

Today's Ogden News

WATER USERS MUST MAKE GOOD

Their Claims to the Ogden and Weber Rivers and Tributary Streams.

RIGHTS LAPSE IN SIX MONTHS.

Survey of Water System Now Filed With the Clerk of District Court With Names of Claimants.

Ogden, March 8.—All users of water for any purpose from the Ogden or Weber rivers, or their tributaries, will be required to make proof of their claims within the next six months or lose the title or right to the same. In all there are over 1,200 water users on these streams whose rights to the waters they are using on claim title to, must be proven.

As the matter is of vital importance to so many, the law together with some comments on the same are here given:

Chapter 108 of the Session Laws of Utah, 1905, provides that the state engineer shall make a complete hydrographic survey of each river system and water source of the state, beginning such work upon those streams and sources which are most used for irrigation, and before commencing such hydrographic survey the state engineer shall cause notice to be published in some newspaper having a general circulation on said river system or water source, stating the time and place of beginning such survey, and said notice shall be published continuously in said newspaper for a period of not less than 15 days immediately prior to the commencement of such survey; that when the state engineer has completed the hydrographic survey of any river system or water source, he shall file a written statement with the clerk of the district court of the county in which the same is situated, or if the system or source extend into more than one county, the statement shall be filed in any county which embraces any part of such river system or water source that the state engineer shall select as most convenient for the water users of the system or source. Said statement shall set forth the fact of the completion of such survey, and the names and postoffice addresses of all persons, corporations and associations using water from the said river system or water source. . . . On the filing of such statement, the district court of the county in which the same is filed shall have exclusive jurisdiction to determine all water rights on said river system or water source, in accordance with the provisions of the act.

That within 30 days after the filing of the statement above mentioned, the clerk of the court in which the same is filed must give public notice that all persons claiming the right to the use of any water of such river system or water source must file a written statement with the clerk of the court within six months after the publication of such notice, setting forth their respective claims to the use of such water, which notice shall be published at least one week for three successive months in some newspaper printed and published within the boundaries of such river system or water source and having general circulation therein. . . . The clerk of said court shall also mail by registered letter to each of the persons, corporations or associations whose names and postoffice addresses are given in such statement filed by the state engineer, a copy of said notice, and a blank form in which each claimant shall present, in writing, all the particulars relating to the appropriation of the water of said river system or water source to which he lays claim. That the clerk of said court shall enter the statement in a book to be kept for that purpose and shall file and preserve the same in his office, noting the date of filing, the filing of such statement shall be considered notice to all persons of the claim of the party making the same, and any person failing to make and deliver such statement of claim to the clerk of the court within six months after the first publication of the notice hereinbefore mentioned shall be forever barred and estopped from subsequently asserting any rights thereto acquired to the use of the water of such river system or water source, rights to the use of such water theretofore claimed by him; that at the expiration of six months after the first publication of the aforesaid notice, the district court of the county in which such statement of claim has been filed may appoint a referee or referees, not exceeding three, to take testimony and determine the rights of said claimants to the use of the water of said river system or water source; that after the referees have taken the testimony, they shall state in writing the facts found by them and the conclusions therefrom to the use of the water, the quantity of water in acre-feet or the flow of water in second feet to be used; the purpose for which the water is to be used; the time during which the water is to be used each year; the name of the stream or other source where the water is to be diverted; the place on the stream or other source where the water is to be diverted; the priority number of the right; the date of the right, and such other matter as will fully and completely define the use of the water of the river system or water source, or association to the use of the water; that the decree so entered by the district court may be appealed from to the supreme court, in like manner as from decrees and judgments in other cases.

If no appeal is taken from said decree within six months after the same has been entered, or if the case is appealed, within 30 days after the decree is entered, it shall be the duty of the clerk of the court making said decree to issue to each person, corporation or association having been awarded the use of water by said decree, a certificate in duplicate, attested under the seal of the court, setting forth the substance of said decree, one copy of said certificate shall be transmitted, in person or by registered mail, to the appropriator, who shall, within 30 days, have the same recorded in the office of the county recorder of the county in which the water is diverted from its natural channel, and the other shall be delivered to the state engineer and filed in his office as part of the records thereof.

In conformity with the provisions of this statute, the state engineer during the incumbency of A. F. Doran in the office, published notice that he was about to commence the survey of the Weber river system, which includes the Ogden river and its tributaries, and after the notice had been published, he commenced the work of surveying the district, which has now been completed by his successor, Caleb Tanner, who now holds the office of state engineer, and he has selected the Weber county as the county most convenient to the water users of the Weber system and has filed in the office of the clerk of that county his statement that the survey has been completed, and the names and postoffice addresses of the water users thereof. This statement was filed on Feb. 9, 1907, and the county clerk is now about to publish notice as required by law, in some newspaper published within the limits of the system, that the water users claiming rights on the Weber river system must present their claims within six months from the date of the first publication.

This proceeding will affect the rights of all the water users in Summit, Morgan, Davis and Weber counties and will undoubtedly result in extensive litigation.

It behooves the water users of this system to familiarize themselves with

Manager, E. A. Larkin, 666 24th St. Telephone 123-K.

Circulator, John J. McGregor, 224 Wash. Ave. Ind. Tel. 131. Office with Lambert Paper Co.

Advertisements for the Daily, Saturday and Semi-Weekly News should be made to the circulator. Delivery made by carrier on the same terms as in Salt Lake.

CRUSHED UNDER ENGINE.

George Price Receives Serious Injuries In the Becker Brewery.

Ogden, March 8.—George Price is now confined at the Ogden General hospital suffering from serious injuries sustained yesterday by being crushed beneath a portion of an old engine he was assisting in removing from the basement, and Mr. Price was on the under side. In some way it was given a twist and fell partially on his body and leg, crushing the bones of his lower left leg and causing serious injury to his back by tearing the muscles from their holdings. He was removed from the heavy weight and carried to the company's office, where Joyce was summoned, who, examining the injuries, ordered him removed to the Ogden hospital, where it is hoped, but the injuries are of such a nature that it will be many weeks before he can resume work. Price is about 30 years of age and has a wife and family living in the Glasgow addition.

DEATH OF OGDEN PIONEER.

Mrs. Charlotte McGary Sharp, another of the pioneer women of Ogden and one of the oldest and most highly esteemed ladies in the city, passed from mortality last evening at 6:15 o'clock at the home of her daughter, Mrs. Ben F. Sharp, 45 Washington avenue, of general debility. Mrs. Sharp was born in Canada, Feb. 20, 1816, making her a few days over 91 years of age, when she died. She came to Utah in 1852, and has lived here ever since. She is survived by three children, Mrs. Wells Chase and Mrs. B. F. Garr of Ogden, and William McGary of Los Angeles, 45 grandchildren, 21 great grandchildren and six great-great grandchildren. The funeral services over her remains will be held Sunday at 12 o'clock noon, at the Reorganized church, corner of Washington avenue and Fifteenth street. Interment will be in the city cemetery.

INJURED IN A RUNAWAY.

Mrs. L. E. Zimmerman had an exciting experience in a runaway yesterday afternoon. She was out driving on Twenty-fifth street when the horse became frightened and started down the road and dashed down the street. Mrs. Zimmerman tried to stop the animal, but finding it impossible, jumped from the buggy and was severely bruised and badly shaken up. A moment after she jumped the buggy collided with a telegraph pole and was badly damaged. The horse fell down in a pool of water and was then caught between the legs of a man who was passing by. Mrs. Zimmerman is the wife of the locomotive engineer who was killed a short time ago on the Southern Pacific.

TABERNACLE CONCERT TONIGHT.

Tonight at the Ogden Tabernacle, Miss Frieda Stender, one of the world's greatest vocalists will be heard in concert with the tabernacle choir under the direction of Prof. Ballantyne. The concert will be held at 8 o'clock, and the program is one of the finest ever given here. The choir is one of the best in the city and the soloists are of the highest caliber.

FOUND DEAD IN BED.

Word was brought to Ogden yesterday of the death at Porterville, Morgan county of Ed Kilmann, a well known resident of that place. He was discovered dead in his bed Wednesday, death is supposed to have been caused from apoplexy, which was superinduced by long illness. He was 65 years of age and left him a short time ago and commenced divorce proceedings against him, which caused him considerable sorrow.

BRIEFS AND PERSONALS.

The fire department was called out last evening to extinguish a small blaze in the millinery store of Miss Spurgeon. The damage was only slight. The appraisers of the estate of Matthias Gillis have filed their inventory and appraisal of the estate, fixing the value at \$14,444. Frank Shogren was arrested at the request of the sheriff of Cache county yesterday afternoon by Deputy Ritchie. He is wanted on a felony charge. Mrs. Emma O. Bedford has applied to the district court for her appointment as guardian of the estate of her son, C. Offit Bedford, which consists of the real estate and interest in real estate valued at \$2,000. On the grounds of desertion and failure to provide, Rosaline Becker was granted a divorce from Lee Becker, and was permitted to resume her maiden name, Rosaline Christiansen. A man named Kremer tried to drive through Ogden river yesterday and his horse drowned and he himself narrowly escaped.

BANKS' CORRECT STYLES. LOWEST PRICES.



You can see color illustrations of the above, or the "real thing" by going to Banks at 116 South Main street. It's a New York cut that Banks are copying in materials and prices to suit anybody.

rowly escaped death.

The Southern Pacific has found it necessary to put on two more passenger crews, in order to take care of the increased traffic.

It has been decided to open up the Utah theater on the vaudeville line March 23, instead of the 15th, when the Lyric will be opened in Salt Lake City, and the company that plays there the opening week will come to Ogden for a week's engagement.

Announcement was made in this column on Tuesday to the effect that Geo. S. Corlew had resigned his position in the First National bank to go to the Montpelier bank as assistant cashier. This was an error. Mr. Corlew has not resigned, but goes to Montpelier only for a few weeks to take the place of the assistant cashier, who is on a vacation.

PROVO. LEGISLATORS WILL VISIT LAKE

To Inspect Bass Hatcheries—Denise Of Mrs. Mayberry.

Special Correspondence.

Provo, March 8.—Owing to the inability of members of the legislative fish and game committee to leave the capital Friday, a new program for their visit to Utah lake has been arranged for Saturday, when the committee will leave Salt Lake Saturday morning for Geneva. They will be met by the Provo Commercial club committee, and the inspection of the bass hatcheries will be made.

EDUCATORS RETURN.

President George H. Brimhall and Prof. J. L. Brown have returned from an enjoyable trip to Chicago, where they attended the annual meeting of the N. E. A. They visited a number of educational institutions and found much to interest them.

DEATH OF MRS. MAYBERRY.

Mrs. Mary Ann Mayberry died Thursday night at the home of her daughter, Mrs. Giles Holden, at Pleasant View. The deceased was born in Kent, England, June 15, 1836. She emigrated to Australia with her husband, the late Thomas Mayberry, while a young woman. She came to Utah with her family 23 years ago. Her home had since been in Provo, where she was respected in her circle of acquaintances, for her industry and kindly disposition. She leaves three sons and four daughters, and a large number of grandchildren. Funeral services will be held in the Fifth ward meetinghouse Saturday at 2 o'clock.

GARDEN CITY NOTES.

Prof. M. S. Gudmundson's B. Y. U. orchestra concert in the Opera House last night was a great artistic and financial success. George Brooks Fletcher will lecture in the Brigham Young university this evening under the auspices of the B. Y. U. Polygraphical society. Burglars entered the Smoot & Spafford coal company's office Wednesday night by breaking open the door. The cash drawer was taken away for inspection, but it contained little of value. It has not yet been found.

The Provo baseball team played the Payson high school team last night at the Mozart pavilion and won on a score of 31 to 7.

TO PREVENT THE GRIP.

LAXATIVE BROMO Quinine removes the cause of the grip, cures colds, headache and look for signature of E. W. GROVE, Inc.

WESTERN MARKET LETTER.

Special Correspondence. Kansas City Stock Market, March 4.—The moderate run of 1906 cattle today was met by a stronger market, and sales were 6 to 10 cents higher than the close of last week. There has been good for the last 10 days, present prices standing 15 to 20 cents higher than the beginning of last week. The good condition of the result of moderate marketing receipts now running each week about 10 per cent below the same period last year, while the demand is good from all sources. Not many prime fed cattle are coming, although numerous sales last week ranged from 6.00 to 6.25, top today 5.50, bulk of fed steers, 4.50 to 5.50. Heavy cows sold at 4.00 to 4.50, heifers 3.50 to 4.00. Feeder demand has been exceptionally good all along, sales ranging from 4.00 to 5.50, including a few heavy fed cattle lately sold at 4.50, weighing 50 to 1,000 pounds. Stock cattle generally sell above 4.00, bulk of the 4.50 to 5.00. The price of country butchers is very large today. The liberal supply of 3,000 sheep received here last week was readily disposed of without any appreciable loss in price, lambs closing possibly 10 cents lower for the week. There was active at all times, and nothing remained in the pens from day to day. Supply today is 10,000 head, market strong to 10 cents higher, practically all the lambs here selling in 1.20 to 1.45. The San Luis Valley in Colorado is apparently nearly cleaned up for this season, feeders in native territory also showing up very short in the receipts, bulk of the stuff lately from the Arkansas valley and northern Colorado for the supply of sheep and lambs for immediate future. Yearlings sell today at 5.15 to 5.50, with very few scores, but quotable at 5.50 to 5.75, two lots of ewes today at 5.25, range on ewes 5.00 to 5.25.

SOUTHERN IMMIGRANTS.

Those Brought Over by South Carolina Are Legally in the Country.

Washington, March 7.—A statement was issued by the department of justice today concerning an opinion submitted to President Roosevelt by Atty.-Gen. Bonaparte as to whether certain immigrants who are landed in South Carolina last fall are legally in this country. The opinion is that the immigrants were entitled to admission to this country and that they are in the United States legally. This opinion agrees with that rendered upon the same case by Solicitor Paria of the department of commerce and labor. The attorney general holds, however, that under the provision of the recently enacted immigration act, the immigrants in question could have been excluded.

FOR A TWO-CENT FARE.

Springfield, Ill., March 7.—The two-cent maximum railroad fare bill passed the house today.

LEO XIII'S MONUMENT.

Rome, March 7.—According to Signor Tadolin, the sculptor, the monument of Pope Leo XIII. for the Basilica of St. John Lateran, will be finished in 10 days. The body of the late pontiff, he thinks, will be ready to receive the statue.

The only food in which celery forms an important part is

DR. PRICE'S WHEAT FLAKE CELERY FOOD

It acts admirably upon the nervous system. Palatable, nutritious, easy of digestion and ready to eat.

10 cents a package. For sale by all Grocers

ing a blessing. His stature is flanked by figures representing the church morning and kneeling workmen imploring a blessing.

PILES CURED IN 6 TO 14 DAYS.

PAZO OINTMENT is guaranteed to cure any case of Itching, Blind, Bleeding or protruding Piles in 6 to 14 days or money refunded.

WE DO JOB PRINTING and the kind of job printing that everybody wants who wants good work. The Deseret News.

A SHORT MAIZE CROP.

Buenos Ayres, March 8.—The maize crop, according to the statistical office of the ministry of agriculture, will not exceed 1,250,000 tons, instead of 1,500,000. The loss is estimated at nearly \$20,000,000. A company, in which are included French and Argentine interests, has been organized to establish a line of Argentine steamers between this country and Europe.

LISTEN

And remember the next time you suffer from pain—caused by damp weather—when your head nearly bursts from neuralgia, toothache, rheumatism, etc., that I will cure you. A prominent business man of Hempstead, Texas, writes: "I have used your Liniment for neuralgia, toothache, rheumatism, etc., and I am free from these complaints. I am sure I owe this to your Liniment." Sold by Z. C. M. I. Drug Dept., 112 and 114 South Main St.

PARIS LIONIZES AMUNDSEN THE EXPLORER.

Paris, March 8.—Amundsen, the daring Norwegian explorer, who accomplished the northwest passage in his 47-ton Gjøa, spending 19 months of his three years' voyage making observations in the vicinity of the magnetic pole, has been lionized in Paris. President Fallieres

STOUT'S DOWNY CHOCOLATES

THE LOWER MILL CREEK IRRIGATION CO., a corporation, Principal place of business, Mill Creek, Utah. There are delinquent upon the following described stock accounts of assessment for the 35 cents per share, levied on the 15th day of January, 1907, the amounts set opposite the names of the respective shareholders as follows:

Name	Shares	Amount
Allen, Louisa	15	5.25
Anderson, Christine	15	5.25
Anderson, Carl D.	15	5.25
Bailey, Reuben J.	15	5.25
Byrum, Margaret N. D.	15	5.25
Carson, John A.	15	5.25
Carlson, John A.	15	5.25
Cannon, Gertrude	15	5.25
Dedericks, Kate	15	5.25
Perrill, Wm.	15	5.25
Rhodes, John	15	5.25
Hanson, Christian P.	15	5.25
Huckinson, Nephi	15	5.25
Johnson, Richard	15	5.25
Jensen, Jacob	15	5.25
Muir, Joseph D.	15	5.25
Petersen, Carl	15	5.25
Peters, Alfred S.	15	5.25
Pullman, Christine	15	5.25
Rosen, John	15	5.25
Riepen, John	15	5.25
Roden, Mary Ann	15	5.25
Spiers, Adam	15	5.25
Timmer, John W.	15	5.25
Tolhurst, Rennie E.	15	5.25
Waltz, Geo. H.	15	5.25
Winder, Richard	15	5.25

DELINQUENT NOTICE.

So many shares of each parcel of stock as may be necessary will be sold at the office of the company, 70 E. Fourteenth South Street on the 20th day of March, 1907.

Dated March 8, 1907. JAMES M. CARLSON, Secy.

A GOOD PRESCRIPTION.

To relieve a cough or break up a cold in twenty-four hours, the following simple formula, the ingredients of which can be obtained at any drug store, is all that will be required. Virgin Oil of Pine (Pure), one-half ounce; Glycerine, two ounces; good Whisky, a half pint. Shake well and take in teaspoonful doses every four hours. The desired results can not be obtained unless the ingredients are pure. It is therefore better to purchase each separately and prepare the mixture yourself. Virgin Oil of Pine (Pure) should be purchased in the original half-ounce vials, which druggists buy for dispensing. Each vial is securely sealed in a round wooden case, which protects the oil from exposure to light. Around the wooden case is an engraved wrapper, with the name—Virgin Oil of Pine (Pure), (guaranteed under the Food and Drugs Act, of June 30th, 1906, serial number 451), prepared only by Leach Chemical Co., Cincinnati, Ohio—plainly printed thereon. There are many imitations and cheap productions of pine, but these only create nausea, and never effect the desired results. Amundsen goes to the United States this fall.

PHYSIO-THERAPY,

THE NON-DRUG TREATMENT OF DISEASE.

We use all forms of Electricity. Superheated Air, X-Rays, Mechanical Vibration, Electric Light Baths, Massage, Phototherapy, etc. WE TREAT Acute and Chronic Rheumatism, Gout, Acute and Chronic Inflammation of Kidneys, Nervous Diseases, Diseases of the Stomach, Drug and Alcohol Habits, Chronic Invalidism and Cancer by X-radiation. We employ only well-trained attendants.

SALT LAKE SANITARIUM CO.,

TREATMENT ROOMS, 207-210 SECURITY & TRUST BUILDING. OPPOSITE Z. C. M. I.

SATURDAY SPECIALS

19 Pounds Sugar \$1.00

19 Pounds

High Patent Flour	.....\$1.00
Straight Grade	.....90c
2 10-lb. sacks Graham	.....45c
2 10-lb. sacks Corn Meal	.....45c
Violet Oats or Wheat, pkg.	10c
Zest, pkg.,	.....10c
7 lbs. Rolled Oats	.....25c
6 lbs. Navy Beans	.....25c
3 lbs. Lima Beans	.....25c
3 lbs. Macaroni, Spagetti, or Vermecelli	.....25c
7 lbs. Rice	.....25c
3 lbs. Soda Crackers	.....25c
3 pkgs. Oatmeal or Graham Crackers25c
2 lb. pkg. Swedish Health Bread20c
Swedish Toast, 2 lbs.25c

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For Nervous, Over-worked and "Run Down" Women

Women in an exhausted, nervous state, due to over-work, continuous social functions or a general "run down" condition of health, often wonder why tonics and emulsions fail to benefit them. The reason is plain. Tonics and emulsions are good in their place, but they cannot build up the body until the nerves have been toned and quieted.

There's only one remedy that can restore health to women in this exhausted, nervous condition, because it acts directly upon the nerves.

REXALL Americanitis Elixir

is the only remedy of its kind in existence. As its name implies, it's a specific for the peculiar exhausted nervous conditions resulting from the continuous rush and tension under which Americans live. This remedy fills an important gap in the line of medicines.

Rexall Americanitis supplies to the body just those elements which Nature cannot supply in sufficient quantities to meet the unnatural drain upon the nervous system.

Phosphorus in soluble form is the basis of this splendid nerve food. Thousands of women have been saved from nervous prostration by the prompt use of Rexall Americanitis. To all conditions of nervous derangement, exhaustion and debility it brings permanent relief.

75 Cents Per Bottle

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The Rexall Stores

The Story of

REXALL

REX means "king," and the combination makes REXALL "king of all."

We have proven time and time again that Rexall Remedies date kings above all others.

For more than two years an expert travelled all over the world in search of extraordinary remedies. When he heard of a wonderful cure of any nature he did not rest until he personally could see the effect of the prescription used. Where he found the remedy perfect he purchased the prescription, but it was never used as a Rexall remedy until the properties had been thoroughly analyzed by the chemists and physicians of the United Drug Company.

THE END OF THE ROAD

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