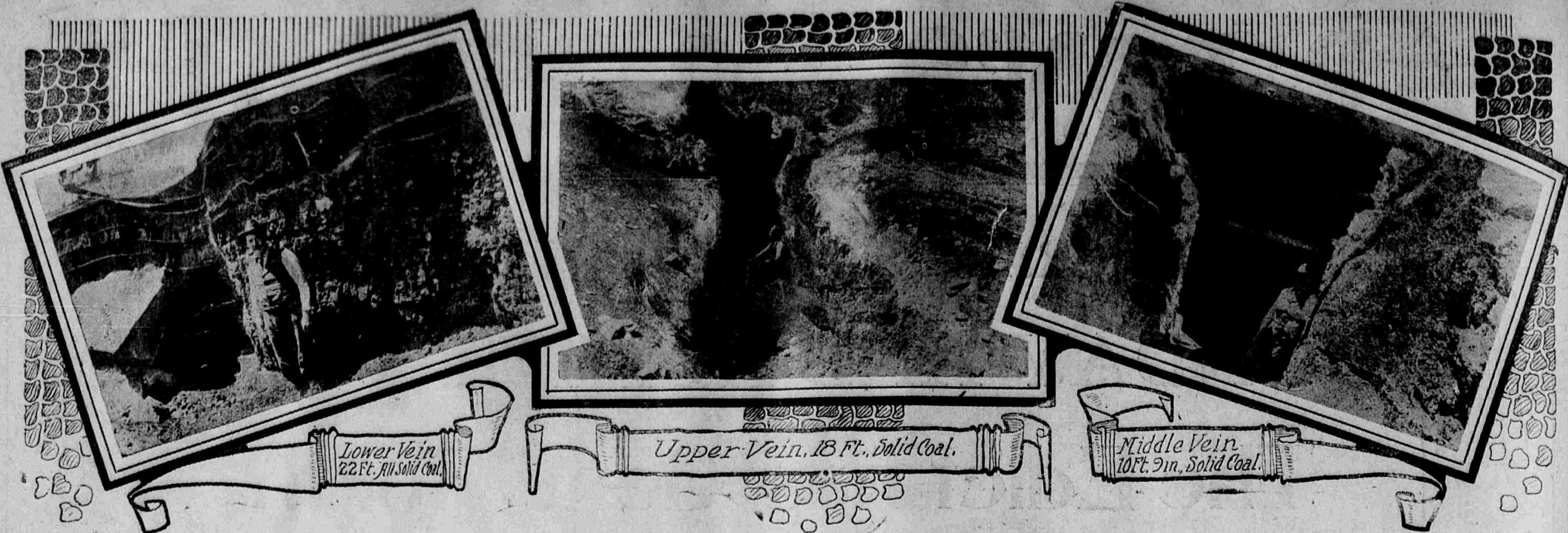


UTAH "AGRICULTURAL" LAND "ALIVE WITH COAL."



ABOVE GROUP OF PICTURES WITH THEIR GREAT FACES AND VEINS OF COAL SHOW HOW FAR THE TRUTH WAS STRETCHED WHEN THE LAND, UNDER OATH, WAS GIVEN AS "AGRICULTURAL IN CHARACTER."

COAL everywhere and not a pound for sale. With a shortage occurring regularly every fall, Utah, Salt Lake and the west is greatly interested in all affairs pertaining to fuel. Persons who have followed these regular events closely for the past few years, and especially close during the past few months, know that Utah and Wyoming coal fields are almost entirely in the hands of the big railroad-coal companies.

There is one great field not owned by them, however. About one mile east of Helper the Independent Coal & Coke company has acquired 160 acres of land which is one mass of the precious black stuff. Pictures showing the immense veins of coal are herewith reproduced. It was this tract that agents of the Utah Fuel company swore was agricultural land.

The recent interstate commerce commission investigation showed just how the big fuel companies acquired big areas of coal land at a lower price than the government's \$20 per acre. They demonstrated clearly how the fuel companies succeeded in evading the law which prohibited a corporation from acquiring more than 640 acres of coal land. The results of these investigations and the ugly facts revealed are things of history.

EVASION OF THE LAW.

It was much easier, the Utah Fuel and other companies found, to file upon land under homesteaders' rights, paying but a small filing fee and some small amount to the "stoopkeepers," "dummys" employed to file upon land, every quarter section. A "dummy" filed upon a certain piece of land, swearing that he had examined it closely and knew positively there was no mineral indications upon it. In short, he swore that it was agricultural land. The land office then granted him title to the property and after sufficient time had elapsed the dummy turned the possession of his property to those who had paid him for swearing to false affidavits. For some amount, ranging from \$1 to \$100, he had said black was white, white that land with coal outcroppings all through it bore no mineral and was in all respects nothing but agricultural land. "Was mine," (his heirs, and will keep fuel from thousands of the "dummys" fees. The coal companies secured small girls as well as men and women to file upon lands in this manner.

SMALL GIRLS FILE.

Interstate commerce commission investigations held in this city resulted in startling disclosures. Girls, not out of their "teens," admitted that they swore to papers they did not read—confessed they had been principals in transactions they knew nothing about. Whole families fled upon land which was promptly turned over to the coal companies when clear title had been secured from the government. Fraud after fraud was perpetrated and no effort was made to bring them to an end. An occasional suit over title would be started and in rare cases honest parties, desirous of acquiring an honest title to coal lands, would win such suits.

SALT LAKERS WIN OUT.

The properties now owned by the Independent Coal & Coke company and situated near Helper, were taken up originally by hirelings of the Utah Fuel company, but a successful contest over titles was filed. W. C. Orem, C. N. Stravell, ex-Mayor Richard P. Morris, and other well known Salt Lake and Utahans, with friends and business partners, now form the Independent Coal & Coke company, which, if it can get anything like fair treatment from the railroads, promises to furnish Salt Lake fuel at a reasonable price. In an interview with a "News" representative some time ago, Mr. Stravell said the land had shown every sign of being coal land and with very little development has shown wonderful veins of rich coal; yet it was "agricultural" lands to agents of the Utah Fuel company.

Outriches with a stomach and taste for lumps of coal might have found the Helper and other districts excellent grazing ground, but just what agents of the coal company intended to raise on their "agricultural" lands was never explained, even during an interstate commerce commission investigation. In a terse resume of the coal land fraud situation with allied af-

airs, William R. Lighton mentions Col. P. S. Sowers as one of the land office agents who worked hard and diligently in spite of "transfers" and "changes" placed in his way while attempting to furnish his superiors with information on the gigantic frauds. This article appeared in the Boston Evening Transcript of last Saturday and excerpts follow:

PART OF VAST FRAUDS.

"The coal land frauds in Wyoming, Colorado and Utah, recently forced upon public attention by the investigations of the interstate commerce commission, are grave enough in themselves; yet are but a fractional part of the vast system of corruption and dishonesty which has prevailed for many years in the administration of the public land laws, with the connivance and active aid of the general land office. There is nothing in the circumstances attending these coal land stealings that distinguishes them in principle from the plundering of the agricultural and grazing lands, the timber lands and the mineral lands of the west. The methods employed have been essentially alike in all cases. The unusual interest which seems to attach to these latest disclosures simply grows out of the fact that the average citizen can connect them a little more directly with his own personal interests than in the other cases. Not the stealing of the lands, but the effect upon the citizen's private coal bill appears to be the quickening fact. These public land thefts have all been cut off the same cloth.

MORE INDICTMENTS DUE.

"Editorial discussion in many American newspapers over this matter indicates a belief on the part of the writers that the recent indictments found in Utah against the Harriman and Gould railway companies, with their officers and agents, were all based upon these land frauds. That is not the case. The Utah Fuel company (a concern subsidiary to the Gould road), was together with some of its officers, indicted for complicity in the land frauds. The other indictments were based upon illegal combinations in restraint of trade in coal. So far as the Utah Pacific is concerned, action by the department of justice will be taken to the land frauds is still to come. This confusion of the facts doubtless arises from the circumstance that the interstate commerce commission's inquiry, while primarily directed to the point of the traffic evils, led almost incidentally to the discovery of the stealing of the lands. How this happened will be told later.

INVOLVES LAND OFFICE.

"No indictments have yet been returned against the Union Pacific Railway company or the Union Pacific Coal company for the land frauds. That vigorous action will be taken at once to this end cannot be doubted by anyone who knows the present temper of the president and the heads of the departments of justice and the interior. Indeed, the power has already been turned on, and the machinery is giving forth the preliminary growling and grumbling of ponderous movement.

CORRUPTION DOMINATES.

"To this day the general land office is dominated by influential interests desiring the continuation of the fraudulent practices. This is notably true in the case of these coal land matters. With full knowledge of all the facts, the general land office has been prostituted year after year, to the furtherance of this gigantic fraud. The officials of the department have gone out of their way to render the preliminary steps easy and safe for the thieves; they have gone far out of their way to hinder and delay all investigation tending to publicity; they have gone out of their way to advance these fraudulent coal land claims to patent, and even, very recently, some of them have put themselves in the strange position of championing and defending the thieves, in the public press, even after the proofs of the frauds were conclusively developed.

EXTENT OF FRAUDS.

"The full extent of the fraudulent coal land segregations cannot be stated accurately at this time. Wyoming has been the center of this industry. In that state, and in Utah and Colorado many thousands of acres of these lands of inestimable value, have been passed from the government to private ownership by means of fraudulent and illegal methods. So far as has been developed the chief offenders are the Utah Fuel company, a Gould concern, with holdings in that state, and the Union Pacific Coal company, an institution subsidiary to the Union Pacific Railway company, whose principal holdings are at Rock Springs, Hanna, Cumberland and Horse- Thief Canyon. The output of the Rock Springs mines (five in number) averages about 6,000 or 7,000 tons per day; the three mines at Hanna have a daily output of 1,500 tons; the three mines at Cumberland, on the Oregon Short Line, produce an average of 4,000 tons per day; the Horse-Thief Canyon properties are new and have not yet

figured as commercial producers. Their capacity is as yet largely conjectural, but they are accounted as amongst the most valuable of all.

USED HOMESTEAD LAW.

"At Diamondville the Rockefeller interests have other producing properties, supplying the smelting plants of the Anaconda Copper concerns at Anaconda and Butte, Mont. These properties were acquired through fraudulent entries under the homestead law. The homestead law was largely used, too, by the Utah Fuel company in acquiring its extensive holdings—four developed mines in Carbon county, Utah; these entries being identical in character with those procured by the outcutter and the lumbermen—all deliberate frauds.

MADE DISCOVERY.

"Two sessions of inquiry relating to coal matters were held in the west by members of the interstate commerce commission. The first, with Commissioner C. A. Prouty presiding, occurred in September last, when testimony was taken at Omaha, Denver and Salt Lake. The primary purpose of this first inquiry was understood to be the discovery of the land frauds existing between the coal-carrying railroads and the coal-producing companies, and acts done by these interests in restraint of trade. In the course of their investigations, however, the attorneys for the commission (J. T. Marchand of Washington, and Elmer E. Thomas of Omaha) unearthed evidence showing the commission of frauds in acquiring the lands from which the coal is produced. This evidence was offered to be submitted to Commissioner Prouty, but was at that time refused by the commissioner, inasmuch as it reflected adversely upon the conduct of the general land office; Mr. Prouty holding that the interstate commerce commission might not be justified in what would seem to be an attack upon a co-ordinate department of the government. The record of the first session, therefore, contained nothing more than a general statement of the facts that the frauds existed.

CREATED GREAT STIR.

"When the report was submitted to Washington, immediately the general land office was up in arms in its own defence. Asst. Commissioner Pollock made occasion to submit to a newspaper interview, in which he characterized the interstate commerce commission's action as 'a piece of impudence,' saying further that the matters pertaining to the alleged frauds had been thoroughly investigated by the general land office, and that the frauds did not exist, except in such cases as were barred by the statute of limitations. Neither of these important statements is true, so that there is no bar either to criminal prosecution or to civil suits for the recovery of the fraudulently acquired lands.

THE METHODS EMPLOYED.

"As has been stated, the Utah Fuel company acquired most of its properties in Canyon county by means of procured violations of the national homestead act. The fraud was rendered more difficult for their beginning. In this region there were known to be immense areas of land valuable only for their coal. Not by the farthest stretch of fact could they be properly rated as farming lands. Yet the company's hirelings entered them as homesteads, and made proofs and secured patents upon this entirely fictitious basis. The fraud was rendered possible and comparatively safe by a

ruling of the general land office, to the effect that no lands were to be designated officially as 'coal lands' unless there was an actual surface outcrop of coal, or unless the coal deposits had actually been developed by mining operations on a particular quarter-section. The fact of mining operations in the neighborhood, or even upon a tract immediately adjoining, was not permitted to influence the rating of a tract desired to be entered as 'agricultural land' under this ruling. The fact that the entire area had been designated by experts and surveyors as coal lands was equally a trifle. The fact that officials of the general land office had actual personal knowledge of the real character of the lands was apparently an unimportant circumstance. If the valuable coal deposits actually known to exist on a given tract did not show a surface outcrop, the tract was 'agricultural,' and might be entered as such. Protests based upon the fact of the coal deposits were uniformly unavailing. Under such friendly ruling, the coal company found it very much cheaper to acquire its properties by means of homestead filings than by purchase as coal lands. The homestead filing cost but a nominal land office fee, besides the bonus paid to the hired entryman, whereas the purchase of a coal land quarter-section from the federal government costs \$3,200. This was apparently the motive, too, for the homestead frauds at Diamondville, above referred to.

ABUSED STATE'S GRANT.

"The Utah plundering was effected through a flagrant abuse of the provision of the state's enabling act, which ceded to the state a large slice of the public domain within its borders. Only agricultural lands were to be included in the grant; and these were to be yielded to the state from time to time as state officials might designate their character of tract being subject to approval by the general land office, as falling within the legal requirement.

"The Utah Fuel company, having determined upon these tracts to be desired title, proceeded to have these lands entered by hired homesteaders; whereupon they were set apart to the state as a part of the grant of farming land, and the coal company got its title on the strength of the perjured showing made by its hirelings, through patents from the state.

HOW COAL SOWERS WORKED.

"The frauds became a matter of common knowledge in Utah. Nor was there any lack of knowledge of the facts at Washington. One of the special agents of the land office in that field was Colonel Percy Sowers, who, like the others of the special agents'

corps, was charged by law with the duty of investigating and reporting to the commissioner whatever evidences of violations of the land laws might be discovered. Colonel Sowers had a very literal understanding of this duty, apparently; for, at frequent intervals in the years following 1900, he made many detailed reports of the frauds then being practised by the Utah Fuel company, in connection with these state land selections. The register of the local land office at Salt Lake, Major Hobbs, possessed of an equally old-fashioned sense of duty, likewise made reports upon these matters to the commissioner, corroborating Colonel Sowers' findings in many particulars, besides offering much additional information. The attorneys for the interstate commerce commission secured evidence that twenty-five or thirty of these official communications, all bearing upon these matters, had been addressed to the general land office, presenting the facts and asking instructions.

AGENTS "TRANSFERRED."

"So far as has yet appeared, these communications elicited absolutely no official action by the general land office, looking toward the redress of past evils or the prevention of like abuses in the future. Two or three times, while he was following his investigations, Colonel Sowers was taken from his work and transferred to other territory—a practice all too common in the conduct of the general land office toward its field men who show a disposition to pernicious activity in certain neighborhoods. In the early stage of the Nebraska investigations, John Mosby was 'transferred.' Sowers was 'transferred.' Meyendorff and many others have been 'transferred' from Wyoming. There has always been an easy but scandalous method of aborting investigations by competent men.

LAW OFFICE IDLE.

"Colonel Sowers' repeated transfers came at times when his activity on the Utah Fuel company cases was greatest. Notwithstanding his reports and the evidence he submitted, no action was taken until a few weeks ago, when the interstate commerce commission—then 'impertinent' co-ordinate branch—turned up and placed in the hands of the district attorney for Utah a mass of evidence which enabled a grand jury to return criminal indictments for some of these very frauds. 'Meanwhile, inaction on the part of the general land office, and easy indulgence of the methods whereby the state selections were made, has resulted in passing to the Utah Fuel company title to approximately 20,000 acres of the most valuable coal lands of the west. By mere lapse of time, with no steps for recovery, some of

these lands have been irrevocably lost to the government by the statute of limitations."

Generous.

Customer: What? Fifty cents for that chicken? Don't you take anything off? Butcher: No, sir, no, sir, not even a leg. I am willing you should have it all.—Trans. lated for "Transatlantic Tales," from Megensioffer Blatter.

Tin-Can Making at Marselle.

Consul-General R. P. Skinner reports that there are a number of manufac-

turers of tin boxes and cans in Marselle, the demand being considerable among French oil and fruit packers and others. Most of these factories are small affairs, doing the work by hand and the field is not uninviting for American manufacturers of can-making machinery. American machinery of this kind is very highly regarded at Marselle, although not in general use. One important oil manufacturer has recently purchased the most modern American machinery and is highly pleased with the results obtained. (The tin can and cork factories at Marselle are located at the bureau of manufactures.)

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