

One Year \$3.00
Six Months 1.50
Three Months .75

MOTHER.

"I have fought a good fight—I have kept the faith." Nothing truer, nothing more beautiful could be said of a life well spent and so full of noble deeds.

Mother had been so long with the people of Harney Valley and was so universally known, honored and respected that the loss is not only one to the immediate family but to all her wide acquaintances.

Mother departed this life last Sunday afternoon surrounded by loved ones. She died as she had lived honored, trusted and loved.

Mother was born in Highland county Virginia on July 12, 1849 where she was married. Soon after her marriage they removed to Missouri and in the spring of 1883 came to this place where she had since made her home.

COMMERCIAL CLUB ORGANIZED.

At the meeting of business men last Tuesday evening, a permanent organization of the Burns Commercial Club was made, with the following officers elected: Wm. Hanley, president; Archie McGowan, secretary; G. A. Rembold, vice-president; Harney Cohny National Bank, treasurer; I. S. Ceer, Frank Davey and Julian Byrd, executive committee.

The meeting of Club is called for Wednesday night, Jan. 13, at the B. A. C. club rooms. It is urged that all good citizens be present, whether they have become members of the organization or not, as matters of great importance to interior Oregon will be taken up.

COUNTY COURT.

Following is a synopsis of the proceedings of the county court up to this morning:

Road petition of Thos. Bain and others continued for the term.

C. A. Haines, D. D. Defenbaugh, Harris & Fitzgerald and Johnson & Hoover granted liquor licenses.

M. J. O'Connor appointed justice of the peace for Pueblo precinct.

Reports of Road Masters J. T. Barnes, O. Olson and A. McKenz approved.

Wain & Smith employed to lay a 6-inch well at the high school well.

G. H. Hobbs, Ashes Hall and Courtwright accepted as assessors.

Report on A. Venitor road accepted and ordered opened. R. D. Brakeman road same. A. G. Shaver road same. Keys and Vander-Veer road continued for the term. H. M. Horton road, same. Tax levy was as follows: State .008.95; School, .005; County .008; road, .001; library .000.05; high school, .002; building, .001. Making a total of 26 mills.

HIGH SCHOOL LITERARY

The meeting was called to order by President Gus Bardwell, the secretary Juliet King read the minutes and they were approved. Following is the program: Song by the school.

The Shaking of the Hand Reading. Emma Johnson Essay. William Huffman Instrumental Solo, Enid Cawfield Reading. Waldo Geer Debate: Resolve that the Federal Government should own and operate the railroads.

Aff. Neg. Cecil Irving Ormond Ausmus Merle Bennett Mamie Winters Juliet King Beatrice Hotchkiss Recitation. Agnes Cawfield The judges of the debate, Gertrude Hibbard, Cy Sweek and George Marsden, decided in favor of the affirmative.

Solo. Nina Wiseman Essay. Florence Thompson Character Sketch. Helen Farrington Current Events. Mildred Hurlburt Reading. Ina Terrill Song by the School. Cheer Boys Cheer

WATER RIGHTS ARE UPSET

A recent decision of the supreme court in a suit for water has again made an attack upon the riparian rights and puts the matter in a new light. The Oregonian deals with the decision at some length and says in part:

This court is the first one in the United States to construe the act of Congress of March 3, 1877, in this particular. It in no way affects the rights of persons who acquired rights prior to 1877, or who acquired riparian lands since that time and put the water to beneficial use.

The opinion of the court was written by Supreme Court Commissioner W. R. King, who has made an exhaustive study of water law. The case decided was that of Annie C. Hough et al. respondents vs. S. A. D. Pater et al., appellants, from Lake County, Henry L. Benson, Judge. There are about 50 parties to this suit, and in deciding as to their relative rights to water from Silver Creek, Judge Benson recognized both riparian and appropriation rights.

The decision occupies 64 pages of type written matter, or about 25,000 words and touches upon almost every phase of water law. A brief statement of the points of law decided is as follows: In order to determine the extent, under the law, of a title included in a conveyance from the Government whether by grant, patent or otherwise, we must take into consideration all acts in force at the time affecting the public domain.

A reservation of any interest in lands by a legislative enactment is as effective, as a matter of law, as is expressly stated in the grant, patent or instrument through which title may be asserted.

The Government cannot, by legislation, determine for any state, after its admission, what its legislation relative to riparian or other water rights shall be, but may dispose of its public lands and all rights incident thereto in such manner as it may deem best, and either at the same time or by separate acts, make such reservations therefrom, by grant, dedication or otherwise, as it may see fit.

The water flowing over the public domain is a part thereof and the National Government may grant or otherwise dispose of its riparian interest separate from the rest of the estate. Any one acquiring title to any part of the public domain subsequent to the date of the act of Congress of March 3, 1877, accepted it with title thereto with full knowledge of the law in force at that time and subject to the full import thereof.

The legal effect of the language in the act of Congress of March 3, 1877, namely: "there shall be and remain and be held free for the appropriation and

use of the public for irrigation," etc., is to constitute a reservation and dedication to the public of all interests, riparian or otherwise held at the time by the National Government so far as such interests affect the uses for irrigation and other purposes thus enumerated.

All lands settled upon and to which title has been acquired subsequent to the act of Congress of March 3, 1877, were accepted with full knowledge and with the implied understanding that the first to divert and apply the water of the streams or other sources of water supply thereon, for the purposes specified in the act, shall have the superior right thereto to the extent intended and actually applied.

The references in the code to riparian rights constitute a recognition of whatever riparian rights the landed proprietor may have; but does not attempt to define nor in any manner to establish any rule respecting such interests.

The case of Sturr vs. Beck, 133 U. S., together with Oregon cases, are examined and held not in conflict with the conclusions here reached.

Roosevelt and Hitchcock Mix

A Washington dispatch says: Believing the election by the people of Governor Chamberlain of Oregon to the United States senatorship should be ratified by the Oregon legislature, Roosevelt today locked horns with Hitchcock, chairman of the republican national committee. It is understood that Hitchcock is using his power to help Senator Fulton by trying to induce pledged legislators to repudiate their promises.

Roosevelt recently put himself on record as favoring Chamberlain when on the recent visit of Chamberlain to Washington he greeted him as the "next senator from Oregon." The Fultonites refused to accept Roosevelt's rebuff as final and appealed to Hitchcock with some success.

Roosevelt is angry at Hitchcock's interference and the two had several stormy sessions on the Oregon situation.

WILL SEEK AID.

Petitions are now being circulated in Grant county, which will be presented to the legislature, asking for an annual appropriation of \$750, to be used for the purpose of aiding a county fair. The movement was inaugurated by the Grant County Agricultural Society, and is meeting with strong endorsement in the county. It is the purpose of the society to use the money appropriated by the state for pre-

Woods Liver Medicine in liquid form regulates the liver, relieves sick headaches, constipation, stomach, kidney disorders and acts a gentle laxative. For chills, fever and malaria. Its tonic effects on the system felt with the first dose. The \$1.00 bottle contains 2 1/2 times as much as the 50c size. Sold by The Welcome Pharmacy Burns, Ore., Fred Haines, Harney, Ore.

FURNITURE

CALL AND SEE MY LINE OF

Pianos, Sewing Machines, Building Paper, Wall Paper, Window Shades, Carpet, rugs, Linoleum, Matting, Art Squares, Blankets, Quilts, Mattresses, Springs, Roofing, Mirrors, Music Cabinets, Pictures, Trunks and Valices, Baby Carriages, Couches, Couch Covers, Upholstered Goods, Table Covers, Portiers, Chamber Sets, Etc., Etc.

If you don't see what you want in this list call--We have it if it belongs to the Furniture line.

G. W. CLEVEN ER, Burns, Ore.

At The Welcome Pharmacy

You can find the best selected and largest assortment of everything to be found in an up-to-date drug store.

PRESCRIPTION WORK

is our speciality and we have the best equipped laboratory in the interior. We use only the best and purest of drugs and chemicals, and our prices are right. Yours for business

The Welcome Pharmacy, Burns, Oregon.

FOR COW BOYS ONLY:

I wish to explain in a few lines in this paper how you may always be well dressed, shoes, hats, etc. Come in and talk the matter over with me—you can leave your suit at my place as long as you want to. Leave your overalls here when you want your dress-suit, go to the dance and have a good time. When the party is over come in and change again and your suit may remain here until you want it again.

Say, for instance, you ride a horse after cows close to Harney, Drewsey, Vale, Lawen, Diamond, Narrows, etc., and something would be going on there. All you need to do is send a postal or telephone if necessary and your clothes leave Burns by the next stage. After your good time return it to me in the same manner. I will attend to any further lookout for it. Boys, I will do this all free of charge and I can give you suits and overcoats from \$17 and up. Trousers \$5 and up. Come in and let's talk about it. I have six of the boys already. No responsibility in case of fire.

A. SCHENK, Merchant Tailor.

Painting and paper hanging—A. Horton.

G. W. Clevenger is again in the market for hides. Highest market price paid.

The Times-Herald has received some new stationery stock including score cards, program pencils, etc., for its many patrons.

IF YOU CARE FOR STYLE.

If you care for style and lot of people do, it can be had in any Vehicle on our floor. We are prepared for the fall trade. Our stock is at its best. We show a remarkable assortment of Vehicles, including Carriages, Road-wagons, and Buggies, for this season of the year.

Our house is a regular Savings Bank for those who wish to buy. Call in and make us prove it. Harney Co. Imp. and Hdwe. Co.

NOTICE TO STOCKHOLDERS.

The annual meeting of the stockholders of the Harney County Fair Association will be held at the Burns Athletic Club rooms in Burns, Oregon on Monday January 11, 1909, at 2 o'clock p.m. The election of a board of directors, report of the president and other matters of importance will be brought before this meeting.

JULIAN BARNES, Secy.

AUCTION

I will hold regular auction sales on the first and third Saturdays of each month at the C. A. Sweek barn in Burns. Bring in anything you have for sale and get your money for it. Special attention given to sales in the country.

W. T. SMITH, Auctioneer.

Job printing—The Times Herald.

STAG SULKY PLOW advertisement featuring an image of a plow and text describing its features and availability from C. H. VOEGTLY.

Inland Empire Realty Co. advertisement for real estate services in Burns, Oregon.

The Up-to-Date Pharmacy advertisement for school supplies and general pharmacy services.

HAGBY, FENWICK & JACKSON. DRY GOODS, FURNISHINGS, SHOES, HATS AND CAPS advertisement.

GREEN RIVER WHISKEY advertisement for 'The Whiskey Without a Headache'.

HARDWARE MACHINERY advertisement for Binders' Supplies, Building Paper and Roofing, Crockery, China and Glassware, and GEER & CUMMINS in Burns, Oregon.

Burns Meat Market advertisement for fresh salt meats, including Pork, Vienna, Bologna and Liver Sausages.

French Hotel advertisement for the most popular house in interior Oregon, featuring neat furnishings and all outside rooms.

Advertisement for a booster to keep things moving, offering various services.

BURNS LIVERY AND FEED STABLE advertisement for horse care and livery services.

Advertisement for special attention given to conducting funerals.

BURNS MILLING CO. advertisement for rough and dressed lumber, rustic flooring, moulding, and finishing lumber.

THE ANDERSON HOTEL advertisement for a family hotel with home cooking and a feed barn.

THE TIMES-HERALD advertisement for job printing services.