ENTRY THAT IS VALID.

Intent to Sell after Making Proof is not Unlawful.

Hornbrook, Cal., Oct. 22.—When the publication of an alleged new interpretation by the United States Land Office of portions of the timber and stone act was first made by the newspapers there was considerable excitement and no little consternation among the large number of people in this section who are awaiting patents to timber claims as well as those who have made entries and not yet proved up.

In the latter class was Chas. W. Strother, a young attorney of Yreka, who concluded to ascertain beyond question his status before making final proof, and to this end he communicated with the authorities direct. He stated plainly that he had no intention of living on the land or individually making any personal use of the timber thereon, but that the entry was made by him for his own use and benefit, in the sense that he intended to hold the same until he could sell to advantage in the future.

He stated that he desired to know whether there was a prospect of his patent being held up by the department and his money forfeited in case he should proceed to prove up. The following reply should effectually dispel all doubts concerning the rights of inindividuals in the premises:

"Washington, D. C.—Mr. Charles W. Strother, Lawyer, Yreka— Dear Sir: Referring to your letter of 29th ult., relative to the suspension of your timber and stone entry, you are advised that if you made a satisfactory showing that your entry was made for your own use and benefit and there is nothing more to impeach your good faith than the mere fact that you made the entry for investment with intent to sell the land at some future indefiinite time and in this manner realize a profit on the money invested, this office holds that such an entry is not made in violation of law and should be passed to patent.

"J. H. Fimple,
"Acting Commissioner."

The above letter is important because it is neither vague nor evasive, but absolutely clear and conclusive. It looks very much as if there has been a complete backdown on the part of the partment.

NEW PACING RECORD.

Dan Patch Lowers The World's Pacing Record.

Memphis, Tenn., Oct. 22 —A mile in 1:56¼ was made by Dan Patch today at the Memphis Trotting Association's track in a trial against time. The pacer clipped three-fourths of a second from the world's record of 1:57 held by Prince Alert, and lowered his own record by 2¾ seconds. The mile was paced without a wind shield and at the finish Dan Patch seemed fresh and vigorous.

The demonstration that greeted the new world's pacing champion as he flashed under the wire was a memorable one. Horse owners who stood about the track before the starters' stand had caught the time with their own watches and before the official time flashed out across the track they set up a shout, and threw hats and caps high into the air. The shout was caught up by the people in the grand stand, the space before it and on the clubhouse grounds and the name of the new pacing idol was proclaimed in shouts of applause that reached their climax as Driver McHenry pulled up before the judge's stand and doffed his hat in acknowledgment of the race.

The trial was made with two runners to set the pace, the sulky preceding the pacer carrying a canvas strip between the wheels. The quarter was reached in 29 seconds, the half in 58 and the three-quarter pole in 1:27¼. As the horses swung into the stretch, Dan Patch was pushing the forward runner so closely that scarcely a hand's breath intervened between his nose and the back of the driver on the forward sulky.

Indians Versus Japs.

"Indians are much better workers in the beet fields than Japs," said a beet farmer yesterday in conversation with the La Grande Observer. "Indians can be depended upon to be there and at work every day. A cloudy day does not keep them out of the field. On the other hand, the Japs are always ready to quit and go back to camp. They are always under contract with some 'book man' with whom they are usually in a dispute and the season's work is one succession of stops, starts and quarrels. The Indians are good workers and I never have any difficulty in settlement. Simply deal slow and straight and there is never any trouble. They do not think rapidly and know little or nothing about figures, so it is best to make each step plain in your calculations and there will be no misunderstandings."

Knowles Succeeds Davis.

LaGrande, Or., Oct. 22.—Judge J. W. Knowles, of this city, received a letter today from Chairman Frank C. Baker, of Portland, requesting him to fill the vacancy made by Hon. E. W. Davis on the Republican State Central Committee. Mr. Knowles stated today that he would accept. Mr. Baker stated in his letter that Mr. Knowles had been recommended by a great many Republicans in Union County. Mr. Knowles says he considers it quite an honor.

Knowles was displaced in the Land Office Registership by Davis and resigned as a member of the Republican State Central Committee recently because President Roosevelt objects to Federal office holders being affiliated too closely with politics.

Glad to See Oregon Senators.

Washington, Oct. 21.—"Delighted." This was President Roosevelt's hearty exclamation, as he went into his office this morning to welcome the Oregon Senators, who had called to pay their respects. The reception accorded them was most cordial. The visit was entirely personal. No mention was made of matters of patronage, nor no reference made to late differences over the La Grande affair.

The Senators congratulated the President on the happy outcome of the Alaskan boundary negotiations and after a brief chat departed in the best of spirits, apparently forgetting all unpleasantness that arose during the recess.

Herald Men Win Again.

Union, Or., Oct. 22.—The jury in the celebrated Baker City Herald libel case that has been on trial in the Circuit Court here the past three days brought in a verdict of acquittal this afternoon, after being out about 30 minutes. The indictment in this case charged that the publication in the Herald in the Huntington defalcation matter was libelous in that it charged County Judge Travillion with being accessory to a crime and compounding a felony.

Twelve indictments had been found against the publishers of the Herald. This was the trial of the third indictment, the first trial being upon the eleventh count, both resulting in acquittal. It was expected that the other indictments would be dismissed, as they are similar to those already tried, but upon motion of the District Attorney this evening they were continued until the February term of court.

Canal To Come Up.

Washington, Oct., 22 —While President Roosevelt designated in his proclamation calling Congress into extraordinary session on the subject of Cuban reciprocity for Cuba it is reasonably certain now that the Senate, at least will have the Isthmian question brought directly to its attention. Senator Morgan of Alabama, has indicated his intention of introducing a resolution bearing upon the canal.

Mr. Morgan will endeavor to show that the Panama route is now beyond consideration and he will urge that it is the duty of the President, under the Spooner law, to construct the canal immediately by the Nicaraguan route.

MISCELLANEOUS ITEMS.

The municipal expenses of New York are approximately $100,000,000 a year.

Of 23,000 children placed in families by the Children's Aid society, only 60 have been arrested and sent to reform schools.

While London has 47 telephones per 10,000 inhabitants, Paris, 71; New York, 150, and San Francisco, 706, Stockholm reaches the figure of 980.

Berlin has its first female barbers —the wife and daughter of a hairdresser. In Bohemia, Hungary and Scandinavia there are many women barbers.

In the year ending April 1, 1900, Berlin imported from Italy 50 car loads of cherries, 357 of table grapes, 245 of summer fruits, etc. In the following 12 months the business doubled.

A Leipsic physician expresses the opinion that on account of their delicate sense of touch blind persons are specially qualified for practicing massage. In Japan this is done very largely.

In the clear atmosphere the other day Bostonians could see from Boston two mountains, Wachusett and Monadnock—that is, those Bostonians who took the trouble to climb Mount Bellevue, West Roxbury, could.

If all the reports that have reached the police within the past few days are true, diamond stealing by servants has reached the proportion of a mania in New York. Three young women employed in as many fashionable homes in the up-town section are now under arrest on this charge.

A Vermont town supports two papers which live in friendly discord. The Herald printed a meaningless item about one Slaets S. Weneht, a Syrian, and the News copied it, without the formality of giving credit. Gleefully the Herald now points out that the fictitious Syrian's name spelled backward proclaims the truth, well known locally that "the News steals."

WOMAN A PESSIMIST.

After a Certain Age Their Faces Show Signs of Mental Worry and Distress.

The average woman is a dyed-in-the-wool pessimist. Almost every woman over 30 years of age looks distressed. Her brows are bent, her mouth drawn into a tight line, and there are deep furrows down her cheeks. She looks exactly as if she were considering how to provide a dinner for 25 cents that will satisfy twenty-five small children, when in reality she may have nothing more serious on her mind than buying a pair of socks for George. No wonder women grow old faster than men, for they hug their worries to them and let them show in their faces.

There was once an elderly servant who was superstitious to a degree and who always expected the worst to happen. Did she find a needle on the floor, did a picture fall in the house or a bird fly into one of the rooms, she was instantly plunged into woe. "We're going to have a heap of bad luck!" she would say, and then she'd be lachrymose until some one had the toothache or the cows got into the corn, when she would consider the demon luck exorcised or satisfied for a time and grow as cheerful as it was her habit to be. Some one once asked her if she did not have any good-luck signs.

"Why, certainly," she replied, "but they don't count—I don't believe in the good-luck ones," which, by the by, is thoroughly characteristic of the sex.

Here is a woman who suffers—suffers is the word—from insomnia. "I can't imagine why I don't sleep," she says to her friends. "I'm sleepy as anything when I go upstairs, but then I begin to wonder if my son Arthur, who travels for a drug firm, is on a train, and in a minute I see him just as plainly bleeding and mangled in a wreck. When I decide that he is really dead, I think of John, and worry because he hasn't a better position. Then Molly comes into my mind, and I feel sure that one of her children must be ill, I feel so blue about her. I fret over Lucy's throat a bit then, and by this time I'm wide awake. It's the strangest thing! I don't understand why I should be so wakeful!"

Her physician does, however, and now he's prescribing for her a course of cheerfulness and of "looking for the best." It's a medicine that most women need—their faces show it—but there are few who are sensible enough to take it.

Death Caused by Mosquito.

Mosquitoes are now charged with communicating erysipelas as well as malaria and yellow fever. A New York physician has issued a death certificate in the case of a 14 months' old babe, in which he says "Death was caused by erysipelas due to the bite of a mosquito." It is only fair to the mosquito to record that the board of health officers refused to accept the certificate until a coroner's physician had investigated and concluded that there was no other apparent cause for the death than the mosquito bite.—Youth's Companion.

Holiday Games FREE

Inside each pound package of

Lion Coffee

will be found a FREE game. 60 different games. All new.

At Your Grocer's.

SAWYER'S EXCELSIOR BRAND OILED CLOTHING and SLICKERS

Look for this Trade Mark

Guaranteed to keep you dry. The best waterproof clothing in the world. Get only the genuine—the kind that won't crack, peel or get sticky. All sizes, all styles, for all kinds of work. If not at dealers, write to H. M. SAWYER & SON, Sole Mfrs., East Cambridge, Mass.

Does Your Food Distress You?

Are you nervous?.....Do you feel older than you used to?.....Is your appetite poor?.....Is your tongue coated with a slimy, yellowish fur? ....Do you have dizzy spells?.....Heve you a bad taste in the mouth?.....Does your food come up after eating, with a sour taste?.....Have you a sensation of fullness after eating?.....Do you have heartburn?.....Do you belch gas or wind?.....Do you have excessive thirst?.....Do you notice black specks before the eyes?.....Do you have pain or oppression around the heart?.....Does your heart palpitate, or beat irregularly?.....Do you have unpleasant dreams?.....Are you constipated?.....Do your limbs tremble or vibrate?.....Aro you restless at ight?.....Name.....Age.....Occupation.....Streetnumber. ...Town.. .....State .....If you have any or all of the above symptoms you probably have Dyspepsia. Fill in the above blank, send to us, and we will mail you a free trial of PEPSIKOLA TABLETS—unquestionably the surest and safest Dyspepsia cure known—together with our little book—"Advice To Dyspeptics" Regular size Pepsikola tablets 25 cents, by mail, or of your druggist. The Laxakola Company, 45 Vesey street, New York.

VISIT DR. JORDAN'S GREAT MUSEUM OF ANATOMY

1051 MARKET ST., SAN FRANCISCO, CAL.

(Between Sixth and Seventh.)

The largest Anatomical Museum in the World.

Greatest attraction in the City. A wonderful sight for visitors.

Weaknesses, or any contracted disease, positively cured by the oldest Specialist on the Pacific Coast. Established 36 years.

DR. JORDAN—PRIVATE DISEASES

Young men and middle aged men who are suffering from the effects of youthful indiscretions or excesses in maturer years. Nervous and physical Debility, Impotency, Lost Manhood in all its complications; Spermatorrhœa, Prostatorrhœa, Gonorrhœa, Gleet, Frequency of Urinating, etc. By a combination of remedies, of great curative power, the Doctor has so arranged his treatment that it will not only afford immediate relief, but permanent cure. The Doctor does not claim to perform miracles, but is well known to be a fair and square Physician and Surgeon, pre-eminent in his specialty—Diseases of Men.

SYPHILIS thoroughly eradicated from the system without the use of Mercury.

Trusses fitted by an Expert. Radical cure for Rupture. A quick and radical cure for Piles, Fissure and Fistula, by Dr. Jordan's special painless methods.

EVERY MAN applying to us will receive our honest opinion of his complaint.

We will Guarantee a POSITIVE CURE in every case we undertake.

Consultation FREE and strictly private. CHARGES VERY REASONABLE. Treatment personally or by letter.

Write for Book, PHILOSOPHY OF MARRIAGE. MAILED FREE. (A valuable book for men.) Call or write

DR. JORDAN & CO., 1051 Market St., S. F.

Administrator's Notice to Creditors

Notice is hereby given that the undersigned has been appointed administrator of the estate of Robert S. Morgan, deceased, by the County Court of the State of Oregon, for Morrow County. All persons having claims against said estate are hereby notified to present the same duly verified to me at the office of G. W Phelps, my attorney, at Heppner, Oregon, within six months from the date of this notice.

Dated September 17, 1903.

M. J. F. MORGAN,
Administrator.

56-61

Timber Land, Act June 3, 1878. NOTICE FOR PUBLICATION.

United States Land Office, LaGrande, Oregon, August 29, 1903.

Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada, and Washington Territory," as extended to all the Public Land States by act of August 4, 1892

ABRAHAM W. HERTZKA, of North Yakima, county of Yakima, state of Washington, has this day filed in this office his sworn statement No. 2830 for the purchase of the sw¼ sec 34, tp 5 n, r 27 e, W M, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before Vawter Crawford, County Clerk, at Heppner, Oregon, on Saturday, the 14th day of November, 1903.

He names as witnesses:

George Whities, Samuel W. Meadows, and James McGee, all of Heppner, Oregon, and Mathew A. Martin, of Hood River, Oregon.

Any and all persons claiming adversely the above described lands are requested to file their claims in this office on or before said 14th day of November, 1903.

55-61 E. W. Bartlett, Register.

Executrix Notice of Final Settlement.

Notice is hereby given that the undersigned Executrix of the Last Will and Testament of Benjamin Parker, deceased, has filed in the County Court of the state of Oregon for Morrow County her final account as such Executrix, and Tuesday the 3d day of November 1903 at the hour of 10 o'clock A. M. has been fixed by said court as the time and the county court rooms of Morrow County Oregon the place for the hearing of objections to said account, and to the settlement thereof.

Dated this 1st day of October, 1903.

ADA M. PARKER,
Executrix of the Last Will and Testament of Benjamin Parker, deceased.

G. W. Phelps attorney for Executrix. 58-63

Executor's Notice.

In the County Court of the State of Oregon, for Morrow County.

In the matter of the estate of Elizabeth B. Conner, deceased.

Notice is hereby given that the undersigned has filed his final account as Executor of said Estate, and the County Court has appointed Monday, November 2, 1903, at 10 o'clock a. m. of said day at the County Court room at Heppner, Oregon, as the time and place of hearing objections to said final account and the settlement of said estate.

ELIAS H. CONNER,
Executor.

Dated Sept. 25, 1903. 58-62

NOTICE FOR PUBLICATION.

Department of the Interior, Land Office at La Grande, Ore., Sept. 25, 1903.

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 John Hailey, Jr., U. S Commissioner, at Pendleton, Oregon, on November 13, 1903, viz: H. E. No. 7688,

WILLIAM M. CALDWELL, of Gurdane, Or., for the N½ NW¼ and SE¼ NW¼ Sec 17 and NE¼ NE¼ Sec 18, Tp 4 S, R 30 E, W M.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz:

George L. Horsman, Nelse C. Nelson, George F. Jones and William Corley, all of Gurdane, Oregon.

58-63 E. W. Bartlett, Register.

CONTEST NOTICE.

Department of the Interior, United States Land Office. The Dalles, Oregon, September, 3, 1903.

A sufficient contest affidavit having been filed in this office by James G. Doherty, contestant, against homestead entry No. 11530, made October 4, 1902, for the se¼ ne¼ n½ se½ and se¼ se¼ section 29, tp. 1 south, range 29 east, by Patrick McNamee, contestee, in which it is alleged that the said Patrick McNamee has never built a house on said land and has never made any improvements of any kind upon said land and that the said Patrick McNamee has never made any residence whatever upon said homestead as is required under the homestead laws of the United States, and is at this time a non-resident of the State of Oregon, and that said alleged absence was not due to employment in the army, navy or marine corps of the United States during time of war. Said parties are hereby notified to appear, respond and offer evidence touching said allegation at 10 o'clock a. m., on October 20, 1903, before Vawter Crawford, County Clerk, at his office at Heppner, Oregon, and that final hearing will be held at 10 o'clock a. m., on October 27, 1903, before the Register and Receiver at the United States Land Office in The Dalles, Oregon,

The said contestant having, in a proper affidavit, filed August 27, 1903, set forth facts which show that after due diligence personal service of this notice can not be made, it is hereby ordered and directed that such notice be given by due and proper publication.

57-62 MICHAEL T. NOLAN, Register.

NOTICE FOR PUBLICATION.

Department of the Interior, Land Office at The Dalles Ore., October 15, 1903.

Notice is hereby given that the following-named settler has filed notice of her intention to make commutation proof in support of her claim, and that said proof will be made before Vawter Crawford, County Clerk, at Heppner, Oregon, on Monday, November 30, 1903, viz: H. E. No, 10574

RUTH O. BARNETT,

formerly Ruth O. Windsor, of Lexington, Oregon, for the SW¼ sec. 26, tp. 2 south, range 25 E W, M

She names the following witnesses to prove her continuous residence upon and cultivation of said land, viz:

William Padberg, Ralph Benge, Nathaniel Shaw and Oliver Carr, all of Lexington, Oregon.

61-66 MICHAEL T. NOLAN, Register.

NOTICE FOR PUBLICATION

Department of the Interior, Land Office at La Grande, Or., October 15, 1903.

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 Vawter Crawford, at Heppner, Oregon, on Monday, November 30, 1903, viz:

THEODORE ANDERSON,

of Eight Mile, Oregon, H. E. No. 6764, for the NE¼ section 12, tp. 3 south, range 24 east, W. M.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz:

John W. Beckett, Frank P. Vaughn, Daniel S. Barlow, and James J. Adkins all of Eight Mile, Oregon.

61-66 MICHAEL T. NOLAN, Register.

Johnson & Nilson

Contractor and Builder

Estimates Furnished on Application.

HEPPNER, - ORE.

JUST STARTED . . .

Thos. Brennan,

Practical Horseshoer

Entire Attention devoted to Horseshoeing. No other work.

Lower Main street next to Meadows' Livery Barn.

Before You Order

Tombstones, Marble or Granite Work

You will do well to see

Monterastelli Brothers

and get prices. They have a fine stock on hand.

MAIN STREET, HEPPNER, ORE.