

Monthly Digest Important Land Decisions

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Homesteads.
The homestead law does not in express terms require the establishment of residence within six months from date of the entry, as said in *Nilson vs. St. Paul, M. & M. R. R. Co.* (6 L. D. 567-569). The law gives a period of seven years within which to prove five years actual residence and cultivation.

The land department, like all other tribunals, recognizes rights arising inevitable casualty. Serious illness of a member of one's family is inevitable casualty, for the anxiety arising from affliction and the duty arising from human obligation contain the mind so that it is not free to carry out its purposes.

When real estate comprising more than 160 acres had been conveyed to a person by another for the purpose of defrauding creditors, such grantee took the legal title and did not hold as trustee. When such grantee thereafter made homestead application, he was disqualified upon the ground that he was the owner of more than 160 acres of land.

Where entryman has settled upon land and made substantial compliance with the homestead law as to cultivation, residence and improvement for five years immediately succeeding that date, his subsequent residence elsewhere, after the expiration of the five year period and the submission of his final proof, can no wise affect his right to patent for the land.

Timber and Stone.
When the only issue before the department is whether the land is subject to entry under the timber and stone law, the claimant should make a prima facie showing

supported by the affidavits of at least two witnesses, who have actual knowledge of the character of the land, showing that it is chiefly valuable for the timber thereon. Upon filing of such an affidavit, within the time allowed, a hearing will be ordered to determine the question. If the above requirements be not complied with the entry will be canceled.

Mining.
The act of June 22, 1910, provides for the allowance of agricultural entries of lands which have been withdrawn or classified as coal lands, reserving to the United States the coal therein, and permitting the entryman to receive a limited patent.

Where entries have been allowed without notice of such classification or withdrawal and of the conditions imposed by the act, the entryman may, if he so desires, be permitted to relinquish his entry without prejudice to his homestead right. If he does not signify his election to complete the entry under the terms and conditions imposed by the act, his entry will be canceled.

The act, however, does not deny him the right to a hearing with a view to disprove such classification under the regulations in such cases made and provided.

If, as a matter of fact, land is non-mineral in character, an invalid placer claim would be no bar to its appropriation under the homestead law, and in such case, the only question at issue would be the mineral or non-mineral character of the land.

A perfected mining claim or TAO under the act of June 25, 1910, (36 Stat. 847) and prior to such withdrawal is deemed to be an estate of such character as to remain unaffected by such order of withdrawal.

Mining applications verified by an attorney of the Company are not void, but voidable and capable of amendment.

When proof of posting upon the land and the application for patent were verified before a Notary Public, who was one of the attorneys for the Company in prosecuting its application proceedings, in such case, new affidavits, duly executed, may be filed, nunc pro tunc, to clear such defects. Prior decisions of El Paso Brick Co. (37 L. D. 1155) and others to same effect, overruled and superseded.

The procedure under the mining laws the "Application for patent" bears a close analogy to the essential pleading—declaration, petition, complaint or otherwise as it may be styled in the several jurisdictions—in a judicial proceeding. The published and posted notice of the application is "process" and the preliminary affidavit of the posting of the notice and plat upon a mining claim, and proof of the publication and of continuous posting of the notice correspond in legal effect to the Sheriff's or Marshall's return where personal service has been had, or to the preliminary affidavits and the proof of publication, etc., when, in appropriate cases, substituted service has been resorted to.

To refuse to give to the rules governing the elements of a court's jurisdiction the equivalent force and effect with respect to the foundations of the jurisdiction of the land department to entertain and proceed with an application for mineral patent, would be to require in the latter a greater degree of strictness than exists in judicial proceedings. This is deemed both unreasonable and unnecessary.

HINTS FOR THE BUSY HOUSEWIFE

Baking Pan With Removable Bottom and Sides.



In the adjustable baking pan devised by a Pennsylvania man there would seem to be a utensil that will find a welcome in every kitchen. Not only can this pan be made in different sizes, but there is no chance of cakes sticking to the sides and bottom. The bottom indeed is a separate shallow pan, and the body portion is a circular strip of metal with a series of notches near one end and two tongues in the other end. One of these tongues engages a notch and makes the pan of any diameter desired, and the other tongue prevents vertical movement of either end of the strip. As will readily be understood, all that need be done when a cake is baked is to lift the body portion of the vessel from the bottom pan and unhook the strip, which will then fly open, leaving the cake in perfect condition.

To Can String Beans and Peas.
Prepare the beans or peas as you would to cook for the table. Wash, pack into one or two quart glass jars, put on rubbers and fill jars overflowing with fresh cold water. Put on tops, put top wire over the cover, but do not press down the other one. If covers screw on, screw covers half-way down. Put wash boiler on stove with water to cover the bottom, put in a board resting on strips of wood or a layer of hay to keep jars from touching bottom of boiler and do not let them touch each other. Four water in boiler to reach two-thirds of the way up the jars; cover boiler closely. Keep a rousing fire and after the water begins to boil in boiler count three hours for string beans, two and one-half for peas. When the required time is up lift boiler carefully from stove to bench or floor, leave cover on ten minutes, then lift it off, snap down wires or screw on covers without on any account opening jars. Lift out jars, wipe, set out of any draft and leave till cool, then pack away till wanted. Test jars when they are cold to make sure the covers are screwed tight.

Cucumber Ketchup.
Made without cooking, and it retains perfectly the taste of fresh cucumbers. Pare very thin six large and fresh cucumbers and chop fine, add a small tablespoonful of salt, let it drain in a colander about an hour, add two small or one large onion chopped fine, teaspoonful white pepper and one pint of white wine vinegar (cider vinegar will do). Stir it all well together, put into wide mouthed bottles, seal it air tight and let stand at least a month before using. Any one fond of cucumbers will like this. If air tight will keep years.

HUMOROUS QUIPS

Piffle.

There's a word that means a lot,
That will often get your goat,
It's a cynic's hottest shot,
That he hammers down your throat.
It's a lasty little word,
But for withering it's a bird—
Piffle.

When you've spouted all your soul
In an effort to appear
Wise and heavy, on the whole,
And some chap begins to sneer
Isn't it an awful shame
That one word will gum your game?
Piffle.

Oh, the irony, the cut!
Oh, the way it makes you feel!
Any star becomes a mutt
At the flash of his spite.
When some fellow speaks to say
In a sharp, conclusive way
Piffle.

When you've read this little verse
You'll perhaps be wondering why
It was writ, though quick and terse
And with sickness in your eye
You will mutter, "What a dolt!"
Then will come that awful jolt—
Piffle.
—Baltimore Evening Sun.

Cause For Economy.
"A new hat, my dear?" said Mr. Needall. "I must say you don't seem to be following my suggestions of economy."
"It's the first new hat I've had this six months!" answered his wife, sniffing.

"Nonsense! What's wrong with your old one?"
"It's out of date," she bridled. "And, after all, while I've been pinching and saving, what have you been doing. I'd like to know? You've been going to your clubs and music halls and smoking your expensive cigars."
"Of course, my darling," he interrupted in a pained voice. "What else do you suppose I asked you to economize for?"—London Answers.

The Little Boy.
The little boy sat under a shade tree with his back against its trunk and tenderly rubbed his inflamed eye.
"When I'm rich," said the little boy, "I'll buy something nice for mother."
He was a fairly good little boy and he didn't forget the conventionalities.
"But first," said the little boy, "I'll build a big jail a mile high and I'll hire a thousand policemen and I'll have a cell full of rats, and then I'll put that red headed little gink of a Bobby Moses in it for blacking my eye!"
For in the normal mind of youth revenge is sweeter than love.—Cleveland Plain Dealer.

Ramesian Cramps.
The learned editorial archaeologist of the Ohio State Journal says that cucumbers were eaten by the Egyptians in 1500 B. C. and probably aren't digested yet.
Come to think of it, ptomaine does suggest Ptolemy.—Cleveland Plain Dealer.

Woriment.
"The king of England seems to have a worried look," said the man who was looking at the pictures.
"I don't see what he has to worry about," replied Mrs. Flingit's husband. "His wife doesn't play bridge."
—Washington Star.

They Agree.
"What is the secret of domestic happiness?"
"Making mutual concessions."
"Mutual? Bah! My husband and I get along fine, and I make him make all the concessions."
—Toledo Blade.

The Jaded One.
Mr. X—Oh, I've been doing quite a round of calls, and I've been so unfortunate!
Mrs. Y—What! Everybody out?
Mr. X—No, everybody in!—London Opinion.

Look at the ads for the chance to buy the property you need at a "right price." Look at all of the real estate ads and at much of the real estate advertised, before investing.

THE DOVE SEASON IS OPEN

AND THAT MEANS SHELLS



See HUMPHREY

For all kinds of Ammunition and Arms. He sells Fishing Tackle and Sporting Goods

Humphrey's Gun Store

SCENE FROM "BABY MINE," DUE IN MEDFORD SOON.



To Look Particularly Nice

Every real woman wants to look her best all the time. But there are some occasions when we even want to improve upon our best, if we can.

The banquet at Hotel Medford is coming—don't overlook that. Getting a beautiful gown ready for it is the first duty and pleasure. The second is equally important—to get the complexion and hair into beautiful readiness for the lovely gown. Then you can be sure of shining gloriously.

Put Yourself in the hands of

Our Marinello Operator

It is the surest prescription for beauty making. A Marinello facial massage with its accompaniment of soothing lotions and restful manipulation of the nerves and muscles makes you feel and look like new.

A Marinello hair dressing emphasizes all the natural beauty of your hair—all the good lines of the face and head—and adds new and unsuspected attractions.

To make sure of looking your best at this social affair or on any festive occasion spend a little time in our shop beforehand. You'll be delighted with our methods and their unfailing results. Phone for special appointment.

Marinello Shop

ROOM 5, OVER KENTNERS. PHONE 111.

BIG PINES LUMBER CO.