

# Crook County Journal

VOL. XI

PRINEVILLE, CROOK COUNTY, OREGON, OCTOBER 10, 1907.

NO. 43

## Tons of New Goods



### Cloak Department

Nothing to surpass our line of Ladies' Cloaks and Wraps has ever appeared in this city. We request the pleasure of a visit from you to our Cloak Department.

PRICES REASONABLE

### Ladies' and Misses' Sweaters

All the new shapes in all weights

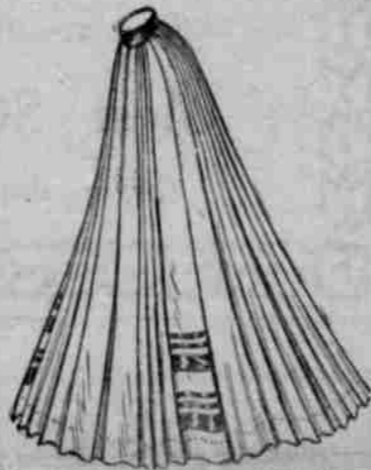
### Stylish Skirts

Ladies, if you want Stylish Sensible Skirts you will be more than delighted with our new lines. All the leading shades and styles.

Men's Blue Flannel Shirts from \$1.25 to \$4

Blankets from 75c to \$11. White, Gray and Tan

Men's Sweaters. Just what you need for winter



## C. W. ELKINS

THIRD ANNUAL

## Crook County Fair

TO BE HELD AT

Prineville, Oregon

Oct. 24, 25, 26, 28, 29

You cannot afford to miss it. Everything grown in Central Oregon will be exhibited.

Exhibits Wanted from all Sections of the County

## Fine Racing---Big Purses

Send for Premium List to President or Secretary

## Central Oregon Agricultural & Live Stock Association

T. H. Lafollette,  
President, Prineville, Or

Duncan Macleod,  
Secretary, Prineville

## RULES AND REGULATIONS

Of the State Land Board.

READ CAREFULLY.

A Matter of Great Importance to the Future Growth of Crook County.

In order that those desiring to settle upon and cultivate lands reclaimed under the provisions of the Carey act may be advised as to the method of procedure required by the Board, and that those desiring to contract with the state for the selection and reclamation of additional areas may be advised as to the general provisions required by the Board in such contracts, these rules and regulations have been adopted by the State Land Board, based upon our interpretation of the Federal and state laws and rulings of the U. S. Department of the Interior.

**POLICY OF BOARD**  
Rule 1. It will be the policy of the Board to guard equally the interest of the state, of the intending settler, and of the company which shall have the contract for the construction of the canal system and colonization of the lands thereunder, and in referring to the several parties in these rules, the company that is building the system shall be referred to as "construction company," or "the company," the intending settler as "settler," and the State Land Board as "the Board."

**SETTLEMENT OF LAND, WHO MAY ENTER LANDS.**  
Rule 2. The right to enter land under the Carey act does not depend directly upon the general land laws of the United States; no entryman will, therefore, be disqualified for entering land under the provisions of this act by reason of his having previously exhausted his rights under the general land laws of the United States.

**APPLICATION.**  
Rule 3. No charge is made by the state for lands reclaimed under the Carey act, or for the issuing of deeds. Application to the state for entry of land, also for the purchase of water right and release of lien by the construction company, must be made to the construction company. This application and contract shall be made in triplicate and forwarded by the company to the State Land Board within ten days after execution for approval and endorsement by the Board, and without such endorsement to be void. One copy of each to be retained by the Board, the remaining copies returned to the company, who shall deliver one copy to the applicant.

**LOCATION.**  
Rule 4. All filings or entries of land shall be made according to legal subdivisions; and the legal subdivisions constituting a filing under a canal system shall be contiguous; but nothing shall prevent an entryman from filing upon land under two or more canal systems in the state, the total amount so filed upon being limited, however, to one hundred and sixty acres.

**AREA—QUALIFICATION FOR ENTRY.**  
Rule 5. Deeds will not be issued to any one person for more than one hundred sixty acres, and then only to one who is a citizen of the United States or has declared his intention to become such, and who has made actual settlement on said land, as required by the act granting such lands to the state.

**LAW ON SETTLEMENT.**  
Rule 6. The federal law and contract with the state binds the state to dispose of lands patented to it under the provisions of this act to "actual settlers," who will cause the same to be irrigated, and reclaimed, as thoroughly as is required of citizens who may enter under the said desert land law, and the contract between the state and the government provides that the "state shall not lease any of said lands, or use or dispose of the same in any way whatever, except to secure their reclamation, cultivation and settlement."

**ACTUAL SETTLER.**  
Rule 7. Actual settler is defined to mean "a person in the actual occupancy of the land, with the intention of making the same his permanent residence and using the land as his home."

**RESIDENCE—ABANDONMENT.**  
Rule 8. Within six months after

the date of the settler's application for entry of land, he shall become an actual resident upon the land applied for, and maintain such residence in accordance with the rules and practices relating to "residence" under the provisions of the United States homestead laws until he has made final proof.

Actual residence on the land for at least six months will be required in the making of final proof as to settlement.

Abandonment of entered land by the entryman for a period of six months, without leave from the Board, shall constitute cause for cancellation of his entry, and no leave of absence will be granted by the Board for a longer period than six months.

**RECLAMATION—CULTIVATION—PROOF.**  
Rule 9. During the first irrigation season after the date of the settler's application for entry of land that water is available from the constructed canals, one sixteenth part of the irrigable land filed upon shall be cultivated and irrigated by such settler and during the second year after such date the same or an equal area shall be cultivated and irrigated. Within three years from the date of such application, not less than one-eighth of the irrigable land filed upon shall be actually cultivated and irrigated, and the settler shall appear before the clerk of the Board, or a representative of the Board, and make final proof of reclamation, cultivation, and settlement upon approved forms, to be filed with the State Land Board at Salem, Ore., on or before the expiration of such three-year period.

Proof that one-sixteenth part of the irrigable land filed upon has been cultivated and irrigated must be filed with the Board at Salem, Ore., upon form "A," supported by evidence of two credible witnesses, form "B," within one year from the date of such settler's application. Proof filed with the Board upon similar forms within two years from such date that the same or an equal amount of land was cultivated and irrigated during the second year will be required.

**FINAL PROOF.**  
Rule 10. Within three years from the date of the settler's application for entry of land, he shall make final proof of "reclamation, cultivation and settlement," upon form "E," supported by affidavit of two credible witnesses, form "F," and file the same together with affidavit, form "D," with the State Land Board at Salem. Such final proof may be made (after said one-eighth shall have been cultivated and the six-months period of required residence) at any time before the expiration of three years.

**PUBLICATION—DATE OF PROOF.**  
Rule 11.—The entryman shall give notice of his intention to make final proof of "reclamation, cultivation and settlement" by publication in a newspaper, published in the county in which the land upon which final proof is to be made is situated, once each week for four consecutive weeks immediately preceding the date set for making final proof.

**FINAL CERTIFICATE.**  
Rule 12. Upon receipt of final proof, accompanied by the necessary affidavits, the clerk of the board shall prepare an abstract showing the date of receipt of the annual and final proofs, and other papers, such as leave of absence, etc., and submit the same to the State Land Board for action. If approved, a certificate shall be forwarded to the entryman.

**PRIOR ENTRIES—WATER NOT AVAILABLE.**

Rule 13. In case it is impossible to make the first or second annual proof, owing to water from constructed ditches not being available, then by application to the Board, accompanied by affidavit of two credible witnesses proving such fact for one or both years, such proof will not be required for the issuance of final certificate. For valid entries made prior to the date of this order, the time for commencement of "reclamation, cultivation and settlement" shall run from the date of this order, and in case the necessary proofs are not filed with the State Land Board at Salem, Oregon, within the required times, then such prior entries shall be subject to cancellation.

**ASSIGNMENT—QUALIFICATIONS.**  
Rule 14. Assignment of entry may be made, but the assignee shall possess all the qualifications of an original entryman. Such assignee shall file a certified copy of a proper deed of assignment of all the rights of such original entryman to the land, together with evidence in writing from the construction company of the transfer to him of all the interests in the canal system contracted for by the original entryman, together with an affidavit in form "H." Such assignment will not be valid unless the original entryman had submitted the necessary proofs prior to assignment. The assignee shall complete any further proof necessary.

### DEEDS—TIME LIMIT.

Rule 15. After the making of final proof, upon application to the State Land Board, accompanied by a proper release of lien from the construction company and the final certificate, form "H," the applicant will be entitled to receive a quitclaim deed from the state, provided such application is presented to the Board within one year from the date of final payment for release of lien as fixed in the settler's contract with company for purchase of water rights or such release.

### FORFEITURE OF RIGHTS.

Rule 16. The rights of entryman before the State Land Board shall be subject to forfeiture to the state for the following causes: (1) failure to reside upon the land embraced within said entry as provided by law and these rules; (2) failure to submit annual and final proof of reclamation, cultivation and settlement within the times specified; (3) failure to purchase the necessary water right or release of lien from the construction company; (4) failure to present such release of lien and apply to the state for deed within one year after date of final payment as fixed in the settler's contract with the construction company for purchase of such release.

### ENTRY OF LAND—APPROVAL.

Rule 17. No land will be considered entered until the settler's application has been received and approved by the Board and the entry noted on the records of the State Land Board at Salem. If any application hereafter or heretofore executed with a construction company shall not be approved upon presentation to the Board for nonfulfillment by the construction company of its contract with the state, then all such applications and contracts for the purchase of water rights or release of lien shall be void and all payments, notes, mortgages or other pledges shall be returned at once by the construction company to the settler.

### LIEN FOR RECLAMATION.

Rule 18. As the object in withdrawing the land from the operation of the United States general land laws is primarily for the purpose of affording proper security for the capital invested in the construction of the works for reclaiming the same from its desert condition, no one shall enter any of such land until he has first entered into a contract with the construction company for the purchase of the necessary water rights. The law provides that the water rights purchased by the entryman shall, as soon as title passes from the United States to the state, become appurtenant to the land, and that the person, association or company furnishing water for the same shall have a prior lien on said water right and land upon which said water is used, for all deferred payments for said water rights.

### CONTEST.

Rule 19. Any person qualified to make entry upon segregated land may contest an entry or final proof for any sufficient cause affecting the legality or validity of the same.

Applications to contest must be filed with the Board, and must be made by affidavit setting forth the facts constituting the grounds of contest, which affidavit must be corroborated by the affidavits of two or more witnesses.

Personal service upon the contestee of a copy of the contest affidavit shall constitute service of notice of contest. Proof of service must then be filed with the Board. The contestee must file his answer with the Board within twenty days after date of service.

At the expiration of said twenty days, if there is no appearance by the contestee, judgment by default may be had by the contestant, but if there is an appearance, the Board will set a time and place, when, within thirty days, before some person designated by the Board, the evidence shall be taken, which will thereafter be reported to the Board for action.

Filing of a relinquishment of an entry, pending a contest, will be considered as the result of the contest, and the entry will, therefore, be cancelled.

The successful contestant shall have the preference right, within fifteen days, to enter the land in controversy.

### No Diphtheria in Prineville

The city can now present a clean bill of health. Those that were in quarantine were released long ago and the two cases in the Edmondson family have recovered. The family left for the north on Tuesday's stage. Thanks to the vigilance of our city officials the disease was not allowed to get a foothold in our municipality.

### Notice to Woodmen

All members are requested to be present at our next regular meeting Monday night, October 14. Business of special importance.

R. V. CONSTABLE, clerk.

## DON'T FORGET THE FAIR

Bring Your Exhibits in Early.

SPLENDID RACING

This Year's Fair is Going to Beat all Previous Records.

There was a meeting of the directors of the fair association Tuesday. The fair grounds were visited and the premises given a thorough inspection. Workmen have begun the erection of additional stock pens and the pavilion is being placed in readiness to receive exhibits.

The association reports all indications favorable for a splendid fair. Everyone is falling in line and working with this end in view. Besides the exhibits which will show up the resources of Crook county as never before, the speed program will excel even the expectations of those having the matter in charge. There will be horses from all parts of the state to compete for the purses. Some are here now and all will be by October 24. It is expected that fifty flyers will enter the lists.

The board reports ample space for all exhibits and will provide additional room if necessary to house those that arrive during the last week. The directors wish to urge upon everyone the necessity to provide such exhibits as they can however small and for all who were at the Redmond fair last month to bring the exhibits that were shown there. Special invitations will be sent to the largest exhibitors, but if you do not get one the association wish to make their official invitation through the press to everyone.

Do not forget the date—October 24-29 inclusive. Do not consider the date that is on your premium list for it was printed before a decision was reached by the association to change the dates.

Purses of admission have been changed to effect children under twelve years of age who will be admitted at half rate or 25c per day.

### True Details of Guy Moore's Death

A recent letter to his mother from Chicago, written by his friend gives the true details of the accident that caused the death of the late Guy Moore. It says: "Two young men besides himself, were out in a rowboat one day when a terrible rain and windstorm came up, and in their efforts to keep the boat from turning, they were driven toward a number of piling that had formerly been an old pier. In their struggles one of the oars became fastened between two piling and in their efforts to free it, the boat was overturned and the three thrown into the water. Each eventually succeeded in getting upon a piling. But while they were safe from the waters, the boat was being tossed and drifted from them. It was a long distance to shore and without the boat, they must cling to the posts during the remainder of the day and probably all night, or until the storm should subside. In this desperate situation, the first two boys being almost exhausted, Guy volunteered to recover the boat. It was a long hard swim, and when he reached the boat he was almost exhausted. But finally with one oar, he turned the boat and began the return trip forcing it against the wind and waves. Five times, the boat was capsized and he was thrown into the lake. Finally he managed to bring it along side the piling and his friends got in, then the effort was to reach shore, which they did after a long time, and scarcely knowing how. All were chilled, exhausted and worn out, but Guy's condition was much worse than that of his companions. The terrible exertion and exposure in the ice cold water developed disease that took his life."—Corvallis Times.