

IMPERIAL VALLEY PRESS

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LAND TROUBLES SETTLED

Commissioner of the General Land Office Takes Proper Action

Orders the Lands in this Valley Surveyed by Metes and Bounds, Thus Giving Every Settler the Lands Actually Settled Upon by Him.

The subject of the Imperial resurvey, which has agitated and troubled many of our people for the past four years, is now to be settled right. The following from the Los Angeles Times of last Friday gives the information that Commissioner of the General Land Office has acted on the request of the settlers:

WASHINGTON, March 29.—[Exclusive Dispatch.] The Commissioner of the General Land office advises Senator Flint that he has directed that land in Imperial Valley be resurveyed in accordance with the request of settlers. The land is to be surveyed in parts by metes and bounds, in accordance with private survey that was made and thus give to each of the settlers the land located upon and now occupied by him, rather than carry out the original plans for surveying land which would have the result in many instances of settlers losing part of their improvements.

It will be remembered that in the first place, after the discovery of the error in the surveys made by the Imperial Land company, and the Sunset Commercial company, by which the filings in the Valley have been made, the people, in 1902, petitioned Congress to pass a bill for their relief. Congress, therefore, on July 1st, 1902, passed a bill ordering a resurvey made of the townships in this Valley, and providing that none of the "present" bona fide occupants of the lands should be molested in their holdings. In due course of time the departmental red tape was unwound and it came up to the Commissioner of the General Land office to issue the instructions to the deputy surveyors, who are to do the final work of surveying. And right here the trouble rose. He interpreted the word "present" in the bill where it referred to the bona fide occupants of the land to mean those who were such at the time the bill was passed, July 1st, 1902, and instructed the deputies to ignore all entries made subsequently. This action on his part was not known here until the contracts were let and the instructions actually arrived. It was at once seen that a serious mistake had been made and one that required to be promptly rectified. We at once prepared a petition to the Honorable Commissioner of the General Land office setting forth tersely just what the situation required and asking that he issue supplemental instructions to his deputy surveyors, instructing them to survey every settler's claim so as to give him the exact lands upon which he has settled. We printed a number of these petitions and distributed them about the Valley for signature. Meantime, we wrote to Senators Flint and Perkins, and Congressman Smith, sending them copies of the petition and explaining in detail what was needed to straighten the matter out. Without waiting for the petitions to arrive these gentlemen took the matter up with the Honorable Land Commissioner, and especially Senator Flint has persistently followed it up. In a letter to us replying to one of ours, he says that our method of at-

tack is the correct one, for the commissioner can remedy the whole matter with the stroke of a pen. Meantime, while work was going ahead on this line in Washington, others were agitating to send someone to Washington to urge Congress to pass another bill to remedy the matter. A proposed bill was published in the Standard, and President Gleason and the management of Water company No. 1 got behind the move to send an agent to Washington to work for it. Both Roy McPherrin and A. H. Heber were proposed for this agent and McPherrin was appointed. However, his work as claim agent for the California Development Co. interfered with his going, and a change was made, Paul H. McPherrin being substituted and the California Development company meeting one-half the expenses of the journey. Meantime the counter agitation in favor of the proposed bill, and the cocksure assurances that the PRESS was wrong in appealing to the Commissioner of the General Land office, had dissuaded many people from signing the petitions and the work of circulating them had lagged. However, we refused to abandon our movement, and insisted that whatever was done, the Land Commissioner be labored with first, and every effort made to get him to issue appropriate instructions to his deputy surveyors for the right kind of a survey.

Mr. Paul McPherrin agreed to do this when he was here in the Valley before his departure for Washington. He left Los Angeles on his journey about the 15th of March. He went to San Francisco first, and spent some time there so that he could not have been in Washington but a very few days, if at all, until the Commissioner told Senator Flint it was all right, he would order the resurvey made to fit the farms and give every settler the land he occupied. The Commissioner's mind was already filled with the peoples side of the matter when the petitions arrived, so he did not have to pause and consider it very long. This is another and a striking illustration of the correctness of the PRESS' position that the officials of the United States are true friends to the actual settlers in this Valley, and that they are ever ready to do whatever they can to help us and further our interests.

In the case of the soil experts they simply were mistaken. The conditions were different to anything they had ever studied before and Mr. J. Garnett Holmes did not understand them.

In the case of the movement for government ownership, we were asking amiss, under the circumstances, and it could not be granted. It is perfectly apparent now, why it could not be granted, and we are all well satisfied with the reasons and willing the reclamation fund should be expended for constructing irrigation works, and not frittered away in buying them at "hold up" prices.

With the success of the movement for the Honorable Commissioner of the General Land office to rectify his orders concerning the resurvey, the last vestige of worry and uncertainty on that score is removed. Everyone can now proceed with security and assurance that his land lines will not be molested nor his claim jeopardized, no matter where the township and section corners may be located. And the PRESS congratulates the people of the Valley on this fact, and on its connection with it. And we congratulate ourselves that during the year that we have guided its policy the PRESS has consistently upheld the rights of the people of this Valley and labored in all seasons for their advancement.

Through our efforts the question of water rights and the subject of water stock with relation thereto, is more fully understood by the people of this Valley, than ever before. Our voice has always been for home rule and the best interests of the farmers in all the Water companies of the Valley. We advised the construction of a powerful levee along the north bank of New river, from Calexico to a point three miles northwest of Silsbee, as long ago as last September. We presume no one doubts the wisdom of this advice now. And our opposition to the sale of intoxicating liquor and fight for morality and civic righteousness is endorsed by the best people, everywhere. The PRESS is loyal to the best interests of the people of this Valley, at all times and under all circumstances.

NO MORE FILINGS

Lands in Imperial Valley Withdrawn From all Forms of Entry and all Entries Suspended

Following the action of the Commissioner of the General Land office ordering the Surveyor-General of California to survey the lands in this Valley by metes and bounds, and to give every settler the identical land he claims and occupies, came a telegram to Register Prescott and Receiver Robinson of the Los Angeles Land office, withdrawing the lands in this Valley from all forms of entry. This telegram orders that no more filings be accepted, on any lands in Townships 13, 14, 15 and 16 South, Ranges 11, 12, 13, 14, 15 and 16 East, and fractional Townships 17 South, Range 15 and 16 East, San Bernardino Meridian. Also that all entries now on the books in those townships are suspended from final proof. The suspended area is identical with that included in the Imperial resurvey, and the withdrawal of these lands is done in order that the matter of locating the settlers by the newly ordered method can be done without trouble.

The instructions from the Surveyor-General to the deputy surveyors will doubtless be to survey every entry they find by metes and bounds. That will include everyone up to the time of the withdrawal of the lands. The suspension of all entries in this part of the country from final proof, has been in effect for some time, but the Land office has permitted the entrymen to file their final proofs, pending the completion of the resurvey. By this means parties have continued to advertise and make their final proofs after the suspension, the Land office officials merely taking their affidavits and depositions in the matter and storing them away in their office till the resurvey is made and the lands restored to final entry. Then the owner will be notified

of the correct description by which the new system will describe his lands, and will be required to pay the sum of one dollar per acre upon the lands included in their entry, and thus complete the proofs. They will also require some kind of an affidavit from the owner to show that he is the owner, in order that the final receipt be not issued to the wrong man.

This action of the Land Department in withdrawing the lands in this resurveyed district from entry has been expected for some time, and it has been a matter of surprise that it was delayed so long. The intention of the Commissioner to compel all entrymen who had filed on their land since July 1st 1902, to amend their entries or comply with the new survey, is the only explanation of it. Now that the lands are to be surveyed as occupied and claimed, it is but a matter of protection to the government to stop all further filings till the resurvey is completed. Just what effect this will have on the real estate market is problematical. All desert claims can still be assigned, and of course patented lands can be sold, but no relinquishing and refiling nor any original filing will be permitted. However, the settler who actually occupies and resides upon a tract of vacant land will have a sure and lawful prior right to it when the resurvey is complete and filings are again permitted.

As most of the desirable public lands are either quite remote from towns and transportation or else are not provided with an irrigating system, the withdrawal from entry will not inconvenience many actual homeseekers and settlers. There is lots of room for newcomers in the improved and settled portions of the Valley and such lands can be transferred the same as ever.

Uncorrupted Texas

Even with the remarkable growth of the cities, the increase in manufactures, the expansion of railroad mileage from 500 miles in 1867 to 12,000 miles last year, the development of the oil fields at Beaumont and elsewhere, Texas never got out of the grip of the people into the grasp of the corporations. If the cattle kings and the big farmers have power and influence, as they do, they yet do not rule the State. If the oil kings, the lumber kings, the railroad kings are deferred to as they are in other States, yet they cannot dominate. I asked a well-known Texan what kept the State uncorrupted.

"The boys from the forks of the creeks and the heads of the canyons," said he.

They need no referendum in Texas. Public affairs are the personal business of every man in the State, however remote from the cities, however humble. The people elect representatives, senators, governors, legislators of a kind that do not need watching—and then they watch them.—World's Work.

Work on the sidewalks was resumed on Friday morning, the full crew going at the job. Also construction work was begun on the opera house and Valley State Bank buildings, and on a foundry and machine shop for Mr. Heath. This last building will be of brick and will be located near the railroad track and across, west from the ice plant. Building will take on renewed activity with the completion of the ice plant and hotel. The crew putting up the transmission line from Holtville will reach El Centro about next Wednesday, and it is expected that electric lights will be burning in this town by April 16th.

320 acres, 3 1-2 miles from El Centro, 160 acres in alfalfa, 80 acres in barley, 15 acres in cantaloupes, all fenced in forty acre fields, 2 1-2 miles hog fence, house. There is a good feed here to keep 800 hogs. Don't let this go. Bert R. (C)

ONLY A MOUTHPIECE

Big Companies Say L. M. Holt is Only a Mouthpiece of the Chaffey's

J. S. Chapman, Eugene S. Ives and J. W. McKinley, attorneys for the defendants in the case of L. M. Holt against the California Development company and the Southern Pacific Railway, yesterday filed a demurrer to the suit in the Circuit Court. The points on which they demur are that by the plaintiff's own showing he is not entitled to relief, that the court has no jurisdiction, and that the suit is wholly without equity.

Attached to the demurrer are a number of affidavits, which go much farther than the demurrer. The principal one is by W. J. Doran, treasurer of the Development company. It recites practically the statements made by the auditing company, which were printed exclusively in The Times of December 20th. In addition it goes into some of the transactions of the Delta Investment company, and alleges that the two Chaffey's entered into a conspiracy along with A. H. Heber and N. W. Stowell to defraud the California Development company.

The affidavit also alleges that L. M. Holt has no interest in bringing the suit that he was instigated thereto by the Chaffey's, who are paying the expenses of the suit, and that it was brought as a counter-check to the suit instituted some time ago by the California Development company against them with others to compel them to pay back nearly \$900,000, which it is said they abstracted from the funds of the company.

It further states that the complaint is untrue in most of the allegations concerning the Southern Pacific, which is said to be ready to relinquish its contract as soon as the debt is paid, and has not attempted to control the board of the development company except as to the matter concerning the means of stopping the flow at the intake, which are proper to it.

In connection with Holt, it states that he was a party to the contract he is now attacking, and directed that his stock should be voted for the scheme, and signed a proxy to that end, which is now in the possession of the officers of the company.

Affidavits by other persons allege that Holt has begun this suit at the instance of George Chaffey and A. M. Chaffey, and that they are paying for it, and that he has no other interest in the affair than to act as the mouthpiece of the Chaffey's, and also that he himself has said this in conversation with some of the persons making the affidavits. These persons are H. W. Blaisdell, W. T. Heffernon, F. C. Paulin and W. J. Doran, who presents two affidavits.

In one of the papers the statement is made that Holt has offered to dismiss his suit if the suit against the Chaffey's and others is dropped.—Los Angeles Times.

Notice to Tax-payers

A statement of all property owned on the first Monday in March must be rendered to the County Assessor or his deputy.

Where there is no title to real estate the personal and poll taxes must be paid on demand.

If the poll tax, \$2.00 is not paid before July 1st, 1906, one dollar is added to same.

G. W. JORRES, Co. Ass. by C. F. Ew