

FOREST RESERVE CASE

Supreme Court Holds Against Stock Men in Two Cases

WARD-FOUGHT CONTEST IS LOST

Consent of State Not Necessary to Creation of Forest Reserve, as Government can do as it Likes With Own--The Stockmen Must Secure Grazing Permits.

The following is of particular interest to the stock men of this county who have been watching the legal battle over the forest reserve policy inaugurated by Roosevelt when he was president. A Washington dispatch of May 1, says:

By holding that the federal government, without the consent of the state affected, may set aside areas of public lands as forest reserve and that such reserve is subject to the state fencing act, the supreme court of the United States today settled two long pending western issues.

Justice Lamar announced the opinion of the court as to the constitutionality of the forest reserve act. He says the United States has absolute right to do what it pleases with its own property. The constitution had given it that power. This control, he said, was a right incident to sovereignty, as claimed by the government of reservations, but not an exercise of right which any citizen possessed. "All the public land is held by the United States in trust for the people and it is not for the court to say how that trust shall be administered. That is for Congress to say."

The stock men of the west lost a ward-fought contest today when the supreme court also decided that judgments could be brought against persons grazing stock on forest reserves without permission. The court held that regulations of the secretary of agriculture requiring permits were an unconstitutional exercise of executive power. The decision was announced in the case of *Ware Gromaud and J. H. Carrigan*, indicted for grazing sheep on the Sierra forest reserve.

The constitutionality of the forest reserves of the west and the validity of the modern conservation policy, were decided early in this case in the circuit court of the United States in the district of Colorado.

The United States government brought suit to enjoin Fred Light, a prominent Colorado stockman, from causing or permitting his cattle to trespass on the Holy Cross forest reserve in Colorado. A stubborn contest arose and among the defenses put forth by Light, was one that the formation of the Holy Cross reserve, without the consent of the state of Colorado, was unconstitutional. The other vast reserves in the west had been formed by a similar process of federal action in withdrawing public land from the public domain. Mr. Webster's argument applied by analogy to them. The injunction was granted, and an appeal taken to the supreme court of the United States.

Throughout the contest, the federal government claimed that when Light turned his cattle onto a ranch adjoining the forest reserve they followed well defined trails, in order to get grass and water, directly to the reserve where there existed superior grass and water supply. Such a

rain fell from March 1 until harvest. He has two 110-horsepower engines, which pull 57 plows. He is thus able to plow from 60 to 80 acres a day.

It is said that dry farming is advancing throughout the northwest at a remarkable rate, and that everywhere the farmers who are engaged in that branch of agriculture are making good on their investments.

Records at the land offices are said to show that the number of persons who are taking up dry farm land every year is increasing at a marvelous rate.

Farm experts claim that there has been no branch of the science of farming which has seen the advances within the past few years that dry farming has, and the acreage placed under cultivation by those engaging in dry farming is said to have increased by about four-fold in all western states. In some of the states of the far east dry farming methods have been introduced, and everywhere they are said to have resulted in great improvement to the country.

OBSERVE MEMORIAL DAY.

All members of Capt. Clay Camp No. 8 United Spanish War Veterans, of Burns, Ore., are requested to report in uniform at the hall on Memorial Day, May 30, at 8:45 A. M. sharp, for parade to the cemetery, and observing the day with the usual and proper military ceremonies as approved by the National Encampment.

Capt. A. W. Gowan and Hon. Frank Davey will be orators of the day.

All comrades of the G. A. R., S. of V. and all others unattached, who have served the flag at any time, are heartily invited to join our ranks in observance of this day.

Burns Brass Band will parade the veterans to and from the cemetery.

CARL W. WELKER,
Camp Commander.

FARM NOTES.

You cannot overwork the harrow.

Be sure your wife will find you out.

That weed right in the hill is your worst enemy.

Don't let the weeds get a start--kill 'em while they are a burning. Easiest way.

Too often the extravagant who start out in the parlor-car come back in the freight.

When you hoe corn, thin it out to not more than three good stalks to the hill. Nature doesn't like to be crowded.

It isn't the mark of a good teamster to get in off the road late at night, nor to leave the horses uncurried for two or three days.

It is less work to hoe twice soon after the crops come up than it is to hoe once after the weeds get high, and it does much more good.

Borrowing tools, and sending them home dull or rusty, doesn't make the other fellow grin. Better save up and buy your own.

If you put stones under the posts of your corn house, have them thick enough and large enough so that the frost will not get below them and break them to pieces.

Don't cultivate the potatoes when out in bloom, or coming out, unless you want a lot of stunted little tubers. Cultivate them before they get that big, and hoe them clean of weeds. --May Farm Journal.

Frank Johnson, of this city, resigned his position as assistant Forest Supervisor and accepted a position with the Oregon & Western Colonization Company. --Prineville Review.

For soreness of the muscles whether induced by violent exercise or injury, Chamberlain's Liniment is excellent. This liniment is also highly esteemed for the relief it affords in cases of rheumatism. Sold by all good dealers.

Alfred Benjamin clothing at Schenk Bros.

OREGON HORSES BETTER

Harney County Boy Compares Our Draft Horses With East

HOW TO MAKE A DRAFT HORSE

Recent Shipment of Drafters From Chicago no Better Than Harney County Horses up in Sale Shape--Pure Bred Stock Prices Different at Outside Market.

Corvallis, Oregon, April 28, 1911
Editor of The Times-Herald.

Dear Sir--In your issue of The Times-Herald of March 25 I noticed the article about the horse market of Oregon. I happened to be in Portland when that bunch of drafters from the East arrived.

A few of us O. A. C. Animal husbandry students were down there attending the Fat Stock Show. We students had full sway at all stock in the yards at that time so we got a good look at those "Eastern Bred Horses."

I was born and raised in Harney and Grant Counties (being a son of J. H. Anderson of Drewsey) and I never saw any horses in that shipment of drafters that was any better if as good as some I have seen on my home range. Don't misunderstand me and think any bunch of range horses can be shipped to Portland and sold for \$300 a head. Far from it. I am talking of draft horses and a draft horse must weigh at least 1600 pounds.

The horses in the shipment above mentioned were supposed to average 1750. We boys doubted this so we stuck around until the boss left and then we joked the jockey about his ponies until he decided to show us by weighing his largest team. This team was supposed to weigh about 4000 lbs. When they went on the scales they tipped the beam at 3300 lbs. or 1650 lbs. each. Now that is about where your 1900 lbs. horses will weigh in what the market calls feeder condition and that is fatter than the horses shown in the Grant or Harney county fairs.

If any horseman in that section has a horse that weighs 1450 pounds or better in what he would call good working condition if he will just teach him to eat oats and then measure it out to him in a gallon bucket instead of an oyster can he will soon have a draft horse instead of a scrub. You may say that the extra fat will do the horse no good and that is true enough, but if you want to sell him remember "A little fat may cover a world of defects."

I might mention here that Mr. G. W. Stubblefield (the first secretary of the Percheron Society of America) shipped 16 head of pure bred percheron stallions and mares from the East and sold them at auction the other day. The highest price that any one animal brought was \$1000. The horse that brought that price was an imported horse and a good one. One three year old horse sold for \$450. He was just as good as any of those fine horses in that county that have been selling for \$3000 to \$4000.

All of these stallions were sound and had passed the inspection of the state veterinarian and were eligible to stand under the new stallion law. That is more than some of the horses now being stood will be able to do.

COMPTON ANDERSON.

J. F. STEVENS ON FUTURE OF STATE.

John F. Stevens, who retired

last Monday as president of the Hill roads in Oregon, has the following in a recent issue of the Portland Journal bearing upon the future development of the state:

While the development of Oregon depends largely upon the extension of transportation facilities there are other factors entering into the situation, which must not be overlooked. With an area of nearly 100,000 square miles and with a population approximating only 600,000, and this largely concentrated in the city and towns, it is evident that a denser occupation of agricultural lands must take place before the latent resources of this naturally wealthy state can be drawn upon.

It is hardly fair to assume that the capitalists who find the money to build railroads can be expected to go on indefinitely extending lines into unoccupied space, unless the results of former extensions are such as to justify the continuance of an expansion policy. To a very large extent transportation companies must depend upon earnings from the carriage of timber and other forest products--until the raw farming lands opened up by the new lines are settled and improved.

As the market by rail, for timber, as in the past year is very uncertain, it can be understood that a certain amount of conservatism in the expenditure of capital in such enterprises is to be looked for.

Then, too, the trend of legislation in recent years--looking to the regulation--so called--of transportation companies, has been very much a one sided proposition, and until capital can be assured not only by the enactment in the future of only wise laws, but by the fair interpretation of existing ones, it will from a good business point of view, be naturally timid.

All this, however, does not argue that railroad building is to stop. The good sense of the people will assert itself; in fact, a distinct change of feeling on the part of the public, is already apparent, and most thinking men are optimistic enough to believe that true co-operation of interests, as between the public and the transportation companies, will soon become the rule, instead of the exception.

And the logic of the situation in Oregon will force an expansion policy, when harmony and correct understanding between shipper and carrier shall prevail.

The great wealth of the country like all others, lies in its agricultural lands. And no demand is or has for years been more clamorous than for land and Oregon has it.

Take the Willamette valley, is nearly 4000 square miles of area, with a fine climate, well wooded and watered and a soil capable of raising to perfection every variety of cereal--grass, root crop or fruit, excepting citrus, known to the temperate zone. This valley will support in comfortable homes, 10 times its present population and the same can be said of the smaller valleys over the entire state.

Granting the above statements are even approximately true, then there is only one conclusion to be drawn: The need of the state is more people, more actual farmers, more producers and for the present at least, fewer middlemen. Settle and develop the country and the cities will take care of themselves.

INDUSTRIAL NOTES.

(Portland Correspondence.)

To form a Central Oregon Development League, that shall be a wheel within a wheel, to work for the advancement of that particular part of the state, is the latest project along publicity lines Secretary C. C. Chapman, of the Oregon Development League, has been at work the past week formulating plans for such an organization and the Prineville Commercial Club will probably issue a call soon for a conference of the commercial bodies of Central Oregon on the subject.

It is expected that Madras, Metolius, Redmond, Bend, Prineville and other Central Oregon cities will unite under one head to work together for the interests they all have in common and that a great deal will be accomplished in settling the vacant lands of the interior. It is hoped to unite various factions by this means and create a brotherhood of active communities that will mean much for the future of the entire region.

May 1, always a notable date in Northwest history, was observed this year with appropriate exercises at Champoeg, upon the historic ground where 68 years ago the foundations of civil government on the Pacific Coast were laid. The Oregon Pioneer Association and the Native Sons of Oregon had charge of the observance of the anniversary.

The cutting of burned cedar poles has become quite an industry in Coos and Curry counties.

Last year an experimental order was given for the burned over piling by the Santa Fe Railroad. The timber was found to be satisfactory and there is a big demand for it. There are less quantities of burned over cedar in the forests of the Coast counties and it has been found still serviceable even 40 years after the trees were killed by fire.

A new alignment of good roads forces was made during the past week at a meeting in Portland when steps were taken to organize a statewide good roads association with county branches. The former Oregon Good Roads Association was dissolved, after all its affairs had been wound up. By means of the new organization it is expected to secure co-operation throughout Oregon to accomplish its objects. Sentiment for good roads legislation will be aroused.

Klamath Falls is turning its attention to beautifying the city and its environments. Efforts will be made to have property owners plant shade trees and improve the appearance of the community in other ways. The west is getting pretty well over its frontier days and is generally interested in adding to its attractiveness wherever possible.

Is there anything in all this world that is of more importance to you than good digestion? Food must be eaten to sustain life and must be digested and converted into blood. When the digestion fails the whole body suffers. Chamberlain's Tablets are a rational and reliable cure for indigestion. They increase the flow of bile, purify the blood, strengthen the stomach, and tone up the whole digestive apparatus to a natural and healthy action. For sale by all good dealers.

Job printing--The Times-Herald

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

J. H. Howell, a popular druggist of Greensburg, Ky., says, "We use Chamberlain's Cough Remedy in our own household and know it is excellent." For sale by all good dealers.

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