

14	MAY	1914				
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

The Times-Herald

The Largest Circulation Of Any Newspaper In Harney County.

SATURDAY, MAY 16, 1914

Local News.

Tonawama tonight.

Karl Horstman was in the city Wednesday.

Burns Garage car for Juntura Mondays, Wednesdays, Fridays.

Just received a nice line of new winged collars they are the best.—Williams-Zoglmann Clothing Co.

THE FIRST NATIONAL BANK OF BURNS. CAPITAL AND SURPLUS \$100,000. "THE BANK THAT MAKES YOUR \$\$\$ SAFE." ACCOUNTS INVITED.

H. M. Covey, Portland representative of the Cadillac automobile, spent several days in the city this week. He disposed of the car and possibly others.

A. C. Welcome and wife have decided to build on the residence lots adjoining the H. B. Mace home on the hill and now have been at work on the foundation.

R. J. McKinnon & Son have established a daily stage between Jewsey and Juntura. Connections made with the trains at Juntura and passengers given every comfort. Fare to Burns \$1.00.

A. B. Cooley and G. M. Stevens are here from Umatilla county looking over the country. Mr. Cooley has been manipulating a caterpillar plow in his home section and may engage in the same occupation in this county.

J. F. Mahon was in the city early this week on business. He reports a very successful lambing season, saving a big percent of his increase as the weather has been fine for lambing. He informs us he has disposed of some 700 head of yearlings at \$3.50 per head to be delivered after shearing.

Married—Tuesday, May 12, at the Dalles, W. M. Sutton and Isabel Wheat. This marriage will prove quite a surprise to many of the friends of Mr. Sutton in this city. He is the principal of our public school and is one of the very successful educators of the state. His bride is not known to the writer but is said to be a very estimable lady. Prof. Shirk, principal of the high school, was best man. The Times-Herald extends best wishes to Mr. Sutton and his bride and assures them a most hearty welcome upon their arrival in Burns.

TRIED AND PROVEN

For almost twelve years our institution has stood the exacting test of public approval. During this time it has always protected the interests of its patrons, regardless of local or general financial conditions. The volume of business transacted through our institution, and the number of our patrons, continues to grow—conclusive evidence that our efficient service is appreciated and that our conservative policy is approved by the banking public.

LET US SERVE YOU

THE FIRST NATIONAL BANK of Burns

CAPITAL AND SURPLUS \$100,000

United States Depository

ACCOUNTS INVITED

Thermos bottles at the Welcome Pharmacy.

Simon Lewis is confined to his bed with a case of spotted fever. He is quite ill.

Thompson & Deegan are having a garage built on the lots opposite the Summit hotel.

Dr. Geo. G. Carl is prepared for special attention to all diseases of eye, ear and nose. Eyes tested and glasses fitted. 50tf.

There's not only remarkable value, but great satisfaction in buying hats at Clingan's Millinery Parlors everything in millinery the best.

Ed Egli and his mother returned from Portland Thursday evening in his new car. They were delayed some days in Portland waiting for a boat to bring them to the Dalles.

Mrs. H. W. McHose underwent a delicate operation Wednesday at the hands of Dr. Standard. It is reported successful and the patient is recovering nicely at the hospital. Dr. Standard also removed adenoids from William McHose the same day.

The Registered Clyde Stallion, George Chamberlain, is making the stand this season at the Star barn in Burns. He is a well known horse, having been on the Levens ranch for several years. He is a native son, weighs 1900, and a good breeder. Terms \$12.50 for season; \$15 return privilege, \$20 to insure.—Chas. Wilson. 27

Jess Alberson and wife were in the city Monday.

Dry cleaning and pressing at the Burns Steam Laundry. 4tf.

Ford cars for Juntura or any other place. Phone Burns Garage.

Miss Helen Sayer took her departure last Saturday for Portland where she will take a course in stenography.

T. Donovan is at the Cummins hospital with a case of spotted fever, but is reported as getting along as well as could be expected.

THE FIRST NATIONAL BANK OF BURNS. CAPITAL AND SURPLUS \$100,000. "THE BANK THAT MAKES YOUR \$\$\$ SAFE." ACCOUNTS INVITED.

Chauncey Cummins has been in the city for a few days, being a witness in the water suit now being heard between the Smyth Brothers and Dean Horton.

Little Katherine Welker had her arm broken just above the elbow Tuesday by falling off the side walk. Dr. Griffith reduced the fracture and the little lady is getting along fine.

I. S. Geer and son Waldo took their departure the first of the week for their new home in Washugal. They took several head of horses with them that they hope to dispose of in that section.

Mrs. Pearl Fisk left the fore part of this week for Boise where she will remain for some three weeks taking dictation, in preparation for stenography work as she expects to take up that work in the near future.

Burns is becoming quite metropolitan, in a way, as a man at the Burns hotel yesterday morning claimed his room had been entered during the night and he had been robbed of \$93. Another claimed to have lost \$1.50 and a third .05. The three men were strangers and it seems a man who had been traveling in company with one of them is suspected of the robbery and he had left for Bend. The gentleman who lost the \$93 followed in Frank Dibble's car with the hope of catching the suspect at Bend.

Married—Tuesday morning at the Catholic Church in this city, Mr. J. M. Wilson and Miss Mary Fry, Rev. Father Pius Niermann performing the ceremony in the presence of relatives of the bride and a few near friends. Both have been connected with the Union Telephone and Telegraph Co. in this city. Mr. Wilson as manager and bookkeeper and the bride as day operator. Mr. Wilson came here several weeks ago from Baker and assumed his position with the company of which the bride's father is president and a stockholder. The bride is the oldest daughter of Geo. Fry and has spent her entire life in Burns except while in school at Baker where she met Mr. Wilson. She is a very charming young lady and very popular among her wide acquaintance. The young people went to house-keeping at once in one of the Fred Racine residences in East Burns. We wish them a pros-

Butterick patterns at Luna-burg, Dalton & Co. 52tf.

Features and comedy pictures at Tonawama tomorrow night.

Few choice Red Polled milk cows for sale—Chas. Wilson. 25

Ira Bond was in from Harri-man during the week on land business.

Be sure and see those new ties Williams-Zoglmann Clothing Co. are showing.

M. V. Dodge was in from his Silver Creek land holdings during the week.

Rolled barley, wheat and oats for sale at market prices.—W. A. Goodman's feed yard.

Clifford Reed took his departure Monday for a vacation trip to outside points.

Pickard China and Libby cut glass make beautiful and useful wedding presents.

Mrs. Pearl Vulgamore has some fat hens for sale. Call the ranch by phone.

Nyals Baby Cough Remedy for baby's caught at The Welcome Pharmacy.

Dr. Griffith removed adenoids and tonsils from little Frances McGee at the Cummins hospital Tuesday.

Cleaning, pressing and repairing a Specialty. Ladies' clothes as well as mens.—Williams-Zoglmann Clothing Co.

Bert and Charley Dunten came over from the Drewsy section Tuesday in their car, returning the next day.

No Trespassing—Parties are hereby notified to forbear trespassing on my Myrtle Creek ranch. All trespassers will be prosecuted.

Mrs. A. A. Cowing.

The J. L. Lowe sawmill, formerly the Bunyard mill, above Harney, has a complete stock of rough and dressed lumber, shingles moulding, etc. Good order. Call by phone for rush orders.—J. L. Lowe. 27tf

Mrs. L. R. Breithaupt left Monday morning, going out in company with Miss Cowgill one of the high school teachers. Mrs. Breithaupt will spend some time visiting with relatives and friends in the Willamette Valley.

J. D. Fellows took his departure Wednesday morning for Metolius to resume his music work after a short time in this section looking after his land holdings and assisting in the Reed concert and the recital given by the pupils of Mrs. Dodge.

Cecil Irving was in town again the fore part of this week getting patched up from another encounter with a horse. The animal fell with him in the rocks injuring his knee over again that was just getting well from a previous experience and in the last one his head was also injured but not serious.

President John D. Daly of the First National Bank of this city, was over from his home at Boise the first of the week. He came in and surprised the boys at the bank as they did not know he was coming at this time. He came over from Drewsy with the Dunten boys and returned with them Wednesday.

Died—Tuesday night, May 12, 1914, Alanson B. Griswold, aged 86 years. Deceased had been subject to heart trouble for the past few years and his end came without warning, his aged wife finding him in his bed after life had gone. Mr. Griswold was born in Masonville, N. Y., Feb. 18, 1828. Married Nov. 9, 1856 to Clarissa Amelia Cleveland who survives him. But one of three children lives to mourn him, Mrs. M. C. Hibbard, with whom the aged couple had lived since coming to Oregon in 1901. Funeral services were held at the home of H. M. Hibbard in this city yesterday forenoon, being conducted by Mrs. Lewis. Interment was made in the Burns cemetery.

John Gilcrest, for 28 years in the employ of the P. L. S. Co., has resigned his position as general manager of that big corporation and left here Tuesday for his home in Oakland, California. Mr. Gilcrest was one of the best known stock men in all of Eastern Oregon, Nevada and California. His many years with the Pacific Live Stock Co. in this territory brought him in touch with many of the people who had learned to respect his good judgment in his line of business. There is genuine regret expressed among his many friends in this section that he has resigned and will devote his time to his own affairs in California where he owns a nice

Tonawama tonight.

That was some rain we had yesterday. It may have interfered with the voters at the primary election but it didn't hurt the feelings of the farmer any.

Fred Gehrung was in town Thursday being en route to outside points where he will attend the state organization of the Grange, being a delegate from his neighborhood.

G. W. Cleveenger and family and Rev. Creighton went over to the John Day section this week the latter to assist in some revival work being conducted by Revs. Lewis and Mathews.

Mac. Taket Different View.

To the Editor:—Upon receipt of the Nickel letter set forth in the communication of Mr. Edward F. Treadwell in last week's issue of The Times-Herald, I realized that it was carefully prepared by the legal department of the company for public consumption. It is one of those productions that reads well but doesn't mean what it pretends to state. I did not suppress the letter. On the contrary I read it to yourself, several attorneys and other citizens of Burns, and have been referred to the plan therein outlined several times in the public print.

I quite agreed with the statement of the letter that all water rights must be definitely determined before Silvies River project would be a success. It is the method of obtaining these desired results upon which Mr. Treadwell and I differ.

In my prompt reply to that letter I called Mr. Nickel's attention to the impossibility of arranging for the complete adjustment of water rights on a large stream by individual agreement for the legal reason that a contract, like a law suit, is binding only upon the parties to it. While one might possibly have secured individual agreements with all claimants, there would be nothing to prevent one user from objecting to and interfering with the contract of another, either above or below him on the stream. It has been principally to overcome this obstacle that state legislatures have been laboring for years and which is resulting in the adoption of complete water codes.

Residing at a great distance and having much land and water litigation down in California to take care of, Mr. Treadwell is evidently not fully informed on matters in Harney county as indicated by his statements:

1st. That I initiated and investigated the state adjudication. The application on which the proceeding was undertaken by our Water Board was signed by Fred Otley and a few of his neighbors in the Lawen country, and was filed some time prior to my first visit to Harney county. The application was filed with the direct representation to the State Engineer's office that the P. L. S. Co. was depriving other users of their just water.

2nd. That "The Pacific Live Stock Company, at the time that proceeding was brought was at peace with practically every one on Silvies River and there was practically no dispute between the parties as to the use of the water of the stream;" Gen. Heurta can claim he is at peace with all Mexico with far better grace. It is true that a few of the water users were partially subdued at times by the attempted enforcement of a court decree based upon stipulations forced upon the claimants by the same methods the settler was successfully ejected from the "Red S" field in '89; namely, by the threat to drag them and their wives to Portland and break them in expensive litigation. Just as the company endeavored to remove the present proceeding to the Portland courts. When there is peace good citizens are not jerked up for contempt of court and do not organize and go out in the night and tear out dams and destroy ditches. The peace and serenity in Harney Valley is not apparent to a recent arrival.

3rd. That the process of adjusting water rights under the Oregon law is a tremendously expensive one, involving long drawn out and disastrous litigation. On the contrary the method of adjustment provided by our water code has proven to be one of the speediest and most economical methods yet devised. The law went into effect in the summer of 1909, and the rights in several water-sheds involving more water and a greater number of claimants than involved in the Silvies River, have already been fully adjusted, passed upon by the courts, and projects constructed or in the process of construction. It has proven so effective that other states have adopted similar laws. Washington will undoubtedly adopt a water code at the next session of the legislature and California, recognized as having the most ineffective water laws and the most inadequate administration thereof of any state, is now contemplating a similar step. Law suits commenced by the P. L. S. Co. against claimants on the Silvies River in March 1903, are still undetermined, and have probably cost a sufficient sum to have fully provided for the state's complete adjudication.

4th. In Mr. Treadwell's judgment there was no occasion for the state adjudication. In March 1908 the P. L. S. Co. brought a suit in the U. S. Circuit Court

the Harney Valley Improvement Co. and the old Silvies River Irrigation Co. For this litigation I was in no wise responsible. The case dragged its slow, expensive way through the courts and finally landed in the U. S. Circuit Court of Appeals in San Francisco. There were reams and reams of testimony on such matters as "Orphan" dams and ditches built in the night time; how many loads of manure were dumped at the East end of the Moline Fitzgerald headgate on the "School Ma'm" ditch on the 13th day of Feb., 1903. Last November in rendering his decision, in spite of the true conditions being purposely buried under so much junk, Judge Ross conceived the idea, probably through legal intuition knowing with whom he had to deal, that there must be some surplus water in the Harney Valley. For, he argued, there appears to be swamp and overflowed lands within the P. L. S. Co.'s fields and the swamps and marshes surrounding Malheur Lake appear to be affected by the spring run-offs. The Judge admitted that he was unable, from anything before him, to determine the amount of surplus or who was entitled to its use. He ordered the litigants to return to Oregon and take advantage of the very excellent method provided by the state for determining water rights, and proceeded to quote, in his findings, about three-fourths of the provisions of our water code. The alternative being to make each claimant in the water-shed a defendant and bring him into his court.

If the state adjudication had not been commenced prior to that time, would it not have been incumbent upon Mr. Treadwell to have initiated same in compliance with said decree? In the absence of some such proceeding it would even have been impossible to correctly list all the claimants.

Why this strong aversion to state adjudication? Has not the State of Oregon always been a "Big Brother" to the P. L. S. Co.? Has it not been most liberal with its land? When it cancelled the "Hen" Owen swamp certificates for fraud did it not return the 20c per acre theretofore paid together with compound interest, until in some instances the interest equalled or exceeded the principal, and notwithstanding that the company had the use of the lands? What other state, not barring old Arkansas, would permit a corporation to enclose within one field 27 sections of land in the center of one of its best valleys, although its legislature had specifically reserved a strip 60 ft. wide along each section for public road purposes?

Now, as I understand it this is the situation: Water Supt. Cochran will be here in August to take testimony on the claims and protests filed with the Board. With three or four months of good steady work the Board should be able to complete its findings and issue its certificates. I believe the individual user, generally speaking, is anxious for a speedy determination; Mr. Hanley is out stumping the state for the immediate development of its natural resources; Mr. Treadwell has now gone on record as being in hearty sympathy with the other irrigators and as favoring an irrigation system; I assure the people of the valley that I will cause no delay or unnecessary expenses. Let us get all the facts before the Board, and the first thing you know the flood waters will be taken care of and the mosquito bogs will become fine fields of grain and alfalfa; the Harney Valley will have a railroad, and become one of the most desirable sections of the Northwest.

Respectfully,
C. B. McCONNELL.

BURNS FLOUR MILLING CO.
Prices at Mill for products:
Flour \$5.50 in 5-bbl. lots or more.
Bran \$1.25 per hundred.
Rolling barley \$2.00 per ton in ton lots or more. Customers in all cases to furnish sacks.
PACKING DEPARTMENT
Until further notice the following Cash Prices will prevail in selling meats:
Hogs, whole or half, 11c. per lb.
Choice pork steaks, 15c. per lb.
" " loin, 20c.
Whole pork shoulder 12 1-2c.
Leg of pork, 15c.
Front quarter mutton, 10c.
Hind quarter mutton, 12 1-2c.
Choice mutton for stew, 8c.
Mutton chops, 15c.
Hind quarter beef, 13c.
Front quarter beef, 11c.
Beef all cuts at reasonable prices.
The intention of the Company is at all times to pay the best prices and sell on closest margin consistent with good business management.

THE STAR Feed Barn
H. ELLIOTT, Prop.
Horses Boarded by the Day, Week or Month
CAREFUL ATTENDANTS
Good Feed and Reasonable prices
Horses 25c per Head in Barn
Baled Hay and Grain for Sale
Comfortable Camp House
With Cook Stove
PATRONAGE SOLICITED
Accurat Hay and Stock Scales
Prices for weighing 20c.
South Main St., Burns

SMALL DEPOSITORS

The size of this bank is due to the patronage of many small depositors rather than that of a few large ones. We realize that fact and want the smallest depositor to feel as welcome as the largest.

U. S. Gov't.
State of Oregon
County of Harney
City of Burns
DEPOSIT WITH US

HARNEY COUNTY NATIONAL BANK of BURNS

THE WHITE FRONT LIVERY, FEED AND SALE STABLE

Baled Hay and Grain for Sale at Market Prices. Good Hay in Stack

The Burns-Vale Stage Line

Close Connections Made With Trains East, at both Juntura and Vale. Careful Attention and Prompt Delivery of Express and Freight Entrusted to Our Care.

R. J. McKinnon & Son
BURNS, - OREGON

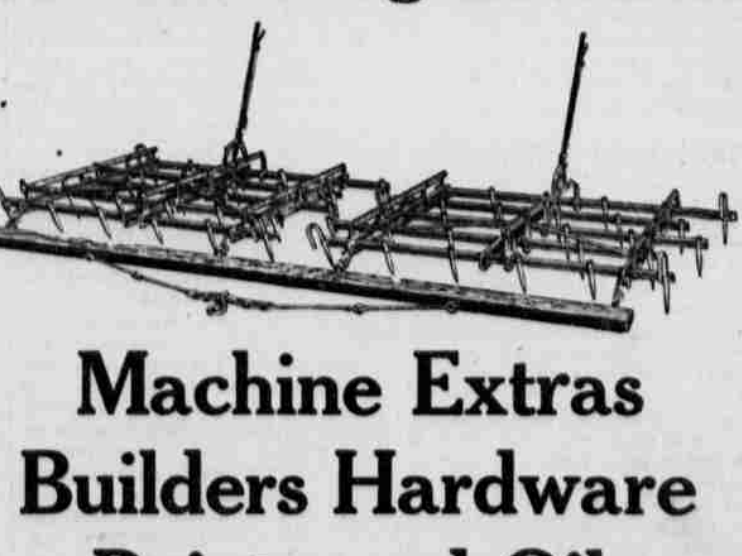
RABBIT WIRE

We have a big supply of wire any height desired and at **BED-ROCK PRICES**



Farm Machinery

Implements of all kinds in stock: Seeders, Plows, Disc and Drag Harrows.



Machine Extras

Builders Hardware

Paints and Oils

GARDEN SEEDS

Fancy Virginia Graniteware

Something New

A KITCHEN RANGE GIVEN AWAY in connection with the sale of this handsome graniteware—Inquire

BURNS HARDWARE CO.

NEIL SMITH, Manager

GET MY PRICES before buying elsewhere and **SAVE MONEY**

I carry a complete line of **LADIES and GENTS WEAR** ---also--- **GROCERIES** at the lowest possible cash prices

I. SCHWARTZ
- General Merchandise -
Masonic Building, - Burns, Oregon