

Oregon Historical Society
City Hall

Lincoln County Leader.

Volume XVI.

Toledo, Lincoln County, Oregon, Friday, November 6, 1908.

Number 37

Died

At the home of Wm. Wakefield, Eddyville, Oregon, October 29, 1908, Mr. Brown Hawkins quietly and peacefully departed from this life, and was laid away to his last, long rest.

He was born in Newport, Herkings county, New York, October 15, 1820, where the first sixteen years of his life were spent. He afterward lived in the states of Indiana, Illinois, Minnesota and, since 1888, in Oregon.

While in Illinois he was united in marriage with Miss Juliette Bill. Their union was blessed with four children, two of whom survive him. Fred Hawkins of Norwalk, Cal., and Mrs. John Haverly of Watertown, Minn. Mrs. W. F. Hyde of Pholomath, Or., is an orphan grandchild. His life companion preceded him in their last journey fifteen years.

His character was always held in high regard by all who knew him from early youth to life's close. His mild disposition, sincere conscience and honesty drew to him many firm friends who loved and honored him through the different periods of his life.

The many kind, generous and charitable deeds performed by his hands, not mentioned here, are recorded in that more perfect Land where they will return to him in the just blessings he has now gone to receive.

Card of Thanks.

We wish to express our sincere thanks to the many friends and neighbors who have so kindly and generously given their assistance during the late illness and death in our home.

MR. AND MRS. WAKEFIELD
AND FAMILY,
MR. AND MRS. W. F. HYDE.

Card of Thanks.

We thank the people at Eddyville very much for their kindness and help during the illness and burial of the babe.

MRS. EMMA MUNGER,
MRS. FELANNESE MUNGER.

For Sale.

One team of mares, wagon and harness; 4 brood sows; 2 cows with calves by their side. Will be sold cheap. Inquire of G. H. HORSFALL or ROYAL PLANK, Siletz, Oregon.

Wanted.

Wanted a farm in Lincoln county near Toledo preferred. Want to deal with owner direct. Inquire at this office.

Thread! Thread! Thread!

Carrollton's Extra Soft Finish, for hand and machine, strongest 3-cord thread made; 200 yards on spool, only 4c at the Eclipse.

Canvas gloves at Stewart's.

NOTICE OF FINAL SETTLEMENT.

In the County Court of the State of Oregon, for Lincoln county.

In the matter of the estate of Barney Morrison, deceased.

Notice is hereby given that the undersigned administrator of the estate of Barney Morrison, deceased, has filed with the County Clerk of Lincoln county, his final account, and the County Court, sitting for the transaction of probate business, has set Monday, December 7, 1908, at 10 o'clock a. m., thereof, at the County Court room of said county, as the time and place for settling said account and hearing objections thereto, if any exist. And notice is hereby given that at said time and place, any and all objections to said account, if any exist, will be heard and passed upon by said Court.

Dated at Toledo, Or., Nov. 4, 1908.

I. M. SIMPSON,
Administrator of the estate of Barney Morrison, deceased.

Bennett Olsen of Fisher is in the city today.

Mrs. A. T. Peterson went to Portland Monday.

A. M. Collins went to Corvallis this morning.

A. T. Peterson went to Portland this morning.

Fred Wygant was up from Newport Wednesday.

K. C. Egbert of Siletz was a Toledo visitor Wednesday.

C. L. Knapp was down from Elk City Wednesday evening.

John Affolter of Salmon River was in the city yesterday.

Ches. Morrison was a county seat visitor from Pioneer yesterday.

James Wolfe of Ocean View was a county seat visitor yesterday.

Geo. Lewis of Winant was a Valleyward passenger Monday.

J. F. Wilson of the Newport Mail was in the city Wednesday.

C. E. Hawkins was looking after his interests at Elk City Wednesday.

Commissioner Fogarty came up from Newport Wednesday to attend Court.

The Matthew Music Company of Newport has a new ad in this issue. Read it.

Mr. and Mrs. Austin Rosebrook went to Portland yesterday for a short visit.

Justice George Sylvester of Newport was a county seat visitor Wednesday.

H. L. Veit the Eddyville Merchant was a Toledo visitor Wednesday evening.

Valentine Thiel of South Beach is looking after his property interests here this week.

O. Middlekauff brought the election returns up from Yaquina Wednesday morning.

Ed Paine returned home last evening from Milwood. He will remain here several weeks.

See Mitty at Stewart's store about subscription to all magazines and papers at clubbing rates.

Miss Ida Hurley returned Tuesday evening from a visit at Medford and other Southern Oregon places.

The place to get your tablets, pens, penholders and pencils is at the Eclipse Cash Store, on Water front.

Mrs. E. Comer left Monday for Stayton where she will visit with her parents the Rev. and Mrs. C. M. Bryan.

A. B. Clark of Newport was a Toledo visitor Wednesday. Mr. Clark is moving his printing press to Newport.

See the new ad Lester Waugh has in this issue. Lester has opened a shop on the water front and asks to be given a trial.

Miss Hattie Gillette returned Saturday evening from Corvallis and has accepted the position of central girl with the Mutual Telephone Company.

Mrs. Grace Morris returned to her home at Harrisburg Monday after an extended visit with her parents Sheriff and Mrs. J. H. Ross.

Halloween passed off in Toledo with the usual pranks of the small boys, which, we are pleased to note, resulted in no material damage to property. Parties were given by Fay Plank and Ruth and Clarence Ofstedahl.

Settlers Win Case.

A decision has been handed down by the Acting Assistant Commissioner of the Department of the Interior which will be of interest to many Siletz settler, some of whose case is similar. Following is the decision and article printed in the Portland Oregonian of last Friday:

Evidence that the entryman on public land in this state, who has acted in good faith, has nothing to fear at the hands of the Department of the Interior, is found in the recent decision of H. H. Schwartz, Acting Assistant Commissioner, in the contest proceedings of J. L. Campbell against Arthur C. Boeschen. This contest involved the title to a valuable claim in the Siletz district and has been pending before the Department for several years. A copy of the opinion was received yesterday by A. W. Lafferty, who appeared as attorney for the contestee.

The cancellation of Boeschen's homestead entry was recommended to the Department by the Register and Receiver of the Portland Land Office, following the report of a special agent who, on investigation, held that the entryman had not honestly complied with the provisions of the homestead laws. The Acting Commissioner holds that the contestant did not support his charges of nonresidence and non-cultivation on which he based his claim for a revocation of Boeschen's entry and orders the contest dismissed.

Referring to the testimony of the entryman at the hearing of the contest before the Land Office officials in Portland, the Acting Commissioner holds that Boeschen settled on the land in 1901 and built a good house. Two years later he constructed another house, and between the date of entry and final proof he cleared about an acre and a half of land and raised vegetables. He also set out some fruit trees. After establishing his residence, Boeschen admitted that he was away about half of the time, but never was absent from the claim longer than six months at a time. He testified further that he was on the claim in the Spring, Summer and Fall, but he could not remain there throughout the year for the reason that if he did he would starve to death. During these intervals Boeschen said he worked at Toledo, Salem and Eugene, but declared that he had no fixed residence other than on his claim.

On the question of residence, Acting Commissioner Schwartz, in his opinion, dismissing the contest, says:

It is true he (Boeschen) could not give specific dates, but owing to the lapse of time that was but natural. But he gave the approximate time he lived on the claim and shows that his absences were caused by his necessities, and if he established residence, and you do not find that he did not, his subsequent absences may be deemed excusable.

As against the theory of occasional visits stands the fact that two years after entry contestee built an addition to his house, or, as he terms it, "built another house." Now, if he was endeavoring to acquire title to this land by occasional visits, why go to this unnecessary expense? If contestee is telling the truth, he did this about a year prior to the time that he was entitled to

submit final proof. I cannot construe this action otherwise than in the entryman's favor and against the theory of occasional visits.

Under the circumstances I am constrained to hold that the testimony given more than three years after the entryman submitted final proof in support of his compliance with the law, does not sustain the charges made, or warrant the cancellation of the entry.

Taft Elected President.

Another election is past and the people have selected their President. They are well pleased with the Republican administration, and have shown their confidence in W. H. Taft by electing him by a tremendous majority.

School supplies at Stewart's.

Dr. Adams returned Saturday from an extended visit in Portland.

Julius Busch left Wednesday morning for an extended visit in the East. He will visit relatives in Chicago while away.

Commissioner John Kentta came over from Siletz Tuesday evening to be in attendance at Commissioners Court Wednesday.

Mrs. Maude Ellsworth of Albany came over Monday for a visit with her parents Mr. and Mrs. Tom Horning. She is accompanied by her friend Miss Christianson.

Brunson & Vanderpool recently of Oklahoma have leased Frank Carson's blacksmith shop. They are fully prepared to do blacksmithing, horseshoeing and wagonwork.

O. R. Altree returned Wednesday evening from a week's trip to Portland. Oliver purchased a logging engine for the Yaquina Bay Lumber Company, while in Portland, and hereafter the company will do its logging in an up to date manner.

Sunday the Toledo football team goes to Elk City where they will play the team from that place. It is the first time these teams have met on the gridiron and a lively game is promised. Elk City's team will outweigh the locals so the home boys have been working hard since their game with Yaquina to get their team in shape. The launches Oregon and Grace will carry passengers leaving Toledo at 10 a. m. Sunday.

Buy your school tablets at Stewart's.

For Sale.

Five hives of Bees all new boxes and supers, \$2.00 a hive, see C. B. CROSO, Toledo.

Go to the Bonboniere for your school tablets.

A large new line of, Roger Bros., Silverware just received and have more following. H. E. PETERSON, The Jeweler.

A new line of slickers at Stewart's

Miss Mary A. Ewing has rented the Vincent house and moved in with her mother and brother. They will reside in Toledo this winter.

Commissioners' Court has been in session this week. They adjourned last evening.

M. S. Herring arrived the first of the week from Portland and is looking this country over with a view of locating.

Charley Anderson returned Saturday evening from a several weeks' visit to his old home in Dakota.

Peterson-Hoefflein.

At the home of Mr. and Mrs. George W. Hoefflein in Toledo, Oregon, on Sunday, November 1, 1908, a pretty but quiet wedding was celebrated when their only daughter, Bertha Rozella, became the bride of William E. Peterson, eldest son of Mr. and Mrs. A. T. Peterson. Promptly at 2 o'clock Rev. F. O. Jones of St. John's Episcopal church read the beautiful and impressive service which made them man and wife. After the congratulations delicious refreshments were served to the guests. The bride is a charming girl with fine musical talent and has a host of friends. The groom is a graduate of Mt. Angel College, a trusted employee of Wells Fargo Express Company and also Agent of the C. & E. R. R. The many and beautiful presents bespoke the high esteem in which they are held. They will reside in Toledo in a neat little home which the groom has prepared for his bride. The LEADER joins with their hosts of friends in wishing them all happiness.

Hall-Shannon.

Married at the home of George Shannon at Tiffin, Ohio, October 15 1908, Mr. Walter S. Hall and Miss Annabel Shannon.

After the ceremony they immediately started for the West, stopping at Toledo, Ohio, then in Minnesota, the old home of the groom, then in North Dakota, where they were joined by Mrs. G. H. Umbaugh, sister of Mr. Hall, then at Kelso, Washington, then home, arriving in Toledo last Saturday evening, continuing on to their home at Siletz the following morning.

Mr. Hall is a member of the firm of Hall Bros. of Siletz, and is one of Lincoln county's most progressive and prosperous business men. The LEADER joins the many friends in wishing them happiness and success.

Waldport Items.

School opened Monday with 50 pupils and more are coming as soon as a few more houses can be built.

Austin B. Hoover is hauling lumber for a cottage near the school house. As soon as completed Mr. Hoover will move his family here.

Mr. J. H. Glines has sold a number of acre tracts back of Waldport at a price of \$100.00 each. Property is steadily on the increase.

Election passed off quietly at Waldport. As usual the republicans were in the lead with 67 votes. The Socialists came in next with a vote of 21.

Work on the buildings being erected by the Waldport Mill is progressing nicely. The pile driver also being built by this company is practically ready for operation.

The dance Saturday evening cleared about \$18.00 for the benefit of the street lights. A mass meeting was held Monday evening and a committee was appointed to select the lights and place them.

A Cemetery Association will probably be formed soon. Mr. David Ruble, shortly before his death, had completed arrangements for an association of this kind and a donation of a five acre piece of ground suitable for this purpose had been promised, but the matter was dropped when Mr. Ruble died and has not been taken up till now.