

The Roundup Record

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FRIDAY, JANUARY 5, 1912

W. W. TAYLOR.

The death of W. W. Taylor, which occurred here last Friday, a week ago today, has caused profound sorrow among men of every walk of life who were acquainted with him. His death is not only a loss to the immediate members of his family, but is an irreparable loss to Roundup for whose interest and advancement he has at all times labored. Mr. Taylor has been called the "Father of Roundup" and justly so, for were it not for him the City of Roundup might not be on the map today as prominently as it is. When Roundup in its infancy was struggling for recognition among the cities of the state, Mr. Taylor was wont to refer to the thriving town as "his baby," taking a great deal of pardonable pride in its progress from nothing to the city it now is. He took an active part in the work of the building up of the city, and many of the improvements which we now enjoy can be traced to his efforts.

Mr. Taylor was essentially a leader of men, and to this quality he owed his station in life. Indefatigable in his labors, he persevered in his undertakings until they were accomplished or proven futile. This spirit possessed by him is amplified by the masterful manner in which he, as general superintendent of the coal mines for the Chicago, Milwaukee & St. Paul railway, planned and operated the mines located at this place.

Roundup looked to Mr. Taylor in the hour of need, and he always responded cheerfully with whatever assistance he could render. His memory will forever be fondly cherished by the people of Roundup.

The fact that the United States last year imported from Scotland 15,000 bushels of potatoes, and a lot more from other countries should make the farmer sit up and take notice. There is no satisfactory explanation for this state of affairs unless it is that the farmers of this country are simply adverse to having anything to do with the growing of the humble potato. Montana is peculiarly adapted to the raising of potatoes, and it is hoped that the drylander, whose influence is already being felt in the development of the nation's resources, will next year come to the rescue with a bumper crop of spuds.

It is said that Secretary of Agriculture Wilson used some hard language when shown the official figures. He says:

"I can not for the life of me see, why there is not more of the material people have to eat raised near the centers of population that consume it. Take land around New York. It is close to one of the biggest markets in the world and there is no reason the people should not raise all the potatoes they want instead of importing them."

"There is no reason to import food that can be raised at home, but I suppose it is like the search for the Holy Grail—there is a natural inclination of humanity to look all over the world for something that really is waiting for them next to their own door."

It is estimated that upwards of \$500 has been collected by the Musselshell County Abstract Company in fees for furnishing abstracts of title which according to the law rightfully belongs to the county. It will be up to the board of county commissioners to see that this money is turned into the county treasury. Some official action should be taken with respect to an examination of the affairs and workings of the abstracting business carried on in the office of the clerk and recorder.

MAKE A LIVING ON FORTY ACRES

Sugar Beet Growing on Irrigated Land a Successful Industry.

Billings Jan. 1.—At the request of Mr. F. H. Newell, chief of the United States reclamation service data has been secured by the Chamber of Commerce of Billings as to the success of the settlers on the Huntly Irrigation project, in the cultivation of the 40-acre tract, with the result that the 40-acre unit has been unanimously endorsed by that body for all irrigated land in the sugar beet district. The investigation showed that the farmers cultivated on the average about 15 acres the first year, 20 acres the second, and 10 acres additional in each of the following two years. In

addition to making a good living from the start, the sugar beet growers have obtained a net income of \$800 to \$2,000 for the season's work, when the entire 40-acre unit was cropped. The 40-acre unit was also recommended because of the scarcity of labor which prevails here during the growing and harvest season.

ONE ON THE POLICEMAN.

Excessive Zeal Led Him to Think Examining Magistrate Was Murderer.

Paris, Dec. 27.—The police of Paris are laughing over the case of a province police officer whose excessive zeal led him to the conclusion that an examining magistrate himself had caused the murder which he was investigating. The incident is connected with the famous crime of Igornay, in which the parish priest is accused of having murdered his sacristan. On the evening of the discovery of the crime, when the police and magistrate were at the church, a policeman noticed the footprints of a dog around the church and in the bloodstains. It was assumed that the owner of the dog probably was the murderer. The policeman set resolutely to work and caught all the dogs in the neighborhood to measure their paws. After three weeks he returned to Autun to give an account to the magistrate of the failure of his mission. He had not been able to find the dog. Before being received by the magistrate he had to wait in the ante chamber. A dog came in, and out of the habit he measured the dog's paws. To his delight, he found that the paws exactly corresponded to the ones he was looking for. He rushed into the magistrate's room, holding the dog and announced with delight he had just discovered the right animal after three weeks search. It was a question merely to discover the animal's owner, but the magistrate was now the surprised party. It was his own dog. He immediately solved the question, however. "Why," he said to the policeman, "My dog was with me the night of the crime and that explains his footprints."

RAILROAD NOTES

The St. Paul will start the new year by beginning the construction of 500 automobile cars.

Beginning next Tuesday the Erie will put on a 24-hour train from New York to Chicago.

The Omaha has announced the installation of 19 1-2 milling in transit rate per 100 lbs. on wheat from Kansas City to Chicago, via Minneapolis.

The Canadian Pacific has distributed cash prizes aggregating 1,500 to people along the line of road that have maintained the finest flower gardens.

The last rail has been laid on the Laramie Hahn-Peak & Pacific main line from its connection with the Union Pacific at Laramie, Wyo., to the coal fields of northern Colorado. The road has been under construction 12 years through the backbone of the Rockies, and cost \$4,500,000.

The election of men prominently connected with the Baltimore & Ohio and the Cincinnati, Hamilton & Dayton to the Queen & Crescent is said to be due to the last named road having been given an option to buy the Cincinnati, Hamilton & Dayton in six years.

Seattle, Jan. 2.—With every mercantile establishment in the downtown district flaunting the Potlatch Bug in red, yellow and green and with 400 of Seattle's leading business men indulging in a bughouse session at a luncheon at the Rathskeller, the Seattle Ad Club at noon today opened the local campaign for the Potlatch of 1912.

An order was issued by the interstate commerce commission, effective next Sunday, denies all applications for relief from long and short haul clause which allege as the sole ground for continuing commodity rates between certain points without making such commodity rates applicable from or to points of intermediate points are not producing or consuming points.

On the second Monday in this month the elevated lines of New York carried 1,019,166 passengers and operated a car mileage in excess of 194,000 car miles. On the same day the subway lines of the metropolis carried 1,090,382 passengers and operated a car mileage in excess of 189,000 car miles. This is an immense increase over last year's figure and it marked the beginning of the Christmas shopping in Gotham, according to the belief of the officials of the elevated and subway lines.

LAND DECISIONS

Homesteads.

While absence from the land on account of sickness will, under some circumstances, be held excusable by the Department, if it is accompanied by only short residence, meager improvements and cultivation of the entry, the final proof will be rejected.

Entries made prior to the act of Aug. 20, 1890 (26 Stat. 391), or settlements made prior thereto and subsequently carried to entry should not be considered in determining the quantity of and an entryman or settler may acquire under the limitation of said act.

Where one claims the right of entry based upon settlement or residence, that residence should be continued until the entry has been allowed.

Where a soldier's widow makes entry in her own personal right, she cannot claim that the period of military service of the husband should be deducted from the five-year period of residence required upon a homestead entry. Section 2307, Revised Statutes, applies only to the land entered by the deceased soldier.

The act of June 28, 1910, provides merely for a leave of absence for three months, and will not cure a default existing prior to the date of the act.

A withdrawal of public lands for forestry purposes creates an adverse claim, which defeats the right of any mere subsequent settler.

Temporary absences on the part of the entryman on account of climatic conditions have been excused by the Department only where the circumstances surrounding the entry clearly indicate bona fide intention to maintain a home upon the entry.

An original entry of lands under the enlarged homestead act of February 19, 1909, must be contiguous to the original entry.

Act of June 8, 1880, making provisions for settlers on public lands, who thereafter become insane, is to be construed as an act only for the relief of persons who become insane during the time of their "residence." A settler is one who attaches himself to a piece of public land by such unequivocal act as shows his intent to make his home there and to acquire title under the settlement laws. A resident is one who in compliance with the settlement laws is residing upon public land. Until such acts have been performed as show unequivocally that an entryman intends to make his home upon the land, he is neither a settler nor a resident. Citing case of Welsh vs. Hackett, 38 L. D. 515.

Desert Lands.

Under Department order of April 22, 1911 (40 L. D. 51), water right charges become due on December 1, following.

In passing the original Desert Land Act, it was the manifest purpose of Congress to hold out to the citizens of the United States an inducement to reclaim the waste and desert lands of the public domain, and thus render them subservient to the uses of husbandry by process of irrigation. This was to be accomplished by such a system of ditches as would carry to the subdivisions of the land, capable of being reached by the surface flow, a supply of water such as, when let out of the ditches by draw gates or smaller ditches, might spread over the accessible parts, and stimulate vegetable life. If the main ditches were thus constructed, with the acquired adequate supply of water to irrigate the lands for the purpose of cultivation in the ordinary method of carrying it out over the surface of the ground, we think the reclamation contemplated by the statute was accomplished, without showing that this appropriation was followed by actual use and cultivation.

The amendatory act of March 3, 1891, does not require any different character of reclamation, but simply provides that an expenditure of three dollars per acre must be shown, and one-eighth of the land embraced in the entry must be cultivated and so shown in final proof.

Final Proof.

The provisions of Section 7 of the act of March 3, 1891, have no reference to proceedings by the United States, or its officers or agents, in respect to entries therein specified, and therefore do not affect the conduct or action of the Land Department in

Watch for the Date!



The Fad Shoe & Clothing Co.'s Big Pre-Inventory Clearance Sale --The Sale With a Reputation

taking up and disposing of final proof of entryman after the lapse of two years mentioned in the act.

A report of a special agent of the General Land Office cannot be considered as evidence in a contested case if it is entirely ex parte, without any opportunity for cross-examination.

Practice.

According to the provisions of rules 60 and 80 of the rules of practice, the grounds of appeal must be clearly stated in concise language. General grounds of appeal without specification are insufficient.

Where a claimant believes that an affidavit of contest does not state a good cause of action, objection thereto should be made at the hearing, otherwise it must be considered as having been waived. Citing Paxton vs. Owen (18 L. D. 540).

A strict construction of Section 2372 of the Revised Statutes as amended by act of Feb. 24, 1909, provides for amendment of entries only in cases where there has been a mistake in the description of the land originally intended to be entered.

In certain cases the Department allows amendments of entries made under laws requiring settlement, cultivation and improvements on the land entered, where through no fault of the entryman the land is found to be so unsuitable for the purpose for which it was entered as to make the completion of the entry impracticable or impossible.

Unless contest is initiated within two years of the issuance of final receipt, it will be dismissed, although patent may have not yet been issued. Construing Section 7 of the act of March 3, 1891.

The granting of a continuance is in the discretion of the local officers and unless it is apparent that such discretion has been abused, the same will not be disturbed on appeal.

The Department will not attempt to relieve litigants of all errors that may be alleged their attorneys and agents are guilty of. The Department will only take cognizance of fraud against such attorneys and agents.

Our druggist is registered, bring us your prescriptions. Corner Drug Store.

The Grand Cafe Has Reopened

BEST OF MEALS
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NEW YORK STOCK MARKET

(revised prices)

New York, N. Y. Jan. 4.—Bullish manipulations of a number of stocks gave the market an appearance of underlying strength through the morning but there was no general movement of significance. Pressure against Union Pacific continued with no authoritative of the heaviness of this leader during the recent weeks. Various specialties became prominent in the trading, especially consolidated gas, which was benefited by reports of large earnings. L. V. touches 183 7-8 and a gain of 6 points was established in Reading, U. S. Steel and American Smelting, Consolidated Gas gained 2 1-2. Third Avenue and Manhattan, 2. D. & R. G. preferred, Pac. Telephone and American preferred 1 at 1 1-4. Nash Chatto and St. L. sold at 169 compared with 143 1-4, previous sale in September last. No. Pac. lost 1 at noon and the active list was yielding sharply.

Washington Dec. 29.—Alaska mining conditions during the year 1911 generally were favorable according to the annual report of Alfred Brooks, of the U. S. Geological Survey now in course of preparation. The production of metal increased substantially. The total value in 1911 is estimated at \$20,370,000. In 1910, it was \$16,833,678. It is a remarkable fact that the gold production alone exceeded the total mineral value of 1911, the estimate for 1911 being 17,150,000.

SHORT JABS AT SPORTS

W. E. D. Stokes, the New York millionaire who is the owner of the famous Wilkes breeding farm at Lexington, Ky., has announced that all but three of the yearlings on his farm will be sold at auction in New York in February.

At Saranac, N. Y., yesterday Edmund Lamy, former amateur skating champion covered 100 yards on the lake in nine seconds from a standing start in an exhibition trial. The previous record was 9 3-5 seconds held by Morris Wood, an amateur.

Barney Riley, former Irish amateur champion, broke the record for the tournament at Milwaukee, making a 137-foot jump against the old record of 135. This was the first competition as a professional.

Ever notice how easy it is for a man to get married who isn't able to support a wife.

The self-made man is never finished until some woman gets busy and polishes off the rough edges.

The genius is a man who thinks of something that immediately sets all other men to wondering why they hadn't thought of it themselves.