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THE 640-ACRE HOMESTEAD ACT RESUME

Percy M. Johnson Explains Meaning of New Law in Operation--Many Have a Wrong Idea on New Law

WHAT CLASS OF LAND SUBJECT TO ENTRY

No Land May Be Entered Under New Act Unless it is Designated by Secretary of the Interior.

By Percy M. Johnson.
"Washington, D. C., Dec. 30, 1916. Receive and suspend applications with petitions for designations under Grazing Homestead Law approved yesterday."
(Signed) Tallman, Com.

The above telegram received at the Vale Land Office, Dec. 30, at 2:55 p. m., closed the official year of 1916 by giving to the Public the greatest land bill in history.

This bill has been under consideration for some time, and, after considerable revising and amending it has now become a law. Due to the fact that the bill has been changed and revised so much since its inception, the general public has been at loss to know the real purport of the act, and many have a wrong conception of its principles. This act is entitled "An Act to Provide for Stock-raising Homesteads, and other purposes."

What Class of Land is Subject to Entry.
No land can be entered under this act until designated by the Secretary of the Interior as being the class of land coming within the scope of Sec. 2, which provides that the lands subject to entry must, in the opinion of the Secretary, be chiefly valuable for grazing and raising forage crops, does not contain merchantable timber, are not susceptible of irrigation from any known source of water supply, and are of such character that 640 acres are reasonably required for the support of a family.

Who May Enter the Land.
Sec. 3 provides that any qualified homestead entryman may enter in a contiguous and in the most compact form practicable, an area not exceeding 640 acres of the class of land described above. It further provides that an entryman now holding land under the 320 acre or other homestead laws, will be entitled to an additional entry so that the total area will not exceed 640 acres, provided, however, that the original entry is of the character of land above described as being within the scope of this act. Such additional entry must be contiguous to the original entry where ever it is possible to obtain contiguous land of the character required, but if only a portion, or none of the contiguous land is subject to entry under this act, the additional, or balance of the additional entry may be taken anywhere within a radius of 20 miles from the original entry.

What Must Be Done To Acquire Title.
Cultivation of the land is not required, but there must be permanent improvements placed upon the land to the value of not less than \$1.25 per acre, and at least one-half of the improvements must be made within three years from the date of entry thereof. The regular rules as to residence applies to this act, which requires that the land be the bonafide home of the entryman, and at least 7 months residence thereon each year. The filing fee for 640 acres is \$34.00.

Additional Entries.
Sec. 4 provides that any homestead entryman of lands of the character herein described, who has not submitted final proof upon his existing entry, shall have the right to enter, subject to the provisions of this act, such amount of contiguous lands designated for entry under the provisions of the act as shall not, together with the land embraced in his original entry, exceed 640 acres, and residence upon the original entry shall be credited to both entries, but \$1.25 per acre of permanent improvements must be placed on the additional entry.

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The Central Powers have subdued Roumania, Belgium, Serbia, and Montenegro, but San Marino still holds out.—New York Morning Telegraph.

FLOOR COVERED WITH WATER

Bank Cashier Arises From Bed to Find Cold Water in Every Room in the House.

About 4 o'clock Wednesday morning Mrs. Dunaway, wife of J. P. Dunaway, cashier of the U. S. National Bank of Vale, was awakened by one of the children and jumped out of bed to see what was the trouble, and when her feet struck the floor she yelled "Ouch!" Mr. Dunaway immediately jumped out to ascertain what she was yelling about, and he, too, yelled "Ouch!" They discovered that every room in the house was covered with an inch of icy cold water, caused from a frozen water pipe of an unused water faucet bursting in the house.

Outside of the ruin of two practically new rugs in the house, no other damage of importance was reported. The cellar was filled nearly a foot deep, with all vegetables and other food articles floating around on the top. Needless to say, Mr. Dunaway spent the remainder of the day at home, where he was kept busy sweeping water from the rooms, and draining the cellar.

LEVY FOR 1917 COMPLETED BY COUNTY COURT

General Fund Now \$8,000.00 Less Than in 1916--Levy Coincides With Resolution Proposed by Thomson.

We publish today on another page the complete tax levy made by the County Court for 1917, for county, school, state and roads. The total levy amounts to \$194,000 as against \$196,000 for 1916.

The general fund is \$8,000 less than 1916. The office of the sheriff shows a great falling off in criminal matters as the levy has been cut \$1,500. School districts generally, throughout the county have levied less money than in 1916. The general school fund at \$8 per head is increased by \$2,500 showing considerable increase in population. Roads being deemed a necessity and of more importance today than almost anything else, the Court increased the levy over last year to an amount about \$2,000 greater. Many of the districts, in fact, all of them, have been short of funds for necessary work.

The Court assumed that the Tax Limitation Law means what it says and they consequently cut the High School levy to \$1.670. Whether this will stand the test of the law if attacked remains to be seen. There are 76 country children attending the high schools of the three towns and at the rate given by the several districts there will be a shortage of \$4,000.

The city levies have gone high in to the air as to rates but the actual taxes will be somewhat less than last year. The State of Oregon gets \$2,000 more than in 1916 i. e., \$35,000 as against \$33,000 for 1916. The levy coincides almost exactly with the resolution of W. G. Thomson introduced at the meeting which discussed the budget. The Court might have levied a total of \$207,000, but desiring to keep the rate as low as possible they decided to get along with less. Under the present law the taxes for 1918 cannot exceed \$205,000. Following is a condensed statement of the levies for the cities and general levies. To the city levies must be added their own levies, which brings Ontario to 64 mills and Vale to 74 mills. It is hoped the assessment for 1918 will lower this rate and the taxes can be raised only 6 per cent.

Cities.	Mills
Ontario	587.184
Vale	278.436
Nyssa	174.201
Jordan Valley	82.135
Juntura	37.705
General Levies.	
State Tax	4.7
General School	3.7
General Road	7.7
High School	3
General Fund	10.7
	27.1

Advance in marine insurance-rates to 15 per cent, coincident with the peace-move, may be called constructive criticism.—Wall Street Journal.

NEW HOMESTEAD LAW IS OPERATIVE

Complete Text of New Stockraising Homestead Law--Opinion Is That New Law will Result in More and Better Stock for Malheur County.

The Stock-raising Homestead law is now the law of the land. We publish the law complete, and also a resume of the law by Mr. Percy M. Johnson.

There are many varied opinions as to its effect. Naturally those who have for many years used the ranges of Malheur and Harney at will, see destruction in the law. Others are more optimistic and think the final result will be more and better stock of all kinds.

Still others there are who see benefits to small owners. It is, of course, certain that speculation in a small scale will take place. Hundreds of sections will be taken in order to sell to large companies.

Follows the complete text of the law:
An Act, H. R. 407, to Provide for Stock-raising Homesteads, and for Other Purposes.

Be it enacted, etc., That from and after the passage of this act it shall be lawful for any person qualified to make entry under the homestead laws of the United States to make a stock-raising homestead entry for not exceeding 640 acres of unappropriated unreserved public land in reasonably compact form: Provided, however, That the land so entered shall theretofore have been designated by the Secretary of the Interior as "stock raising lands."

Sec. 2. That the Secretary of the Interior is hereby authorized, on application or otherwise, to designate as stock-raising lands subject to entry under this act lands the surface of which is, in his opinion, chiefly valuable for grazing and raising forage crops, do not contain merchantable timber, are not susceptible of irrigation from any known source of water supply, and are of such character that 640 acres are reasonably required for the support of a family: Provided, That where any person qualified to make original or additional entry under the provisions of this act shall make application to enter any unappropriated public land which has not been designated as subject to entry (provided said application is accompanied and supported by properly

corroborated affidavit of the applicant, in duplicate, showing prima facie that the land applied for is of the character contemplated by this act), such application, together with the regular fees and commissions, shall be received by the register and receiver of the land district in which said land is located and suspended until it shall have been determined by the Secretary of the Interior whether said land is actually of that character. That during such suspension the land described in the application shall not be disposed of; and if the said land shall be designated under this act, then such application shall be allowed; otherwise it shall be rejected, subject to appeal, but no right to occupy such lands shall be acquired by reason of said application until said lands have been designated as stock-raising lands.

Sec. 3. That any qualified homestead entryman may make entry under the homestead laws of lands so designated by the Secretary of the Interior, according to legal subdivisions, in areas not exceeding 640 acres, and in compact form so far as may be subject to the provisions of this act, and secure title thereto by compliance with the terms of the homestead laws: Provided, That a former homestead entry of land of the character described in section 2 hereof shall not be a bar to the entry of a tract within a radius of 20 miles from such former entry under the provisions of this act, which, together with the former entry, shall not exceed 640 acres: Provided further, That the entryman shall be required to enter all contiguous acres of the character herein described open to entry prior to the entry of any noncontiguous land: Provided further, That instead of cultivation as required by the homestead laws the entryman shall be required to make permanent improvements upon the land entered before final proof is submitted tending to increase the value of the same for stock-raising purposes, of the value of not less than \$1.25 per acre, and at least one-half of such improvements shall be placed upon the land within three years after the date of

entry thereof.
Sec. 4. That any homestead entryman, who has not submitted final proof upon his existing entry, shall have the right to enter, subject to the provisions of this act such amount of contiguous lands designated for entry under the provisions of this act as shall not, together with the amount embraced in his original entry, exceed 640 acres, and residence upon the original entry shall be credited on both entries, but improvements must be made on the additional entry equal to \$1.25 for each acre thereof.

Sec. 5. That persons who have submitted final proof upon, or received patent for, lands under the homestead laws, and who own and reside upon the lands so acquired, may, subject to the provisions of this act, make additional entry for and obtain patent to contiguous lands designated for entry under the provisions of this act, which, together with the area theretofore acquired under the homestead law, shall not exceed 640 acres, on proof of the expenditure required by this act on account of permanent improvements upon the additional entry.

Sec. 6. That any person who is the head of a family, or who has arrived at the age of 21 years and is a citizen of the United States, who has entered or acquired under the homestead laws, prior to the passage of this act, lands of the character described in this act, the area of which is less than 640 acres, and who is unable to exercise the right of additional entry herein conferred because no lands subject to entry under this act adjoin the tract so entered or acquired or lie within the 20-mile limit provided for in this act, may, upon submitting proof that he resides upon and has not sold the land so entered or acquired and against which land there are no encumbrances, relinquish or reconvey to the United States the land so occupied, entered, or acquired, and in lieu thereof, within the same land-office district, may enter and acquire title to 640 acres of the land subject to entry under this act, but must show compliance with all

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COLD WEATHER CAUSES INJURY

Vale Boy Falls Asleep From Cold, and Slides From Load of Hay ---Not Badly Hurt.

Sheepmen coming in on the road from McLaughlin's ranch to Vale Sunday, found the unconscious body of Myron McLaughlin, 16-year old son of John McLaughlin of Vale. He was taken to W. F. Hall's ranch where first aid treatments restored his consciousness.

Medical aid was summoned and the lad brought to Vale, where he was moving around town a few hours later, evidently none the worse for his experience, save a badly bruised and skinned face. The team which he was driving meandered a short distance down the road, stopping at a fence corner.

"I was driving down the road," said young McLaughlin at the Hall ranch, "and it was awfully cold, and I was about half asleep and half awake. I must have slid off the load of hay on my face, because that's all I remember until I woke up here."

TRAIN SERVICE GETTING WORSE AS DAYS PASS

Cars of Lumber Come From Portland in Five Days, and Stock is Handled More Efficiently Than Ever.

Saturday, Dec. 30, train scheduled to leave Ontario at 10 a. m., arrived at Vale 12:25—distance, 16 miles. Sunday, no service, no mail. Monday, train scheduled to leave Ontario at 10 a. m., arrived at Vale, 12:30 p. m. Distance, 16 miles. Tuesday, arrived 11:40. Wednesday, arrived 11:30.

Mail arriving at Ontario 6:53 Saturday evening, both east and west, all Sunday mail, including Sunday papers from Portland and Boise, held over, arriving at Vale sometime after noon on Monday.

No more outrageous discrimination in inadequate train service is known to exist than this.

When Bushu and Brooke met the citizens of Vale, they agreed to recommend the morning and evening train and positively stated that there was no intention of taking off Sunday service.

They immediately proceeded to Nampa or some other way station on their alleged main line, and held another meeting without giving Vale citizens notice, and forthwith put out a schedule, discriminating in character, unjust in that it deliberately destroys values, and is a monument of duplicity not exceeded by an ancient tyrant.

The inefficiency of the O. S. L. has done for more than its share in creating a car shortage in the west. They own comparatively few cars and depend on utilizing way cars and foreign cars billed into the territory, for their own service.

Coal cars from Utah that should be delivered in 72 hours are seldom gotten across their petty divisions under ten days, more frequently 12 to 14 days. Thus a car does about 1-3 of its possible and reasonable duty.

Cars of lumber come from Portland in five days, and two days of that is taken up by the O. S. L. in getting the cars from Huntington to Vale.

Stock is handled more inefficiently than on any road in America. We are in possession of a story on stock handling that would bring a smile of derision to the face of any real railroad operator, while our O. S. L. alleged operators think they have done well. In fact under the circumstances they have done well, for the time of everyone who is not actually on duty handling trains, is busy fooling the public with either some personal attention or writing fake stories for the papers.

Germany would be invincible with a sense of humor.—Wall Street Journal.

Why not give the Nobel peace-prize to the Kaiser?—Baltimore American.

Wall Street is crying for help. The war-brides are fainting.—Baltimore American.

The British censor who reads the letters can have no illusions about himself.—Wall Street Journal.

GRAND JURY RETURNS FOUR INDICTMENTS

Grand Jury Makes Report and Finds Four True Bills of Indictmen--Hanna Will Be Tried for Assault.

In the Circuit Court of the State of Oregon: In the Matter of the Final Report of the Grand Jury: We, the Grand Jury, have been in session two days and have carefully investigated all matters brought to our attention, and all matters within our own knowledge, and have returned to this Court four true bills and one not a true bill, and having carried out our duties and fully completed our work ask to be excused.

Signed: Fred Currey, Foreman, Robt. R. Overstreet, G. W. Taylor, C. W. Madden, P. G. Howard Mallett, Ira Dail.

Indictments Returned.
Harvey Bryce for burglary, stealing grain from E. S. Fields' granary in Dead Ox Flat.
Frank Hanna for assault and battery on the person of Emmett Kimball.
Ben Seaward for larceny of steers from Wm. Jones.

TAKES OREGONIAN AGENCY

J. D. Rogers, of this city, has taken the agency of the Oregonian from N. C. Pike, and that paper's headquarters will be at the Rogers News Stand from now on.

Russia announces that the Allies have agreed to let her have the Straits and Constantinople—provided, of course, that she can get them.—Kansas City Star.

Outlines of the Kaiser's peace-terms indicate that he has failed to include a provision that Americans may again be allowed to travel on steamships.—Philadelphia North American.

Riverside Couple Married in Vale

First Wedding Ceremony of 1917 in Vale, performed by Rev. W. J. Luscombe, Monday morning

Monday, January 1, 1917, at the Methodist parsonage, William L. Blaylock and Miss Minnie E. Rogers were united in marriage. The bride came to this section of the country to live about 4 years ago, from Wasco county, Oregon; while the groom has spent most of his life in Malheur county, having moved here from Arkansas in early childhood.

The newly married couple returned to Riverside, Oregon, Monday evening where they will reside on their ranch. Their many friends wish for them a happy and prosperous career.

Wood Statistics

There were cut from the National Forests in the fiscal year 1916, 604,920,000 board feet of timber. Of this amount, 119,483,000 board feet was cut under free use privilege by 42,055 individuals. In all, 10,840 sales of timber were made, of which 97 per cent were under \$100 in value, indicating the extent to which the homesteader, rancher, miner, small millman, and others in need of a limber quantity of timber draw upon the Forests.

As things are now drifting, the next Hague Conference will draft regulations to prevent neutrals from annoying the belligerent nations.—Washington Post.

Colonel Roosevelt is planning a trip to the Fiji Islands to visit the extinct volcano. Birds of a feather will flock together.—Nashville Southern Lumberman.

The Kaiser must be puzzled by the fact that the Almighty has seen fit to reduce the potato-crop of Germany more than 50 per cent, under last year's yield.—New York Sun.

Chicago's pie-eating burro may have got his tip from the Democratic donkey.—Pittsburg Chronicle Telegraph.

H. C. EASTHAM WILL FIGHT THE MANEY BROS.

Legal Talent Will Fight Maney for \$250,000 Damages--Promises Are Made For Resumption of Work.

The legal complications in connection with the Bully creek enterprise are now in the whirlpool of creation. Andrew Deegan returned from Philadelphia with full powers, it is said, to take any action he sees fit.

Legal lights in Philadelphia have been engaged and H. C. Eastham, a prominent local attorney, will represent Mr. Deegan and his clients at this end. "It is proposed," said Mr. Deegan, "not only to fight the Maney Bros. lien but we shall sue them for about \$250,000 damages. Our people have furnished the money and we are trying to get some of it back."

It is rumored that great promises are being made as to resumption of work in the spring. The time has passed when endeavors to create a public sentiment by futurities. Seeing is believing and throwing dirt the real evidence.

Steps will now be taken to declare the contracts void. Papers will be prepared and the suit entered in the April term.

And the \$25,000,000 War Department deficit caused by the detention of the National Guard on the border takes no account of the boys' own deficits.—Cleveland Leader.

Denmark voted overwhelmingly to accept \$25,000,000 for her West Indies, not letting the fact that they aren't worth it interfere with her altruistic desire to aid the United States.—Philadelphia North American.

Roumania appreciates just how much she has needed by the Allies.—Wall Street Journal.

WARMSPRINGS BOND BIDDERS MAKE OFFERS

Bids Made Friday Afternoon Have Not Been Made Public--String on Government Money Proposition.

SATISFACTORY BID IS TO BE HOPED

Unless Development Begins in Valley This Spring It Will Be Dead For Coming Generation.

Several bidders for the bonds of the Warm Springs Irrigation District are in town. Just what they have bid at the meeting called at 2 p. m. Friday is not now known.

There developed a string on the government money proposition which Messrs. Mallett and Wood endeavored to put through in Washington. The difficulty lies in the following clause in the Reclamation Extension Act approved Aug. 13, 1914. The clause is as follows:

Section 12. That before any contract is let or work begun for the construction of any irrigation project hereafter adopted the Secretary of the Interior shall require the owners of private lands thereunder to agree to dispose of all lands in excess of the area which he shall deem sufficient for the support of a family upon the land in question, upon such terms and at not to exceed such price as the Secretary of the Interior may designate; and if any landowner shall refuse to agree to the requirements fixed by the Secretary of the Interior, his land shall not be included within the project if adopted for construction.

There has been some idle talk that this not applying to the Warm Springs project, but it is certain that the above is a very plain provision of the law and the Warm Springs project is an irrigation project.

Thus, while it is certain that no forecast can be made as to the exact size of the farm unit which the Secretary might declare sufficient to support a family it is equally certain that such unit cannot be made less than ten acres nor more than 160 acres for the reason that this limitation is plain provision of the reclamation act.

The price which the Secretary might set for the excess land cannot be stated until further investigation as to values, etc. As the matter stands now to accept government money if we could get it, which is more than doubtful would mean that unless a very large majority of the acreage should sign the requirements of the Secretary before he would order work to begin, the project would fail.

It is to be hoped that a satisfactory bid may be received for the bonds as it is now or never. Malheur Valley will begin development this spring or it is dead for a generation.

CHANGES TAKE PLACE AT THE COURT HOUSE

W. H. Doolittle Returns to ed With Short Stay in the County Seat--New Officers are on the Job.

A number of changes have taken place at the court house the past week. Ernest Diven has become deputy County Clerk, Mr. Moody having assumed the duties of clerk.

W. H. Doolittle, who filled out the term as clerk vice J. P. Houston has returned to Ontario. Mr. Doolittle expressed himself as well pleased with his short sojourn in Vale and leaves the town with a feeling of friendship.

"The position was acceptable to me at the time," said Mr. Doolittle, "but there are things coming up in the immediate future in which there should be more money than in any position. We are so closely allied with the landed interests of the county, and have put our faith, time and money behind

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