

as it was an error in memorizing my son's phraseology. A most cursory glance at my letter will show that climate is not treated by me topically, but mentioned merely incidentally, in common with the general narrative of travel, etc. I further state that in nearly all of my son's letters he speaks in the highest terms of praise of the hospitality of the people of the Southern States, he never having passed a single night in the open air, nor having gone without a single meal.

Yours, CHARLES D. EVANS.

LAND SUIT AGAINST THE U. P.

A suit of exceptional interest was filed in the Third district court Thursday, June 21, by District Attorney Judd, bearing the signature of Attorney General of the United States Richard Olney.

Its title is the U. S. of America, plaintiff, vs the Union Pacific railroad, Oliver W. Mink, E. Ellery Anderson, F. R. Couderd and John W. Doane, receivers, and the Union Pacific Coal company, a corporation.

The complaint which is very voluminous, sets forth that by the act of Congress approved June 2, 1874, it was provided that in the adjustment of all railroad land grants, whether made directly to any railroad company or to any state for railroad purposes, if any of the lands granted be found in the possession of an actual settler whose entry or filing had been allowed under the pre-emption or homestead laws of the United States subsequent to the time at which, by the decision of the land office, the right of such road was declared to have attached to said lands the grantees upon a proper relinquishment of the lands so entered or filed for should be entitled to select an equal quantity not mineral and within the limits of the grant, not otherwise appropriated at the date of selection to which they should have received title to same as though originally granted. Next it is set forth that the line of this defendant railroad company, in the land districts hereinafter described, was definitely fixed on Oct. 24th, 1864, in the Neligh land district of the State of Nebraska, and on April 28th, 1869, in the Salt Lake land district of Utah Territory; and plaintiff avers that at the times of such fixings of the line there was included under the apparent grant of the act of Congress of July 1st, 1862—first, the sixth principal meridian; second, the Salt Lake meridian. (These lands are described in the complaint in detail.) It is then averred that although such lands were apparently within the grant made by Act of Congress, such was not the real fact; but that, on the contrary, they all had been long prior to the time of location "sold, reserved, or otherwise disposed of by the United States" or "pre-emption and homestead claims had attached thereto;" they were excepted out of said grant and did not pass thereby to the defendants. (A list of the entries on the respective tracts is given in full.) Notwithstanding (says the complaint further) the facts stated, and which it is alleged were well known to the railroad company, said company declared that said lands had been, upon investigation, found to be in the possession of

the actual settlers whose entries or filings had been allowed under pre-emption or homestead laws subsequently to the time at which the defendants' line of road had been definitely located, made claim and procured from plaintiff, under the act of June 22, 1874, a patent for other lands in lieu of those heretofore described. Said patent was issued by plaintiff August 1, 1878, and conveyed therein certain (described) lands in Summit county, Utah.

It is next stated that the issuance of such patent was done through inadvertence and mistake on plaintiff's part, and without any consideration whatever on the part of the defendant company; that the lands so selected were not subject to selection under the laws of the United States, that the defendant company has been requested to surrender the patent and reconvey the lands aforesaid to plaintiff, in accordance with the Act of Congress entitled "An Act to provide for the adjustment of land grants made by Congress, to aid in the construction of railroads and for the foreclosure of unearned lands, and for other purposes" (approved March 3, 1887), but has refused and still refuses to comply with the demand. Plaintiff is further informed and believes that subsequent to the delivery of said patent the defendant railroad company conveyed by deed some interest in a portion of the lands in controversy to the defendant Union Pacific Coal company.

Hence it is prayed that said patent be adjudged to have been issued to the railroad company without authority of law and to be void; that defendants be required to surrender the same for cancellation and to reconvey the land to the United States; that the U. P. Coal Company be required to set forth all and singular whatever interest it may claim to have in any of the lands, and that whatever conveyances or reconveyances have been made to them be declared null and void; that if any of the said lands have been so conveyed or alienated as to put it beyond the power of this court to compel a reconveyance to plaintiff, then a decree is prayed for against the defendants for the full value of the lands in money by way of compensation.

WEATHER AND CROPS.

Unusually cool weather until the 16th prevented last week from being real favorable to general growth. Heavy frosts, 11th to 14th, in the northern valleys and the more elevated southern ones, cut down potatoes, corn, beans, tomatoes, etc., that had already been once nipped by the frosts of the previous week. The northern section has not suffered from lack of rain this month, and last week had small showers. But the drought in the south has not been broken, up to date, by the scanty showers that have fallen. The streams are very low and water for irrigating scarce.

Grain, alfalfa and grass are now the most promising crops. Cutting and curing the first crop of alfalfa has been the principal farm industry of the week. The yield will not be uniformly large, and the second crop will probably be short. The northern counties, especially Weber, are

even surpassing past records with an immense yield of strawberries. Grasshoppers have become numerous and destructive in parts of Weber, Utah, Sanpete and Sevier counties. In the neighborhood of Dover they are mowing down the wheat, while farmers are trying to destroy them by fire. Apricots are ripe, and early apples are ripening in Washington county. Potatoes there will be almost a failure.

Box Elder—Highest 85; lowest 33. Rain, 10th-11th. Snow, morning of 11th, three inches at Yost. Frost on 11th, destroying considerable truck.

Cache—Past week very good for grain, especially fall wheat. Frost on the 14th damaged beans, potatoes, corn, and other tender vegetables.

Rich—Past week was cold and windy. Lucern, clover and potatoes damaged by frost on the 14th. Grain promises well; also hay. Highest 81; lowest 25.

Morgan—Rain on the 13th. Frost that night froze all tender plants; also lucern. Potatoes are just recovering from the frost. Hay will be a very good crop.

Summit—Heavy frost, 14th, destroyed fruit, some potatoes and other vegetables. Grain is very poor, but grass crop never looked better.

Wasatch—Highest 84; lowest 30. Crops not frozen look fine. Grass heavy. Lucern will soon be ready to cut. Garden truck is a sorry sight.

Weber—Grain is all right. Haying is over at Uintah. The strawberry crop is immense. Some hay hauled, keeping farm hands fully employed.

Davis—Fine for all crops. Haying in progress; yield above the average.

Salt Lake—Half of the lucern cut. Rain on 19th damaged it some. Spring wheat booting and heading very fast. Lucern ready to haul.

Tooele—Lucern cutting general, but conditions unfavorable on account of wind. Hail on 19th, which may have damaged wheat. Lucern part blighted.

Utah—Nearly all the first crop of lucern is cut. Crop not heavy. Corn and potatoes are doing well. Grasshoppers numerous in neighborhood of Spanish Fork. Can be killed by spraying them with coal oil or Paris green. Night of 18th a fine rain. Some lucern down.

Juab—Fair growing week. Rye commenced to ripen. Both winter and spring wheat never promised better. Rain on the 19th.

Sanpete—Highest 85; lowest 89. Light frost every night. Lucern being cut. Grasshoppers destroying grain around Dover. Farmers hauling loads of dry straw into the fields, and burning thousands of bushels of grasshoppers.

Millard—Frosty nights, stopping growth. Rain on morning of 19th doing much good to growing crops, but damaging much hay. Water holds out.

Sevier—Frosts about every night, but do not hurt. Grain looks splendid. Water is falling fast. Grasshoppers are numerous.

Grand—No precipitation nor cloudy weather during last week. The sandstorm of 10th-11th cut of young vegetation; injured grapes.

Garfield—Crops at Losee are a failure. Water is all dried up. Surrounding towns have plenty of water, and crops look fine.