

The Times-Herald.

BURNS, HARNEY COUNTY, OREGON, DECEMBER 28, 1901.

NO. 5.

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MANAGED BY J. W. MILLER.

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PUBLISHED WEEKLY.

TERMS: In Advance.

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ANOTHER LAND LEASE BILL

CLAIM IT WILL STOP CORNERING OF PUBLIC DOMAIN.

Funds Arising Would Be Held for the Purpose of Irrigation Works in States Having the Tracts.

The Oregonian's correspondent at Washington says: Senators and Representatives from Western states are much interested in the subject of leasing the public grazing lands, and it is quite probable some bills for this purpose may be considered at the present session of Congress. The only bill of this character so far introduced is that drawn by Representative Stephens, of Texas, a bill on the lines of that which was proposed in the last Congress. This measure provides that any bona fide actual settler who may reside on any of the public grazing lands of the Western states and territories is given prior right for 90 days after the bill shall become a law, to lease such quantities of grazing land as may be allowed by the law. All leases are to be made by the Commissioner of the General Land Office, who is to have custody of all records, and shall pass upon all applications although all lease money is to be paid directly to the treasurer of the United States.

All grazing lands containing permanent water shall be leased for a term of five years or less at not less than three cents per acre per annum, and all grazing lands classified as pasture or dry grazing lands shall be leased for a term of not more than ten years at not less than two cents per annum, all rentals to be paid yearly in advance. At the termination of any lease, the lessee thereof shall have preference right to again lease such lands upon the terms fixed by law. All leases authorized by the bill are to be advertised by the commissioner, and let to the highest responsible bidder.

Persons desiring to lease any of the lands referred to by the Stephens bill are to make application in writing to the Commissioner of the General Land Office, specifying the lands they desire to lease, and stating whether the land is dry grazing land or land on which there is permanent water, and also which sections are dry, and which watered lands, and must further state that they are not leasing the lands for the use of any other person or for any corporation, nor acting in collusion with any person or corporation for the purpose of procuring a large body of lands for such person or corporation, but that they are applying in good faith for such lands as are to be used by themselves alone. Applicants who make false statements in this regard are to be held guilty of perjury, and may be punished accordingly. If the commissioner is satisfied that the lands applied for are not in immediate demand for purposes of actual settlement, he may sign a lease, which is to be turned over on the payment of the first year's rent. The bill specifically provides that one person or corporation shall not be permitted to lease more than two sections of watered land, and six sections of dry grazing land; or any one person may lease three sections of dry lands for each section of watered land so leased by him, if said land be contiguous.

Persons who desire to lease grazing lands on which no permanent water supply exists must notify the commissioner that within 90 days they will provide, by boring or otherwise, such water supply as may be obtained. They shall also file a sum equal to one year's rental as an assurance that they will diligently try to secure water on this land within 90 days, and, if secured, will lease the lands for the term of years specified. Pending such an examination and attempting to secure water, no other person than the one making prior application will be permitted to make a lease for this land. If, however, a lease should fail to make proof that he has in the 90 days used pro-

per means and expended proper efforts to secure a water supply on his land, and failed his bond will be forfeited. If, on the other hand, after 90 days, no water shall have been discovered, and it can be shown that the applicant did faithfully conduct a search for the same, his deposit shall be refunded.

No lease of less than one section of pasture lands shall be made, unless it includes all unleased lands in that vicinity. Lessees or their vendees who shall at their own expense secure water on their leaseholds, at the expiration of their lease contracts shall have the right to a renewal of their leases for another term of five years, at the price then provided by law. If any lessee fails to pay his annual rental within 60 days after it becomes due, his lease shall be canceled and the lands will then be subjected to lease by other parties. Lessees shall have the rights at any time to purchase their leased lands, subject to the limitations as to quantity provided by existing laws, and all improvements made by lessees on lands leased by them are declared to be personal property and may be taxed under the state or territorial laws.

One of the important provisions of the bill makes it unlawful for any person to fence, exclusively use, occupy or appropriate, by herding or line riding, any portion of the public grazing lands of the United States, without first obtaining a lease of such lands in accordance with the provisions of the bill. Any person, whether owner of stock, manager, agent, employee, or servant, who shall fence, exclusively use or appropriate any portion of such lands without a lease shall be deemed guilty of a misdemeanor, and shall upon conviction be fined not less than \$100 nor more than \$1000. Each day of such fencing or exclusive using shall be deemed a separate offense, and any person so offending may be prosecuted in the proper court of the district where any portion of the land lies. Fencing, within the meaning of the Stephens bill, means the erection of any structure of wood, wire or both, or any other material intended to prevent the passage of cattle, horses, mules, asses, sheep, goats or hogs, whether the same shall enclose lands on all sides or be erected on one or more sides.

The commissioner of the general land office is authorized to withhold from lease any grazing lands that may become agricultural by irrigation, and may be necessary for the purpose of settlement, and no such agricultural lands shall be leased if in the judgment of the commissioner they may be in immediate demand for settlement, but such land shall be held for settlement and sold under existing laws.

The funds arising from this bill, should it become a law, are to be held in the United States treasury as an irrigation trust fund for the exclusive purpose of irrigating the lands in the state or territory in which the leased land was situated and shall be paid out to such states and territories for irrigation purposes in a manner to be prescribed by congress.

LONG'S DECISION AGAINST SCRLEY.

Secretary Long has disposed finally of the Schley case so far as the navy department is concerned by acting upon the findings of the court of inquiry.

He approves the findings of fact and the opinion of the full court.

He approves the majority opinion where there is any difference in the court.

He holds the court could not have entered into consideration of the question of command at the battle of Santiago.

He accepts the recommendation that no further proceeding be had.

The secretary also declined the application of Sampson's counsel to enter upon an inquiry into the question of command and notified Schley's counsel of the fact as the reason for declining to hear them on that point.

SCHEMERS GET AROUND IT

LOCAL FOLK HELP THEM TO GET MAIL CONTRACTS.

Thus The Rule to Bar Out Foreign Bidders is Defeated—Accommodating People May Get Hurt.

The Oregonian's Washington correspondent says: The postoffice department anticipates some little trouble over contracts for carrying the mails on star routes in Western states, under contracts that are to be made for a term of four years, commencing July 1, 1902. Under the recent advertisement, bidders have been required to be residents along the routes on which they submit proposals, the object of this ruling being to bar out the speculative bidders who have worked so much damage to the service in the past.

But this rule has not accomplished the purpose sought. It has been discovered that speculative bidders have induced different parties living on the several routes, to submit bids upon terms which they indicate, promising to furnish the necessary bond called for by the necessary department. The department finds that it cannot get around this action, but intends in all such cases, to hold the party signing such contracts responsible for good service on such routes. In the past the speculative bidders have submitted prices that are below actual cost of performing the service, and have then sublet to local carriers, letting all hardships and responsibilities fall on the latter. Their treachery will be repeated under the new system, as the department will hold the actual bidders responsible, while the speculators will be able to sneak off and leave those innocent parties to suffer all loss that may be incurred in performing the required service. The department takes the position that parties who lend their names to such enterprises, for small consideration, and in the hope of defeating honest local bidders, are not acting in good faith, and may properly be punished when punishment is due. As usual, the speculators will escape, and some local man will be pinched, but this time it will not be the poor and honest carrier, but rather the schemer who sought to make something by merely signing official papers in the interest of other parties. Perhaps after four years of this local men will wake up to the fact that dealings with speculative bidders on mail routes result only to the benefit of the speculators and in this way may refuse in the future to have any dealings with them whatever.

MUST AGREE ON AN IRRIGATION BILL.

M. B. Gwinn, who has just returned from the east, gives a very interesting report of his visit to Washington and of what he learned there respecting the prospects for irrigation legislation. He had the pleasure of meeting a number of the western senators as well as several of those representing eastern states, and also met many members of the house. Mr. Gwinn is a member of the National Livestock association, and he and others went to Washington to look after the bill in relation to shoddy. Being also interested in the irrigation question, he was brought into contact with a great number of members.

There is great interest in the irrigation problem, Mr. Gwinn says. He found this interest shared by men of the east as well as by those from the west. Senator Dubois was taking a great interest in the subject, as were western members generally, and the committee having the bill in charge expressed themselves as being in favor of such legislation as is proposed; all that they asked was that the representatives of the west should agree among themselves. As one of them expressed it: "If you fellows get together we will pass the bill you agree on."

There is also a very good prospect of passage of the pure wool bill, commonly called the "shoddy bill." The measure will be introduced in the senate by Senator Foraker. This bill has been drafted with great care, and it is believed that the importation of shoddy will be practically stopped under its provision if the measure becomes a law.

Mr. Gwinn was asked if it was true that there was friction in the National Live Stock association between the sheepmen and cattlemen. He replied there was no foundation whatever for the reports that have been circulated to the effect that trouble of that character had arisen. Both elements were working to get in entire harmony, and nothing had occurred to indicate that there was any danger of a clash.—Boise Statesman.

BREAKING BRONCOS.

The Steel & Adams ranch, 10 miles west of Ontario, Ore., headquarters of Messrs. Moncreiff Bros. & Wallop, the English horse buyers, presents an interesting scene these days. Just now a couple of British officers are at the headquarters inspecting and passing up on 600 head of horses that have been purchased in Oregon and Idaho for cavalry service in the South African campaign.

Some of our young men who have had considerable experience in "buckarooing" made a trip over there, Monday, to witness the operation of breaking these untamed steeds of the mountain ranges to the bit and spur. Eight expert riders are employed and while the inspection is going on at least four of the riders are in the saddle all the time, each man saddling and mounting without assistance unless he runs up against an unusually refractory animal. While four are riding the other four are getting ready to mount, and so they go on from day to day with a continual circus of all the fancy performances for which the cayuse is justly celebrated. However there are no grandstand plays, and no noise is permitted except as is made by the horses and riders as they pound the earth and split the circumambient atmosphere in their gyrations, everything being under the eye and orderly direction of the officers who do the inspecting—Statesman.

MACLAY WONT QUIT.

New York, Dec. 23.—Edgar Stanton MacLay, whose connection with the Schley case led President Roosevelt to request his resignation as special laborer in the Navy, made formal demand today for trial by usual Navy proceedings. He averred that his case came under the civil service law, and that he could not be dismissed without formal charges, trial and conviction. The request was sent to him by Rear-Admiral Barker, commander of the navy yard, at Brooklyn, and he replied at once by letter, formally setting forth his position. Discussing the case, MacLay said:

"The president cannot have me dismissed under the law as I see it. I do not see how he can force me out. I am protected by the civil service laws enacted by congress, whose enactment the President is bound to execute. I do not know positively, but I believe my position under the civil service furnishes me complete protection as long as I violate no rules of the service, and that I have not done, and I have so stated in my letter to the commandant in answer to the request for my resignation. No, I did not say that the President is as bad as the Czar of Russia. I have done nothing more than write to the commandant and ask that charges be preferred against me, and will do nothing more just now. I have not been suspended, and am working here today as I have been doing for 15 months. I have tried to do my duty here, and have broken no rules and shall simply stand by my rights, more for the principle of the matter than anything else, for my position here pays me very little, and is chiefly valuable because of the experience and information it affords me as material for my books."

Rear-Admiral Barker forwarded MacLay's letter to Washington.

HARNEY LAND GOING FAST

SAGEBRUSH DESERT BEING RECLAIMED IN BIG TRACTS.

Special Dispatch From Burns to Portland Telegram Says Portland Capitalists Are Taking Up Land.

The following appeared as a special in a recent issue of the Telegram:

A large acreage of sagebrush land has been located here in this county during the last month as desert land, under the Carey act. The Harney Valley Improvement Company has located about 60,000 acres southeast of Harney City. The company expects to take a large ditch out of Silyies river above Burns. A company organized by Portland capitalists has located a large tract near the same locality and expects to get water by means of deep artesian wells and small mountain streams. The Wright's Point Improvement Company has located six sections south of this town, and will locate more land soon.

This makes three companies that have been organized here in the last year for reclaiming Harney's large acreage of desert land. They have located over 100,000 acres. Besides a large number of settlers and stockmen have located claims. Where water can be had in quantities sufficient for irrigation the land produces good crops of hay and grain. The sagebrush is easily removed from the land by means of a sagebrush grubber, which will clear up about ten acres a day. The small ranchers hire men to grub the brush and pay \$2 to \$3 an acre. Owing to the size of the brush, one man can clear one-half acre a day.

There is considerable land left that would make good homes for

settlers, and there is a large body of timber land in the northern part of the county that has not attracted much attention to lumbermen, as it is so far from the railroad. It offers a fine chance to wide-awake mill men to get some of as fine pine timber land as there is in Oregon. The grass land is all taken and the sagebrush land is going fast. It will only be a few more years until the timber land will be bought up by wide-awake business men.

GAGE'S PLACE GOES BEGGING.

Washington, Dec. 23.—It is announced at the white house this afternoon that Governor Crane of Massachusetts has declined the treasury portfolio.

CRANE GIVES REASONS.

Boston, Dec. 23.—Governor Crane gave out a statement this afternoon in which he said he was obliged to decline the treasury portfolio on account of illness in his family and inability to arrange his business affairs on such a short notice.

The governor's mother is very old and out of deference to her wish not to remove to Washington he is said to have based his refusal to accept the portfolio.

HERICK CAN HAVE IT.

Washington Dec. 23.—Myron T. Herick of Cleveland, Ohio, will now be tendered the treasury portfolio, it is said, but he may also decline as he has been offered the ambassadorship to Italy and prefers to live abroad.

HITCHCOCK HAS RESIGNED.

Washington, Dec. 23.—It is rumored this afternoon that Secretary Hitchcock tendered his resignation this morning.

We have sulky plows, walking plows, gang plows at railroad prices. Full stock—Geer & Cummins.

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W. S. SIZEMORE,
Attorney,
Oregon.
Land business, and Real Estate promptly attended to.

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