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## MANY WATER RIGHT PERMITS ISSUED

Salem, Oregon.—A summary of the water rights permits issued by the state engineer in the seven months prior to July 1911, shows an increase in the development and use of our water resources, over the prior record. During such seven months' period 283 permits have been approved wherein a time limit has been set for the beginning and completion of construction, and for application of the water to beneficial use through the construction of irrigation, power and other works. These permits authorize the construction of 628 miles of canal, and 43 reservoirs at a total cost as shown by the permit, of \$9,004,229. They contemplate the irrigation of 212,869 acres and the development of 17,993 theoretical horsepower. The reservoirs will cost \$3,117,969 and contemplate the storage of 767,480 acre-feet of water, submerging, when full, 17,345 acres. During this period \$10,479 was paid into the general fund of the state treasury, which amount is slightly in excess of the appropriation for the expenses of the state engineer's department for an entire year. In the 21 months prior to December last, during which the water law was in effect, 602 permits were issued and the estimated cost of works to be constructed amounted to \$15,714,215. These figures indicate a marked increase in the business of the office over the average for the former period. No right to water can be acquired without first making application to the state engineer. During this seven months period, 529 applications to appropriate water have been filed as compared with 370 for an equal prior period.

Proof of appropriation under these permits must be made to the satisfaction of the board of control. In order that the records at Salem may be kept more clearly up to date, the board has adopted rules requiring the filing of annual proof showing that work has been prosecuted with diligence where more than one year is allowed for completion. It is expected that this system will be completely installed by January 1, and all holders of permits issued prior to such date will be duly notified as soon as the necessary forms can be prepared, and prior to any adverse action or cancellation by the board. A compilation of the water laws of the state has been prepared in pamphlet form and copies are now available for gratuitous distribution to those who apply therefor to the secretary of the board of control, or the state engineer at Salem, Oregon.

## Fine Wheat Display

A fine display of wheat, oats rye and barley from unirrigated lands is shown at Maxwell's office. A sample of rye 6 feet 3-4 inches tall grown on the Oliver ranch; oats, wheat and barley grown on the Schmidt place formerly known as the Fuller and Walker ranch and many others are enough to drive a man back to the soil. The samples of Gooseberries brought in from Rock Creek by Ed Bond are enough to convince anyone that this is a fruit country. Some of the grains brought in are from places where the writer has heard people say nothing would grow.

## BIG FIGHT ON FOR RAILROAD LANDS

Salem, Ore., Sept. 6.—The long expected answer by the Southern Pacific railroad company to the suit by the government for the recovery of 2,730,000 acres of land held by the company as state grant lands was filed here today.

The railroad holds that the government has for forty years collected taxes on the unsold portions of the land involved and made no protest against the patenting of the lands in question.

In the government's suit the company was charged with forfeiting all its rights to possession of the land involved when it sold the land off in tracts containing more than 160 acres to one individual and at more than \$2.50 an acre, as was specified when the land was given the railroad company.

The value of the lands included in this grant and over which this suit is pending is \$70,000,000.

Suit was brought some time ago by the government on the grounds above stated to annual the title to the corporation's grant lands in this state. After a very hard legal battle the case was finally decided against the railroad and this answer would appear to mean that the corporation expects to fight this decision to a finish. In fact one of the greatest arrays of legal talent ever lined up in any case in the history of the country will probably clash when this answer comes up to issue and the final result will be watched by the general public as it will be one of wide interest not only in Oregon, but all over the United States.

## LAKE COUNTY HOMESTEAD LANDS

Government Homesteads in Lake County, Oregon are about the best to be found in that line, in the entire western country. There are many townships where the land is level, soil deep, fertile and productive, water is to be obtained at from ten to fifty feet and of unsurpassed quality. The survey of the Oregon Eastern and the Oregon Trunk Railways either run through the best valleys that have lands open or touch some point in them. The N.-C.-O. Railway coming here places Lakeview tributary to some of the other valleys that have good lands left open to entry. The towns in the Northern part of the county will offer many advantages in the matter of trading points, while schools, stores and post-offices are being established in many of the larger settlements. To one that has never seen these vacant lands produce, there can be no idea of what they are able to do, until he has seen what the men and women that are developing the homestead country are doing in most cases. Like all new countries there is the speculator in evidence; the man that sits down and talks about what he can do but never tries to put it into practice. Yet there is the man with brains and muscle who does things and he is the one that is to be thanked for the many successful experiments that show what is done here in many valleys. One valley in the county is nearly 1,000 feet lower in elevation than Lakeview, while there are some that range from 500 to 600 feet lower in elevation than here. The man or woman that gets a homestead or a desert claim now is the one that will be able to look back and see the wisdom of the move; for there are a lot of men in this part of the country that could not see that there was going to be any value to the timber lands that were taken some few years since, and when they were about all gone, some of them fell over themselves trying to get the poorer stuff that was left. Some got theirs and others got left. Desert claims are also another good thing to tie to. No residence is required on them, but the land must be improved. A man can take a 320 acre homestead and his wife can take a 320 acre desert claim or they can both take a desert claim of that amount of land, making 640 acres that can be taken by them or the man can take 480 acres himself by taking an enlarged homestead in addition to what his wife can take. If the land would not grow a disturbance it would be worth taking at the Government price but as it is tillable and productive, it is certainly worth the time and effort to get it. It will also be wise for any man contemplating taking advantage of the many opportunities to realize that there are many evidences that the entire Lake County area is an artesian well basin. Wells are flowing in two or three of the valleys and others are contemplated soon in the remainder. Artesian wells will make every acre of this land worth \$100 per acre when the water is flowing.

## MONTHLY HORSE SALE AT REDMOND

Steps have been taken by Central Oregon people to exploit one of the greatest resources of that region that has heretofore been neglected. This is the useful horse. To stimulate breeding of fine animals, the Central Oregon Livestock Sales Association has been formed, with headquarters at Redmond, and hereafter sales of horses will be held on the third Monday of each month at that point.

The object is to establish a big horse market, where breeders will come in touch with buyers and find fair prices for their stock. The organization is not for the benefit of Redmond alone, nor is it intended for the profit of association members, but it will help every section and community of Central Oregon, even to the rancher in the foothills.

The outside buyer, it is believed, will come to a sale where he can pick from a bunch of 400 or 500 head, when if he has to travel from ranch to ranch, he is not attracted. All classes of horses, from bronchos to the finest riding and draft horses, will be offered. Central Oregon has exploited its alfalfa, sheep, wool and cattle, but little has been said about its horses. Yet it produces thousands of fine animals, climate and all conditions being favorable to the best development of the horse, and the new plan will probably add to the importance of the industry.

For bowel complaints in children always give Chamberlain's Colic, Cholera and Diarrhoea Remedy and castor oil. It is certain to effect a cure and when reduced with water and sweetened is pleasant to take. No physician can prescribe a better remedy. For sale by all good dealers.

## SENATOR BOURNE AIDS LA FOLLETTE

United States Senator Jonathan Bourne, Jr., of Oregon has given out an interview in which he endorsed the candidacy of Senator La Follette for the Republican nomination against President Taft.

Senator Bourne's statement is in the nature of a challenge to Big Business and meets the charge of judicialism which has been lodged against La Follette by placing against this statement the legislation enacted in Wisconsin under the leadership of La Follette, Senator Bourne said:

"Why have I for months been so insistently for La Follette for President? Because he has many of the qualifications which I believe are necessary for a man to possess in order to properly fill the high office of the Nation's chief public servant. He believes in popular, not degenerated government; realizes that general welfare, not selfish interest, must be the motive power of all successful and permanent government. He is honest, courageous, able, dynamic, with twenty-five years experience in legislative and executive public life. Though radical in manner he is extremely conservative in thought and action, with high ideals, broad ideas and strong convictions. General welfare is his goal and selfish interest his abomination.

"I urge the big business interests of the country to study the laws of Wisconsin enacted since he was first Governor of that state; hold him, as the dynamic personality of that electorate; responsible for all these laws. If investigation shows them to be protective of the personal liberty and property rights, then support him for President. If destructive of personal liberty or property rights, bitterly oppose his candidacy. Such an investigation will show Wisconsin laws to be constructive, not destructive, progressive, not reactionary, intelligently conservative, not blindly radical.

"Senator La Follette is a statesman, not a politician; a deep thinker and not a demagogue. His candidacy presents an opportunity to nominate and elect a president on his record and not on another man's endorsement to promise to follow in another's footsteps. He can, and, in my opinion, will be nominated and, if nominated, will unquestionably be elected."

"See America First"  
Urging the governors of all the states to help along the "See America First" movement, Governor West has addressed a letter to them calling their attention to the beauties of the Pacific Northwest and making an urgent appeal to do everything possible to stay the tide of foreign travel and turn it to the Pacific Coast. Governor West calls attention to the fact that this tendency on the part of Americans is a great economic loss to the country and should be combated on every possible occasion. He estimates that \$3,000,000 is spent abroad every season by Americans that should be used in seeing their own country instead. The Governor calls attention to the big convention held for Baltimore January 22 to 27, 1912, when the "See America First" movement will be discussed and asks that each state send a big delegation.

## RECENT IMPORTANT LAND DECISIONS

Following is a monthly digest of public land decisions. The following important law points have recently been decided by the Secretary of the Interior.

**Homesteads.**  
The homestead law does not in express terms require 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 from inevitable casualty. Serious illness of a member or one's family is inevitable casualty, for the anxiety arising from human obligation constrain 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 there after 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 the 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 in no wise affect his right to patent for the land.

## Desert Lands.

In deciding questions involving character of the land and water supply, arising under the Carey Act, of Aug. 18, 1894, the Department will necessarily rely upon the technical information furnished by its experts.

When a person takes a desert land entry by way of assignment, he is thereafter disqualified from making an original desert land entry.

In cases where lands are open both to settlement and entry, a homestead claim may be initiated either by settlement or by entry.

A person making an additional homestead entry contiguous to his original entry under Section 2, of the act of April 20, 1904 (33 Stat. 627) may reside upon either tract.

The object of the requirement of annual proof in connection with a desert land entry is to test the good faith of the claimant.

Entryman must have a good water right for sufficient water to irrigate the entire irrigable area in the entry.

In allowing credits for annual proof it is not necessary that the water right should be fully complete in the entryman nor that time be available for use by the claimant.

An entryman under the homestead laws, who had acquired title, is not qualified to make an entry under the Reclamation Act. Instructions of June 16, 1909 (3 L. D. 58) affirmed.

The act of March 2, 1889 (25 Stat. 854) has no application to entries under

the Reclamation Act, and the additional right granted in said Act of March 2, 1889, cannot be exercised by entry within a reclamation project.

Every entry of land within the limits of a withdrawal under the Reclamation Act subject to reduction to a farm unit as thereafter established by the Secretary of the Interior, and improvements placed upon the different subdivisions by the entryman prior to such reduction are at his risk. Affirming case of Jerome M. Higman (37 L. D. 718).

## Timber and Stone

When the only issue before the Department is whether the land is subject to entry under the timber and stone act, 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 a 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.

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