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\$2.00 THE YEAR

Cut Bank Lands are Restored to the Public Domain

Late Land Office Rulings

The homestead law does not in express terms require establishment of residence within six months from date of the entry. 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 of 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.

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.

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

A person making an additional homestead entry contiguous to his original entry under Section 2, or the act of April 28, 1904, (33 Stat. 527) may reside upon either tract.

An entryman under the homestead laws who had acquired title, is not qualified to make an entry under the Reclamation Act.

Every entry of land within the limits of a withdrawal under the Reclamation Act is 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.

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 affidavit 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 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.

An affidavit of contest can be made on information and belief and corroborated on personal knowledge and it is not required, to be executed within the District in which the land is located.

It is within the discretion of the Commissioner of the General Land Office to refuse to entertain a contest when the entry in question is under investigation by the government, through its special agents, and such act of the commissioners is not a denial of a statutory right.

In the exercise of such discretion he may accept or refuse the offer of any one to aid in the prosecution of proceedings against an entry that has been commenced by the Government.

That rule appears with greater force when no preference right of entry can be acquired under such contest and when, in consequence thereof, no legal right is denied by refusing to allow the application.

News of Restoration Causes Great Rejoicing Among Business Men and Farmers

The First Glad Tidings

Ashland, Virginia, Sept. 2, 1911.

Daniel Whetston,
Pres. Commercial Club.

Director Reclamation Service just notified me that certain lands in your locality were restored to the public domain by Department order on August twenty second. Notice will issue through local land office when lands will open to settlement and entry.

CHAS. N. PRAY

Following this wire message from Congressman Pray came letters from Senators Dixon and Myers, L. W. Hill, Reclamation Director Newell and others, conveying the news of the action of the Interior Department.

Date of Opening and Entry Hasn't Yet Been Announced; Big Rush for Vacant Lands Is Expected

By an order issued by the Interior Department on August 22, certain lands in the vicinity of Cut Bank were restored to the public domain. The extent or description of these lands cannot yet be determined. The date of opening and entry will later be announced by the local land office. Several persons in the community made filings after the "second form withdrawal" on June 25th of last year are now receiving notice that since the restoration their filings will be accepted.

Whether this land will be restored under the provisions of the enlarged homestead act is another question of very vital concern. If it is opened under this act there is sure to be a grand rush for additional lands, by persons whose claims lie beside unentered or contestable tracts. The announcement of the opening date and the area to be thrown open will be watched with keen interest. It is probable that announcement will soon be made by the Great Falls office.

History of the Fight for Restoration of These Lands

On June 25th, 1910, all that vast territory between range two west of the Principal Montana Meridian and the east line of the Blackfeet reservation and between 29 north and the Canadian border was withdrawn from entry—closed absolutely to homesteaders. The Great Falls land office continued to accept filings on lands within this withdrawn area until late in the following autumn, when persons who had filed after June 25th commenced to receive notice that their filings were rejected. Many of them had made substantial improvements and had established residence on their entries. A storm of indignation and protest rolled up from these entrymen; the homesteaders within the withdrawn area whose filings had been accepted made equally vigorous protest, fearing that their farm units would be reduced and an enormous tax levied upon them for irrigation ditches and maintenance. With an average yearly rainfall of twenty inches for this section, they were willing to take chances on grain raising, free from the infinite stretches of red-tape restrictions, the maddening delays and the incessant making and changing of

rulings, incident of all Government projects.

A petition was circulated and signed by every homesteader in the community, asking that the lands in this community be restored to the public domain. The president of the Cut Bank Commercial Club called a meeting of business men and homesteaders to discuss the situation and at this meeting strong resolutions were drafted and forwarded to the Secretary of the Interior. The president of the club also communicated with Senators Dixon and Myers, Congressman Pray, President L. W. Hill of the Great Northern and other persons of influence. All gave assurances of help in securing the desired relief. Congressman Pray and Senator Dixon worked untiringly to bring about the relief desired and kept the Commercial Club in constant touch with developments. That their efforts influenced the action of the Interior Department there is not a slightest doubt. The Great Falls Board of Commerce also lent a helping hand and prominent Great Falls business men, personally consulted State Engineer Savage on the restoration of the land.

Lost Among the High Hills

"Lost in the Hills" ought to be a fitting prelude to the thrilling story in which three huntsmen bold were heroes; Messrs. Madison, Jackson and Warner, and the stage scenery was that infinite waste of undulating hills between here and Sweet Grass. The time was Sunday evening and the weather was a bit wet and a trifle cold. The hunters bold lost all sense of direction and wandered about those hills for hours, with nothing to vary the monotony but a bleating band of sheep and a lone herder hard against the gray mists of evening. Disconsolate and fatigued they camped at a convenient haystack Sunday night and early the next morning started on a hunt—for Cut Bank, but landed at the Davidson ranch, late in the day. There they were given food and shelter over Monday night. Tuesday a trio of wet, weary and grim huntsmen stole quietly into Cut Bank and when asked if they had anything to say for publication they shook their heads gravely and negatively.

Hear Oratory and Protests

The Monday evening session of the village fathers was somewhat enlivened by a protest from Alderman Miller, who was asked to build walks in front of his property on the north side of Main street. The Alderman demurred, giving his reasons therefor at some length. What action the council will take on the matter is at present problematical.

A number of local retail liquor dealers appeared and requested that the fathers define their position in regard to the sales of gambling in Cut Bank. There was considerable discussion of the subject but nothing definite was done.

'Free and Easy' Days are Done

In the opinion of the community restored to the public domain there will be a grand scramble of homesteaders to take up their residence on their claims. The haphazard methods of residing on claims is about over here; homesteads hereabouts are increasing in value and unless homesteaders observe the requirements pretty closely hereafter they are apt to court a contest. Homesteaders should remember that Uncle Sam requires cultivation as well as residence and since there is about one per cent of the land in this community in a state of cultivation, it is clearly up to many claimholders to make a showing in this direction.

Commits Matrimony

The Pioneer Press, just before its forms were closed in preparation for its millions of anxious readers, received second-hand intelligence to the effect that Lester Paul had committed matrimony, his accomplice being a young lady whom he met here about two weeks ago. It was love at first or at least second sight, so it seems and the lovers decided to go back to Michigan for their honeymoon trip. A wire message to a friend here from Lester boldly announced that "the deed was done."

Mrs. J. P. Johnson and little son left Monday evening for Minneapolis for a visit with friends.

Murray Richards went over to Choteau the first part of the week, to resume his studies in the county high school.

Progress on Grain House

Work on McCabe Bros. elevator was somewhat retarded this week by the inclement weather but T. J. Solom, the contractor, states that he expects to have the elevator in readiness before any considerable amount of grain will be ready to market.

The capacity of the elevator will be 35,000 bushels. The machinery will be run by a 12-horse power gas engine. All the modern devices for the quick handling of cereals will be installed, among them being a late design of automatic scales.

About a dozen carpenters and helpers are now employed on the elevator and contractor Solom states that when the foundation is complete he will increase the force to about thirty, and that all possible haste will be made to complete the grain house in time to receive the grain to be marketed this season.

School Opens On Tuesday

School in Cut Bank's \$30,000 school building commenced Tuesday morning with T. E. Lewis as principal, Miss Clara Anderson as teacher in the intermediate department and Miss Mollie O'Neill as primary teacher.

The new teaching corps enters upon the duties of the school room with great enthusiasm and it is a safe prediction that excellent progress will be made. Principal Lewis is a ripened and efficient educator and a lover of debating, athletics, and all things that have a tendency to create a "school spirit." The prestige of the Cut Bank school will be in the ascendancy from the very beginning, with intelligent cooperation of the parents and the pupils. The Cut Bank school is the pride of the town and well it might be; it's the best in northern Montana.

APPLE SHOW PRIZES AT SPOKANE FAIR

Now that the National Apple Show has been given up for this year, the Spokane Fair will be the only fruit exhibition held in the Inland Empire. The Fair fruit prizes have been largely increased on account of the Apple Show decision and \$1458.50 is offered in cash prizes for Apples alone. New classes have been made both for district and individual displays. Many of the prizes are duplicates, one prize being offered for irrigated fruit and a similar prize for non-irrigated fruit straight through the apple and pear list. More than a thousand cash prizes are given for fruit and grain exhibits, enough so that every exhibitor should win at least one or more blue ribbons.

The apriary and dairy prize list have also been carefully revised and largely increased, and new cases built for these displays. Many interesting exhibits will be shown in both departments, and Professor Frank G. Odell, the famous bee wizard, of Nebraska, will give several exhibitions daily.

Professor Odell hails from Lincoln, Nebraska, and has a reputation in Bryan's town as a man who knows more about the bees than has ever been written in the books.

Standing of The Candidates

There is no radical change in the standing of the three leading candidates this week. The time will fairly fly from now until the close and the candidates should be on the move every minute.

The vote:
Miss Croff.....54,294
Mrs. Danahue.....44,580
Mrs. Neumuth.....34,670