

voluntarily abandon the said original entry, and provided further, that if any of the said settlers do not renew their application to be reinstated within a reasonable time to be fixed by the Secretary of the Interior, then all such unclaimed lands shall be disposed of under the public land laws, with priority of right given to bona fide purchasers of said unclaimed lands, if any, and if there be no such purchaser, then to bona fide settlers residing thereon."

THE QUESTION

submitted under this section was: "What class of purchasers is referred to by the expression 'bona fide purchasers of such unclaimed lands?'"

The rights of the several classes to the land referred to in this section are successive in the order stated therein: First in the right, is the homestead or pre-emption settler whose entry has been wrongfully canceled. If he elects to assert his right and has not been disqualified by locating another claim or making another entry in lieu of that erroneously canceled, his right is absolute and the successive rights of the remaining two classes cannot attach, if he lawfully asserts his claim. If he fails to claim the land or is disqualified under the act, the second class of persons who are the bona fide purchasers of the land unclaimed by him attached, have preference over the third class. The bona fide purchasers here referred to are those who, without the knowledge of

WRONG OR ERROR,

have purchased from a railroad company lands which have been previously entered by pre-emption or homestead settlers whose entry has been erroneously canceled, and which land-pre-emption or homestead settlers did not elect to claim after recovery by the proceedings prescribed by the second section of the act.

The second question was: "Can the department, after the adjustment of the grant, issue patent to the purchaser of said land before said land has been re-conveyed by the road or the title recovered by judicial proceedings?" In reply to this, the Attorney-General says: "Until the lands shall have been legally determined to belong to the United States, the right to issue patents under the fourth section does not arise. If the patents should issue under the fourth section before the re-conveyance or judicial recovery under the second, and proceedings should then be instituted to cancel the patent issued to the railroad, in case of a decision adverse to the government, two patents would be outstanding at the same time for the same land."

THE THIRD QUESTION

was in regard to the fifth section of said act, which provides that where a railroad company has sold lands not conveyed to or for the use of such company, and where such lands are for any reason exempted from the operation of said company, it shall be lawful for the bona fide purchaser thereof from said company to make payment to the United States for said land and thereupon the patent shall issue thereon to said bona fide purchaser.

The question submitted under this section is whether the proviso last quoted is confined in its application to lands within the primary granted limits, or whether it applies to land within the indemnity limits, of which the company had made selections, but which has not been approved.

The Attorney General says: "The first section of the act, in the use of the word 'grant,' must have necessarily included both the primary and

INDEMNITY LIMITS

In the adjustment, as it was doubtless intended that the adjustment should be a full and final one. The protection afforded and redress granted the settler by each of the sections is fully as important in the indemnity as in the primary limits, in order that the remedy may be adequate to redress the wrong.

"The word 'grant' in the fifth section must be construed to include, as it does in the preceding sections, both the primary and indemnity limits."

Upon the receipt of the opinion, Secretary Lamar directed the commissioner of the general land office to proceed at once and with as much dispatch as possible adjust all land grants under the act of March 3rd.

Nicholas M. Bell, superintendent of foreign mails, in his annual report says: The

WEIGHTS OF MAILS

conveyed from the United States to foreign countries during the year show an increase in trans-Atlantic mails of 10.15 per cent of letters and 12.35 per cent of other articles. The mails for Central and South American countries show an even more gratifying increase, 19.21 per cent of letters and 20.49 per cent of other articles. In some cases the mails increased more than 200 per cent, notably in the case of Venezuela, where the increase was 206 per cent. As a greater part of the correspondence exchanged with these countries is commercial in its character, says the report, the increase may be rightfully attributed to the increased business relations with them. The cost of the foreign service during the year was \$437,447, of which \$439,036 was compensation for sea conveyance, an increase for the year of \$86,447.

SAN FRANCISCO, Nov. 22.—The French man-of-war Duquesne, which draws 27 feet of water, was successfully docked today at the new stone

dock in this city, which is the largest on the Pacific coast. This is the first practicable test of a large ship on the dock and proves its capacity of receiving vessels of the largest draughts.

NEW YORK, Nov. 22.—Judge Wallace of the United States circuit court has decided on appeal that L. H. Rogers, who was bondsman for signal officer Henry W. Howgate, who absconded from Washington April, 1882, with \$133,000, must make good the amount of the bond, \$150,000.

CHICAGO, Nov. 22.—The Daily News special from Detroit asserts that ex-United States Senator Jones, of Florida, who for some unexplained reason has sojourned in Detroit for two years past, is practically a beggar upon the streets, and but for the charity of a friend would be without food or shelter tonight. The story goes that he has run through all his money and completely exhausted his credit. Leading members of the democratic party, as well as high church officials and others, have repeatedly urged him to go home to Florida, but he will not do it. His mind is undoubtedly affected.

BERLIN, Nov. 22.—The Cologne Gazette has caused a sensation by the statement that the Czar, in his recent interview with Prince Bismarck, learned that he had been deceived in regard to Germany's policy by a forged letter purporting to be from Bismarck. The letter is supposed to be the work of Orleanist intrigues.

On the Czar's arrival at the frontier station of Wierballe, all the approaches were closed even to pedestrians. His route thence to St. Petersburg was guarded by 80,000 men, and the Czar changed carriages several times on the journey.

PATRI, Nov. 22.—The Catholic Assembly of Hungary has voted to present to the Pope an address signed by 1,500,000 men and 86,000 women. The church collections to be presented to the Pope amount to \$85,000. The address favors the restoration of the temporal power to the Pope. It is feared in official circles that the address will make a bad impression in Italy. The semi-official journals protest against the address which they say does not depict the genuine opinion of the Hungarian Catholics. It is likely the ministry will make some explanation on the subject to Italy.

PITTSBURG, Nov. 22.—Governor Beaver today appointed Joshua L. Bailey, ex-Governor Robert E. Pattison, David Scull, Col. Chas. H. Banes and John Wamamaker a committee to wait on President Cleveland and request him to incorporate in his next message to Congress a recommendation for legislation looking to the settlement of international difficulties by arbitration. This committee was appointed in pursuance of a resolution adopted by the peace conference in Philadelphia.

LONDON, Nov. 22.—The general committee of the Liberal Radical Union has resolved to urge all members of the union to oppose further meetings in Trafalgar Square pending a legal decision in the matter.

The annual meeting of the national union of conservatives opened at Oxford today, 1,000 delegates being present. A resolution in favor of

FAIR TRADE

was carried by a large majority. A resolution in favor of the reform of the English Church was adopted unanimously.

A letter was read from Bright referring to his proposal to send the Irish bills to a grand committee composed of Irish members. In the letter Bright says: "The rebel party will not accept this proposal, because they are rebels, and with the rebel Irish members in the House of Commons, the plan would not be allowed to work. Gladstone is committed to the hobby in which the rebel leaders for a time have agreed to join him, and cannot condescend to consider a plan less pretentious, but more reasonable than his. Nothing can be done until Gladstone's bills have been entirely got rid of, and his position

WHOLLY CHANGED.

We cannot allow Gladstone to return to office on his Irish policy. I prefer to join hands with Lord Salisbury and his colleagues rather than with Parnell and his friends, the leaders of the rebellion."

Major Sanderson, in a speech at Nottingham today, declared that Gladstone's statement that the murder of Constable Whelan was a put-up case, was an absolute lie. Gladstone, he said, was at one end of the chain and Patrick Ford at the other.

Gladstone has written a letter to Col. Dopping apologizing for the inaccurate statements he made concerning him in reference to the occurrences at Sweedoc, Ireland. He says he did not mean to impute to Col. Dopping the report of the loaded rifle. Colonel Dopping is satisfied with the apology, and has withdrawn his action against Gladstone.

St. Louis, Nov. 22.—Within the last month the number of fires in this city has been unprecedented and considerable alarm has been felt, as there were no apparent causes for the blazes. It was generally conceded that most of them were incendiary, however. A sharp lookout resulted in the arrest of Henry Vollmer, Frank Hemfield and Guy Dobbell, during a fire in Shulenbury & Boeckle's lumber yard. One of the men made a confession to-day implicating the others and, it is said, indicating that they had been the cause of several other lumber yard fires which have recently aggregated a loss of nearly \$50,000. The investigation for the

crime was that the men tried to get work and were refused. It was thought the anarchists had had a hand in the blazes, but these arrests fix the blame aright.

BERLIN, Nov. 22.—The National Zeitung says: It is reported in medical circles that Dr. Virchow found no cancerous particles in the discharge from the growth in the crown prince's throat. The portion sent to Dr. Virchow, however, was much shaken in transit.

PITTSBURG, Nov. 23.—The application for the removal of the Reading Railroad from the hands of the receiver was made in the United States court this morning. It was granted and the property will be turned over to the company on the second of January. The order includes the Jersey Central and Buffalo, New York & Philadelphia companies.

DUBLIN, Nov. 23.—The News Letter, a Tory organ, says Balfour will be government leader in the House of Commons at the next session of Parliament and Ashmead Bartlett will succeed him as chief secretary for Ireland.

NEW YORK, Nov. 23.—Georgia Fargo, daughter of the late W. G. Fargo, the millionaire expressman, has brought suit against the executors of the estate to compel them to pay her \$40,000 which she alleges they have wrongfully withheld.

NEW YORK, Nov. 23.—The work of getting a jury to try Johann Most was continued today and shortly after noon 12 men had been secured who were satisfactory to both sides. The jury was then sworn.

Assistant District Attorney Nicoll opened the case for the people. The language which the prosecution will endeavor to prove Most as having used is this: "Every person concerned in that tragedy (the hanging of the Chicago anarchists), from the beginning to the end, is marked for destruction."

PARIS, Nov. 23.—It is reported that M. Rebot, member of the Chamber of Deputies for the department of Pas de Calais, will form a new cabinet, among the members of which will be Goblet and Deves.

The Journal des Debats advocates awaiting the result of President Grey's attempt to form a cabinet, but says it is impossible not to see the gravity presented by the prolonged uncertainty which offers the chance of creating a dictatorship or an outbreak and disorder.

DUBLIN, Nov. 23.—The Express says Frank Hugh O'Donnell, ex-vice-president of the home rule confederation, has caused subpoenas to be issued for Parnell and Thomas Power O'Connor as witnesses in his suit against the London Times for £50,000 damages for libel in charging him with being connected with the Phoenix Park murders.

The Express says O'Donnell has notified O'Connor to produce the minute book and ledgers of the Home Rule Federation and National League in his possession, particularly those covering the time spent by Parnell in Kilmainham jail. The Parnellites are furious. Parnell three months ago resolved to cross the sea in November in order to avoid being placed in the witness box.

FREDERICK, Md., Nov. 23.—John H. Bigus, colored, charged with felonious assault on Mrs. Yeakle, an aged white woman, on Friday last, was taken from jail at 1:30 o'clock this morning and hanged to a tree about a quarter of a mile from the prison. Bigus declared his innocence, and said Joe Hall, another colored man, was the perpetrator of the assault. The sheriff denied admission to the masked lynchers, who battered down the doors and took Bigus from his cell. When the place of execution was reached, Bigus asked to be permitted to pray, which was granted. After he was drawn up to a limb of the tree, three pistol shots were fired into his body.

PHILADELPHIA, Pa., Nov. 23.—Strokel, Hart, Burns and Cox succumbed today to the rapid pace being set in the go-as-you-please walking match. The four men withdrew from the race.

CHICAGO, Nov. 23.—Nina Van Zandt, the proxy wife of the anarchist Spies, went to a millinery store with her mother and ordered a mourning bonnet sent to her residence, for "Mrs. N. Spies." Her mother objected to Nina purchasing a heavy veil, but Nina after a few words had her way, and the veil was bought. Miss Van Zandt did not wear mourning at the anarchists' funeral, and the purchase today is the first

public intimation that Nina will wear weeds for August.

NEW YORK, Nov. 23.—John Spellman, the jockey, died at St. Vincent's Hospital this morning. The cause of death occurred in 13th Street during a dispute on Tuesday night last. The affair was not known to the police, so the coroner was not called to take an ante mortem statement. The coroner will investigate.

LONDON, Nov. 23.—At the inquest on the recovered bodies of the victims of the Scholten disaster, the Rotterdam agent of the steamer was notified that there were 214 persons aboard, of whom 89 were saved.

The body of Marcus Wasser, a steerage passenger on the Scholten, was recovered today off Dover.

THE SNAKE RIVER COUNTRY.

An Attractive Region for Industrious Settlers.

A correspondent, "Utah," writing under a recent date, says:

Eagle Rock, which formerly was quite a center of business, now looks quite deserted. The U. & N. shops that were once located there have been removed to Pocatello, and the last piece of the round house is now being taken down as also are all the company's houses, yet the country round about is fast filling up, and trade with the ranchers will keep Eagle Rock quite a town.

Louisville, the first town out of Eagle Rock to the north, is as a ward, presided over by Bishop R. F. Jardine, and the people are preparing to move in from their scattered locations and settle on the townsites. They will then be able to maintain a good school, which is sadly needed now.

THIS IS A BIG COUNTRY

and there is plenty of room for good industrious citizens who wish to obtain homes where there is plenty of land and water, and all such will be welcome.

Six miles to the east of Louisville is located the townsite of Rigby, where the Saints have a ward organization, presided over by Elder Geo. A. Cordon, formerly of Willard, Utah. The community here is made up mostly of young men with small means, and each one is located on his quarter section, perfecting the title to his land. Canals have been made and water brought out and the soil is said to be rich and prolific. There is still land for more good people, and many of the young men in the crowded towns of Utah could greatly improve their circumstances by coming to this locality, where the

GREATEST CAPITAL

needed is muscle and determination. This, coupled with a few years of economy, and they may become wealthy land owners.

The only drawback here is the difficulty of getting building timber, which has to be hauled quite a distance. Yet there are advantages that quite make up for this slight drawback. We invite the good, steady youth, who want homes, to come and examine this country, and then settle in it, and help to grub the sage brush, kill the snakes, feed the mosquitoes and gain an independence.

Arrests in Cache.

On Thursday morning the case of H. Peterson, of Hyrum, was before Commissioner Goodwin in this city. The defendant pleaded not guilty to the charge of unlawful cohabitation. Mrs. Johannah Petersen was examined as a witness, and the examination was waived. Mr. Hammond was defendant's attorney.

On Wednesday Deputy Marshal Whetstone arrested James Peterson, of Petersburg, in this city on the charge of unlawful cohabitation. He gave temporary bonds for his appearance before the commissioner on Friday. On that day he appeared in the commissioner's court and pleaded guilty to the charge. Mrs. Peterson was examined and a few questions were also asked him. Mr. Peterson was bound over in the sum of \$1,000 and Mrs. Peterson in \$200.—Logan Journal, Nov. 19.

Shooting Affray.

What might have been a serious shooting affray was prevented either through excitement or unskilled handlers of guns on the train between American Falls and Minidoka, Idaho, last Wednesday. The particulars as we learned them from a passenger who

came in on yesterday's stage, are about as follows: Some fellow whose name we could not learn, broke into a store in Shoshone last Sunday night and stole two or three pistols, an overcoat and various other articles, and was followed and captured after a hard struggle at American Falls, having been surrounded and shot once or twice before he surrendered. Deputy Sheriff White, of Shoshone, went to the Falls after the thief had started back with him on the regular passenger train last Wednesday. The thief had a pistol concealed on his person when searched which they did not find, and before reaching Minidoka he threw it down on Sheriff White, but he held his finger over the guard instead of on the trigger and did not pull it off. The sheriff immediately drew his gun but neither could he make his pistol work. The two men stood pulling and aiming at each other with women and children aboard screaming and running, until some of the cool-headed passengers disarmed the prisoner. The sheriff then searched him carefully and with the aid of handcuffs safely lodged him in the Hailey jail.—Cassia County Times, Nov. 18.

James Hardy Arrested.

Early this morning, Deputy McLellan arrested Mr. James Hardy, of the Second Ward, and subpoenaed as witness Mrs. Elizabeth Hardy. An examination before Commissioner Hills was held at 10 o'clock, and the case postponed till Saturday, Mr. Hardy being placed under \$1,000 bonds for his appearance at that time. The bondsmen were J. R. Boshard and Thomas Beesley.—Provo Enquirer, Nov. 22.

A SURE CURE FOR THE PILES.

—You need not suffer from this most distressing disease again in all your life. Emaille's Balm acts as a poultice and lubricator, absorbs the tumors and delays the intense itching at once. No caustic, no acid, no pain. A. McGibbons Esq., 19 Poplar street, Allegheny, Pa., writes: "I had hemorrhoids and bleeding piles so bad I could not sit, stand or walk without intense suffering. I doctored with many physicians, and tried all the (so called) cures that I ever heard of, in vain (paying out hundreds of dollars), until I used Emaille's Balm, or Ointment. After the first application I enjoyed the best night's sleep I had for ten years, and two boxes have cured me completely." —Wherever introduced Dr. Emaille's Balm takes the lead, and has the largest sale of any Pile remedy in the world. Sold by druggists everywhere or sent by mail, 50 cent boxes. Address Zion's Co-operative Mercantile Institution, Salt Lake City. d.w. (2)

LEGAL NOTICE.

In the Probate Court of the County of Salt Lake, Territory of Utah.

In the matter of the Estate and Guardianship of Sidney K. Hooper, Minor.

Order to show cause on application of Guardian for Order of Sale of Real Estate.

IT APPEARING TO THIS COURT from the petition this day presented and filed by Lewis S. Hills, James T. Little and Willard Young, the Guardians of the person and estate of Sidney K. Hooper, minor, praying for an order of sale of certain real estate belonging to said ward, and that it is for the best interest of said ward that such real estate should be sold:

It is hereby ordered: That the next of kin of the said ward, and all persons interested in said estate appear before this Court on Saturday, the 3rd day of December, 1887, at 10 o'clock a.m., at the Court Room of this Court, at the County Court House of Salt Lake County, then and there to show cause why an order should not be granted for the sale of such estate.

And it is further ordered that a copy of this order be published at least once a week for three successive weeks before the said day of hearing in the DESERET WEEKLY NEWS, a newspaper printed and published in the City of Salt Lake, County of Salt Lake and Territory of Utah.

Dated Salt Lake City, Utah, this 3rd day of November, 1887.

ELIAS A. SMITH,
Probate Judge.

Territory of Utah,
County of Salt Lake, ss.

I, John C. Cutler, Clerk of the Probate Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of an Order to show cause why order of sale of Real Estate should not be made in the Estate of Sidney K. Hooper a minor, as appears of record in my office.

In witness whereof, I have hereunto set my hand and affixed the Seal of said Court, this 3rd day of November, A. D. 1887.

JOHN C. CUTLER,
Probate Clerk.

By H. S. CUTLER,
Deputy.

Mustang Liniment
MEXICAN MUSTANG LINIMENT. Penetrates the Muscles to the Very Bone. Wonderful! Try it!

Mustang Liniment
MEXICAN MUSTANG LINIMENT should always be kept in House, Stable and Factory. Saves loss!

Mustang Liniment
MEXICAN MUSTANG LINIMENT applied vigorously is death to Swinney, Wind Galls and Sore Backs!

Mustang Liniment
MEXICAN MUSTANG LINIMENT cures Rheumatic Pain, Lumbago, Sciatica, Lame Back, Stiff Joints.

Mustang Liniment
MEXICAN MUSTANG LINIMENT cures all ailments of Horses, Mules and Cattle. Outward treatment.

Mustang Liniment
MEXICAN MUSTANG LINIMENT is death to PILES. OLD SORES, CURED BRUISES and all INFLAMMATION.

Mustang Liniment
MEXICAN MUSTANG LINIMENT conquers SCABIES, SCALDS and BITES and all itching and swelling.

Mustang Liniment
MEXICAN MUSTANG LINIMENT used Vigorously kills every itchy and venereal Humors and Itches.