

The Times-Herald.

VOL. XVI.

BURNS, HARNEY COUNTY, OREGON, NOVEMBER 29, 1902.

NO. 1.

REGON FORWARDING COMPANY.

GOOD GOODS

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than any at any store --in--

EASTERN OREGON.

A Trial Will Convince You.

Oregon Forwarding Co.
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DESCHUTES LAND NOT ARID

SO INSPECTOR GREEN REPORTS TO THE DEPARTMENT.

Reported That Drake Tried to Bribe Him
Drake Says Green Made no Personal Examination of Country.

The Oregonian News Bureau at Washington, sends the following to that paper under recent date: Inspector Green reports to the secretary of the interior that the lands selected by the state of Oregon under the Carey act, and known as list six—that is, the lands intended to be reclaimed by the Pilot Butte Developing Company—are not arid. He reports well developed juniper trees scattered over the area, therefore, he concludes, the lands are not subject to reclamation under the Carey act. This report will unquestionably lead to a prolonged wrangle and may be the means of preventing for some time reclamation in the Deschutes valley, either by the government or by private enterprise.

Before the Pilot Butte Company closed its contract with the state, as the records show, it took the precaution to secure the opinion of the department as to whether or not the growth of juniper trees would be held as an indication that the lands selected by the state were or were not arid. The state land agent simultaneously asked the opinion of the department as to the character of these lands. He stated in his letter that the land "is entirely destitute of water and is strictly a desert, but on certain portions there is a scattering growth of junipers. The juniper, and especially the scrubby variety growing on this desert, is not suitable for lumber, can be used only for wood and fence posts, and there is no more of such wood on any quarter section than will be necessary for the use of the settler on the quarter section. It cannot be made into lumber and be shipped away, and can be used only in the immediate vicinity of its growth."

ATTITUDE OF DEPARTMENT.

In transmitting this letter to the secretary, Commissioner Herman expressed the opinion that the rule of the department, which holds that "lands containing sufficient moisture to produce a natural growth of trees are not to be classed as desert land" should be liberally construed, "for the reason that the land is doubtless unfit for cultivation without irrigation, or else it would have been entered long ago."

In reply to Commissioner Herman's letter, Secretary Hitchcock issued instructions in which he said:

"A growth of ordinary forest trees on land in the arid region may, as a general rule, be accepted as evidence of the non-desert character of the land. It is, however, a mere presumption that lands containing sufficient moisture to produce trees will produce agricultural crops, but, like all presumptions of fact, it may be rebutted by proof showing that the land is actually desert in character and will not produce agricultural crops without irrigation. A sparse and stunted growth of trees which may exist with little moisture, and is frequently found upon arid lands actually unfit without irrigation for ordinary agricultural purposes, is not within the spirit and intent of the rule."

These instructions were reported to the state land agent and to the Pilot Butte Company, all of which is cited to show the precautionary steps taken by this company to ascertain, before making a contract, whether the lands it had in view would be held subject to the Carey act.

AFFIDAVITS THAT LAND IS ARID.

No action is likely to be taken on Green's report for two or three weeks. The case is awaiting its regular turn. There is an record, along with this report, a great mass of affidavits filed by the Pilot Butte Company showing the land to be

arid and not capable of producing crops without irrigation. These affidavits were filed under the secretary's instructions above quoted, and are from Congressman-elect Williamson, the Oregon State Engineer, ex-Surveyor General Pengra, President Lytle, and Chief Engineer Hammond, of the Columbia Southern Railway; Hydraulic Engineer Clark, of Portland; J. M. Moore, of Portland, and many others of known responsibility who have personally gone over the grounds. There is also filed an exhaustive analysis of the soil and statement of precipitation, by months, on the Upper Deschutes. This mass of testimony is all diametrically opposed to Green's report, and shows the land to be arid.

CHARGES AGAINST GREEN.

Furthermore, the Pilot Butte Company lodges charges against Green. It alleges that he did not personally inspect the full tract withdrawn in list 6, and has no personal knowledge of its character, but that he merely crossed this land in traveling the road from Prineville to Bend and back. Because President Drake, of the Pilot Butte Company, placed his home, records and offices at the disposal of Green, the latter reported to the department that Drake attempted to bribe him, which Drake denies.

It is not known how much delay the department will place in Green's report. He is the special inspector of Secretary Hitchcock, and has the reputation of being a thoroughly honest man. Nevertheless, his record shows, and some of the prominent officials of the department admit, that when fine points are involved, as in the present case, his judgment is not to be relied upon, and has in the past been several times overruled.

SENATOR SIMON MUST ACT.

The department does hold, however, that if Senator Simon has anything to say in this case, or if he has desire to make further inquiry into the matter, he must come forward at once. The department has no knowledge of his having attempted to enlighten himself since this letter of last September, and is of the opinion that if he is acting in good faith he will now come into the open. If he does not, and the case shall assume shape so that it can be closed, or if radical step be taken, his request for suspension will be ignored. He has got to show why he wants delay. A mere general statement without assigning cause, will not be respected.

Religious Services.

Services at Christian Science Hall every Sunday at 11 a. m. and 8 p. m. Service Wednesday evenings at 8. Subject for Sunday, Nov. 23, "Ancient and Modern Mesmerism or Hypnotism and Memory."

Rev. A. J. Irwin will preach at Harney the 2nd Sunday of each month at 11 a. m. and 7:30 p. m. Sabbath school every sabbath at 2 p. m.

Sunday school at Harney the first Sunday of each month at 10 o'clock a. m. On the second, third and fourth Sunday of each month at 3 o'clock p. m. Preaching service every second Sunday at 8 p. m.

At the Presbyterian church Burns, Rev. A. J. Irwin pastor Divine services the third and fourth Sundays of each month at 11 a. m. and 7:30 p. m. Sabbath school at 10 a. m. every Sabbath morning.

Preaching services at the Baptist church every 1st and 2nd Sundays, morning and evening Sunday school every Sunday at 11 a. m. prayer meeting every Thursday evening.

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TO STOP BIG LAND STEAL

HUNTINGTON LAND EXAMINATION WILL BE WATCHED.

Baker County and Private Citizens Will Prevent The Big Land Grab--In Hands of Attorney.

It is not probable that the skillfully executed land grab that was to give to some person or persons all the school lands in Baker and Malheur counties between Rye Valley and the state of Nevada has been nipped in the bud.

It will be remembered that a similar scheme last year was frustrated by a little activity on the part of Walter Fernald and a few Rye valley ranchers.

Charles Becker and William Quinn, Malheur county ranchers own lands adjoining some of the quarter sections included in the attempted scheme. Prompted by patriotism and public spirit they have interested themselves in the matter and will be at the famous Huntington examination before a notary public. They are anxious to see the witnesses who will swear they prospected all over 100,000 acres of land, scattered through two counties.

County Surveyor C. M. Foster will be at the Huntington examination and also at the subsequent one at Vale, if there is one. There will also be a competent attorney on hand who will put the remarkable active witnesses through a rigid cross-examination. Other people who know the circumstances will be present.

It is entirely probable that there will be no examination at Huntington.

It is entirely improbable that there will be any testimony taken at Vale.

It now looks as if the second attempt at school land grabbing will fall through.

Many people cannot understand why the state school land board does not look into these matters more closely.—Baker Democrat.

Meacham Eating House Burned.

The O. R. & N. Co.'s famous "Log Cabin" hotel at Meacham was entirely destroyed by fire at 12 o'clock Wednesday night. The dwelling near by, the residence of Grandma Munra, was also destroyed. One of the negro waiters, who roomed in the upper story, jumped from the window and was severely hurt. The loss to the O. R. & N. Co. will be in the neighborhood of \$10,000. The fire was caused by the explosion of a gasoline lamp.

STRAYED—At Crane creek on

June 20, One black horse weight about 1100 lb. branded circle 8 on right hip ace of clubs of left shoulder. One brown mare weight about 1400, little Catholic cross on left hind leg.

A suitable reward will be given for their return to Lawton or Burns. A. D. LYTLE, Lawton, Ore.

Job printing—The Times-Herald

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Times-Herald

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Prosecutor..... J. H. Morrow

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