

HOW TO GET A FARM.

The Land Laws Fully Explained—How to Pre-empt, Homestead, Etc.

The following circular contains all the information and material directions necessary to enable a person to "take up" lands under the various land laws of the United States.

GENERAL LAND OFFICE, WASHINGTON, D. C., March 15, 1883.

To Applicants and Receivers:

GENTLEMEN—You are instructed to deliver to applicants for land under the homestead, pre-emption, or timber culture acts, a copy of this circular, and to especially call the attention of the applicant to the requirements of the law under which the application is made.

RESIDENCE OF APPLICANT.

1. The applicant must in every case state in his application his place of actual residence and the post office address to which notices of contest or other proceedings relative to his entry shall be sent.

SECOND FILING AND ENTRIES.

2. A party making an illegal filing or entry under any one of the foregoing acts exhausts his right under that act and cannot thereafter make another filing or entry under said act.

ALTERATIONS IN APPLICATIONS.

3. Applications to amend filings or entries should be filed with the register and receiver and be by them transmitted for the consideration of this office. Registers and receivers will not change an entry or filing so as to describe another tract or change a date after the same has been recorded.

RELINQUISHMENTS.

4. Entries and filings made for the purpose of holding the land for speculation and the purpose of relinquishment are illegal and fraudulent, and every effort in the power of the government will be exerted to prevent such frauds and to detect and punish the perpetrators.

5. The first section of the act of May 14, 1880, provides that when a pre-emption, homestead, or timber culture claimant shall file a written relinquishment of his claim in the land office, the land covered by such claim shall be held open to settlement and entry without further action on the part of the commissioner of the general land office.

6. This act refers to bona fide relinquishments of bona fide entries. An entry fraudulent in its inception is not an entry capable of being relinquished. It is an entry to be cancelled upon a proper showing of the facts and circumstances of the case, whereupon the land will be subject to proper entry by the first legal applicant.

7. Purchasers of relinquishment of fraudulent filings or entries should understand that they purchase at their own risk so far as the United States is concerned, and must seek their own remedies under local laws against those who, by imposing such relinquishments upon them, have obtained their money without valuable consideration.

SETTLERS ON UNSURVEYED LANDS.

8. Homestead and pre-emption settlers on unsurveyed land are allowed three months after the filing of the township plat of survey within which to put their claim on record. Accordingly no party will be permitted to make final proof in any case until after the expiration of said three months.

THE HOMESTEAD LAWS.

9. Homestead entries can be made for not more than one quarter section or 160 acres of land.

10. The land office fees and commissions, payable when application is made, are as follows: In Idaho, Montana, Oregon, Washington and Wyoming—

Table with 2 columns: Land area and Fee. For 160 acres: \$22.00. For 80 acres: 11.00. For 40 acres: 8.00.

11. When a person desires to enter a tract of land upon which he has not established a residence and made improvements, he must appear personally at the district land office and present his application, and must make the required affidavit before the register and receiver.

12. He must then establish his actual residence (in a house) upon the land within six months from date of entry, and must reside upon the land continuously for the period prescribed by law.

13. In case of a single person, the actual residence must be established within the same time, and must be continuously and actually maintained for the same period.

14. The homestead affidavit can be made before the clerk of the county court only in cases where the family of the applicant, or some member thereof, is actually residing on the land in which he desires to pre-empt, and on which he has made bona fide improvement and settlement and when he is prevented by reason of distance, bodily infirmity, or other good cause, from personal attendance at the district land office.

15. In such case the applicant must state in a supplemental affidavit the facts of such settlement, improvement and residence; what acts of settlement have been performed, and when made; the nature, extent and value of the improvements; what member or members of his family are residing on the land, and the length of time such residence has been maintained, and the cause, specifically, why the applicant cannot appear at the local office.

16. A false oath taken before the clerk of the county is perjury, the same as if taken before the register or receiver.

17. The period of actual habitation, improvement, and cultivation, required under the homestead law is five years.

18. In case of the death of a homestead party, before making final proof, the widow succeeds on the homestead right.

19. In case of the death of both father and mother, the right and fee inure to the minor children, if any.

20. The homestead right cannot be devised away from the widow or minor children.

SOLDIER'S HOMESTEAD.

21. A Union soldier or sailor of the five years is entitled to a donation from the five years of the length of time (not exceeding four years) of his military service. But the soldier (or his widow, as the case may be), must actually reside on the land at least one year before final proof can be made.

22. In case of the death of the soldier, and the death or re-marriage of the widow, the minor children of the soldier, by a duly appointed guardian, are entitled to the privileges of the father.

23. Neither the guardian or the minor children are required to reside on the land, but the same must be cultivated and improved for the period of time during which the father would have been required to reside upon the tract.

24. The soldier may file a declaratory statement for a tract of land which he intended to enter under the homestead laws. The fee is

\$2, except in the Pacific States and Territories, where the fee is \$3.

25. This statement may be filed either personally or by an agent, and the soldier thereafter is allowed six months within which to make his entry and commence his settlement and improvement.

26. The entry can be made only by the soldier in person at the local land office, and he must actually make his entry and commence his settlement and improvement within six months after his filing, and must continue to reside on the land and cultivate it for such period as, added to his military service, will make five years. But he must actually reside upon the land at least one year whatever may have been the period of his military service.

27. Entries cannot be made for a soldier by an agent or attorney.

28. After a declaratory statement has been filed, whether by an agent or otherwise, the soldier cannot file again. His rights are exhausted by the first filing, and if he does not, within six months, make his personal entry at the land office, and commence his settlement and improvements as required by law, he obtains no right to the land.

29. A soldier's homestead declaratory statement for a tract of land does not prevent anybody else from making an entry of the same land, subject to such right as the soldier may require by virtue of actual residence upon the land and full compliance with the law. If the soldier does not establish his residence on the tract as required the next comer may take the land.

30. Soldiers are not entitled to land, nor to bounty land warrants, for their military service in the late war, nor can titles to land be obtained for them by agents or attorneys. All representations to the contrary are false, and soldiers and sailors are warned against imposition by parties who offer to locate land for them, or to sell their rights.

31. Home-land entries can be commuted to cash only after actual habitation of the land by the homestead party, and his improvement and cultivation on it for a period of not less than six months.

32. A person who commutes a homestead entry cannot move from the tract and settle upon other public lands in the same State or Territory as a pre-emptor.

33. Proof of settlement and cultivation for the prescribed period is to be made in the same manner as in pre-emption cases.

34. A person commuting a homestead entry when he has not actually resided upon the land and improved and cultivated it as required by law, forfeit all right to the land and to the purchase money paid, and in addition thereto renders himself liable to criminal prosecution.

35. A settler desiring to make final proof must file with the register of the proper land office a written notice, in the prescribed form, of his intention to do so, which notice will be published by the register in a newspaper to be by him designated as nearest the land, once a week for six weeks at the applicant's expense.

36. Applicants should commence to make their proof in sufficient time so that the same may be completed and filed in the local office within the statutory period of seven years from the date of entry.

37. The final affidavits and proofs should be made before the register or receiver, but may be made before the Clerk of a court of record in the county and State, district or Territory, in which the land is situated. If in an unorganized county the proof may be made in a similar manner in an adjacent county in the same State or Territory.

38. When proof is made before the county officers mentioned, the same must be transmitted by the Judge or Clerk of the Court to register and receiver, together with the same commissions and fees that the land officers would have been entitled to receive if the proof had been made by them and the testimony reduced to writing by them.

The land office commissions, payable at the time of making final proof are as follows:

Table with 2 columns: Land area and Fee. For 160 acres: \$12.00. For 80 acres: 6.00. For 40 acres: 3.00.

40. The fees for reducing testimony to writing in making final proof are, in the former States 15 cents, and in the latter States and Territories, 25 cents for each 100 words. No other land office fees than those stated in this circular are payable or allowable in homestead cases.

THE PRE-EMPTION LAW.

41. The qualifications required of a pre-emptor that he (or she) shall be a citizen of the United States (or have declared an intention to become such); over 21 years of age or the head of a family; an actual inhabitant of the tract claimed, and not to be the proprietor of 320 acres of land in any State or Territory.

42. A person who has removed from land of his own to reside on public land in the same State or Territory, or who has previously exercised his pre-emption right, is not a qualified pre-emptor.

43. Lands included in any reservation, or within the limits of an incorporated town, or selected as the site for a city or town, or actually settled and occupied for purposes of trade and business and not for agriculture, or on which there are any known mines or minerals, are not subject to pre-emption.

44. If the land is surveyed, but has not been "offered," the declaratory statement must be filed within three months from date of settlement. If upon "offered" land, the filing must be made within thirty days.

45. If the land is unsurveyed at the time of settlement, the declaratory statement must be filed within three months after the date of filing the township plat in the local office.

46. Failure to file a declaratory statement within the time prescribed makes the land liable to the claim of any adverse settler who does file notice of his intention at the proper time.

47. The land office fee for filing a declaratory statement is \$2, except in the Pacific States and Territories, where the fee is \$3.

48. A pre-emption filing can be made only by an actual settler on the land. A filing without settlement is fraudulent, and no rights are acquired thereby.

49. The existence of a fraudulent filing on a tract of land does not prevent another filing to be made of the same land, subject to any valid rights by virtue of the former filing and actual settlement, if any.

50. An offered lands proof and payment must be made within twelve months from date of settlement.

51. If the land is unoffered, proof and payment may be made within thirty-three months from date of settlement.

52. A failure to make proof and payment as prescribed by law, renders the land subject to appropriation by the first legal applicant.

53. The same requirements of actual habitation and improvement must be observed under the pre-emption law as under the homestead law.

54. Failure to inhabit or improve the land in good faith, as required by law, renders the land subject to contest and the entry to investigation and cancellation.

55. Final proof in pre-emption cases must be made to the satisfaction of the register and

receiver, whose decision, in any other cases, is subject to examination and review by the office.

56. Publication of notice to make proof is required as in homestead cases.

57. The final affidavit must be made before the register or receiver, or before the clerk of the court of records in the county and State or Territory where the land is situated.

58. The pre-emptor is required to make oath that he has not previously exercised his pre-emption right; that he is not the owner of 320 acres of land; that he has settled upon and improved the land to sell the same on speculation, but in good faith to appropriate it to his own exclusive use; that he has not made any contract or agreement, directly or indirectly, in any way or manner, with any person whatsoever, by which the title he may acquire from the United States shall inure in whole or in part to the benefit of any person except himself.

59. Any person swearing falsely forfeits all rights to the land and to the purchase money paid, besides being liable to prosecution under the criminal laws of the United States.

THE TIMBER CULTURE ACT.

60. A timber culture applicant is required to make oath that his filing and entry is made for the cultivation of timber and for his own exclusive use and benefit; that he makes the application in good faith and not for the purpose of speculation, nor directly, or indirectly for the use or benefit of any other person whomsoever; and that he intends to hold and cultivate the land and to wholly comply with the provisions of the act.

61. Claimants under the timber culture act will be held to a strict compliance with the terms and conditions of the law.

62. Not more than one quarter of any section can be entered under this act.

63. Where 160 acres are taken, at least five acres must be plowed within one year from date of entry. The following, or second year, said five acres must be actually cultivated to crop or otherwise, and another five acres must be plowed. The third year the first five acres must be planted to trees, tree seeds, or cuttings, and the second five acres actually cultivated to crop or otherwise. The fourth year the second five acres must be planted to trees, tree seeds or cuttings, making, at the end of the fourth year, ten acres thus planted to trees.

64. Perfect good faith must be shown at all times by claimant. Trees must not only be planted, but they must be protected and cultivated in such a manner as to promote their growth.

65. Final proof can be made at the expiration of eight years from date of entry. It must be shown that for the said eight years the trees have been planted, protected and cultivated as aforesaid; that not less than 2,700 trees were planted on each of the ten acres, and that at the time of making proof there are growing at least six hundred and seventy-five (675) living thirty trees to each acre.

66. Where less than one quarter section of land is entered, the same proportionate amount of plowing, planting and cultivation of trees must be done as required as required in entries of 160 acres.

67. If the trees, seeds or cuttings are destroyed in any one year they must be replanted. A party who will not make a continued attempt to promote the natural growth of timber or forest trees. A failure in this respect will subject the entry to cancellation.

68. Only an applicant for the land under the timber culture or homestead laws can institute a contest under the third section of the Act of 1878.

69. Contestants have a preference right of thirty days after cancellation in which to make entry of land.

70. The government will at any period, upon proper application to contest, or upon its own information, investigate alleged fraudulent or illegal timber culture entries, or alleged failure to comply with the law after entry, and such entries will be cancelled upon sufficient proof either of illegal entry or failure to comply with the law.

71. The land office fee for an entry of more than 80 acres is \$14; for 80 acres or less, \$9.

CAUTION TO APPLICANTS.

Persons making filings or entries under the homestead, pre-emption or timber culture acts are cautioned that the laws authorizing entries to be made for the use and benefit of the party making the same, and the entries or filings are not allowed by-law to be made for the benefit of others nor for speculation, but all entries must be made in good faith, and the requirements of the law must be honestly and faithfully complied with. Very respectfully,

N. C. McFARLAND, Commissioner.

RAILROAD NOTES.

The Roseburg Plaindealer says: It is rumored that Robt. Phipps will enter suit against the railroad company for the sum of \$5000, for a gravel bed on his place about eight miles south of town. The railroad company wish to buy this bed for \$500, although they paid \$500 per month for the use of it last summer. There will be considerable interest in this case if it is brought into court.

The Journal says: The general opinion of old residents near Siskiyou mountains incline to the belief that the railroad tunnel will be in solid granite all the way through that mountain, which will break well to form a solid passage without any need of timbering. Mr. Collins, now engaged in sinking shafts at each end of the proposed tunnel, intends going down about 48 feet to ascertain the quality of rock to be bored through. The croppings in the vicinity and projecting bluffs are all of hard granite.

Redding Independent: Forty-eight box cars, loaded with Chinese laborers, arrived here Sunday morning, direct from the Mojave desert. The train was not allowed to stop anywhere near Sacramento. The engines were changed about six miles the other side of that city while the cars were in motion, and when the train passed through there it was going at the rate of forty miles an hour. It is said that if the train had stopped in Sacramento the Chinese would have all gone over to Chinatown. They have been down in the southern part of the State to work three years and did not want to come to work this way. One or two Mongolians jumped from the cars while they were going at the rate of twenty miles an hour, and were seen to roll over and over.

The railroad line, as located by Dolson's party, crosses Rogue river at Chavner's bridge, thence goes up the river on the south side, between Gold hill and the river, and at last report the surveyors were working toward the mouth of Bear creek, at which point the road will leave the river and strike off through the valley. The Jacksonville people have not much hope now that the road will run between their town and the Hanley Butte. Important consultations have been held by citizens there, however, with Mr. Loring, right of way agent, and Mr. Dolson, engineer of the locating survey corps. It is reported that the railroad officials have offered to sweep the line toward Jacksonville provided the people will raise \$25,000, but we haven't heard from "Charlie" whether this is true or not.

Our Country.

Lane County.

Lane county is one of the largest and most productive agricultural counties in the State of Oregon. It extends from the Pacific Ocean on the west to the summit of the Cascade Mountains on the east, a distance of about 100 miles in length, and from Douglas county on the south to Linn and Benton counties on the north, an average width of about fifty miles. It embraces all of the upper and finest portion of the Willamette Valley, which is in every respect the largest body of agricultural land and the most beautiful and attractive valley of Oregon and of the Pacific Coast.

The Willamette Valley is from thirty to forty miles in width and about 150 miles in length, lying along both sides of the river of that name, which rises in the Cascade Mountains, flows west some distance and then north more than 100 miles to where it empties into the Columbia river. The valley is mostly level prairie, walled in on both sides with great mountain ranges, heavily timbered, and so high that snow may be seen from nearly all parts of the valley on many of the peaks every month in the summer. The Cascade range extends along the east and the Coast range along the west. On the south the Willamette Valley is separated from the Umpqua valley by the Callapooia chain of mountains, which extends from the Cascades to the Coast range, and forms the boundary between Lane and Douglas counties.

All the upper part of this grand valley of the Willamette—a valley unsurpassed in the world for the salubrity of its climate, the fertility of its soil and the beauty of its scenery—lies in Lane county. The valley is composed mainly of level or slightly rolling, fertile prairie, bordered next to the mountains with low foot hills, covered with grass and scattering oak, pine, fir, maple, balsam, alder, hazel and other varieties of timber. Each river and creek flowing through the valley is fringed with a narrow strip of timber, consisting of fir, maple, balsam, ash, alder, cedar, etc. The mountain ranges on the south, west and east are heavily timbered with forests of fir, pine, cedar, hemlock, spruce and other varieties of giant growth. Besides the valley land, which never fails to produce abundant crops of wheat, oats, barley, rye and other cereals, as well as vegetables and fruits of nearly every variety, there is a good deal of splendid farming land along the rivers and smaller water courses in the mountains.

The scenery, viewed from almost any point in the valley, is grand and beautiful. On the east is seen the blue range of the Cascade mountains, with their snow-capped summits looming up in the distance in summer and winter alike; on the south the Callapooia mountains, their foot hills covered with oak and their summits with evergreen; and on the west the heavily timbered Coast mountains. The valley is green with verdure during winter, while the mountains are covered with snow down almost to their base. Lane county has an area of about two and a half millions of acres, of which about one-fourth is level prairie and three-fourths timber and mountain land. About a million and a half acres are surveyed, and about one million acres, in the timber and mountains, are unsurveyed. Only about three hundred and seventy thousand acres are now settled by a population of about twelve or thirteen thousand. Land can be purchased in the hills and in the little valleys in the mountains at \$1.25 to \$2.50 and \$5 per acre, and choice improved farming land in the valley at ten, twenty, thirty, and, near town, at forty and fifty dollars per acre, according to location and the value of improvement.

The opportunities for farming, stock raising, lumbering and manufacturing are great. Ten times the present population would not settle the county as thickly as many parts of the country along the Atlantic Coast and in the Mississippi valley, where the natural resources and advantages are not so great as they are here. Splendid water power for manufacturing exists along nearly all the streams. Lane county is capable of supporting a population greater than the entire State contains at the present time.

The opportunities for fishing, hunting and rustication in the mountains are equal to any on the Pacific Coast. The Foley Springs, now owned by Mr. Peter Runey, who is making extensive hotel and other improvements, are situated in the Cascade Mountains, near the McKenzie river, about forty miles east of Eugene City. The Belknap Springs are a little further up the river. The Kitson Springs are about the same distance southeast of Eugene near the Middle Fork. All of these springs are favorite resorts for invalids and pleasure seekers during the summer months. Along the Siuslaw river, which flows through the Callapooia and Coast mountains into the Pacific Ocean, there is also a splendid country for hunting and fishing and a fine opportunity for new settlers to get good land. The Siuslaw is becoming more and more a favorite resort for hunting and fishing parties every summer, and already contains a considerable number of industrious, enterprising settlers, with room for many more of the same class.

In 1882 the land assessed in Lane county amounted to 368,219 acres, valued at \$2,343,223; town lots valued at \$367,637; railroad land, 53,940 acres, valued at \$16,812; wagon road land, 31,564 acres, valued at \$12,625; merchandise, notes and accounts, \$631,786; money, notes and accounts, \$1,110,664; household furniture, carriages, watches, etc., valued at \$195,912; cattle, 11,840, valued at \$141,434; horses and mules, 5,846, valued at \$311,631; sheep, 47,229, valued at \$80,377; hogs, 10,609, valued at \$22,883; indebtedness, \$1,303,139; exemptions, \$399,058; gross value of all property, \$5,234,984; total value of taxable property, \$3,537,787. The taxable valuation is perhaps about one-fifth less than the real value. In addition to the staple crops of wheat, oats, potatoes, vegetables, etc., of which the yield is large every year, Lane county produced and sold last year about \$100,000 worth of hops. It is now the leading hop growing county in the State, and ranks next on the Pacific Coast to the famous Puyallup valley of Washington Territory for the growing of hops.

Eugene City, the county seat of Lane county, was laid out in 1852, and named in honor of the late Eugene F. Skinner, owner of a portion of the land on which the city was located, a brother of the late St. John B. Skinner, New York, Assistant Postmaster-General during the administrations of Lincoln, Johnson and Grant. It is one of the most important towns on the line of the Oregon and California Railroad, and is beautifully located in the middle of the valley, about 1,000 feet above the level of the sea, on the southwest bank of the Willamette river,

at the head of steamboat navigation. It is surrounded by grand and beautiful scenery. Northward, the broad level valley stretches away a distance of more than 100 miles. Looking eastward, you see the "Three Sisters," three snow-capped summits of the Cascades, and other snow capped peaks 70 miles away. Toward the west the Coast Range is in view, and on the south Spinks Falls, the highest peak in a chain of foot hills which project down to within two or three miles of town, rises to an altitude of 1,500 feet above the town and 2,500 feet above the level of the ocean. The town contains many neat residences and substantial business houses, and many new buildings are being constructed. The present population is from 1,500 to 1,700, and is rapidly increasing.

The principal public buildings of Eugene City are: The State University, a brick structure, erected in 1874 at a cost of \$50,000, and endowed with about \$125,000, including the funds arising from the sale of the University lands granted to the State by Congress, and the \$50,000 recently donated by Henry Villard; the Court House, erected in 1855; the public school, a large wooden building, erected in 1877, at a cost of about \$12,000; five churches; one large flouring mill; one woolen mill for carding and spinning; one iron foundry.

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