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WANTED.

TWO DINING ROOM GIRLS. Hotel Enterprise.

FOR SALE.

A 20,000 Sawmill, in good order. Has 35 H. P. engine, gang edger, all belting, saws, etc., ready to run. Is a bargain at \$1,100. Write to Star Planing Mill, Elgin, Oregon.

NO. 1 MILK COWS, also a full blood Jersey Bull. Enterprise Dairy Farm 1 1/2 miles south of Enterprise. Home phone. L. J. Jordan, proprietor. 154

CATTLE, 100 head, from yearlings up to 5-year-old cows with calves, and including 1- and 2-year-old steers and a few 3-year-old steers. J. H. Whitmore, Enterprise. Ranch 10 miles north of Enterprise. 121f

LODGE DIRECTORY.

ENTERPRISE LODGE, No. 153. EMERALD REBEKAH LODGE, No. 119.

K. of P. ENTERPRISE LODGE, No. 94. JUANITA TEMPLE, No. 7, Pythian Sisters.

MASONIC ENTERPRISE CHAPTER, No. 30, Royal Arch Masons, meets first and third Tuesdays of each month in Masonic Hall. All visiting Royal Arch Masons welcomed.

J. B. OLMSTED, High Priest. D. W. SHRAHAN, Secretary. WALLOWA LODGE, No. 82, A. F. & A. M., meets second and fourth Saturdays of each month in Masonic Hall. Visiting Masons welcomed.

C. H. ZURCHER, W. M. W. C. BOATMAN, Secretary. WALLOWA VALLEY CHAPTER, No. 56, O. E. S. meets first and third Saturdays of each month, in Masonic Hall. Visiting Stars are always welcomed. OLIVE LOCKWOOD, W. M. DANIEL BOYD, Secretary.

M.W.A. EAGLE CAMP, No. 10497, M. W. A. Meets first and third Thursdays in each month, in new Fraternal hall. Visiting Neighbors always welcome. J. G. RENNIE, Consul. T. M. DILL, Clerk. ANEROID CAMP, No. 3542, R. N. of A.

W.O.W. ENTERPRISE CAMP, No. 635, W. of W. ALMOTA CIRCLE, No. 278, W. of W.

James Nubler, Charlotte Landrus and a gentleman from Palouse stay 6d at Sleds Thursday night on their way back to Asotin county, after a short business stay. The gentleman from Palouse would invest and settle in Wallowa county but thought land was pretty high.

APPOINTMENTS BY M. E. CONFERENCE

REV. C. E. TRUEBLOOD OF WINTERSSET, IOWA, COMES TO ENTERPRISE CHURCH.

Rev. C. E. Trueblood of Wintersset, Iowa, was appointed to the Enterprise charge by the M. E. conference in session at Weiser, Ida., last week. Mr. and Mrs. Trueblood and their two children arrived in Enterprise Tuesday night and are being given a warm welcome and made to feel at home.

Rev. F. G. Potter, who has been pastor of the local church for the last year, will move onto his claim on the Grande Ronde river and will preach at Promise. Following are the appointments in Presiding Elder Gillilan's district:

- Superintendent, J. D. Gillilan. Baker City, Jacob Finger. Cambridge, Ida., to be supplied. Cove, J. L. Baker. Elgin, W. F. Bradley. Enterprise, C. E. Trueblood. Flora, H. Martin. Haines, J. M. Johnson. Harney, H. E. Carter. Huntington, Mr. Henshaw. John Day, H. P. Peterson. Joseph, A. L. Howarth. La Grande, C. E. Deal. Long Creek, J. M. Cason. North Powder, C. D. Fawcett. Nyssa, A. H. Soward. Ontario, J. E. Garver. Payette, G. G. Haley. Prairie City, J. M. Dressler. Promise, F. G. Potter. Roseberry, to be supplied. Summerville, A. F. Kline. Thunder, to be supplied. Union, D. C. McColm. Vale, B. F. Meredith. Wallowa, J. D. Bird. Weiser, C. McCoard.

SUNDAY SERVICES.

The subject of Rev. W. S. Crockett's sermon at the Christian church next Sunday morning is "Christian Unity."

Preaching services in the Presbyterian church next Sunday morning at 11 o'clock by the pastor, Rev. Selden C. Adams.

Rev. C. E. Trueblood, the new pastor of the M. E. church, will preach the sermon at the union services next Sunday evening in the Methodist church.

DEATH RECORD.

Mrs. Samuel McGee of Lostine died Monday morning after a lingering illness. Funeral services were held at the home of her parents, Mr. and Mrs. H. N. Williams, Tuesday forenoon at 11 o'clock, Rev. W. S. Crockett of the Christian church, officiating. Burial was in Lostine cemetery.

Mrs. McGee's maiden name was Daisy Alice Williams and she was born in the vicinity of Lostine where she has always made her home. She was married to Samuel McGee in September, 1905. Mrs. McGee was of a sunny, affectionate disposition and besides the sorrowing husband parents, three sisters and one brother, she leaves a host of friends to mourn her untimely death.

Arrests Robber; Earns \$200 Reward

D. A. Silver of Grouse Captures at Colton Man Wanted in Kansas.

Grouse, Aug. 18.—D. A. Silver captured Harry Coleman, a bank robber, who had been staying with Chris Hanson, near this place for several weeks. Silver found Coleman at Colton, Wash., and had him placed under arrest and sent to Colfax jail. Silver then wired the sheriff of a Kansas county of Coleman's arrest. There was a reward of \$200 offered for Coleman's arrest and conviction. When arrested the officer asked him if he was the man described by the sheriff. Coleman replied, "I guess I am."

The fire in the mountain near this place was extinguished by the rains. Roy Smith has received appointment as a forest ranger and assigned to a position in the Blue mountains above Pendleton, Ore.

Dr. Hewett Goes to San Francisco.

Dr. F. G. Hewett has moved from Lostine, leaving there last Thursday for San Francisco, where he will take a post graduate course in medicine and surgery. Dr. Hewett's removal leaves Lostine without a resident physician but one is expected to locate there shortly.

TAKEN UP.

Taken up on the Bell ranch near Chico, on Crow creek, one spotted cow and calf branded RT on left hip.

SQUARE IS PUBLIC PROPERTY FOREVER

COUNTY COURT ADVISED BY LAWYERS NO POSSIBLE WAY TO CONVEY.

The public square cannot be sold according to the opinion of District Attorney Ivanhoe, concurred in by two other leading lawyers of La Grande. The opinion was given at the request of the county court, as two members of the court were in favor of accepting the offer of \$10,000 for it and building on another site, at the head of Main street, just below and to the north of the county high school building. The opinions given do not leave even a bare possibility of doubt, and Judge Olmsted stated Monday the court would go ahead and build the courthouse on the public square site.

The obstacle in the way is that the dedication of the square to a public use is irrevocable, and as Mr. Ramsey puts it, neither the dedicators, their heirs, the city nor the county can by any kind of deeds change that dedication. This is the law of Oregon as laid down by the supreme court.

This is a phase of the matter not thought of at the time the offer to purchase was made. It was then believed by those making the offer and by citizens generally, that if Mr. Stubblefield, the Zurcher heirs, and the city made unconditional deeds to the county, and authority was secured from the legislature empowering the county to convey, a warranty deed could be executed by the court. This was not only the belief but the hope of several who were sure of making a good profit in the purchase. There is more than one local capitalist who is confident he could clean up several thousand dollars profit on the purchase price of \$10,000.

The "public" phase of the situation was never suggested. It seems that a man who never saw or heard of the square could veto its sale just as effectively as one of the original dedicators. It must remain a "public square" for all time to come.

After citing records showing the original dedication as a public square by R. F. Stubblefield and John Zurcher, 20 years ago, and the facts in regard to the offer by 68 citizens taxpayers, offering the court \$5000 as a bonus for building a courthouse, second, the quit claim deeds made by R. F. Stubblefield, the Zurcher heirs and the city of Enterprise, and third the offer to purchase for \$10,000 made by five citizens, Mr. Ivanhoe gives his conclusion, of which the following are pertinent extracts:

"Public Square" and "Court-House Block" have been irrevocably dedicated to public use, as a "Public Square." (Ten Oregon cases cited besides a long list of decisions in other states, and legal authorities.)

"Under this dedication the 'Public Square' in question, can be used for county courthouse purposes." (Long list of authorities and decisions cited.)

"The 'public Square' in the city of Enterprise, Oregon, is held in trust, by said city, for Wallowa county, Oregon, to be used by county for court house purposes, and any sale or use of the same attempted, that would devote said premises to other than public use, could be perpetually enjoined; and no individual could acquire title to said property from either said city or county, neither having title or right to convey." (Authorities and decisions cited.)

Summary: "The 'Public Square' in the city of Enterprise has been clearly dedicated to public use as such \* \* \* Said 'Public Square' can be used for County Court House purposes under said dedication \* \* \* Neither said Wallowa county, nor the city of Enterprise, has any title to, or any authority to convey the title of said 'Public Square' to any individual or individuals, but must hold the same perpetually for some public use, consistent with its designation as a 'Public Square.'"

C. H. Finn Concurr. Following Colonel Ivanhoe's opinion is this note: "Based on the facts only, I am of the opinion that there can be no legal conveyance, by Wallowa county, of the tract of land in Enterprise, Oregon, called on the plat, a 'Public Square.'"

No Conveyance Says Ramsey. Wm. M. Ramsey of La Grande, to whom was submitted Colonel Ivanhoe's opinion states that in his opinion Mr. Ivanhoe "has come to a correct conclusion."

"The square having been so dedicated to a public use, it must be used for public purposes, within the meaning of the dedication."

"The square having been dedicated to a public use and the dedication having been accepted, or its acceptance being presumed, neither the original dedicators, nor their heirs, nor the city of Enterprise, nor Wallowa county has any title to said square that would enable them to sell or convey it to any one and make a good title thereto. By the dedication it was irrevocably charged with a public use."

Find Light Grade Up Courtney Canyon

Sled Springs Reporter Interviews Surveyors.—Half-way House News Notes.

Sled Springs, August 21.—Messrs. Merryman and Cramer passed here today on their way home from surveying a wagon road up Courtney canyon. They report a 3 to 5 percent grade up Courtney, which is not bad. This is a road that is needed badly, and we all hope there will be further moves made in this direction for the benefit of those who are almost isolated from the county seat in bad weather.

Mr. Irwin of Kuhn Ridge stayed at Sleds on his way home with flour which Mr. Irwin says is very high owing to the shortage of wheat at hand. Our Flora mill will be running before long.

Mr. Jardean, government botanist, stayed at Sleds one night on his way from the High mountains to the Billy Meadows government pasture.

Charles Shine was at Sleds with a fine 4-horse team on his way to Culesac to harvest, where he says crops are fine.

James Applington stayed at Sleds last night on his way in from outside points.

Pete Bodmer of La Grande was here today on his way back from Paradise where he had been looking after his business interests.

Mr. Crossland stayed at Sleds last night on his way out with fruit and vegetables from his fine river place near Troy.

Miss Rosa and Doc Shelton who are sojourning at Sled Springs for a month, made a trip to their ranch on the river after fruit and vegetables for their summer camp.

Dan Cussins made a business trip to Wallowa and Lostine this week.

Misses Alice Norton and Ros Shelton made a trip to Day Ridge Sunday to visit Miss Allie's parent who live on the Bob Harrison place.

John Henderson stayed at Sled last night, returning from Elgin where he took his wife on her way to Colorado on business. She will be gone about six weeks.

Joe Clemons, game warden, was at Sleds yesterday enroute to the North Country on official business.

Miss Inez Hueston was at Sleds today on her way in to visit her uncles, Oren and Al Shuman, of Lost Prairie.

AVERT THREATENED DELAY OF RAILROAD

LAND OWNERS WILL NOT PUSH THEIR CLAIMS FOR ADDITIONAL PAY.

The threatened delay of the railroad by Hector McDonald and possibly other landowners between Wallowa and the canyon asking damages or more money for right of way across their land, was reported Thursday morning as having been adjusted, and that McDonald and the other owners would make no move to restrain the laying of the track.

The hint of trouble from this cause created no little excitement in Wallowa Tuesday and Wednesday. There were broad insinuations of a scheme behind the move, such as stopping the road at Wallowa for the winter, or the location of a new town site near the head of the canyon. If there is anything in the matter other than appears on the surface, the citizens of Wallowa are in ignorance of it, for they were indignant and alarmed at the prospect of construction work being stopped entirely. There was danger of that it is believed, for the officers in charge of the work said the O. R. & N. would not force the railroad on this county when such actions indicated the people did not desire the road.

Mr. McDonald and several others sold the company right of way with the proviso that if the land was not used for railroad purposes by September, 1907, it was to revert. Mr. McDonald posted or had posted notices on the right of way across his land, warning the railroad company not to trespass. As the company is in possession, has its grade made on the right of way and as the U. S. supreme court has decided such limitations on a deed in fee simple are of no effect anyway, it is hard to see what Mr. McDonald could have gained by a legal battle, except to anger the big railway officials into suspending work entirely.

Lawyers say the only thing the landowner can do is to apply for an injunction. To secure that he would have to give a bond to indemnify the company for any loss or damage caused by the delay, which might run up into thousands of dollars a day. This would be a costly piece of business even if he won. It is stated that Mr. McDonald wants \$50,000 damages that he believes he is entitled to for loss on hay bought last summer in the expectation the road would be finished so he could ship it out. The railroad company officials lately refused to pay a cent. It is supposed Mr. McDonald and the other owners agreed to not push their claims as a matter of public policy.

Between Wallowa and Enterprise here are but two conditional right of way deeds, that of C. W. Mumford, at Wallowa, the time limit of which was last February, and that of Fitzpatrick, this side of Lostine, the time limit in which is next February. As Mr. Mumford's deeds include a refund of the money heretofore paid, it is not thought any further trouble will be made, as in a

(Continued on last page.)

RESOLVED THAT WE HAVE ALL OF US BEEN IN A TIGHT SQUEEZE AT SOME TIME OR ANOTHER. BUT A LITTLE ECONOMY AND CARE WILL SAVE US LOTS OF WORRY. BUYING THINGS AT A PLACE WE CAN TRUST IS ECONOMY BUSTER BROWN.



SCHOOL WILL OPEN EARLY IN SEPTEMBER AND IT IS TIME NOW TO SEE THAT EVERY THING IS READY. WE ARE RECEIVING OUR FALL STOCK NOW AND ARE PREPARED TO FIT THE CHILDREN UP IN GOOD SHAPE. IF YOU HAVE EVER BOUGHT CHILDREN'S SHOES FROM US WE KNOW YOU WILL COME AGAIN. OUR BOYS' READY MADE SHIRTS AND WAISTS WILL SAVE YOU TROUBLE.

RESPECTFULLY,

W. J. FUNK & CO.

Advertisement for Enterprise land sale. Text: "There is no mistake about it, Enterprise WILL HAVE 5,000 People in five years and now is the time to get a CHEAP LOT in Alder View Addition. We will increase price of every lot \$25.00 October 1st, date Railroad will reach Enterprise. DANIEL BOYD Secy. Wallowa Law, Land & Abstract Co. C. H. FINN, Attorney."