

**LAW FAVORABLE TO HOMESTEADER**

(Continued from Page 1)

The recommendations of the department of the interior excepting as to the suggested payment of 40 per cent of the building charges. The committee believes that that is unnecessary, because the government retains a first lien on the property and the requirement would work a great hardship upon the entryman, because he would in all probability have to borrow the money at a high rate of interest in order to make that payment. Under the present law the settler could not possibly make sufficient money on the premises to pay the 40 per cent to the government within the residence period in which he is allowed to make final proof; and whenever the government retains the first lien both upon the land and water right, which additional security has been added as an amendment to this bill, it is deemed that this additional security will fully protect the government for all amounts due or to become due.

"If this act shall become a law, it will give the settler an opportunity to mortgage his land or to sell a part of it and much more readily pay the government. And as the government is perfectly safe and the settler is given more opportunity to obtain money with which he can improve his land and build up the country, it is confidently believed that the terms of the bill as recommended by your committee are much better both for the government and the settler than the bill as it passed the senate.

"For the above reasons your committee is unanimous in their favorable report upon the measure."

As the bill now stands it directs, "That from and after the filing with the commissioner of the general land office of satisfactory proof of residence and substantial cultivation, as required by law, patent shall be granted and issue to persons who have made or shall make homestead entries within reclamation projects under the act of June 17, 1902," and the same applies to homesteaders on irrigated Indian lands. These patents shall issue," says the bill. "The same as though said entry had been made under the general homestead act, and upon satisfactory proof of such cultivation final water-right certificate shall issue to purchasers of water rights for private lands under the act of June 17, 1902. No patent or water right certificate shall be is-

sued unless at least one-half of the total irrigable area of the entry has been reclaimed for agricultural purposes and all charges then due to the government for building, operation and maintenance, including drainage, have been paid."

Section 2 provides that every patent and water right certificate issued under this act shall expressly reserve to the United States a lien on the land patented or for which water right is certified, together with all water rights appurtenant or belonging thereto, superior to all other claims and demands whatsoever attaching to said lands after the making of the entry or the filing of the application to purchase said water right, for all amounts then due and thereafter to become due to the United States or its successors in control of the project on account of such entry or water right for building, operation and maintenance charges, including drainage charges.

Under the bill default of payment will result in the forfeiture of the land to the United States subject to the right of the settler within one year to redeem the land by paying all accrued charges with interest at 8 per cent. The United States may sell any forfeited land and from the proceeds pay all amounts due the government, turning back to the settler whatever balance may be left. The government is authorized to bid in such land at not more than the amount in default, and may then sell land so bought under terms to be fixed by the secretary of the interior.

The bill concludes as follows: "Upon full and final payment being made for all amounts due on account of the building charge to the United States or its successors, as the case may be, shall issue upon request a certificate that payment of the building charge in full has been made and that the lien upon the land has been so far satisfied and is no longer of any force or effect except as to annual charges for operation and maintenance."

**Notice to Pioneers**

Owing to the many attractions pulled off during the month of June it was deemed unwise to attempt holding a reunion of Klamath Pioneers during the month; and since the Fourth of July program of our former neighbors, the "Redmen," is to consume two days, we, the executive committee, have thought best to hold our reunion on the Fourth of July, sandwiching our meeting, which

will include a basket dinner in the court house grove, between the several stunts of the Redmen.

A short program, followed by the annual election of officers, will succeed the dinner. We earnestly hope that every pioneer of the Klamath Basin will participate in our meeting, and if not already enrolled as members add their names to the membership roll. The program and committees appointed will be announced later. By the Executive Committee, **KLAMATH PIONEERS.**

Miss Rachel E. Applegate, second daughter of Captain and Mrs. O. C. Applegate, arrived from Eugene last evening. Miss Applegate graduated at the late commencement of the State University, and has already accepted a position of a teacher of English and Latin in the high school at Coquille, Oregon, of which Professor Howard, formerly a teacher in the Klamath high, is now principal. Miss Applegate will spend her vacation at home here, and report at Coquille in September.

**NOTICE FOR PUBLICATION**

United States Land Office, Lakeview, Oregon, May 10, 1912.

Notice is hereby given that the Northern Pacific Railway company, whose postoffice address is St. Paul, Minnesota, did on the 14th day of February, 1912, file in this office its application to select under the provisions of the act of congress approved June 1, 1898 (30 Stat. 597, 629), as extended by the act of congress approved May 17, 1906, the NE 1/4 SW 1/4, Sec. 25, T. 33 S., R. 9 East, SW 1/4.

Any and all persons claiming adversely the lands described, or desiring to object because of the mineral character of the land, or for any other reason, to the disposal to applicant, should file their affidavits of protest in his office on or before the 10th day of July, 1912.

A. W. ORTON, Register.

5-23-6-27 r

**NOTICE FOR PUBLICATION**

(Not Coal Lands) Department of the Interior, United States Land Office at Lakeview, Oregon, May 12, 1912.

Notice is hereby given that Ava M. Barnes, whose postoffice address is Klamath Falls, Oregon, did, on the 1st day of March, 1912, file in this office sworn statement and application No. 05399, to purchase the NE 1/4 SW 1/4, SE 1/4 SW 1/4, NE 1/4 SE 1/4, NW 1/4 SE 1/4, Section 32, Township

37 S., Range 9 E., Willamette Meridian, and the timber thereon, under the provisions of the act of June 3, 1878, and acts amendatory, known as the "Timber and Stone Law," at such value as might be fixed by appraisal, and that, pursuant to such application, the land and timber thereon have been appraised at a total of \$538.75; the timber estimated at 125,000 board feet at \$1 per M., and 325,000 board feet at 75 cents per M., and the land at \$20; that said applicant will offer final proof in support of his application and sworn statement on the 20th day of July, 1912, before C. R. De Lap, county clerk of Klamath county, Oregon, at Klamath Falls, Oregon.

Any person is at liberty to protest this purchase before entry, or initiate a contest at any time before patent issues, by filing a corroborated affidavit in this office, alleging facts which would defeat the entry.

A. W. ORTON, Register.

5-23-7-18 r

**SUMMONS**

In the Circuit Court of the State of Oregon, for the County of Klamath.

George E. Morey, Plaintiff, vs. H. L. Greer and Sara B. Greer, His Wife, Defendants.

To H. L. Greer and Sara B. Greer, Defendants Above Named:

In the name of the State of Oregon: You and each of you, are hereby required to appear and answer the complaint filed against you in the above-entitled suit, on or before the 11th day of July, 1912, that being the last day of publication of this summons, and the last day within which you are required to answer, as fixed by the order of publication of this summons.

If you fail to appear and answer the plaintiff will apply to the court for the relief demanded in said complaint.

Said suit is brought to foreclose a mortgage, dated January 15, 1910, and executed by each of you to said plaintiff, upon the following described real property, to-wit:

The E 1/2 of NE 1/4, SW 1/4 of NE 1/4, and NW 1/4 of SE 1/4, all of Section 29, Tp. 39 S., R. 9 E., W. M., containing 160 acres, more or less.

To secure to the plaintiff the payment of three certain promissory notes, dated November 17, 1909, and payable on or before one, two and three years after date, respectively, for the sum of \$1,500 each, with in-

terest thereon at the rate of 7 per cent per annum from date, and reasonable attorney's fees. In the event suit should be necessary to collect same, two of such notes, with interest thereon from date, being now unpaid.

Plaintiff prays a decree against you in said suit, as follows:

1. That he be given a judgment against you for the principal sum of \$3,000, with interest thereon, at the rate of 7 per cent per annum since November 17, 1909; for the sum of \$206.28, taxes, including penalties and interest, on said property for the years 1909, 1910 and 1911, with interest thereon, at the rate of 7 per cent per annum, since April 27, 1912; for the sum of \$1,219, assessments and charges levied against said property by the Klamath Water Users Association, and the United States of America, on account of irrigating said land for the years 1910, 1911 and 1912, with interest thereon at the rate of 7 per cent per annum since May 1, 1912; for the sum of \$500, attorneys' fee, and for costs and disbursements of suit and accruing costs.

2. That execution and order of sale issue in said suit to the sheriff of Klamath County, Oregon, and that sale be made, as on foreclosure, as provided by law, on all of said real property, or a sufficient portion thereof to satisfy each of said unpaid notes and mortgage and interest thereon, as aforesaid, to pay said taxes, interest and penalties, with interest thereon, as aforesaid; to pay said assessments and charges levied for irrigation purposes, with interest thereon, as aforesaid; to pay said attorneys' fee, and to pay the costs and disbursements of suit and accruing costs.

3. That all right, title and interest of you, and each of you, in and to said property, or any portion thereof sold as aforesaid, be foreclosed, as provided by law.

Plaintiff prays for general relief.

This summons is published once a week for a period of six successive weeks in the Klamath Republican, a weekly newspaper printed and published in the city of Klamath Falls, Klamath County, Oregon, by order of Honorable Wm. S. Worden, judge of the County Court of Klamath County, State of Oregon, dated May 29, 1912, the first publication being made May 30, 1912.

STONE & BARRETT, Attorneys for Plaintiff

5-30-7-11 r

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