

Local and Other Matters

FROM SATURDAY'S DAILY, MARCH 24.

Sale of Desert Lands.—Quite recently "An Act of Congress, approved March 3rd, 1877, and entitled 'An Act to provide for the sale of desert lands in certain States and Territories,' was published in the NEWS. Yesterday the Register and Receiver of the United States Land Office in this City received instructions as to how they shall proceed under the provisions of the act referred to. The subject being of interest to a large number of our readers, we give the instructions herewith—

The declaration specified in the first section of the act to be filed with the Register and Receiver must be under oath, and may be executed before either the Register or Receiver, or the clerk of any court of record having a seal. It must set forth that the applicant is a citizen of the United States, or that he has declared his intention to become such, in which case a duly-certified copy of his declaration of intentions to become a citizen must be presented and filed. It must also be set up that the applicant has made no other declaration for desert lands under the provisions of this act, and that he intends to reclaim the tract of land applied for, not exceeding one section, by conducting water thereon within three years from the date of his declaration. The declaration must also contain a description of the land applied for, by legal subdivisions if surveyed, or, if unsurveyed, as nearly as possible without a survey by giving with as much clearness and precision as possible the locality of the tract with reference to known and conspicuous landmarks or the established lines of survey, so as to admit of its being thereafter readily identified when the lines of survey come to be extended.

As a preliminary to the filing of such declaration, it must be satisfactorily shown that the land therein described is *desert land* as defined in the second section of the act. To this end you will require the testimony of at least two disinterested and credible witnesses, whose testimony you will reduce to writing in the usual manner; or the evidence may be furnished in the form of affidavits executed before the clerk of any court of record having a seal, the credibility of the witnesses to be certified by said clerk. The witnesses must clearly state their acquaintance with the premises and the facts as to the condition and situation of the land upon which they base their judgment. You are particularly enjoined to exercise great care as to the sufficiency of the proof upon this point in each case. After this proof has been made to your satisfaction, the receiver will receive from the applicant the sum of twenty-five cents per acre for the land applied for; the Register will receive and file his declaration, and you will jointly issue, in duplicate, a certificate in the following form:

No. _____
UNITED STATES LAND OFFICE,
_____, 18__.

It is hereby certified that under the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," _____ has this day filed in this Office his declaration of intentions to reclaim the following described tract of land, viz: _____

_____ that he has proven to our satisfaction that the said tract of land is *desert land* as defined in the second section of said act, and that he has paid to the Receiver the sum of _____ dollars, being at the rate of twenty-five cents per acre for the land above described.

It is, therefore, further certified, that if within three years from the date hereof the said _____ or his assignee or legal representative, shall satisfactorily prove that the said land has been reclaimed by carrying water thereon, and shall pay to the Receiver the additional sum of one dollar per acre for the land above described, he or they shall be entitled to receive a patent therefor under the provisions of the said act.

_____, Register.
_____, Receiver.

\$.....

You will deliver one copy of the certificate to the applicant, retain-

ing the other copy with the declaration and proof. You will number the certificates in the order of their issue. The Register will keep a record of the certificates issued, showing the number, date, amount paid, name of applicant, and description of the land applied for in each case, and, in addition, he will note the same upon his plats and records as in cases of ordinary entry. At the end of each month he will, with his regular returns, forward to this Office an abstract of the declarations filed and certificates issued under this act during the month, accompanying same with the declarations and proofs filed and the retained copy of certificate in each case. The Receiver will also account for the money received under this act in the usual form. At any time within three years after the date of filing the declaration and the issue of certificate the proper party may make satisfactory proof of having conducted water upon the land applied for. This proof must consist of the testimony of at least two disinterested and credible witnesses, who must appear in person before the Register and Receiver. They must declare that they have personal knowledge of the condition of the land applied for, and of the facts to which they testify; and their testimony must be reduced to writing in the usual manner. You will also require the party to present and surrender the duplicate certificate issued when the declaration was filed. When this is done, and the final proof made to your satisfaction, the Receiver will receive the additional payment of one dollar per acre, receipting therefor in duplicate in the usual manner, but indorsing upon the face of the receipt a reference to this act. The Register will also issue a final certificate of purchase in the ordinary form of cash certificates, indorsing also upon the face of the certificate a reference to this act. You will give to these final certificates and receipts a special series of numbers, and will make separate abstracts of same at the end of each month, sending up the final certificates, receipts and proofs as in cases of ordinary pre-emption entries.

In cases where declarations shall be filed under this act for unsurveyed lands, you will immediately forward copies of the declarations to the Surveyor General.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

FROM MONDAY'S DAILY, MARCH 28.

Utah Northern.—There are changes in the time table of the Utah Northern Railroad to-day. Changes to take effect April 1.

Death by Small Pox.—The following comes this afternoon—

"PROVO, Utah, March 26.

"Mrs. Whipple died this morning of small-pox. No more cases reported."

Sending For Emigrants.—In answer to inquiry we may say, that those persons who wish to send means for the emigration of their friends from Europe can deposit the amount required at President B. Young's office in this city.

Legal Business.—In the District Court Chief Justice Schaeffer is proceeding with the disposal of the business of the law and motion calendar in chambers, while Associate Justice Emerson is disposing of the cases on the trial calendar, in the Court Room.

Considered to be Improving.—Moses Taylor, the lad who was struck on the head with a shovel, on Saturday, by one of the city prisoners, is thought to be improving. His consciousness appears to be gradually returning, and the swelling and discoloration of the part which received the blow are considerably lessened. It is hoped that he will soon recover, although the case is somewhat serious.

Good For Arizona.—We are pleased to receive, in a box made of Arizona pine, samples of the first wheat and corn raised at Captain Lot Smith's Camp, on the Little Colorado. The corn, which is of fair size and good quality, was planted of the 1st of last July, and the wheat, which is of fair quality, was also sown quite late. The sample will do to preserve for relics, for future reference, when the region of country from whence they came is covered with cities, towns, and railroads, and a numerous, happy, and prosperous population.

Home Manufacture.—Mr. John Grier, of Manti, is in the City, in the interest of a branch of business he has commenced at that place—rope and twine making. His samples consist of bed cords, mason, carpenter, garden and clothes lines. The material used is cotton, raised in Southern Utah, and spun at the Washington, Washington County, factory. Mr. Grier is an experienced rope and twine maker, and in saying this we speak advisedly, having known him in his native country, Scotland. He can make ropes and twine of as good quality as they can be got from anywhere, and made them for the American market before he came to this country.

The goods he is now producing, as enumerated above, are of superior quality, being very firm and well stretched, so that they weigh more and are longer in proportion to their bulk than the imported goods now in the market.

He has left a quantity of his goods at the Woman's Commission store, where they are on sale.

Bishop Maiben, of Manti, is taking steps to encourage the production of hemp at that place, to enable Brother Grier to increase and extend his manufacturing operations.

This is a very important branch of industry, the importation of rope and twine to this Territory being probably but little short of \$200,000 a year; yet all the materials for their production are abundant here, and the requisite manufacturing skill is plentiful.

Among the Mexicans.—We have seen a letter from Elder Meliton Gonzales Trejo to Brother August Wilcken, of this city. It was written at Tubac, Pima County, Arizona, he having just returned there from a trip through Sonora, where he says the prospect is excellent for doing a good work. The first town he visited in that part he was listened to with the greatest interest and attention, and the people requested him to continue his preaching longer. The only disagreeable obstacle he met with was from the president of the place, who forced him into a little discussion, in which, however, the truth was victorious. Elder Trejo was traveling alone, and went to another town, meeting with many friends, however, among strangers, who treated him with the greatest kindness, and who endeavored to dissuade him from traveling without company, on account of their considering it dangerous for him to do so under the circumstances. After his arrival at the second town alluded to three men, in the interest of the priest of the place, called at the house where he was and commenced talking to him in a very rough and insulting manner. Finally he succeeded in gaining favor with one of them, getting him over to his side and in pacifying the other two.

Elder Trejo left that part and returned to meet the rest of the missionaries, and himself and three others were about to visit a large town named Magdalena.

He states that the people generally acknowledge the correctness of the doctrines of the Church as soon as they hear them and manifest a desire to become members, but they are not any more stable in their minds than they should be and too frequently forget the good impressions they have received.

Elder Trejo says there is a great lack of Elders on the mission who are well conversant with the Spanish language. The brethren are learning it rapidly, but are not yet sufficiently advanced to preach in it. He speaks in high terms of the rest of the Elders and says they all feel united in doing what they can to forward the work.

District Court.—Monday, March 26th, morning.

TRIAL CALENDAR.

Robert Williams *et al* vs. William H. Gilmer, *et al*; the jury came into Court and rendered a sealed verdict, as follows, signed by all the jurors—

"We, the jury, find for the plaintiffs the sum of one thousand and fifty dollars against William H. Gilmer and H. S. Campbell, defendants.

"A. H. Hill, foreman."

C. D. Robinson vs Winsor Randall; continued on motion of Bennett and Harkness, attorneys for defendant, by affidavit on file and on the payment of the fees for the term.

Wells, Fargo & Co., vs. Edwin Davis; continued by consent, and

it is ordered that the depositions on file herein be published.

Alfred Folker *vs.* the C. P. R. R. Co., judgment by consent, for plaintiff, for \$137.

James L. Garner *vs.* L. J. Herriek; on motion of Hempstead and Gamble, attorneys for appellant, it is ordered that the appeal be dismissed, for want of prosecution.

The following cases were continued by stipulation—

Jonathan W. Williamson *vs.* James W. Sugden *et al*.

Geo. W. Merton *vs.* James W. Sugden *et al*.

C. C. Cunningham *vs.* Fred. Reich *et al*.

R. C. Chambers *et al.* *vs.* Fred. Reich *et al*.

Lathrop Dunn *et al.* *vs.* Fred. Reich *et al*.

W. R. Carver *vs.* R. C. Chambers.

The following were continued by consent—

Emma E. Erickson *vs.* Charles L. Erickson.

Harry Pickard *et al.* *vs.* Charles C. Cunningham.

Harry Pickard *et al.* *vs.* R. C. Chambers.

Fred. Reich *et al.* *vs.* J. M. Williamson *et al*.

Fred. Reich *et al.* *vs.* C. C. Cunningham *et al*.

LAW AND MOTION CALENDAR.

Isaac Spangler *et al.* *vs.* Edward Woodruff *et al*; demurrer to complaint overruled, ten days given to answer.

John S. Davis *vs.* John M. Bernhisel; motion to set aside Marshal's sale overruled.

Edward Balbach *vs.* Isaac Schoenberg; motion for a new trial overruled.

John Paxton *vs.* Thomas T. Shelton; motion to dismiss appeal allowed; appeal dismissed, and proceeding to Justice of the Peace.

James L. Kimball *vs.* C. S. Tucker *et al*; appeal dismissed by agreement of the parties; proceeding to the Justice of the Peace to collect the judgment, with costs of suit.

John Paxton *vs.* Henry M. May *et al*; on motion of plaintiff's attorney this cause is referred to E. T. Sprague, to take testimony and report it, with findings, &c. Excepted to by defendant's attorney.

Deseret National Bank *vs.* Flagstaff S. M. Co.; motion to strike the answer of J. H. N. Patrick from the file overruled.

J. H. Corson *et al.* *vs.* Thomas Lundt; motion to dismiss the appeal allowed and proceeding to the Justice of the Peace, to collect judgment and costs.

Disturbance of the Peace.—About ten o'clock last night a number of soldiers, from Camp Douglass, procured a couple of kegs of beer, from a brewery adjacent, took them to the vicinity of the railroad depot, and stopped around that locality, drinking, carousing and disturbing the peace till near midnight. They assaulted several ladies on the street in that quarter, but were prevented injuring them by the interference of some citizens. They also quarrelled and fought among themselves, and assaulted and struck a man named Charles Harrup.

Disturbances of this character from the same quarter are becoming too common, and it is time they were put a stop to.

TERRITORIAL DISPATCHES.

PER DESERET TELEGRAPH LINE.

(From our Special Correspondent.)

EXECUTION OF JOHN D. LEE.

MONUMENT POINT, Mountain Meadows, March 28d, 1877, 12.25 p. m.—The selection of this place as the scene of the execution of John D. Lee meets with general commendation, on account of it being the identical spot where his crime was committed. Marshal Nelson made very ample arrangements to have everything carried out promptly and quietly. At Beaver the selection of this ground was imparted only to a few officials and press representatives, and by this means there were but few spectators. A company of soldiers at Ft. Cameron formed escort for the officials and furnished a guarantee that no interruption would take place.

Lee was taken from his cell at the Fort on Wednesday afternoon and placed in a closely covered carriage, well guarded, and driven rapidly southward. Shortly after, two or three other vehicles moved quietly out of Beaver, all having been notified to be at the Monu-

ment here by 10 this morning. No accidents or delays of any nature occurred on the road.

Lee was very taciturn, but apparently resigned. He would hold no conversation with anyone upon any subject whatever, to all questions observing a monotonous silence.

The officers and soldiers and part of the reporters arrived at the Monument about 8 p. m. yesterday. The remainder came on early this morning.

Lee broke silence this morning and conversed with the utmost freedom with the Marshal and reporters. He spoke of his connection with the massacre, but made conflicting statements, at times admitting the wilful killing of five persons, to others denying his guilt altogether.

The execution ground was 100 yards east of the Monument, which is now a crumbling mass of rocks and dirt. The spectators were kept outside of the line.

About half-past ten, Lee's coffin was placed twenty-five feet in front of a corral formed by three wagons, behind which five men were armed with needle guns. Lee was brought forward shortly after, leaning on the arm of Pastor Stokes, and was seated on the end of the coffin. Marshal Nelson then read the order of the District Court for his execution, after which the marshal asked Lee if he had anything to say.

Lee arose, his countenance exhibiting no trace of fear or any other emotion, and stated that he was not afraid to die. He believed in the mercy of God. The only regret he had was that he was compelled to leave his wives and children unprotected. He believed he was made the victim to suffer for the sins others committed. Brigham Young was leading the people astray, but the doctrines of the church led to salvation. The only request he had to make was that the executioners should spare his limbs and hit his heart.

Fennimore's photographic apparatus was then placed in position, when Lee requested that photographs of the scene be sent to his wives.

After prayer by pastor Stokes, all were ordered to withdraw a few steps. The Marshal bound a handkerchief over Lee's eyes, but left his arms unbound by Lee's request. The word to fire was given precisely at 11 a. m., and the five guns were discharged almost simultaneously.

Lee dropped back upon the coffin and died instantly. Examination afterwards showed that the bullets passed entirely through his body in the region of the heart. The body was placed inside the coffin for delivery to his family and all was over forever.

Lee's Speech.

After Marshal Nelson had concluded reading the order of the Court at 10:34 a. m. he asked Lee if he had anything to say before the execution was carried into effect.

Lee said—"I wish to speak to that man" pointing to Mr. Fennimore, who was fixing his canvass near by to take Lee's photograph preceding the shooting. Lee calling to the artist.

Fennimore replied—"In a second, Mr. Lee."

Waiting till the artist asserted his readiness to listen, Lee said—"I want to ask you a favor. I want you to furnish my three wives each a copy of my photograph," meaning the one being taken, "a copy of the same to Rachel A., Sarah C., and Emma B."

Mr. Howard responded for the artist,—"He says he will do it, Mr. Lee."

Lee repeated the names over again carefully, saying, "Please forward them."

Lee—"You will."

He then arose and said—"I have but little to say this morning. Of course I feel that I am upon the brink of eternity, and the solemnities of eternity should rest upon my mind at the present. I have made out, endeavored to do so, a manuscript and an abridged history of my life. This is to be published, sir. I have given my views and feelings with regard to all those things. I feel resigned to my fate. I feel as calm as a summer morning. I have done nothing adversely wrong. My conscience is clear before God and man, and I am ready to meet my Redeemer. This it is that places me on this field. I am not an infidel. I have not denied God or his mercy. I am a strong believer in those things. The