

LYTLE WINS OREGON SLOPE WATER CASE

The case of Charlie L. Clarence and Henry T. Barker and Salina M. Smith vs. A. H. Sonner, of much interest to Oregon Slope farmers, was tried here the last of the week before Judge W. W. Wood. The decision was that Mrs. Smith was holding the contract for the benefit of lands owned by Sonner and that she would be required to transfer same to the owner of the land, and that so long as he complied with conditions of same he would have the use of the waste water flowing into Shepherd and Coyote gulches. The court enjoined the plaintiffs from molesting the water or the ditches. Robert D. Lyle was counsel for Sonner. E. R. Coulter, Weiser, and O. B. Mount, Baker, were plaintiffs' attorneys.

Lands of the plaintiffs and defendant lie north of the Payette-Oregon Slope irrigation district. Shepherd and Coyote Gulches traverse the ditch and they receive a spring runoff and waste waters from the irrigation district. In 1926 and 1927 plaintiffs secured 3 permits from the state engineer's office appropriating the waste of the district flow in these gulches.

In 1912 the district entered into an agreement with the then owners of the present Sonner land to the effect that if the district would be held free from any claim of damage which might be occasioned by waste water of the district, the owners should have the use of its water in the gulches. Although this contract was never reduced to writing the parties operated under it until 1926.

Then, Matt Watkins, claiming a contract to purchase the Sonner land, represented to the district board that he was the owner and upon such representation the board entered into contract with him, similar to the verbal agreement operated under for 14 years. Watkins sold his contract to Mrs. Smith.

In 1927 Sonner started to use the water on his land. Barkers and Mrs. Smith objected and secured a temporary injunction by reason of permit, from the state engineer. It was defendant's theory that the old contract was for the benefit of the lands of Sonner and could not be severed from the ownership of the land and that the action of Watkins in securing his contract was for the benefit of land which he claimed to own and not for himself personally and that Mrs. Smith acquired no right when she purchased the contract; and also that the district had the right to use and dispose of its return and surplus water so long as they were within control of the district. In view of the fact that in 1916 the district declared the two gulches part of its distribution system the court held that the water in same was in the control of the district.

OWYHEE

Mrs. Carl Cankubush and daughters arrived by train Sunday evening from Spokane, Wash., and are visiting at the T. M. Lowe home.

Mrs. Archie Cantrall and son of the Big Bend district were callers at the Klingback home Thursday.

The Owyhee ditch broke on the Chas. Bradley ranch Friday necessitating the shutting off of the water while repairs were being made.

Thelma and Austin McNall are here from Boseman, Montana, and will spend the summer with their parents, Mr. and Mrs. Dick McNall of Oregon Trail.

Miss Opal Ivers of Vale visited friends in Oregon Trail last week.

Miss Helen Gorman of Boise visited at the home of her parents Mr. and Mrs. Harry Gorman.

T. R. Beers, of Creston, engineer on the construction works at Harper was somewhat hurt when a rock fell on him. He came to Ontario for treatment and on out to the Lowe ranch where he with his two daughter Lenora and Delva were overnight guests Friday. His injury did not prove serious.

Frank DeBord family of Payette called at the Klingback ranch Tuesday while on a sight seeing trip to the Owyhee dam. In the afternoon the two families inspected the old coal mine which has been abandoned for a good many years.

Rain made it rather difficult to put up hay in these districts.

Rev. Stickney and family of Nampa were dinner guests in the W. W. Smith home Sunday.

Mr. and Mrs. Claude Smith entertained at dinner Sunday for Alvon McGinnis, Henry Slippy, Walter Pinkston and Archie and Perry Cantrall families.

Mr. and Mrs. John Hite entertained at dinner Sunday for the Ray Cantrall family.

Mrs. Joe Minton is visiting a few

days with her daughter Mrs. Tom Newby in Nyssa this week.

T. T. Elliott, Mrs. Ted Simomns, Mrs. Susie Johnson and Mrs. Clarence Elliott were in Caldwell Monday.

MC DERMITT

The recent generous rain was a life saver and averted a dry summer range. It was reported that snow fell on Buckshire Mt.

Mrs. Fredricka Hearn, Mrs. Emily Reid and Miss Donnie Sullivan have been here to visit with friends and relatives. The latter recently returned from Woodland, where she attended the Holy Rosary Academy, and she expects to spend the summer at the home Sullivan ranch.

Leonard Simpson, who was in Nevada looking after mining interests, returned to Vance ranch Tuesday week.

Mrs. Clara Baber, hotel proprietor, celebrated her 70th birthday, when a large crowd of friends "surprised" her. Various games and refreshments were enjoyed. Mrs. Joe Bankofer won first prize and Mrs. John Vaigars, second award. Joe Lyons was master of ceremonies. Mrs. Baber is the oldest settler in this section, having resided here for 50 years constantly. Many friends extend to her the old wish of many more happy days.

Jackson Creek is the scene of activity these days. Shearers come and go, Indian camps spring up overnight. The vein and hilarity of western shearing seems to concentrate at this camp.

A rabid coyote was killed at the Simmach ranch, Cone Spring by a Shell Oil agent. Much excitement was caused as this was the first mad coyote scare of the season.

Mrs. Gene Simmach is cooking at the Baber Hotel.

BIG BEND

An Idaho Power crew at Adrian is setting poles for extension into Big Bend. It will be completed to the park in time for the 4th picnic and the remainder of the line will probably be finished by July 20.

June P. T. A. met with Mrs. Frank Miller Friday, Mrs. Jesse Johnston and Mrs. Phelan assisting. The program featured child welfare articles and at the close refreshments were served.

Girl friends of Irene Brumbach surprised her Tuesday evening with a handkerchief shower. She has gone to La Grande to finish her Normal school work. The guests brought refreshments.

Bob Peck and the Misses Lucile and Dorothy Rogers of Owyhee were dinner guests in the C. E. Peck home Sunday.

Mr. and Mrs. Ralph Haworth and children were in Boise Friday.

Mr. and Mrs. C. D. McCullough and Mr. and Mrs. C. E. Peck visited Arena Valley grange Thursday evening.

County Statistics

Real Estate Transfers Recorded

Fred S. DeMotte et ux to J. N. Clark. Lot 99, 10, 11, and 12 & 7ft. off east side Lot 8, all in Block 155, Ontario. 5, 11, 29. \$10.00.

Hazel B. Hand et vir to J. E. Ziegler, N $\frac{1}{2}$ N $\frac{1}{2}$ & SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 14 Twp. 15 R. 44, oL 2, eS. 18-15-45; E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 5-18-47. 4, 23, 29. \$2500.

C. W. Glenn, Sheriff to A. N. Andrews, Lot 9 and 10, Block 7, Riverside Add. Ontario. 6, 11, 29. \$52.00.

U. S. A. to Chas. H. Chevally, N $\frac{1}{2}$ N $\frac{1}{2}$ Sec. 20-28-46. 1, 23, 29. Tula Bull et vir to George McDowell, Lots 18, 19, 20 and 21, Block 3, Terrace Add. Ontario. 6, 8, 29. \$10.00.

Cecil D. Parker et al to Elmer G. Murray, S $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8 N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, & SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17-23-41. 3, 4, 29. \$400.

H. E. Kruei et al to G. J. Ellerbrook, $\frac{1}{2}$ int. S $\frac{1}{2}$ Sec. 27, 16, 47. 4, 27, 29. \$1.00.

Crill M. Johnson et ux to J. A. McMillan, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22-16-47. 3, 9, 28. \$1.00.

G. R. Huffman et ux to F. H. Harrison et ux, Lots 1, 2, 3, and 11, 12, 13, Block 45, Ontario. 6, 6, 28. \$10.00.

Chas. W. Pearce et ux to Rollo C. Fry et ux, Lot 18, Harper Ranch Subdivision 5, 21, 29. \$2500.

C. W. Glenn, Sheriff to M. F. Vilameyer, Lot 3 and 4, Block 15, Brogan, 6, 11, 29. \$12.00.

Edward Lyons et ux to J. H. Rooney et ux, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9-18-47. 5, 20. 29. \$10.00.

Geo. P. Green et ux to L. L. Haynes, Lot 7, Block 70, Green's Add. Nyssa. 6, 11, 29. \$125.00.

Frank Lynch et ux to L. L. Haynes Lot 7, Block 70, Green's Add., Nyssa. 6, 8, 29. \$125.00.

W. M. Cake to Malheur Land Company, Jamieson Acreage Tract No. 138, 4, 3, 29. \$1.00.

Chas. S. Harris et ux to Malheur

Land Company, Lot 5, Block 1, Jamieson. 5-22, 29. \$1.00.

C. W. Glenn, Sheriff to Malheur Land Company, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$, & E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27-16-43. 5, 25, 29. \$180.00.

Fred H. Ritcher et ux to E. W. Van Matre, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, & NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ & E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5-18-47. 5, 27, 29. \$5,600.

Rufus M. Dinwiddie et ux to C. C. Cannon, SE $\frac{1}{4}$ Sec. 8, S $\frac{1}{2}$ Sec. 9, SW $\frac{1}{4}$ Sec. 10 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10-30-46. 11, 21, 27. \$10.00.

C. C. Cannon et ux to Pacific States Securities Co. SE $\frac{1}{4}$ Sec. 8, S $\frac{1}{2}$ Sec. 9, SW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10-30-46. 6, 8, 29. \$10.00.

Geo. L. Phillips, to E. J. Burroughs, Tract 62 feet x 87 ft, between Block 22 & Block 1, Emison's add. Nyssa. 6, 4-299. \$1.00.

Alfred Sheridan et ux to James Malloy, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, & NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23-26-46. 5, 15, 29. \$1.00.

Marriage Licenses Issued

Harry N. Falk and Elinor Walker Falk, 6, 12, 29.

Eugene Frank McCart & Retta A. Cunningham, 6, 15, 29.

Floyd Marker and Leona Rivers, 6, 15, 29.

Uva Ira Green and Almada Dorothea Clark, 6, 15, 29.

Complaints Filed in Circuit Court

A. Robinson et al vs. Napoleon Vincent et al, 6, 11, 29. Recovery on Account. \$94.85.

Gladys Long vs. Carroll Colley, 6, 13, 29. Damages. \$325.00.

Alleged Burglar Held in Vale

John Tuel, who escaped from the Caldwell jail Saturday morning and was captured later in the day by Idaho officials and Sheriff C. W. Glenn, was brought to Vale Monday for safekeeping in the Malheur county bastle. He was arraigned and bound over to the grand jury, with bail fixed at \$2000.

District Attorney Bruce R. Kester will file an information under the habitual criminal law, for Tuel has served three terms in the Oregon penitentiary and though but 31 years old has spent 17 years in reformatories and jails, it is said. He confessed to recent Ontario and Idaho robberies.

ROBINSON PROMOTED BY IDAHO POWER CO.

Kinsey M. Robinson, manager of the Payette division of the Idaho Power company since 1927, of which the Vale system is a part, has been promoted to the general office at Boise, his transfer effective June 15. He will assist in directing operations of the entire property and as he will have occasion to visit the various divisions from time to time, his business will bring him back to this section at frequent intervals.

J. Carl Baldrige will succeed him as manager of the Payette division. He has been transferred from Boise where he has been connected with the Idaho Power for the past four years, during which time he has worked his way up to the position he will assume today.

Mr. Baldrige is well known in Vale, as he was manager of the dry-goods department of the Vale Trading store some years ago.

Mr. Robinson, here with the new Payette division manager Wednesday, advised that he will move his family to Boise about July 1. He expressed regret at leaving this section, incidentally praising the Vale community and the recently rebuilt Vale power system, that is now the "newest and best distribution system of Idaho Power properties."

TAKE TEACHERS EXAMS

(From the Malheur Enterprise) The 14 teachers in town for the annual teachers' examinations Wednesday and Thursday. Included: Mrs. Oliver Sandy, Westfall; Mrs. Ernestine DeLeMare, Ironside; Miss Vada Rutherford, Malheur; Mrs. Laura C. Smith, Hope; Mrs. Agnes Hon. Crowley; Mrs. Laura Martin, Caldwell; Mrs. Beth Christeson and Chas. Christeson, Valley View; Mrs. Nellie Slayton, Parma; Mrs. Julia McDonald, Owyhee; Eva and Elsie Poole, Ontario; Edith Howe, Fruitland; Walter Marshall, Nyssa.

CHIROPRACTOR

Dr. C. A. Abbott, licensed in Oregon and Idaho. Carver graduate. Consultation and examination free. First door west of bank, Nyssa, Oregon.

JOHN BOSWELL DIES, WHILE ON TRIP TO ALASKA

ACUTE PNEUMONIA PROVES FATAL FOR PROMINENT MALHEUR CITIZEN

WAS WELL KNOWN OLDTIMER

John Boswell Took Active Part In County Seat Affairs—Mourned By Many Friends

(From the Malheur Enterprise) This community was sadly shocked by the unexpected death of John Boswell, aged about 59 years, kindly and well liked citizen and oldtimer of the county seat. A telegram received Thursday from Anchorage, Alaska, contained the information that he died of acute pneumonia while on board ship. He was enroute to Fairbanks, Alaska, to engage in mining work and left home only last week, seemingly in good health.

His son, John, and daughter, Marion, who have been attending college in Fairbanks, were in Anchorage to meet him.

When the sad news came, Mrs. Boswell and her daughter Katherine were in Baker, where Katherine is said to be recovering from a major operation. Mrs. John Holly, sister of Mrs. Boswell, and her husband came over from Adrian immediately and Merle, an older daughter, accompanied them to Baker.

John Boswell was born in Malheur in 1870. He came to Vale in 1879 to serve as deputy sheriff under his uncle, Sheriff Charles Boswell. He later purchased the drug store. He served as postmaster here, and when his health failed he took up outside work, engaging in farming and mining. He was prominent in Masonic and I. O. O. F. lodge affairs, having been a charter member and a past master of the Masonic lodge and past noble grand and chief patriarch of the Odd Fellows.

He is survived by his widow, a son, John; and three daughters, Merle, Katherine and Marion, a host of other relatives and friends throughout Malheur county.

It was the morning after the night before.

"How did you find yourself this morning?" asked one who participated to the other.

"Easily", was the reply. "I looked under the table and there I was."

"I want to get a novel to read on the train—something pathetic," said a woman to a clerk in a book store.

"Let me see, how would 'The Last Days of Pompeii' do?" asked the clerk.

"Pompeii? I never heard of him. What did he die of?"

"I'm not quite sure, ma'am, but I think it was some kind of an eruption."

BAKERY SPECIALS ORANGE RYE

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Nyssa, Oregon

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BATHS
HAIR BOBBING AND TON-SORIAL WORK OF ALL KINDS
"We Aim to Please"
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Nyssa Oregon



Helping Nyssa to a higher financial plane can only be accomplished by supporting its business interests and patronizing its stores. As these interests flourish and expand under local patronage the city as a whole will prosper and business will be better for everyone.

The boosters of the town are doing their best to pull its financial interests to the op and improve its credit but in order to do this the support of the public must hold out. If trade is diverted from the home town, his support weakens and all their efforts are likely to be of little or no avail.

Wha a fine thing it would be if every resident of Nyssa would contribute just one good strong link to this chain of public support and not permit it to be broken by going out of town to make purchases that can be made just as well or better in Nyssa.

OWYHEE WORK PROGRESSING
A view of the Owyhee damsite, showing construction progress on the great 405 foot structure that is to be built in Malheur county, formed the cover page picture of the June issue of New Reclamation Era, publication of the bureau of reclamation. The great high walls of the rocky canyon loom out in bold relief. A black hole in the bottom of the cliff shows the diversion and spillway tunnel "ready to line." The flooded outer cofferdam and the trestle for the lower cofferdam can be seen.

An economic survey of the Owyhee project will be made by A. C. Cooley and B. E. Stoutemyer. They meet with other project investigators in Billings, Mon., June 18, and will begin their work immediately after.

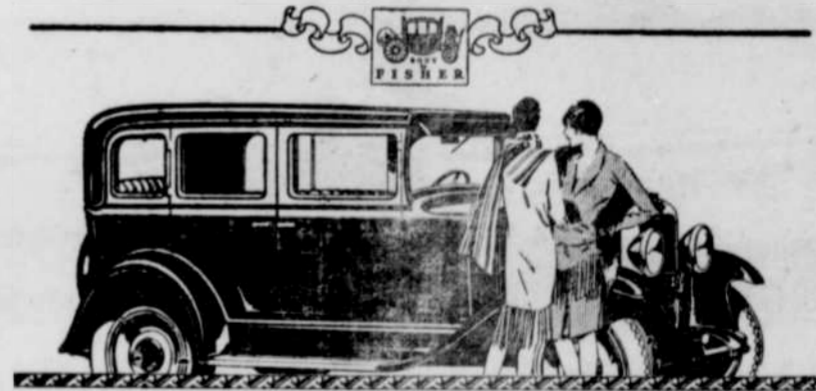
JUDGES' SALARIES LIFTED

Salem—A readjustment in the salaries of Oregon circuit judges, provided by an act of the 1929 legislature, became effective June 4. The judge of Malheur, Harney and Grant counties is in the \$5500 class, W. W. Wood being the present official. Under the old law all judges of the circuit court received \$4000 with \$1500 addition provided for those in Multnomah county.

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The Roadster.....	\$525	The COACH	The Convertible Landau.....	\$725
The Phaeton.....	\$525		Seatan Delivery.....	\$595
The Coupe.....	\$595	\$595	Light Delivery.....	\$400
The Sedan.....	\$675		1 1/2 Ton Chassis.....	\$545
The Sport Cabriolet.....	\$695	All prices f.a.b. factory Flint, Michigan	1 1/2 Ton Chassis with Cal.....	\$650

WILSON ACKERMAN MOTOR CO. ONTARIO, OREGON

A SIX IN THE PRICE RANGE OF THE FOUR

OFFICER FLEETWOOD HERE TO BEFRIEND THE OLD RANGE HORSE

Fulton Fleetwood, state humane officer for eastern Oregon, whose jurisdiction covers Malheur, Baker, Grant, Harney, Union, Wallowa and Umatilla counties, was here Friday while on a trip primarily in the interest of the range "fuzztail." Mr. Fleetwood asks that range horses be provided with feed and water if they are kept up a day or so while loading is in progress. While they are worth but a few dollars on the "chicken feed" market, they deserve the consideration due all the friends of man.

A good many range horses are shipped from Malheur County, as she is listed with more horses than any other county in the state.

In his younger days, Fleetwood was a buckaroo, and so in addition to his interest as state humane officer, he has a friendly interest in the range "hoas."

Classified Advertisement

PIANO TUNING TIME IS HERE.

Have your piano voiced and tuned now. This includes electric cleaning and treating for moths. Free. A good job guaranteed for \$5, some transients would charge you \$15. Supplies for all repair work. Registered player piano mechanic. F. A. Everett, Resident Piano Tuner, Ontario, May 31 to June 21 Paid.

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