

The magnificent new Court house is now completed and occupied by the county officers. In every particular it is one of the finest structures of the sort we ever entered, outside of some larger cities of very populous counties.

The arrangement of the entire building from basement to the tower is along the most approved lines, which includes water and fire fighting appliances on every floor, toilet accessories in the juryrooms, jail and elsewhere about the building.

The basement contains the jail, a large fire proof vault, for storage of old records, the furnace room with a large steam chest for developing and radiating steam for heating the entire structure from cellar to garret, and other rooms which can be applied to some future use.

The main floor, which is reached from the ground entrance by a short flight of inside stairs is occupied by two rooms for the county clerk, a large room for the county clerk, and rooms for the sheriff, assessor, treasurer, surveyor, superintendent of schools, together with spacious halls. Each room is finished up in a different tint, both as to walls and wood work. Each office contains permanent records, is supplied with a fire proof vault, together with all necessary appliances for the proper handling of the work. All the rooms are well lighted and ventilated, electric lights are distributed throughout the rooms and corridors of the building.

The second floor contains one of the largest and best court rooms we ever saw. The ceiling is very high being two stories in height. It is well lighted by many large windows on two sides of the room. The judge's bench is at the south end of the room, with the witness box at the left, and across the aisle to the jury box. The

## New Court House Completed

### Cost Only \$42,056.41: But if it Had Been Built on Time Would Have Cost \$100,000.00

Judge's bench is fitted with electric bells connected with the sheriff's and county clerk's offices, and also with electric lights. The court room is to be seated with comfortable opera chairs. At the rear of the court room is a private room for the district judge, and rooms for the jury; and also a room for witnesses and one for the grand jury. There is a rear stair court room leading from the judge's room to the jury room, which is not in any way accessible to the general public. There is also another unoccupied room on this floor that can be used as an extra jury room if needed, or can be applied to some future use.

The third story contains a number of rooms, large and airy that can, if deemed best, be used for a county hospital, with the same arrangements as to hall and accessories as the other floors.

The tower is reached from this floor, and contains the clock and chiming mentioned in last week's issue, of the Examiner, and which is something no other town or city in Oregon possesses,

and which but few of the larger towns in the Union can boast.

This fine building will be a lasting monument to the present County Court and officials of the County, and shows what can be done in way of erecting a public building when the same is done on business principles, and from which every source of graft is eliminated. The fact that the county court stood back of the building with cash in hand for every cent used in construction, secured prices that are the marvel of all, and gave Lake county a court house completed and ready for occupancy for a little over \$40,000, that all new-comers imagine must have cost from \$100,000 to \$150,000 in its construction, the railroad and other freights cost between \$10,000 and \$12,000. Had the town been near to the railroad, or on a main line this cost could have been reduced. But as it is the people of Lake county can boast of owning one of the best court houses in the state, and that too, at a low cost that probably never could be duplicated.

It was built from a tax levy of two years, and came so easy that no tax-

payer was in the least bit inconvenienced. It is all paid for, and there is still over \$50,000 left in the County Treasury. No bonds were issued and there was no interest to pay, as is usually the case in erecting such buildings.

The Examiner congratulates the County Court for the faithful and painstaking effort, manifest to all, in its labors in giving the county this fine building, and it also speaks well for a small county of 3500 people, well enough off in this world's goods to reach into their pockets and in two years time pull out sufficient cash to build and equip the edifice and have a surplus in the treasury of \$50,000. We honestly believe there is not another county in the Union that can duplicate this record.

The Examiner, in the near future will publish a picture of the beautiful building and grounds, so that our thousands of readers all over the Union can see for themselves how much has been done up here in the wilds of Oregon with so little money. We present herewith a statement showing the cost of the building,

also for the clock, chiming, jail and cement side walks around the block of the court house grounds:

In the matter of the cost of the construction of the Court House building:

Inasmuch as the Court House building has practically been completed and all the claims and expenses of every kind having been presented to the County Court, audited, and paid by the County Treasurer, the records show that the cost of the same has been as follows:

Total amount of claims presented and warrants issued in payment thereof, against the Building Fund in payment of all claims of every kind for the construction of the Court House building, including quarters for the County Jail, were \$45,691.28 less \$439.87 received by the County Treasurer for the sale of surplus brick, lime and cement, which amount has been included in the cost of the building, but should be deducted therefrom.

Cost of cement on hand for side-walks, which has been included in the

cost of building, but which should be deducted therefrom, \$1,599.00.

Cost of iron fence to enclose the Court House grounds, and also two drinking fountains, which has been included in the cost of the building, but which should be deducted therefrom, \$1,537.00, leaving the total cost of the Court House building including quarters for the county Jail, \$42,056.41.

In addition to the construction of the building, there has been purchased Tower Clock and Chimes, the same costing at the factory \$1,833.00 and also Steel furniture and fixtures for the Clerk's Vault, for county records costing, freight paid at Likely, \$973.50. In payment for the clock and vault furniture warrants were drawn on the General fund, as well as for the railroad freight on the clock and chiming.

After all of these claims have been paid, including every other claim that has been presented, audited and allowed at the January, 1909, term of the County Court by the County Treasurer, there will still remain in the hands of the County Treasurer a considerable surplus.

When the side walks are laid, fences erected, grounds graded and the finishing touches made to the building a committee of competent and representative business men of the county will be appointed to make a thorough investigation of all things pertaining to the construction of the building and make a report of the same, which report shall be published for the information of the people of the county.

#### Big Crops This Year

Harney County News, 16: With the amount of rain that has fallen this fall and winter and the amount of snow that will fall between now and spring, there will be no excuse for any man or woman who is holding a homestead to make if they don't raise good crops next year but laziness.

## New Settler Tells of Opportunities and Lands in North End

Freeman Post, of Lake P. O., in the north end of the county was in town Friday, and gave The Examiner a pleasant call.

The gentleman is one of the prominent settlers up there, and is very enthusiastic over the future prospects of that section. He reports upward of 100 new settlers have come into that locality the past year, and says many more have expressed their intention to locate there in the near future. There is still plenty of splendid government land up there open to the new comer that will produce all sorts of crops, and besides will grow fruit of all kinds. The settlers are all of a very desirable class, and are hard at work making homes for themselves that in a few years will be worth more than the homes they left behind in the frigid east.

Mr. Post reports that the altitude in his section of the county is considerably lower than that of Lakeview, and for that reason it is warmer and the seasons are somewhat longer up there than here. Little or no snow falls in the winter, the precipitation being mostly rain.

The country is a sage brush plain, in a wide valley. Good water is easily obtainable at a few feet wherever it is sought, although there is no available supply for irrigation purposes, other than from wells. But, it is not necessary to irrigate, as was demonstrated last year, the driest yet experienced here by the production of big crops of splendid vegetables—potatoes, corn, flax, of Onions and cabbages and all other varieties of strawberries and all other varieties of small fruits, do well. Other fruits such as apples, cherries, plums, apricots, prunes and pears, all show good and vigorous growth, although none are yet old enough to come into bearing.

In the way of grain growing splendid results have been obtained from wheat, oats, barley and rye, all sown in the fall, and in consequence hereafter all grains will be sown in the fall. Alfalfa also does well. All in all, from Mr. Post's account, the north end is a very desirable place for residence.

The settlers have organized and maintained a six month's school,

with Frank Anderson as teacher. No school building is yet built, but one will be soon. lumber is secured at Silver Lake, some 30 miles to the south westward. Good roads exist all through that part of the country. The post office is in charge of Mrs. Fred Phelps, and mail is received once a week. Sidney Weston has lately put in a store to the great convenience of the settlement.

There is another settlement at Cliff, 15 or 20 miles north of Lake, where similar conditions as to land and products exist.

## PROFIT IN GROWING FIELD SHEEP

G. W. Hall, a farmer living in the Pleasant Ridge neighborhood has demonstrated how cheaply a few head of sheep can be raised on each farm. He has a small flock on his place, and says that they have not cost him a cent for feed this year from about April 1 to Dec. 1. The sheep were allowed to range in the vicinity of the farm, and they secured their living from the bunch grass and the tender sage. Mr. Hall states that they browse quite a little on the tender shoots of sagebrush. The sheep came through the summer in fine shape, are real fat and in prime condition to winter, says the Bend Bulletin.

Hence, those sheep will cost Mr. Hall nothing except the expenditure necessary to feed them through the winter, which will be a small item—especially small if the winter remains as open as it has so far. The returns from the sheep in wool is therefore, in mutton and in increase of lambs, almost a clear gain. It would have been a clear gain if Mr. Hall had sold them this fall.

The Bend Bulletin mentions Mr. Hall's experience simply to show how cheaply certain classes of stock can be raised in this section. Many farmers claim that a sheep is one of the most profitable animals that can be raised on a farm.

## IMPORTANT DECISION Water is Public Property--No Speculation Must be Improved

SALEM, Or., Jan. 5.—(Special.)—

One of the most important decisions that has been handed down by the Oregon Supreme Court in many years was placed on record today, when the court held that the Congressional act of March 3, 1877, relating to settlement on Public lands, limits all riparian rights subsequently acquired to the extent of the use of water for domestic purposes. It is estimated that 90 per cent of the settlements in Eastern Oregon have been made since 1877. Practically all the water power rights in the state have been acquired since that time. This decision, therefore, limits the rights of such riparian owners to the appropriators, except as to domestic use, which are too unimportant to be worth consideration.

Under this decision, it is impossible for any person or corporation to acquire and hold a power or irrigation right for speculative purposes. Those persons, therefore, who have filed on water powers on the Deschutes and other rivers must put the water to beneficial use or forfeit their right to the first person who does apply it to such use. The opinion is of the greater importance coming just at this time, for the reason that the subject of water law is to be taken up by the Legislature.

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 a beneficial use. The man or corporation who has held riparian land without making use of the water is the one affected by the decision.

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 were 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 supreme court modifies this by dividing the water entirely according to the law of appropriation. The decision occupies 64 pages of typewritten matter, or about 25,000 words, and touches upon almost every page 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 public domain.

A reservation of any interest in lands by a legislative enactment is as expressly stated in the grant, patent or instrument through which the 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 right 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 the riparian interest separate from the rest of the estate.

Any one acquiring title to any part of the public domain subsequently 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 the 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 land settled upon and to which title has been acquired subsequent to the act of Congress of March 3, 1877, were accepted with full understanding that the first to divert and apply the sources of water of 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.

## A West-Sider Tells of Fruit and Other Productions Out There

One of the prominent farmers on the West Side, J. C. Oliver, was in town Monday. He usually gets in Saturday, but he was putting up ice, and the soft weather made him hustle to save enough for his dairy.

Mr. Oliver says we were mistaken about the West Side having no orchards. On the contrary there are a number of orchards from 2 to 5 acres that have been in bearing for 20 years. That of Robert Nelson contains 5 acres, in which are some fine apple trees, but the bulk of the orchard is devoted to prunes. Mr. Nelson has raised several fine crops of prunes, and has the only drier in Lake county.

Then, there is the A. P. Koozer orchard, the largest one out there, the James McCreary orchard, the Boydstun place, and also that of Charlie Johnson, all smaller orchards but all in fine shape, and producers of an abundance of fine apples and other fruits.

J. Anderson has a fine orchard mostly of the Winter Banana variety, all in bearing and which produce the highest quality of fruit.

Mr. Oliver has a small orchard that is also in bearing. He asserts that for the pear, apricot, peach, plum and plum, there is no section of the county better adapted to fruit growing than the West Side. For such fruits it seems to be the natural place for them. Wild plums grow in profusion all over the hills out there, and where they grow, any tame fruit will also thrive.

He says all those fruits grow without irrigation, but he is of the opinion that apples in that vicinity will do better under irrigation, although they do very well without such aid.

## A Poverty Party that Delighted all Present

Mr. and Mrs. E. H. Clark entertained a few guests New Years Eve in compliment to their winter guest, Miss Fannie Linton, of Providence, R. I.

The so-called "poverty party," the invitations and the costumes, were all as clever as unique. The costumes were especially "fitting," and with old-fashioned games, old-fashioned dances, and twentieth century dishes, served a-la-poverty, the unique plan was cleverly carried out.

After the physical exertions of trying to re-tail a hapless or rather tail-less mule, and other games requiring physical fitness: Such as trying to sit on a contrary barrel, with both feet in front of you and off the floor, and at the same time put a No. 8 thread into a No. 60 hole in a needle and keep your head from going to warm flying heavenward, something hard to do, but R. H. Rogers finally succeeded in landing first prize. In the end, though, all were rewarded, for the hostess seemed to divine the falling of some of the unfortunate and suggested a repast and to secure a partner each guest was given a strip of cloth, and each young man instructed to find his "cloth affinity." It is surely surprising to know the high percentage of color blind young men. After the color was firmly fixed in their minds, each couple was allowed a few moments to discourse on subjects most suited to themselves (and that is nearly always "our selves,") and

every man in the house was heaping showers of blessings on the hostess for her graciousness when lo! and behold, the ladies were whisked from the room and each man given a pen and paper with orders to write a description of his partner. All the literary lights vied with each other, and some of the results were clever and amusing. When the laughter had subsided the guests wended their way to dining room where a delightful little supper was spread on the floor, and the guests seated themselves a-la-Turk.

Among those present were: Mr. and Mrs. C. E. Sherlock, Mr. and Mrs. F. M. Miller, Mr. and Mrs. J. E. Norin, Mr. and Mrs. C. M. Faulkner, Dr. and Mrs. Hall, Mr. and Mrs. Benn, Mrs. Bachelder, the Misses Rice, Applegate, Sailer, Messers, M. B. Rice, R. H. Rogers, G. W. Rice and Albert Duhme.

Mrs. Miller carried off the prize for being most appropriately dressed. We could only secure the description of one costume which is as follows: Light blue silk, mixed with cotton and mostly torn, displaying white lining. No. 8 shoes, partly black, mostly muddy. Dark brown hair, curly and towsily, with school-room switch hanging down her back.

The engineers of the Modoc Northern, from Klamath Falls to Alturas, have taken a rest for the holidays. It is claimed they found a hole of one half of one per cent from the Columbia river to Alturas.

## Tax Levy for All Purposes Only 13 Mills

In the matter of the Tax Levy for the year 1909, after examination of the taxable property of Lake county, Oregon, as shown by the assessment roll for the year 1908, and of the probable amount of money required to pay the expenses of said county for the ensuing year and also for such other purposes as may be required and in conformity with law:

It is hereby ordered that a tax levy be and the same is hereby levied upon all the taxable property of Lake county, Oregon, for the year of 1909, as follows, to wit:

For county purposes, four and nine-tenths mills	.0049
For county schools, three and four tenths mills	.0034
For county roads, one mill	.0010
For State tax, three and seven tenths mills	.0037
Total	.0130

Total amount levied for county, school, roads and State purposes, thirteen mills; and that the said rate of thirteen mills be and the same is

## STOCK, MINES, AND SETTLERS IN HARNEY

C. M. Field, a prominent stock man at Denio, in the Stein mountains in Harney county writes as follows: "Our county is all right. Lots of green grass. Stock are doing well. Sheep buyers are coming and buying mutton sheep. This country is settling up fast. People are coming in from all parts. The mines at Denio are going right along. Quite a number of new mines are starting up."

## Farmers to Use Wells and Pumps to Irrigate

Dorris, Calif. Booster, 8: T. S. New and D. E. Cox has purchased a Stiockey gasoline engine and pumping plant and will install same on the place recently purchased by Mr. Cox about three miles northwest from Dorris. Mark L. Burns the local agent for the Stiockey engines and De Laval cream separators made the sale and says he has several others in sight. Messrs. New and Cox have had years of experience with irrigation

and are in a position to know what is required. They intend to put in a large acreage of garden truck and alfalfa. It is his opinion that this country far excels either New Mexico or Oklahoma for the raising of stock and they are preparing to feed a number of milch cows and be in line for the creamery as soon as it is possible to promote one in this valley.

BORN: On Jan. 7th, to the wife of Rolla McDonald, a son.