

LINCOLN COUNTY LEADER.

J. F. STEWART, Editor and Proprietor.

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There is no further doubt that the Oregon Pacific case will be appealed to the supreme court for a final decision. This is not a matter of regret, or at least should not be. The matter should be settled and settled finally. It would be worse to have the matter drag along. Now that Mr. Nash and his colleagues have the matter fairly in hand the only thing to be hoped for is that they will get it before the supreme court as quickly as possible. After it is once before the supreme court every city council, board of trade, or other business organization along the line or contiguous thereto, should prepare and present to the supreme court a petition asking that the case be advanced on the docket and brought to a speedy termination. To our mind the appeal is brought more in the nature of a bluff, and to cause unnecessary delay, than for any other purpose. With the history of the Oregon Pacific fresh in the minds of the courts it will be a hard matter for Wallis Nash to convince them that he can bring a bidder that will bid anything legitimately for the road. We do not apprehend a serious reverse from the supreme court. The facts of the case are too potent. But what we do apprehend serious danger from is a long and tedious delay pending a hearing and decision of the matter by the supreme court. By all means let it go to the higher court, and then use all the influence possible to advance it to an early hearing.

That Oregon's railroad commission was not appealed or in some way revised so that some benefit to the taxpayers might result therefrom is the greatest outrage of all that was perpetrated by the late legislature. Their deeds of omission and commission were many, but this was the most prominent. Every party pledged its repeal or revision in their several platforms last June and all, democrats, republicans and populists utterly disregarded these solemn pledges; and to make matters still worse, if such a thing was possible, they failed to elect new commissioners, thus leaving the old leeches to suck sustenance from the people for the succeeding two years who were nearly on the verge of bankruptcy by reason of the extravagance and misuse of this same commission during its former incumbency. Oregon is surely to be pitied, and God grant that she may never be again afflicted with another legislature of the mental and moral caliber of this last one.

Drink and the gang drinks with you swear off and you go it alone; for the bar-room bum who drinks your rum has a quenchless thirst of his own. Feast and your friends are many, fast, and they cut you dead; they'll not get mad if you treat them bad, so long as their stomach's fed. Steal if you get a million, for them you can furnish bail; it's the great big thief gets out on leave, while the little one goes to jail.—Superior Leader.

The daily papers are full of the marriage of Miss Anna Gould, the second daughter of the late Jay Gould, to the Count Paul Ernest Boniface de Castellane. The fulsome twang and twaddle poured over these two very ordinary beings is disgusting beyond measure. One is simply a French girl of wealth to uphold the name of an American who has robbed the country for a foreign

The Albany Herald thus stirs up State Senator B. F. Alley, of Florence: "It is said Senator B. F. Alley is an avowed aspirant for the republican nomination for congress. Alley might do for a justice of the peace down in Siuslaw precinct, but in trying to capture the nomination for congress he would have just about as much success as in trying to make people believe he is a real statesman. His is an aggravated case of the swelled-head."

Capt. Simons, the government engineer, is positive that the lower Umpqua cannot be made navigable above Scottsburg, that the work begun at Yaquina bay is not feasible, and that the Siuslaw bar is not susceptible of improvement. There is, however, one splendid harbor on the Oregon coast, where a million or more of dollars may be profitably expended, and strange to say, the captain's own beautiful townsite of Yarrow (lots for sale on easy terms) is situated upon its shores.—Roseburg Review.

An exchange relates how an old swindle is being worked in the west by an enterprising fakir. Equipped with two watches—one having a faint, the other a loud tick—and many bottles of liniment, he goes to cure deaf people. The particular individual works from a carriage. By offering to cure one or more free, he gets his victim up in the buggy, applies the watch having the weak tick to his ear, returns the watch to his pocket, applies some of his "lightning liniment," does considerable talking and rubbing and winds by applying the other watch—the loud one—to the ear. After this cure he makes probably a dozen sales and then excites further interest by making another cure.

The year just passed has been the hardest one upon the newspapers that they have experienced since 1869, says the press printer. Very few newspapers have gained in circulation. About one-half of the newspapers and other publications in the United States have decreased in size in the past year. The number that have been suspended is not definitely known, but it is known, that owing to decreased size and suspensions, there is 48 per cent. less white paper of the news class used than was the case one year ago. The number of newspapers published today in the United States is 18 per cent less than in 1893, the first year in 25 years that the statistics have shown a decrease. In New York state alone, 273 newspapers suspended publication in 1893, and it is said that this year at least 350 more will pass to the great majority. These figures are compiled from authoritative reports and are no guess work. Of course many newspapers have started but the number so starting has been far less than the number that have died.—Ex.

House Bill No. 40.

To protect salmon and other food fishes:

It shall be unlawful for any person or persons to take or fish for salmon in the waters of the Nehalem, Tillamook, Nestucca, Salmon, Siletz, Yaquina, Alsea, Siuslaw, Umpqua, Coos, Coquille, Sixes, Elk, Chetco, Windehuck, or any of their tributaries or bays, or in any other streams or bays in this state, except the Columbia river and its tributaries, and excepting Rogue river as hereinafter provided from November 1st to December 15th, or between April 15th and June 1st. In Rogue river it shall be lawful to take salmon from April 15th to August 15th and from September 1st to November 1st.

It shall be unlawful to receive or have in possession, or offer for sale or transportation, or to transport during the close seasons named in this act any of the following variety or kinds of fish which may be caught in any of the streams as aforesaid, viz: Chinook salmon, silver salmon, steelhead or blue back, and any person violating any of the above sections shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of not less than \$10 nor more than \$250. This act shall take effect at once.

Circuit Court in Benton

In the circuit court at Corvallis last week the court disposed of matters in connection with the Job bank case and the O. P. railroad case that is of interest to our readers. In the latter case Wallis Nash appeared with his application for an appeal perfected and it was ordered that the clerk of the court forward to the supreme court the records and the testimony in the case. This places the O. P. appeal in the supreme court for adjudication:

In the matter of the assignment of Hamilton, Job & Company came J. R. Bryson, assignee, and Florence Gilbert, one of claimants, by her attorney, W. S. McFadden, and the Agricultural college, claimant, by John Burnett, attorney, and by consent of parties the objection of Florence Gilbert to the claim of the Agricultural college as reported by the assignee for \$17,664.74 was withdrawn, waived and dismissed, and said Florence Gilbert admits that said claim is entitled to participate with other claims in the proceeds of said estate.

This is the finale to the suit brought by Florence Gilbert to shut out the claim of the O. A. C., on account of a flaw in the attachment placed on the Job property by the college, and the subsequent failure of the college to present its claims of \$17,664.74 to the assignee during the proper time allowed creditors for that purpose. It is understood that the case was not without foundation to stand upon. There was enough law behind it that a well known Portland firm offered to take the case to the supreme court with the agreement that they would pay all the costs if they were beaten. It was more or less of a factor in securing the dismissal of the county and college cases.

The most important matter disposed of at the adjourned term was the dismissal of the county and college cases against the assignee of the Job bank. The dismissal was made on motion of the plaintiff's attorneys, and is chiefly the result of numerous recent court decisions hostile to their theory that trust funds have a preference over other creditors, in all cases. As a result of the dismissal, assignee Bryson made application for an order to pay ten per cent dividend, and such an order was made. The assignee has on hand the chief portion of the \$20,000 or thereabouts that will be required to make the distribution, and hopes to collect enough more to begin paying it about the 10th inst. The dismissal ends all litigation pending against the assignee of the defunct bank.

Chitwood Chips.

Weather fine; health good and everybody happy.

Farm work is progressing nicely.

The grass is beginning to start with a prospect of early outside range.

Early oats look well.

Mrs. Eddy spent Saturday and Sunday at Little Elk visiting old friends.

Grandma Wilson, of Little Elk, is spending a few days at Chitwood on business and pleasure, will return home by train tomorrow.

Billy Wilson can be found in his shop most any day, with fire started ready to accommodate any of his patrons with any job in his line, from a harrow to a pocket knife, and on terms at which none can object.

Born, at Chitwood, on January 20, 1895, to the wife of W. J. Hollister, a boy; on February 21, 1895, to the wife of W. N. Cook, a boy, and on March 3, 1895, to the wife of M. T. Whitney, a girl.

Our literary society is progressing nicely and the young folks have caught the spirit of debate and are about to take the lead.

I. H. L.

March 4, 1895.

Postmaster General Bissell has resigned his position in the cabinet and the president has named Wm. J. Wilson, of Virginia, as his successor.

The Oregon Pacific Appeal.

The transcript for the O. P. appeal was completed in the clerk's office at Corvallis about six o'clock Monday morning and reached the supreme court at Salem the same day, securing a place for the appeal on the docket for the spring term. There are two terms of the supreme court, beginning respectively on the first Monday's in March and October, and there is so much business before the court that the business of one term is never finished before the beginning of another term is reached. The appellants now have 20 days in which to serve on the respondents, an abstract of the grounds and facts of the appeal. Then the respondents make a similar showing of what they claim the facts to be, and the briefs are prepared and the case is argued. Attorneys familiar with supreme court matters do not think a decision of the appeal can be reached before the end of May. Bonner and Hammond, it is supposed, will be the chief people to oppose the appeal. The transcript of the pleadings comprise 520 typewritten pages, and the work was done by T. E. and Joseph Wilson, the comparing being done by Clerk Hunter and Deputy Carlisle. They worked nearly all of Saturday night, all day Sunday and all of Sunday night. The fee for the transcript was about \$180.

Morrison Items.

Fine weather and work at the quarry progressing nicely.

We are sorry to note that John Percell has been confined to his room for some time past with neuralgia.

We are pleased to see Malsom Beaton on our streets once more.

Mrs. Taylor West has been on sick list for several weeks past.

Messrs. Bevens & Parks have opened their butcher shop which will be quite an improvement to our little city. Success to the firm.

Mr. King had the misfortune to fall and fracture two ribs besides otherwise bruising himself one day last week, while putting up a building for Mr. West.

It is reported that Mr. Luker will be in with a force of men about the 10th, and commence opening up his quarry.

ANON.

March 4, 1895.

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OREGON.

BARGAINS IN REAL ESTATE.

We have some good Bargains in Real Estate placed in our hands for sale. Below we give a description of a few of them:

160 acre ranch on Beaver creek; good house, barn and outbuildings; this farm has lots of meadow land and is an ideal dairy farm. Price \$1,200, and worth double the money.

159 acre ranch on Big Elk five miles above Elk City; some plowed and 7 acres slashed and in timothy; house, good barn 40x48; on county road, school within 1/4 mile. A good stock ranch. Price \$1,400 on good terms.

120 acre ranch five miles from Toledo; frame house and barn, about 40 acres under fence, orchard and small fruit. A splendid tract of land with a good body of creek bottom. Price \$600 cash.

Two lots in Prior Scott's addition to Highland; one corner and one in-side. Price for the two, \$50, all cash.

Two lots in Stanton's addition to Toledo, well located and close to school house. Price \$75.

A well selected stock of merchandise to trade for a good ranch on Yaquina Bay; must have some tide or bottom land and be well located. A good trade will be given for the right kind of a ranch.

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