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DELL BROTHERS, Athena, Oregon
CATERERS TO THE PUBLIC IN GOOD THINGS TO EAT

RAILROAD LAND TO GOVERNMENT

2,000,900 ACRES IN OREGON AND CALIFORNIA.

Southern Pacific Case Goes to Court of Appeals Then to Supreme Court.

"The court orders that a decree to enter forfeiting these lands to the United States government and that the government recover its costs and disbursements in this case."

By this simple statement of Judge Wolverton in the federal district court at Portland in the presence of a few attorneys, approximately 2,300,000 acres of land stipulated to be worth \$30,000,000 and estimated by experts to have a value of \$40,000,000 to \$60,000,000 were taken from the Southern Pacific company and returned to the federal government.

While the decree finishes the famous Oregon and California land grant case in the lower courts it will be immediately appealed to the circuit court of appeals in San Francisco. From there no matter what is the decision, the case will go to the supreme court of the United States for final adjudication. This case which was instituted in 1908 has been one of the most forcefully contested ever brought into the Oregon courts. The Oregon legislature petitioned congress to take action and a resolution was passed to that effect by the national legislature.

A total of 820,000 acres of land has been sold, some for as high as \$40 per acre.

In regard to the Union Trust company's intervention, the court ruled that the trust company, owning \$17,000,000 mortgage bonds on the lands and property of the Oregon and California system, acquired an interest with full notice of the conditions attaching to the grant and could not interpose the plea of an innocent purchaser. B. D. Townsend, special assistant to the attorney general issued a statement today, which he said necessitated the widest circulation as a warning to persons in the various parts of the country who may be solicited to make demand for 160 acres of the land in litigation upon tender of \$2.50 per acre to the Southern Pacific company. Persons, according to Mr. Townsend, who make this demand secure no prior rights to the land applied for.

"If this decision is upheld by the United States supreme court, the lands will revert to the United States government and before they can be opened for settlement it will be necessary for either congress to enact a law throwing them open, or for the president to do so through a proclamation. It will be two years before a final decision is rendered by the supreme court and it is not certain, by any means, that the lands will be immediately thrown open after the decision is rendered should that decision, as stated above, be in the government's favor.

"This decision affects not only settlers who may be induced by interested parties to make demands upon the company in future or who may go on to the land and hope to secure prior lien by prior settlement but also hundreds of persons who have been induced by lawyers to pay them from \$200 to \$250 each on promise that the tender of money to the railroad company during the pendency of the suit would insure them a prior claim in case the decision was against the company."

Mr. Townsend said that "these persons have thrown away their money," as there can be no lien secured until after final action and adjudication of the case.

"The victims of the promises made by the lawyers," continued Mr. Townsend, "live in various parts of this country and Canada while in other instances persons have gone upon the land and made their homes there under the belief that it will be theirs when the case is finally determined."

STRIKE IS ONLY A PROSPECT

Irish Miner "Quits When the Pay Streak Quits."

A recent gold strike credited to D. J. O'Shea on Canyon mountain has been more or less exaggerated in the news reports, says the Blue Mountain Eagle. His strike is one that is characteristic of the mountain and is in a way similar to other strikes, that is to say he caught up a stringer or vein of quartz that bunched or pocketed high grade and nugget gold. What he has taken out in his private business but it is estimated that the amount is near \$2500.

The discoverer does not boast of locating a great gold mine nor has he developed a "million dollar property." He says he has a good prospect and hopes to run it to "a good bush of money." He does not even claim to be a miser but says he is a good sheep herder. His work, however, would tend to show that he is an experienced surface miner.

The story of the strike is briefly told. With the Gaker he worked on the mountain near the Great Northern all

winter. A few weeks ago he went to work at the head of Quartz gulch and about half way up the mountain, he picked up a trace and followed it to where a man named Clark had taken out \$35 some years ago. With a foot of the surface he took a sample. The pan revealed a small trace and another pan of dirt produced \$205. Here he caught a two-inch vein and within three feet took out \$1100. Mr. Gaker went to work with him and they have sunk 18 feet. The shaft revealed a blow-out in a contact, or as prospectors say, a chimney. The vein is still throwing free gold and they hope to catch it again where it bunches.

O'Shea says that he will follow the vein as long as it throws gold and when it quits, "the Irishman quits also." A representative of the Eagle called on him Sunday and found him one of these philosophical little Irishmen who took his good fortune as a matter of course, making no claims for the "prospect," as he calls it, and giving it no credit except for what it had produced. The Irishman can quit just as easy as the pay shoot and when it does O'Shea will have more "dust" in his "hank" than the vein has in its "pocket."

HIGH SCHOOL PLAY SUCCESS

Crowded House Grets Swains and Students in "Brown's in Town."

A crowded house showed appreciation of the play "Brown's in Town," produced by the students of the high school, under the training of Mr. and Mrs. Mack Swain, at the opera house last Tuesday night. Frequent and hearty applause was showered on the amateurs, who showed good training under competent instructors.

Mr. and Mrs. Swain took prominent part in the play. George Winship, as "Brown, No. 1," got himself into a peck of trouble through his clandestine marriage, and showed himself an adept in the art of deception. Emory Worthington, "Brown No. 2," while trying to help his friend, rather enjoyed his difficulties, being himself in love with the bride.

Miss Bessie Banister made a bit as the "theoretical domestic science cook," while Miss Belle McIntyre, as the real darkey cook, "Primrose Johnson," succeeded at last in collecting her wages—"seven dollars, fo' bits an' five cents." Miss Ruby Banister in the character of the German girl who was always "misunderstood," was a well sustained and laughable character, while John Wall as "the desperate man," brought many hearty laughs, and Jim Phillips, as the rouabout, finished the cast.

All the parts were taken with a confidence and spirit that was surprising in a first appearance on the stage, and the audience was generous in applause. The proceeds go into the high school athletic fund.

The Noise of Silkworms.

A naked man is always in attendance in the hatching room of the silkworms of China. The worms, being so very frail that the temperature and humidity of their chamber must not vary, their guard is naked, so that he may detect any slightest change by the sensitiveness of his skin.

After the worms are hatched no loud talking is permitted near them, and there are even guards whose duty it is to keep the flies off them. These guards must bathe before entering the worms' presence, and their breath must be sweet and inoffensive. Quins, for instance, are forbidden fruit.

Such precautions seem absurd. Yet it is unquestionable that China leads the world in silkworm culture. A Chinese silkworm farm breeds the strange, industrious creatures by the million. In one of the great silkworm houses it is possible to hear the worms feeding; yes, it is even possible, so numerous are they, to hear the sound they make in spinning their cocoons, a sound like the ripple of rain.—Chicago Record-Herald.

Eyes of the Barnacle.

In the barnacle we have a unique and wonderful case of a creature that can afford as eye comes on to dispense with the eyesight that was so useful in youth. For the young and old barnacle are as different, one from the other, as fishes from seaweed. In the heyday of life the barnacle swims about the sea, seeking its food with the aid of its eyes and generally leading a roaming existence. Later in life, however, it grows tired of this aimless wandering and settles down to worry ship captains by attaching itself to the keel of their craft and defying the much advertised powers of various preventive paints. Once there, the barnacle has become a fixture, and whether on ships or sharks its eyesight is of no more use. It cannot seek its food, and it cannot shun its foes, for it never more will move. Therefore its eyes become superfluous and, according to nature's invariable rule in such cases, disappear.—Our Dumb Animals.

An Excuse.

Bessie—Did you scream when he tried to kiss you? Jessie—No. There is a poor man across the street who is dreadfully sick.—Philadelphia Telegraph.

Exact Justice.

Exact justice is commonly more merciful in the long run than pity, for it tends to foster in men those stronger qualities which make them good citizens.—Lowell.

The love of liberty is the love of others. The love of power is the love of ourselves.

PENDLETON IS OUT AND ATHENA IS IN

PRACTICALLY NO COMPETITION AT TRACK MEET.

Oratorical Contest Judged By Three Whitman College Professors.

Athena High had very little competition in the county track meet at the City Park, Saturday. At the last moment, Pendleton decided not to participate, Milton and Weston had no entries and the contest lay between home talent, except in the grades, where Adams scholars participated.

The oratorical contest was held at the Christian church, contestants from the Athena, Pendleton, and Milton schools participating. Professors Moots, Davis and Densmore of Whitman college were the judges. The results of the track meet and oratorical contest follows:

Track Results—Division A.
50 yd. dash, 1 Worthington, 2 Payne, 100, 1 Worthington, 2 Payne, 200, 1 Worthington, 2 Ingham, 440, 1 Ingham, 2 Worthington, 880, run, 1 Ingham, 2 Payne, Mile run, Payne, High jump, 1 Crabill, 2 Worthington, Broad jump, 1 Ingham, 2 Crabill, Hurdles, conceded to Worthington, Shotput, 1 Crabill, 2 Ingham, Discus, 1 Tompkins, 2 Phillips.

Division B.
50 yd. dash, 1 Kilgore, 2 Sobasky, 3 Painer, Adams, 100, 1 Sobasky, 2 Kilgore, 3 Painer, Relay won by Athena.

Division C.
50 yd. dash, 1 G. Lissalleu, 2 Dudley, 3 Glinesky, Adams, 100, 1 G. Lissalleu, 2 Dudley, 3 Murray, Adams, 200, 1 G. Lissalleu, 2 Dudley, 3 Glinesky, Relay won by Athena.

Division D.
50 yd. dash, 1 M. Banister, 2 Baker, Adams, 3 L. Banister, 100, 1 M. Banister, 2 L. Banister, 3 Baker, 200, 1 M. Banister, 2 L. Banister, 3 Baker, Relay won by Athena.

Division E.
50 yd. dash, 1 King, 2 Morrison, Adams, 3 A. Lissalleu, 100, 1 King, 2 Morrison, 3 A. Lissalleu, 200, 1 King, 2 A. Lissalleu, Relay won by Athena.

Oratorical Contest—Division A.
Oecil Ferguson, Milton, 1st prize, Sylvia McCarty, Pendleton, 2nd, Louis Stewart, Athena, 3d.

Division B.
Genevieve Sheavy, Milton, 1st, Zola Keen, Athena, 2nd.

Division C.
Pattie Orr, Milton, 1st.

CHINA PHEASANT PROPAGATION

Opportunity for Game Bird Reserve on Wild Horse.

Senator C. A. Barrett informs the Press that an opportunity is offered the farmers of Wild Horse, above Athena to put their land in a preserve for the propagation of China pheasants and other game birds.

Through the state game warden Mr. Barrett is offered birds to stock the preserve, and he has taken the matter up with the landowners. Some have signed the necessary papers, while others have manifested little or no interest. The conditions under which the birds may be received for propagation from the state are simple, and not exacting in the least. A group of farmers simply enter agreement with the state that they will protect the birds for a period of five years, not allowing anyone to hunt on their land.

The Wild Horse territory is an ideal one for the birds and with proper protection, would increase within the five year period to the extent that good shooting would result.

Birds have been turned loose on a 3000 acre preserve on Pine Creek, north of town, and the farmers of Dry Creek have recently received a consignment of birds.

Header Factory in Pendleton.

The prospects are very bright for the building of a new payroll for Pendleton through the operations of the Pendleton Manufacturing company, for which articles of incorporation were signed Tuesday by W. F. Matlock, A. L. Swaggart of Athena, Will M. Peterson and M. L. Akers, among the most prominent business and professional men of Pendleton, says the Live Wire. The concern is incorporated for \$250,000 divided into 25,000 shares at a par value of \$10 each. According to all indications, success of the enterprise is assured. It should receive the hearty cooperation and warm backing of every citizen of Pendleton and Umatilla county.

CAR RUNS WILD, DITCHED AT ADAMS

DEFECTIVE BRAKE CAUSE OF ACCIDENT.

Loaded With Flour, Squeezes Through Switch On to the Main Line Track.

An O.-W. R. N. car loaded with flour, while being shunted on the sidetrack up at the mill Monday, got away from the loaders and rolled through the switch onto the main line.

Bob Brooks was on top of the car and vainly tried to stop it by frantically twisting at a defective brake. Seeing the man's efforts were unavailing, and that the car was gaining speed, Manager Watts told him to jump, and the car went whizzing past the depot.

Agent Mathers and Harry Alexander followed in an automobile and arrived at Adams about the time the car was ditched on a siding, by orders from the superintendent's office at Starbuck, which had been apprised of the runaway by Operator Coomans.

After receiving the order, the agent at Adams had barely time to run and turn the switch before the car arrived. It plunged on to the siding, where fortunately, there were no other cars at the time. It ran down the track to the derailing switch, where it plunged into the embankment, turning completely over.

It was loaded with 510 sacks of flour, packed in seamless sacks, which escaped serious damage, although the car was badly wrecked. The car got away shortly after the morning passenger trains had passed this city.

Vincent Dramatic Company.

The Miller's Daughter; or Hazel Kirke, will be presented tomorrow evening at the opera house, by the Vincent Dramatic company. The cast is comprised of amateurs who are residents of Vincent neighborhood, near Freewater. The play is produced under the management of Mr. Wallace Morrill, and the company is thoroughly drilled. The Freewater Times speaks in terms of high praise of the play and players.

Extraordinary Sale

Womens Spring Suits

\$25.00 Suits now \$18.75
\$17.00 Suits now \$11.95

Each and every one of these garments is the latest expression of all that is new and fashionable. The quality and workmanship is high standard.

The Jackets fasten with from one to four buttons in both straight and cutaway fronts and have the broad tailored reverse now so much in vogue.

The Skirts show a great variety of modes, plain two-piece effects, panel backs with wide pleat in front, slight drapings and low cluster pleats.

The Fabrics are those now considered as being absolutely correct by fashion experts, such as tan, grey and navy Bedford cords, Sheppard checks, English whip-cords and a great variety of fancy Scotch mixtures of such fine quality that you'll wonder at the exceptional values, \$11.95 and \$18.75.

RIDING SKIRTS

We at all times carry a full line of riding skirts, made full width with patch pocket. Corduroy riding skirts, \$9.95. Heavy khaki riding shirts, \$4.25. Medium weight riding skirts \$2.75. All lengths and waist measures. By parcels post, prepaid.

SAVE YOUR T W P TRADING STAMPS—They mean a saving of 5 per cent. to you. You can't afford to overlook it; you can save enough in this way in a very short time to pay for some nice article in your home—a good, comfortable Rocker, a nice Sideboard, Rugs, Silverware for your table, Pictures, or any other of the many choice articles we have in our premium department, second floor.

The Peoples Warehouse

Where it pays to Trade. PENDLETON, OREGON. Save your TPW Stamps.