

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 II.

Toledo, Lincoln County, Oregon, Thursday, June 7, 1894.

Number 14.

## DIRECTORY.

**LINCOLN COUNTY.**

Joint Senator C. B. Croson  
County Judge D. P. Rice  
Clerk H. P. Jones  
Sheriff George Landis  
Treasurer Henry Denlinger  
School Superintendent Chas. Booth  
Surveyor Jos. Gideon  
Assessor T. E. Parker  
Coroner Jas. Russell  
Commissioners J. O. Stearns  
M. L. Trapp

**TOLEDO PRECINCT.**

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

## CHURCHES AND SOCIETIES.

**METHODIST EPISCOPAL CHURCH.**—Services will be held under the auspices of the Methodist Episcopal church as follows: First Sunday in each month at Elk City school house at 11 a. m. and 7 p. m. Second and Fourth Sundays at Toledo at 11 a. m. and 7 p. m. Third Sunday at Mill Fork school house at 3 p. m. All are cordially invited to attend.

A. L. HAWLEY, Pastor.  
Address, Toledo, Oregon.

**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, "Rectory," Newport, Or.

**O. O. F.—Toledo Lodge, No. 108.** Meet every Friday evening at their hall in this town. HENRY ARNOLD, Sec'y. J. S. GAITHER, N. G.

**O. O. T.—Meets every Thursday evening, 7:30 o'clock, in Grady's hall, this town. H. H. FAUL, C. T. R. E. COLLINS, Secretary.**

**A. and I. U.—Toledo Union, No. 126.** Meets every Saturday evening, 8 o'clock, in Grady's hall in this town. All members requested to attend. J. A. REEDER, President; J. J. HANLIDGE, Secretary.

**O. O. F.—Bay Lodge No. 116, of Yaquina City.** Meets every Saturday evening. Visiting brothers are always welcome. G. SUBAROVA, Secretary. J. N. STARK, N. G.

**O. O. F.—Newport Lodge No. 89.** Meets every Saturday evening. Visiting brothers are cordially invited to attend. CYRUS DIXON, N. G. L. L. SMITH, Secretary.

**F. & A. M.—Newport Lodge No. 89.** regular A. convention on Saturday on or before each full moon. Visiting brothers are cordially welcomed. JAM. H. RUSSELL, W. M. G. A. ROBERTSON, Sec'y.

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

**U. B. Vogle,**  
PRACTICAL WATCHMAKER  
Corvallis, Oregon

**HOTEL LINCOLN**  
Jr. H. VINCENT, 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.

**S. T. JEFFREYS,**  
Attorney-at-Law,  
CORVALLIS, OREGON.

Will practice in Justice, County and Circuit Courts of  
**Lincoln County.**

Solicit correspondence. No charges unless full freight.

**Oregon Pacific Railroad COMPANY,**

**CHAS. CLARK, Receiver.**

Connecting with steamer HOMER between Yaquina and San Francisco.

**SAILING DATES:**  
Steamer leaves San Francisco April 29th, and every ten days thereafter.  
Steamer leaves Yaquina April 29th, and about every ten days thereafter.

For Freight and Passenger rates apply to any agent.

**JAM. J. HENRY, SON & CO.**  
Nos. 2 to 8 Market St.,  
San Francisco, California.  
**CHAS. CLARK, Receiver,**  
Corvallis, Oregon.

One Price **O'BRIEN'S** Cash Store

**YAQUINA.**

—WE HAVE NOW A—

**FULL & COMPLETE STOCK**

—OF—

**Dry Goods, Notions, Men's and Boy's Clothing, Boots and Shoes, Hats and Caps,**

**GUM BOOTS, GUM COATS**

**OIL CLOTHING**

—ALL OF WHICH WE ARE—

**Selling at Hard Times Prices.**

**Agent for Brownsville Woolen Mills Goods. Measures taken and Fits Guaranteed.**

**MONOGRAM CIGAR STORE,**  
**H. M. BRUNK, Prop.**  
Cigars, Tobacco, Confectionery, Fruit, etc.

**Billiard and Pool Parlors,**  
**A QUIET AND ORDERLY RESORT.**  
YAQUINA CITY, OREGON.

**THESE HARD TIMES**  
A BUYER MUST MAKE  
**A DOLLAR**

Buy as much as possible. The place to do this is at "CHEAP CASH STORE" of T. P. FISH, where "Good Goods at Low Prices" is the rule.

See my Stock of FALL and WINTER BOOTS and SHOES  
Ready Made Clothing, Etc.  
Dry Goods, Groceries, Hardware, Notions,  
**T. P. FISH,** Toledo, Oregon.  
The Leader in Low Prices.

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

A Bargain—260 acres of the best land in Lincoln county; situated in the Alsea bay 3 miles above Waldport; has two miles of water front, 130 acres choice tide land, good house, barn and orchard, good stock range; 50 tons of hay can be cut on the place. Address,  
**B. F. JONES, Toledo, Or.**

**The Alsea House**  
Waldport, Lincoln County, Oregon.

Headquarters for politicians, tourists, hunters and the public. Comfort, cleanliness and good grub at low rates, our motto. Feed stable and saddle ponies.  
**WM. R. WAKEFIELD, Prop.**

**MEAT.**  
I will make a trip from Yaquina to head of tide with fresh meats of all kinds on Mondays, Wednesdays and Saturday of each week. First class meat at hard times prices.  
J. O. CARTER.

## Administratrix Notice.

In the County Court of Lincoln County, State of Oregon.  
NOTICE IS HEREBY GIVEN THAT THE UNDERSIGNED has been appointed by the county court of Lincoln County, Oregon, administratrix of the estate of L. M. Harmon, deceased, late of Lincoln County, Oregon. All persons having claims against said estate are hereby notified to present them duly verified by affidavit, on or before the 27th day of March 1894, at Toledo, Oregon, to the undersigned.

M. C. HARMON,  
Administratrix of the Estate of L. M. Harmon, deceased.

## Notice for Publication.

Land Office at Roseburg, Oregon.  
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 Register and Receiver at Roseburg, Oregon, on Friday, June 8, 1894, at 10 o'clock a. m., at the residence of the settler, near Toledo, Oregon, within six months from the date hereof; and all persons interested in said estate are notified to file the same immediately.

Filed at Toledo, Oregon, this 27th day of March 1894.

M. C. HARMON,  
Administratrix of the Estate of L. M. Harmon, deceased.

**Notice of Final Settlement**  
Notice is hereby given that the undersigned executor of the estate of Mary S. Stevens, late of Lincoln County, Oregon, deceased, has filed his final account in said estate, with the clerk of Lincoln County, Oregon, and that the county court has fixed the 29th day of June, 1894, at the court house of said county as the time and place for hearing objections, if any, to said final account and the settlement of said estate.

H. J. REYNOLDS,  
Executor of the estate of Mary S. Stevens, deceased.  
Dated May 21, 1894.

## THE ODELL Type Writer.

Buy the ODELL TYPE WRITER with 28 characters, and the SINGLE CASE ODELL, warranted to do better work than any machine made. It combines simplicity with durability, speed, ease of operation, wears longer without cost of repairs than any other machine. Has no ink ribbon to bother the operator. It is neat, substantial, nickel-plated, perfect, and adapted to all kinds of type writing. Like a printing press, it produces sharp, clean, legible manuscripts. Two or ten copies can be made at one writing. Any intelligent person can become an operator in two days. We offer \$1,000 to any operator who can equal the work of the DOUBLE CASE ODELL.

Reliable Agents and Salesmen wanted. Special inducements to leaders.  
For Pamphlet giving testimonials, etc., address  
**Odell Type Writer Co.,**  
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The place to get your  
**CARDS,**  
**ENVELOPES,**  
**LETTER HEADS,**  
**BILL HEADS,**  
**STATEMENTS,**  
**ETC.,**  
And all kinds of  
**PRINTING,**  
at the  
**LEADER OFFICE,**  
Price and Work Satisfactory.

**..THE..**  
**ELDREDGE**  
"B"  
A strictly high-grade Family Sewing Machine, possessing all modern improvements.  
**GUARANTEED EQUAL TO THE BEST**  
Prices very reasonable. Obtain them from your local dealer and make comparisons.  
**ELDREDGE MANUFACTURING CO.,**  
BELVIDERE, ILL.

**Does This Apply to You?**  
There are many families in this section who do not take the LEADER, some in fact who do not read any paper regularly. To all such who may read this, we desire to say that one of the first duties a man owes to his family is to provide them with instructive and entertaining reading matter. It is knowledge of ideas, by which the mind is enlarged, and the soul is elevated. The LEADER is a family newspaper which makes every effort to give all the general and local news. It will keep you informed of the world's doings, of the projects of government, of the trend of politics, and of what is going on among your neighbors. You cannot keep posted on household matters without the LEADER. It is a necessary to your well-being and food and drink. THE DETROIT FREE PRESS  
is a family journal overflowing with good things. There is fact and fiction, song and story, sketch and travel, wit and humor without stint, fashion and household departments for the ladies, in short something to please every member of the family. It is famous for its funny sketches and literary matter. It publishes stories each week, written expressly for it by the best authors. It is a paper which your wife can read without a blush, and your children can read every line without injury to their morals. Within its special sphere it has no superior in the world.  
We offer to supply you with these two most excellent journals for the term of one year for the small sum of two dollars. A price easily within the reach of every one. With The Free Press you will get a portfolio containing 20 photos of the strange people that were seen in Midway Plaisance.  
Send in your order at once.

## An Important Decision.

Judge Bellinger last Friday morning decided that the county of Multnomah and city of Portland cannot be made preferred creditors of the Oregon National bank, and must therefore take their chances with the balance of the depositors. The suit was brought by the city and county against the bank for a decree that the money deposited by the sheriff amounting to \$149,280.05 be made the property of the county, and, inasmuch as the county had nothing whatever to do with placing the money in the bank, that it should be made a preferred creditor. The city also joined in the suit and asked to be made a preferred creditor for \$14,574.65, which had been placed in the bank by the city treasurer. Judge Bellinger held that the funds, although wrongfully commingled with the assets of the bank, could not be dealt with in the manner prayed for. It is a well settled rule that a person can follow and reclaim his property if found; but in this instance the identical property cannot be traced. If the city and county were made preferred creditors, this preference would extend to the property of others, which would be unjust and unfair. For this reason the court denied the petition in a lengthy decision, and also overruled the exceptions to the answers filed.

This decision affects Lincoln county directly as it refers to the Hamilton, Job & Co. bank, and the county money locked up in that bursted concern. This decision of Judge Bellinger was given in an important case where there was a large sum of money at stake. The court had the advantage of having the best legal talent in the state to present the different issues and the decision is given after due deliberation and research by the court and will without doubt stand. This will bring Lincoln county to a place where it will have to lose the greater part of the money deposited by the sheriff and treasurer or recover from their bonds.

## A Fatal Accident.

Ed. Payne brought news of a fatal accident at the Pioneer rock quarry last Tuesday morning, in which Geo. Lay A'neker, a stone cutter, at work there lost his life. At about 8 o'clock Lay A'neker was at work on the top of the ledge of rocks sawing a log into to clear off the stone. After he got the log sawed he jumped back to get out of the way, and missed his footing and fell over the bluff, striking on his head and shoulders on a ledge of rock fully twenty feet below. While still in that position the peice of log he had cut off rolled over the bluff onto him and crushed him horribly. The other workmen hurried to his assistance but was too late to help him any as life was extinct when he was reached. Ed. Payne rode a horse down to Toledo to telegraph the fatal news to his family who reside in Salem, which consists of a wife and two children. The remains of the deceased were sent to Salem on Wednesday's train.

On the 26th day of April last the editor of the LEADER was in Newport and while in the Bay View House met Mr. Matthews, the editor of the Newport News. The conversation turned upon the action of the two papers regarding personalities, and Mr. Matthews stated that he did not like that kind of warfare; that he did not like to be called names, and agreed to put a mutual stop to it. The editor of the LEADER agreed to this in good faith and has kept that faith scrupulously ever since. The editor of the News broke his word on the matter in less than two weeks and has continued to break it. The election is now over; there are no local issues at stake and we feel that we are in honor bound no longer to a one-sided contract. So we here and now give the antiquated, fossilized, squint-eyed, cheroot smoking, queen kissing parody on humanity, that runs, or thinks the runs, the columns of the News, notice that we are ready for him and his swell headed lies from now on. Trot them out.

## The Land Grant Decision.

The decision rendered by Judge Bellinger in Portland on Friday, in the case of Charles Altschul vs. the Oregon Pacific and Willamette Valley & Coast railroad, T. Egenston Hogg and others, had been looked for with much interest. It is of importance, because it settles the title to nearly 1,000,000 acres of land.

The suit was brought to declare void any claim on the part of the defendants to lands comprising a grant in the Willamette Valley & Cascade Mountain Wagon Road Company, which had been conveyed to them by Hogg, as attorney in fact of the owner. This instrument had been given to Hogg by A. Weill, the then owner of the tract, empowering him to negotiate and conclude a sale on fixed terms any time inside of two years from January 1, 1879. At the expiration of that period Hogg went to Weill in New York, and tendered a check which he said was for \$445,000. It is claimed that Weill never saw the check, said he had no deed prepared, but if the proceedings were in good faith he would execute one. He says that he turned to send for his attorney, and when he again turned around Mr. Hogg and his witnesses had disappeared. Hogg then made a deed to the Willamette Valley & Coast Railroad Company for the consideration of \$445,000, claiming to act as Weill's attorney in fact. The deed was not acknowledged for nearly two years after it had professed to have been executed and delivered.

The court held that, in all that was done or professed to have been done under this power, there was nothing consistent or straightforward. The sale of an option by Hogg, as attorney in fact, to a company in fact owned by himself, without communicating the fact to his principal; the pretended tender of a certified check for \$445,000; the recital in the deed by Hogg, as president of the Oregon Pacific Company, on October 1, 1880, that the Willamette Valley Company had the right to "become the owner" of the property in question upon payment of \$600,000; the pretended deed by Hogg, as attorney in fact, conveying absolutely the same property on November 3, 1880, acknowledged more than two years later—these things admit of no explanation consistent with fair dealing or honest motives. In the more than 10 years since the expiration of Hogg's power the owners of the property expended large sums of money in complying with the conditions upon which the grant was made by congress, in defending their title in the courts, and for other necessary expenses in connection with lands. The pretended purchasers of the property, or of the option to purchase, did not offer to pay any of these expenses, and does not propose to do so now. Its insolvency confesses its inability to pay such charges or purchase price of the alleged sale. The plaintiff was entitled to the relief prayed for, and such was the decree.

We are reliably informed that there was an open fraud practiced upon the election at Nashville precinct last Monday. Voters from Benton county were run in to vote for county seat, and in some instances swore their vote in. Money was freely used to corrupt and buy votes and a desperate attempt was made to whoop up a big vote for West Yaquina. It is even said that no less a personage than Wallis Nash felt that it was his duty and right to help locate the county seat of Lincoln county, and so came over from Corvallis and voted in Lincoln county on the strength of a homestead he intended moving onto some time or other. It is said that Mr. Nash's family still continue to reside in Corvallis, and being a married man, not in the state or government employ, it is just a little bit hard to see just how it is possible for him to be a legal voter in Lincoln county. It is quite probable that the next grand jury of Lincoln county will inquire into Mr. Nash's place of residence a little.

The Corvallis Times, of last week shields the people of Summit from the odium of the Burleigh rape case, and says that the crime was committed near Norton, in Lincoln county. While it is true the crime was committed in Lincoln county, yet the beast Burleigh was only over a short time from Benton county, where his family resided at the time of the commission of the crime. The man's relatives still live in Benton county, and we understand that the female portion of the family are running a house of ill-fame in a tent near Mary's river bridge right under the nose of our friend of the Times.

## County Seat.

By the unofficial returns which are now in the result of the vote on county seat fully justifies the situation as stated in the LEADER of two weeks ago. The vote does not vary materially from what we estimated. The vote shows that Newport and Elk City were hopelessly out of the race. The strength which Newport hoped to gain on the south side was unavailable, and at no time was there a possible chance for Newport to get a portion of it. The south side people are naturally in favor of a south side county seat, and it was an idle effort for Newport to attempt to turn them. The Elk City vote was even less than anticipated. It was thought by those in Toledo who gave the matter careful attention that Elk City would poll from 60 to 70 votes. The Elk City people were befooled by the promise of help from both Newport and Yaquina. These promises were made for the sole purpose of keeping Elk City in the race and thus divide the vote of the natural Toledo country. This ruse was successful only to a limited degree. Instead of splitting the votes into equal parts, as Newport hoped to do, only a small defection was made. The fight has narrowed down to Toledo and West Yaquina, and the county seat will remain at Toledo for another two years. We had great hopes that it would be settled this year, but it was impossible to show two of the contesting points the hopelessness of their race.

## Resolutions.

The following resolutions were passed by Toledo Lodge No. 222, I. O. G. T. at its last meeting:  
RESOLVED: That Toledo Lodge No. 222, I. O. G. T. hereby extend its congratulations to Hon. S. W. Condon for his noble, manly and fearless expression against the curse of the liquor traffic, uttered by him at Toledo on Decoration Day.

RESOLVED: That we recognize in Mr. Condon an officer of the law that has been fearless and bold in doing his duties, when such duties conflicted with the interests of the rum power.

RESOLVED: That a copy of this resolutions be spread on the minutes of the lodge, a copy sent to Mr. Condon and a copy furnished to each of the papers of Lincoln county for publication.

The Oregon Pacific railroad, and all its belongings was placed upon the public auction block by Sheriff Osburn, at Corvallis, last Saturday at 2 o'clock p. m. After due time elapsed and no bid being presented the sheriff postponed the sale until today. Meantime the court will probably make an order postponing the sale for some definite time.

A dastardly trick, and one which deserves the severe condemnation of all true American citizens, was perpetrated at Drift creek school house last Friday night. The school children of the district had hoisted a flag over the school house and left it waving there. On Friday night some person or persons tore down the flag and put up a barley sack on the staff. They took the flag away and up to the time of our information had not returned it yet. The people in that vicinity are highly indignant at the flagrant act and if the guilty parties are apprehended they will be made to suffer the penalty of the law.

The worst part of it is that it will take about two months for the defeated candidates to tell what did it, and the successful ones to tell how they did it.