

should be made, to wit, July 1, 1897. That the board has the power to defer action until this time, I think there can be no question, and it undoubtedly would be the safer course to pursue in the premises.

Under your second query, I assume that the "applicant" referred to is one who had made application for the purchase of school lands under the law of 1896 and who at the time of making his application, and on January 1, 1894, was the owner of more than 160 acres of land. The question being, whether the application made under the old law, which was clearly objectionable because of the fact that the applicant was the owner of more than one hundred and sixty acres could now be taken up and considered by the board by reason of the fact that the limitation had been increased so that the entire holding, including that applied for, should not exceed 480 acres.

The application as it stood under the old law of 1896 would, abstractly speaking, be vulnerable to the technical objection that the party at that time owned more than one hundred and sixty acres of land, and strictly construed, might be held to be insufficient on this ground. There is no legal reason, however, why the same application could not be refiled under the law of 1897, and if it appeared to the board upon the bearing thereof, that the party on January 1st, 1894, or at the time of making said application was not the owner of more than 480 acres of land including the land applied for; that he was an actual and bona fide settler or occupant thereon; that he had improved the land in question; and that he was, on January 1st, 1894, an actual settler or occupant thereon, he would be entitled, under such application to purchase said land. The fact that the same land had also been applied for by another settler would not change the rule above stated, inasmuch as there can be but one actual and bona fide settler on the same tract of land as provided by law. And it would therefore follow that there could be no other settler upon such land who would be able to bring himself within the provisions of the law relating to settlement and improvement so as to entitle him to the preference right to purchase the same.

The right of one party to purchase the land in question depends wholly upon the strength of his own proof to bring him within the provisions of the law, and not upon the weakness or lack of strength of another whose application covers the same land. Therefore if more than one person applies to purchase the same tract of land, it clearly follows, that upon the hearing of their applications the board must determine as between them and accord the right to purchase to one of them only.

There are two ways in which such applications might be treated by the board. First: To notify all persons having made such applications as would, under the law of 1896, be vulnerable to the objections above set out, to ask leave of the board to refile them under the law of 1897.

Second: I am of opinion that the board possesses the power to regulate the whole matter by the adoption of

a rule or resolution spread upon its records by which it would consider all such applications as having been refiled since the taking effect of the law of 1897. Such a rule of the board properly adopted and spread upon its minutes would have the same effect as a refiled of each application by the parties thereto, and would be preferable to the first, inasmuch as it would simplify matters and save to the board a very great amount of labor and expense in ascertaining just what applications would come within the rule, and the notifying of such applicants to refile the same within the limitation of time prescribed by law.

I have the honor to be,
Very respectfully, yours,
A. C. BISHOP,
Attorney General.

SANTA CLARA NEWS.

SANTA CLARA, Utah,
April 3, 1897.

Thinking perhaps a few items from this locality would be of interest to the many readers of the NEWS, I take pleasure in giving you a few particulars.

The people, at present, are enjoying good health; although in this year we have buried several of our brethren, who have died of old age, and recently we buried a daughter of John Hafen Jr. and Lenora Hafen, aged about ten months. This was indeed a shock to the parents. The mother was dining an outside chore, and left the baby in the house, not thinking when she returned (being gone but a few moments) that happiness would be changed into sudden sorrow by her finding the child with its legs in the fire. The mother was frantic with grief. It was indeed a pitiable sight. The child died of its injuries in about forty-eight hours. We hope another such case will not happen.

The weather is very disagreeable and changeable, rain, slight snow, windy and very cold weather are the prevailing conditions. We have had more rain and snow this season than for years, consequently the outlook for our ranges and water is not discouraging, although we look for high water this spring, which may cause some damage.

Fruit trees are in bloom. Grain is all up and is looking as well as can be expected, although the late frost has killed some fruit, and damaged our grain to some extent.

Lucern is about four or five inches high.

Shade trees and willows are being slowly clothed with their summer apparel.

Our associations and quorum meetings have been postponed for the season, because the young men will be away from home a good part of the time. The last winter meetings have been a success in every particular.

Stake Superintendent Rloodard Morris, of the Sunday schools, gave us a visit a short time ago, and said that he believed Santa Clara had the only German Bible class in the Stake; in Sunday school, John B. Stück, being the teacher. The students of the class range in age from eighteen to twenty-five. He said this was a good plan for preparing the young men for foreign missions.

Our meetings are generally well attended, and the Saints are trying to live up to the commandments of God better than they have done in times past.

Some enterprising young men of this locality, are talking of building a road almost direct west from here to the mining camp of De Lamar, where they can dispose of their fruits, etc., this summer. The route traveled heretofore was about 150 miles, and some fruit would spoil before it could be got to the market. The new route will not exceed 110 miles, and will be a cheaper and nearer route. The road can be completed in about ten days' work, if a good crowd turns out. It is now ready, all but about twenty-five miles.

The present population of Clara is between two and three hundred.

New buildings are in progress, for which there is a reason, for malaria is the prevailing disease in Dixie.

A. G.

SUNDAY SERVICES.

Elder Angus M. Cannon, president of the Salt Lake Stake, presided over the services at the Tabernacle Sunday afternoon, April 13, 1897.

The choir sang the hymn:

We're not ashamed to own our Lord
And worship Him on earth.

Prayer was offered by Elder W. C. Dunbar.

The choir further sang:

Jesus, once of humble birth,
Now in glory comes to earth.

Elder Benjamin Gouillard was the first speaker. He began by referring to the blessings which were being poured out upon the Latter-day Saints at the present time. Of all people upon the earth, said the speaker, the Latter-day Saints should be the most happy and thankful, and while today no flowers were in evidence to typify the rise of the Savior, the Saints of God were not without gratitude to Him who died that all mankind might live. They revered Him every day of the week and every week of the year and because of their understanding of His Gospel they worshipped Him and showed reverence unto Him by following in His footsteps and trying to uphold the work which He established upon the earth. The Saints loved Him because of His love for mankind and because of His loyalty and integrity to the teachings of the Father, which teachings He did all in His power to instill into the minds of those among whom He traveled while here upon the earth. His humility and devotion to the work entrusted to Him was amply illustrated during His presence in the garden of Gethsemane. In His hours of suffering also, His words were, Father, forgive them, showing conclusively that He was indeed a Savior, a protector and a benefactor unto even those who sought to take His life.

The work of Christ did not end with His crucifixion, but it continued on, and was scattered abroad by His Apostles and others who yielded obedience to it, when it first came under their observation. It served as a guide to the ancient inhabitants of the earth for a time, and then was taken from the earth because of the wickedness