

The New 640 Acre Stock Raising Homestead Law

Congressman N. J. Sinnott has sent to The Bulletin a copy of the recently enacted 640 acre stock raising homestead law, which is here reprinted in full.

"H. R. 407. An act to provide for stock-raising homesteads, and for other purposes.

"Be it enacted by the senate, 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 six hundred and forty acres of unappropriated unreserved public lands 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.'

"Section 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 six hundred and forty 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 six hundred and forty 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 two hereof shall not be a bar to the entry of a tract within a radius of twenty miles from such former entry under the provisions of this act, subject to the requirements of law as to residence and improvements, which, together with the former entry, shall not exceed six hundred and forty acres; Provided further, That the entryman shall be required to enter all contiguous areas of the character herein described open to entry prior to the entry of any non-contiguous 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 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 this act as shall not, together with the amount embraced in his original entry, exceed six hundred and forty acres, and residence upon the original entry shall be credited on both entries, but improvements must be made on the additional entry equal to \$1.24 for each acre thereof.

"Sec. 5.—That persons who have

submitted final proof upon, or received patent for, lands of the character herein described under the homestead laws, and who own and reside upon the land 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 six hundred and forty 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 twenty-one 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 six hundred and forty 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 twenty-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 six hundred and forty acres of land subject to entry under this act, but must show compliance with all the provisions of this act respecting the new entry and with all the provisions of existing homestead laws except as modified herein.

"Sec. 7.—That the commutation provisions of the homestead laws shall not apply to any entries made under this act.

"Sec. 8.—That any homestead entryman or patentee who shall be entitled to additional entry under this act shall have for ninety days after the designation of lands subject to entry under the provisions of this act and contiguous to those entered or owned and occupied by him the preferential right to make additional entry as provided in this act; Provided, That where such lands contiguous to the lands of two or more entrymen or patentees entitled to additional entries under this section are not sufficient in area to enable such entrymen to secure by additional entry the maximum amounts to which they are entitled, the Secretary of the Interior is authorized to make an equitable division of the lands among the several entrymen or patentees, applying to exercise preferential rights, such division to be in tracts of not less than forty acres, or other legal sub-division, and so made as to equalize as nearly as possible the area which such entrymen and patentees will acquire by adding the tracts embraced in additional entries to the lands originally held or owned by them: Provided further, That where but one such tract of vacant land may adjoin the lands of two or more entrymen or patentees entitled to exercise preferential right hereunder, the tract in question may be entered by the person who first submits to the local land office his application to exercise and patents issued under the said preferential right.

"Sec. 9.—That all entries made and patents issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same. The coal and other mineral deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal and mineral land laws in force at the time of such disposal. Any person qualified to locate and enter the coal or other mineral deposits, or having the right to mine and remove the same under the laws of the United States, shall have the right at all times to enter upon the lands entered or patented, as provided by this act, for the purpose of

prospecting for coal or other mineral therein, provided he shall not injure, damage, or destroy the permanent improvements of the entryman or patentee, and shall be liable to and shall compensate the entryman or patentee for all damages to the crops on such lands by reason of such prospecting. Any person who has acquired or patented lands of the character herein described in any such land, or the right to mine and remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining or removal of the coal or other minerals, first, upon securing the written consent or waiver of the homestead entryman or patentee; second, upon payment of the damages to crops or other tangible improvements to the owner thereof, where agreement may be had as to the amount thereof; or, third, in lieu of either of the foregoing provisions, upon the execution of a good and sufficient bond or undertaking to the United States for the use and benefit of the entryman or owner of the land, to secure the payment of such damages to the crops or other improvements of the entryman or owners, as may be determined and fixed in an action brought upon the bond or undertaking in a court of competent jurisdiction against the principal and sureties thereon, such bond or undertaking to be in form and in accordance with rules and regulations prescribed by the Secretary of the Interior and to be filed with and approved by the register and receiver of the local land office of the district wherein the land is situated, subject to appeal to the Commissioner of the General Land Office: Provided, That all patents issued for the coal or other mineral deposits herein reserved shall contain appropriate notations declaring them to be subject to the provisions of this act with reference to the deposition, occupancy and use of the land as permitted to an entryman under this act.

"Sec. 10.—That lands containing water holes or other bodies of water needed or used by the public for watering purposes shall not be designated under this act but may be reserved under the provisions of the act of June twenty-fifth, nineteen hundred and ten, and such lands heretofore or hereafter reserved shall, while so reserved, be kept and held open to the public use for such purposes under such general rules and regulations as the Secretary of the Interior may prescribe: Provided, That the Secretary may, in his discretion, also withdraw from entry lands necessary to insure access by the public to watering places reserved hereunder and needed for use in the movement of stock to summer and winter ranges or to shipping points, and may prescribe such rules and regulations as may be necessary for the proper administration and use of such lands: Provided further, That such driveways shall not be of greater number or width than shall be clearly necessary for the purpose proposed and in no event shall be more than one mile in width for a driveway less than twenty miles in length, not more than two miles in width for driveways over twenty and not more than thirty-five miles in length, and not over five miles in width for driveways over thirty-five miles in length: Provided further, That all stock so transported over such driveways shall be moved an average of not less than three miles per day for sheep and goats and an average of not less than six miles per day for cattle and horses.

"Sec. 11.—That the Secretary of the Interior is hereby authorized to make all necessary rules and regulations in harmony with the provisions and purposes of this act for the purpose of carrying the same into effect."

In a statement accompanying the law it is announced that the Interior Department has not had time to compile rules and regulations governing the entry of lands under the provisions of the new law. General comments and explanations have been prepared, however, as follows:

1.—The provisions of the law permit the entry of 640 acres of semiarid grazing land by any qualified entryman. The bill does not apply to all public lands, but only to such areas as are suited largely for stock raising and grazing purposes. The Interior Department will later designate the areas that may be entered under this act.

2.—At the present time it is impossible to give specific information as to the location of the areas that will subsequently be designated for entry. In general it may be stated that designations will be made in the Rocky Mountain states and westward. A personal inspection of the lands sought to be entered is the only satisfactory manner in which prospective entryman can fully inform himself as to the relative worth of the land.

3. To acquire title to a homestead under this act an entryman must reside upon the land not less than three years and make permanent improvements thereon tending to increase its value for stock-raising purposes, of the value of not less than \$1.25 per acre, one-half of which must be placed on the land within three years after the date of entry. Cultivation of the land is not required. Commutation of entry is not allowed.

4.—If a homestead entryman has heretofore exhausted his homestead right by securing title to 160 acres of land in the humid regions, this 640-acre homestead tract does not restore his rights nor permit him to enter an additional homestead. The theory of the law is that only one homestead may be taken by an individual entryman. Of course, if the homestead was lost and title never acquired, or if the land entered heretofore was grazing land of the character covered by this act, then and in that event a second entry could

be made as per sections 4 and 5 of the act. Legislation, known as "the Ferris bill" (H. R. 8492), is now pending looking to the restoration of the homestead rights of those who have heretofore bought Indian land. The bill has already passed the House and is now pending in the United States Senate. It is hoped the measure will become a law before the present session of Congress adjourns.

5.—Previous to the time the Interior Department designates the areas that may be entered under this law a prospective entryman may file affidavit showing that the land he desires to enter is grazing land and make application to the local land office for suspension of the entry until the character of the land is designated. The entry may then be suspended until the land is designated, at which time, if the land has been designated as grazing land, the application to actually make the entry will be received. Of course, if the Department should hold that the particular tract of land sought to be entered under this procedure is not grazing lands no rights would accrue to the prospective entryman.

6.—As each applicant is required to swear that he is well acquainted with the character of the land described in his application, and as all entries are made subject to the rights of prior settlers, the applicant can not make affidavit that he is acquainted with the character of the land or be sure that the land is not already appropriated by a settler until after he has actually inspected it.

7.—All proceedings connected with the entering and filing on a homestead are conducted by the officials of the local land offices in the states where the land is located. The General Land Office at Washington does not issue maps showing the location of vacant public land subject to entry. This information can be reliably obtained only from the records of the various United States district land offices, the Oregon offices being as follows: Burns, La Grande, Lakeview, Portland, Roseburg, The Dalles and Vale.

8.—Persons who desire to make homestead entry should first decide where they wish to locate, then go or write to the local land office of the district in which the lands are situated and obtain from the records

9.—A personal inspection of the lands should be made to ascertain if they are suitable, and, when satisfied on this point, entry can be made at the local land office in the manner prescribed by the law, under the direction of the direction of the local officers, who will give the applicant full information. Should a person desire to obtain information in regard to vacant lands in any district before going there for personal inspection, he should address the register and receiver of the particular local land office, who will give such information as is available.

10.—Persons desiring to make homestead entries should first fully inform themselves as to the character and quality of the lands they desire to enter and should in no case apply to enter until they have visited and fully examined each legal subdivision for which they make application, as satisfactory information as to the character and occupancy of public lands can not be obtained any other way.

11.—All blank forms of affidavits and other papers needed in making application to enter or in making final proofs can be obtained by applicants and entrymen from the land office for the district in which the land lies.

RADIUM FIND MADE

Colorado Will Treble Supply of the World, is Expert's Belief.

(United Press Staff Correspondent.)

DENVER, Jan. 8.—The corps of Southwestern Colorado will double or treble the world's supply of radium, according to a statement issued today by the expert at the State School of Mines at Golden.

The report declares that the ore accessible in Southern Colorado and in the La Sal mountains in Utah contains nearly 200 grains of radium, or nearly three times the world's present supply.

The carnolite fields of Utah and Colorado already have produced about one-half the world's supply of radium.

COST DECLINE FOUND IN UNIVERSITY WORK

(By United Press to The Daily Bulletin)

LAWRENCE, Kan., Jan. 8.—At least one thing—education—is cheaper than a year ago, according to the University of Kansas figures, which show that the cost of educating a student in the College of Liberal Arts and sciences here is six dollars less than in 1915.

TEUTONS TAKE FOCSANI

(By United Press to The Daily Bulletin)

BERLIN, via Sayville, Jan. 8.—It was announced today that the Germans have captured Focsani. They took 3900 prisoners, and stormed positions south of Milcov.

Want Ads only ONE CENT a word

Step in and Look at These New

Queen Quality

SHOES

---Just Unpacked



- New Black Lustre Kid Lace, Overweight Sole; 8 1/4 in. high \$5.75
- New Soap Kid Vamp, Cloth Top, Button Special at \$4.50
- Patent, Cloth Top—Growing Girls' Shoes, in Button, at \$3.50
- Mat Calif. Cloth Top, Lace, 8 1/4 in. Top, at \$4.50

For Value, for Style, for Fit, for Quality—ask for Queen Quality.

New Bradley Knit Toques; just received 75c, \$1.00

A few Ladies' Wool Dresses remain on sale, at 33 1/2 % off regular Prices.

OUR ENTIRE STOCK

LADIES' SUITS Less 33 1/2

PER CENT

- \$28.75 SUITS \$19.15
- \$25.00 SUITS \$16.65
- \$19.50 SUITS \$13.00
- \$15.75 SUITS \$10.50

STOP AND SHOP AT

MANNHEIMER BROTHERS

IMMIGRATION REPORT ADOPTED BY SENATE

(By United Press to The Daily Bulletin) WASHINGTON, D. C., Jan. 8.—The Senate today adopted the conference report on the immigration bill, voting 56 to 10. The bill empowers Japan to regulate Japanese immigration.

WHEAT MARKET HAS UNUSUAL STRENGTH

(By United Press to The Daily Bulletin) PORTLAND, Jan. 8.—Market quotations today gave club at \$1.64, bluestem \$1.64, Red Russian \$1.52 and fortyfold at \$1.57.

CLEARING HOUSE FOR ALL WANTS

CLASSIFIED ADVERTISING THE PEOPLE'S BUSINESS DIRECTORY

FOR SALE—I have several inquiries for four and five room houses. I have some listed with me now, and persons wanting same may inquire of me. J. B. Miner.

LOST—Silver mesh bag, between Reed school and town, containing about \$2.00; finder please return to Bulletin office. 1-9tc

FOR RENT—Two large unfurnished rooms, water and lights. Inquire The Bulletin. 1-6tc

FOR SALE—Old newspapers, at The Bulletin office; just the thing for carpet lining, for covering shelves, or to help start the fire in the morning. 1-6tf

LOST—Dec. 22, pair of glasses in case, by school boy; reward, 839 Columbia St., Boulevard Add. 1-6p

FOR SALE—Two lots in Northwest Townsite Company's Second Addition (west of the river, near Shevlin mill). Price \$150, easy terms. Apply abc, Bulletin office. tf

FOR SALE — House and lot in Weistoria; a bargain. Bend Garage 22-31c

FOUND—Child's gloves and knitted cap. Apply at Bulletin office. 22tf

FOUND—In road; auto wrench. Owner may have same by applying at this office and proving property. 22tf

LOST—Two thermos bottles in leather case. Person advertising sometime as having found these articles please return to Bulletin and receive reward. 14 tfc

FOR RENT—Two four room houses, \$10 a month each. Inquire at the Martin and Cashman store. tf

LOST—On November 9, between Bend and Redmond, one leather carrying case, containing badges and papers belonging to the State Board of Forestry. Finder please return to J. H. Haner, Bend, Oregon. Reward. tf

FOR SALE—Cheaper than you can build, nicely furnished four-room bungalow; bath room and basement; all for \$1,200; \$600 cash. Phone, Red 721. 25tc

\$798.89

We paid this amount to our Savings depositors on December 30, as interest on their accounts for the preceding six months.

HOW MUCH OF THIS DID YOU RECEIVE?

If you have not a Savings account with this Bank, the first of the New Year is a good time to start one.—\$1.00 starts an account, on which you receive 4 per cent interest semi-annually.



The First National Bank

BEND, OREGON