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LAND LAW REFORMS HAVING HARD TIMES

Secretary Fisher Still Busy Fighting Measures to Make Homesteading Practical For American Farmers

Washington, Feb. 18—The outlook for the enactment of legislation that will facilitate the development of the west and check the rush of American farmers to Canada is not as bright as Western Senators and Representatives had hoped for, and unless there is a material change in the situation, the obsolete and ineffective land laws now on the statute books will remain with little change for a year or more.

The trouble primarily lies in the fact that Secretary Fisher does not indorse the views of those Western men in Congress who are striving to amend the land laws in the interest of honest settlers, and Western Senators and Representatives disagree with the plan of change proposed by the Secretary. The Secretary, like several of his predecessors in office, cannot get away from the belief that thousands upon thousands of crooks are only awaiting the chance to pounce down on the public domain and gobble it up, while Western men in both branches of Congress are trying to convince the Secretary, as well as Eastern men in Congress, that the average homesteeker is a man of honest purpose and deserving of trust.

It can be readily understood that with the Secretary of the Interior objecting to liberal legislation and with the Western Senators and Representatives objecting to strict legislation, there are many chances of wrecking both the bills proposed by the West and those proposed by the Secretary. And there is likely to be a deadlock at the expense of the West, unless some compromise is reached.

A start in the direction of reforming the land laws was made when the Senate passed the Borah-Jones three-year homestead bill, which not only shortens the length of time a homesteader must reside upon his land to get title, but also permits him to be absent from his land six months in each of the three years fixed by the bill. Within two weeks after Senator Borah's speech exposing the hardships to which the American homesteader is exposed, the Senate, without a dissenting vote, passed this bill, in the hope that it would receive favorable consideration at the other end of the Capitol, but at the moment the Senate was passing the bill, Secretary Fisher was urging the house committee on public lands to kill it because he regarded it as far too liberal in its provisions.

It seems certain, however, that there will be serious opposition to the Borah-Jones bill from some quarter in the House, even if it does not develop in the public land committee, and this bill will stand little chance of passing in its present shape unless there be some masterful speaker who can portray the hardships of the homesteader in terms as convincing as the speech of Senator Borah. But for the Borah speech, the three-year homestead bill would still be slumbering on the Senate calendar. In the face of that speech, however, none raised a protest.

Secretary Fisher does not believe any homesteader would be entitled to a patent after living on his land and cultivating it three successive summers. He thinks such a law as this would be too liberal, and would open the way for fraud. He would not object to granting leave of absence to homesteaders during the worst winter months each year, but he does not believe any homesteader should be permitted to leave his land for six months

in a year. The most he is willing to do in this line is to give the settler the right to leave his land during the first two winters, provided he will live on it continuously for three years thereafter, and show cultivation for five successive summers.

Another reform sought by Western men, which has been objected to strenuously by Secretary Fisher, proposed that every homesteader or other land entryman against whom charges or contest is filed by a special agent shall receive a copy of the charges before such charges are used against him,—in other words that no secret reports shall be used by the government in denying title to an entryman. Representative Hawley introduced a bill for this sort of publicity, and Secretary Fisher objected to it. He said it would work in the interest of the dishonest entryman. Here again Secretary Fisher is proceeding on the theory that the average entryman is not trying in good faith to acquire title to public land for his own use.

How far Secretary Fisher will be willing to go later on in reaching a compromise with Western Senators and Representatives, and how far the legislators will be willing to go for this same purpose will determine how much land law reform there will be at the present session.

ABSTRACT REPORT

Of Instruments filed in the office of Recorder of Deeds. Issued by Crook County Abstract Co., Inc., Prineville, Ore. January 22 to February 17, inclusive.

DEEDS

Martha J. Wood to T. S. Hamilton; s1sw1 and ne1sw1, sec. 3 and nw1nw1, sec. 10-14-16. \$200.
Orin A. Pearce to Frank H. Pratt; nw1nw1, Sec. 35-11-14. \$115.

A. J. Booth to A. T. Morris; 70 by 100 feet lying south of blk. 33, Palmain. \$1000.

Sdward T. Bateson to Joseph H. Baird; n1nw1, sec. 20-13-15; ne1se1 sec. 23, and w1sw1 and se1sw1 Sec. 24-13-14; also se1sw1 & se1se1 Sec. 23 and w1se1, ne1nw1 & nw1ne1 sec. 26-131-4. \$10.
Wm. H. King et ux to John E. Daly; lots 1 & 2, blk. 13, Gateway.

Orin A. Pearce et ux to Jacob S. Moehring; nw1ne1 sec. 13-11-13. \$200.
A. B. Farnsworth et ux to John E. Daly; 1/2 int. in ne1sw1, sw1se1 and s1sw1 sec. 27-9-14. \$2250.

State of Oregon to Fred Fisher; e1se1 sec. 8 and n1ne1 sec. 17-10-14. \$1200.
United States to Fred Fisher; sw1sw1 sec. 35-21-15. Patent.
Cert. of Final Proof to Clifford W. Sowers for sw1sw1 sec. 12 and s1se1 sec. 11-12-1.

Andrew Pierson to Anna E. Pierson; w1nw1 sec. 9 and n1ne1 sec. 8-11-14. \$10.
Mattie M. Waugh to Claude G. Ramsey; sw1nw1 and nw1sw1 sec. 29-2-13. \$1.

Rufus E. Waldorf to Jesse W. Lyman et al; s1se1

PATENTS

Louis T. Larson; ne1ne1 sec. 31-12-16.
Andrew Pierson; w1nw1 sec. 9 and n1ne1 sec. 8-11-14.
Wm. A. Pullen; e1sw1, nw1se1 and sw1ne1 sec. 17-11-14.

Wm. McElroy; e1nw1 and lot 2 of sec. 30 and se1sw1 sec. 19-11-14.
Frank M. Loveland; n1nw1, sw1nw1 and nw1sw1 sec 29-12-13.

Read Maintenance Real Problem.

Colonel E. A. Stevens, New Jersey state road commissioner, after four months' experience in his new office, finds that the annual cost of maintaining and repairing macadam roads is from \$600 to \$900 a mile, or about \$2,000,000 for the entire state. For repair work and maintenance his department has only \$250,000 available, and this must be distributed in twenty-one counties. Having found that the figures on cost of upkeep are not very satisfactory, the commissioner is now experimenting on a four mile stretch of much traveled road at Mercerville, near Trenton, to determine just what the actual cost for a given period ought to be. "I find the work of maintenance a much more difficult problem than that of construction," said Colonel Stevens.

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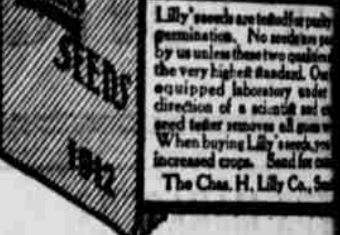
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