The Miner.

Respective Rights of Miners and Farmers to Public Lands.

The San Francisco *Bulletin*, of a recent date, contains the following letter from the Commissioner of the General Land Office, on the above subject. It contains much valuable information for miners and farmers, and "covers the ground" in Arizona, as well as in California:

DEPARTMENT OF THE INTERIOR,
General Land Office, Sept. 15, 1868.

George Stonehouse, Grass Valley, Nevada County, California.

Sir—Your letter to Senator Cole has been referred to this office, containing your remaks about the effect of our "mineral instructions" upon those connected with agricultural interests in California.

The miners and farmers are so mutually dependent upon each other in California that considerations of interest alone should be sufficient to prevent any rivalry beyond that incident to the advancement of their respective interests. Without the miners the farmers of California would have but an indifferent market for their produce, and, in the absence of the agricultural element, the necessaries of life could be obtained only at exorbitant prices, impairing the welfare, not of the miners only, but of all classes. Hence, a community of interest should create a community of feeling, and all should alike strive to promote the lasting prosperity, the real glory of your truly wonderful State. The true policy of the United States is, as you remark, to sell all its public lands, farming and mineral; and that is precisely what the Government is endeavoring to do through this office.

It has two classes of land, one *agricultural*, to be disposed of at the legal minimum price per acre, under the pre-emption, or for mainly a *labor* consideration under the Homestead Law; the others at $5 per acre under the Mining Statute; and it is disposed of as rapidly as circumstances will allow.

You speak of the hardship of permitting miners to go upon land which agricultural settlers have bought, and dig up their orchards, gardens and grass lands, and rob them of their titles. You do not state upon what class of lands such trespasses have been commited; whether upon mineral or farming lands; whether upon lands subject to settlement under the preemption or homestead laws, or upon those subject to occupation only as mining lands.

If the land was bought from the United States, it is sufficient to say that no one, whether miner or another person, has a right to trespass upon it in that or any other way; nor can a settler be robbed of any title he has obtained from the United States. You probably have reference to the purchase of the *possessory* claim of a prior settler upon unsurveyed land; but, even then, the fact of having orchards on it as agricultural, would seem to imply that the settlement must have existed July 26, 1866, when the Mining Law was passed, and in that case, would be protected under the 10th section of that act, if the land is really agricultural and more valuable for farming than for mining purposes; and no miner could legally disturb the settler in his possession.

The question to be determined is whether the land is most valuable for mining or for farming purposes. If the former, it belongs to the class called "Mineral Lands," and is not subject to settlement as agricultural; and it would not be in the power of this office to protect such a settler on it, for the reason that his settlement would not have the sanction of any statute. A settlement in California upon *surveyed* land, more valuable for farming than for mining, is good under the 11th section of the Mining Act, and the settler may complete his title either under the preemption or the homestead laws.

A settlement upon unsurveyed *agricultural* lands, made before July 26, 1866, is protected by the 10th section of the Mining Act, and the rights of the settler must be respected. When a question arises between a settler and a miner as to whether a particular tract of land is more valuable for farming or for mining, the farmer necessarily has the advantage of the miner in this, that before the latter can interfere with him, he must prove the land to be more valuable for mining than for farming, a matter frequently impossible without expensive excavations, whilst, on the other hand, the farming qualities of the land are found upon the *surface*, and are easily established.

The proof of mineral wealth can usually be furnished only at the expense of removing the surface, and if a miner does not wish to incur this expense, the agricultural settler cannot legally be disturbed, if he took the precaution not to make a settlement upon land palpably of mineral character even from surface indications.

The miner's testimony, also, must apply to every 40 acre tract; and if he fails as to any one of the four quarter sections which a settler may take under the preemption or homestead laws, the rights of the settler as to that remains untouched.

It is believed, therefore, that if these settlers are careful, and select only such lands in the mineral regions as are by law subject to settlement for agricultural purposes, their rights cannot be seriously impaired. At all events, having the law on their side, they will be in a condition to enforce respect to them, and in all such cases may rely confidently upon whatever assistance it is in the power of this office to render them.

Nearly or quite all the difficulties that occur in these respects come from a want of compliance with the requirements of the law, through a want of attention, or a misconception as to the importance of looking well to these things before it is too late to correct the error without serious loss.

A settler may venture to make a settlement upon a tract of land, without any very definite intention of becoming permanently located; and hence may pay but little attention to the legal character of the land settled upon, or whether it is by law subject to such settlement or not. Time passes on, and he may become pleased with the locality; property accumulates, and the evidences of thrift and industry multiply around him; but, sooner or later, some one finds out the original defect in his settlement. He now discovers that the tract of land was never open to settlement for the purposes of *agriculture*, and that there is no law on the statute book to protect him. Here is undoubtedly a case of great hardship, but it is the direct result of not considering the subject properly at the right moment; of not reflecting whether the law was one way or the other; and of acting without any definite purpose in view as to whether his settlement would continue a month, a year or a lifetime.

Where inattention and irregularities exist, difficulties and hardships must necessarily happen; and the wisest system of laws that the wit of man ever framed could not prevent them.

I have thought best to answer your letter at length, with a view of convincing yourself and neighbors that it is the purpose of the law, as it certainly is of this office, to deal out even handed justice to all classes of claimants, and in this way to further the important interests in issue whereby the immense resources of your great State may be developed, and individual and public prosperity advanced.

Very respectfully, your obedient servant,
JOS. S. WILSON, Commissioner.

Earthquakes in History.

During the first half of this century 3,240 of these visitations were noticed, or about one every week. In Europe, during the last ten years, there have been 320 earthquakes, or one every nine days. At the commencement of the fifteenth century, only 750 of these shocks had found a place in history. During the next 300 years, 2,804 earthquakes are recorded, or almost four times as many as during all the preceding ages. From these facts it has been inferred that, whatever may be the origin of these upheavings of the crust of the earth, the phenomena are greatly increasing in number, and their causes in violence.

Among the earliest earthquakes reported is that by which the famous Herculaneum and Pompei were destroyed in the year 63. Fifty-two years after this, Antioch, in Syria, was almost entirely destroyed, the calamity occurring just at the time the then Emperor Trajan, was on a visit to the place. In 458 it was again visited with an earthquake, and then again in 526, the number of persons perishing in the ruins on this latter occasion being estimated at a quarter of a million.

In 1692, Port Royal, the capital of Jamaica, was entirely submerged by the force of an earthquake, which swallowed up over a thousand acres, and drove ships so far inland that they floated above the buried city.

In 1772, an entire volcano sunk into the earth in the Island of Java, carrying with it forty villages, the mountain itself, which was fifteen miles long and six broad, accompanying the hamlets and their 2,957 inhabitants.

On the 1st of November, 1755, occurred the memorable earthquake at Lisbon by which 60,000 people perished in the twinkling of an eye. Here, also, was the great tidal wave seen at an altitude of fifty feet. One of the most awful incidents of this earthquake was the sinking of the city quay. This had just been constructed of marble at an immense expense, and to it, as a last refuge, fled thousands of the hapless inhabitants. Without a moment's warning the earth suddenly opened to receive it, and after sucking in the mass must have closed over it, as not a single body of all the thousands that went down, nor the least spar or ark from any of the ships near by that were sucked into the chasm, ever came to the top. The water there is near six hundred fathoms deep, and at an unknown distance beneath the bottom repose the hapless Lisbonese. This Lisbon earthquake, Humboldt estimates, affected a portion of the earth four times as large as Europe, and was felt in the Alps, on the coasts of Sweden, in the West Indies, on Lake Ontario, and along the coast of Massachusetts.

In 1811, the earthquakes on the Mississippi, severest at New Madrid, Missouri, shook the ground for many days, and alternately raised and depressed it here and there, the latter sections forming a section called the sunken country to this day.

On the 26th March, 1812, a violent thunder storm, with incessant flashes, was observed by the people of New Madrid, and at the same time the city of Carracas, in South America, was laid in ruins, twelve thousand of its people perishing.

The great eruption of Vesuvius, in 1857, with accompanying earthquakes, will also be remembered as leading to an immense destruction of human life, variously estimated at from 22,000 to 40,000 lives.

In 1858, June 19th, the valley of Mexico was also devastated by one of these visitations, demolishing houses throughout its length and destroying the costly aqueduct supplying the city with water.

March 22, 1859, Quito, in Ecuador, was nearly destroyed by an earthquake, and thousands of lives were lost.—*N. Y. World.*

TERRIBLE FATALITY.—There is a weird, strange fatality, says the Denver, Colorado *Gazette*, about the family of the boy that was carried off by the Indians the other day. The grandmother's name is Johnson; the grandfather is dead; the father was once local editor of the Rocky Mountain *Herald* of Denver, in 1861, and was shot by a party of soldiers who were incited to attack the office by incendiary articles appearing in the Rocky Mountain *News*. Poor Amala was shot in the breast by a bullet, and after lingering, with the seeds of consumption in his system consequent on the wound, died in Central City in 1865. The poor mother committed suicide on account of wrongs, the cause of which will be forever hidden from the public ken; and now the poor little child is carried off to grace the triumph of a savage band, or, perchance furnish food for the vengeance of some war dance of savage brutality.

'I AM rich enough,' says Pope to Swift, 'and can afford to give away a hundred pounds a year. I would not crawl upon the earth without doing good. I will enjoy the pleasure of what I give by giving it alive, and seeing another enjoy it. When I die, I should be ashamed to leave enough for a monument, if a wanting friend is above ground." That speech of Pope is enough to immortalize him, independent of his philosophical verses.

RECENTLY, as some of the Caledonians—fresh from the Scotch games—were passing up Wisconsin street, Milwaukie, in their Scotch costumes, "kilts" and "tartans," but *sans culottes*, a Teuton, who perhaps had been partaking freely of lager, observed them intently for a few seconds, when he suddenly exclaimed: "Mein Gott, all de tobacco signs ish broke loose!"

HUNGARY is about to celebrate its thousandth anniversary as a Kingdom.

ON the forenoon of the 3d instant, General Crook, U. S. A., an old Oregonian, and a most effective Indian fighter, was formally received by both Houses of the Oregon Legislature, in Joint Convention.

Prescott Advertisements.

PIONEER DRUG STORE.

Prescott,  **Arizona.**

On hand and for sale,—

Holt's Balsam for the Lungs,
Townsend's Sarsaparilla
Ayers' "
Bristol's "
Holt's "
Ayer's Cherry Pectoral,
" *Ague Cure,*
Osgood's Indian Cholagogue,
Brown's Jamaica Ginger,
Perry Davis's Pain Killer,
Goodale's Catarrh Remedy,
Brown's Bronchial Troches,
Bryan's Pulmonic Wafers,
Dr. Devine's Pitch Lozenge,
Keating's Cough "
Jayne's Patent Medicines,

And, in fact, a full assortment of all the Patent Medicines usually found in drug stores.

Toilet Soaps, Fancy Articles, Perfumery,

And a large supply of Dispensing Medicines.

N. B.—Physicians' prescriptions carefully and accurately compounded. G. D. KENDALL.

☞ Dr. Kendall's office—In rear of Drug Store.

Prescott, April 24, 1868.

WORMSER & CO.,

Wholesale and Retail Merchants,

LA PAZ and PRESCOTT, Arizona,

.... DEALERS IN ....

Groceries, Provisions, Clothing, Boots, Shoes, Liquors, Crockery, Hardware, Farming and Mining Implements, etc.,

CALL THE ATTENTION OF THEIR OLD pioneer friends and the public generally to their new and splendid assortment of goods, recently purchased, by one of the firm, in San Francisco, and now on hand at their stores in La Paz and Prescott.

Give us a call and see for yourselves. We are *not* selling for ruinous prices; our motto is and has been, "Live and Let Live."

Our stock in La Paz is acknowledged by all who have seen and examined it, to be

THE LARGEST AND BEST

Assortment of goods ever brought to that place.

Merchants, farmers, miners and others, wishing to purchase goods, would do well to give us a call, before purchasing elsewhere.

WORMSER & CO.
my16 La Paz and Prescott, Arizona.

E. J. COOK,

WHOLESALE AND RETAIL DEALER IN

Groceries, Provisions,
Clothing, Dry-Goods,
Boots and Shoes,
Crockery, Clocks,
Iron, Nails, Quicksilver,
Tobacco Cigars, etc.,

Is prepared to furnish the people all kinds of

Merchandise, for Cash,

At reasonable rates, at the

ADOBE STORE,

Corner of Granite and Gurley Streets.

Prescott, Arizona, June 27, 1868. je27

GRAY & CO.,

WHOLESALE AND RETAIL MERCHANTS,

At La Paz and Prescott.

.... DEALERS IN ....

GROCERIES, PROVISIONS, CLOTHING, etc.

Wish to call attention to the large assortment of

Hardware,

Now on hand at their Store in Prescott.

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WARM AND COLD

At Montezuma Hall, Prescott.

☞ Shaving, Hair Cutting, etc., in the most approved manner. THEODORE OTTO.

Miscellaneous.

C. JACKSON & Co.,

Montezuma Street, Prescott.

WE HAVE JUST ARRIVED FROM San Francisco with a large assortment of LIQUORS, which we offer for sale at reduced prices, for cash, at our sample rooms, where Joe and Sol, the handsomest and noblest men in town, will always be on hand to dispense liquors in the most approved style.

CHAMPAGNE on draft. We never slop over.

P. S.—Joe has now another attraction besides his "Purp." C. JACKSON & Co.

Prescott, June 5, 1868.

GEO. F. HOOPER & CO.,

San Francisco and Fort Yuma, California. Arizona City, Maricopa Wells, Sacaton, Sweet Water, and Camp McDowell, Arizona.

WHOLESALE AND RETAIL DEALERS IN

General Merchandise,

Forwarding and Commission Merchants.

We wish to call the attention of the public generally, and MERCHANTS, particularly, to our facilities for Wholesaling and Jobbing at Low Rates.

We keep constantly on hand, at

ARIZONA CITY,

The Largest and Most General Stock of Goods in the Territory, or in any one house south of San Francisco,

Comprising Everything the Country Requires.

All of our goods are either imported direct or bought of direct importers. *We buy nothing from second hands;* thereby *saving* the San Francisco Jobber's profit, which is ALL WE ASK TO MAKE. "Live and Let Live," is our motto. Our terms are CASH, EXCLUSIVELY, and, FOR CASH, we are always in readiness to supply dealers, rancheros and others, with goods, in jobbing lots, at

Unprecedentedly Low Prices.

GEORGE F. HOOPER & CO.

Arizona City, November 20, 1867.

SAN FRANCISCO AUCTION HOUSE,

Arizona City, Arizona.

BLUMENTHAL & LANDSBERGER

WHOLESALE AND RETAIL DEALERS IN

Dry Goods,		Clothing,
Boots, Shoes,		Hats, Caps,
Hosery,		Fancy Goods,
Groceries,		Provisions,
Liquors,		Hardware,
Crockery,		Tinware,
Oils,	Paints,	Lamps,
Drugs	and	Medicines,
Saddles	and	Saddlery,

Musical Instruments, Books and Stationery, Guns, Pistols and Ammunition, Mining and Farming Implements.

More Varieties than any other House in Arizona.

Arizona City, May 14, 1868. my30

Wickenburg.

ARIZONA HOTEL,

WICKENBURG,

Yavapai County, Arizona.

THE UNDERSIGNED, HAVING recently taken charge of the above named house, would inform the people of Arizona and the traveling public, that it is his intention to do everything possible to please and satisfy all who favor him with their patronage.

In connection with the ARIZONA is a STABLE, where animals will be well fed and attended to.

MAJ. W. MONTGOMERY, Proprietor.

Wickenburg, September 1, 1868. sep5tf

"MAGNOLIA"

BREWERY AND SALOON,

Wickenburg, Arizona.

THE UNDERSIGNED RESPECTfully informs the public and his old friends, that he is now manufacturing, and keeps constantly on hand, a superior quality of

Lager Beer.

In connection with the Brewery is a first-class Bar, which is always supplied with the best of

LIQUORS AND CIGARS.

The patronage of the public is solicited.

A. H. PEEPLES, Proprietor.

Wickenburg, March 12, 1868. m14

A. BARNETT,

WICKENBURG, ARIZONA,

.... DEALER IN ....

Groceries, Provisions, Clothing, Dry-Goods, Boots, Shoes, Tobacco, &c.

☞ Sells cheaper than any other merchant in Central Arizona. nov20'67.

Miscellaneous.

Arizona Stage Company.

Stages Leave La Paz every Saturday, Leave Wickenburg every Thursday.

Semi-Weekly Mail regularly between La Paz and Prescott, via Wickenburg.

AGENTS:

J. GOLDWATER.....La Paz.
W. K. FERRIS.....Wickenburg.
ALLEN & WHITE.....Prescott.

JAMES GRANT,
Contractor and Proprietor.

Prescott, June 10, 1868.

Quartz Mountain Saw Mill.

THE ATTENTION OF THE PUBLIC IS called to the fact that we have renewed facilities for the manufacture of

All Kinds of Lumber,

for Building purposes, and for Mills and Mining.

☞ Come with your money, and we will arrange the price according to the quality.

Terms, cash on delivery, payable in U. S. gold coin, or its equivalent in currency.

A. O. NOYES, Agent.

Prescott, September 17, 1867.

PRIVATE MEDICAL AID.

☞ **Quick Cures and Moderate Charges.**

DR. DOHERTY'S

Private Medical and Surgical Institute.

Sacramento Street, below Montgomery (opposite Pacific Mail Steamship Company's office). Private entrance on Leidesdorff street, San Francisco.

Established expressly to afford the afflicted sound and scientific medical aid in the treatment and cure of all Private and Chronic Diseases, cases of Secrecy and all Sexual Disorders.

To Correspondents.

Patients (male or female) residing in any part of the States and Territories, however distant, who may desire the opinion and advice of DR. DOHERTY in their respective cases, and who think proper to submit a written statement of such in preference to holding a personal interview, are respectfully assured that their communications will be held most sacred. DR. DOHERTY takes this opportunity of observing that all letters are opened and replied to only by himself, and the latter as promptly as possible.

If the case be full and candidly described, personal communication will be unnecessary, as instructions for diet, regimen and the general treatment of the case itself (including the remedies) will be forwarded without delay, and in such manner as to convey no idea of the purport of the letter or parcel so transmitted.

Consultation, by letter, or otherwise, **free.**

Permanent cure guaranteed or no pay.

Address, W. K. DOHERTY' M. D.
San Francisco, Cal.

Spermatorrhea.

DR. DOHERTY has just published an important pamphlet, embodying his own views and experiences in relation to Impotence or Virility, being a short Treatise on Spermatorrhea or Seminal Weakness, Nervous or Physical Debility consequent upon this Affection, and other Diseases of the Sexual Organs.

This little work contains information of the utmost value to all, whether married or single, and will be sent FREE by mail on receipt of Six Cents in postage stamps for return postage.

Address, W. K. DOHERTY, M. D.
je20-6m San Francisco, Cal.

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Book and Job Printing Office.

....THE....

Largest and Most Complete Establishment

....OF THE KIND....

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THE MINER office is well supplied with Presses, Plain, Fancy and Ornamental Type, and the proprietors are determined to execute all work with which they may be favored in the neatest and best style of the art.

Work may be ordered from any part of the Territory, and, when accompanied with the cash, it will be promptly executed and sent by mail, or as directed.

Persons sending us money for subscription, advertising or job work, may forward it by mail, or otherwise, at their own risk.

CHARGES MODERATE.

Address,

"PUBLISHERS ARIZONA MINER,
PRESCOTT, A. T."

Newspaper Laws.

1. Subscribers who do not give express notice to the contrary, are considered as wishing to continue their subscription.
2. If subscribers wish their paper discontinued, publishers may continue to send them until all charges are paid.
3. If subscribers neglect or refuse to take their papers from the office or place to which they are sent, they are held responsible until they settle their bills and give due notice to discontinue.
4. If subscribers move to other places without informing the publisher, and the paper is sent to the former direction, they are held responsible. Notice should always be given of the removal.
5. The Courts have decided, that refusing to take a paper from the office, or removing and leaving it uncalled for, is *prima facie* evidence of intentional fraud.