

LAND REVIEW.

Secretary's Decision—Consistency Therein—Intention the Foundation—Entries in Good and Bad Faith—Ignorance Respecting Legal Requirements.

Editor Deseret News:

It would appear to the casual reader of decisions by the Secretary of the Interior in cases of pre-emption and commuted homestead entries, that very little regard to consistency, reason or logic is exercised in their preparation; but to the careful, analytical reader, it is quite evident that the decisions are the result of thorough examination of the smallest details and that every circumstance connected with each particular case is carefully weighed and has a bearing upon the conclusion reached.

In some cases the greatest clemency appears to be shown to persons who have, as would appear from a casual examination of the proof offered, been absent from their claims for periods of great length, and whose improvements are of the most meagre character. In others, where absence from the claims have been of short duration and where improvements to the value of hundreds of dollars have been placed upon the land, the decisions seem very harsh and to go to the limit of the law in the severity of the requirements made.

Take two such cases and examine carefully the proof in each. It will be found that the intention of the entryman, as evidenced by his acts and the circumstances in the cases respectively, is the foundation upon which the Secretary's action rests. The intention to use the land for the actual purposes of a home is what constitutes faithful compliance with the spirit of the pre-emption and homestead laws, and the settler who because of poverty, sickness or other misfortune is unable to place valuable improvements or be continuously personally present upon his claim, may—and generally does—have a more earnest desire and honest intention to secure the land for an actual home for himself and family than the man well-to-do in the world who, by reason of his better financial circumstances, good health and other advantages, is able to place valuable buildings upon and cultivate extensive acres of his claim, while he sits back and forth between some favorite resort and the land covered by his entry, as fancy dictates, having no actual, bona fide residence upon the claim, but still being personally present thereon a greater number of continuous days than his (as the world sees them) less fortunate neighbor. One is struggling in the face of poverty, sickness and distress to acquire a little land which he may call his own, upon which his family may live as a home and cease to be wanderers upon the face of the earth, while the other is endeavoring to secure title to a tract of public land for purposes of speculation that the fatness of his purse may become increased. The former can do but little in the way of improvement, while the latter knows that for every dollar he expends upon improving his claim he will receive three in the near future.

The well-to-do are not the only class who attempt (often successfully) to acquire title to public land by mere compliance with the words of the statute while ignoring the spirit. The poor and needy often go and do likewise: sometimes as private speculators and as the paid agents of rich men who profit by their unlawful practices. It is this ferreting out of intention and judging accordingly that gives to the Secretary's decisions an air of inconsistency, and while it will be impossible to ascertain beyond a doubt in every case the intentions which prompt men's actions, it is fair to presume that the decisions are usually correct, never without reason, and where a reasonable ground for doubt appears respecting the intention of a settler, the settler always receives the benefit thereof.

HENRY N. COPP.

A MILLER

Supposed to have Skipped the Country.

FARMINGTON, August 23, 1888.

Editor Deseret News:

On Saturday, the 25th, inst., Edward Mayer, a miller by occupation, borrowed of J. E. Robinson a mare and saddle to go to Salt Lake City, agreeing to be back early that afternoon. As he failed to put in an appearance at the time agreed on or on Sunday or Monday, his wife, a young lady to whom he has been married about six months, went to Salt Lake in company with a friend to make inquiries about him and learned that he hadn't been to any of the places at which he had said he would call, nor could they find any trace of him. He drew \$50 from Coombs & Woods the night before he left and it is now found that he has left the country. He is a German by birth, about 5 ft. 8 in. in height, of medium weight, about 35 years old, has a dark mustache, a beard of about two or three weeks' growth. I think a few of the prominent teeth out. He talks a little odd, pausing between words, and is an inveterate smoker. He came from Payson about four months ago. He had been running a flouring mill there.

The mare is an iron gray, five years old, about 14 hands high, weighs 880

pounds and is in good condition. Let all beware of such a person. The officers of Salt Lake City and of the different counties should be on the lookout for such a man and horse, and if found arrest, and notify Joseph Barton, prosecuting attorney of Davis County.

SANPETE PROBATE JUDGE.

A Good Word for the Nominee of the President.

Editor Deseret News:

An article in the editorial columns of one of your Salt Lake daily contemporaries of the 24th inst., calls for some comment, because, in our opinion, injustice is done the presidential nominee for Probate Judge of Sanpete County. The article in question is headed "The Probate Judges," and after congratulating the President on his nomination, makes use of the following language: "The appointee for Sanpete County is notably a most undesirable and unwelcome one to nine-tenths of the population of that thrifty department of the Territory. Jacob Johnson is a lawyer of some little ability, a United States Commissioner, a rank republican and a bigoted Liberal. His popularity is nil and his capability questionable."

Now, with regard to the first assertion, instead of the nominee being an undesirable and unwelcome one to nine-tenths of the inhabitants, the people have all along felt that if after asking by petition for the appointment of one of their own political faith, and it not being granted, then the present nominee would be their unqualified choice, and this on account of his ability as a lawyer, for his fair and impartial conduct as a United States Commissioner, for his fair conduct in word and act as a partisan, and his permanency as a resident and builder of the county.

We speak from a personal acquaintance of a business nature of over 15 years with the gentleman in question, and subscribe our names to this, believing that we but echo the sentiments of all fair minded citizens of this county, and will hold ourselves bound that as Mr. Johnson holds, or will hold, the office by legitimate appointment of the chief magistrate of the nation, he will meet with nothing but respect from the citizens and his brother officers during his official tenure.

We courteously ask you, in justice to Mr. Johnson, and the citizens of Sanpete County, to give this a place in your paper.

Respectfully, etc.,
P. W. MCFARLANE,
Probate Judge.
JOHN CARTER,
WILLIAM LUKE,
JAMES METCALF,
Selectmen.
JOHN REID,
Clerk and Recorder.
WILLIAM K. REID,
County Attorney.
JENS P. LARSEN,
Sheriff.

MANTI, August 25, 1888.

Other Premiums.

The following additional prizes for the fair have been offered:

SALT LAKE CITY, Aug. 28, 1888.
H. M. Wells, Esq., Secretary D. A. & M. Society:

Dear Sir—I take pleasure in offering a special premium to be awarded at the coming fair by such committee as your board of directors may appoint: For the best essay on "How to sell goods," the sum of \$25 (cash), the manuscript to be delivered to me after the award is made.

Very truly,
SPENCER CLAWSON.

DEVREUX HOUSE, Salt Lake City, Aug. 28, 1888.

H. M. Wells, Esq., Secretary D. A. & M. Society:

Sir—I beg to inform you that I will give a special premium to be awarded at the coming Territorial Fair: For the best specimen of needle work by a Utah girl fifteen years old or under, a gold medal.
For the best essay or "How to get a good living," by a Utah boy seven years old or under, a gold medal.

Very respectfully,
PRISCILLA JENNINGS.

BUCKLEN'S ARNICA SALVE.

THE BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetters, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box.

For sale by A. C. Smith & Co.

RICHLY REWARDED

are those who read this and then act; they will find honorable employment that will not take them from their homes and families. The profits are large and are now making several hundred dollars a month. It is easy for any one to make \$5 and upwards per day, who is willing to work. Either sex, young or old; capital not needed; we start you. Everything new. No special ability required; yet, greater, can do it as well as any one. Write to us at once for full particulars, which we mail free. Address: Sisson & Co., Portland, Maine.

MULTIPLICATION AND DIVISION

Cards, a home invention by D. C. Wray, by which games very fascinating to young people may be played and learned in the easiest and most ready way possible. Only 40 cents per pack at the DESERET NEWS office. A liberal discount to wholesale purchasers.

BROWN'S BLACKBERRY AND GINGER

Acknowledged to be the best Remedy for Diarrhoea, Dysentery and all Bowel Complaints.

It Contains the Active Medicinal Virtues of Jamaica Ginger and Blackberry Roots, Combined with Aromatics, making it an Agreeable, Safe and Effectual Remedy.

Thousands will Testify to the Great Relief from its Use.

TRAVELERS WILL FIND IT VALUABLE

To Prevent Derangement of the Bowels from the Use of Impure Food and Water.

Z. C. M. I. Drug Store General Agents. ds&w

NOTICE TO CREDITORS.

In the Probate Court of Iron County, Utah Territory.

In the matter of the Estate of Edward H. Davis, deceased.

NOTICE IS HEREBY GIVEN BY THE

undersigned, administrator of the Estate of Edward H. Davis, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within four months after the first publication of this notice, to the said Administrator, at his place of business, in Summit, Iron County, Utah Territory.

ALEXANDER DAVIS,
Administrator of the Estate of Edward H. Davis, deceased.
Dated at Summit, July 30th, 1888. w44

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One dun or mouse colored HORSE, about 7 years old, branded  on the left thigh.

If damage and costs on said animal be not paid within fifteen days from date of this notice, he will be sold to the highest cash bidder, at the estray pound in Chester, at 1 o'clock p. m., on the 4th day of September, 1888.

Dated at Chester Precinct, Sanpete Co., Utah, this 20th day of August, 1888.
CHRISTEN CHRISTENSEN,
Poundkeeper of said Precinct.

SUMMONS.

In the District Court in and for the Third Judicial District of Utah Territory, County of Salt Lake.

Michael J. Forhan, Plaintiff,
vs.
Maggie C. Forhan, Defendant.

The people of the Territory of Utah, send greeting:

To Maggie C. Forhan, Defendant:

YOU ARE HEREBY REQUIRED TO

appear in an action brought against you by the above named plaintiff in the District Court of the Third Judicial District of the Territory of Utah, and to answer the complaint filed therein within ten days (exclusive of the day of service) after the service on you of this summons—if served within this county; or, if served out of this county, but in this district, within twenty days; otherwise within forty days—or judgment by default will be taken against you, according to the prayer of said complaint.

The said action is brought to have a decree of dissolution of the bonds of matrimony between him and said defendant upon the ground that in the month of September or October, A. D. 1884, said defendant without sufficient cause or provocation, deserted said plaintiff, and has since that time studiously and persistently concealed her whereabouts and address from said plaintiff, and has refused and still refuses to return to and live with said plaintiff, though often by him requested so to do.

And you are hereby notified, that if you fail to appear and answer the said complaint as above required, the said plaintiff will apply to the Court for the relief demanded therein.

Witness, the Hon. Charles S. Zane, Judge, and the Seal of the District Court of the Third Judicial District, in and for the Territory of Utah, this 11th day of July, in the year of our Lord one thousand eight hundred and eighty-eight.
HENRY G. McMILLAN, Clerk. w4w

[SEAL]

CEFFEL'S IMPROVED TURBINE MINING WATER WHEEL



These wheels are designed for all purpose where limited quantities of water and high heads are utilized, and are guaranteed to give more power with less water than any other wheel made.


Estimates furnished on application, for wheels specially built and adapted to suit any particular case. Fine illustrated catalogue sent free. Address the Manufacturers,

JAMES LEFFEL & CO.,
SPRINGFIELD, OHIO.

ESTRAY NOTICE

I HAVE IN MY POSSESSION:

One black HORSE, 4 years old, branded  on right thigh, and  on right shoulder, white strip in face, three white feet.


One iron gray MARE, 3 years old, branded  on left shoulder.

If the above described animals are not claimed within 15 days, will be sold on the 10th day of September, at 2 o'clock p. m., at my corral.

T. W. CROPPER,
Precinct Poundkeeper.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:


One bay MARE, 12 years old, with young Colt, branded  on left thigh, with saddle marks.


If damages and costs on said animals be not paid within 15 days from date of this notice, they will be sold to the highest cash bidder, at Enterprise estray pound, at 1 o'clock, on the 1st day of September, 1888.


Dated at Peterson Precinct, Morgan County, Utah, this 18th day of August, 1888.
J. W. OVARD,
Poundkeeper of said Precinct.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One brown MARE, 4 years old, spot in forehead, both hind feet white, branded  on right shoulder.

One yellow HORSE, 9 years old, saddle marked, branded  on left thigh.

One roan HORSE, 3 years old, four white feet, white on tip of nose, branded  on left thigh.

If damage and costs on said animals be not paid within fifteen days from date of this notice, they will be sold to the highest cash bidder, at the Nephi estray pound, at 10 o'clock a. m., on the 6th day of September, 1888.

Dated at Nephi Precinct, Juab Co., Utah, this 23d day of August, 1888.
PETER SUTTON,
Poundkeeper of said Precinct.

A FRIGHTFUL SKIN DISEASE.

Sufferings Intense. Head nearly raw. Body covered with Sores. Cured by the CUTICURA Remedies.

Messrs. STEVENS & BRUNER, Monroe, N. C.

Dear Sirs,—About two months ago, on your recommendation, I bought a bottle of CUTICURA RESOLVENT, one box CUTICURA SALVE, and one cake of CUTICURA SOAP, for my son, aged thirteen years, who has been afflicted with eczema for a long time, and I am pleased to say that I believe the remedies have cured him. His sufferings were intense, his head being nearly raw, his ears being gone except the gristle, and his body was covered with sores. His condition was frightful to behold. The sores have now all disappeared, his skin is healthy, eyes bright, cheerful in disposition, and is working every day. My neighbors are witnesses to this remarkable cure, and the "curing ones are requested to call or write me, or any of my neighbors.

WM. S. STEPHENSON,
WINCHESTER P. O., UNION CO., N. C.

MONROE, N. C., Oct. 23, 1887.

THE POTTER DRUG AND CHEMICAL CO.,
Gentlemen,—Mr. Wm. S. Stephenson of this county brought his son to town today to let us see him, and to show us what CUTICURA REMEDIES had done for him. This is the case referred to in our letter to you some time ago. To look at the boy now, one would suppose that there had never been anything the matter with him,—seems to be in perfect health. We have written and herewith inclose what his father has to say about the matter,—wrote it just as he dictated.

We are selling quite a quantity of CUTICURA REMEDIES and hear nothing but praises for them. We regard the CUTICURA REMEDIES the best in the market, and shall do all we can to promote their sale.

Yours truly, STEVENS & BRUNER,
Druggists and Pharmacists.

CUTICURA, the great skin cure, and CUTICURA SOAP prepared from it, externally, and CUTICURA RESOLVENT, the new blood purifier, internally, are a positive cure for every form of skin and blood disease, from pimples to scrofula.

Sold everywhere. Price: CUTICURA, 50c.; SOAP, 25c.; RESOLVENT, \$1. Prepared by the POTTER DRUG AND CHEMICAL CO., Boston, Mass.

Send for "How to Cure Skin Diseases," 64 pages, 50 illustrations, and 100 testimonials.

PIMPLES, black-heads, red, rough, chapped and oily skin prevented by CUTICURA SOAP.

WEAK, PAINFUL BACKS,

Kidney and Uterine Pains and Weaknesses, relieved in one minute by the Cuticura Anti-Pain Plaster, the first and only pain killing plaster. New, instantaneous, infallible. 25 cents

A SURE CURE FOR THE PILES.

—You need not suffer from this most distressing disease again in all your life. Email's Balm acts as a poultice and lubricator, absorbs the tumors and allays the intense itching at once. No caustic, no acid, no pain. A. McGibbons Esq., 19 Poplar street, Allegheny, Pa., writes: "I had itching 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 Email's Magic 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. Email'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)

DEAFNESS

its causes, and a new and successful Cure at your own home, by one who was deaf twenty-eight years. Treated by means of the noted specialists without benefit. Cured himself in three months, and since then hundreds of others. Full particulars sent on application.

T. S. PAGE, No. 41 West 31st St., New York City. de&w

PLANER FOR SALE.

A SECOND HAND SURFACE PLANER, in good working order, for sale cheap at TAYLOR, ROMNEY, ARMSTRONG CO. WASH.

FOR SALE!

MARRIAGE LICENSES, SUCH AS THE late Territorial law requires Probate Clerks to issue in case of every marriage performed, to be obtained in any quantity at the DESERET NEWS OFFICE.

CONSUMPTION CURED

AND LUNG AFFECTIONS

Former Treatment. A late discovery by a celebrated German Physician. In a POSITIVE remedy in Every Stage. Treatise sent FREE to any sufferer. Dr. W. F. G. Noetting & Co., 141 East Hampton, Ct.

I CURE FITS!

When I say cure I do not mean merely to stop them for a time and then have them return again. I mean a radical cure. I have made the disease of FITS, EPILEPSY or FALLING SICKNESS a life-long study. I warrant my remedy to cure the worst cases. Because others have failed in no reason for not now receiving a cure. Send at once for a treatise and a Free Bottle of my infallible remedy. Give Express and Post Office. It costs you nothing for a trial, and I will cure you! DR. E. O. ROOT, 115 Pearl St., N. Y.

GRAEFENBERG PILLS.

These PILLS act with great mildness, and may be taken at any time with benefit.

They cure all forms of Malarial Diseases and Fevers, and should be used to stimulate the Liver and Kidneys to healthy action. They are invaluable for Headache, Biliousness and Bowel Complaints.

SOLO BY DRUGGISTS, 25CTS. PER BOX.

Graefenberg CHILDREN'S PANACEA.

Best Medicine for Children. 50 cents per bottle.

CRAEFENBERG CO.,
111 Chambers St., N. Y.

