

RIGHTS TO DESERT LAND ENTRIES

Can They be Transferred Before Reclamation of Land Has Been Made?

QUESTION IS TO BE TESTED.

Attorneys on Both Sides of Controversy Preparing to Submit it to U. S. Supreme Court.

Washington, Feb. 6.—Attorneys on both sides of the controversy are preparing for the final determination by the supreme court of the United States of the long mooted question whether right to desert land entries may be transferred before reclamation has been made.

A case involving that point has been set for argument before the court on Feb. 21. At the same time, the court is to hear arguments as to whether it is a crime against the United States to graze sheep in a forest reservation without permission of the government.

The question of the right to transfer a desert land entry arises in a criminal prosecution, William H. Hammers of southern California was indicted in the federal court for the Southern district of California on a charge of committing perjury in an affidavit made in the interest of Beulah Rose Beekler, to the effect that improvements of a certain value had been made on desert land in Imperial county, Cal.

In defense, it was set up that the land in question had been entered by Granville M. Boyer, on Aug. 14, 1907, at the land office in Los Angeles and that the attempted transfer of his rights in the land on Aug. 26, 1907, to Beulah Rose Beekler was void because the right to make such transfer was not possessed by Boyer. It was argued that, if the court did not pass such a right, the affidavit of Hammer's was immaterial.

The district court sustained the defense, and the government appealed to the supreme court.

The question of the ability of an entryman to transfer a desert land entry has been considered by the court before. On the previous occasion the court held that, under the desert land act of 1877, the entryman had no right which he could sell or transfer.

The government's contention in the present case is that under the desert land act of 1891, such a right is given the entryman.

It is said that thousands of persons who have obtained their land by transfer under the desert land act of 1891, will be affected by the decision.

This is regarded as true, particularly of the Imperial valley in California.

Whether it is a crime to graze sheep without permission in a forest reserve has arisen in the indictments of Pierre Grimade, J. P. Carajous and Antonio Inda, shepherds of California, who were charged with having grazed their sheep without the permission of the government in the Sierra forest reserve in California.

These indictments were all brought in the federal court for the Southern district of California.

By act of Congress approved June 4, 1897, the secretary of the interior, and later the secretary of agriculture, was directed to make provision for the protection of the forest reserves. It was provided that any violation of the provisions as made should be punishable according to the revised statutes.

In 1906, Secretary Wilson promulgated a regulation requiring all persons to obtain a permit before grazing animals in a forest reserve. It was also argued that the act was an attempt to confer legislative authority on an executive officer. The court sustained the defense, and the government appealed to the supreme court.

WORTH MOUNTAINS OF GOLD

During Change of Life, says Mrs. Chas. Barclay



Graniteville, Vt.—"I was passing through the Change of Life and suffered from nervousness and other annoying symptoms, and I can truly say that Lydia E. Pinkham's Vegetable Compound has proved worth mountains of gold to me, as it restored my health and strength. I never forget to tell my friends what Lydia E. Pinkham's Vegetable Compound has done for me during this trying period. Complete restoration to health means so much to me that for the sake of other suffering women I am willing to make my trouble public so you may publish this letter."—MRS. CHAS. BARCLAY, R. F. D., Graniteville, Vt.

No other medicine for woman's ills has received such wide-spread and qualified endorsement. No other medicine we know of has such a record of cures of female ills as has Lydia E. Pinkham's Vegetable Compound.

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It costs but little to try Lydia E. Pinkham's Vegetable Compound, and, as Mrs. Barclay says, it is "worth mountains of gold" to suffering women.

ELEVEN MEN PERISH IN MINE EXPLOSION

Indiana, Pa., Feb. 5.—Ten Hungarians and one American met death in a gas explosion today in the numerous stops of the Furnace mine of the Jefferson & Clearfield Coal company.

The explosion occurred in the heading where 12 men were working. One of these, Andrew Kraczer, escaped by crawling a quarter of a mile on his stomach to evade the noxious gases.

One hundred and ten men working in the same stop, escaped through other headings, although they were held back for 10 hours by the black damp, until a rescue party reached them.

One thousand other men working in adjoining mines within a radius of three miles who heard the concussion paid no heed to it.

The rescue party of 12 mine bosses went into the mine at 9:30 o'clock this morning, soon after the accident. When they came out at 5 o'clock they brought with them the dead bodies and announced that there was no one else in the mine.

State mine inspectors will investigate the accident.

BABY HANDS

Will get into mischief—often it means a burn or cut or scald. Apply Ballard's Snow Liniment just as soon as the accident happens, and the pain will be relieved while the wound will heal quickly and nicely. A sure cure for sprains, rheumatism and all pains. Price, 25c, 50c and \$1.00 a bottle. Sold by Z. C. M. I. Drug Dept., 112 and 114 South Main St., Salt Lake City.

TO PREVENT RABIES.

Ottawa, Ont., Feb. 7.—Fearing a serious outbreak of rabies, Canadian authorities are imposing a fine of \$200 on owners of dogs found barking without a muzzle. Since a mad dog struck a suspension bridge at Niagara Falls some time ago and bit other dogs, without being captured, 42 persons have been bitten.

CLERKS' WAGES INCREASED.

Boston, Feb. 7.—Five hundred clerks employed in the general offices in Boston of the Boston & Maine railroad received notice of a 10 per cent raise in wages today.

CAR AND SEVEN MEN BLOWN TO ATOMS

Heedless of Warning, Motorman Ran His Into Sputtering Fuse of Charge of Dynamite.

THEN CAME THE EXPLOSION.

Car and Passengers Hurlled Into the Air Amid a Great Cloud of Debris.

Phoenix, Ariz., Feb. 6.—Heedless of the warning of a foreman in charge of the excavating operations along the line of the private motor road from Kelvin to the Bay copper mines, the motorman of a gasoline car containing six passengers ran his car close to a sputtering fuse of a heavy charge of dynamite this afternoon, and the car and its seven occupants were blown to atoms.

THE DEAD.

J. B. Boyce, A. S. Baber, J. C. Griffin, civil engineer employed by the Ray Consolidated Copper company, R. P. Coleman of Salt Lake City, W. H. Freeman, mining engineer employed by Henry Krumb and engaged in sampling and development work at the Ray mines.

The foreman had discovered a missed shot in the excavation at noon and before the motor car came in sight he had relighted the fuse. As Mr. Griffin approached he signalled the motorman and warned him of the pending explosion. Motorman Lvall, evidently believing that he could take his car past the charge to safety before the explosion, paid no heed to the warning and started again at full speed.

Just as the car was passing the charge the explosion came and the car, with its load of human freight, was blown high in the air amid a great cloud of debris. The men were all prominent in mining affairs in Arizona.

Joyce's home is in Denver, Bieber's in Cleveland and Kronz's in Berkeley, Cal. The others were not known. The bodies will be brought to Phoenix tomorrow.

A late dispatch mentions the name of Ben Truax as among the dead, making eight, but it is thought this may be an error of confusion of names.

R. P. COLEMAN, ONE OF THE VICTIMS, WELL KNOWN HERE

R. P. Coleman, whose name is found among the victims, was a resident of this city for the last five years. By profession he was a mining engineer. He was born in Colorado and was about 30 years of age. He is survived by a widow and one child.

A SIMPLE TRICK.

It's an easy matter to keep your joints and muscles supple—no matter what your age may be or how you have suffered with rheumatism. Rub yourself night and morning with Ballard's Snow Liniment. Cures rheumatism, stiffness, Cramps, crick in the back, side, neck or limbs, and relieves all aches and pains. Sold by Z. C. M. I. Drug Dept., 112 and 114 South Main St., Salt Lake City.

SENATOR GORE'S GREAT FINANCIAL EMBARRASSMENT

St. Louis, Feb. 7.—United States Senator Gore of Oklahoma arrived in St. Louis last night in a state of great financial embarrassment. In fact, he was compelled to borrow money of a stranger on the train to pay his fare from Washington to St. Louis.

His predicament came about, he admitted to friends who heard his appeal for a loan in this city, because he boasts two pairs of pants. One he had on; the other, with his wallet in the hip pocket, occupies the post of honor in the senator's boudoir at the capital.

Summoned to Oklahoma by an urgent message Saturday night, he hastily donned the trousers in which he likes to appear before his constituents and ran for the train.

When the conductor came along he found no wallet, and he was a kindly stranger, the senator could have been compelled to walk.

Former Gov. Francis and other Democrats came to his rescue when he arrived here, and he was able to continue his journey later in the evening.

WOULD REOPEN CASE OF LIEUTENANT SUTTON

Chicago, Feb. 7.—A special from Washington says: "The case of Lieut. James H. Sutton of the marine corps, who was found dead on the grounds of the United States naval academy, Nov. 12, 1907, following a fight with several brother officers, is to be re-opened.

"Congress is to be asked in resolution, Mr. Sutton's attorneys will take the matter up and make a thorough investigation of his death.

"Almost at the same time that Congress is asked to investigate, Mrs. Sutton's attorneys will take the matter up with the federal grand jury in Baltimore.

CHIMNEY SWEEP IS HERE.

Griffin, Scott, Hardware Co. Both Phones.

SIX BEST SELLING BOOKS, RECORD FOR JANUARY.

According to the reports furnished by the leading book-sellers of the country, the six books (fiction) which have sold the best in the order of demand during the month are:

GIN FOR THE KIDNEYS.

Doctors agree that good, pure gin, when properly prescribed, is wonderful medicine for kidneys, liver and bladder. The one best prescription in which gin is used is given: "Six ounces good pure gin, one-half ounce Murax compound, one-half ounce fluid extract Buchu." (Be sure to get the genuine Murax compound in original sealed package.) Any good druggist has it or can quickly get it. Shake bottle of mixture well each time and take one to two teaspoonfuls three times a day after meals.

FAIRBANKS ACQUITTED HIMSELF IN GOOD STYLE

In Rome Had to Avoid Giving Offense To the Quirinal, the Vatican and the Methodists.

Rome, Feb. 6.—The visit to Rome of Charles W. Fairbanks, former vice-president of the United States, brought about a delicate situation because of the fact that he wished to pay his respects to the king, to the pope and to the American Methodist church.

By a tactful arrangement Mr. Fairbanks' audience with King Victor Emmanuel was fixed for Saturday, and that with the pope for Monday. But when everything seemed satisfactorily planned the vatican announced that it would be impossible for his holiness to receive the former vice-president if he carried out his intention to speak in the American Methodist church here, because the Methodists had been active in proselytizing among the Catholics.

Negotiations were immediately begun to avoid any unpleasantness, and in these negotiations prominent vatican officials exerted every influence to remove the difficulties that had so unexpectedly presented themselves to Mr. Fairbanks' audience with the pope.

But Mr. Fairbanks firmly declared that, although he was animated by a strong desire to pay his respects to the head of the Catholic church, he could not withdraw from his promise to deliver an address before the American Methodist church.

Manager Kennedy, rector of the American college (Catholic) gave a dinner at noon in honor of Mr. Fairbanks. The hall was decorated with American flags. Among those present were 14 American students.

Mr. Fairbanks in rising gave a toast to the Christian church, making no distinction of denomination. He declared that the Catholic church had accomplished great things for God and humanity, while past prejudices against the Catholics had entirely disappeared, for they were ever at the front when the integrity of the country needed to be defended or its dignity to be upheld.

At the American Methodist church Mr. Fairbanks' address acquired exceptional importance, because of the incident with the vatican, and it is looked upon as his final answer to the conditions imposed upon him relative to his audience with the pope.

Mr. Fairbanks said: "It is impossible to emphasize too strongly the good work the Christian church is doing in all lands and among all nationalities. It is gratifying that the American churches established in all countries are asserting a wider influence today than ever in their history.

"The agitation going on in the political and social and economic world is due to Christianity breaking down the castes and prejudices and lifting mankind to a higher plane. The democratic idea which is taking root in political institutions is due to the expanding influence of Christianity.

"All Christian churches are worthy of support. They, above all, should be inspired by a generous tolerant spirit towards each other. Nothing is more unseemly than the narrow jealousies which they occasionally manifest towards each other. There is room for all. Cease the narrow denominational wars and direct your energies towards the common enemy. Let the Catholics and the Protestants of all denominations vie in carrying forward the work of the Master, which is worthy the best in them all."

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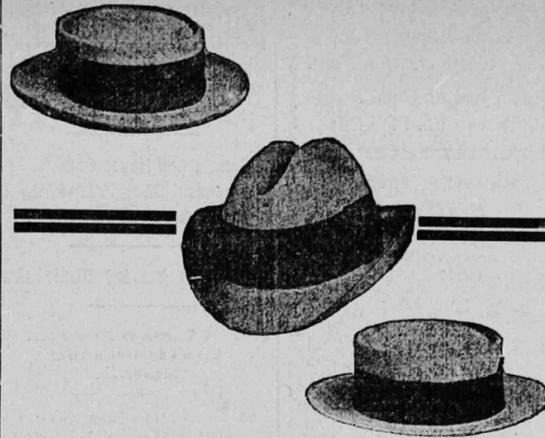
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Relief in five minutes awaits every man or woman who suffers from a bad Stomach.

Why not get some now—this moment, and forever rid yourself of Stomach trouble and indigestion? A dieted stomach gets the blues and grumbles. Give it a good eat, then take Pape's Diapepsin to start the digestive juices working. There will be no dyspepsia or belching of Gas or eructations of undigested food; no feeling like a lump of lead in the stomach or heartburn, sick headache and Dizziness, and your food will not ferment and poison your breath with nauseous odors.

Pape's Diapepsin costs only 50 cents for a large case at any drug store here, and will relieve the most obstinate case of Indigestion and Upset Stomach in five minutes.

There is nothing else better to take Gas from Stomach and cleanse the stomach and intestines, and, besides, one single dose will digest and prepare for assimilation into the blood all your food the same as a sound, healthy stomach would do it.

When Diapepsin works, your stomach rests—gets itself in order, cleans up—and then you feel like eating when you come to the table, and what you eat will do you good.

Absolute relief from all Stomach Misery is waiting for you as soon as you decide to take a little Diapepsin. Tell your druggist that you want Pape's Diapepsin, because you want to become thoroughly cured this time.

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A LINIMENT FOR EXTERNAL USE.

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When Mother's Friend is used regularly it fits and prepares the system for an easy and natural consummation of the term. Women who massage with this great liniment are always saved much suffering when baby comes, and recover more quickly, and without ill effects. Mother's Friend is sold at drug stores. Write for our free book for expectant mothers.

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