

## The Times-Herald.

SATURDAY, JULY 15, 1905.

### SUBSCRIPTION RATES:

One Year..... \$2.00  
Six Months..... 1.00  
Three Months..... .75

JULIAN BYRD — Manager

Stockmen should bear in mind that the Harney County Fair Association proposes to make a special feature of the stock show this fall and will offer liberal premiums for this exhibit. We now have some fine stock in this country, cattle, horses, jacks, sheep and hogs, and if owners will take an interest and put their stock in condition we can have one of the finest stock shows ever witnessed in Eastern Oregon.

More towns die from want of confidence on the part of some men and lack of public spirit than from rivalry of neighboring towns and adverse surroundings, says the West Coast Trade. When a man in search of a home or business location goes to a town and finds the people brimful of hope and enthusiasm over the prospects of the place and earnestly at work to build up the town, he soon becomes imbued with the same spirit.

The Times-Herald has been asked why it has not followed up the article published a few weeks ago suggesting the improvement of the Burns cemetery, with more on the subject. There is nothing more to be said particularly except to repeat that the present condition of the cemetery is certainly not very complimentary to the people of this community.

The former suggestion that the cemetery plot be improved, with a pumping plant, piped, etc., and the citizens subscribe to fund for the purpose of placing a competent person in charge, met with almost universal approval and favorable comment. Every one desires to see this plot beautified and realize the necessity of it, yet no one seems inclined to take up the matter.

The scrub horses that have so long roamed the bunch-grass hills of Harney county are disappearing and being replaced with a much better grade of stock. The fair prices offered for small stuff the past few years has made it possible to get rid of this class of horses at a profit and enabled the horse men to bring in new blood. A number of fine stallions have been purchased by local stockmen this season. Some of these animals are imported and represent the best strains to be found on the continent.

The handsome Coach stallion brought in from the railroad last week has been purchased by a company of local horse men and will be a valuable addition to the community.

The horse market is quite brisk at this time, a number of outside buyers being in this field, paying wheat must be satisfactory prices, many horses are being sold and the supply is becoming more limited.

### LOWER COURT SUSTAINED.

Among other supreme court decisions handed down last Monday was one from this county, that of Etta Hayes vs. H. M. Horton. The Telegram says: Justice Bean is the author of another opinion in the case of Etta Hayes, respondent, vs. Horace M. Horton, appellant, in which the decree of Judge Geo. E. Davis is affirmed. This action was brought by the plaintiff to secure a division of the property of her former husband, and she secured a decree in the trial court declaring her owner of an undivided half of the property, which decision is upheld by the supreme court.

Horton purchased the property with his own money, but had the deed made in the name of himself and wife. In defense of the suit, the defendant set up the conten-

tion that he had his wife's name inserted in the deed as a matter of convenience, and wanted the court to declare her trustee. The trial court and supreme court both hold that where the names of husband and wife are upon a deed each holds an interest in the entirety, but that after divorce the two parties are tenants in common, and that the divorced wife is entitled to a half interest in the property.

### CANYON'S PUBLIC SCHOOL LIBRARY.

The Blue Mt. Eagle, says: Before taking his departure early this week, Prof. L. L. Lewis completed the task of putting the Canyon City school library in shape and the adding of from fifty to seventy-five new books. These have all been properly labeled and are ready for the use of the public school at the opening of the term in September.

The Canyon City school library was started while W. W. Wood was principal of the school several years ago, and as Mr. Wood is at present chairman of the school board of this district, he still takes an active interest in the maintaining of the best possible library for the use of the school.

While about forty volumes, of which there is no record, have been taken from the library, there yet remains over 300 volumes of best literature obtainable.

### ANOTHER SUIT TO TEST STOCK LAW.

To test the constitutionality of the law passed at the last session of the legislature by which sheep brought into Oregon from another state for the purpose of pasturing or being driven through are made subject to a tax of 20 cents per head, a suit was filed in the circuit court today, says the East Oregonian.

The action is brought by W. P. Reser, of Walla Walla county, Washington, and was filed this afternoon by Attorney T. G. Hailey.

A short time ago Mr. Reser brought a band of 100 bucks to this county for pasturage during the summer months and the demand of Stock Inspector Bean paid \$20 tax due under the recently enacted law. However, he made the payment under protest and the present suit is to recover the amount.

However, the suit has a much greater object than merely to recover the tax, for it is sought to annul the law by proving it unconstitutional.

The ground upon which the law is held to be in violation of the constitution of the state are mainly that it is contrary to sections one and three of article nine. These are that a tax shall be upon the valuation of stock and not per capita, and that all taxes shall be uniform and equal. Also it is held that a double tax is being levied inasmuch as foreign sheep are already subjected to one tax aside from the one of 20 cents per head. Furthermore, it is held that non-residents are treated differently from residents by the law and that the object for which the law is levied is not stated.

Under the recent law sheep that are brought here for pasturage are liable to the tax whether they be run on government range or on private land, but sheep that are here for feeding are not taxed.

A nice collection of grain and grasses is now in readiness to be forwarded to Harney county's display at the fair. A large number of samples of various kinds have been added this week, among them being one of alfalfa measuring 6 feet 2 inches, grown by J. G. Holloway, of Denio. The collection to be forwarded is now a credit to the county and will certainly convince all who see it that we can raise grass and grain.

Ham, Bacon, Lard, Butter and Eggs, Timothy Seed at the City Meat Market.

Our New Stock of

### DRY GOODS, FURNISHINGS, SHOES, HATS AND CAPS GROCERIES

Will give you a nice variety from which to select.

### Fruit, Vegetables, Soft Drinks, Confectionery, Cigars and Tobacco.

We invite the public to visit our store.

### HAGEY, FENWICK & JACKSON.

Main St.,

### LOCAL AND PERSONAL

G Griffin is in the city.

Fine Patent Flour at Brown's

Stock Inspector Hamilton is in the city.

Carroll Cecil was over again this week after machine extras.

Go-Carts! Go-Carts! Go-Carts! G W Clevenger & Co.

Lee Thornburg and wife were in from their home at Warm Springs a few days this week.

D Macloed, agent for the Road company in Crook county is now a guest of Wm. Hanley.

J W Sayer is down from the mill with his family, having shut down the plant until after haying.

Adam George is selling school furniture and the various districts should see him before placing orders.

C Beary has been unable to work for several days, being under the care of a physician. He is improving, however, and expects soon to be at his work.

The Windsor, under the management of C. B. Smith & Co., is one of the most popular resorts in the interior. Finest of liquors and cigars, billiards and card tables and expert mixologists.

**WANTED**— Agents, Hustlers, Salesmen, Clerks and everybody who wants to enjoy a good hearty laugh to send 50c for "Tips to Agents." Worth \$50 to any person who sells goods for a living. If not satisfactory your money back. Circular for stamp. The Dr. White electric Comb Co., Decatur, Ill.

J. J. Walkup, a relative of the Byrd family, is at present a guest of "Daddy," and is thinking some of locating here permanently. Mr. Walkup left Virginia May 10, and has been visiting in Baker City a portion of the time since, his wife being a niece of Col. W. F. Butcher.

Mrs. Walkup is now in Baker, but will join her husband later if he decides to remain here.

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P. A. Hyde was an arrival on last night's stage, returning from Tonopah, Nevada, where he went in company with Henry Welcome the latter part of May. He came back by way of Portland and took in the fair a few days. Mr. Hyde states that he will not return to Tonopah, conditions being very bad there, unhealthy and in fact not a fit place for a white man to live. Mr. Hyde lost considerable in weight during his absence. He expects make his home here for the present.

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