

# The Times-Herald.

BURNS, HARNEY COUNTY, OREGON, APRIL 29, 1911

NO 24.

**The Times-Herald**  
The Official Paper of Harney County  
has the largest circulation and is one of  
the best advertising mediums in Eastern  
Oregon.

**The Great Harney Country**  
Covers an area of 6,428,800 acres of  
land, 4,634,961 acres yet vacant subject  
to entry under the public land laws of  
the United States.

## WILL THEY CHANGE THE ROUTE

### Harriman Railroad up the Deschutes May Come This Direction

### INSIDER ROUTE BY PRINEVILLE

### Old Bring Line Into Territory Suggested by The Times-Herald up Crooked River Valley to Timber And Cross Divide Down Emigrant to This Valley.

The following clipping is in  
accordance with suggestions made  
in the Times-Herald last week  
the week before respecting  
plans for railroad building  
in the west. Should this  
be made in the route of  
Deschutes road it would  
be the east and west line  
and come up the Crooked River  
and over the ridge down  
Emigrant creek to Burns.  
A dispatch from Madras to the  
Harriman says that with the ap-  
proach of the steel gangs on the  
Harriman, or Deschutes, railroad  
being nearer, local interest is  
centering to center on the con-  
struction of the big steel viaduct  
across Willow Creek canyon, just  
west of town, where the line  
crosses the Oregon trunk at a  
point of over 200 feet.

Although a large amount of  
material and equipment has been  
brought there and work is in  
progress on the concrete founda-  
tion for the supporting towers,  
no doubt is expressed as to  
whether the bridge will ever be  
completed. From hints made by  
representatives of that company,  
rumor has spread that the  
Harriman line is seriously con-  
sidering changing its survey at  
a point a few miles north of  
Burns and running its line along  
the east edge of the townsite,  
thence to Prineville following  
Emigrant creek, and thence into  
the Crooked River valley.

It is said that this move is be-  
ing contemplated from the traffic  
point, as it would tap a rich  
cultural sector all the way  
from this place, as well as  
to that line practically all  
the lumber of the Blue Mountain  
district and give it the upper  
hand for all the freight and pas-  
senger business in southern  
Harney county.  
The saving on the building of  
a great bridge would extend  
over a considerable distance  
on the new route, while only  
a few miles south of here the  
roads use the same track to  
get to the south line of the  
Emigrant townsite.

While the change of line would  
bring the Deschutes system into  
the Crooked River valley, there  
would be an outlet south of  
Prineville by way of Swartz-  
burg, which would again swing  
east on to the plateau east of  
Burns, only a few miles from its  
present survey southward toward  
Emigrant county.

Stallion License Law Effective May 25.  
The new stallion law which  
passed by the last session of  
legislature will go into effect  
May 25. The stallion Board has  
been organized, and plans for the  
year are being made, but no  
licenses will be issued until after  
May 25. Stallion owners should,  
however, get in their applications  
before that date.

It will not be possible to regis-  
ter and have examined all the  
stallions in the state in a day or  
so that some time may in-  
tervene between receipt of the  
licensing and the issuance of

of Opportunity," which appeared  
in The Herald' real estate and  
land number March 20, 1910.  
The club offered \$5,000 in  
prizes for the best articles on  
Oregon, and Mr. Coleman who  
was a resident of the state for  
more than two years and inter-  
ested in its commercial and agri-  
cultural progress, wrote out of  
his experience. His article was  
about a column in length and Mr.  
Coleman considers the remunera-  
tion ample.

The above was clipped from  
the Decatur (Ill.) Herald and  
shows that although Theo has  
been gone for some time he is  
still boosting for Oregon. He is  
a brother to Mrs. Hastie of this  
place and Mrs. Jasper Davis of  
Harney. His son Roy lives at  
Waverly. Mr. Coleman spent  
two years in this section and has  
been a consistent booster ever  
since.

Animals having county licenses  
will also have to get state licenses  
under the new law, as there is  
no connection between the state  
license and that issued by the  
county. Money paid for county  
licenses will not count toward  
securing state licenses. Copies  
of the law and application blanks  
may be obtained from the secre-  
tary of the board at Corvallis.  
It is not necessary, however, that  
the application be made on the  
regular blanks. A letter will do  
as well, providing the necessary  
information is included. All ap-  
plications must be accompanied  
by the \$10 fee, and, in case of  
registered horses, by the pedigree  
certificate. These pedigrees will  
be returned. For horses not  
pure-bred the owner must give a  
complete statement of the horse's  
breeding.

E. L. POTTER,  
Secretary, Stallion Registration  
Board.

### CARPENTER BUYS IN BANK.

N. U. Carpenter, former vice-  
president and manager of the  
Portland Trust Company, has  
purchased a heavy block of stock  
in the Citizens' Bank at Grand  
avenue and East Alder street  
and yesterday assumed active  
management, following his elec-  
tion to the presidency by the new  
board of directors and the in-  
crease of the capital stock to  
\$100,000.

Mr. Carpenter severed his con-  
nection with the Portland Trust  
Company a few months ago. He  
is one of the best known bankers  
in Oregon. He organized the  
First National Bank of Burns  
and the Citizens' National Bank  
of Ontario. During the time he  
was connected with the Portland  
Trust Company he had charge of  
the commercial department.

Associated with Mr. Carpenter  
in the direction of the Citizens'  
Bank will be David E. Johnson,  
a Portland capitalist, and M. E.  
Thompson of the M. E. Thomp-  
son Company, both former direc-  
tors of the Portland Trust Com-  
pany. Each has purchased an  
interest in the bank.

Mr. Lambert, retiring presi-  
dent of the Citizens' Bank, will  
devote his time to his real estate  
holdings, but will remain a mem-  
ber of the board of directors. O.  
S. Fulton will remain the cashier.

The Citizens' Bank was orga-  
nized 20 years ago and has ex-  
perienced a steady and healthy  
growth. Its assets now aggrega-  
te \$600,000.—Oregonian.

### THEO STILL BOOSTING

Theodore Coleman yesterday  
exhibited proof that he could lay  
claim to being one of the highest  
paid newspaper men in the state.  
The evidence consisted of a draft  
for \$10 from the Portland (Ore.)  
Commercial club for Mr. Cole-  
man's article "Oregon, the Land

## RAILROAD LOSES LAND

### Over Million Acres Involved in Feder- al Court Decision Rendered

### OLD LAND GRANT IS FORFEITED

### Concessions Made by Congress to Induce Railroad Con- struction Years Ago Abused--Court Ruling is Also Against Squatters Who Have Acquired no Rights.

Federal District Judge Charles  
E. Wolverton decided this morn-  
ing that the Southern Pacific and  
the Oregon and California rail-  
way companies must forfeit to  
the United States Government  
about 2,400,000 acres of land,  
which is valued at from \$40,000-  
000 to \$75,000,000 says a Port-  
land paper.

After one of the most impres-  
sive legal combats ever waged in  
the history of America, the court  
rules that an empire in Oregon  
cannot be bottled by the railway  
interests. Taking the plain  
words of the act of Congress  
granting the land for railway  
construction aid, the court holds  
that Congress intended this land  
should be sold to bona fide set-  
tlers in tracts not greater than  
160 acres to one individual, and  
at a price not exceeding \$2.50 an  
acre. Every argument and con-  
tention made by the railway com-  
pany has been defeated in its  
fight with the Government.

While deciding in favor of the  
Federal Government, Judge Wol-  
verton decided against the sev-  
eral thousands intervenors in the  
case. He holds that they have  
acquired no right whatever by  
either settling on the land or  
tendering the maximum sum per  
claim specified by law. The ef-  
fect of this portion of the de-  
cision is that the grant lands af-  
fected can not be secured by any  
individual until the President or  
Congress again opens it to entry  
or sale. The sixty-seven entry-  
men who had gone upon the land  
as settlers before the suits of the  
Government were commenced,  
also lose their claim, and are held  
to have gained no advantage  
whatever by their period of set-  
tlement. Something more than  
5,000 intervenors have filed ap-  
plications to get a portion of the  
land, but their supposed rights  
are brushed aside, leaving the  
entire tract open to disposition by  
Congress, as if it had never been  
offered to the railway interests  
as a grant.

Judge Wolverton's decision, af-  
fecting the greatest values ever  
absolutely controlled by western  
litigation, and perhaps surpassing  
anything ever known to  
American courts before, was volu-  
minous, requiring more than  
two hours to read.

In 1866 congress granted to the  
Oregon Central Railway company  
a tract through the heart of Ore-  
gon, comprising what is now  
some of the richest agricultural  
and most valuable timber land in  
the state.

The consideration for the grant  
was an agreement to construct a  
railroad north and south over  
what is now the Southern Pacifi-  
c's Oregon division on the Shasta  
route.

The grant of 1866 contained no  
requirement that the land includ-  
ed in it should be sold in any  
specific quantity nor at any spe-  
cific price per acre.

In 1868, however, the company  
appeared before congress, peti-  
tioning for an extension of time in  
which to construct the road and  
asking that it be granted 20,000  
additional acres of land.

Congress extended the time as  
petitioned and granted the addi-  
tional land, but apparently realiz-

ing the omission as a matter of  
sale, it attempted to embody as a  
part of the entire grant the con-  
dition that the land be sold in  
160-acre tracts to bona fide set-  
tlers at a consideration not to ex-  
ceed \$2.50 per acre.

Another extension of time was  
granted the road two years later  
under what is known as the  
grant of 1870.

During the 70s the Oregon  
Central was succeeded by the  
Oregon & California Railroad  
company and the road was built.  
Until late in the 80s or until  
the Southern Pacific absorbed the  
Oregon & California, the terms  
of the 1868 grant were adhered  
to. After that date, how-  
ever, the Southern Pacific ap-  
pears to have elected to abandon  
the additional rights secured un-  
der the act of 1868, and to trace  
its title to the act of 1866 in con-  
junction with the extension secur-  
ed under the act of 1870. In  
other words, it declined to sell  
the granted lands in tracts of  
160 acres and at the rate of \$2.50  
per acre.

INDUSTRIAL NOTES.  
(Portland Correspondence.)  
Plans for an Oregon land show,  
to be held next March, are now  
being developed by the Portland  
Commercial Club. Manager  
Chapman believes the scheme  
would prove the best possible  
means of interesting colonists  
who reach Oregon at that time.  
Exhibits would be gathered  
from all the orchard districts of  
the state and the exhibits would  
be not particularly fruits but of  
the land itself and how it is cul-  
tivated, giving the prospective  
settler an object lesson in the  
care of the land and the success-  
ful methods of tillage.

When a medicine must be given  
to young children it should be  
pleasant to take. Chamberlain's  
Cough Remedy is made from loaf  
sugar, and the roots used in its  
preparation give it a flavor sim-  
ilar to maple syrup, making it  
pleasant to take. It has no super-  
ior for colds, croup and whoop-  
ing cough. For sale by all good  
dealers.

Some writers do not think that  
truth should be considered when  
writing about their town, and  
this opinion is shared by some  
real estate boomers. These ex-  
travagant tales fool no one, un-  
less it is possibly the one that  
starts them out. The truth about  
this section will be sufficient to  
induce settlers to come this way,  
if painting the lily will make  
them incredulous and keep them  
away.—Ontario Argus.

Surveyor John E. Johnson ex-  
pects to leave tomorrow or next  
day for a surveying trip on the  
Pacific Land & Live Stock Co's  
big ranches in Harney county.  
The work will first be started on  
the White Horse where the land  
will be classified. Many new  
ditch lines will also be surveyed.  
Mr. Johnson expects to be gone  
about two months.—Vale Enter-  
prise.

Phil Smith, of the Burns coun-  
try shipped two cars of cattle for  
the Alaska trade this week that  
were about the best shipped from  
this market for some time.—  
Ontario Argus.

The personal attention given  
guests at the French Hotel has  
given it a good reputation—L. B.  
Culp, Prop.

Lame Shoulder is nearly al-  
ways due to rheumatism of the  
muscles, and quickly yields to  
the free application of Chamber-  
lain's Liniment. For sale by all  
good dealers.

The sixty-eighth anniversary  
of the organization of the first  
civil government on American  
soil west of the Rocky Mountains  
will be celebrated at Champoug  
on May 2. This is an interesting  
historical observance, particu-  
larly in the early history of the Oregon  
country. The Pioneer Associa-  
tion will have charge of the ex-  
ercises. Many will attend from  
Portland and other Western  
cities will send delegations.

W. L. BLOTT  
C. C. LUNDY

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Real Estate and Insurance  
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**GEER & CUMMINS**  
Burns, Oregon.  
Hardware and Crockery  
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Guns and Ammunition  
FARMING MACHINERY  
of all kinds  
Get our prices before buying

**C. M. KELLOGG STAGE CO.**  
Four well equipped lines. Excellent facilities  
for transportation of mail, express, passengers  
Prairie City to Burns. Vale to Burns  
Burns to Diamond Burns to Venator  
E. B. WATERS, Agent.

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**Harney County Abstract Company**  
(INCORPORATED)  
Modern and Complete Set of Indexes  
An Abstract Copy of Every Instrument on Record in  
Harney County.

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N. A. DIBBLE, Propt.  
CENTRALLY LOCATED,  
GOOD, CLEAN MEALS,  
COMFORTABLE ROOMS  
Courteous treatment, rates reason-  
able—Give me a call  
A First Class Bar in Connection

**The Harriman Mercantile Co.**  
GENERAL MERCHANDISE  
BEST GOODS AT  
LOWEST PRICES  
Complete line of  
Groceries and Dry Goods  
Cents Furnishings  
FULL AND COMPLETE LINE  
OF HAMILTON BROWN SHOES  
HARDWARE  
FARM IMPLEMENTS, WINONA  
WAGONS, BARBED WIRE  
We guarantee quality and prices—Let us prove to you that  
we have the goods at right prices—Call and see us  
**Harriman, Ore.**  
The First Town at Crooked Creek Gap

**W. T. LESTER,** Manager and Salesman.  
**THE INLAND EMPIRE REALTY COMPANY**  
Represents That Which is Trusted and Reliable, and Handle Successfully all Sorts of Real Estate Business. We are  
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Talk Your Real Estate Matters Over With Us. Your Business Will Be Strictly Confidential. We Know Our Busi-  
ness, Attend To Our Business and Want Your Business.  
**FIRST DOOR SOUTH OF HARNEY COUNTY NATIONAL BANK** BURNS OREGON

**Have Your Goods Shipped in Care of**  
**KONOWAY WAREHOUSE CO.**  
(INCORPORATED)  
**Madras, Oregon**  
Two warehouses, one for freight and one for wool-  
in transit rates from all points on the Oregon Trunk rail-  
way line to Madras warehouse. Charges for handling at  
the customary rates.  
H. J. DIETZEL, JAS. RICE, H. W. TURNER,  
President Vice-President Secretary  
Madras, Ore. Haycreek, Ore. Madras, O.

**THE TIMES-HERALD**  
Job Printing.