

Cross Injustice.

The Mountain Sentinel of the 19th inst. comments as follows upon a case recently before the public in this town:

A young man of Pendleton has been recently before the court answering to the allegation of rape. The shrewdness of his legal advisers in cross-examining the witness...

Such a comment as the above upon this matter must have been induced from one of two things—either the editor of the Mountain Sentinel has been misinformed in the premises, or in ignorance of the facts in the case, he has rashly jumped to a conclusion in the dark.

The truth of the matter is that the "degraded wretch" was, and is, a young man whose character is above suspicion of any such act, and he stands just as high in day in the estimation of the community where he lives as he did before the unfortunate charge was preferred against him.

He was set at liberty not on account of "shrewdness" of his legal advisers in the cross-examination of the victimized child, but from the cold and naked facts and as they appeared on the trial, the deductions drawn from them by met of common sense.

We are willing to submit the question to the mother of the child herself as to whether its examination on the part of defendants counsel was not fair and straightforward, and intended only to draw out her story in full instead of embarrassing or confusing her.

Taking the version of the matter as told by the child, she was contradicted by unimpeachable evidence upon every question of fact, and it is not necessary to go over the evidence in detail.

But suffice it to say that the place where the crime was voluntarily stated by the child on her direct examination having been committed was, the store of one of our most prominent merchant firms, and the time between the hours of 10 A. M. and 12 M., whereas it was proved beyond a doubt that one of the members of the firm and two clerks were in the store the whole forenoon and that the child had not been seen by anyone in that store during all that time.

Then the child stated voluntarily and primarily that another little girl was with her during the whole transaction, whereas it was conclusively proven not only that this little girl was not there, but that she was at school, some distance away the whole day.

The sentiments of this community may be best judged perhaps, from the fact that the order discharging the defendant was received with vociferous applause by the large concourse of bystanders in the court house and it is the universal and openly expressed opinion of not only the defendant's friends but those who were supporting the prosecution, that the young man is entirely innocent of the grave accusation preferred against him.

Journalists should be very cautious in making such criticisms as the above, unless they are satisfied that the facts in the case warrant them in so doing. It is bad enough to be subjected to the mortification and expense incident to such a public prosecution, but when one is proved innocent to the satisfaction of the entire community conversant with the facts, it is unperdonable to see such a verdict traversed in public journals and a contradictory version spread to the winds and scattered where it is impossible for the innocent to gather it together again.

Contrariety of Language.

Col. F. J. Parker of the W. W. Statesman, and Harvey Scott of the Oregonian are experiencing a slight unpleasantness which seems to be of recent growth, and the "true inwardness" of which we do not profess to give.

However, Harvey W. writes to Frank J. on Feb. 12th concluding his communication as follows:

"With expressions of personal esteem, I am, yours very truly, H. W. Scott."

While on the 18th he heads an editorial in this language:

"A very dirty scoundrel named Parker has been dismissed from the agency of the associated press at Walla Walla."

Harvey seems to change his opinion almost as fast as a woman.

HEPPNER, OR., Feb. 14th 1881.

EDDIE E. O.—The town of Heppner is as natural as ever, notwithstanding the unusual heavy winter, which has caused considerable loss to our stock men.

We have heard of some who have lost their entire head of sheep, exceeding a thousand head, but those losses are striking those the heaviest who robbed their sheep of their full coat. The loss of them will be less to our stock men and if painful will not be so easily forgotten.

Last Saturday, the 12th inst. bid fair for winter again, and snow fell to the depth of six inches, but at this writing it is disappearing with a Chinook.

Last week was a favorable one for our lawyers as there were several arrests made.

We noticed in last week's EAST OREGONIAN Bob Monitor's second favor which illuminated its columns to the surprise of its many readers in this burg. The E. O. is more than usually furnished with our home items, which constitute the life of a home paper.

The Heppner Amateur Theatrical Troupe gave a very interesting entertainment on Thursday the 10th inst. which proved satisfactory to all and was a grand success as usual. The Troupe were entirely disappointed, however, in getting their hand-bills. Orders were sent to Portland and Pendleton, but only those from Pendleton came and they were too late, arriving of the show was over.

We of Heppner can boast of the finest scenery in the Lezer Hall for theatrical purposes east of Portland. The street, parlor and kitchen scenery is excellent to behold, while the front is filled with beautiful advertisements of the business men of our burg.

The 14th inst.—Valentine day—was a grand occasion for the young folks of this place. The post office was well patronized by gents and ladies and they were getting valentines every hour. Only one young man took it to heart that he was forsaken and would get no valentines, but after the day had almost passed he discovered his mistake—he had been carrying one pinned to his coat all day. It was a lady's picture of course.

The roads are still in a horrible condition and the stages irregular. Nothing has been heard of George Shannon, who was supposed to have been drowned in the John Day's river some time back. There is now no hope of ever finding his remains as the waters have been very high several times since his mysterious loss.

Born—to the wife, Mat Lichtenhals, on Feb. 11th, a daughter.

State and Territorial.

J. E. Putnam has been nominated for Postmaster at Walla Walla vice Mr. Vowter, resigned. The Senate confirmed the nomination on the 16th inst.

The Lewiston News says there is \$20,000 worth of flax awaiting shipment in that city, and 80,000 bushels of last season's crop has been contracted for to be delivered at various points on Snake river.

A swan weighing 9 feet from tip to tip and weighing 35 pounds was killed recently near Knappa.

Montana has 92,000,000 acres of land, or 12,000,000 being surveyed and 1,700,000 entered.

Last Monday the county court for Marion county fixed the salary of the deputy clerk at \$1000 a year and the deputy sheriff at \$1000 per year.

The Roseburg papers state that the damage done to Douglas county by the late floods will reach \$100,000.

Three Indian prisoners escaped from the Vancouver guard house last week, and were followed by a squad of soldiers into Yamhill county, where one of them was shot dead, and the other two were captured and returned to Vancouver.

Last week Brooks & Germaine completed the sale of 5,000 head of cattle, April and May delivery, to drovers from Wyoming. The price to be paid is \$9.10 per head. The cattle are now in the Crab creek country. This is the first sale of the season.—[W. W. Union.]

The value of precious metals shipped from Idaho Territory per Wells, Fargo & Co.'s express during 1890 was \$1,094,747.

It is estimated that over \$100,000 worth of logs, ties and timber have gone down the Columbia past Vancouver within a week. The water was covered a half mile wide for four days, going to sea at the rate of four miles an hour.

Dr. Cole, of Calapalo, had \$300 worth of goats killed by dogs recently. One of the Angoras was valued at \$75.

Laramie county, Wyoming Territory, has paid out \$1,000 as wolf bounty within a year past.

James Rawlins, indicted for the murder of "Kelly the Wag," was found guilty of murder in the second degree.

Dr. J. C. Hawthorne, of East Portland, Superintendent of the State Insane Asylum died last week from the effects of a stroke of paralysis received a few days previous.

Col. B. F. Shaw, of Clarke county, W. T., has a lot of fine stall-fed beef cattle at \$40 per head.

During January eight vessels carried 10,517 tons of coal from the harbor of Seattle.

Mr. Moss, who drove a large band of cattle into the Malheur county last fall, has offered any one half of them if they will load and take care of the train and in 1892 this is a large percentage for one winter's care, but hay is scarce in that vicinity and commands high prices.

The Klamath river rose 22 feet above low water mark during the last storm at Madras. This point is about two miles below the mouth of the Trinity and in 1892 the river rose 130 feet, there, carrying away a fine wire bridge that had just been completed.—[Jacksonville Sentinel.]

The First National Bank of Dayton has been organized with a capital of \$50,000 and the following officers: L. W. Wallace, President, and John Berry, Cashier. The Directors are E. A. Hawley, James N. Day, John Mustard, L. W. Wallace and John Berry. This institution will probably be in successful operation inside of sixty days.

A Fort Townsend dispatch of the 8th says: The report of the richness of the gold mines lately discovered at Takan, in Alaska, are almost incredible, one mountain being reported as a solid mass of the finest gold quartz. It is thought that after full reports have been received regarding it, the statement will be full as good as that of California in '49.

During the special term of the District Court, the case of Bell and Reese vs. J. B. Thompson, sheriff, was decided in favor of the plaintiffs. The case involved the question of the forfeiture of the richness of the gold mines lately discovered at Takan, in Alaska, are almost incredible, one mountain being reported as a solid mass of the finest gold quartz. It is thought that after full reports have been received regarding it, the statement will be full as good as that of California in '49.

There is a man in Newark, N. J., so close that when he attends church he occupies the pew farthest from the altar and has the interest on his money while the collectors are passing the plate for contributions.

Mr. C. C. Coffin has figured out that New Hampshire produces enough for one day and Rhode Island for one week enough to give her people a breakfast.

The most unpopular set of men in the country just at present are those in the United States Senate. The remarks of the female suffragists over their refusal to consider the bill, and the attitude of the resolution, would fill books.

Senator Grover on the 15th introduced a bill appropriating \$15,000 for the purpose of repairing the military wagon road between Camp Stewart and Fort Klamath and \$10,000 for similar repairs between Camp Stewart and Southport, Oregon.

A western town and a female sheriff who recently arrested a man, and he, to father her into letting him escape, told her she was the handsomest woman he had ever seen. And did she let him escape? No, she wouldn't let that man out of her sight, anyway, but she wanted him around all the time. Trickery is sure to fall in the end.—[W. W. Statesman.]

Hon. Fernando Wood of New York one of the oldest and best known members of the House of Representatives, died on the 14th inst. Mr. Wood was Chairman of the Committee on Ways and Means in the House and the vacancy occasioned by his death has been filled by the election of Hon. John Randolph Tucker, of Virginia, who stood second on the Committee.

Stockmen on the Missouri River, near Benton, Mo., have been puzzled this winter at the disappearance of so many of their cattle. A few days ago one of the herders who was stationed at a point on the river where the cattle have been in the habit of drinking solved the puzzle. At that point the ice had formed while the river was high and after the water had receded there was a long slope of ice—an ice chute—which ended in an air-hole in the channel of the river. The herder saw several hundred cattle approach the place. The leaders of the herd stopped at the head of the chute, but they were crowded forward from behind, started down the chute, lost their feet and disappeared in the air-hole. Before the herder could interfere nine of the herd had been sent into the river.

FROM THE CAPITAL.

WASHINGTON, D. C., Feb. 5, 1881.

In four days Gen. Garfield will be declared to have been elected President of the United States, under the forms of a resolution which passed the Senate on Wednesday last, and which the House will adopt in a day or two. It is simply the resolution under which most previous counts have been made. It has the endorsement, not only of previous Congresses, but of nearly every member of the present Congress. The count will be made by tellers.

This is, as declared in the Senate, only a makeshift for the present occasion, but there is reasonable hope that Congress will at an early day adopt a mode of procedure to govern in all such cases. There is a general desire in both houses to do so.

Aside from politics altogether, it is a gratifying fact, that the President to be counted on on Wednesday, and inaugurated in less than a month, passes the regard of a vast majority of Congressmen, and of other public men, in the country. It is pleasant to say, too, that his course since the election has been all that could be desired. The intentions of no President elected were ever kept more to himself. Never, apparently, were less promises made, or injudicious declarations of future "policy." Except Mr. Blaine it is doubtful if any man living has an assurance of a Cabinet position. From what is said by those supposed to be most in the General's confidence, I judge that New York will have the Secretaryship of the Treasury, notwithstanding what has been published about that position going to a Western man, and as to "policy," I am more than ever convinced that, so far as the administration is concerned, we shall hear little of the subjects which have been ten or twelve years taken up the time of the executive branch of the Government. I mean sectional questions, and those growing out of the civil war. I believe an earnest attempt will be made to substitute others for them.

Not one man believed today in an extra session of Congress, where ten were early of one week ago. It is yet too early to say that the two Houses will agree either upon a funding or a re-appropriation bill, but there is no doubt of the passage of all appropriation bills. As to the funding measure, it is thought probable that a compromise will be reached by putting the interest on bonds at 3 1/2 per cent, on Treasury notes at 3. There is so much diversity of opinion among members of the House as to the number of Representatives to be provided for in a re-appointment bill, and it being a matter in the details of such a funding or a re-appropriation bill, that a conference committee is not to be expected, there is a general opinion that no agreement will be reached during the session.

Have Water's Balsam of wild cherry all ways at hand. It cures cough, cold, bronchitis, whooping cough, throat, influenza, consumption, and all throat and lung complaints. 50 cents and \$1 a bottle.

The Peruvian Syrup has cured thousands who were suffering from dyspepsia, biliousness, liver complaints, biliousness, female complaints, etc. Pamphlets free in any address. Seth W. Fox & Sons, Boston.

Van Stone & Crosby, Wholesale and Retail Druggists, Toledo, Ohio, says:—We have sold large quantities of the Excelsior Kidney Pad, and have been surprised at the unvarying satisfaction given by them. See Ad.

NEW TO-DAY.

Stallion For Sale.

Captain Slight, one of the finest horses for breeding purposes in Umatta county is six years old, 17 hands high and will weigh when in good condition 1700 pounds. He is a beautiful dark bay in color, round body, clean bone and excellent bone. He is of Slight and Bertram stock, possessing the rare combination of both good size and fine action—is the farmer's horse of all work.

For terms, etc. apply to Harry Garfield at the Howell ranch, Wild Horse, where this horse is to be seen. Feb. 24th 1881.

Lost.

A dark bay horse branded with Howland Wampo's brand (Z) on the right hip coming seven years old, one white fore foot and white hind foot, cross ways, has been crossed well back towards his withers, few saddle marks and small star in forehead, 14 hands high or thereabouts. I will give \$10 to any one delivering the horse at Henry Bowman's stable in Pendleton. Feb. 22, '81.—20th A. G. BATHMAN.

For Sale.

I offer for sale my hotel and stock in Pilot Rock as I am compelled to leave my business on account of ill health and the recent death of my wife. This is a good opening for an enterprising man and will prove a good business investment. For terms apply in person or by letter to D. M. GAULT, Feb. 22, '81.—20th Pilot Rock, Oregon.

Notice for Publication.

LAND OFFICE at LA GRANDE, OR., Feb. 17th 1881.

NOTICE is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the County Judge of Umatta County, at Pendleton, Umatta County, Oregon, on March 21st, 1881, viz: IRA B. STUBBS, for the SW 1/4 sec 24 T 2 N 22 E, East of Willamette Meridian. He names the following witnesses to prove his continuous residence upon, and cultivation of, said land, viz: John Shaw, George Shattam, John Bentley, George Bentley, all of Pendleton, Umatta County, Oregon. HENRY W. DWIGHT, Register.

Summons.

In the Circuit Court of the State of Oregon, for the County of Umatta.—

Jan. R. Foster and J. R. Kuzin, partners, doing business under the firm name and style of J. R. Foster & Co. Plaintiffs vs. E. R. Gates Defendant.

TO E. R. GATES, DEFENDANT, IN THE NAME OF THE State of Oregon, you are hereby required to appear and answer the complaint filed against you in the above entitled action, within ten days from the date of the service of this summons upon you, or if served in this County, or if served in any other County of this State, then within twenty days from the date of the service of this summons upon you; and if served by publication, then on or before the 15th day of June, A. D. 1881, the same being the first day of the next regular term of the Circuit Court of the State of Oregon for Umatta County; and if you fail to so appear, or if you fail to so answer, or if you fail to so answer and defend, and money advanced by the Plaintiff to you, and for costs and disbursements of this action.

This summons published by order of the Hon. L. L. McArthur, Judge of said Court, made at chambers and bearing date the 17th day of January, A. D. 1881. TURKER & COX, FIDELITY.

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Guardian's Sale.

BY VIRTUE OF AN ORDER OF THE COUNTY Court of Umatta County, Oregon, made on the 14th day of February, 1881, I will, on the 19th day of March, at the hour of 10 o'clock in the forenoon, and at the court house door in Pendleton in said county, sell at public auction to the highest bidder, the premises hereinafter described, to-wit: the following, to-wit: John Elmer Weaver, Laura Bell Weaver and John Weaver, heirs and assigns of the late J. B. Weaver, deceased, all of whom are deceased, and the said premises are situated in Umatta County, Oregon. Terms of sale—Two-thirds cash in hand, the remainder to be secured by a first mortgage on the premises and paid in one year with interest at the rate of ten per cent. per annum—no extension to be made at expense of purchaser. DAVID COFFMAN, Executor of said Estate. Guardian of said minors. Dated February 14th, 1881. FIDELITY.

Notice of Final Settlement.

NOTICE is HEREBY GIVEN THAT THE UNDERSIGNED, Administrator of the Estate of John F. Eddinger, has filed his account for said settlement in the above named estate, in the County Court of Umatta County, Oregon, on the 14th day of February, 1881, at the hour of 10 o'clock in the forenoon of said day, has been by said court for the hearing of objections to said account and the settlement of said estate. DAVID E. BURKE, Administrator.

Notice of Final Settlement.

THE UNDERSIGNED HAVING FILED HIS FINAL account in the above named court as Administrator of the Estate of David Miller, deceased, notice is hereby given that Monday, the 4th day of April, 1881, has been appointed by said court for the hearing of objections to said account and the settlement of said estate in the name and the settlement thereof. DAVID COFFMAN, Administrator. Dated February 14th, 1881. FIDELITY.

Stolen!

ON THE 11th DAY OF DECEMBER, 1880, at Portland, Me., a bright bay horse, about 14 hands high, with star in forehead and a little white on the end of his nose branded on the left hip "A. T." had a saddle and harness on and was branded with a small H on the top of the horn. When the horse was last seen he was on his way to Heppner. Those having any information regarding the recovery of the horse and apprehension of the thief to E. R. HOOB, Portland, Me., will be rewarded. The Delin.

Entry Notice.

TAKEN UP BY THE UNDERSIGNED IN GREATWOOD Precinct on about January 31st, 1881, one bay mare three years old about 14 1/2 hands high, white stripe to face, hair white feet and one glass eye, thin head on light shoulder, (not distinguishably) approved by H. H. Thompson Justice of the Peace at \$20. J. B. BENNETT.

LEGAL.

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Jan. R. Foster and J. R. Kuzin, partners, doing business under the firm name and style of J. R. Foster & Co. Plaintiffs vs. E. R. Gates Defendant.

TO E. R. GATES, DEFENDANT, IN THE NAME OF THE State of Oregon, you are hereby required to appear and answer the complaint filed against you in the above entitled action, within ten days from the date of the service of this summons upon you, or if served in this County, or if served in any other County of this State, then within twenty days from the date of the service of this summons upon you; and if served by publication, then on or before the 15th day of June, A. D. 1881, the same being the first day of the next regular term of the Circuit Court of the State of Oregon for Umatta County; and if you fail to so appear, or if you fail to so answer, or if you fail to so answer and defend, and money advanced by the Plaintiff to you, and for costs and disbursements of this action.

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