

Can Mortgage a Homestead Before proving Up.

An important decision from the Department of the Interior has been received at the Walla Walla land office, giving a verdict for the defendant in the case of W. H. Lichty vs. Hugh L. Hannon. The quarter section in question is located in Whitman county, Washington, two miles from Palouse City, and is said to be worth about \$6000. The decision is important, not only on account of the value of the land, but because a number of similar contests have been filed in the Walla Walla office, and are awaiting trial.

This contest was filed by Lichty on the allegation that Hannon had entered the land for another party. Lichty lost the contest because he was unable to prove that the claim was taken for anything but a home. The evidence showed that J. H. Gooch had furnished \$2500 to Hannon to secure the land, but still Lichty was unable to make his charge good.

The land was originally a selection by the Northern Pacific Railway Company, as indemnity for lands alleged to have been lost by the creation of the Yakima Indian Reservation. One Theodore B. Landis had made a homestead application for the tract in 1892, and had put on extensive improvements. Rather than enter a fight with the railroad company, he sold his improvements to Hannon, who promptly proceeded to contest the company's rights. He got a favorable decision from the Walla Walla land office in 1896, and the Northern Pacific appealed, losing again in a contest before the Secretary of the Interior. Hannon then formally entered the land in 1899, and appeared to make final proof in June, 1901.

This was when Lichty contested, on the ground that J. H. Gooch had furnished \$2500 necessary to buy out Theodore B. Landis. A year ago the Walla Walla office decided against Lichty, who appealed to Washington last February. The case has been before the department ten months and Lichty has lost again.

The real significance of this contest lies in the validity of a homesteader's right to mortgage, or give a claim against his filing in any way, before making final proof.

This has been decided to be legitimate, provided it cannot be shown that the entry was made in the interest or for the benefit of the party advancing the money. It indicates that the department is favorable, or at least is not opposed, to borrowing money on a homestead to make improvement on the same.

The Department cites the law bearing on the case as follows:

"An agreement for conveyance that could not be enforced in a suit to compel specific performance, and that may be avoided by the payment of a money consideration, does not operate as a disqualification of the entryman, nor will a contract that is simply a pledge for the payment of money; and especially will such contracts be so regarded when they appear to have become of no effect prior to the date of entry."

Hannon testified that there was an agreement with Gooch to deed him the land or a portion of it, on proving up, in default of payment of the \$2500. Lichty made this his principal point.

How Vacancies are Filled.

There is considerable talk on the street of how congressmen's places are filled. The following extract from the Constitution of the United States governs the election of members of the House of Representatives and the filling of vacancies:

ART. I, SEC. 2, PAR. 4: When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The election laws of the State of Oregon have the following provisions:

Title 7, Sec. 53: That, whenever a vacancy may occur in the

office of Representative in Congress, from this state, from any cause whatever, the Governor shall issue his writ of election to fill such vacancy, in the same manner and under the same regulations as are prescribed by law to fill vacancies in the Legislative Assembly.

Title 7, Sec. 46: Whenever any vacancy shall happen in the office of member of the Senate or House of Representatives by death, resignation or otherwise, and a session of the Legislature is to take place before the next biennial election, the Governor shall issue a writ of election directed to the Sheriff of the county, or Sheriffs of the counties composing the district in which such vacancy shall occur, commanding him or them to notify the several judges of election in his county or their district, to hold a special election to fill such vacancies at a time appointed by the Governor.

Some say there would have to be two elections, as the term Mr. Tongue was serving ends next March, if the election was held before that time. Such, however, is not the case. Congressman Tongue had already been elected to succeed himself. However, two men might be elected at the same election, one to fill the term ending next March, and the other term beginning then, or one man might be elected to fill them both.

A Good Cough Medicine.

From the Gazette, Toowoomba, Australia. I find Chamberlain's Cough Remedy is an excellent medicine. I have been suffering from a severe cough for the last two months, and it has effected a cure. I have great pleasure in recommending it.—W. C. WOCKNER. This is the opinion of one of our oldest and most respected residents, and has been voluntarily given in good faith that others may try the remedy and be benefited, as was Mr. Wockner. This remedy is sold by all druggists.

Rules on Sheep Grazing.

The applications for the privilege of grazing sheep on forest reserves has been handled in two ways:

(a) Where a woolgrowers' association exists which includes a majority of the persons who are interested in the use of the reserve, the association may allot the range and sheep among the applicants"

(b) Where such an association does not exist, or does not care to assume the responsibility, all applications are made to the supervisor direct, who acts upon and forwards the same to the Hon. Commissioner of the General Land Office, with his approval or other recommendation." The said rules were established by the Honorable Secretary of the Interior, by order of February 8, 1902.

But on October 24, 1902, the Honorable Secretary of the Interior decided that in the future the "Woolgrowers" association will be eliminated from the matter of allotment or other control, and that the grazing be placed directly in the hands of the supervisors, under existing rules, and that all penalties and obligations imposed by Departmental order of February 8, 1902, remain in force against all permit holders." And all applications should be submitted to the supervisor direct.

A Woman's Awful Peril.

"There is only one way to save your life and that is through an operation" were the startling words heard by Mrs. I. B. Hunt, of Lime Ridge, Wis., from her doctor after he had vainly tried to cure her of a frightful case of stomach trouble and yellow jaundice. Gall stones had formed and she constantly grew worse. Then she began to use Electric Bitters which wholly cured her. It's a wonderful Stomach, Liver and Kidney remedy. Cures Dyspepsia, Loss of Appetite. Try it. Only 50cts. Guaranteed. For sale by Adamson & Winnek Co.

We are unable to vouch for the truth of the following, but it is a good story nevertheless: "The wife of a Methodist in West Virginia has been married three times. Her maiden name was Partridge. Her first husband was named Rob-

in, her second, Sparrow, and the present one's name is Quavie. There are now two young Robins, one Sparrow and three little Quavies in the family. One grandfather was a Swan and another was a Jay, but he's dead and now a bird of Paradise. They live on Hawk avenue, Eagleville, Canary Island, and the fellow who wrote this article is a Lyro and an interesting relative of the family.—Commercial Poultry.

Says He Was Tortured.

"I suffered such pains from corns I could hardly walk," writes H. Robinson, Hillsborough, Ill., "but Bucklen's Arnica Salve completely cured them." Acts like magic on sprains, bruises, cuts, sores, scalds, burns, boils, ulcers. Perfect healer of skin diseases and piles. Cures guaranteed by Adamson & Winnek Co. Price 25c.

Young men, you are the architect of your own fortune. Rely on your own strength of body and soul. Take for your star, self-reliance. Inscribe on your banner: "Luck is a fool. Pluck is a hero." Don't take too much advice. Keep at the helm and steer your own ship and remember that the art of commanding is to take a fair share of the work. Think well of yourself. Strike out. Assume your own position. Put potatoes in a cart, go over a rough road, and the small ones go to the bottom. Rise above the envious and jealous. Fire above the mark you intend to hit. Energy, invincible determination, with a right motive, are the levers that move the world. Don't swear. Be civil. Read the papers. Make money and do good with it. Love your God and fellowmen. Love truth and virtue. Love your country and obey its laws.—Ex.

COUGHS AND COLDS IN CHILDREN.

Recommendation of a Well Known Chicago Physician.

I use and prescribe Chamberlain's Cough Remedy for almost all obstinate, constricted coughs, with direct results. I prescribe it to children of all ages. Am glad to recommend it to all in need and seeking relief from colds and coughs and bronchial affections. It is non-narcotic and safe in the hands of the most unprofessional. A universal panacea for all mankind.—MRS. MARY R. MELENDY, M. D., Ph. D., Chicago, Ill. This remedy is for sale by all druggists.

Charges Filed.

Washington, Jan. 7.—Secretary Hitchcock now has before him charges that have been preferred against Surveyor-General Meldrum, of Oregon, which promises to result in the suspension, if not the dismissal of that official. Some time ago the department became dissatisfied with the manner in which the office was being conducted, and had a thorough investigation made by its special agents. It is their report that is now under consideration.

One of the most serious charges against Meldrum is that he is addicted to the use of liquor, and in consequence it is said neglects his duties, being frequently away from the office during office hours, leaving its control to subordinates. The secretary does not wish to act hastily in the case, but will probably temporarily suspend Meldrum, placing the office in the hands of one of his own men for reorganization, as it is now reported to be thoroughly dilapidated.

Dr. W. W. Taggart, the eye specialist at the Poindexter Hotel, will attend to your eyes, fit your spectacles, cure your headache and nervous troubles. One charge for one year. Care of children a speciality. Glasses ground in Portland.

Breaking A Balky Horse.

A balky horse was blocking travel at Tenth and Callowhill streets the other morning. He stood stock still. His chin looked obstinate. He was no more to be budged than a mountain.

They tried everything with him. They even built a fire under him. But he stepped hastily out of range

of the heat and resumed his balking again.

At last a horse doctor appeared. He stepped out of the crowd and held his hand up to the driver for silence. The driver thereupon ceased his loud oaths.

"I am a horse doctor," said the newcomer, "and in less than a minute I'll have your horse on the move."

He took out of his pocket a pen-knife and a little whistle. He opened the horse's mouth and scratched its gums with the knife, while at the same time he blew a shrill blast into its large ear.

"Now, then," he said quietly, "git up, thar. Git-up! You hear me!"

The horse departed at a brisk trot, and the doctor said to the crowd:

"You can always break up a fit of the balks, gents, by working on two senses at once. I worked, as you saw, on the hearing and the feeling. I shocked the horse's ear with a sudden noise, and I shocked his feeling with a sharp scratch. Off he started, then, at once, his balkiness all forgotten."

Saw Death Near.

"It often made my heart ache," writes L. C. Overstreet, of Elgin, Tenn., "to hear my wife cough until it seemed her weak and sore lungs would collapse. Good doctors said she was so far gone with Consumption that no medicine or earthly help could save her, but a friend recommended Dr. King's New Discovery and persistent use of this excellent medicine saved her life." It's absolutely guaranteed for coughs and all throat and lung diseases. 50c and \$1.00 at Adamson & Winnek Co. Trial bottles free.

An Indian District School.

Some of the Yankton Indians recently proposed to open a little school of their own, so that their children need not be taken away from home to attend a distant school. Neither dissuasion or opposition daunted these parents. Permission was obtained from the county, and the Indians of the district contributed what they could in logs, money, stove, tables or anything for a schoolhouse.

About 11 miles from the Agency there now stands a little log schoolhouse, chalked with yellow clay. It was built by these parents, who have thus relieved the "Great Father" of the expense of some 40 of their children. The agent and the Government School Superintendent opposed this new move, because 40 children out of the Government school meant a reduction in salaries or a smaller corps of employes. The school term required by law is six months. This little school has nearly finished its second term. There are 41 children on the roll, though the house can seat only about half that number comfortably: When the Indian people take such a step as this; when they will struggle amid many discouragements to support a district school, notwithstanding there is a government school at hand where the pupils might find an easy admittance, there is every reason for encouragement. It is a forward step—a sign of progress.—Southern Workman.

Dissolution Notice.

Notice is hereby given that the firm of Cornett & Elkins, doing a general blacksmithing business in Prineville is this day dissolved by mutual consent, the business, stock and fixtures having been sold to J. H. Wigle. All accounts due Frank Elkins and all accounts owing by said firm will be paid by said Frank Elkins. All accounts now due the late firm have been placed in the hands of M. R. Elliott for immediate collection.

G. M. Cornett
Frank Elkins.

Dated December 9, 1902.

E. W. Grover

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