

## F. S. RICHARDS ON WATER PROBLEM.

Authority on Irrigation Subjects Gives His Opinion on City Scheme.

### LAKE SUPPLY IS PERMANENT.

Says That During Past Fifty Years There Has Always Been Ample in Utah Reservoir.

In face of the conflicting statements that have been and are being made concerning the proposed plan of the special committee for increasing the water supply of the city, the "News" this morning solicited the opinion of one of the best recognized authorities in the state on the question of water rights, in the person of Attorney Franklin S. Richards. Attorney Richards has for many years represented a number of local companies interested directly in irrigation. He has also been the attorney for the Utah arid land reclamation fund commission since the enactment of the last state irrigation law, and was sent to Washington recently to explain conditions in Utah to the interior department. Since the present movement to increase the water supply of Salt Lake City was inaugurated he has been the consulting attorney for the special committee that has been investigating every phase of the project. This is why Mr. Richards was selected by the "News" for a statement of the facts in the case.

When seen, Mr. Richards said: "As an attorney who has been dealing with water rights for many years, I will be impossible for me to prepare such an interview as would do justice to the case, but I can quote from statements which have already been made by me through the morning papers, if you are to publish them. In my opinion this is a very grave question, and one that should be fully presented to the people. I believe the scarcity of the water supply has prevented the growth and development of the city to a much greater extent than most people realize. This opinion is based largely upon facts that have come to my personal knowledge, where capitalists have deferred making very valuable improvements on property within the city, and others have declined to make investments, solely because of the scarcity of water. But this is only one of many reasons why the water supply should be increased, not least among which is that affecting the

TEA  
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health and comfort of the community. Under present conditions we are obliged to continually inhale air that is filled with noxious dust and disease germs, because there is not sufficient water to properly sprinkle the streets.

**PROPOSED PLAN.**  
"The proposed plan of the city council for increasing the water supply contemplates the acquisition by the city of the waters of Mill creek, Big Cottonwood and Little Cottonwood, all pure mountain streams, as soon as suitable conduit can be constructed to convey the waters from these streams into the present Parley's canyon conduit, and as fast as the needs of the city require it."

"It is proposed to acquire these mountain waters by exchange and lease, much as the present owners of water from these sources are now averse to selling their water rights or making any absolute exchange that would alienate their titles to them, but I believe the time will come when through the development of Utah lake and the establishment of permanent irrigation works for the distribution of the water, the farmers will see that their supply is just as secure and satisfactory from the lake as from the mountains, and then a mutually satisfactory arrangement can be made, by which the city will become the absolute owner of the water rights."

**WATERS AVAILABLE.**  
"Two-thirds of the water of Big Cottonwood creek and Mill creek are used on lands lying under the Salt Lake City canal, and much of the water that is used above the canal is not required for irrigation purposes during the fall and winter months, when the city's supply is the least. This city now has options for the exchange of one-half the water of Big Cottonwood creek, the flow of which during the low-water season is 27,000,000 gallons per 24 hours. This will add 13,000,000 gallons per day to the city's present supply, and will more than double the quantity of water that the city derives, during the month of September, from all present sources combined. Negotiations are now pending by which it is expected that practically all the waters of Big Cottonwood and Mill creek can be acquired by exchange or lease, and it is reasonably certain that, when the city's necessities require it, the water of Little Cottonwood can be acquired in a similar manner. When this shall have been accomplished there will have been added more than 40,000,000 gallons per day to the city's present supply, making a total supply of over 50,000,000 gallons."

**EXCHANGE TERMS.**  
"The terms of exchange are practically the same as those for an exchange of Parley's creek, except that, in this instance, the city is to pay a bonus of

## Every Throb Of My Heart Was Plainly Felt, and Sometimes Very Painful.

If your pulse is too strong, and your heart throbs so that you can feel the force of the heart-beat against your chest, your heart is weak and needs attention.

This is usually caused by long continued palpitation, over-work, excessive exercise, heart strain, and the condition indicates serious heart trouble. You should act at once.

The very best thing to do is to take Dr. Miles' New Heart Cure, a remedy that will strengthen the nerves and muscles of the heart, and restore them to their normal condition.

If you neglect to do this, disastrous consequences will surely follow. You will have another spell, pain in the heart, faintness, the valves of the heart will become leaky, and the heart left in a death struggle.

"My heart bothered me so that I could feel every pulsation. Could only sleep on my left side. Doctors told me that I had one of the worst cases of heart trouble. I took about 15 or 20 bottles of Dr. Miles' Heart Cure and am completely cured. I have had no symptoms of heart disease for two years, and am attending to my business affairs, which I could not do before."  
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\$10 per acre to the farmers and give an additional quantity of 25 per cent more than they receive. While these requirements may appear somewhat objectionable, they are unavoidable and, under the circumstances, seem to be justifiable. The money required for this purpose will not be a large sum, and the difference between the value of the waters exchanged seems a warrant of the difference in the quantities of water given and received.

"It is true that the farmers reserve the right to take back from the city water if the city fails to furnish them canal water, according to the contract; but the city has the right to regain the Cottonwood water by supplying canal water at any time before the expiration of six months after the default is made. While this is an objectionable provision, it seems impossible to effect an exchange upon any other terms. For the reason that the farmers demand an absolute guaranty that they shall have the exchange water which they are promised. But I regard the objection to this feature of the contract as being more a matter of form than of substance, because it will be in the power of the city, by taking necessary precautions, to render it practically impossible for a forfeiture to occur."

**NO TROUBLE ANTICIPATED.**  
"Is it not probable that the same trouble may arise here that occurred in the Parley's creek case?" was asked Mr. Richards.  
"I think not," he said. "There never was any difficulty about the Parley's creek exchange until Utah lake became so low that the water would not run out by gravity, and then it was not due to any failure in the source of supply, but in the means for making the water available. As soon as the present pumping plant was installed the situation was immediately relieved, and, notwithstanding the prevalent drought of that season, an abundant supply of the lake enabled the city to retake the Parley's creek water. From that time the supply became and has remained permanent, and will be increased to such an extent as to furnish ample water for exchange purposes. This can be accomplished either through the government plan for developing Utah lake, or by the city itself, that work should be delayed; besides, the city has an option to purchase Spring creek, and that water could be used for exchange purposes if it should be deemed advisable to make the purchase."

**SUPPLY FROM UTAH LAKE.**  
"What have you to say about the sufficiency and permanency of the supply of water in Utah lake to meet the demands of the city for exchange and other purposes?"  
"I think the supply can be made practically certain to the full extent required by the city. The government plan for developing the lake contemplates a supply of 1,000 second feet; the city's share of one-half that quantity, or one-fifth of 1,000 second feet, will be amply sufficient to meet all its requirements for exchange and other purposes, so as to render a forfeiture of the mountain water under the proposed contract practically impossible."

"The records in the office of the United States geological survey, as reported by Engineer Swendsen show that 47,140 acre feet were stored in the lake from August, 1903, to August, 1904, and that 123,870 acre feet came into it from springs, seepage and other sources, making a total addition to the lake supply of 64,010 acre feet. It is estimated that a supply of 225,000 acre feet could be utilized and the utilization of the present year has only amounted to 129,000 acre feet, about one-half of the supply. I think the city has conclusively established the fact that Utah lake can be safely relied upon as a source of supply for obtaining all the water the city will need for exchange and irrigation purposes."

**PLENTY OF WATER.**  
"There are certain well known facts, however, concerning the lake, which support this view. During the past 50 years there has always been an ample supply of water in the lake, and much of the time vast quantities of it have run to waste. The waters from most of its tributaries have been used for irrigation purposes, and, at times, there has been comparatively little surface water flowing into the lake. Yet, after a series of years of unprecedented drought there is now sufficient water in the lake to meet all demands for several years to come, equal to those which have been made upon it in the past, even if no more flowed in."

"Besides, history shows that a series of dry years is usually followed by a series of years when water is plentiful. These cycles have occurred about every 10 years. Although the pumping plant has been operated at the lake during the last three years, when the water was lower than it has ever been since the settlement of Utah, the water is now a foot higher in the lake than it was a year ago, and, judging from the past, we may confidently expect the supply to increase for several years to come. During that time ample provision can be made, either through the development of the government plan, or otherwise, to secure an abundant and permanent supply of water for the city. This is contemplated in the committee's report, and provision is made for the failure of the estimates which go to make up the \$380,000."

**THE THIRD MAN.**  
"What do you think of the provision of the contract providing that, in case of the failure of the estimates submitted by the city and the one ap-

pointed by the farmers to agree upon a third man, the farmers may appoint a third person?"

"It is similar to the provision in the contract of exchange for Parley's creek with the exception that, in the latter case, the contract provides that the farmers shall select a wholly disinterested person as the third, from any place in Salt Lake county, Utah territory, excepting only Salt Lake City, and the owners of Parley's canyon creek. While this qualification is desirable and could probably be secured when the city comes to make the contract, I do not consider it so vitally important, because, it makes no difference to the city whether the water is measured by a board of commissioners appointed by the city and the farmers, or by the farmers alone, provided, the measurements are correctly and honestly made. If, for any reason, an attempt should be made to defraud the city by false measurements, it could obtain prompt relief by applying to the courts. In view of the fact that, during the 15 years that the Parley's creek contract has been in force, no such question of difference has ever arisen, it seems very improbable that any difficulty would arise with the Cottonwood people, especially when we consider that they must know how utterly futile any attempt would be to defraud the city in this way."

**ABSOLUTE TITLES.**  
"What do you think of the objection that the city will not obtain absolute title to one gallon of water?"  
"The city is not in a position to obtain an absolute title to the mountain water, because it is not able to purchase it. If the farmers were willing to sell, and they are not, the city has not the money to buy, and, under the present constitutional restrictions, it would be impossible to borrow the money that would be required to purchase any considerable quantity of mountain water. The water is being sold to the limit provided by law, it would not have sufficient water, after constructing the conduit and making other provisions for bringing the water into the city. The quantity of mountain water that would materially increase the present supply. For this reason it seems to me that if the water supply is increased at all it must be by exchange."

"The city already owns a canal and valuable water right from Jordan river and Utah lake. As a business proposition, should it not utilize this asset in obtaining a supply of mountain water? Besides, what real difference does it make to the city whether it has an absolute title to the water or not, so long as it has the right to use and enjoys the perpetual use of the water? This objection seems somewhat technical, when we remember that there is never an absolute title to water itself, but only to the use thereof."

**GREATLY INCREASED SUPPLY.**  
"I will say that it seems reasonably certain that through the plan proposed the water supply of the city can be increased about four times the existing amount. The rights of the city can be so safeguarded as to prevent any forfeiture or interruption in the use of the water. If this plan is not adopted and the city waits till the purchase of the mountain streams can be effected, I do not see how there can be any material increase in either the city's water supply or its population. In such an event there would be no property to justify any larger bonded indebtedness than at present and any increase in the city's water supply must therefore be indefinitely postponed."

## THE LARD CAN WAS FULL OF GOLD

Auburn, Cal., Nov. 28.—It was learned today that the lard can found in the Weber barn by Coroner Shepard and his assistants contained \$5,440 in gold, in the following denominations: \$430 in fives; \$850 in tens, and \$4,160 in twenties. The amount stolen from the bank was \$6,365, so there is a shortage of \$825.  
There is the best evidence that the money is the same as that taken from the bank. The denominations correspond exactly. The strongest evidence, however, is that, mixed up with the money, were leaves and soil, such as are found on the side of the ravine where the bank robber disappeared, and where he may have planted the money in haste and afterward dug it up and again concealed it in the barn. It was on the strength of this find that the bank officers swore to a complaint charging Adolph Weber with the robbery. A warrant was issued by Justice Smith and was served on Weber by Sheriff Keene.  
When informed by D. W. Lubeck, vice-president of the Placer county bank, that the money had been found, young Weber winced noticeably. He then received his request, that the charge of bank robbery be not taken up until the murder case was disposed of, adding that the money was hidden in the barn by his father.  
The discovery of the coin and the serving of the warrant on Weber have revived interest in the case and there is again considerable suppressed excitement over it.

## COLORADO-KANSAS SUIT.

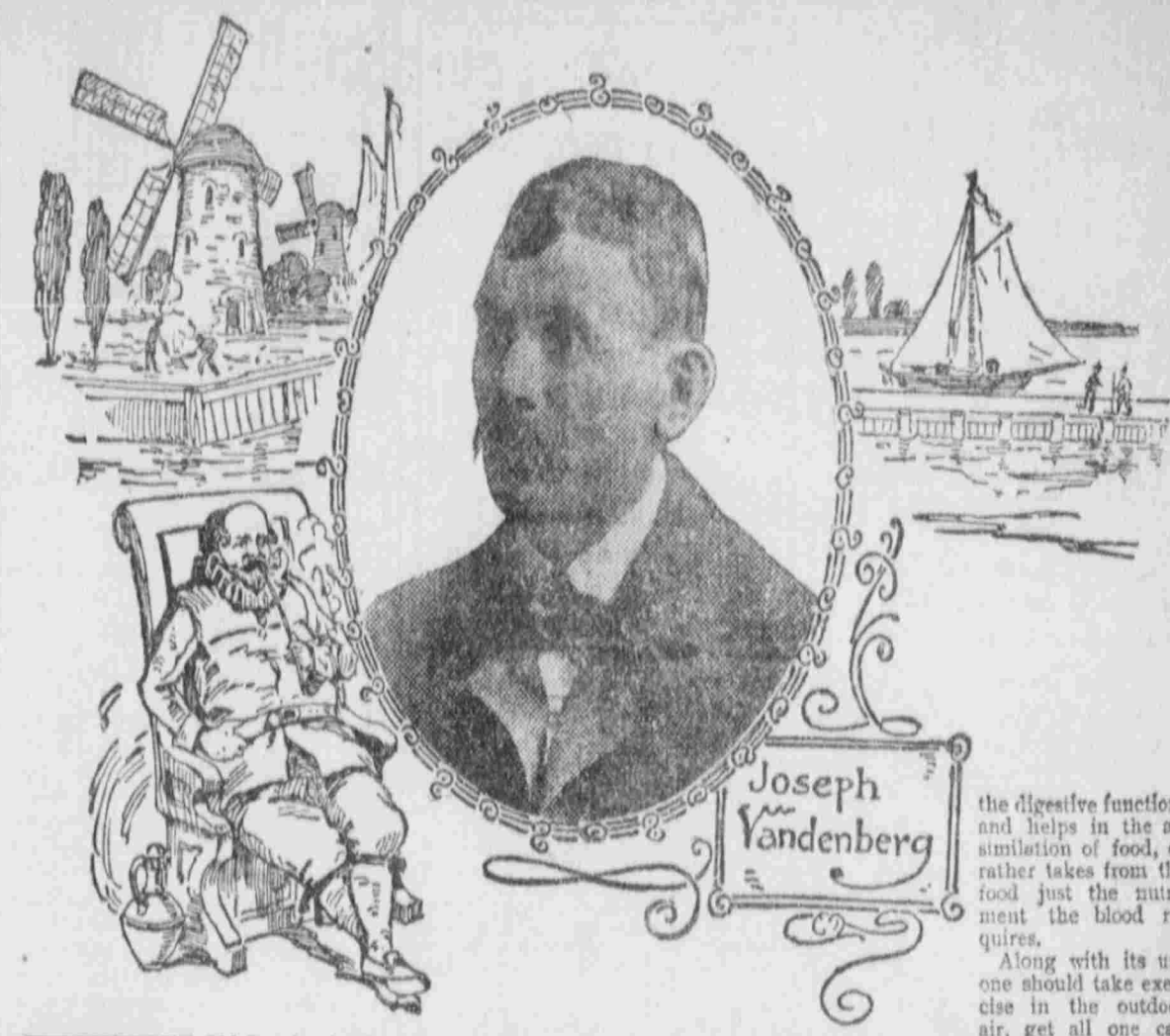
**Trying to Advance it on the Supreme Court Calendar.**  
Topeka, Kan., Nov. 28.—Atty.-Gen. Coleman is in Washington trying to make arrangements to advance the Colorado-Kansas water suit hearing by the United States supreme court. Colorado will begin the presentation of evidence on Wednesday, Dec. 7, at Denver. The evidence is taken under the direction of the supreme court, but will be passed on by the court for several months yet. The suit is in regard to the right to use the water of the Arkansas river for irrigation purposes.

## DISPUTE WITH PANAMA.

**Secy. Taft Holds Conference With President Amador.**  
Panama, Nov. 28.—The first conference having for its purpose the adjustment of the questions in dispute between the United States and Panama was held this morning. The United States present Secy. of War Taft, President Amador, Ricardo Arias, a member of the Panama fiscal commission, and Gen. Guardia, the Panama minister of war. The case for Panama was presented, but beyond this fact nothing was given out, the proceedings being kept secret until an agreement is reached, which probably will be tomorrow.  
A resolution to Secy. Taft was given at the American legislation tonight. There were present President Amador and the members of his cabinet, 200 prominent Panamanians and the leading canal officials.

## Killed by a Policeman.

Spokane, Wash., Nov. 28.—Fred Brown died in the hospital this morning after nearly five days of suffering. Brown was shot by Policeman Willis last Wednesday night for running away when the officer tried to arrest him for stealing a pair of shoes. The police board has promised an investigation. Before Brown died he forgave Willis.



HE Old Dutch who first located on Manhattan were a sturdy race. They underwent all kinds of hardships, but the result of their work is the greatest city of our day—New York.

We owe it to the Hollanders—they were first to force the advantages of this port—with its beautiful landlocked harbor and a great river stretching into the interior. Since then descendants of this sturdy race have settled in all parts of the great West, and helped to make the country prosperous. Joseph Vandenberg, Treasurer of Outagamie Co. Holland Society, living at Appleton, Wis., thought of a sturdy frame, and apparently strong was suddenly attacked with catarrh of the lungs. He relates his experience as follows:

"Your 'Golden Medical Discovery' brought me great relief, after I had suffered for years with lung trouble, which threatened each year to run into consumption. I tried many advertised medicines, and finally, the druggist advised me to try a bottle of Dr. Pierce's Golden Medical Discovery. I found that before I had finished the first bottle there was a change for the better, and I gladly continued to use it. After four months' use my lungs were healed, my health was much better and I now feel that this your medicine has saved my life."

therefore cannot say too much in its praise, and am pleased to give you this testimonial, as it may be the means of bringing to some one else as great an amount of benefit as I received from Dr. Pierce's medicine."

The time to use "Golden Medical Discovery" is when you suffer from Coughs, Bronchitis, Catarrh of Lungs, Asthma, Whooping-cough, Pneumonia, Laryngitis, Consumption.  
The advantage of this preparation of Dr. Pierce's over all others for these distressing ailments is: First, it contains nothing to derange the stomach—most cough mixtures contain sugar or opiates, or narcotics that are harmful to the system. Second, The "Medical Discovery" is made from roots, herbs and barks, therefore contains nature's own remedy from the vegetable kingdom. Third, The "Discovery" contains no alcohol, therefore does not give false stimulation, nor shrink up the red corpuscles in the blood.

A remedy which has enjoyed a grand reputation for the last third of a century is Dr. Pierce's Golden Medical Discovery, an alternative extract taken from barks, roots and herbs, without the use of a particle of alcohol or narcotics. This medicine goes to the root of disease by imitating nature's methods of restoring waste of tissue and impoverishment of the blood and nervous force. This your medicine has saved my life. I

the digestive functions and helps in the assimilation of food, or rather takes from the food just the nutrient the blood requires.

Along with its use one should take exercise in the outdoor air, get all one can of God's sunlight and air, and practice a mild breathing exercise each day. This "Medical Discovery" gives no false stimulation, because it does not contain alcohol or a narcotic. It helps digestion and the assimilation of such elements in the food as are required for the blood. Instead of a cool liver oil, against which the already sensitive stomach will declare open rebellion, this tonic has a pacifying action upon the sensitive stomach and gives to the blood the food elements the times require. It maintains nutrition by enabling one to eat, retain, digest and assimilate nutritious food. It overcomes gastric irritability and symptoms of indigestion, and, in this way, fever, night-sweats, headaches, etc., are done away with. That is why "Golden Medical Discovery" is one of the best possible tonics in cases of bronchitis and consumption in its early stages, for it builds up the strength as well as soothes the cough. Many, many cases of bronchitis and incipient consumption have been cured by its use.

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**We guarantee that Dr. Pierce's Golden Medical Discovery does not contain alcohol, opium, or any harmful drug. It is a pure compound of medicinal plants scientifically combined. Persons making false statements concerning its ingredients will be prosecuted.**

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"DEAR MRS. PINKHAM:—Lydia E. Pinkham's Vegetable Compound will make every mother well, strong, healthy and happy. I dragged through nine years of miserable existence, worn out with pain and weariness. I then noticed a statement of a woman troubled as I was, and the wonderful results she had had from your Vegetable Compound, and decided to try what it would do for me, and used it for three months. At the end of that time I was a different woman, the neighbors remarked it, and my husband fell in love with me all over again. It seemed like a new existence. I had been suffering with inflammation and falling of the womb, but your medicine cured that and built up my entire system, till I was indeed like a new woman. Sincerely yours, MRS. CHAS. F. BROWN, 21 Cedar Terrace, Hot Springs, Ark., Vice President Mothers' Club."

Suffering women should not fail to profit by Mrs. Brown's experiences; just as surely as she was cured of the troubles enumerated in her letter, just so surely will Lydia E. Pinkham's Vegetable Compound cure other women who suffer from womb troubles, inflammation of the ovaries, kidney troubles, nervous excitement and nervous prostration. Read the story of Mrs. Potts to all mothers!—

"DEAR MRS. PINKHAM:—During the early part of my married life I was very delicate in health. I had two miscarriages, and both my husband and I felt very badly as we were anxious to have children. A neighbor who had been using Lydia E. Pinkham's Vegetable Compound advised me to try it, and I decided to do so. I soon felt that my appetite was increasing, the headaches gradually decreased and finally disappeared, and my general health improved. I felt as if new blood coursed through my veins, the sluggish tired feeling disappeared, and I became strong and well."

"Within a year after I became the mother of a strong healthy child, the joy of our home. You certainly have a splendid remedy, and I wish every mother knew of it. Sincerely yours, MRS. ANNA POTTS, 510 Park Ave., Hot Springs, Ark."

If you feel that there is anything at all unusual or puzzling about your case, or if you wish confidential advice of the most experienced, write to Mrs. Pinkham, Lynn, Mass., and you will be advised free of charge. Lydia E. Pinkham's Vegetable Compound has cured and is curing thousands of cases of female troubles—curing them inexpensively and absolutely. Remember this when you go to your druggist. Insist upon getting Lydia E. Pinkham's Vegetable Compound.



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