

Morning The Daily Astorian

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BUSINESS CARDS.

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IMPORTANT LAND RULING.

We have just received from Hon. W. T. Burney, receiver of the Oregon City land office, the following decision regarding the disputed lands in this county, lying in the quadrant near Forest Grove. This decision is an important one, and should be carefully read. The throwing open of these lands to public entry will be of great value to Washington county:

OREGON CITY, Or., April 10, '87.
Editor Independent.—By your permission, I desire to state through the columns of your paper, what we understand to be the status of the land claimed by the O. & C., successors of the O. C. R. R. company, contained in the odd numbered sections of about 13 townships lying northwest of Cornelius (and known as the quadrant), under the late ruling of the honorable secretary of the interior, in the case of Scott vs. Kansas Pacific R. R. Co.

Without reciting details, the Hon. commissioner held in that case that the rule heretofore adopted and adhered to since 1850, for adjusting railroad grants of public lands, should be abrogated, and one substituted whereby the railroad companies would get an amount of land equal in area to the aggregate of ten sections (supposing such a grant) on both sides of a "direct line drawn connecting its terminal" points.

Without undertaking to state more explicitly the Hon. commissioner's position, or the old rule of adjusting grants (which is more intricate), at all, we call attention to the fact that the line of the O. C. from Portland runs nearly due west to Cornelius, and then turns nearly due south to McMinnville. By making this elbow the company would get a very much larger tract of land—considering also the O. & C. grant, and excluding that contained in the quadrant referred to—than they would if they had run their line direct from Portland to McMinnville—they now claiming the land by reason of the completion of that branch.

Referring to the obligation of a railroad to run as near as practicable direct from one terminal point to the other, the Hon. secretary in said decision says:

"It has been urged herein that a railroad should not be allowed to diverge unnecessarily from a direct route, and thereby increase its grant. While this is undoubtedly true, the question whether the Kansas Pacific, or any other land grant railroad, has departed unnecessarily from a direct route, is not presented in this case. I therefore express no further opinion on that point."

It was reported in the dispatches, upon the delivery of said decision, that Senator Dolph was of the opinion that, as the Hon. commissioner's rule of adjusting grants generally was therein rejected, the company would get this land, and thereupon a very large number of letters came to this office, asking information as to the possibility of their losing their claims.

After stating the facts as we knew them on March 22, we said to a correspondent: Under the circumstances, I think it would be precautionary for your husband to enter into a contract with the railroad company for the purchase of the tract in the event of the railroad company securing the title. He would then have a claim to the tract, both under the government and the railroad company. After reading the decision named and considering the matter, if the railroad company is so disposed, I think settlers would do well to take a "bond of fate," as it were, and secure a contract of purchase for the land covered by their claims, from the company. But, with all due deference to the opinion of that very able attorney, Senator Dolph—considering the fact that the Hon. commissioner's ruling of July 8, 1885, as to the lands forfeited by act of January 31, 1885, approved by Hon. H. L. Muldrew, acting secretary of the interior, whereby the lands embraced in this quadrant were thrown open for settlement; and, considering further, the language quoted from the said decision, the special circumstances involved in this case, viz: the complete elbow made by the road, and the fact

that the land in question was granted in aid of the main line of the O. C., to run from Portland via some point near Forest Grove to Astoria, and which grant was forfeited by said act of January 31, 1885, we believe that the ruling of the Hon. commissioner, as approved by Hon. H. L. Muldrew, acting secretary of the interior, will be sustained in this case, and the land in the said quadrant will be held to be government land, and subject to entry as other public lands.

We have taken this means of communicating with the settlers who have taken claims of said lands, to give them our opinion and the reasons therefor.

W. T. BURNEY.
—Hillsboro Independent, H.

Apropos of rats, a recent Liver-pool paper relates an incident in connection with a wreck off the Cornish coast. The captain was the last to leave the ship, and as he dropped into the life boat a rat ran along the rope and laid hold of the captain's collar, and the captain turned round, and, noticing with what tenacity the rat held on, said: "Poor d—, like myself, you are making an effort for dear life; come along;" and both were safely landed.

The few days of cold weather were fatal to fall sheared sheep in Crook county, and hereafter, sheep men there will be content with one crop of wool a year.

The grass has shot up, from the ground in luxuriant growth and live stock on the range are in the most flourishing condition, says a Cheney paper.

The actual gap in the railroad to California is now reduced to thirty miles of staging over the Siskiyou mountains.

CURE OF PNEUMONIA.
HESS ROAD, NIAGARA CO., N. Y., March 24, 1886.
About a year ago I was taken with a severe pain in both lungs. I was first attacked with a violent chill, then a dreadful pain and then a cough accompanied by a considerable fever. It looked very much like a bad attack of pneumonia. A friend of mine procured five ALLCOCK'S PLASTERS. One he put under each arm, one under each shoulder blade, and one on my chest close around my throat. In a few hours the cough ceased, the pain gradually abated and I broke out in a profuse perspiration. I fell into a profound sleep, and the next day was almost well. I wore the PLASTERS eight days afterwards, and have never had any trouble since.
WILLIAM A. SAWYER.

A Mr. Cameron, of Soda Springs, Clackamas county, shot himself through the head last week, in a fit of despondency, or mental derangement, caused by an injury that laid him up.

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Hugh Harris, a farmer at Oak Grove, Polk county, when driving a load was thrown off his seat by a jerk and the wheel crushed his skull causing death in two hours.

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