions, they are a safe and pleasant cure for Dyspepsia, General Debility, Habitual Constipation, Diseased Kidneys, etc., etc. As a Blood Purifier they are superior to any other medicine; cleansing the system thoroughly, and imparting new life and energy to the invalid. It is a medicine and not an intoxicating beverage.
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