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LEGISLATION ON ARID LAND

THE IRRIGATION ADVOCATES HAVE AGREED UPON A BILL.

It Will Be Introduced This Week and Most Strenuously Urged at the Present Session of Congress.

Washington, Dec. 14.—The irrigation advocates in Congress tonight agreed upon a bill for the reclamation of arid lands, which is to be introduced early next week and strenuously urged during the present session of congress. The bill embodied the best ideas of all schemes heretofore proposed. It creates a reclamation fund to be made upon all moneys received from the sale of public lands in the 16 arid land states and territories, except moneys set aside for educational purposes, this fund to be used by the Secretary of interior in the examination, construction and maintenance of irrigation works for storage, diversion and development of waters for the reclamation of arid public land.

To aid in this work, the Secretary is authorized to withdraw from or restore to entry lands required for irrigation. The Secretary shall let contracts for the construction of storage reservoirs, but no contract shall be let where the cost of the enterprise shall average over \$10 per acre of land to be irrigated, and no contract is to be let until sufficient funds are available for completing it. Upon the completion of each irrigation project the lands to be irrigated shall be subjected to homestead entry, and entrymen, on making final proof, shall pay \$5 per acre, to be converted into the reclamation fund.

Entries shall not embrace over 80 acres. When the payments contracted for are made upon the major portion of the irrigable system, the management and operation, but not the title, to the works, except reservoirs, shall pass to the owners of the land thereby irrigated, to be maintained at their expense. All reservoirs and works necessary to their protection and operation shall be maintained by the Government as public works. The right to the use of water shall be perpetual. If the water provided is more than sufficient to reclaim the public irrigable lands of a system, perpetual water rights for the adjoining private lands may be sold at \$5 per acre for not to exceed 80 acres to any one owner. This act will not interfere with the state laws relative to rights to water or its distribution for irrigation. The act becomes operative July 1 last, or January 1 next.

Goats that Clear Land.

Goats are considered in Oregon as most valuable for the purpose of clearing land and therefore form one of the farmer's important tools. It is understood that several parties having large areas of land to clear will in the near future secure herds of these animals for the sole purpose of destroying the brush, and thus make it valuable for pasture of other livestock.

In his recent report to the department of agriculture George F. Thompson, editorial clerk, Bureau of Animal Industry, says regarding the Angora goat in reference to its ability to clear brush land, that the animal is a browser by nature, and that there is no vegetation that it will eat in preference to leaves and twigs of bushes. "And" continues the report, "they are omnivorous eaters and seem particular to avoid that character of vegetation which other kinds of livestock prefer. Every leaf and every twig within their reach is greedily eaten, even to most of the bushes and weeds that are considered poisonous to other ruminants, while a remarkably few weeds are passed by. They will desert the finest clover and blue grass for such an outlay. The inherent tendency to climb leads them to hillsides and rocky cliffs, and they prefer such situations to any of a level character. Here nature meets their necessities by dwarfing the bushes so that

they may be browsed easily; the soil is quickly drained in the event of rain—for they do not like wet land; and the stones serve to keep the feet trimmed properly by the wearing process. This is the situation that the goats would choose; but the farmer might choose to turn them into a dense mass of brush and weeds anywhere, and they will at once begin to convert it into the most beautiful pasture. In localities where valuable land is completely subdued by brush the goats are considered of more value for the purpose of clearing it than for the mohair or meat. Their value in this respect must be measured by the value of the land which they will render cultivable."

Mr. Thompson declares goats will perform the work even better than men, for sprouts will spring up behind men's work, but goats will keep them down until they cease to appear. He adds that the goats go even further than this, and convert the wilderness into good pastures, thus preparing the way for sheep, cattle or horses.

Oil Boring Machinery.

The first oil boring machinery to be used in the Malheur oil fields arrived in Huntington Monday, consigned to the Hirsch oil syndicate, with headquarters at Portland. This company is the one in which Hope Bros. of Vale are interested and I. W. Hope was here to receive the machinery. It was purchased in Los Angeles by H. V. Gates of Hillsboro, who is a director in the company, and consists of boiler and engine, drilling machinery, repairing outfit, and a carload of casing in sizes ranging from 12 to 14 inches. A carload of heavy timbers for the derrick is expected to arrive here most any day. The first well will be drilled at Dry Gulch, about twelve miles from Huntington. It will be two months before the company has everything in readiness to begin the work of drilling.

A Colorado company in which Dr. J. B. White is interested will soon begin operations in the oil fields. They expect to have machinery here in about six weeks. This company has large holdings on the Idaho side of Snake river, fifteen miles from Huntington.

Huntington is the nearest point to the Malheur oil fields, and all the supplies will be shipped from here.—Huntington Herald.

NEW SETTLERS' RATES.

The O. R. & N. Co. has announced that a rate of \$25 for second-class passage would be made between Omaha and Kansas City, in the East, and Portland and Puget Sound points, on this coast, next March and April. This is in accordance with an understanding arrived at by the O. R. & N. and its connections in the Union Pacific system. The new rate will take the place of the settlers' rates that were withdrawn several months ago, though there is no connection between it and the old condition of affairs, this standing by itself as a new move.

The Great Northern took the initiative in putting in settlers' rates three years ago, and the other lines between the Missouri River and North Pacific common points soon followed suit. It is not doubted that the same lines will be drawn into the arrangement this time, and there is even reason to suspect that it may extend to the Southern lines. There is assurance of a heavy movement of settlers in this direction next spring, and the new rate is quoted as an encouragement to personal examination of the country. Nothing being said about round trips, it is assumed that the new fare will apply only one way, thus depriving scoundrels of any opportunity for making money out of the arrangement.—Oregonian.

"White is King" call at N. Brown & Sons.

The Burns Furniture Co. has a new lot of art squares, rugs, carpet, dining chairs, rockers, extension and center tables in stock. "Dady" is anxious to show them.

FOUND SCHLEY AT FAULT

NAVAL COURT CONDEMNS ADMIRAL ON ELEVEN POINTS.

His Conduct Characterized by "Vacillation, Dilatoriness and Lack of Enterprise"—Dewey Sustains Him.

Washington, Dec. 13.—The report of the Schley court of inquiry was promulgated by Secretary Long tonight. There are two reports. Admiral Berham and Admiral Ramsey concur in the first, which is signed by Admiral Dewey also as a matter of form. Admiral Dewey makes a separate report, although he agrees with the findings of facts subscribed to by the others.

The majority report condemns Admiral Schley on 11 points, while Admiral Dewey sustains him in most places. The majority opinion finds in brief that Admiral Schley should have proceeded with the utmost dispatch to Cienfuegos and maintained a close blockade; that he should have endeavored to have obtained information of the Spanish fleet; that he should have proceeded to Santiago with dispatch; that he should not have made the retrograde movement; that he should have obeyed the department's orders; that he should have endeavored to capture the Spanish vessels in Santiago; that he did not do his utmost to destroy the Colon; that he caused the squadron to lose distance in the loop of the Brooklyn; that he thereby caused the Texas to back; that he did injustice to Hodgson; that his conduct in the campaign was characterized by vacillation, dilatoriness, and lack of enterprise; that his official reports on the coal supply were misleading and inaccurate; that his conduct during the battle was self-possessed, and that he encouraged in his own person his subordinate officers and men.

DEWEY TAKES A DIFFERENT VIEW.

Admiral Dewey, in his report, says that the passage to Cienfuegos was made with all dispatch; that in view of his coal supply, the blockade of Cienfuegos was effective; that he allowed the Adula to enter Cienfuegos to get information; that his passage to Santiago was with as much dispatch as possible, keeping the squadron together; that the blockade of Santiago was effective and finally, that he was the senior officer off Santiago, in absolute command, and entitled to the credit due for the glorious victory which resulted in the total destruction of the Spanish ships.

For seven weeks the court heard testimony, and for fully a month it deliberated upon that mass of evidence, finally reaching the conclusions announced.

THE RESULT A SURPRISE.

The result was a complete surprise, and it is probable that no prophecy has approached the truth. Instead of one report there are two. Both are signed with George Dewey as president, and by Samuel C. Lemly, as Judge-Advocate. This is a form said to be recognized in all courts of inquiry, the signatures of the other members not being necessary. But it is explained that Admiral Dewey signed the second report, a minority report, to express his qualification of or dissent from the views expressed by the court, comprising besides himself Admirals Benham and Ramsey, in the first report.

It is said that the Navy department that there will be no further proceedings in this celebrated case on the department's initiative. Secretary Long and Judge-Advocate Lemly positively decline to discuss the findings in any phase. The Secretary received the reports at 5 o'clock this evening and he has not yet acted upon them. It is possible that he will simply append his signature with the word "approved" to the whole record. The court itself recommends no further proceedings, owing to the lapse of time.

There was an air of animation this morning about the building

in which the court holds its secret sessions, and it soon became evident that the end of the case was at hand. Captain Lemly was closeted with the members of the court most of the afternoon, and when he started for the Navy Department he carried the reports with him.

SCHLEY DECLINED TO TALK.

A representative of the Associated Press conveyed the first information of the findings of the court to Admiral Schley. He was seated in the public reception-room of a hotel, chatting with friends and several newspaper men, and evinced no signs of nervousness over the outcome. When the conclusion of Admiral Dewey were read to him, Admiral Schley showed his pleasure, and it was evident from his manner that he regarded the statement from Admiral Dewey as a vindication of his cause. He declined to make any statement concerning the courts findings, and, excusing himself from the little company, which had gathered about him, went to his apartments where Mrs. Schley had been anxiously awaiting to hear the courts decision. Later the official copy was brought to the hotel by a messenger from the Navy Department.

AGAINST LEASING.

For several years the great cattle raising corporations of the west have been conducting a campaign of agitation circulated to induce Congress to pass measures providing for the leasing of the public grazing lands to the highest bidder. The pretended object of this move was to protect government pasture lands from being turned into deserts "by the waste and destruction going on."

It was argued that if the desirable public domain were parcelled out under lease to the highest bidder and surrounded by certain legislation intended to prevent the misuse of it, the public would reap an advantage in a large and consequently a cheaper supply of beef and mutton, and the money to be derived by the government from its lease system might be devoted to the reclamation of arid lands. The plans of the cattle barons were made attractive in other ways, but not seductive enough to make the settler believe that it was for his interests the big corporations were concerned.

A lease system applicable to the public domain would surely throw all the available lands fit for grazing into the hands of the cattle barons, depriving small stockmen and settlers in general of the free range to which they have always been privileged. The proposal of the cattle corporations, if seriously entertained by Congress, will be met with bitter opposition, but at the same time every stockman and settler interested in defending the proposed lease system should let his congressman and senator know by letter what he thinks of the measure. In this way the cattle barons can be thwarted.—Redding Searchlight.

Autos as Stage Coaches.

In remote Harney and Malheur counties automobiles are taking the place of the old-fashioned stage in the long runs into the interior. Two autos will shortly be purchased to make the 160 mile stage trip between Ontario, Malheur county, and Burns, county seat of Harney. Here a lumbering stage makes the run in 36 hours, delaying the mail of Burns business men and residents. P. A. Snyder, an Ontario business man, will have two automobiles on this arid route shortly which he calculates can make a daylight run in 11 hours.

Out of Pendleton, a long weary run over hills and mountains through Pilot Rock, Nye, Ridge and Alba to Ukiah a distance of 50 miles. The route is considered practicable for an Automobile, but the scheme will not be pushed locally until the outcome of the Burns-Ontario experiment is seen.—Exchange.

"White is King" call at N. Brown & Sons.

CANNOT RECOVER AMOUNT

JUDGE BOISE DECIDES DAVIS DEFALCATION CASE AGAINST STATE.

Sustains Motion of Pennoyer, McBride and Metchan Who Comprised Land Board at Time of Defalcation.

A recent dispatch from Salem says: Judge Boise, of department No. 2, Circuit court, rendered an important decision in the case of the state of Oregon against Sylvester Pennoyer, George W. McBride and Phil Metchan, in which it is sought to hold them responsible for the funds embezzled by Geo. W. Davis as clerk of the State Land Board, which was comprised of those gentlemen at the time of such embezzlement.

Judge Boise sustained the motion of defendants to strike from the complaint all allegations asserting that Davis was the agent of the board and that they were directly responsible to the state for his acts and malfeasance. This decision virtually destroys the case against the board and leaves no hope of being able to collect a dollar of the Davis defalcation. Judge Boise delivered the opinion orally, and said:

"In this case it is claimed that Davis was the clerk and also the agent of the State Land Board, and that they received the money for the school funds through him as such agent, in trust for the state. The only question to be considered is that of the agency thus alleged. The constitution of the state makes the Governor, Secretary of State and State Treasurer the Board of Commissioners for the sale of school lands and the investment of its funds, and provides that they shall administer this trust as provided by laws enacted by the legislature.

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