

Remember that this paper is the only one in Lincoln or Benton county that has the courage to stand for the common people.

Lincoln County Leader.

The LEADER should be read by every tax-payer of Lincoln County. It will cost you but \$1.50 a year.

Volume I. Toledo, Lincoln County, Oregon, Thursday, Sept. 28, 1893. Number 30.

DIRECTORY.

LINCOLN COUNTY.

Joint Senator C. B. Croson
County Judge R. F. Jones
Sheriff George Landis
Treasurer Henry Penlinger
School Superintendent Chas. Booth
Surveyor Joe Gilson
Assessor T. E. Parker
Cotator J. O. Stearns
Commissioners M. L. Trapp

TOLEDO PRECINCT.

Justice of the Peace J. A. Hall
Constable A. E. Aitree

CHURCHES AND SOCIETIES.

FIRST BAPTISTS—Meet every first Sunday in each month, 11 a. m. and also on the Sunday preceding the above Sunday, at 7 p. m. in the Toledo Public Hall. L. M. Butler, Resident Pastor.

ST. JOHN'S CHURCH (Protestant Episcopal). Divine service the third Sunday of every month at 11 a. m. All are invited to attend. Rev. Chas. Booth, Missionary. Residence, "Becky," Newport, Or.

I. O. O. F.—Toledo Lodge No. 108. Meet every Friday evening at their hall in this town. RENSOLD, Sec'y. R. F. COLLAMORE, N.G.

I. O. O. F.—Meets every Thursday evening, 7:30 o'clock, in Grady's hall, this town. H. Penlinger, C. T. Eli Gaither, Secretary.

P. M. and I. U.—Toledo Union, No. 156. Meets every Saturday evening, 8 o'clock, in Grady's hall in this town. All members requested to attend. T. T. Reeder, President; J. J. Torridge, Secretary.

I. O. O. F.—Hay Lodge No. 116, of Yaquina City, meets every Saturday evening. Visiting brothers are always welcome. JOHN RICHARDSON, W. A. ARBOR, Secretary.

I. O. O. F.—Newport Lodge No. 89, meets every Saturday evening. Visiting brothers are cordially invited to attend. JOHN RICHARDSON, W. A. ARBOR, Secretary.

A. F. & M.—Newport Lodge No. 89, regular convention on Saturday or on before each full moon. Visiting brothers are cordially welcomed. J. H. RUSSELL, W. M. J. S. ROBERTSON, P. M.

G. A. R.—Phil Sheridan Post No. 24, meets every second and fourth Thursday evening. GEO. SYLVESTER, Com. R. A. BENSELL, Adj.

U. B. Yoyle,
WATCHMAKER
Corvallis, Oregon

ROBT CAMPBELL,
PROPRIETOR OF
Toledo Meat Market,
DEALS IN
Fresh and Cured Meats
OF ALL KINDS.
Toledo, - - Oregon.

M. HANSEN,
PRACTICAL
WATCHMAKER,
Watches Cleaned and Repaired.
All work Guaranteed.
Toledo, - - Oregon.

HOTEL LINCOLN
T. J. Buford, Prop.
Everything
First-class.
Charges Reasonable.
TOLEDO, - - OREGON.

J. A. HALL,
Justice of the Peace,
Toledo, Oregon.
Deeds, mortgages, and all kinds of legal papers executed with correctness. Careful attention given to all business entrusted to my care.

W. C. SHEPARD,
Attorney-at-Law,
Residence, Stanford, Oregon.

Business in any court in Lincoln County promptly and carefully attended to.

The Webfoot Route.

Oregon Pacific Railroad.
E. W. HADLEY, Receiver.
Direct Line—Quick Dispatch—Low Freight Rates.
Between Willamette Valley points and San Francisco.

OCEAN STEAMER SAILINGS.

S. S. WILLAMETTE VALLEY.
Leaves Yaquina September 28, 10th 29th 1893.
Leaves San Francisco September 8, 15, 22th 1893.
And about every ten days thereafter.
This company reserves the right to change sailing dates without notice.

RIVER STEAMERS.
Service between Portland and Salem and Upper Willamette river points.
E. MELICAMP, General Superintendent, Corvallis, Oregon.

One Price **O'BRIEN'S** Cash Store
YAQUINA,
— I HAVE NOW RECEIVED MY —

FALL AND WINTER STOCK OF GOODS!

The Largest and Most Select Stock ever shown on the Bay.

Dry Goods, Clothing, Boots, Shoes, Hats, Caps

Rubber Goods and Oil Clothing.

— All of which I am Selling at —

SAN FRANCISCO PRICES.

All Goods are Marked in Plain Figures.

I am selling Cheaper than ever before. Call and examine my Goods and Prices and be convinced.

Agent for the **BROWNSVILLE WOOLEN MILLS.** Measures taken and Fits Guaranteed.

ONE PRICE O'BRIEN'S CASH STORE.
YAQUINA.

SOMETHING NEW!

ANTIFERMENTINE
Preserves Fruit, Cider, Milk, Butter, Eggs, Tomatoes, Catsup, Pickles, Etc.

What is it: It is a simple, harmless preparation, free from taste, smell and color, that has the properties of stopping and preventing fermentation in all vegetable and animal foods.

What it does: It is especially useful for preserving fruits of all kinds without cooking, retaining their natural fresh appearance and taste.

Its Use does away with labor, and makes what has been a hot, disagreeable task, a delight and a pleasure. It substitutes for the Summer heat of the kitchen the cool shade of a lawn or piazza.

Its Results are never doubtful when used according to directions, and Plum Puddings, Peach and Berry Pies can be had in Winter as well as in Summer.

Its Use is profitable and economical, for it saves one-half of the sugar, saves the jars broken by heat, saves the fruit cooked away, and saves the time and labor lost by the old methods.

For Cider it unsurpassed. It stops fermentation at any point desired, and produces a sparkling beverage like Champagne.

The question is sometimes asked, "Is it injurious?" To allay all doubts on that score, we would say that we have consulted many of our most eminent Chemists and Physicians, and all unite in pronouncing the use of ANTIFERMENTINE as a preservative, a perfectly safe and harmless preparation.

— FOR SALE BY —
PEEK & RUSSELL,
Sole Agents for Yaquina Bay,
Yaquina, - - Oregon.

H. LEWIS,
DEALER IN
Boots and Shoes, Flour,
Feed and Groceries,
CHEAP FOR CASH.
Toledo, - - Oregon.

SECRET SERVICE.
LIMITED
NUMBER
of discreet men can secure a Permanent, Paying Position, in the instance of their choice.
Address Lock Box 1, Toledo, Oregon.

LOT. C. POWELL,
Civil Engineer and Surveyor.

Lines of Original Surveys accurately located. Terms Reasonable. Address all communications to OSA, LINCOLN CO., OREGON.

HENRY WULF,
DEALER IN
Pure Wines and Liquors.
Fresh beer on draft.
A QUIET AND ORDERLY RESORT.
Toledo, - - Oregon.

To Subscribers.

All those who wish to pay for their paper with potatoes or chickens can now do so. We will take either of the above at the market price delivered at any point on the railroad in this county, or at Lutjens, Stanford or Walcott. Drop us a card if you wish to pay in that way and we will let you know where and about when to deliver.

Notice for Publication.

Land Office at Oregon City, Oregon, August 24th 1893.
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 Lincoln County, Oregon, at Toledo, Oregon, on October 16th 1893, viz:
R. F. Jones, H. E. No. 9232.
He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: C. B. Croson, Frankie Harmon, J. S. Cleveland, and A. J. Rader, all of Toledo, Oregon.
ROBERT A. MILLER, Register.

Notice for Publication.

Land Office at Oregon City, Oregon, August 24th 1893.
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 Clerk of Lincoln County, at Toledo, Oregon, on October 16th 1893, viz:
George Hattson, H. E. No. 7219.
For the North 1/2 of North 1/2 and North 1/2 of Northwest 1/4 of Section 34, T. 13 S., R. 11 W.
He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Fred Greenway, Earlwood Anderson, Edward Stecker, and Nicolas Stuecker, all of Newport, Oregon.
ROBERT A. MILLER, Register.

Citation.

In the County Court, of the State of Oregon, for the County of Lincoln.
In the matter of the estate of J. Peter Hagan, deceased, and to all others known and unknown interested in the above entitled estate, (dying testate).
IS THE NAME OF THE STATE OF OREGON,
You are hereby cited and required to appear in the County Court of the County of Lincoln, at the court room thereof, at Toledo, in the County of Lincoln, on Saturday, the 7th day of October, 1893, at 10 o'clock in the forenoon of that day, then and there to show cause if any there be, why an order should not be made for the appointment of a receiver of the estate of said J. Peter Hagan, deceased, and to all others known and unknown interested in the above entitled estate, (dying testate).
The southwest quarter of the northeast quarter, and the southeast quarter of section thirty-one (31), township ten (10), south of range ten (10) west, Willamette meridian, in Lincoln County, Oregon, containing 120 acres.

WITNESSE, the Honorable H. P. Blue, Judge of the County Court of the State of Oregon, for the County of Lincoln, with the seal of said court attested, this 28th day of September 1893.
J. F. Jones, County Clerk.
By F. M. REDFIELD, Deputy Clerk.

FREDERICK D. CARSON,
Attorney-at-Law,
Toledo, Lincoln County, Oregon.
Collections, Conveyancing,
and Court Practice
Generally.

Refers by permission to Ex-Gov. J. S. Pillsbury, U. S. Senator W. D. Washburn, Gen. John P. Ross, Ex-Commander-in-Chief G. A. R., Minneapolis, Minn., Hon. Martin P. Morris and J. J. Wellington, Ex. Washington, D. C., Schuyler Duryea, Chief Clerk Patent Office, Fairfax County, Va., and Rev. Chas. Booth, Newport, Oregon.

ROUSES A TORPID LIVER.
DR. HEWEL'S ENGLISH TONIC
CURES MALARIA, MAKES AN APPETITE.



A SPECIAL OFFER!

The above is a correct picture of the OREGONIAN'S NEW BUILDING, located at the corner of Sixth and Al streets. For many years THE OREGONIAN has been the most improved and commodious building publishing in the Northwest. It is now being further improved in every particular, and it is certainly the best in the coast. Now that THE OREGONIAN is in its new home, it feels like bringing its many friends a benefit. It makes this special offer to those who renew their subscription, or to those who subscribe prior to September 1st, to send the

Weekly Oregonian
18 Months for \$2.00
This being the dull season of the year, THE OREGONIAN believes a benefit of this kind will be greatly appreciated. Please send your money, and you will receive the paper. You are cordially invited to call and take a trip through our new home. Address: OREGONIAN PUBLISHING CO., PORTLAND, OR.

AN OREGON PACIFIC SERMON.

"C. H. Gest, attorney for the Oregon Pacific, in speaking of the affairs of the road, said that the main object of the sale ordered by Judge Fullerton is to determine the relative rights of the different creditors who will participate in any fund that may be created by the sale. This was done so that all creditors, material men and laborers, might have all matters settled and adjudicated without waiting until after the fund is created, and then having it done at their own expense. These matters will be determined at the earliest possible moment, and then the court will order the sale of the road, and the chances are that it will take place before December 1st. Mr. Gest says that intermediate orders of all sorts are mixed, and Judge Fullerton wants to get one record of the company's affairs and everything in shape for the supreme court, should the case be appealed. The certificate indebtedness amounts to \$800,000, and there is an indebtedness of \$400,000 not represented by any particular acknowledgement. The rank of this indebtedness will be determined by the court."

It will be seen by the above statements of Mr. Gest, who is the attorney for the receiver, who is the creature of the court, that a sale of the road was not contemplated at once. It will be remembered that during the last campaign the wage question of the O. P. employees cut an important part in the circuit judge contest, and this alone defeated Judge Pipes and elected Judge Fullerton. When the latter went upon the bench it was impliedly promised that the employees of the road would in some manner receive their back pay. We have been informed that this statement has been made by Judge Fullerton to employees of the road directly, and it was currently reported in the press surrounding that he stated in Corvallis last March when Receiver Hogg was removed and Receiver Hadley appointed, that he intended to pay the men their money if road sold for only enough to pay them. The fact remains that the back wages have not been paid.

We wish to give the present management all manner of credit for their operating ability and for manifest attempts to keep up the payment of wages. The point, however, which looks bad is the complete failure of any attempt to sell the road and pay the employees, and the public statement of the court through its attorney, that before such a sale is really contemplated that it intends passing upon and adjudicating all the claims against the road, the claims for labor included. It seems to us that there is no reason for any court to pass upon these claims for labor. They are due and they are just. They represent the earnings of a hard working set of men, and it has been promised and agreed that they should be paid out of the first fund created and it is but just and right that they should be.

Another thing which we wish to call the attention of the people to is the fact that by a law enacted last winter it became mandatory for receivers to pay employees monthly. The law is found on page 30 of the Session laws of 1893 and reads as follows:

SEC. 1. Whenever the business or property of any person, company or corporation in this state shall be placed by any court in this state in the hands of a receiver, whether upon foreclosure or creditor's bill, it shall be the duty of such receiver to report immediately to the court so appointing him, the amount due by said person, company or corporation, at the date of such receiver's appointment, to employees and laborers of such person, company or corporation; and it shall be the duty of said court to order the said receiver to pay out of the first receipts and earnings of said person, company or corporation, after paying current operating expenses under his administration, the wages of all employees and laborers which had accrued within six months prior to the appointment of such receiver. It shall also be the duty of such court to order such receiver to pay the wages of all employees and laborers employed by

him at least once every thirty days, out of the first receipts and earnings of such person, company or corporation while under his management; but should such receiver not take in sufficient moneys from the receipts and earnings of such person, company or corporation to pay such employees and laborers at least once every thirty days, then such receiver shall issue and deliver to such employees, upon demand, a receiver's certificate, showing the amount due such employee or laborer in money, which certificate shall draw interest at the rate of 8 per cent per annum from the date of issuance until paid; and such receiver shall thereafter pay such certificates out of the first moneys coming into his hands from the receipts and earnings of the property under his charge in the order of their issuance.

SEC. 2. Inasmuch as an emergency exists which calls for the immediate operation of this act, this act shall take effect and be in operation from and after its approval by the governor.

Approved February 20, 1893.

It will be seen by the above law that it is necessary for the receiver to make a settlement by money or receiver certificates bearing 8 per cent interest at least every thirty days. Now the facts are that the employees at Toledo, Yaquina and all this end of the line have been paid since Mr. Hadley's appointment in March as follows: April 10th, May 15th, June 17th, July 28th, and on September 7th one-half of one month's wages. At no time has the law been complied with quoted above. Receiver's certificates have not been issued to any of the employees and they are thus held out of their money and get no interest upon deferred wages.

We do not wish to say anything that will hinder or delay any plans of the O. P. which will look to its welfare and completion, but we honestly think that the first step toward the completion or any great improvement of the road should be the payment of the back wages of the men who have performed the hard labor of the road.

In these claims there should be no juggling by court or attorney. The only adjusting these claims need are simply to cast up their accounts and pay them the money out of the very first funds created. These men have been patient a long time. Many of them are denied the commonest comforts of life because they have been kept out of the paltry dollars they toiled and moiled for. There are men today, not one or two, but dozens of them, living along the O. P. road who cannot pay house rent nor furnish their families with decent clothes, yet who are creditors to the O. P. for wages earned. These men should be paid. It is right and just that they do be paid. The LEADER has no fight to make for the Hogg's or the Hadley's, but it has got an earnest and stern appeal to make for the men who have worked hard and are being kept out of their wages and who are being forward to perform this labor under the promise that all would soon be paid. It is due. Sell the road and pay them.

There is but little doubt but that the the Siletz reservation will be opened for settlement some time this winter or in the early spring. If this is done it means much for Lincoln county. It will bring a large number of immigrants here who will be attracted by the chance to secure some of the very valuable agricultural or timber lands on the reservation. These people will all bring more or less money which will be circulated in the county. A large number of inhabitants will be added to the population of the county, and the taxable property of the county will also be largely increased. A great many of those coming in will not settle upon the reservation but will scatter over the county, and the whole county will be benefited thereby. It behooves the people of Lincoln county to assist Mr. Hermann in all matters possible in the way of such statistics and other information which we are able to furnish him for his use before the proper committee.

Mens' all wool suits, at O'Brien's, Yaquina. \$10.00 suit, extra large sizes always in stock.

County Court Enjoined.

Last Tuesday evening injunction papers were filed in the clerk's office and on Wednesday service was made upon the proper officers restraining them from interfering in any way with the buildings now situated upon the disputed county road in this city. The complaint goes on to recite that the county court and Alonzo Dunden, road supervisor, are threatening to wrongfully and wantonly destroy the property of C. M. Grady, the plaintiff in the action. The principal statements set up in the pleadings are as follows:

"That said defendants, D. P. Blue, M. L. Trapp and J. O. Stearns acting as a county court of Lincoln county, Oregon, are wrongfully and wantonly threatening to force a pretended county road sixty feet wide over and across the plaintiff's land and premises above described, the defendants as such county court, claiming and pretending that some time in the year 1868 the county court of Benton county, Oregon, laid out and established a county road over and across the land and premises above described, when in truth and in fact there never was a county road, or any road whatever, laid out or established over or across the said premises or any part thereof, and that said pretended claim that a road has been laid out or established over said land or any portion thereof, is without any foundation whatever. That the plaintiff has been in the peaceful, open and exclusive possession of said premises and every part thereof for more than ten years immediately last past."

Seems Peculiar.

We are informed that a lady who left Corvallis last May, for Nebraska, placed on deposit with Hamilton Job & Co., before leaving, some six hundred dollars. When she reached Nebraska she drew on Hamilton Job & Co. for the money she left with them. The draft was dated May 31, 1893, and sent to the Anglo-California bank, for collection, and by them sent to the Corvallis bank. By ordinary course of mail it would reach them not later than the 6th of June. Nothing appeared to have been done until the 9th of June, when the draft was marked paid, and the lady's account was balanced by being charged with that amount. The next morning the bank closed their doors, and no one notified the California bank of that fact. Now that bank demands a return of the draft, and refuses to recognize the transaction, and the woman lost her money.

The Oregon Pacific will have a hearing before the board of railroad commissioners next Monday upon their complaint against the Southern Pacific's rates, as recently put in force. There is no doubt but that the Oregon Pacific has just and good grounds for complaint. The rate on the Southern Pacific has been placed so high between Albany and Corvallis and other valley points that shippers from Eugene and intermediate points have found it cheaper to have goods hauled by team than to ship over the road. It is unjust and a robbery, and if there ever was a set of men who deserve the everlasting contempt and hatred of the people of that part of the state it is that rotten board of railway commissioners which permitted the Southern Pacific to change its rates to its present outrageous standing. The hearing next Monday will be a farce. The board is controlled in the matter wholly by the Southern Pacific and will not desert its masters.

A county cannot be sued in tort, which means that a county can only be sued for violation of a contract is the reason why Col. Kelsay's demurrer in the case of Hufford vs. Lincoln county, knocked the plaintiff clear out of the water. The suit was for the ejectment of Lincoln county from possession of the building occupied at a court house. Times