

END OF ARGUMENT

CONCLUSION OF STRAIN'S ABLE PRESENTATION.

Will be Used for Future Reference in Annals of Taxation in Umatilla County - Answers All Objections and Shows That O. R. & N. Assessments Are Yet Too Low.

This letter concludes the able argument of Assessor Strain in the O. R. & N. tax case. The statistics and calculations made are so thorough that this article will be used for future reference by assessors of Umatilla county, and the entire argument should find a place in every library in the state.

Is Assessed Too Low. Compared with land owned as an investment this road even now is assessed far too low. The farm lands which I have valued at \$6,000 per quarter and assessed at \$2.00 per quarter will not lease for more than \$6 per acre for each crop, or \$60 per quarter. This rental is paid once in two years which gives \$300 per quarter. It requires eight and one-third quarters of this land to yield \$4,000, the net income of one mile of railroad last year.

The Road, or the People? They should better appreciate their great benefactor, the people. In the presence of the people's sovereignty they should assume the attitude of obedience and not dictation. Gentlemen, it is up to you, it is for you to decide whether this corporation shall pay its own taxes, or whether the public shall be made to pay them.

Do you question the logic of this illustration? Can any man question it? Can any court in the land disregard it? Truth is mightier than cunning. It is mightier than money. No assessor, no board of equalization, no court can long suppress it. In a fair contest with error, it shall prevail.

If you stand by your guns, these railroad people will see the folly of their contention and accept the inevitable. For I know you and you know that any man or combination of men, however strong, moving against an irresistible force is certain either to be brushed aside or run over.

Compared With the W. & C. R. Another point that can not be overlooked is the fact that we have passed upon the assessment of the W. & C. R. R. Its stock was paid a dividend and is carried upon the company's books at \$1. It pays, however, something less than 3 per cent upon a bonded indebtedness of \$29,159 per mile. Its net earnings during the past five years have averaged about 10 per cent as much as the O. R. & N. R.

From an investment standpoint one mile of the O. R. & N. is worth two and one-half miles of the W. & C. R. R. Yet the W. & C. R. R. is assessed in this county upon its track, rolling stock and depot grounds not less than \$6,000 per mile, or more than 46 per cent of the O. R. & N. Gentlemen, the W. & C. R. R. assessment was settled by the board of equalization and it is now beyond your power to reduce. As measured by its earning capacity, its value, its assessment is fully as high as that of the O. R. & N. Then with what degree of fair play can you pull down the assessment of the O. R. & N.?

The officers of this company know, and I know and you can know that their road in this county is assessed at less than one-third its full value. I assert without fear of successful contradiction that ninety out of every one hundred taxpayers have better grounds for resisting the present assessment than this company.

Suppose, Sirs, that every taxpayer should place himself above the law and resist as these people are doing a lawful equitable assessment, what effect would it have upon this country? It would keep this country in a continuous session as a board of equalization for a period of years. It would tie up the school funds, stop public improvement, convert organized government into anarchy.

Has Never Shown Its Value. This corporation has never shown our assessors its value. It has never presented him any figures whatever in support of its contention. How can it do so in the face of its own official statement? How can it disprove the official figures of the United States government?

Upon what grounds then can this court remove from this corporation its taxes and place them upon the shoulders of resident taxpayers? It is a creature of the state entitled to the privileges granted in its charter. It draws its life and prosperity from the people. To them it owes a just tax which I demand in their name. It not only owes a tax, it owes more, it owes obedience to the principles of this government.

I assert that it not only seeks to evade its tax, it does worse. It strikes at the foundation of representative government. Equality before the law is the key note of this republic. Who doubts that this corporation employs the same system for the sole purpose of defeating justice in its own favor?

Again they have laid much stress on the fact that their road has been raised more than other property. I submit that the fact is not mine. Former assessments have been too low. This year their property has been placed more nearly upon an equality with other property.

The logic of their position is, that having been favored in the past...

School Books School Tablets School Supplies

No matter what the boy or girl needs for use in school it can be found at our store. Largest tablets with prettiest covers, at lowest prices.

FRAZIER'S BOOK STORE

They are entitled to an everlasting continuance of the same treatment. My position is that here is the property, consider its value, impose upon no man, shield nobody. Sirs, you have no more moral right to reduce the assessment upon this company's property below one-third its full value, than you have to abstract the money from the pockets of one man and empty it into those of another.

O. R. & N.'s Earnings.

Do you know that this company carries above expenses last year upon its road in this county approximately 186.4 times \$4,000, or \$655,600. Can you comprehend this enormous sum? It is greater than the annual combined sales of the livestock and minor products of the county, and greater than the annual profits upon the county's entire wheat crop.

The O. R. & N. is strong. It commands the traffic, it is the growing county. It has much capital behind it, and a promising future before it.

The face of these and a multitude of other facts, we find these people here, not as I believe, to obtain justice, but to escape it. I do not profess the gift of prophecy, but I warn them that in their resistance of just and equal taxation they are sowing seeds that will some day germinate and grow into a mighty force that shall rise above them, tax them as other people are taxed, regulate their charges, control them within the bounds of reason and fair play.

They should better appreciate their great benefactor, the people. In the presence of the people's sovereignty they should assume the attitude of obedience and not dictation. Gentlemen, it is up to you, it is for you to decide whether this corporation shall pay its own taxes, or whether the public shall be made to pay them.

It is up to you to say whether Umatilla county is strong enough, and her officials brave enough, to maintain equity before the law. This case is so plain that I can understand it. I believe you can understand it, and the people can understand it. Any man who has even a trifling knowledge of the rudiments of arithmetic can understand it. As a school boy knows as surely as the wisest man knows that 2 and 2 make 4, so I know and you can know the value of this railroad just as well as the president of this nation, or the lord chief justice of England. By command of the highest authority on earth, the United States of America this company has reported its cost, its expenses, and its net income to this government. These reports have been published officially, and are now in my possession.

In my opinion, there is absolutely no possible way for this company to avoid the payment of its present assessment except through the weakness or the corruption of some official, or through some technical error.

It is up to you to stand for justice, regardless of the action of any other assessor, or of all other assessors. You are the court of this county. You are the honor and the life and the constitution of this state. You owe obedience to no man, or set of men outside of this limitation. You are here to do the duty of the citizens of this county, and of this county alone.

The people everywhere have awakened to the enormity of the favor shown to the railroad corporations. They are demanding as never before equal taxation. It is up to you to break away from the universal custom of favoritism toward this company in this state. You have a golden opportunity to right a great wrong. Embrace it.

BAKER VS. M'ELROY.

Plaintiff Sues for Alleged Balance on a Labor Account. The case of R. C. Baker vs. B. F. McElroy has occupied the attention of the justice court for the greater part of the day. It is an action brought by the plaintiff to recover money alleged to be due him and W. R. Harrington for work done by them and their horses the last harvest. The plaintiff alleges that there is now owing to the two men the sum of \$717.75, and asks for this sum, together with the costs and disbursements of the action.

BREVITIES.

Jack Tomlinson, of Umatilla, is in the city today.

F. Reed, of Adams, transacted business in the city today.

Glen McCulloch, of Echo, was a visitor in the city yesterday.

Louis Probstel, of Weston, was in the city yesterday visiting friends.

Mr. and Mrs. S. Hayes, of Kalama, were the guests of friends in the city yesterday.

Mr. and Mrs. E. C. Dickson, of Anlogue, were the guests of friends in the city on Saturday last.

D. C. Gardane, of Holix, one of the shepherds of the county, was in the city today on a business trip.

J. R. Kilgore, of Weston, spent Saturday in the city visiting friends and attending to business matters.

R. H. Connell, of Alba, spent Saturday and Sunday in the city visiting friends and attending to business.

C. E. Edmonson, of Eugene, who has been in the city for several days looking for a location, returned to his home this morning.

Contractor Mays was a visitor at Athena this morning, where he has the contract for several buildings now in course of construction.

C. E. Troutman, the architect, went to Athena this morning to inspect the new Methodist church building now under construction there.

Mr. and Mrs. George Pearce and family, of Salem, returned to their home this morning, after a week's visit with Mr. and Mrs. Lot Livermore.

W. J. Lindsey, the O. R. & N. foreman of La Grande, is in the city today looking after some business in connection with the work that is being done on the track at that place.

Horses Lost.

Lost—One dark gray horse, 6 years old, weight about 500 pounds, branded "G" on right shoulder, and one light bay mare, 2 years old, some white in face, branded "G I D" on left shoulder. Left both pastures on mountains at head of McGary creek after June 1. Reward will be paid for information given to Gideon Brown, Pendleton, Or.

Anderson Garred, who shot and killed ex-Sheriff A. J. McKinnon, of Harney county, at Guerneville, Cal., on September 8, was arrested in Baker City Friday for vagrancy, but was released before the authorities recognized his identity, and has made his escape.

COMING STATE CONVENTION

THE OGDEN CONVENTION WAS A GREAT STIMULUS.

Supreme Advantages of Irrigation by Winter Flooding—Natural Advantages of Oregon Much Greater Than of Utah—Plans for the Coming State Convention.

F. B. Holbrook, of Umatilla, who was one of the delegates from this county to the National Irrigation Convention at Ogden, was in the city today looking after his business interests here. Mr. Holbrook is well pleased with the results of the meeting at Ogden, and thinks that good will come from the convention.

The delegates from this state were made acquainted with the government engineers, and made friends with them. They learned to see from the standpoint of the engineers and are now better able to look ahead and foresee the outcome of the question. What was done there and what was said will be remembered through the profit of the delegates, and through the benefit of the result of the state system that is being established in Utah, the kind of results that can be obtained were all noted by the men who went there as delegates, and the advantages of the soil, and the main plan of this state over that of Utah were all noted, and from these observations the men of the state will take fresh courage in the cause of irrigation.

Winter Irrigation.

Mr. Holbrook has a hobby, and that is winter irrigation, and he has some hard facts in support of his theory that what he says is correct. He is greatly in favor of the government works and thinks that they will be the means of reclaiming a vast number of acres in the eastern part of the state; but he is not inclined to wait in idleness for the government to act. He knows that it will be some time before the men at the head of the government work can get plans in operation, and he thinks that in the interim he can raise the standard of the land of this section without their help, and that the strides toward the perfection that will be the outcome of the institution of the government projects.

Choice Herd of Cattle.

W. S. Goodman Has One of the Finest Herds in State of Oregon—Seventy Head of One Color. W. S. Goodman who lives at the Hudson Bay farm, near Freewater, is owner of one of the finest herds of the government work cattle in the Northwest. His herd, called the Sporthorns, and he has seventy head of this breed, that are solid red in color, something out of the ordinary, even in pure bred stock.

Large Land Deal.

One of the biggest deals in farm lands to be made in recent months is expected to close here in the fall. The land for 19 acres in the Willsey, a prominent Yellow Hawk farmer, will pay over to Mike Tenor, \$33,600 for his 560 acre farm located on the Cottonwood, eight miles south-east of Walla Walla. The sale has been practically closed, only the formal signing of the deeds being necessary for Mr. Willsey to become the owner of the land.

A Heavy Rancher.

Charles Isaac McKay creek, was in the city today making preparations for the seeding of his two ranches on McKay creek. Mr. Isaac has two large farms, one on the upper creek and one on the lower, and he is now ready to seed both of them for the coming harvest. One of the farms is about 20 miles from the city, while the other is about 10 miles. Mr. Isaac raises many cattle and as a result his farms are seeded to hay largely.

Fruit Wagon Runaway.

This morning the team belonging to Tom Wickersham, of Milton, took fright near the Oregon Feed Yard, and before they could be stopped, overturned the wagon and scattered the load of fruit to the four winds. Besides the damage to the wagon and the fruit no damage was done.

Death of an Infant.

Muri Tenney, the infant child of Mr. and Mrs. H. A. Tenney, died yesterday afternoon of summer complaint, aged 1 year and 1 month. The child had been ill but a short time when it died. The funeral was held this afternoon at 3 o'clock from the home on George street, and was conducted by Rev. Robert Warner, of this city.

McCracken Ranch Sold.

Manuel Pedro has bought the M. McCracken ranch near this city, with all of the implements and stock thereon. The ranch consists of 3,600 acres of land and about 4,000 head of sheep, together with horses and cows and all of the conveniences of the ranch. The price paid for the place was \$25,000.

Will Feed Cattle.

Boddy and Coppick, of Athena, have purchased the herd of cattle belonging to Warren Bros., of Starkey Prairie, and will feed them in the neighborhood of Athena this winter. Hay is very high priced in Starkey, and other Eastern Oregon points and buyers find stock and beef cattle selling very cheap.

Residence Property Sold.

Charles Olcut has purchased the J. T. Van Orsdal property, consisting of a house and two lots, in block 78, in reservation of Milton. Consideration, \$1,650. The sale was made through the agency of E. T. Wade & Son.

Straw in Demand.

Stubble fields and straw stacks are in great demand by stockmen and are difficult to secure. In the Cold Springs county \$75 per 100 acres of stubble with straw stacks, seems to be the prevailing price.—Athena Press.

Returned From Alberta.

Robert Laing has returned from a trip to Alberta and points of interest along the line of travel. He reports a very pleasant trip, and says that he has not seen dust from the time he left Spokane until he returned to it here.

Delinquent Next Monday.

The last half payment on the taxes of the county will be delinquent on Monday next and from that time on costs will be added to the amount for their collection.

Great Trading Center.

Jefferson Myers, president of the Lewis and Clark fair commission, estimates that 2,100 carloads of merchandise were sent into Burns, Harney county, last year.

Freewater Fruit

Surprising Figures from One Packing Firm.

One Company Will Handle \$40,000 Worth of Fruit This Year—One Hundred Acres Strawberries—Sixty-six Carloads of Fruit Packed and Shipped in Three Weeks—Unusually Heavy Peach Crop.

While in Freewater Saturday, the writer visited the packing house of the Walla Walla Produce Company, owned by W. Mumford, the superintendent, and gave some interesting figures relative to the fruit crop of that section.

Many people think Umatilla county is largely, if not entirely, a stock or wheat country," said Mr. Mumford. "If the Eastern homesteaker knew how diversified are our industries here, many of them would stop over and investigate this part of the state in place of going on to Portland and investigating in the Willamette valley.

"There are three houses handling fruit here at Freewater. This one house, the Milton branch of the Walla Walla Produce Company, will handle at least \$40,000 worth of fruit this season. We started about the first of May on strawberries. There are about 100 acres strawberries in this immediate vicinity, and the industry is capable of unlimited extension. We shipped \$10,000 worth during the season, shipping to the Coast and Northern Idaho, Baker City, Pendleton and other nearby points. Strawberries are a very profitable crop.

"About July let us begin on cherries, dewberries, blackberries, and raspberries. These last until August 15, when the pines, peaches and pears begin coming in. "To give you an idea of the amount of fruit handled during the height of the season, the three houses here for a period of three weeks, shipped 22 carloads of fruit. During the peach season we shipped 1,500 50-pound boxes per day. The peach crop gave employment to 40 hands in the packing department.

"The peach crop was unusually heavy this year. It was so large that we had to refuse a considerable per cent of the peaches offered, as there was a glut in the market at the time the peaches were coming in most heavily. We are now in the full swing of the apple harvest, which will last till about November 15. We are shipping a car a day. We have 25 packers in the field. We send our packers out to the orchards. The farmers furnish the pickers and we furnish the boxes. We will handle about 50 cars of apples at a value of \$300 per car."

The Earth Trembled in Pendleton Sunday Evening.

Slight Shock of Several Seconds' Duration Experienced by Citizens of This Locality—First to Happen in This Section of the State. Sunday evening at exactly 3:25, a distinct earthquake shock of about five seconds' duration, was felt by the people of Pendleton.

There was a pronounced quiver, a rattling of stoves and windows and a creaking of houses, and before people could get up and had happened, it was over, and the old earth had resumed her normal quietude. There was no waving motion, and no swaying effect, usual in the case of a quake shock, but just a swift, quivering motion, and a distinct jar which caused houses to rattle and chairs to tremble.

The Earth Trembled.

Many people were lying on sofas enjoying the quiet Sunday afternoon, and to these the shock seemed greater. Those standing on the ground felt the solid earth moving under their feet, and before they could locate the disturbance it was over.

A slight roar or rumbling sound, as if a large crossing a bridge, accompanied the shock. For a few seconds the air seemed to vibrate and a buzzing sensation filled all ears. As soon as people could realize what had happened, neighbors gathered in knots discussing it and describing their experiences during that brief period. On the high near the high school building the shock was quite distinct, and was noticed by everyone. Many did not know at first what it was, but attributed the queer noise and movement to something falling in the house, until they looked for the cause and failed to locate it.

Many people thought it was the noise of the switch engine in the yards, but at that time the engine was still and they soon found it was something more noisy than a switch engine—a switchman.

In the Residence Districts.

Down in the business portion of the city the shock was not felt so distinctly, but from every residence portion comes reports of the shake-up. The oldest inhabitant cannot remember a even the slightest shock having occurred in the locality before and it comes as a new and thrilling experience for Pendleton. Those of Pendleton's citizens who have felt the periodic earthquake shock, say this one equaled in strength and duration the shocks that frequently occur in the city of San Francisco.

Charles Griesner, the millionaire brewer of Chicago, will build a brewery plant in Salina to cost \$50,000.

Fall Trade Good

It is good and that's a fact says Mr. Pinner, president of the Chamber of Commerce. How do you account for it, when others are complaining about the fall trade? I asked him. Why, I do not know any other good reason than that the people have found out that we are actually selling better shoes for the money of the same quality for less money than others do. It is really remarkable how many people there are who remark about the "wearing quality" of our shoes. Now that is what we pay for and you get when you buy Douglas or Gloria or Best Schoolhouse Shoes. These shoes are sold at a price and no one attempts to undersell them—they simply can't and live. We have found the least margin of resistance to trade and that accounts for our increase this fall. Now watch us well shoes. We carry shoes on five widths in all foot form last—in all leathers, heights, styles, colors, weight, say etc. "Say, don't that boy talk some?" I thought as I went on my way with a fine pair of the Douglas shoes on from the

The Leaders

The Unsung

The Always Satisfactory

The Wilson coal and wood Heaters. Handled here only by us. Coal stoves ranging in price from \$7 to \$20. Wood stoves ranging in price from \$2.50 to \$20. Our stoves are now ready for your inspection.

THOMPSON HARDWARE Co.

621 Main St. Headquarters for fishing supplies

ST. JOE STORE

Special Dress Goods Sale

Commencing Monday, September 28th and Ending Saturday Night, Oct. 3rd

We have just received by express a beautiful line of NOVELTY DRESS GOODS, consisting of Scotch Cheviots, French Nails, English Homespuns, Etamines, Ribelines, Meltons, Camels Hair Mixtures and many others.

Remember on Dec. 24, We will Give Away, Absolutely Free, \$100.00 in Gold

Very Truly Yours

LYONS MERCANTILE CO.

WE ARE GETTING READY FOR THE BIG SHOW

THIS STORE WILL BE HEADQUARTERS for the Big Crowd on Carnival days, OCT. 6, 7, 8, 9, 10. We are making all kinds of arrangements to entertain everybody that comes. Look over the following list and perhaps you will see articles that you may need before the show.

Here's Our Winner Ladies' Walking Skirts from \$1.50 to \$7.50. Ladies' Mercerized Black Petticoats \$1.00 to \$5.00. Ladies' Drop-stitch and Lace Hose 25 and 50c. Ladies' Knit and Maslin Underwear. Ladies' Bead Girdles, Purses, Combs, Bags, Neckwear and Belts.

Fine TAILOR-MADE Suits in black, blue, and tan. \$7.98

the Big Boston Store

FEATHER DUSTERS

New Shipment of Turkey and Ostrich Dusters

10 inch Turkey, 100 feathers special 35c. 14 inch Turkey, 100 feathers special 50c. 12 inch carriage duster 120 tail feathers, special 75c. 8 inch prior duster (Ostrich), special \$1.25. Sissil duster for removing dirt from furniture special 50c.

KOEPPEN'S DRUG STORE

65 steps from Main Street toward the Court House

St. Joseph's Academy

Pendleton, Oregon.

For Boarding and Day Students, Conducted by the Sisters of St. Frances of Philadelphia. Classes will be resumed September 7th.

For Terms, etc., Apply to

SISTER SUPERIOR

HEALTH COMFORT ECONOMY

Are Combined In

Cole's Original Air

Tight Wood Heaters or Hot Blast Coal Stoves

They have proven their real worth. Hundreds of satisfied people in Pendleton and Umatilla users of Cole's stoves and heaters always recommend them to their friends. Sold only in Pendleton, by

TAYLOR The Hardware Man

BARGAINS IN BICYCLES

For a few days I will offer special low prices on all wheels on hand.

H. J. STILLMAN MAIN STREET E. O. BUILDING

The Leaders

The Unsung

The Always Satisfactory

The Wilson coal and wood Heaters. Handled here only by us. Coal stoves ranging in price from \$7 to \$20. Wood stoves ranging in price from \$2.50 to \$20. Our stoves are now ready for your inspection.

THOMPSON HARDWARE Co.

621 Main St. Headquarters for fishing supplies

THE ELITE

FISH AND POULTRY MARKET

Our specialties are finest fresh and salt water fish of all desirable varieties, crabs, lobsters, clams and water delicacies, Olympia and eastern oysters. We will serve you with the finest oyster cocktail, Goods delivered to any part of the city. Prompt service and best satisfaction.

A Trial Order is Solicited

Sleep Sound Enjoy Your Rest

OUR line of Mattresses, soft and properly made, when placed on our good springs, will make your nights comfortable and promote sweet sleep. We are prepared to supply you with Springs, Mattresses and Iron Beds at prices that will mean a saving. See us before you buy a Stove.

V. Stroble

Complete House Furnisher Court Street

THE NOLF STORE

Large line Tooth Brushes \$2 to 25c. Large shipment Berkshire Typewriter paper 65c to \$2.25 a ream. New Dolls and Toys from \$1 to \$9.50. GAMES! GAMES! No curfew law needed in homes where these fine game boards are used. Strong and serviceable game boards from \$1 to \$5.65. You can play from 10 to 100 games on them. Other games from 5c to 95c. School Books and Supplies:—In our tablets and composition books we have placed a good grade of rag paper. We have AVOIDED giving fancy covers and poor paper within—HONEST MADE GOODS.

THE NOLF STORE

For Boarding and Day Students, Conducted by the Sisters of St. Frances of Philadelphia. Classes will be resumed September 7th.

For Terms, etc., Apply to

SISTER SUPERIOR

HEALTH COMFORT ECONOMY

Are Combined In

Cole's Original Air

Tight Wood Heaters or Hot Blast Coal Stoves

They have proven their real worth. Hundreds of satisfied people in Pendleton and Umatilla users of Cole's stoves and heaters always recommend them to their friends. Sold only in Pendleton, by

TAYLOR The Hardware Man

BARGAINS IN BICYCLES

For a few days I will offer special low prices on all wheels on hand.

H. J. STILLMAN MAIN STREET E. O. BUILDING

The Leaders

The Unsung

The Always Satisfactory

The Wilson coal and wood Heaters. Handled here only by us. Coal stoves ranging in price from \$7 to \$20. Wood stoves ranging in price from \$2.50 to \$20. Our stoves are now ready for your inspection.

THOMPSON HARDWARE Co.

621 Main St. Headquarters for fishing supplies

THE ELITE