

VOLUME XVI.

ATHENA, UMATILLA COUNTY, OREGON, FRIDAY, SEPTEMBER 9, 1904.

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BY FOR A COMPLAINT. Case Was Thrown Out of Court By

Judge Ellis For Want of Sufficient Evidence.

Tuesday in the circuit court the old case of Jewell E. Findley vs. Joseph Findley, action for divorce, was thrown out of court on the grounds that the plaintiff was not entitled to a divorce from her husband, she being unable to show sufficient cause why the divorce should be granted, reports the Tribune. In fact, according to the opinion of the court, the case was one where the wife simply got tired of her husband and wanted to be freed from him. They were married in Florida, and he is uneducated. He sent her to Oregon about a year or so ago and later followed her here. After she had been here for some time she decided that she wanted a divorce, and so brought action against him.

He put in a defense and cross bill, and after giving the case careful consider-ation Judge Ellis has decided that neither party is entitled to a decree, so the suit has been thrown out of court and they will have to remain husband and wife so far the court is concerned. Will M. Peterson and John McCourt were attorneys for the plaintiff, while J. A. Fee appeared for the defendant.

Mrs. Findley and two children for a time made their home with the Zerba family. Nothing here is known of her husband.

Right of Way Granted. Yesterday five deeds for right of way in favor of the Washington & Oregon Power company were filed in the office of County Recorder Folsom. The deeds entitle the company to the right to install poles and wire on the property of the following: George Staggs, L. T. Hellberg.

Secretary Taft Refuses to Discuss Portage Road Until Canal Right of Way Has Been Secured.

war department, says the government built upon the canal right of way. Until the government is formally presented with the right of way for the canal, the age tracks.

secretary will decline to discuss the features of the portage at all. has made known the wishes of the state

Portland, Sept. 9 .- According to a the war department leaves the state special from Washington to the Oregon | portage commission in the dark, as to Daily Journal, Secretary Taft, of the the probable action of the government with reference to the portage. If the desires a deed to the canal right of way, commission proceeds with the portage before making any statement as to the on the right of way now being secured feasibility of the portage road being for the ship canal, it may prevent the government from accepting the canal right of way, encumbered with the port-

DEPARTMENT

Until the entire right of way for the ship canal is secured and presented to This statement from Secretary Taft the government, and a formal reply is is a result of correspondence with Major | received from the war department, as to Langfitt, of the Port of Portland, who allowing the portage on this right of way, the people of Oregon do not know portage commission to the government. whether the government will permit the Major Langfitt, at the request of the construction of the portage where the commission, asked the war department state commission intends to build it. if there would be any objection to the While the right of way is amply sufficiportage road being built partly on the ent to accommodate both the portage ship canal right of way, and Taft made and the canal, the government may not the reply that the government had noth- accept a right of way for the canal if the ing to say until formally presented with portage is built there before the governthe right of way. So this reply from | ment accepts it.



McBride, Jackson Nelson and Chuit Rev. Edward Baker, of Union, Comes to sure winner.

It Is Also Known the Two Senators Want to Name Speaker of the Lower House.

MITCHELL & FULTON

THEY WANT KUYKENDALL FOR

PRESIDENT OF STATE SENATE

Portland, Sept. 8 .- Dictatorship is always fraught with peril for those who attempt it and the efforts of Oregon's United States senators to control the organization of the next legislature are already arousing murmurs of strong discontent. Senator Mitchell and Senator Fulton have shown their intention of making Dr. Kuykendall of Lane the president of the state senate, and many politicians are of the opinion that they will endeavor to name the speaker as well.

The anti-Mitchell wing of the republican party in this state, though crushed, is not extinct. Its representation in the legislature is small but it is capable of combination with other elements which may make it formidable. There is a small body of legislators who are strong adherents of ex-Congressman Malcolm Moody, and they have already made it plain that they do not take kindly to the cut and dried program, arranged by Mitchell and Fulton. The state senators from Eastern Oregon make no secret of their opposition to Kuykendall for president of the senate and they stand ready to throw their votes to almost anyone else who can develop enough strength to make him a possible winner. The personal ambitions of several members of the state senate are also a factor in the situation, and it is by no means impossible that some of them may get together in a combination that would be exceedingly troublesome to Mitchell and Fulton, especially if the speakership is to be included in the program.

At the present time Kuykendall is well in the lead for the presidency of the senate, yet he annot be regarded as a

School of Commerce. The Modern School of Commerce opened Monday morning in its rooms in the Pendleton academy building, Pendleton. The school begins the year with a good attendance and the prospects for a most successful year are very flattering.

C. A. BARRETT & COMP'Y INCORPORATED.

Fairbanks-Morse **Gasoline Engines**

ALL KINDS OF MACHINE EXTRAS NOW ON HAND

Hardware Stock is Complete.



Athena Methodist Church.

Rev. W. E. Armfield returned yesterday morning from Portland, to which city he went after the Columbia River Conference had adjourned at The Dalles

Mr. Armfield was given the Dayton, Washington, appointment which is considered next in line of ministerial promotion over Athena, and Rev. Edward Baker, late pastor at Union, Oregon, was appointed to fill the Athena pastorate of the Methodist Episcopal church in Athena.

While it was the wish of the majority of the members of Mr. Armfield's church and the people of Athena generally that he be returned here for another year's work, the church is assured that in Rev. Baker it will have a capable pastor, one who is prominent in the ministry and a man who is said to have great influence in church work generally. Rev. Armfield, the retiring pastor, during his two years work here leaves behind him as a monument to faithful and untiring labor one of the finest church buildings in the state, a thoroughly united and growing congregation, and the esteem, respect and friendship of Athena people in every walk of life.

ECHO NEWS ITEMS.

Fruit is Excellent -- Prospect for holding an Industrial Fair.

Echo, Sept. 8-The fruit season is on in full blast. Peaches grown by Joe Leasure, near Echo, weigh 15 ounces and measure 13 inches in circumference. Pears equally large have been grown by the Johnson brothers, about a mile below Echo, with but little irrigation. The third crop of alfalfa is now being

cut and the many large stacks of hay on the meadows indicate a large hay crop. Threshing in this vicinity will continue until about Oct. 1.

Many new settlers are now coming into this vicinity, locating upon the irrigated lands which are now being put upon the market in small tracts and long time payments.

The Citizens' association of Echo and vicinity, at a meeting held Saturday last, decided to join the development league at Portland. There is a movement on foot to hold an industrial fair at Echo this fall.

Rev. W. E. Armfield, Methodist Episcopal Pastor, who goes to Dayton.

Rev. Armfield will preach in his Dayton pulpit Sunday, and next week his family will remove to the Washington town. Rev. Baker, wife and two children will arrive in Athena shortly.

PENDLETON WHEAT SOLD.

Seventy Cents Was the Price Paid for 200,000 Bushels.

Pendleton, Sept. 9 .-- Wheat sold for 70 cents in Pendleton yesterday. Balfour-Guthrie company, through A. L. Knight, local agent, purchased 200,000 bushels of Umatilla county wheat at that figure for the Chicago market. This is the biggest sale at that top notch figure of the season. Three weeks ago when on a Saturday wheat touched 70 cents, the sales were not so large as yesterday. This wheat purchased is for immediate delivery and will at once be shipped to the Chicago market.

The wheat market was exceptionally strong yesterday and numerous sales were made, but the majority were for small amounts. The market opened rather brisk and later in the day became stronger.

Local Wheat Market. Athena, Sept. 9-Wheat in Athena today is quoted at 69c per bushel.

O. R. & N. Tax Case

The O. R. & N. tax case will be argued on its merits before Judge Ellis of of the circuit court next Tuesday, says a Pendleton paper. Last Tuesday was the day set for the decisions in the previous motion filed, to which briefs had been submitted, but Judge Ellis informed the attorneys that he reserved the decision on these two questions and ordered the defense to make answer, setting next Tuesday as the day on which the arguments should be made and the entire case put before him for a decision.

Against Higher Grades.

A meeting of the taxpayers of Milton was called for the purpose of voting an addition of higher grades to the public school, but the measure was voted down on account of the district being already in debt. The fact that Columbia. college is located in that community was brought out at the meeting, and figured largely in the decision. There was considerable feeling over the matter, bowever, and the meeting was well attended.

Races at Walla Walla.

According to all advices the races and fancy livestock show it Walla Walla October 10 to 15 inclusive, will far exceed in every way the really excellent meeting given last year. The Walla Walla County Fair association has one of the best if not the very best, tracks on the Pacific Northwest circuit. Several records were made there last fall, and this year after a great deal of expense and work has been put on it there is every reason to believe it will be even faster than ever.

The "New Idea."

In connection with what is perhaps the largest line of dress goods ever before carried on the shelves of any store in Athena, we wish to announce to the ladies of this vicinity that we have recently been appointed exclusive agents in Athena for the world famous "New Idea" patterns. The "New Idea" pattern system is recognized in the fashion centers of the world as being without equal, and we consider that we are indeed fortunate in securing the agency here. It will pay the ladies of this part of the county to visit our store and inspect our exclusive line of new dress goods, waistings, etc. All textures and weights are carried in stock. Our swell new line of jackets will interest you.

THE FAIR.