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THE HENEY CASES

Hermann's Trial Set For Hearing In November—Indictments Against Others Dismissed.

Binger Hermann is to be tried in the United States court in November. Claude Thayer, Clarke E. Hadley, Maurice Leach, Walter J. Smith, Thomas Coates, John Tuttle, G. O. Nolan, all indicted September 21, 1905 for conspiracy to defraud the government of public lands, released from the charges against them by dismissal at the request of Francis J. Heney. Joseph Black and others, accused of conspiracy, dismissed because of insufficient indictment according to a decision of the court; Livey Stipp of Oregon City, released from one of the Meldrum indictments. All other cases passed over until the November term of court.

This is the present status of the Oregon land fraud situation as established by the motions of Judge T. C. Becker in Judge Wolverton's court says the Journal.

Judge Becker appeared in court and asked that the Hermann case be set for trial at the November term of court. In making the request he read a telegram from A. S. Worthington of Washington D. C., counsel for Mr. Hermann, requesting that such action be taken. Mr. Worthington has been engaged in the Hyde-Diamond case in Washington and asked that the case be set over until he could have a short rest from the strain of the Washington trial.

This is the Blue Mountain case, and with the exception of Hermann and Williamson the other defendants, Franklin P. Mays, Willard N. Jones and George Sorenson, have been tried and convicted and the cases are now on appeal. In the case Hermann will be tried alone, it is understood, as Williamson will not be placed on trial, because of his conviction in another case, which was reversed by the supreme court.

According to Judge Becker, Mr. Heney will be in Portland to try the Hermann case.

All other land fraud cases with one or two exceptions now pending on the docket of the federal court in various stages of progress were put over until the November term of court upon the motion of Judge Becker. A number of these cases are slated for dismissal. In practically all of them, however, the defendants are connected with other cases which have been tried and which are now pending on the docket waiting for the passing of sentence, or appeal. Until these matters are settled and the cases which have been tried are finally disposed of no action will be taken on the cases which have not yet been touched.

MANY INDIANS ISSUED PATENTS

At Present Rate Reservation Will Soon Be Owned By White Men.

If the government continues to issue patents to Indian allottees at the rate they have been granted during the past year the Umatilla reservation will soon pass into white ownership.

Since Major A. E. McFarridge took charge of affairs on the reservation he has secured over 100 patents for Indian allottees. In most cases the allottees have been mixed bloods, and their allotments have varied in size from 40 to 160 acres.

It will be nine years yet before the Indians are entitled to their patents in the regular course of law. The allotments were made in 1892, and it was specified that patents should not be given the Indians for 25 years.

But by the terms of another law Indians may be given their patents at once provided they are capable of handling their own affairs. The agent is the judge of their powers in that line, and

it is for him to say whether or not they shall be given the absolute control of their property.

Before the agent asks the department to give an Indian a patent he must first post a notice of his intention to do so and allow it to stand for a period of thirty days. The notices are posted on the bulletin board of the agency.

In the majority of cases Indians who get their titles to their land sell their allotment to white men, or else lease the land to them for a long term of years.

WHEAT REACHES 80 CENTS

Few Are Selling and Market Is Being Watched With Interest.

For the first time in several years, the wheat market in Athena has touched the 80 cent mark. With this stunning good price, comparatively few sales have been made however, the disposition of wheat owners being to watch the market, which is considered to have an upward tendency.

Harvest is more than half completed in this vicinity, and next week, when more grain will have been threshed and an estimate of the crop is at hand, it is expected that the bulk of the grain produced here will be disposed of.

The weather has been ideal for harvesting and several threshing records have been established. Men and teams are standing the work well, and but little sickness is reported this season in the harvest crews.

Harvest Notes. Jim Stamper, roust-about for F. J. Beale's big outfit reports that the three headers employed with the machine, in one day cut 107 acres on the Allen place on the reservation, Wednesday.

David Ferris reports his McKee combine to be working in fine shape, and says that his crop will average 35 bushels per acre.

Joseph Forest and son, Edgar, sold 25,000 bushels of wheat Saturday at 78 1/2. They have a large acreage this year and estimate the crop at 35 to 40 bushels per acre.

Frank Berlin is operating his combine successfully this year and his crop is averaging 35 bushels per acre.

A. B. McEwen will soon finish harvesting his crop. He sold his club wheat for 79 cents and Turkey red for 81 1/2.

Joseph Sheard's crop averages a little over 40 bushels per acre.

A TICKET OF LEAVE

Man Who Was Grossly Abusive to Wife and Family Is Banished—Divorce Proceedings.

If allegation, filed in the circuit court against J. F. McPherson by his wife, who seeks divorce, are half true, he got no more than he justly deserved when he was brought before Justice of the Peace Richards, Monday.

Mrs. McPherson brought suit for divorce last week through her attorneys, Peterson & Wilson. She alleges cruel and inhuman treatment, drunkenness, and scores of other misdeeds, the like of which seldom appear in divorce proceedings in any court.

Sunday, McPherson came over from Walla Walla, loaded with Washington booze, and proceeded to his wife's residence. Here he at once began his usual tactics of abuse, although the couple had been separated for months and he had been warned to keep away.

He finally left and came down town, with the prime object, as subsequent developments show, to secure a gun. He visited both hardware stores, at each place trying to buy a revolver.

The circumstances of the family difficulties being known and the fellow's drunken condition being taken into consideration, his request was promptly refused.

By this time the officers were after him, and he was arrested in front of the McEwen hardware store. He was taken before Judge Richards, who placed his hearing for Monday afternoon.

He spent Sunday night in the city jail. At the hearing Monday afternoon, he was given the alternative of giving bonds to keep the peace, going to jail or staying out of Umatilla county for one year. The Sheriff's boarding house did not appeal to him—bonds being out of the question—so the evening train drew him hence in the direction of Walla Walla.

LABOR LEADER DEAD

George A. Pettibone, for years prominent in the councils of the Western Federation of Miners and charged with President Moyer and former Secretary Haywood with complicity in the murder of Governor Steunenberg died at Denver Monday night from the effects of an operation for cancer. Pettibone has been ill practically ever since his confinement in the Idaho penitentiary, which had been more than a year previous to the famous murder trials at Boise. Pettibone was never formally tried, but was discharged after the acquittal of Haywood and Moyer.

FERNIE B. C. IN ASHES

Flames In Canadian Woods Lick Up Lives and Property In the West's Greatest Fire.

The most awful conflagration ever known in the western country has wiped out the whole city of Fernie, West Fernie, the annex, the old town and the French town and all the lumber mills in or about the city of Fernie, B. C.

A brisk breeze that had been blowing all of Sunday morning fanned into a flame the smoldering brush fires in the slashings of the Cedar Valley Lumber company south of town, on the opposite side of the river. The wind steadily increased in velocity and volume, fanning the flames into a strong conflagration, which licked up the Cedar Valley yards, West Fernie, the Elk Lumber company's mill and 10,000,000 or 15,000,000 feet of lumber in the yards, leaped across the Elk, renewing its vigor with the fuel for flame which it found in the annex of Fernie.

The magnificent railway bridge of the Great Northern, the lumber camp traffic bridge and the Elk Lumber company's private bridge spanning the Elk, connecting Fernie with West Fernie, were all devoured in the torrent of flame.

About 3 o'clock the fire was discovered on the east side of the Elk, below town a little piece, and the raging wind soon fanned this into another conflagration, which swept toward the city, taking in its course the Fort Steele Brewing company's brewery and all the buildings surrounding it were wiped out, as well as all the buildings in the old town extending up Cow creek to what is known as French town, destroying everything in its course.

The flames leaped Cow creek and licked up Edgecliff, the most southern house in the part. It came across the Canadian Pacific railway tracks, burning the coal chutes, and was soon in the heart of the city.

The flames coming from the two directions and meeting in the heart of the city confused the people so that they scarce knew from whence the greatest danger was approaching, or whether their road of escape was open. After the fire had subsided it was found that except the Western Canada Wholesale company's warehouse, a concrete block building near the Canadian Pacific railway beyond the station, not a business house of any kind remains standing in the city.

Eighteen bodies have been taken from the ruins and there are scores of people missing.

Smoke and embers are still flying over the site of the destroyed town, making it extremely disagreeable for the homeless people, but there is no danger unless another gale arises.

The bodies of the victims have been placed in the basement of the office of the Crows Nest Pass Coal company, a cement building, and one of the two buildings standing, where those which are unknown await identification.

One of the most tragic fatalities of the fire, and one which shows the extremes to which people were driven to escape the heat, was the finding of the bodies of a family of four in a well. A miner and his wife and two children had tried thus to gain refuge from the terrific heat. The head of the man, whose name was William Ford, was badly turned, while his wife and children, a boy of two and a girl of eight years, had all died of suffocation. There was only a little water in the well which was curbed with wood. After climbing into it the miner and his family were evidently unable to get out again, and the curbing burned down almost to the water's edge, suffocating them.

WHEAT FIELD BURNED OVER

Ash Heap Starts Blaze and 1200 Sacks of Grain Destroyed.

An ash pile from a threshing machine engine which had lain for two weeks in the William Talbert wheat field three miles southwest of Milton was stirred by a heavy wind Saturday morning and uncovered coals of fire which started a fire burning 1200 sacks of wheat in two settings and threatening for a time to sweep several hundred acres of standing wheat owned by W. H. Frazier and Claude W. Steen.

The big blaze started between 6 and 7 o'clock and it was more than an hour before it was checked. The glare of the flames could be seen for miles and presented a beautiful picture despite the fact of its destroying power.

The wheat was owned by J. H. Coffman, who has the land leased from William Talbert. The entire lot had been sold to S. A. Barnes, but the loss will fall on the grower. Insurance was carried on the grain for 50 cents per bushel.

A strong wind from the south fanned the flames which darted with lightning rapidity toward the Steen and Frazier fields. The Frazier combine crew was working nearby and soon began to plow and dig guards against

the oncoming flames. Members of the crew worked desperately and were rewarded by the checking of the fire when it came to the trenches. Only quick work and proper judgment saved a loss of much greater proportions than that sustained.

WESTON LAWS DRY

Lawn irrigation at Weston has been stopped by order of the authorities, the water supply demanding close economy. Pumping has been going on for the last two weeks and the restriction has been avoided so long as possible.

THE BOOTHS ARE NOT GUILTY

Oregon Men Accused of Public Land Fraud Are Free.

Ex-Senator R. A. Booth, of Eugene, his brother, James H. Booth, ex-receiver of the land office at Roseburg and Thomas E. Singleton, who have been on trial for several days in the United States district court on a charge of conspiracy to defraud the government of 160 acres of public lands in Douglas county, were acquitted. The jury retired and was out 19 hours. It is stated that largely because of government failure to secure conviction in the present case following closely on the heels of the acquittal of ex-Receiver Booth on a similar charge, that the government will quash the majority of the remaining 18 indictments known as the "Heney indictments." Except from those to be discharged are the ones against Binger Hermann, former congressman and ex-commissioner of the general land office at Washington.

It is said that the date of the trial of the Hermann indictments will be set this week. F. J. Heney, will it is understood, come to Portland to try Mr. Hermann and prosecute in person the cases against him.

That Diseased Horse. The attention of the county stock inspector has again been called to the pitiable condition of a scab-infected horse, owned by Ed Knight. This is the second time the inspector's services have been required in this particular case. Several weeks ago the inspector was summoned and gave Knight instructions regarding the cure of the animal, but apparently the horse has been neglected, for it is still in the very worst stages of the disease, and stands day after day in a hot shed an easy pray to tortuous flies. The owner is out of town and the horse is having practically no care at all. From humane motives a couple of citizens have taken the matter up with the stock inspector.

Divines Meet at Milton. Milton will be honored this year with the presence of a number of eminent divines who will come from the south-land to attend the annual conference of the Methodist Episcopal Church South. The sessions will begin September 16 and continue over to the 20th. Bishop James Adkins, one of the best-known divines of the church, will preside at the conference. Dr. J. D. Hammond, general secretary of the board of education of the church, will be present and deliver a number of addresses. The Rev. H. S. Shangle, agent of Columbia college, hopes to secure help for "Greater Columbia" from the conference and the prominent men who will represent the northwest at the conference.

John McGhee, Pioneer, Dies. The Rev. John W. McGhee Sr., aged 7 years, died at his home in Walla Walla Sunday afternoon of senile decay. Mr. McGhee was born in Washington county, Va., April 29, 1821, and came to the valley in 1890. A number of years ago his wife died and last year he remarried. He was the last of a family of five brothers and three sisters, all grown. Two sons, J. W. Jr. and G. F., reside at Walla Walla. Mr. McGhee served with the Oregon volunteers in the Rogue River Indian war. For nearly half a century he was minister of the Methodist Episcopal Church.

Hurting Hop Men. Baron Louis Von Horst, of Coburg, Germany, who has large hop interests in California. Speaking of the situation in the industry, said that the trouble is over-production and that as a result the small hop farmer has been in severe straits during the past two years. The prohibition movement in the south and west and the license bill in England and Germany have cut down the demand, he says, with the result that there has been a falling in prices such as to make the business unprofitable for the small grower.

Enjoys Wenaha Resort. Mayor Plamondon came down from Wenaha Springs Tuesday evening, and looked after business for a couple of days. He was accompanied by Attorney Wilson. The doctor is enjoying his outing and reports trout fishing good. He will return to the Springs and join Mrs. Plamondon, today.

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