

Current Comment---Timely Topics

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FRIDAY, JANUARY 1, 1904.

With Monday, Jan. 4, registration of voters will begin at the county clerk's office and it is well to register early as 1904 has both a state and national election. This extra labor added to the already heavy duties of the clerk's office would seem to justify the employment by the county of an additional deputy to aid in keeping up the work. Because of inability to find time to prepare the semi-annual statement of county finances, required by law to be published, has not appeared for several years. The office has had its hands full with keeping up its daily duties without taking up anything extra and now this further burden coming business is likely to accumulate to the detriment of the county's patrons. With nearly a half more people than were here five years ago it is reasonable that the county should make provision for the great increase in business.

A RESOLUTION FOR REPUBLICANS

A New Year's resolution for that part of the republican party having its home in Washington county might fitly be to drop all internal differences and as an united organization work for victory in 1904, from precinct to presidential candidates. Factional fights are at best unprofitable but now they seem especially senseless for this year no state or senatorial interest is involved except only that Senator Wehrung's successor will cast a vote for the successor to United States Senator John H. Mitchell three years hence, and that solitary vote seems too remote and inconsequential to divide the majority party and again turn over the important county officers to the representatives of the minority.

Four years ago one wing of the party helped elect the opposite party to county offices to spite the other faction, two years later the tables were turned, but both times the officers elected by these "union" movements speedily forgot that they were representatives of any broader party than the democracy. Although the democrats could not poll a third of the votes in Washington county, on a strictly party vote could probably not elect its justices of the peace in three precincts in the county, yet these officeholders are not "Union," are not "Silver Republican," are not "Populist," and from these elements came two-thirds of their majorities, but pose and speak and act as democrats. The interests of the factions which brought them success in neither case were advanced by their triumph. Such is the natural result, had not partisan feeling blinded that outcome might easily have been foreseen.

Wiser by this experience let the republicans settle their differences among themselves.

The primary is the proper battle field for party control, then hedge it about with such precautions that its fairness cannot be questioned and no good republican will repudiate its decision.

PROPOSED NEW LAND LAWS

The following is the bill introduced by Senator Hansbrough, of North Dakota, looking toward the revision of the existing land laws. By the terms of the measure the timber and stone act is entirely repealed. As a substitute, the Secretary of the Interior is authorized to sell to the highest bidder at public auction the right to cut the timber or to quarry the stone on any government land:

A bill providing for the disposal of timber and stone on public lands chiefly valuable for timber or stone, and for other purposes.

Be it Enacted by the Senate and House of Representatives of the United States of America in Congress Assembled. That it shall be lawful for the Secretary of the Interior to sell to the highest bidder, at public outcry or otherwise, under such rules and regulations and subject to such conditions and restrictions and in such quantities as he may prescribe, the right to cut, quarry and remove, within such period of time as he may fix any timber or stone from any unappropriated, nonmineral, surveyed or unsurveyed public land, after first having such timber or stone duly appraised and after having published a notice of the time, manner and place of such sale and of the condition and restrictions prescribed, in the newspapers of general circulation nearest the location of such timber or stone, and in a newspaper published at the capital of the state or territory in which the timber or stone is situated, at least once a week for six consecutive weeks.

Sec. 2. The Secretary of the Interior shall have power and authority to reject any and all bids offered at any such sale, and it shall be unlawful for any purchaser at such sale to sell, transfer, assign or in any manner alienate the rights secured by him under this act.

Sec. 3. That no nonmineral public lands chiefly valuable for timber or stone, or any interest therein or in the timber or stone thereon, shall be sold or in any manner disposed of, either through settlement, entry, location, selection or otherwise than as prescribed herein. But this act shall not affect claims heretofore lawfully initiated.

Sec. 4. That any person who violates or attempts to violate any of the provisions of this act, or any regulation or requirement prescribed pursuant thereto, shall forfeit to the United States all benefits conferred by this act and all moneys paid by him thereunder; and any right to cut, quarry and remove timber or stone thereunder which he may then hold shall be canceled and revoked.

Sec. 5. That an act entitled "An act making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and ninety eight, and for other purposes," approved June fourth, eighteen hundred and ninety-seven, be and the same is hereby amended to read in part as follows:

"That in cases in which a tract covered by an unperfected bona fide claim or by patent is included within the limits of a public forest reservation, the settler or owner thereof may, if he desires to do so, relinquish the tract to the government, and may select in lieu thereof a tract of vacant surveyed nonmineral public land which is subject to homestead entry, not exceeding in area the tract covered by his claim or patent, and not chiefly valuable for timber or stone; and no charge shall be made in such cases for making the entry of record or issuing the patent to cover the tract selected: Provided, That in cases of entirely unperfected claims the requirements of the law respecting settlement, residence, improvements, and so forth, are complied with on the new claims, credit being allowed for the time spent on the relinquished claims. All acts and parts of acts in conflicts herewith are hereby repealed."

Sec. 6. That an act entitled "An act to amend section twenty-two

hundred and ninety-four of the revised statutes of the United States of America," approved March eleventh, nineteen hundred and two, be, and the same is hereby, amended to read as follows:

"Sec. 2294. That hereafter all proofs, affidavits and oaths of any kind whatsoever required to be made by applicants and entrymen under the homestead, pre-emption, timber culture, desert land, and timber and stone acts, may, in addition to those now authorized to take such affidavits, proofs and oaths, be made before any United States commissioner, or commissioner of the court exercising federal jurisdiction in the territory, or before the judge or clerk of any court of record in the land district in which the lands are situated: Provided, That in case the affidavit, proofs and oaths hereinbefore mentioned be taken out of the county in which the land is located, the applicant must show by affidavit, satisfactory to the commissioner of the general land office, that it was taken before the nearest or most accessible officers qualified to take said affidavit, proofs and oaths in the land districts in which the lands applied for are located; but such showing by affidavit need not be made in making final proof if the proof be taken in the town or city where the news paper is published in which the final proof notice is printed. The proof, affidavit and oath, when so made and duly subscribed, shall have the same force and effect as if made before the register and receiver, when transmitted to them with the fees and commissions allowed and required by law. That if any witness making such proof, or any applicant making such affidavit or oath, shall knowingly, wilfully or corruptly swear falsely to any material matter contained in said proof, affidavits or oaths, he shall be deemed guilty of perjury, and shall be liable to the same pains and penalties as if he had sworn falsely before the register: Provided further, That all proofs of reclamation and cultivation required under the desert land laws, and all proofs required under the commutation provisions of the homestead laws shall be made before the register and receiver only.

"That the fees for entries and for final proofs, when made before any other officer than the register and receiver, shall be as follows:

"For each affidavit, twenty-five cents.

"For each deposition of claimant or witness, when not prepared by the officer, twenty-five cents.

"For each deposition of claimant or witness, prepared by the officer, one dollar.

"Any officer demanding or receiving a greater sum for such service shall be guilty of a misdemeanor, and upon conviction shall be punished for each offense by a fine not exceeding one hundred dollars."

Senator Brownell's measure providing that assignees of claims against counties for fees paid to recorders illegally shall not be permitted to maintain suits on same has been approved by the Governor, but the courts have yet to give their sanction. Such legislation is of a piece with the county court's practice of disallowing odd cents on claims. By preventing combination and keeping the amounts small the parties injured cannot afford to seek redress for the injustice done them. The State now in effect says that where it has been allowable only to wrong the claimant of the county to the value of 4 cents he shall now be cheated out of as much as \$1.50. Such laws are legislative attempts to do evil that good may come of them and are a sad decline from the early days of the republic when principle was of such great moment that the people boasted they would expend millions rather than pay one cent unjustly.

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