

seen in various degrees of dilapidation, but they show no evidence of genuine occupation. They have never been in any sense homes.

Investigations have been carried on where the commuted homesteads are notable in number. The records of some of the counties examined show that 90 per cent of the commuted homesteads were transferred within three months after acquisition of title, and evidence was obtained to show that two-thirds of the commuted homesteads were immediately left to the state. In many instances foreigners, particularly citizens of Canada, came into this country, declared their intention of becoming citizens, took up homesteads, commuted, sold them and returned to their native land.

The reasons given for adhering to the commutation clause are diverse and many of them are cogent when applied to individual cases. It is said, for example, that the commutator desires to raise money for use in improving his place. This is often true, but in the majority of cases the records show that the commutator immediately leaves the vicinity. The frequency of loans is traceable in many places directly to the activity of agents of loan companies, who are often United States commissioners also, eager first to induce settlement and then to make these loans on account of the double commission received. Later they secure the business which accrues to them



From an old wood-cut illustration in Richardson's "West of the Mississippi."—A "Home" 14x20 (inches, not feet) showing that false swearing in acquiring government land is no new art.

through the foreclosure and transfer of the property. The true working of the commutation clause does not appear until after foreclosure upon the maturity of the loans.

One significant brought out by the investigation is that a large portion of the commutators are women, who never establish a permanent residence and who are employed temporarily in the towns as school teachers or in domestic service, or who are living with their parents. The great majority of these commutators sell immediately upon receiving title, the business being transacted through some agent who represents his client in all dealings and prepares all papers.

The commutation clause, if it is to be retained to cover special cases, should be effective only after not less than three years' actual—not constructive—living at home on the land. Under present practice, the commutation period being fourteen months, six months of this time is generally taken to establish residence, so that only eight months remain. This time is usually arranged to include the summer, so that the shack built need not be habitable in severe winter weather, and the residence on the land may consist merely in a summer outing. Obviously it is essential that residence should be far more strictly defined. It is probable that lax interpretation and enforcement of the provisions of the law regarding residence is responsible for more fraud under the homestead act than all other causes combined.

It may be urged that the frauds which have taken place under the

last year the repeal of the assignment clause. This provision has been made the convenient vehicle for evading the spirit of the law and for facilitating the acquisition of lands in large holdings. The law limits the amount which one person or association of persons may hold, by assignment or otherwise, prior to patent to 320 acres of such arid or desert lands. The most common form of attempted evasion of this requirement is for two or three individuals to form themselves into a corporation, each individual member of the corporation securing, by entry or assignment, 320 acres of such lands and the corporation as such 320 acres. These same individuals then form another corporation under an entirely different name and procure an assignment of another 320 acres, and this process is continued indefinitely.

The General Land Office has within the past year endeavored to put a stop to this practice by holding that a corporation or association of persons is not qualified to receive a desert-land entry by assignment where its individual members, either singly or in the aggregate are holding 320 acres of such arid or desert lands. This ruling, if enforced, will tend to lessen the evils resulting from large holdings prior to patent, but it is not deemed possible to secure adequate control of this question unless the law prohibits assignments of desert-land entries. By repealing that provision of the law and requiring the claimant to show that he has made the entry for his own use and benefit and not for the benefit of any other person or corporation and that he has made no agreement by which the title shall inure to any other person or corporation the evils incident to large holdings of such lands under the sanction of law will be materially lessened.

It is a striking fact that these large holdings of desert land are not reclaimed and devoted to their best use. Three hundred and twenty acres of irrigable land is entirely too much for economical handling by one person. On the other hand, inspection shows that in the same locality and under the same climatic conditions the homestead entries, where not commuted, are reclaimed and utilized.

The desert-land act as it stands upon the statute books appears to have many features which commend it, as before stated, the practices governing it have largely nullified its good features, and the resulting evils cannot be fully overcome without legislation.

The area of the desert entry should be cut down from 320 acres to not exceeding 160 acres, and discretion should be given to the Secretary of the Interior to cut it down still further where it is apparent that intensive cultivation is practicable. A farm of 320 acres, if irrigated, is entirely too large for a single family, and its possession simply prevents other settlers from coming into the country. Furthermore, it makes land monopoly easy and induces speculation.

Actual living at home on the land for not less than two years should be required before patent. Your Commission can not understand why any settler should be given both homestead and a desert entry, either of which without the other should suffice, under the law, to furnish him a home. The desert-land law should be a means of settlement, and actual bona fide residence should be rigidly required.

The actual production of a valuable crop should be required on not less than one-fourth the area of the entry. At present, as a rule, the greater part of the desert entries are never actually watered. Hundreds of desert entries were examined by members of the Commission in the last year, and the great majority of them were found to be uninhabited, unirrigated, uncultivated, and with no improvements other than a fence. This applies both to desert entries upon which a final proof is now being offered and to other entries to which title has been given.

It is a fact that a very small proportion of the land disposed of under the terms of the law has actually been reclaimed and irrigated, and scrutiny of many hundreds of desert

that the supply is adequate for that purpose. While this showing, on its face, indicates a compliance with law, the fact remains that the water supply, if any at all, is not sufficient to permanently reclaim the land.

The ownership of stock in a projected irrigation ditch which does not exist in fact, or the ownership of a pump temporarily installed, has often been accepted, in connection with such testimony, as proof of the possession of water. Many alleged irrigation ditches or reservoirs are familiar to members of the Commission which are utterly inadequate to irrigate a square rod, and upon the strength of such works patent has frequently been issued to 320 acres of land.

Frauds committed through conventional forms of perjury and through lack of proper verification of the facts as to the reclamation of the land justify the taking of immediate and radical steps in the revision of the law. The law should absolutely require an actual adequate water supply, and the limits as to quantity should be defined.

In short, the law should render impossible the continuance of the practices by which desert lands without water, without cultivation, and without crops are passed into the possession of claimants.

Grabbing Lands.

The great bulk of the vacant public lands throughout the West are unsuitable for cultivation under the present known conditions of agriculture, and so located that they can not be reclaimed by irrigation. They are, and probably always must be, of chief value for grazing. There are, it is estimated, more than 500,000,000 acres of public grazing land, an area approximately equal to one-fifth the extent of the United States proper. The exact limits can not be set, for with seasonal changes large areas of land which afford good grazing one year are almost desert in another. There are also vast tracts of wooded timbered land in which grazing has much importance, and until a further classification of the public lands is made it will be impossible to give with exactness the total acreage. The extent is so vast and the commercial interest involved so great as to demand in the highest degree the wise and conservative handling of these vast resources.

It is a matter of the first importance to know whether these grazing lands are being used in the best way possible for the continued development of the country or whether they are being abused under a system which is detrimental to such development and by which the only present value of the land is being rapidly destroyed.

At present the vacant public lands are theoretically open commons, free to all citizens but as a matter of fact a large proportion have been parceled out by more or less definite compacts or agreements among the various interests. These tacit agreements are continually being violated. The sheepmen and cattlemen are in frequent collision because of incursions upon each other's domain. Land which for years has been regarded as exclusively cattle range may be infringed upon by large bands of sheep, forced by drought to migrate.

ROCHAMBEAU STATUE.

A Heroic Bronze Figure of France's Field Marshal Standing in Front of White House.

One of the very striking and majestic bits of bronze in Washington is the Rochambeau statue which stands in what was called Jackson Square,



ROCHAMBEAU STATUE. Stands Opposite the White House.

because of the presence there of Clark Mills' equestrian statue of General Jackson, later called Lafayette Square, because of the erection there of the great Lafayette statue, and now very frequently called Rochambeau Park because of this elegant example of art. The statue was unveiled in 1902. It stands directly in front of the White House.

The movement for the erection in the National Capital of a statue of Rochambeau was in recognition of the close ties between France and the United States. This sentiment was particularly strong after the close of the Spanish-American war in view of the services rendered in the interest of peace by Camille de France, French Ambassador. The government of France had also just sent over two superb Sevres vases as a gift to President McKinley. Congress appropriated \$7,500 for the statue. Rochambeau commanded the French forces sent to the assistance of the young republic of the United States and which co-operated with the Continental army at Yorktown.

Rochambeau statue is excellent art. The French field marshal in the full uniform of his rank stands with one arm outstretched evidently pointing to the distant American colony which he is about to help.

At the base is a symbolic figure. It is the figure of a woman hurrying forward with the flag of France beneath her feet in the prow of a ship suggestive of the force which France has sent across the seas to aid the republic of the United States in the days of its infancy. Below are the arms of France and the United States linked together.

COFFEE WAR

The Coffee Importers and Roasters are Attacking POSTUM FOOD COFFEE

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Quit Coffee and use Postum.

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The Postum army grows by hundreds of thousands yearly.

The old-fashioned Coffee Magnates are now deriding Postum through the papers.

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One coffee prevaricator says: "It (Postum) has lately been exposed and found to contain an excess of very ordinary coffee."

Another that "it (Postum) is made from a small amount of parched peas, beans, wheat, dried sweet potatoes, and paste of wheat middlings."

Here's to you, oh faithful followers of the tribe of Ananias:

\$100,000.00 CASH

will be deposited with any reputable trust company (or a less amount if desired) against a like amount by any coffee roaster or dealer. If the charges prove true we lose, if not we take the money as partial liquidation for the infamous insult to our business.

The Postum Pure Food factories are the largest in the world, the business having been built upon absolutely pure food products, made on scientific lines, "for a reason" and the plain unvarnished truth told every day and all the time. These factories are visited by thousands of people every month. They are shown into every cranny and examine every ingredient and

process. Each visitor sees Postum made of different parts of the wheat berry treated by different mechanical methods and one part blended with a small part of pure New Orleans molasses. So he knows Postum contains not one thing in the world but Wheat and New Orleans molasses. It took more than a year of experimenting to perfect the processes and learn how to develop the diastase and properly treat the other elements in the wheat to produce the coffee-like flavor that makes suspicious people "wonder." But there never has been one grain of old-fashioned or drug coffee in Postum and never will be.

Another thing, we have on file in our general offices the original of every testimonial letter we have ever published. We submit that our attitude regarding coffee is now and always has been absolutely fair. If one wants a stimulant and can digest coffee and it does not set up any sort of physical ailment, drink it.

But, if coffee overtakes and weakens the heart (and it does with some).

Or if it sets up disease of the stomach and bowels (and it does with some).

Or if it causes weak eyes (and it does with some).

Or if it causes nervous prostration (and it does with many).

Then good plain old-fashioned common sense might (without asking permission of coffee merchants) suggest to quit putting caffeine (the drug of coffee) into a highly organized human body, for health is really wealth and the happiest sort of wealth.

Then if one's own best interest urges him to study into the reason and "There's a reason," he will unearth great big facts that all of the sophistries of the coffee importers and roasters cannot refute.

A Few Overlooks.

"I met an old friend in town to-day" said Mr. Shannon to his wife one evening, on his return from business," and he told me he expected to be married in a week.

Ten minutes later, after his wife had finished asking questions, Mr. Shannon wrote as follows to his friend Stodder: "Dear Stodder—I thought I was a newspaper reporter, but please answer the following questions by return mail. They cover some points I neglected to get from you.

"What is the name of the girl you are to marry?

"Where does she live?

"What does her father do?

"Has he any money?

"Was it love at first sight?

"Are you very much in love with her?

"How old is she?

"Where are you going to live?

"Did you ask her personally, or write your proposal?

"Hav'n't you proposed to other girls?

"How did you and I come to be such friends?

"Where are you going for your honeymoon?

"Is it that tall girl you took to the theatre one night last winter?

"Why didn't I ask you all this when you told me?

"Were you so excited you couldn't give me any information, but simply had to talk about getting married?

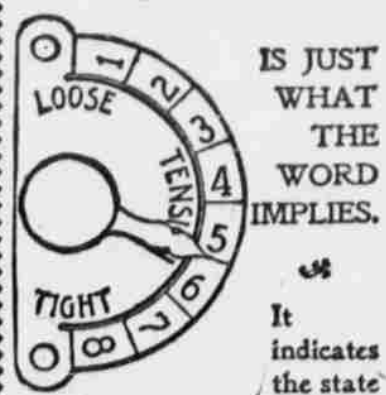
"A prompt reply will help me to give my wife some much-needed information. Next time you tell me you are going to be married, don't think that is the really important feature about it.—Yours hastily, Shannon."

A ducky was asked why he went away, and gave the following lucid answer:

"I didn't want. I didn't want to go, and if I had wanted to go, I couldn't have got to go no how."

There is a group of islands south of New Zealand called the Seven Sisters, said to be subject to a practically constant rainfall. The same conditions exist in Terra del Fuego, except that the rain often takes the form of sleet or snow.

A Tension Indicator



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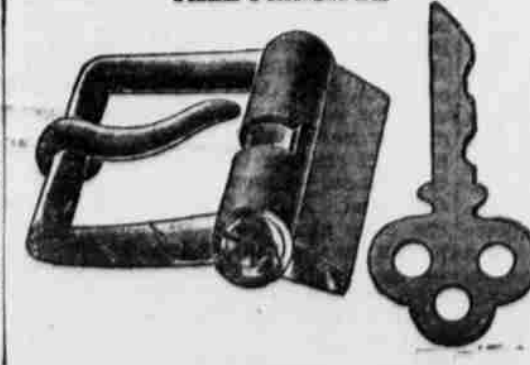
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operations of the commutation clause are due largely to lax administration. The fact is that the precedents established by decisions rendered on special cases have so far weakened the powers of administration that additional legislation is necessary.

Desert Land Law.

In the preceding report the opinion was expressed that the desert-land law should, for the present, at least, be allowed to stand, with a few changes in detail. It was believed that, with the experience of the past for guidance, it would be possible to enforce this law so that its essential provisions should be complied with. More careful analysis, however, of the operations of this act and of the practices which have grown up has led your commission strongly to the conclusion that this law should be modified in essential particulars.

Your Commission recommended

entries now passing to final proof shows that in the majority of cases, these lands are not actually utilized, but are being held for speculative purposes, owing to several causes, among which are the laxity of some of the state laws governing appropriation of water for irrigation purposes, and the insufficiency of the water supply, considerable difficulty has been encountered in administering that provision of the desert-land laws which requires a claimant to have a permanent water right based on prior appropriation. Very often the waters of a stream are exhausted by other appropriators before the time when the claimant goes through the form of posting notices, recording his claim, and complying with other essentials of the state law. Notwithstanding this, he furnishes the testimony of two witnesses that the water thus appropriated has been used in reclaiming his land, and