FRANCO--AMERICAN HOTEL AND RESTAURANT, OPPOSITE THE

Odd Fellow's Hall.

Jacksonville, Oregon.

Travelers and resident boarders will fine

MADAME D' ROBOAM'S

AND BEDDING BEDS

Placed in first class order, and in every Vay superior to any in this section, and surpassed by any in the State.

HER ROOMS ARE NEWLY FURNISHED.

And a plentiful supply of the best of every thing the market affords will be obtained for

#### HER TABLE.

No troubled will be spared to deserve the patronage of the traveling as well as the permaneat community.

Jacksonville, March at 1866.

Peter Britt. **Photographic Artist**, JACKSON VILLE, OREGON. Ambrotypes, Photographs, Cartes de Vislte DONE IN THE FINEST STYLE OF ART. Pictures Reduced OR ENLARGED TO LIFE SIZE

RAILROAD SALCON

## M. A. BRENTANO

# CONDUCTOR,

Choice Liquors and Cigars always on hand.

## THROUGH TICKETS

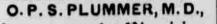
#### 19) CENTS.

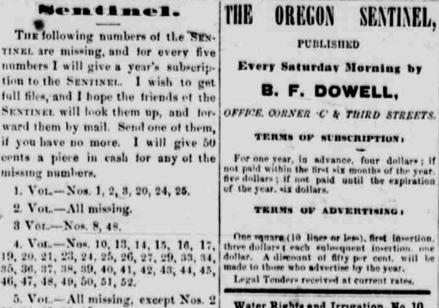
#### NEW STATE SALOON. DRINKS 124 CENTS.

The thirsty public are informed that Pare a Saraos of the NEW STATE SALOON will areach their thirst with the most choice lower ages to be found in Jarksonville for ONE BIT. We expect to lose money by it, but times are hard, and we cannot see people on thirsty 16oct69 PAPE & SAVAGE,

**BR'S BUSH & MCALISTER**, DENTISTS. 704, Market Cor. Kearny Sts. SAN FRANCISCO, CAL.

DR. MCALISTER. of the above firm, will D visit Jack-onville semetime in Augu-next, and will attend to all turiness in his line us will give notice of the time of his return through the columns of this paper.





VOL. XIV.

- 23, 24, 27, 30, 45. 6. Vol.-Nos. 9, 40, missing.
- 7. Vot.- Nos. 16, 57, 58, 59, 66, mis-
- sing. 8. Vol. - Nos. 47, 83, missing. 9. Vot.-No. 29, missing. 10. Vol.-No. 48, missing. 11. Vol.- No. 25, mi-sing.

# NEW GOODS.

THE SUBSCRIBERS ARE NOW RECEIV ing an extensive supply of Goods in the Cook Stoves, Parlor and Big Stoves of variou Potterns. Nails of all sizes ; Assorted Lum and Steel ; Horse Shoes and Nade ; Cast Iron Wash Kettles, Bake Ocens, Skillets and Lals, Ten Kettles, and Bake Pans; Brass and Engrated Kettles and Since Pans ; Chopping Azes. Broad Axes, Trace and Hatter Charas ; Shovels and Tongs, Fire Dogs. Stuce Forks, Shovels, Door, Locks, Butt and Strap Hinger; Knives and Forks, Spoons and Luttes; Meat Cutters, Sad Louns, Polishing Irons, Pocket Kartes, Sciences and Shears, Patent Cross Cut Sours ; Buck and Hand Same ; Planes and Lanterns to

ether with a full assortment of Shelf Hardwar 869 0 0 Σ 018

### JACKSONVILLE, SATURDAY, NOVEMBER 6, 1869.

Oregon Sentinel.

#### SENTINEL, ORECON

PUBLISHED

## Every Saturday Morning by

## B. F. DOWELL.

TERMS OF SUBSCRIPTION. For one year, in advance, four dollars ; if

TERMS OF ADVERTISING

Legal Tenders received at current rates.

Water Rights and Irrigation, No 10

JACRNONVILLE. ORFGON.

"The suggestion, that an upper proprietor may lose his right to irrigate his lands by grant, is in accordance with the doctrine of the case of Cook es. Hull, reported, in 3 Pickering, where it was held that the owner of a mill may, by long exclusive enjoyment of the entire waters of a stream, the of the mill, exclude the riparian proprietor above from diverting any part thereof for purposes of irrigation, it by such diversion he is injuriously affected in the operation of the mill. In that case the mill had enjoyed the water adversely for forty years, but under the modern rule as to prescription, twenty years would undoubtedly be equally effectual.

this subject in the case of Miller vs. Miller, where the detendant had conveyed to the plaintift a parcel of land this, the detendants had violated no diverted portions of the water for the

"So, where the owner of land, in which was a spring of water with a watercourse from it into the land of an adjacent owner, stopped the flow and used it for irrigation on his land in a of be presented to the children of our proper manner, but thereby wholly de- deceased Brother. prived the adjacent land-owner of the

same, it was held that he had no right thus to do. While he had a right to apply it in a reasonable manner and in a reasonable quantity for irrigation, he was not at liberty to deprive the adjacent owner of what he needed for his cattle.

"But the point is so fully considered, and so clearly stated and illustrated, by Shaw, C. J. in Eiliot es. Fitchburg R. R. Co. which is tound in 10 Cushing's R. 191 that little need be added to the dectrine there laid down. The stream; in that case, was a small one, and was fed, in part, by a spring.

"The defendants, under a grant from the owner of the land, had erected a dam just below the spring, whereby they raised a reservoir, from which, by means of pipes, they drew water to supply their engines used upon their milroad.

"The plaintiff owned land through which the original stream flowed ; the land of another proprietor intervening same being necessary for the working between the lot in which was the dam and the plantiff's land. The action was for this diversion by means of the pipes laid from the reservoir, in which the plaintiff claimed to recover, though he tailed to show any actual damages occasioned thereby. But the court held that he could not recover unless he could show some actual appreciable damage, because, to a certain extent, a right to divert the water for use was incident to the land on which the dam was, and if they had not transcended

"This appears ' says the Chief Jusputpose of irrigating his other lands tice, 'to have been a small stream of lying upon the same stream. As no water, but it must, we think, be conply between two land-holders, where parian proprietors through and along one claimed damages for being deprived whose lands it passes, as are held to of the natural flow of the stream run- apply to other watercourses, subject ning through his land. In speaking of to the consideration that what would the rights of such proprietors, the court be a reasonable and proper use of a say: "The law requires of the party considerable stream, ordinarily carrythat he should use the stream in a rea. ing a large volume of water, for irrigasonable manner, and one of the conditions tion, or other similar uses, would be an of the use is, that he do not destroy, unreasonable and injurious use of a

Resolved. That these resolutions be spread in full upon the minutes of the Lodge, and be published in the "ORE-GON SENTINEL," "Democratic News," and the "New Age," and a copy there

NO. 42.

SILAS J. DAY. WM. M. TURNER, Committee.

#### Correspondence.

JACKSONVILLE, Nov. 1, 1869. ED. SENTINEL .- The mineral resources of our county are of such vital importance, not only to the miner, but to the merchant and farmer as well, that with pleasure I give you the opinion of a practical miner in regard to the mineral wealth in our close proximity.

The placer mines of our early days, as far as water could be obtained, argexhausted, our population, as well as our agricultural products are increasing ; why should we not try to bring the hidden mineral treasure to day light, and to develop those mines, that are only waiting for the energetic miner; and the ery of " hard times " will cease. The chain of mountains from the head of Jackson Creek down to Rogue of his religious belief. The decree is River show, after a close examisation, the same strata of wash and cement gravel, that on places, in the course of time, has been laid bare by the intervening streams, removed, partly, by great slides, from the original position; while in other places it lays deep in the mountains, where it takes time and damage is heavy. St. Louis, Oct. 26.-An Omaha spe-

But of more lasting benefit will be the quartz-mining, if ever capitalists can be induced to invest in our mines. None of our ledges have been thoroughly tested, no greater depth than a hundred feet has been obtained, and that only in the timber gulch ledge, with stistaction to the owners of that ledge. Why not go down into the bowels of the earth, and see what our mines are worth ? But it is easier said than done. A man that pre-empts a piece of uncultivated land must have time, perser- ces rising. verance, and capital, to make it productive, and the more he invests on it the greater the value, the greater the produce. Just so with a gold-bearing of the lower or 324 parallel route for quartz ledge. It takes time, many a the Southern Pacific Railroad. In this hard lick, and capital, to open the same; the quicker it is opened, the sooner will there be a productive re-

sult. There are plenty of ledges here that latitude. The former may be would pay well if they were properly the lower and the latter upper Southworked; there are plenty of steady, Rio Grande at El Paso, and the latter do the work, if they had assistance is cro-sed by the lower road at Fort from the merchant, the farmer, the Yuma; by the upper at Fort Mohave. capitalist. There are plenty of men The upper road aims to reach the seahere willing to work, if they had a prospect to be paid eventually for their to be obstructed by deep snows; the work ; and the ringing of the pick, the lower road not at all. The lower road work ; and the ringing of the pick, the thunder of the blast, would bring a new impulse into our community, sunilar to the early days of our mining, new nearly lorgotten.

### Late Telegrams.

New York, Oct. 23 .- Father Hyacinthe yesterday made the following statement: "I believe it is impossible to enjoy freedom of thought and exercise it and yet belong to the communion of t e Catholie Church. I still con-sider myself a Carmelite Monk, and as devoted as ever to the Holy Mother Church, but I maintain that I exercise my priestly functions by the authority of God alone ; that the Church has no right to change the faith as handed down by our fathers, to add or take from it anything whatever. I believe Protestants to belong to the great brotherhood of faith, but I do not intend to ally myself with their peculiar views.

The Sun believes that the reported Rothschilds toan was well founded, and that Boutwell will propose a bill to Congress authorizing him to accept it. Chicago Oct. 26. The Commissioners for the examination of the Pacific Railroads are of opinion that both lines are in much better condition than usual

for new roads, and will recommend acceptance by the Government. The Republican's special says that the expenditures of the Post Office Department have increased about a million of dollars for the past fiscal year, and the income increased two millions, The reforms imaugurated since March will show a still greater improvement this year .--

Lottery dealers are to be forced to pay an Internal Revenue tax. It will net a quarter of a million canually. Havana, Oct. 21. -A decree of Cor-

tes establishing unrestricted liberty of religion in Cuba and Porto Rico, today promulgated, will go into effect immediately as the law of the land. One clause of the decree provides that to person be provinted from holding flee under the Government by reason received with general satisfaction. It · probable a Protes ant church will be

established in this city. Poughkeepsie, Oct. 25.-There was land slide near Rondout yesterday. It moved three acres of land a considerable distance, covered Brooks' yard to the depth of six feet and swept away the engine house and engine. The

cial says that the published statement that the Nebraska Legislature ratified the Fifteenth Amendment last March is incorrect. The Legislature ad-journed without action. The Governor will probably call an extra session this winter.

Portland, October 27.-Track-laying on the first railroad in Willamette Val-

ley was commenced yesterday. The bark Adeline Ellwood, with a cargo of wheat, sails to-day for Liverpool direct.

The demand for flour in Eastern Oregon and Idaho is increasing. Pri-

SOUTHERN PACIFIC RAILWAY .- The Lousville Convention adopted, by a vote of three to one, a report in favor connection the Louisville Bulletin lately referred to the two routes as follows : There are two proposed Southern Pacific Railroad .: one following the 32d and the other the 35th parallel of north coast at San Francisco; the lower at San Diego. The upper road is sure passes through some of the 'oldest towns on the continent; the upper road passes only through the most juvenile and precarious of mining camps. The upper read is the pet of General Palmer; the lower road his special rival. The upper road traverses the most rugged and mountainous portion of Arizona, while the lower passes over the plains and most fertile valleys of that Ferritory and is almost entirely unobstructed by mountain passes.'

not paid within the first six months of the year. five dollars ; if not paid until the expiration of the year, six dollars.

BY DOWELL & WATSON, ATT'YS AT LAW,

"The court of Pennsylvania considered

situate upon a stream, and subsequently right of the plaintiff. reference is made to any mill, it is to sidered that the same rules of law ap be presumed that the question was sim. ply to it, an I regulate the rights of ri-

## Surgcon & Dhysician.

Having establish d my telegraphic head-quarters at Jack-onville. I will spend a large pertion of my time in your mid-t. and will at tend to such surgical practice as may present giving especial attention to the surgical treat ment of female maladies. October 9, 1×69-6m

DR. A. B. OVERBECK Physician & Surgeon, JACKSON VILLE, OREGON.

Office at his residence, in the Old Overbeck Hospital, on Oregon Street.

DR. E. H. GREENMAN, PHYSICIAN AND SURGEON,

OFFICE .- Corner of California and Fifth Streets, Jacksonville, Ogn.

He will practice in Jackson and adjacent counties, and attend promptly to professional calls. fel:21f

## **DR. A. B. OVERBECK'S** BATH ROOMS, In the Overbeck Hospital,

WARM, COLD & SHOWER BATHS,

SUNDAYS AND WEDNESDAYS.

DR. LEWIS GANUNG, PHYSICIAN & SURGEON AND Obstotrioian,

WILL attend to any who may require his services. Office at B F. Dowell's office, on the East side 3d Street, Jacksonville, nov2tf

E. B. WATSON B. F. DOWELL, DOWELL & WATSON, ATTORNEYS AT LAW. Jacksonville, Oreupn? DR. L. T. DAVIS, OFFICE --- ON PINE STREET, Opposite the Old ARKANSAS LIVERY STABLE. Jacksonville, Oregon.



B

These Pumps have b en fully tested, and are schowled to possess advantages over all other sold at Manufacturer's prices Pamps In the with freight added.

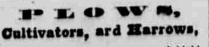
GIANT FOWDER, Fuse and Caps. Blasting and R ffe Powder shot and Lead ; Lift Pumps and Lead Pipe ; Rope, Grindstones, Cider Mills, Cedar Tubs, Buckets, and Willow Baskets.

TIN-, COPPER-. AND SHEET IRON.WARE Of every description always on hand and

made to order.

Hydraulic Pipe. Paints, O.Is, Turpentine, Varnish, Window Glass and Patty.

We invite the attention of Farmers to our



Of the most approved patterns, and highly finished; also Self Sharpening Straw Cutter-and Hay Kaives.

HOFFMAN & KLIPPEL.

Jacksonville, Getober 16, 1869.

## Administrator's Notice. Estate of Ann S. Love, de. eased.

The subscriber has been sppoint. Admini-trator de bonis non, of said estate ; all person-having claims against - aid estate, are requested to present them duly verified for payment, and those indebied are required to make payment and forthwith, to the subscriber, at the store of Hoffmau & Klippel Wm HOFFMAN, Administrator Jacksonville Oct. 25, 1869

HIDES: HIDES: THE HIGHEST CASH PRICES PAID FOR Hides of all kinds, delivered at the market of the undersigned, in Jacksonville. JOHN ORTH.

Becember Bth 1666.

or render useless, or materially lessen by those situated above or below him,

on the strea n., "The reisonableness of the detention of the water by the upper proprietor,

must depend on the circumstances of 1869, of typhoid fever, Joshua II. each case, and is to be judged of by Sterne, formerly of Jacksonville, Orethe jury." And they illustrate the re- gon, aged 47 years. mark, by supposing the case of a large

stream, where the diversion for purposes of irrigation might hardly be perceptible in its effects upon the volume of the stream ; and another, of a very small stream, where such diversion might absorb, substantially, the whole erent rules would be applied in determining the reasonableness of the use, submit the following : The only practical test which they suggest is, that an action would be for

a diversion, whenever so much of the volume of water is obstructed as to be plainly perceptible in its practical uses below?

its course, to apply its waters for purcited.

"The action in that case was for difrom the defendant's land through that their great bereavement, and the asof the plaintiff's. The court say : "The surance of our Fraternal regard for detendant had a right to use so much detendant had a right to use so much him in life, and may He, who temp-reth of the water as was necessary for his the wind to the shorn lamb, guide and family and his cattle, but had no right console them in their heavy affliction. Resolved, That the thanks of this to use it for irrigating his meadow, if thereby he deprives the plaintiff of the reasonable use of the water in its na- nia, for brotherly love and attention tural channel,' (and cite the language given by them to Brother Sterne durreasonable use of the water in its naof Nelson, J., in Crooker vs. Bragg.) When speaking of the right to running water, he says: 'We cannot take from Lodge be draped, and the members one party a right for the sake of the wear the usual badge of moursing for convenience of another.' convenience of another."

small stream just so flicient to furnish or affect the application of the water water for domestic uses, for farm-yards, and watering places for cattle. . . . [TO BE CONTINUED.]

DIED.

At Sacramento, Cal., October 10,

In Memoriam.

To the Officers and Members of Jacksonville Lodge, No. 10, I. O. O. F. of Oregon.

Your Committee appointed to draft resolutions, expressive of the teelings of the stream ; in regard to which diff. of this Lodge, on the death of our late Brother, Joshua II. Sterne, respectfully

Whereas, It has pleased the Supreme Ruler of the Universe in His all wise Providence to take from us in the midst of a life of usefulness, our worthy and well beloved Brother Joshua H. Sterne, Res leed, That in the death of Brother Sterne this Lodge has lost one

"This reference to the size and state of its most worthy and well beloved of a stream, in determining the respect members; the Fraternity an exemplary tive rights of riparian proprietors along and most worthy Brother, and society who in the various relations of life enposes of irrigation, is adopted by the deared himself to a large circle of court of New York, also, in the case of friends by his uniform kindness and Arnold vs. Foot, 12 Wendell above courtesy, by his strict integrity, and by the large charity which he always manifested towards the faults of others. Resolned, That we tender to the verting and wasting the waters of a tamily of our deceased Br ther the spring, which had previously flowed heartfelt sympathy of his Brethren, in

those who were nearest and dearest to Lodge are due, and are hereby tendered, to the Brethren of Sacramento, Califoring his last sickn ss, and atter his death. Resolved, That in memory of our deeased Brother the Charter of this A MINER.

UTILITY OF GAS TAR .- A discovery, which is likely to be of great advantage to agriculture, has recently been reported to a French agricultural sociity. A gardener, whose trames and hothouses required painting, decided on making them black, as likely to attract the heat be ter, and from a principle of economy he made use of gas tar in-stead of black paint. The work wa-performed during the winter, and on the approach of spring the garde er was surprised to find that all the spiders and insects, which usually intested his hot-house had disappeared, and a'so that a vine, which, for two years pre had creding had so fallen off that he intended to replace it by another, had acquired tresh torce and vigor, and gave every sign of producing a large crop of gropes. He afterwards used the same substance to the posts and trellis-works, which supported the trees in the open air, and met with the same result, all the caterpillars and other insects completely disappearing. It is said that similar experiments have heen made in some of the vineyards of the Gironde with similar results.

COLORING FOR WALLS .- Procure from s paintshop one pound of chrome yel low, and three pounds of whiting ; mix and grind them thoroughly together, then add a quart of hoiling water, and stir it well in. Next boil a quarter of a pound of glue in a quart of water, and when completely discolved, add in immediately to the mixture, and stir the whole very hard. Thin it with more water till you get it of the desired consistence. It will be a beauti-ful yellow, approaching to lemon color.

MAN AND WOMAN .- The following beautiful passage is from Henry's Commentary on the Bible:

"Adam was first formed, then Eve, and she was made from man, and tor man, all of which are urged as reasons for humility, modesty, silence and submissiveness, of that see in general, and particularly the subjection and reverence which wives owe to their husbands. Yet man being made last of creation, as the best and most excellent of all, Eve's being made after Adam, out of him, puts an honor upon that six, as the glory of man. It man is the head, she is the crown ; a crown to her hushand, the crown of visible creation. The man was dust refined. but the woman was 'doubly refined ; one remove from the earth.

"Woman was made of a rib out of the side of Ad m; not made out of his head, to top him; nor of his feet, to be trompled upon by hin; but out of his side, to be equal with him; under his arm, to be protected; and near his heart, to be loved."

THE new Capitol in Sacramento is almost ready for use. It is gotten up on a grand scale, containes 800 panes of glass, the duty on which is \$25,000. The doors are of walnut and laural and cost \$300 spiece.

To be happy, be temperate.