

Democratic Ticket.

For President,

GROVER CLEVELAND, Of New York.

Vice-President:

ALLEN G. THURMAN, Of Ohio.

PRESIDENTIAL ELECTORS.

W. H. EFFINGER, of Multnomah.

W. B. BILYEU, of Linn.

E. R. SKIPWORTH, of Umatilla.

EVERY DEMOCRAT should resolutely arrange his business affairs so as to be sure and vote Nov. 6th.

As this is the last issue of THE HERALD that will reach all of its readers before the election, it would emphatically appeal to every Democrat in Eastern Oregon to go to his voting precinct and deposit his ballot for the Cleveland and Thurman electors.

In test cases in California, U. S. Circuit Judge Sawyer and U. S. District Judge Hoffman have decided the Chinese exclusion act to be constitutional, and that all Chinese who have arrived since its passage or who may hereafter arrive, must return from whence they came.

The Umatilla county "East Oregonian" says: "Wheat is quoted at 69 1/2 cents, a slight reduction having taken place, because of unfavorable reports and dullness in foreign markets. It is said that but 68 cents is now paid along the O. & W. T. R.R. The Pendleton market is quiet and few transactions reported. Barley remains at 80 cts for export, and oats at 90, with little doing in either.

The wool growers of the State while in session, appointed a committee to petition the Legislature to abolish the law allowing each county to impose a license tax on sheep pasturing in the county.

The Dalles Sun of the 10th says: "Col. Elliott and C. S. Richmond returned on Wednesday from a four months' trip examining swamp lands," and on the 17th adds: "Col. Elliott left Tuesday morning for Lakeview to finish the final examination of swamp lands in that section. The trip is required to determine the character of some lands that could not be correctly settled in the spring owing to the quantity of surface water."

THE HERALD, during the campaign now closing, has presented column after column of logically unassailable arguments, derived not only from the ablest Democratic sources but from the truthful utterances of a large number of the leading lights of Republicanism—all showing that every vote cast for Cleveland and Thurman is on the side of the best interests of all the people of the entire country. It has not tried to muddle any question but has presented square issues and the facts to sustain them. The decision is now with the people—that sovereignty in whose hands the fathers placed the controlling power of this government, which has conducted it safely through all perils, and which we rejoice to believe will continue its prosperity by proudly indorsing Cleveland's honest Democratic administration.

THE Rural Spirit and Farmer (Republican,) says: "A scheme, the proportions of which at once stamp it as nothing more or less than a gigantic wheat trust possessing almost unlimited money, is gradually being brought to light. The plan of this combine is to buy as cheaply as possible all the wheat delivered for storage at any elevator on the northern railroads. The organization is said to comprise some of the heaviest moneyed men in Duluth, Minneapolis, St. Paul, Brainerd, and other smaller towns in Minnesota, and Fargo, Grand Forks, Jamestown, Devil's Lake, Lake, and other points in Dakota. Altogether over thirty capitalists are said to be in the pool for individual amounts ranging from \$10,000 to \$1,500,000. The prices paid are a slight advance on the market for present or future delivery when necessary to secure the desired purchase. This field of operations is confined to the wheat producing regions of the Northwest.

Twelve days only to the day of election.

—Advertise in THE HERALD if you want to sell anything.

AT THE FRONT.—All reports are to the effect that work on the Oregon Pacific road is being vigorously pushed at the front. Employment is given to every man that comes along, at the rate of \$2.25 per day. The fine weather up to the present has been very favorable to the contractors, and should it continue for another month most of the season's work will be finished, with the exception of a tunnel and perhaps some heavy rock work which may be continued through the winter. Trains will soon be running to Mills City.—Newport News, Oct. 11.

THE schooner Twilight from San Francisco arrived here on Sunday with a cargo of 380 tons of steel rails for the O. P. extension. She is now discharging cargo.—Ibid.

THE fifth volume of the "Manifold Cyclopaedia," which has just been published, more than sustains the good reputation of the previous issues, being, especially, more full in its vocabulary, and the entire workmanship, both literary and mechanical, apparently being of a higher grade. It is certainly not a wonderfully cheap, but a thoroughly excellent Cyclopaedia for almost any conceivable use except that of a "trousers press." The publisher will send specimen pages free to any applicant, or specimen volumes may be ordered, and returned if not wanted. Reduced rates are offered to early purchasers. John B. Alden, Publisher, 393 Pearl street, New York; 218 Clark street, Chicago.

THE EXCLUSION BILL.

BE IT ENACTED, ETC., That from and after the passage of this act, it shall be unlawful for any Chinese laborer who shall at any time hereafter be a resident within the United States, or who shall have departed or shall depart therefrom and shall not have returned before the passage of this act, to return or remain in the United States.

Sec 2. That no certificates of identity provided for in the fourth or fifth sections of the act to which this is a supplement shall hereafter be issued; and every certificate heretofore issued in pursuance thereof is hereby declared void and of no effect; and the Chinese laborer claiming admission by virtue thereof shall not be permitted to enter the United States.

Sec 3. That all the duties prescribed, liabilities, penalties and forfeitures imposed, and the powers conferred by the second, tenth, eleventh and twelfth sections of the act to which this is a supplement are hereby extended and made applicable to the provisions of this act.

Sec 4. That all such part or parts of the act to which this is a supplement as are inconsistent herewith are hereby repealed.

A New Use for a Cyclopaedia. A customer of Alden's "Manifold Cyclopaedia" writes to the publisher as follows:

I have been exhibiting the "Manifold" among my friends and acquaintances, and expatiating on its excellence and cheapness. There is no reason why every young man in the land who has occasion to refer to a cyclopaedia should not possess it. The laying by of but five cents a day for six months will put him in possession of a work that will be of lasting benefit. Among those to whom I have shown the volumes I have found but one young man who did not need the "Manifold." He has a cyclopaedia; a number of large volumes, he did not know how many, nor did he know the name of the editor or publisher; but they are very large, heavy volumes. Believing he did not frequently consult them, I asked if he ever used them.

"Certainly," said he, "I use them every day."

"What can you possibly do with them?"

"Why, I press my trousers with them."

LAND NEWS.

The New Homestead Law—Glad Tidings for Homeless Thousands.

A new land bill of great importance to persons who have heretofore exhausted their rights under the homestead and pre-emption laws, has passed the Senate, and with important amendments has been drafted by the House of Representatives and returned to the Senate for concurrence in the amendments.

The bill as passed by the Senate permits all persons who have filed under pre-emption or homestead law, but who for any reason have failed to acquire title to lands, to again file under the homestead law and acquire title to not more than one quarter section of public land.

The first amendment added by the House of Representatives authorizes registers and receivers to grant leaves of absence to those who have made entries and who "by reason of drouth, whole or partial destruction of crops, sickness, or other unavoidable casualty," are unable to "secure a support for himself, herself, or those dependent upon them," such absence not to exceed one year at any one time, though the period of such absence shall not be counted as residence upon the land in making proof and perfecting title.

The second amendment provides that persons who have made homestead entries for less than one-quarter section may make additional entry for land contiguous to the original homestead not exceeding, with the land in such original entry, 160 acres, or if the entryman elect they may relinquish the original entries and make new ones the same as though they had never made entries, except that no fees or commissions shall be exacted from the entryman for such additional or new entries. The residence which has been made upon the original entry will count as residence upon the additional or new entry in making final proof, and where satisfactory final proof has already been made on the original entry no proof on the additional or new entry will be required but patents may issue.

This will be glorious news to thousands of persons anxious to acquire homes but debarred from doing so under existing laws. There is little doubt that the bill will pass the Senate as amended.

Copies of the bill can be had by addressing members of Congress.

HENRY N. COPP.

ADDITIONAL LOCALS.

—Yearly advertisers of stock brands in THE HERALD get instructions of stolen and strays free.

—P. S. Early the prince of skillful blacksmiths having laid aside all frivolity has gone into the fall work of his shop with a vim that will do up all the repairing necessary to put your implements, wagons, and horses in good shape to go through the winter.

—Reward paid finder of a small pocket-book lost by J. M. Bridges in Prineville about 1st of the month, containing some money, postage-stamps, and papers. Apply at this office.

—Paints and Oils of the best quality always on hand at W. E. Grace's drug store.

—Isaac Winters desires to inform the citizens of Burns and vicinity that he will keep Fresh Beef on hand all the time for their accommodation.

—Fred. Perkins of John Day brought to the Burns market this week a fine assortment of apples, tomatoes and other vegetables, all of the finest quality.

—Wm. Levens informs us that quite an accident happened to Frank Davis, living three miles above Prairie City, who got severely kicked by a vicious horse, from which he was not expected to recover.

—A better selection for constable for this precinct could not have been made, in our opinion, than Henry Cheatham, present incumbent.

—The San Francisco Examiner, that chief of democratic dailies, is on file on our reading desk. Come and read it.

—J. Nat. Hudson is storing his new cellar with every good thing for "table comfort."

Salary of U. S. Commissioner of Agriculture has been increased from \$4000 to \$5000, and the sum of \$500,000 set aside in the agricultural appropriation bill for use of Bureau of Animal Industry during current fiscal year.

STATE OF OREGON vs. D. L. SHIRK.

DEFENSE.—[CONCLUDED].

JOHN KELLY. Testified.—Read to carload since Aug. 1887. Knew Isaac since last fall. Had conversation with him Sept 14th on the way from Lakeview.

He said Shirk had invited him to take a drink and shook hands with him; that Isaac saw there was no show to win that lead case and now wanted to make up with him; that he was onto Shirk's racket. Said Shirk had whipped him, but he had never had but one opportunity to take him out of it on account of Shirk's family being present. That when he called Shirk out and asked him to throw him in the creek he calculated if Shirk came near him to louse him, to kill him, and give him no show at all. That he had men behind him that had more money and friends than Shirk had, and if ever he should do Shirk any injury he had things back so that Shirk's brothers would never get a hold of him. But if they should get a hold of him he considered himself as good a man as either one of them, and he would hit up by saying that he couldn't get over the whumping that Shirk gave him the winter that he settled.

He had in a scabbard on a belt by his side a .45-calibre Colt's six-shooter—I don't know if a double action or not. Shirk and Isaac had been riding behind us and both of them had pistols swung to them.

I told Mr. Shirk what Isaac had said. On the day before Isaac was killed I told him.

I was at Isaac's cabin the morning of the 15th; and saw Isaac Dunlap riding a gray horse down the hill outside the field. I left Switzer's cabin and drove a wagon over to Swan's cabin, and just as I drove up there I heard a shot fired to the north and west of where I was—only one shot. It was in the direction of the Sam Crow Timber Culture claim. Was with Andy Shirk. We got a stove and put it in the wagon; drove to my place; unloaded the stove and set it up in the house; stayed there talking with Andy Shirk, and then drove horses and wagon up to Dave Shirk's ranch. When I got within a 1/2 mile of his ranch I met Lyons, and he told me that Shirk had shot a man named Isaac down on Crow's Timber Culture.

I asked if he had killed him, and he said he didn't know. He told me he was going to see Andy Shirk, yet I then looked at him and told him, and drove on to Shirk's ranch.

I went in the house and talked about 10 minutes with Shirk, who told me he had sent Lyons down to Three Mile after his brother Andy, and for me to wait till Andy came up and then to go down with him to where Isaac was; that he didn't know whether he had killed him or not, and if he was only wounded that we possibly could do something for him.

I looked and couldn't see anything of Andy coming. I then went into the barn corral and caught and saddled up a horse, and went down there by myself. I went south-westerly nearly to the body.

I went to the fence north of the plowed ground towards the gate and tied my horse, and then went to the body down across the plowed ground. The body was lying on the left side of the left arm partly extended, and the right wrist across it, with the hat down over the face as far as the mouth.

I wore the same boots I have on now—they are the same as Mr. Shirk's—we got them at the same time and place.

I first satisfied myself that Isaac was dead. I knelt on one knee and examined him—felt of his pulse, but could feel none. Could see nothing of Andy Shirk yet. I then looked toward Dunlap's cabin and as I looked a man came out of it and walked east toward the fence quite a ways. I could not see any pistol but he had on a belt nearly full of cartridges. Did not notice anything further than that they were a long pistol cartridge, but I could not testify to their calibre: the scabbard laid on his right with the belt run through it; he had no coat on.

I saw tracks leading towards the body from the south-westerly direction and back the same way, and also tracks around the body; some of them were right close up to the body, as near as could be without stepping onto the body.

I went away from the body in a north-westerly direction towards my horse and then towards Shirk's house.

It was not over 5 minutes after I saw Dunlap going south before I heard the shot fired.

I was a difficulty between Shirk and Isaac sometime last winter. I came to Shirk's and put my horses in the barn, and Shirk told me to take them out of the south side of the barn as he wanted to put his work horses there. I turned the horses out and gave them hay and Isaac came leading a little buckskin horse and started to open the door in the south side, saying he was going to put him in there and feed him hay. I told him Shirk had just made me take my horses out saying he needed the south side for his work horses. He said he didn't care he was going to put him in there anyhow, as he had to ride him next day. He put him in and went off towards the house, and I staid at the corral carrying in hay to bed the horses as Shirk had told me to.

While I was doing that Shirk came around and seeing the horse in there asked me whose horse that was; I told him Isaac's; he said he had put him in there. Shirk said he would have to stay in the corral tonight, then turned him out, and went away. Isaac came and asked who turned the horse out; I told him Shirk did it.

Shirk replied "I'll put the horse back in there and pay him for his G—d—hay." He started towards the barn with him when Shirk came into the corral—I was just going out of the gate towards the house as he came in, and he said he was going to see what he was going to do with the horse. He said he was going to put him in the barn and give him some hay, as he had to ride him 50 miles tomorrow. Shirk told him there was plenty hay in the corral for the horse and to put him in there. Isaac replied that his horse wouldn't eat the hay that was in the corral. Shirk said that the hay was good enough for his horse and it was good enough for the horse. Isaac replied "Well, G—d— you, I'll pay you for your hay."

The next I heard sounded like two men had hold of each other scuffling. I heard Isaac say "No, you don't throw me in that mudhole!" Shirk replied "I'll cut it if I want to." I believe that's about all I heard. That night Isaac staid on Shirk's ranch in the buccaro-house. I slept with him. Isaac seemed to be very excited about the occurrence. At the time of the scuffle it was just getting dark. Isaac had been working for Shirk, and that night I heard him say Shirk had settled with him, and he would be off next day.

Cross-examination.—Know Shirk, since Aug. 18th, last. Know Isaac since last fall. Saw Dunlap go down the fence about 8 o'clock. It was a 1/2 or 3/4 of a mile from where I saw Dunlap to Swan's where I heard the shot. Was at my place 10 minutes. Talked to Andy Shirk about 4 or 5 minutes while taking the stove out. Went from my cabin to Shirk's ranch; staid there over 15 minutes; then went to Isaac's body. Met Ed Lyons while going from my place to Shirk's; a 1/2 mile from Shirk's; near 9 o'clock; was at Shirk's 15 minutes.

I rode down to where the body was; my horse got scared and stampeded north-westerly. I stopped him and turned him around and he stampeded again off the plowed ground; I rode him across and tied him to the fence near the north edge of the plowed ground. I walked from there directly to the body, on the plowed ground. After I got to the body I stood and looked at it, then passed around and knelt down and picked up his hand, and felt his pulse. (Belt and holster exhibited). This looks like the belt, and this like the holster.

Was born in Calhoun co., Texas and staid there until I was 17 or 18 years old. Born Nov. 7, 1848. Went to Montana the fall of 1866, left there 1868 in the spring, to Eagle Rock, Idaho; there in fall of 1869, for a place farther down on Snake river, and staid there the latter part of winter of 69-70, &c.

MRS. D. L. SHIRK.

Wife of Defendant, was sworn and testified.—Was at home September 15th; learned of the homicide in the morning. I went up on top of the house with a spy-glass. I saw two men get on horses at the cabin, and one after getting on leaned over and picked up something from near the cabin. They rode down the fence opposite the plowed ground got off their horses, crawled under the fence—one had on a red shirt. He walked over and into the plowed ground several steps, stopped and leaned down. I called to Shirk: "They are going to move the body," then I said "No, they are leaving it." I was watching to see what they did. It was not very long that they stooped over the body; they went to the fence crawled under it, got on their horses, leaned over as if picking up something from the wire fence, and rode on down the fence to Dunlap's cabin. This was near noon, before dinner. It might have been a little before or after 11 o'clock.

In the afternoon I was up on the house again and saw two men riding down the fence. They rode down to opposite the plowed ground, and turned round, and rode back towards the cabin. About 1 or 2 o'clock I went up again and they rode down opposite the plowed ground and turned round and rode back, and again in the evening I went up with the field-glasses and they, the two men, were on the plowed ground with something on the ground. They took it up and spread it on the ground. It looked to me like they put cloths on the blanket to hold it down. They went to the fence, crawled under, got on their horses, one leaned over, looked like he was picking up something from against the fence, and rode off in a north-westerly direction. I watched until they came opposite our place and went down stairs and told the little girl to go up and watch them. It was daylight in the evening then—don't remember just the time.

Shirk and the hired man went to the shop to grind the grubbing hoe. I came into the shop after the key and walked right out. Heard Shirk say "Don't get into any trouble," as I was going away from the shop. That's all I heard of the conversation.

I know Dunlap. He was at our house the 10th of September. Had supper there. Shirk was not at home; came afterwards for some posts and hay. Told him to wait till Shirk came back. Don't remember when he went away. Was there again. Will Shirk asked me for bacon for Dunlap. We gave it to him—Will carried the bacon out to Dunlap, who said he wanted a 1/2 dozen candles. I gave them to him and he handed me \$5. I went onto the porch with it, went round the house, and gave him back the \$5 telling him to settle with Shirk. Then I went into the house and Dunlap rode away. Shirk was not yet at home. He came again after Shirk was at home and played billiards and had dinner there. Don't know when he went away. He played with the children once when he was there.

I know Dunlap when he was a boy. He used to live at Valley, Plumas co., California. He had a very bad character. I was told he stole jewelry from a blind man.

I heard he was in prison for stealing.

D. L. SHIRK.

Was sworn and said: I am acquainted with Jack Dunlap.

On September 17th he was at my house and I did not say, as he states, that "I would kill those—of a b—."

I asked Dunlap once if he knew any of the circumstances of the killing. He said No. I said "Will you tell the truth if called on to testify?" He said that he would. I did not offer him an Apalouosa horse or anything else.

I know Frank Burns since a year ago last March or April. I did not in Lakeview make any threat against Isaac.

Had no conversation with Burns in Lakeview after the conversation with him and Chapell.

Burns was not present when I treated Isaac in Lakeview.

Had no conversation with Burns wherein I said "I'll kill that—of a b—."

—Boom your country by voting for Cleveland and Thurman.

—Boom your country by reducing its unwieldy size.

—Boom your town by inducing good citizens to locate therein.

—Boom the paper that works for all the citizens by subscribing for THE HERALD.

—We learn a certain individual not a hundred miles away is in the habit of roundly abusing us for imaginary offenses spoken or written.

The root of his garrulity we have not yet discovered, unless it be we unthoughtfully recommended him to the position he now occupies; if this surmise is correct, we will most cheerfully withdraw our stock in him. Mr. Verdott gave us the locals relating to hay crops on the Island and we have confidence in the correctness of his statements.

Our experience teaches us that a poor man speaks the truth, outside a horse trade, as readily as a rich man.—It is too late in the day to quit your old stereotyped words: "swamp-land monopoly!" "John Devine organ!" The Harney valley readers are not so short of common sense as you think to be caught by such chaff.

—We are informed Messrs. Geo. McGowan and Jas. Copsahl have opened a meat shop at the old stand. Both are clever, accommodating business men, and will doubtless serve the public well in that line.

—We have received several letters the past week asking us to engage hay, also rent houses in town to accommodate families for the winter.

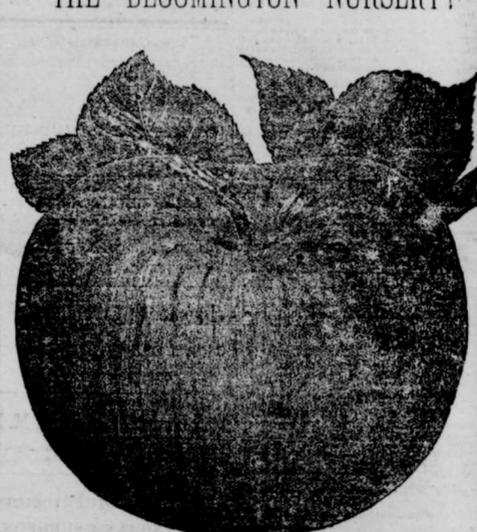
—Quite a heavy windstorm for this section prevailed Tuesday evening and night, enveloping the valley in clouds of dust. A shower of rain layed the latter. Clear and cool yesterday.

MISCELLANEOUS ADVERTISEMENTS.

WINCHESTER REPEATING RIFLES, SINGLE SHOT RIFLES, RELOADING TOOLS, AMMUNITION OF ALL KINDS. MANUFACTURED BY WINCHESTER REPEATING ARMS CO., NEW HAVEN, CONN. Send for 60-page Illustrated Catalogue, MENTION THIS PAPER.

Every word we say we can stand by. DEAR SIR: Do you want to see the latest WONDER OF THE ANSWER TODAY. A \$35 Single Harness reduced to \$25. The finest Harness MADE for the money. Handsome nickel or imitation rubber gold finish mounting, HAND made from oak stock, unsurpassed for style and durability. If you will allow us to show you what progress we have made in making a SPECIALTY and getting out over 800 sets each month. You can keep the sample at only \$50, \$5 less than price here or return at OUR EXPENSE. Can we make a more liberal offer? We shall expect to hear from you at once saying YES send on your Harness. Filled or single strap style. NATIONAL HARNESS CO., Wholesale Manufacturers, 11 to 24 Wells St. Buffalo, N.Y. Collar and Hames, \$2 Extra, No Dress Collar. Double Style for two horses. Price, \$3.00.

THE BLOOMINGTON NURSERY!



Remember that it is not too late to order now from this old and well-established Nursery. Your home is here. Set out an orchard this fall. Plant shade shade trees about your premises. The industrious men and women among you have proved your soil and climate equal to the best.



Small fruits do well here—see samples in this office. This is the home of small fruits, and here also the market. Don't depend any longer on other sections for small fruit supplies. None were brought to market this year—There's money in being first. Address GEO. W. CRANE, Bloomington, Ill., Box 1216.