

THE OREGON MIST

DAVIS BROS., PUBLISHERS.

United States and County Official Paper.

FRIDAY, JANUARY 12, 1894.

FROM THE INTERIOR.

An Interesting News Letter Arrives at the Press Hour.

VERNONIA, Or., Jan. 10, 1894.

[EDITOR MIST.—It has been a long time since we saw any items in THE MIST from this place, and if you will allow us a portion of your space we will attempt to send you a few items occasionally, especially those items that will prove of interest to the news-loving public. It should be the aim of the local paper to publish the local news, but as the Vernonia paper puts all its energies into politics, we Nehalemites will have to look elsewhere for the local news, and as THE MIST has nearly, if not quite, as large a circulation in Nehalem as the local paper, we conclude to send our local news to St. Helens to be published. They may be a few hours late by the time they get back here, but nevertheless the people will hear of them.]

At this writing there are about six inches of snow at this point. Last Saturday there were several inches more of the beautiful, but the recent rains reduced that depth, and the prospect now is that the earth will be black as ever within a few days, unless the weather should take a colder turn.

Thursday, January 4th, the mercury at Vernonia stood 18 degrees above zero.

Tom Brink and Ora Lavender made an unsuccessful tour of Peble creek last week, returning Sunday.

Mrs. Siedelman, an elderly lady living on Beaver creek, about four miles from Vernonia, met with a sad accident last Friday morning. She slipped from a frosty board, falling in such a way as to break her left arm near the wrist. Dr. Newth was immediately sent for and he set the broken bones and left the patient as comfortable as possible.

E. G. Binder, the monthpiece rustler, while cutting wood, last Monday, let the ax glance, cutting an ugly wound in his left foot. With proper care and an unlimited amount of arnica, E. G. will soon be on his pins, again.

Ernest Shannahan came over from Yamhill county to spend the holidays with his parents, returning last Tuesday.

W. H. Kibbey, of Upper Nehalem, who was so severely injured by being gored by one of McDaniels' cattle last summer, was in Vernonia one day last week.

"Happy Jack" is proving himself to be the best mail carrier on the Houlton-Vernonia route since the days of Mike Peltier. Jack arrives about 5 o'clock, and you never hear a kick.

Rev. R. D. Streiber left for St. Helens and Portland last week.

L. W. Van Dyke and Gus H. Bynon, of the Nehalem Journal, visited St. Helens last week.

W. W. Aiken has invented and applied for patent on an appliance for safely hitching horses and cattle. It is a good arrangement and agents will be working all over the county in a short time. The machines will be manufactured in Vernonia. A model of the contrivance is on exhibition at McNutt Bros' store.

If Governor Penney would come to Vernonia he would find all the people of this part of Columbia county in good spirits, plenty to eat, and plenty to wear, and plenty of feed for cattle. Nehalemites do not depend upon ruts bagas and dog salmon for their daily diet; that day is past and our people are living as well today as are people in more populous sections of the county.

Vernonia has not the usual number of unemployed this winter that has characterized other cities in the state. Free soup houses are unknown, railroad rumors create no excitement, and everybody is happy.

Wishing THE MIST a prosperous new year, and promising you that this is not the last time you will hear from me, I am yours till I come again.

A. V. P.

THE COMMISSIONERS TALK.

The county court replies to the district attorney and the miscellaneous questions of the grand jury in their report at the adjourned October term of circuit court, 1893:

It is with a feeling of deep regret that we enter into any controversy, or attempt to criticize the actions of anyone, but the district attorney, Hon. W. N. Barrett, and the grand jury of the October term of the circuit court, 1893, so far forget their duties as legitimate powers, or were ignorant of them, that they make us their province to make a report to the circuit judge and to abuse the county court and misrepresent the county commissioners. Not satisfied with that they go farther, and, by implication, misrepresent the law and attempt to shift the duties which the law imposes on the district attorney and grand jury and, by misrepresentation, saddle them on the county court while in fact and in law the county court could not do what they say it should have done, but on the contrary it is the duty of the district attorney and grand jury to do what they say the county court should have done, and as we will show by quoting the law and the duties of this court, we feel that we are driven to this in defense of ourselves; our character, our honor, and our integrity, as the report of the grand jury is a public record standing against us and has been published in our local papers showing all the people the charges made against us. If we do not refute these false charges and resent by quoting the law and the duties of this court, we are to be considered as guilty of blame as charged, and we know of no other way to set ourselves right than to explain the matter as it is, to the people, hence this article. The grand jury, in its report, says: "We, since 1884, have had a statute in this state requiring the sheriff to pay over all money collected on any tax in his hands to the treasurer of the county, once a month, taking duplicate receipts, one of which he shall file with the clerk of the county court immediately thereafter. [This time has recently been reduced to once a week.] If this statute had been enforced by the county court, in our opinion there would be no shortage in the accounts of the sheriff of this county, and in our opinion the county court of this county has been derelict in their duty in not requiring the sheriff to pay over the tax money collected and file his receipts therefor as required by law." Now, let us see what are the powers and duties of the county court. Section 896 of Hill's Annotated Laws of Oregon explains, therefore we quote it: "Section 896. The county court has the authority pertaining to county commissioners to transact county business, but it is: 1st, to provide for the erection and repair of courts, houses, jails, and other necessary public buildings for the use of the county; 2d, to provide offices and furniture,

books, stationery, fuel, and light therefor for the sheriff, county clerk, and treasurer, or other county officers; 3d, to establish, vacate, or alter county roads or highways within the county or any other necessary act relating thereto, in the manner provided by law; 4th, to provide for the erection and repair within the county of public bridges upon any road or highway established by public authority; 5th, to license ferries and fix the rate of carriage; 6th, to grant licenses and all other licenses authorized by law where the authority to do so is not expressly given to some other tribunal; 7th, to estimate and determine the amount of revenue to be raised for county purposes and to levy the rate necessary therefor together with the rate required by law for any other purpose, and cause the same to be placed in the hands of the proper officer for collection; 8th, to provide for the maintenance and employment of the county or transient paupers in the manner provided by law; 9th, to have the general care and management of the county property, funds, and business, when the law so commands or otherwise provide; 10th, to compound for or release in whole or in part any debt or damages arising out of contract due the county, and for the sole use thereof upon such terms as may be just and equitable." From the above, which is all the law delegating powers to the county court, it may be seen that the county court has no power to make anybody comply with the law, and no power to indict anyone or try anyone for an offense or violation of law, but who has? Let the law answer. Section 973 of Hill's Annotated Laws of Oregon says: "The district attorney in each district is the public prosecutor therein."

Section 974 says: "He shall attend the terms of all courts having jurisdiction of public offenses within his district, and conduct on behalf of the state all prosecutions for such offenses therein." Section 1234 says: "The district attorney may submit an indictment to the grand jury in any case when he has good reason to believe that a crime has been committed which is triable within the county." Section 1235 says: "The district attorney, when required by the grand jury, must prepare indictments or presentments for them in relation to their duties, etc." It will be seen from the above that the district attorney is the man and only man who has control of the whole affair. Now let us see if the grand jury has anything to do in the matter under the law. Section 1242 of Hill's Annotated Laws of Oregon says: "The grand jury has power and it is their duty to inquire into all crimes committed or triable in the county and present them to the court, either by presentment or indictment as provided in this chapter." Section 1243 says: "In addition to the power and duty prescribed by section 1242, the grand jury has power and it is their duty to inquire, 1st, into the condition and management of every public prison in the county, and 2nd, into the condition and management of the offices pertaining to the courts of justice in the county."

Section 1244 says: "The grand jury shall examine and report to the court the names and grand juries of Columbia county are not idiots nor fools and will not be deceived by their attempt to shirk the burden they should bear, but in the minds of the people the burden will rest where it legally and rightfully belongs. As to our fees, our bills are on file and can be examined, and if any one questions them as being too high or improper, we are willing to have them published and show what they are for and let the people investigate for themselves. Knowing that we have not charged as much mileage for coming from the same place to St. Helens as one of the last grand juries did, and that our bills are all regular, legal, and correct.

Respectfully submitted to the people,

G. W. BARNES, J. M. WHARTON, S. G. SCHOONOVER, Commissioners.

SCHOOL APPOINTMENT.

The following table which has been prepared by School Superintendent Cleston and sent to us for publication, will show the number of pupils in each district, the amount apportioned to each district, the number of the district, the clerk's name, and his postoffice address:

Table with columns: DISTRICT, CLERK, PUPILS, AMT. POSTOFFICE. Lists various districts and their respective amounts and clerks.

Announcement.

The undersigned will be a candidate for the office of county clerk, subject to the decision of the next republican county convention of Columbia county, Oregon, on Dec 22 if Wm. J. EASTBROOK.

Dissolution of Partnership.

Notice is hereby given that the partnership heretofore existing between George Fichtel and H. Riemer, doing business under the firm name of Riemer & Fichtel, at Deer Island, Oregon, is this day dissolved by mutual consent. GEO. FICHEL, H. RIEMER, Deer Island, Oregon, January 10, 1894.

TREASURER'S NOTICE.

Notice is hereby given that all unpaid County Warrants of said county which have been presented and ordered "not paid for Want of Funds," up to January 2, 1894, will be paid upon presentation at this office. Interest on said warrants will not be allowed after date of this notice. E. M. WHARTON, County Treasurer of Columbia County, Or.

Notice to Creditors.

Notice is hereby given that the undersigned has been appointed administrator of the estate of Lawrence Schmitt, deceased, by the Hon. County Judge of Columbia county, Oregon. All persons having claims against said estate are required to present them, properly verified, to me at my residence, in Deer Island precinct, Columbia county, Oregon, postoffice Deer Island, Oregon, within six months from this date. Dated December 15, 1893. AUGUSTINE SCHMITT, Administrator of said estate.

NOTICE FOR PUBLICATION.

(Timber Land Act, June 3, 1878.) United States Land Office, Oregon City, Oregon, October 23, 1893.

Notice is hereby given that in compliance with the provisions of the act of congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada, and Washington Territory," as extended to all the Public Land States by act of August 4, 1882, known as the Bull. of Deer Island, county of Columbia state of Oregon, has this day filed in this office his sworn statement No. 2353, for the purchase of the southwest 1/4 of section No. 20, in township No. 5 north, range No. 3 west and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the Register and Receiver of this office, at Oregon City, Oregon, on Wednesday, the 10th day of January, 1894. He names as witnesses: H. F. POWELL, Geo. Heinrich, H. W. Barnett and Geo. H. Pearson, all of Pittsburg, Oregon.

Any person claiming adversely the above described lands are required to file their claims in this office on or before said 10th day of January, 1894. ROBERT A. MILLER, Register.

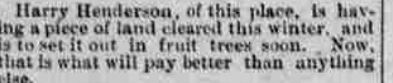
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Leaves Portland, at Alder Street Dock, every day (except Sunday) a 2 o'clock, for Clatskanie, touching at Sauvie's island, St. Helens, Columbia City, Kalama, Near City, Rainier, Cedar Landing, Mt. Coffin, Bradbury, Stella and all intermediate points, returning every morning (except Monday.)

AN INQUIRY.

[EDITOR MIST.]—Will some one explain why the grand jury found so much fault with the board of county commissioners, for their extravagance in office, while they (the grand jury) allowed G. M. White, the expert jury taker, to employ the county and expert three months and some days, one hundred and twenty-five dollars? The county commissioners employed Mr. White to examine and expert eleven different sets of books, for six years back, at a contracted price of \$450. It may be very popular at present to criticize the county court, but it's a long lane that has no turn.

HAVE YOU BACKACHE? DR. GRANT'S KIDNEY CURE

Diabetes, Bright's Disease, Inflammation of the Bladder, Yellow Water, Backache, Sediment in Urine, Burning Sensation, Pain in the Back, and all Diseases of the Kidneys.

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The southwest 1/4 of section 32, and the southeast 1/4 of the southeast 1/4 of section 31, township 7 north, range 2 west, 280 acres, \$7.50 per acre.

The southwest 1/4 of the southeast 1/4 of section 30, township 7 north, range 2 west, 40 acres at \$5 per acre.

The northwest 1/4 of section 6, township 6 north, range 2 west, containing 100 acres, \$10 per acre.

185 acres in section 3, township 7 north, range 2 west. A one and one-half story house, 16x28; barn, 18x30, with sheds; 10 acres cleared, 100 in pasture, 1 acre of prunes, bearing, other fruits, cuts 30 tons of hay. Price \$2,000. Terms easy.

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Terms—One-third cash, balance secured by mortgage at 8 per cent. interest.

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