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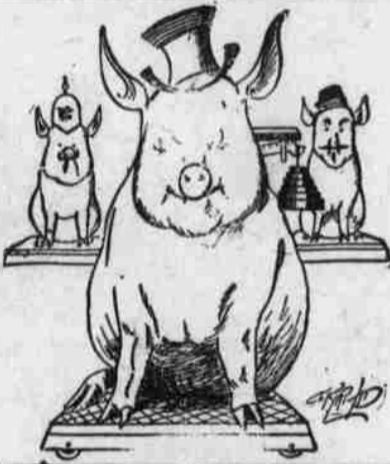
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SUIT OVER LEASES

Marion Jack Prevents Perringer Cutting Grain By Securing an Injunction.

Reservation land leasing is to be aired through a suit filed by Marion Jack against Roy Perringer. The court has issued a restraining order which prevents Perringer from harvesting a crop of wheat on land which Jack claims to have leased. The East Oregonian says of the case:

Can George Perringer rent more than 640 acres of reservation land when the government forbids others from doing so?

(Has the government the right to direct that Roy Perringer may harvest a wheat crop on Indian land that has been leased to Marion Jack?)

These are questions that are raised in a suit that was filed here late Monday afternoon in which the title is Marion Jack versus A. E. McFratridge, U. S. Indian agent, and Roy V. Perringer. In the complaint, which was filed by Attorneys Raley, Richards & Raley, the court was asked to issue an order restraining the Perringers from harvesting the crop involved and the injunction was granted.

On the face of it the suit just brought does not seem of great importance for it pertains merely to a crop on 160 acres of land and it is valued at but \$2500. But back of the complaint lies another story that is of intense interest to parties having business on the reservation. This interest is heightened by the fact that some big characters, among them the honorable secretary of the interior, figure in the story.

In the case filed, Marion Jack sets forth that he had legally leased 160 acres of land on the reservation, paying \$3 per acre therefor last fall. But despite the fact that he held a lease he asserts that the government, through Agent McFratridge but recently notified him that Roy V. Perringer might go upon the land for the purpose of harvesting the growing crop thereon.

This seeming inconsistency on the part of the government is explained as follows: Major McFratridge regularly approved the lease to Marion Jack who had offered a greater price for the land than had Perringer. But in an effort to override the agent Perringer is said to have enlisted the support of President Penrose of Whitman college, who was a classmate of Secretary Garfield. According to reports President Penrose importuned the secretary and doubtless with the best of motives, to direct that the land be given to Roy V. Perringer, who was a student at Whitman.

While full particulars are lacking, it is apparent that the influence of his former classmate had effect with the popular secretary, for the order favor-

ing Perringer was forthcoming.

But the visit of Secretary Garfield is said to have altered that gentleman's mind concerning affairs and he is said to have suggested that Perringer and Jack settle their differences by compromise.

Monday afternoon the parties in the case were busy with their "compromise" when word was received by Jack that a Perringer combine had entered the field involved to cut the crop. Apparently a coup d'etat had been planned.

But the other side was ready for the emergency.

Young Perringer says: "One of the alleged questions involved in the law suit just started, as stated by the opposition, is 'can Geo. Perringer rent more than 640 acres of land upon the reservation?'"

"Such a question has nothing whatever to do with this suit. The only question is, 'Has the secretary of the interior authority to modify a lease made between Indian lessors and their lessees?'"

"The secretary, after carefully considering the whole case in conjunction with his first assistant, Mr. Pierce, an able lawyer from Salt Lake city, decided that I was entitled to some equitable consideration and after a conference between the secretary, Mr. Wilson, it was decided to modify the approval of the three leases covering the crops growing upon the lands which I had sowed.

"Two of the leases had already been approved but the other had not and has not yet been approved, according to Superintendent McFratridge."

WATTS SUES STONE

Alleges Teaching Reputation Is Damaged and Files Suit for \$4,600 Damages.

Ermer I. Watts, former principal of the Athena public school has filed suit in the circuit court against Jerry Stone, chairman of the school board, for \$4,600 damages.

In the complaint, which was filed by Watts himself, it is set forth that the plaintiff holds a life teacher's diploma and is duly admitted to practice law in this state.

Jerry Stone is characterized as a "man" much believed and relied upon by people of the county as a truthgiver and as a protector of the good morals of the community—a man of wealth and of influence which is felt beyond this state.

The particular offense charged against him is that on December 1, 1907, while Watts was serving as principal of the Athena schools, he, Stone, caused to be published and circulated a slanderous, scandalous and libelous story concerning the plaintiff. In effect this story was that Watts had disregarded the instructions of the Athena school board; that he had also used profane language on the streets of Athena, and had called pupils by various offensive names.

Because of this alleged libel the plaintiff complains that "on or about the first of May 1908 he was tendered a professional position which said position would have paid plaintiff sixteen hundred dollars per year but on account of said charges of insubordination in said libelous matter made by said defendant coming to the knowledge of the prospective employer said employers dropped the plaintiff solely upon these grounds, believing the charges made by defendant to be true, and said employers specifically stated that the question of insubordination raised by said defendant was the sole basis for not employing plaintiff. Plaintiff has since tried to secure other positions but has been unable to do so. And for his special cause of action plaintiff prays judgment in the sum of sixteen hundred dollars, the damages done plaintiff in this special cause."

He then asks for the sum of \$3000 in addition because he alleges that the defendant acted against him for the purpose of annoying and injuring him.

DEATH OF MRS. L. A. GITHENS

Passed Away at Home of Her Daughter in Bandon, Oregon.

Mrs. Candace E. Githens, wife of Postmaster L. A. Githens of this city died Monday at the home of her daughter, in Bandon Ore.

The deceased had long been a sufferer from consumption, and several weeks ago, in the hope that a change of climate would be beneficial, she was taken to the home of her daughter. She continued to fail until 8:30 o'clock, Monday morning, July 13, 1908, death relieved her. She was aged 52 years, and was born in Illinois. She was the daughter of Mr. and Mrs. N. P. Hall, who at present reside near Pilot Rock. Besides her husband, five daughters and one son survive her. The remains were interred at Bandon.

Use DeWitt's Little Early Risers, pleasant little pills that are easy to take. Sold by Palace Drug Co.

LAND FRAUD AGAIN

Scheme Nipped at Baker City by Arrest of E. G. Cooke a New York Broker.

Traveling across the continent in a private car, living on the best things of the land, and accompanied by a party of 40 prospective customers as his guests, Henry E. G. Cooke of New York, a broker, was arrested in Baker City Saturday afternoon on a charge of scheming to defraud the United States government, and will probably be brought to Portland to have his preliminary hearing before a United States commissioner, says the Portland Journal.

Cooke was arrested by a deputy marshal at the request of United States District Attorney John McCourt. Cooke was indicted in New York on a charge of fraud preferred against him by the government.

When Cooke arrived in Baker City he was accompanied by many of the persons whom he had promised for a consideration to locate.

The arrest of Cooke brought to light a scheme for defrauding the government of timber lands which had been allowed to run would have rivaled if not surpassed the now notorious transactions of S. A. D. Pater, Horace McKinley and the rest of the land fraud ring which has recently brought Oregon into such undesirable prominence before the reading public of the United States.

Cooke was and is the general manager of the Oregon Ranching & Timber syndicate having headquarters in the St. Paul building, New York City. He is the owner, or reputed owner of a large ranch in the eastern part of the state, in the vicinity of Baker City.

The scheme of Cooke was simple. He advertised in the New York papers that he had a proposition by which investors could make "twenty for one," and he outlined it to those answering the ad about as follows:

Cooke represented that he was the agent for the Weyerhaeuser people who desired to secure a large body of timber in the state of Oregon. He admitted frankly that his scheme was shady, but contended that the federal authorities knew of it and of its operation but could do nothing to stop it. The plan was for the prospective applicant to purchase 10 shares of stock in the Oregon Ranching & Timber syndicate, paying \$100 for the block. Upon this collateral the syndicate would then loan the applicant \$400 with which the land was to be filed and proved up and patent secured.

Cooke entered into a written contract with the applicants who went into his scheme. In this it was agreed that Cooke would locate the applicant on 160 acres of Oregon land for the \$100 paid for the stock in the syndicate. Cooke was to locate the land mark the boundary lines and then notify the applicant, who in turn was to come to Oregon, follow the directions of Cooke and file on the land. It is further agreed that Cooke will buy back the claim for \$2,000 net as soon as a patent had been secured from the government.

As an extra inducement it was agreed that the applicants could stay at the ranch owned by Cooke in Eastern Oregon pending the passage of the patents by the government and the final closing of the deal upon payment of \$1 a day board.

The operations of Cooke in this state were brought to the attention of United States District Attorney McCourt through a letter written by a New York man asking a Portland friend for advice regarding the scheme, and given to The Journal. In this letter the contracts made by Cooke were set out and his plan as outlined by himself made plain.

Acting upon this clue District Attorney McCourt directed the attention of the New York office to Cooke's operations with the result that he was indicted some weeks ago, since which time the officials of the government have been trying to locate him. He was found in Baker City and placed under arrest at the request of Mr. McCourt.

Vacant Land Vanishing.

The annual report of the United States land office in the Yakima county the area of vacant public land is now reduced to 126,072 acres, a large part of which is situated in the reservation, says a report. The area of unallotted land in Kittitas county is 150,000 acres; in Benton county there is but 27,062 acres unallotted and in Douglas county, 15,003. During the year which closed June 30, 478 homesteads were taken up and these, together with desertland claims, account for 120,000 acres entered upon during the year.

Well, "By Jinks."

Says the Pilot Rock News: "The fact that Dr. Lienallen has bought the household furniture from Dr. Parker and has had the house fixed up is causing much comment in the local society this week. Many reports have been started as a result, and it is plain about the matter, these reports state that it will be but a short time till the wedding bells will ring. At present the doctor is sharing the rooms

with his pharmacist, but whether this is meant for a bluff or not we should not like to abuse the doctor's confidence by saying. One thing could be said, however, without betraying a trust. That is, that the doctor has often been seen looking off towards Athena with a far away expression in his eyes. P. S. If you have any extra cans laying about the place don't throw them away for they might be needed."

Cloudburst at Heppner.

At 2 o'clock Monday afternoon a cloudburst which occurred near Heppner, Ore., threatened for a time to destroy the town, a wall of 12 feet of muddy water being precipitated into what is known as Dry Creek canyon, which it followed until the town was reached, then turned and followed the main channel. The flood struck the upper end of the town and completely inundated the home of Judge Ayers, filling the first floor with two feet of mud and water. The city electric power plant was carried away and the town is in total darkness. Houses in the path of the deluge were carried from their foundations and as many as 20 houses were considerably damaged by the muddy water, which filled them. As far as has been learned no lives were lost, but a number of people are reported injured by the rush of waters.

HUFFMAN TACKLES NEAR BEER

The "Feather" Beverage Plays High Jinks With Pendleton Boozers.

Editor Huffman of the East Oregonian is still scrapping. Now it's near beer. The drinking of "feathers" at Pendleton appears to be pretty "near" to the real thing, and Huffman calls attention to the noxiousness as follows:

"It is evident from the actions of a number of the drinkers of the stuff in this city on Saturday that the alleged 'near beer' being sold by a number of former saloon men at their old stands, is too 'near beer' to pass the test of the prohibition law and there will be a wholesale cleaning out of these soft drink places if the law is not observed.

"The people cannot and will not be fooled. They know as much as the saloon men and they have voted prohibition on Umatilla county and it is safe to say if the law is violated that somebody will suffer for it.

Judging from the heavy prohibition vote in this county the people mean business. It is safe to say that if the issue were to be voted today it would carry by a majority of at least 1500 instead of 700.

"If the law enforcement league recently organized to help the officials enforce the law, mean business, it will have chemical tests of the alleged 'near beer' made to satisfy a number of people who will have to be 'shown' before they can believe that it is only 'near beer.'"

"A law is a law and in the East Oregonian's old-fashioned way, a law means what it says. The prohibition law prohibits the sale of intoxicating liquors and this means all intoxicating liquors.

"Let us give this matter a fair test. The people have decreed it. And if the people mean business it will be easy to apprehend the culprits. The people are not vindictive and do not want to force the saloon men entirely out of the county and state, but there must be law observance."

TAYLOR BRINGS DAMAGE SUIT

Sues Isabel Taylor, John Bannister and R. J. Boddy for \$59,000.

Moses Taylor has employed Raley, Richards & Raley and entered a suit for \$59,000 damages against his former wife Isabel Taylor, John Bannister and R. J. Boddy. The suit is the result of Taylor's conviction on the charge of arson.

He alleges that for the purpose of injuring him John Bannister, Isabel Taylor, his former wife, and R. J. Boddy, conspired to lay the plot at his door. In carrying out their scheme he alleges they induced McGrath and Palmer to take part and later to testify against him to his conviction.

As a result of their alleged actions Taylor holds that he is entitled to \$50,000 damages for the personal injury which he sustained and also for \$9000 actual damages incurred as a result of his prosecution.

Religion Sent Him Back.

Thomas McCarthy, aged 40 years for whose capture the warden of Indiana state prison here has a reward standing for three years, returned to prison voluntarily and gave himself up with the prospect of serving 12 more years unless the governor's parole body should release him sooner. In 1905 McCarthy escaped after having been paroled. He went to the Pacific coast and after leading a precarious existence he joined the Salvation Army at Yakima, Wash. His conscience troubled him and after he had earned enough money he started back to prison paying all his own expenses.