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The Democratic Times.

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PROFESSIONAL CARDS.

A. C. JONES, ATTORNEY & COUNSELOR-AT-LAW, JACKSONVILLE, OGN., Will practice in all the Courts of the State. Office on 5th street, opposite Court House.

G. H. AIKEN, M. D., PHYSICIAN AND SURGEON, JACKSONVILLE, OREGON. Office—On California street, opposite Union Livery Stable.

DR. L. DANFORTH, PHYSICIAN AND SURGEON, Jacksonville, Oregon. Office on California street, opposite P. J. Ryan's store. Calls promptly attended to, day or night.

J. W. ROBINSON, M. D., PHYSICIAN AND SURGEON, Jacksonville, Oregon. Office in Masonic Building, next door to Kreuzer's Bakery, Oregon street. Residence at B. F. Dowell's.

E. H. AUTENRIETH, ATTORNEY & COUNSELOR AT LAW, Jacksonville, Oregon. Will practice in all the Courts of the State. Prompt attention given to all business left in my care. Office in Orth's Brick Building—upstairs.

H. KELLY, ATTORNEY & COUNSELOR-AT-LAW, JACKSONVILLE, OREGON. Will practice in all the Courts of the State. Prompt attention given to all business entrusted to my care. Office opposite Court House.

JAMES S. HOWARD, U. S. DEPUTY MINERAL SURVEYOR FOR JACKSON, Josephine and Curry counties, Oregon. Official surveys made—also contracts obtained at reasonable rates. Full copies of Mining Laws and Decisions at my office in Jacksonville, Oregon.

MARTIN VROOMAN, M. D., PHYSICIAN AND SURGEON, Jacksonville, Oregon. Dr. Vrooman comes here with the intention of permanently locating himself in the practice of his profession. Is a graduate, and, from twenty-seven years' experience in the diseases incident to this Coast, flatters himself as being able to give general satisfaction.

MRS. DR. ELLA FORD ROBINSON, GIVES SPECIAL ATTENTION TO DISEASES OF WOMEN. AND—OBSTETRIC PRACTICE. Office and residence at B. F. Dowell's, Jacksonville, Oregon.

SOCIETY NOTICES. Jacksonville Grange No. 88, P. of H., Holds its regular meetings every two weeks at the residence of J. N. T. Miller.

OSCEOLA CHAPTER NO. 4, R. A. M., Holds its regular meetings monthly on Tuesday evenings of each month, at 7 1/2 o'clock. Companions in good standing are invited.

Table Book Engraving No. 10, I. O. O. F., Holds regular sessions in its Hall, Old Fellows' Building, in Jacksonville, Oregon, on the 24th and 27th Tuesday evenings of each and every month. All sojourning Patriarchs are cordially invited to meet with us.

B. ROSTEL, PROFESSIONAL HAIR-CUTTER, IN ORTH'S BUILDING. RESPECTFULLY ANNOUNCES TO the public of Jacksonville and vicinity that he was a scholar of Prof. Dr. Mosler, director of the University of Greifswalde, Prussia, and Prof. Dr. Volkman, of the University of Halle. During the Franco-Prussian war he was special assistant to the Doctor-in-chief Zuelzer and Ludwig of Berlin and Breslau, Germany. Fractures and external diseases, acute or chronic, most carefully treated. Cupping, Leeching, Bleeding and teeth extracted at all hours.

WILL JACKSON, Dentist. California Street, Jacksonville, Oregon. LAGER! LAGER!! THE EAGLE BREWERY. THE PROPRIETOR, JOS. WETTERER, has now on hand and is constantly manufacturing the best Lager Beer in Southern Oregon, which he will sell in quantities to suit purchasers. Call and test the article.

Ladies' and Gentlemen's FURNISHING and FANCY GOODS.

BOYS' and GIRLS' READY-MADE CLOTHING, BOOTS AND SHOES, GROCERIES, BEDSTEDS & CHAIRS, CLOTHING, LIQUORS, TOBACCO and CIGARS, CROCKERY, ETC.

At E. Jacob's New Store. Orth's Brick Building, Jacksonville.

ALL THE ABOVE ARTICLES SOLD at the very lowest rates. If you don't believe me, call and ascertain prices for yourselves. No haggling! All kinds of produce and hides taken in exchange for goods.

DAVID LINN, Keeps constantly on hand a full assortment of furniture, consisting of BEDSTEDS, BUREAUS, TABLES, GUILD MOUNDINGS, STANDS, SOFAS, LOUNGES, CHAIRS OF ALL KINDS, HALLOR & BEDROOM SUITS, ETC., ETC.

City Drug Store. CALIFORNIA STREET, Kahler & Bro., Proprietors.

WE KEEP CONSTANTLY ON HAND the largest and most complete assortment of DRUGS, MEDICINES AND CHEMICALS to be found in Southern Oregon. Also the latest and finest styles of STATIONERY.

And a great variety of PERFUMES and TOILET ARTICLES, including the best and cheapest assortment of COMMON and PERFUMED SOAPS in this market. Prescriptions carefully compounded. ROBERT KAHLER, Druggist.

FOURTEENTH YEAR. ST. MARY'S ACADEMY, CONDUCTED BY THE SISTERS OF THE HOLY NAMES.

THE SCHOLASTIC YEAR OF THIS school will commence about the end of August, and is divided in four sessions, of eleven weeks each. Board and tuition, per term, \$40.00; Bed and Bedding, 4.00; Drawing and painting, 5.00; Piano, 15.00; Entrance fee, only once, 5.00.

NEW STATE SALOON. CALIFORNIA STREET, C. W. SAVAGE, Proprietor.

HAVING AGAIN TAKEN POSSESSION of the site of the undersigned will be pleased to meet his friends and the public generally at this old and popular resort. The finest liquors and cigars can always be had at this place, and the tables are supplied with all the leading newspapers and periodicals of the day.

THE CRITERION, CALIFORNIA ST., WEBB & McDaniel, Proprietors.

THIS POPULAR RESORT, UNDER THE new management, is furnishing the best brands of liquors, wines and cigars. The reading table is supplied with Eastern periodicals and leading papers of the Coast. Give me a call.

SUPREME COURT DECISION.

Jesse Dodge, appellant, vs David Marden and B. A. Knott, defendants, respondents; appeal from Jackson county.

The object of this suit is to enjoin the defendants from using a certain water ditch, and from pursuing certain mining operations in Jackson county. The complaint alleges in substance—1st, that the plaintiff is the owner in fee of a certain tract of land described; 2d, that Kane's creek runs through and is of great advantage to said land; 3d, that plaintiff is the owner of a mining water ditch, running from gulch near the southwest corner of said land to said creek, and has been held and used by plaintiff for over five years; 4th, that about December, 1876, defendants wrongfully entered upon plaintiff's said land, and dug a ditch through the same from Kane's creek, tapping defendant's ditch, and carried away the water flowing therein, &c.

That defendants have also begun to dig and wash away the soil of China gulch, and to run the same down upon plaintiff's land, and claim the right to do so, to plaintiff's damage, &c. The answer admits that the natural channel of said creek runs through plaintiff's land, but denies that the waters thereof have been accustomed to flow, or ought to flow, through said channel; admits that plaintiff is the owner of said land, and that defendants run their tailing over part of plaintiff's land, but deny any damage to plaintiff thereby. By way of separate answer, defendants allege that their right to run waste water down said gulch over plaintiff's land, vested prior to the issuing of patent to plaintiff for said land; that defendants have a license from plaintiff to run waste water and tailings over his said land.

That one Ralls is, and has been since 1850, the owner of a ditch commencing near the southeast corner of plaintiff's land and running to China gulch; that plaintiff's said land is mineral land, and at the time of the construction of said ditch was the property of the United States; that said Ralls used all the water of Kane's creek in said ditch by express permission of said Ralls.

The reply alleges that said ditch had been abandoned by said Ralls for more than three years prior to the time of plaintiff's entry on said land in March, 1871, and that by reason of said abandonment all right to said ditch and the waters of Kane's creek were forfeited and lost.

It being admitted in the pleadings that the plaintiff is the owner in fee of the land over which the ditch complained of is constructed, he would have the right to restrain the defendants in the use of it to his damage; unless they can show that they have some vested right which allows them to convey this water over plaintiff's land. Defendants claim that said Ralls, under whom they occupy and use this ditch and water, has such a right vested in him by virtue of an Act of Congress of July 26, 1866. [Sec. 2339 U. S. Revised Statutes]. Sec. 2340 provides: "All patents, etc., shall be subject to any vested and accrued water rights, etc." acquired under section 2339. It is admitted that Ralls owned and used this ditch before patent issued to plaintiff. In accordance with the sections quoted, we think that Ralls would still be the owner and entitled to use this ditch unless he has lost such right by abandonment. The right being one belonging to real property could not be lost by non-use alone, short of the time for the limitations of action; to recover real property, which is twenty years.

And we think no abandonment is proven by the testimony in this case, when considered without reference to the statute of Oregon. The statute referred to in section 2 relating to mines, etc., on page 686.

We must construe the word "abandonment" in the statute according to its ordinary signification, and it would be necessary in order to show that Ralls had lost his right to the ditch in question to show first that he had intentionally given up all claim to it, and then after such abandonment he had ceased to exercise any acts of ownership over it.

We think this is the liberal and natural construction of the statute. Entertaining these views of the law and evidence in this case we have found no error in the conclusions and decree of the court below, which will be affirmed with costs.

ABOUT OREGON.—The number of acres under cultivation, 617,900; estimated number of acres susceptible of cultivation, 1,000,000; number of voters at Presidential election, 1876, 28,860; number cast at the last State election, nearly 34,000 in round numbers. Thirty years ago there were not 10,000 white inhabitants in the State; now there are estimated to be 160,000. In 1810 the first house was built in Oregon by Capt. Wintrop. In 1832 the first school was opened. In 1848 Oregon was organized as a territory and in 1859 inhabitants in 1838 the first printing press arrived in Oregon; in 1824 the first fruit trees were planted, and to-day she is called "the land of the big red apples."

The young man who boasted that he could marry any girl he pleased, found that he could not please any.

FASHION, STYLE AND GOSSIP.

Gulpare lace is coming into fashion again. A new figure looks like velvet leopard skin.

Waterproof cloaks are fashionable in Paris. New French walking dresses are very short in front. Japanese dressing saques can be bought for \$3 apiece.

Satin shoes, for evening wear, are invariably embroidered. Seal-brown plush takes the place of fur on new garments.

The new pekin fabrics are invariably trimmed with chenille. Felted moire mazarines are the favorite flowers in silver jewelry.

Silver and gold are combined in small articles of fancy jewelry. A war club and a bow and arrow are the new designs of lace pins.

Looped satin bows artistically plaited and looped, are worn at the throat. Fur trimmed dresses have a deep border on the underskirt instead of a flounce.

Bridal wrappers are of brocade combined with plain silk covered with Breton lace. Mulberry and dragon green are the favorite shades in the fashionable spun silk hose.

Lower skirts are now made of velvet and upper ones of brocade, plain silk or cloth. Belt tops are going out of style, and bows of lace and ribbon are taking their places.

Foral sets composed of forget-me-nots, daisies, or roses in French glass are both cheap and pretty. Chuddah shawls that have not proved saleable are made into morning wrappers and trimmed with fur.

Antique embroideries are carefully cut from old dresses and sewn upon new ones, with very good effect. Winter fans have knob handles, which hold powder and a puff. A mirror, a scent tube and a pocket comb are hidden in the side sticks.

The new hat is The Victim. It has a scarp front, and is turned up on one side; feathers, no cover it, and roses almost drop from its brim. White and pearl colored bonnets have facings, breasts, tips or ties of garnet or wine in a majority of instances, and the contrast is certainly most charming.

Jet, crystal and amber are all fashionably favored among garnet grass or the various fancy colored jacks, but black jet is used more frequently than any, and is decidedly preferred for black trimmings.

A vest is usually required to be three-quarters of a yard in length, and the pieces that are cut away from the sides in modeling it will be enough to make the cuffs. Another yard will form the reversed bands and revers on the skirt of the stylish "washerwoman" polonaise.

In plume for hats and bonnets, breasts and ornaments of the grette style are mostly selected, as they preserve the close effect now desirable in bonnets. Bird's heads are also selected, and tiny impian breasts with humming bird heads are charming for the centres of Alsatian bows of plush or ribbed material, and may or may not, as preferred, be surmounted by short, curly tips. When the latter are preferred alone, from three to five and six are used in a cluster and many are tipped with jet or gilt. Lined feathers and tips are considered desirable, as they not only look fuller and remain in shape longer, but the lining may be of a contrasting shade, if there are two shades in the hat.

The very newest ribbons in millinery are satin on both sides and reversible in the designs, which are stripes in the Roman and Scotch plaid colors. One has black, old gold and cardinal agreeably intermingled, with the black predominating on one side while on the other side the old gold is the chief shade. Then there are ribbons of solid black, blue, garnet, plum, etc., on one side, and old gold, cardinal and black on the other. Bows made of both sides, or loosely twisted that each will show both sides. Another ribbon is in the canvas weave in stripes, and, although the comparison may not be agreeable, yet it certainly calls to mind the striped binding used in carpets.

HOW TO CHOOSE A HORSE.—An English paper tells us that the purchasers of horses for the French army always endeavor to obtain a first look at the animal when he is in the stable, noting if the animal supports himself squarely well on all his legs, and if one seems to yield, especially examining it. Attention is then directed to the largeness of the pupil of the eye, which ought to be more dilated when in the stable than when exposed to light. After the animal has been led out of the stable, the eye ought to be again examined to see if the pupil has contracted; if not, the sight is feeble. Others, to test the power of vision, feign to strike the forehead with the hand. If the blow over the eye be profound and the temple grey, old age is to be concluded. Wounds about the temple suggest attacks of staggers; and when the end of the nose presents circular scars, it may be concluded the horse has been twitched with a cord to insure his quietness while being shod or having had to submit to some painful operation.

THE COMMITTEES REPORT.

Following is the summary of the report of the investigating committee: And the committee find, after a careful and thorough examination of the books and records on file in the offices of the different departments, and from the examination of such witnesses as we could obtain with the limited authority at our disposal, that the following amounts have been either not accounted for or have been paid without authority of law, viz:

SUMMARY. Common school fund.....\$ 2,403 89 University fund..... 1,355 40 State land fund..... 2,473 17 Tide land fund..... 1,662 03 Capital building fund..... 99 48 Agricultural College fund..... 2,916 44 Swamp land fund..... 27,875 09 J. N. Barker, overpaid as Agent of the Board..... 295 15 Illegal fees for conveying convicts to the penitentiary..... 14,933 90 Illegal fees for conveying convicts to the asylum..... 19,176 19 Q. M. Stores, Marine war, unaccounted for..... 13,186 00 Deaf-mute school fund..... 452 50 S. F. Chadwick, overpaid as Secretary of State..... 3,600 00 T. H. Cann as Assistant Secretary of State—no service..... 1,800 00 A. H. Brown, Treasurer, lost by interest on Lock bonds..... 1,050 00 Illegal fees for returning fugitives..... 1,050 00 A. H. Brown, reported paid by the West Portland Homestead Association not accounted for..... 268 00 Total.....\$96,817 27

It is not justice to state that since the close of the late State administration T. H. Cann, the clerk of the board, has paid to the Treasurer the sum of \$5,200 belonging to the various State funds and declares his ability and willingness to pay all that is due the State from any official transaction of the Board that came within his supervision.

The committee also desire to state that the books, papers and vouchers of Professor L. L. Rowland, are in a complete and intelligible condition, and the committee believe that this officer has performed his duties as Superintendent of Public Instruction in an honest, systematic and straight-forward manner. His conduct is an oasis in the desert of official inefficiency and peculation in the State administration of the past four years.

It is proper to state that the committee have had the efficient services of W. Stanley as clerk and his assistance has been invaluable in the examination of books and records connected with the various departments. On motion the committee adjourned to meet at the call of the chairman, Wm. Galloway, for the purpose of examining the condition of the La Grande land office and to transact any other business that might properly come before it. Respectfully submitted, (Signed) JOHN E. ROSS, WM. GALLOWAY, D. P. THOMPSON, J. S. WHITE, Committee.

LEGAL DECISIONS ABOUT NEWS-PAPERS.—1. Subscribers who do not give express notice to the contrary, are considered as wishing to continue their subscription. 2. If subscribers wish their papers discontinued, publishers may continue to send them until charges are paid. 3. If subscribers neglect or refuse to take their papers from the office or place to which they are sent, they are held responsible until they settle their bills and give due notice to discontinue.

4. If subscribers move to other places without informing the publisher, and the paper is sent to the former direction, they are held responsible. Notice should always be given of the removal. 5. Any person who takes a paper regularly from the post-office—whether directed to his name or another's, or whether he has subscribed or not—is responsible for the payment. 6. The courts have decided that refusing to take a paper from the office, or removing and leaving it uncollected, is prima facie evidence of intentional fraud.

TRAVELS OF A REGISTERED PACK-AGE.—During the term of Mr. J. B. Underwood as Postal Agent, some two years ago, says the Eugene City Guard, a registered package sent from Myrtle Creek to Hermansville, Oregon, was lost. Mr. Underwood went to the place, and for several days investigated the affair, with the only result that he was convinced of the integrity of the postmaster, Mr. Gabbett, at Myrtle Creek. No trace of the missing package could be found. Mr. Underwood, a few days since, received a letter from Mr. Gabbett stating that he had received from the agent of the Post-office Department at Chicago, a receipt for the package, it having been found in a mail pouch sent to Chicago for repairs. Thus after a lapse of two light thousand miles from its point of departure and destination, and the good name of Mr. Gabbett is left cloudless and above suspicion.

HEAVY snow storms and unprecedented cold weather prevails in Idaho.

THE IRON-HEARTED LOVER.

Among the crowd of travelers around the depot, the other day, was a young man of excellent length of legs, and a girl with sixteen Auburn curls hanging down around her head. They had scarcely settled themselves and locked fingers, when she carefully observed:

"I s'pose they have soda-water in this town?" "I s'pose so," he replied, "but the last thing, afore we started, I promised your mother not to let you drink any soda-water. It's the worst thing in the world to bring on consumption." She was quiet for a moment then pointing to the left, remarked:

"I see that Sarah is eating peanuts. I s'pose they have peanuts in this town?" "Wall, yes; but your mother cautioned me the last thing not to buy any peanuts for you. The shucks are apt to get into your windpipe. The Queen of Holland was choked to death in that way."

"Pretty soon a boy came along with some fruit, and the young woman felt obliged to say: "Them apples and pears look awful nice."

"Yes, they do," replied the prudent lover, "but I promised your mother, at the depot, not to buy fruit for you. Them apples look nice, but if you get the toothache started on you, then the whole afternoon's busted."

The young man had just commenced to take comfort again, when she innocently remarked: "When I came up here last summer with Jim, he bought more'n two pounds of candy."

"Yes, and what was the result?" he demanded. "You fell down cellar that very week; and didn't Jim have to light out last winter for bustin' in the school-house door?"

"She had got down to water," and with considerable sarcasm in her voice, she inquired: "I can have a drink of water, can't I? Mother didn't say anything against that, did she?"

"Wall, no, not exactly," he slowly replied; "but she gin me an appealing look as the cars moved off—same as to say that it ought to be kind o' warmish water, if any. You got here, and I'll borrow a dipper somewhere."

"She said," and it was all of an hour and a half before he again succeeded in getting his arm around her.

WIVES' PROPERTY IN OREGON.—Among the bills passed by the late Legislature of Oregon, and which has since become a law, is an act relating to property of married women which provides that property owned by women at the time of marriage, or acquired thereafter by gift, devise or inheritance, shall not be subject to debts or contracts of the husband, and the wife may manage, sell, convey, and devise the same as the husband can his property. The property of either husband or wife shall not be liable for debts or contracts of the other. Action may be maintained by husband or wife against the other for the recovery of property of which the other has obtained possession, the same as if they were unmarried. For civil injuries committed by the wife, damages can be recovered by her alone, except in cases where she is jointly responsible. Conveyances of liens from one to the other shall be valid; one may constitute the other his or her attorney, to act for mutual benefit or as attorney in fact. The wife may recover the wages of her personal labor in her own name. Neither is liable for the debts of the other incurred before marriage. Expenses of family and education of children shall be chargeable on property of both husband and wife, or of either of them.

HOW TO PLOUGH.—Prof. Stockbridge, in an essay on ploughing, read before the Connecticut State Board of Agriculture, said that there are two kinds of soil on every man's farm—the agricultural soil and the sub-soil. The agricultural soil may be two inches deep, or it may be nine, but it is not twenty feet. It is no deeper than the air can penetrate. If the agricultural is too shallow it may be gradually deepened by lifting an inch of sub-soil at each plowing, bringing it up to the air and enriching it with manure. Our agricultural society committees, by their premiums for smooth, shiny, flat furrows, have done the community great harm. Such as oftenest takes the premium is the very poorest kind of ploughing. The soil is best ploughed when it is most thoroughly crushed, twisted and broken with the soil well covered. On some kinds of soil it would have the furrows lapped an inch, as the Canadian farmers plough. Let the air and water have a chance to circulate beneath the surface. Light lands, however, should have a flat furrow; we wish to make such more compact."—New York World.

BREAKFAST CAKE.—One cup of cream, one cup of butter-milk, two cups of sugar, soda enough to foam up nicely, a little salt and flour enough to make the batter quite stiff, so that by taking up the spoon it will stay piled up on it. Either use one table-spoonful of ginger or cinnamon; I prefer ginger. Bake in drops, a spoonful in a place, or in a long tin and cut in slices.

MEASURING A TREE'S HEIGHT.—The height of a tree which stands so that its shadow cast by the shadow of the tree to its height. For instance: If the stick is four feet above the ground, and its shadow is six feet in length, and the shadow of the tree is 90 feet, the height of the tree will be 60 feet (64:90:60). In other words, multiply the length of the shadow of the tree by the height of the stick, and divide by the shadow of the stick.

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