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

NO INITIATIVE AT SPECIAL ELECTION

BALLOT WILL NOT CARRY THE PROPOSED MEASURES.

Suit to Force Vote on Eight Hour Law Next November Fails In Court.

Of the opinions rendered by the Supreme Court this week two are of particular public importance. In one the court held that initiative measures should not be placed on the special referendum election called for next November, and in the other it held that the county depository law applied to this year, and that it was incumbent upon county treasurers to name depositories.

The opinion relative to initiative measures was given in the suit for mandamus brought by Marie D. Equi and Mrs. J. R. Ostman against Ben W. Olcott as secretary of state. The demurrer of the defense to the complaint was sustained. The suit was to compel the secretary of state to put on the special election ballot the measure for a woman's eight hour law.

"The fallacy of the plaintiff's position lies in the assumption that the fraction of eight per cent of the voters said to have signed the initiative petition has the right to order the submission of their measure to the people at large at a special election called under a statute which makes no mention of initiative measures," says Justice Burnett, who wrote the opinion. "It would be but a step further for the eight per cent minority to assert that it could call an election at such time as it might choose, irrespective of the statutory and constitutional provision on that subject. Indeed, the people have reserved to themselves the power to make laws independent of the legislative assembly, but they have annexed to this reservation of power such directions to the secretary of state and other officers as will prevent in some measure the too frequent use of the initiative process. In short, as plainly declared by the people in the constitution, the secretary of state shall be guided by the general laws in matters of this kind. He cannot rightfully enlarge the provisions of the special act of February 28, 1913, to include matters not herein specified, and this court has no power to direct him so to do, or to violate the express mandate of the people embodied in the constitution, requiring him to operate under the general laws."

The opinion in the county depository law case, which is a suit brought by the state, ex rel First National Bank of Klamath Falls, against J. W. Siemens, county treasurer of Klamath, was written by Justice McNary with Chief Justice McBride and Justice Burnett dissenting. The case is an original application for a writ of mandamus to compel the county treasurer to appoint county depositories, which he refused to appoint on the ground that the law did not become effective until Tuesday, June 3, while the law says the depositories should be appointed on the first Monday in June, which fell this year on June 2, and also on the ground that the appointment of depositories was discretionary with the county treasurer. The case is of general importance, as it concerns every county in the state. In Marion county similar conditions to those in Klamath exist, as the county treasurer has failed to appoint depositories.

Justice McNary holds that the law must be interpreted according to the intent of the legislature, which was to have the act become effective in the year of its passage. He points out that the act is remedial in character. "The law was conceived in the belief that it was promoting the public welfare; that a remedy is needed for existing abuses, and that a convenient time should be stated, when official duty should be performed," says Judge McNary. "To say the act must be construed as being in a state of repose until the first Monday in June next, is placing an interpretation thereon of strict and literal severity."

"The essence—the very quintessence—of the statute is to establish county depositories and to divert into the public exchequer money in the way of interest that have heretofore flowed into private reservoirs and to hold otherwise would be placing a premium on form and misimizing, if not destroying, the effect and value of substance."

Hand Badly Injured.

A member of Watts Bros. threshing crew was brought into town yesterday with a badly lacerated hand. When Dr. Sharp dressed it, he found the little finger broken and the hand severely out. The injury was received when the lever on the feeder flew back and struck the operator's hand.

Lawn Sprinkling Halted.

Lawn sprinkling has been temporarily suspended by orders from the water department, it being necessary to conserve the supply now furnished by the springs and water pumped from the well by the present equipment.

AN EXPOSE OF MORMONISM

Two Addresses Given By Methodist Minister Who Knows.

Last Sunday evening Rev. D. M. Helmick delivered his second address on Mormonism, closing the series for the present. In his first address Mr. Helmick took the ecclesiastical side of the question, taking for his first proposition that the teaching of the church is plainly to "do evil that good may come." In his second discourse he gave the organized system of the church in all its quorums. He showed how the church controls in temporal affairs, by quotations from their own authorities. In referring to the disloyalty of the church to the government, he quoted reasonable utterances of Brigham Young and other leaders as found in Mormon church publications and proved that the flag had been dishonored in Salt Lake City on two occasions. Mr. Helmick stated that he had been unable to find any government or state record showing that there had been a single volunteer from Utah territory in the Union army during the rebellion, and he challenges any one to show such a record.

Mr. Helmick did show that members of the Mormon battalion in 1857 went into the mountains to keep back Johnston's army and that they destroyed two wagon trains of supplies belonging to that army and escaped without the loss of a man. This with much other history was given to prove his assertions against the church of the Latter Day Saints.

During the two discourses the speaker gave some of the fruits of the Mormon religion in ruined lives and homes; in crimes against gentiles and apostates. He gave a description of the Mountain Meadows as he found it and an account of the massacre as given in the trial of John D. Lee, with other incidents of Mormon cruelty, all proved by Mormon testimony.

In his two addresses Mr. Helmick never made a statement of fact that was not either known to himself or else he had the evidence from court or public records or books and papers of Mormon authority.

Suit Against Daughter.

Considerable interest is centered in a suit brought by Louis LaBrache against his daughter, Mrs. Mary Baddeley, alleging that she and her husband, J. C. Baddeley of Walla Walla have cheated him out of his property. On March 6, he alleges that they coaxed him to deed the southeast quarter of the northwest quarter of sec. 32, twp. 4 N. R. 35 to the defendant with the understanding that it would be deed back at any time plaintiff desired. The land is valued at \$1500, he alleges and is planted to a crop worth \$1000. Soon after the deed was executed, it is alleged, defendant borrowed \$1500 on a mortgage and wanted to invest it in a race horse, but plaintiff refused to consent. Thereupon defendant loaned \$500 to her husband who is not worth that amount, it is claimed. Plaintiff also contends that his daughter has been trying to send him to an asylum, has refused to allow him the necessities of life and has had a notice printed in the Athena Press disclaiming responsibility for his bills. He asks for an order to deed the land back to him. H. I. Watts is his attorney.

Pendleton Chinatown Burned.

Fire early Tuesday morning wiped out half of Pendleton's Chinatown and for awhile seriously threatened one of the principal business blocks. Two wooden buildings on West Alta street in which were two stores and a noodle parlor, burned to the ground and the flames warped the fire doors on the adjoining brick block and got into the Tallman drug store and the Penland lodging house. Volunteer firemen however succeeded in subduing them before they made much headway. High wind carried sparks for several blocks and several other fires were narrowly averted. The French restaurant and the Olympia saloon were flooded with water when the automatic hose was turned on and could not be turned off. The total damage was about \$7500. The store and restaurant were owned by Wing Goody, former husband of Ol Sen, a notorious Chinese woman of Portland.

Round Up Buckers Stolen.

Angel, the famous outlaw, Rambling Sam, noted bucker and Whistling Annie, the horse that made Tex McCleod bite the dust last year at the Round Up have disappeared from the pasture on McKay creek where the Round Up stock is kept, and it is believed they have been stolen. Five hundred circular letters have been sent out by the association all over the country describing the animals and offering a reward of \$25 each for their return prior to September 1. Angel is valued at \$1,000, Rambling Sam at \$800 and Whistling Annie at \$750. Angel is the horse on which L. W. Minor of Wallawa made the ride that won him the world's championship last year.—Live Wire.

C. W. B. M. Meeting.

The August meeting of the local auxiliary of the Christian Women's Board of Missions will be held next Wednesday afternoon at the home of Mrs. W. E. Dubson, with Mrs. J. W. Pinkerton as assistant. Mrs. H. H. Hill will be leader of the meeting, and the topic of the day is "Africa's Need and Our Response—What It Is and What It Should Be."

Editor Johnson of the Weston Leader, was in the city Monday, on a short business trip. He graced the Press sanctum with his presence.

FRAUD CHARGED IN SUIT

Eleyen Settlers in Coos and Curry Counties Sue Southern Oregon Co.

A suit charging fraud and seeking the return to the state of Oregon approximately 100,000 acres of timber and agricultural land held by the Southern Oregon company in Coos and Curry counties, has been filed in the federal court at Portland by eleven settlers who allege in their complaint that the terms of the congressional land grant of 1869 were violated when the southern Oregon Development company secured title to the lands many years ago through numerous individuals who merely acted as agents of the latter company when they secured the land in 160 acre tracts as homesteads.

An injunction against further cutting of timber on the lands also is asked for in the bill. The charge of fraud is made in connection with the alleged mortgaging of the tract to a Boston banking firm by the Southern Oregon Improvement company and the subsequent sale, foreclosure and transfer of the property to the Southern Oregon company. Governor West, Attorney general Crawford, and other state officials of Oregon also are named as defendants, it being charged that the state of Oregon was negligent in its duty not carrying out the terms of the grant requiring the sale of the agricultural lands to actual settlers for \$250 acre.

Cutting Weeds.

Sam Booher has set the example of cutting the grass and weeds from the streets and vacant lots in the vicinity of his home, which should be followed by all Athena property holders. The foxtail grass is not only a nuisance, but a menace in the spread of fire and should be eliminated.

COUNTY HELP FOR THORN HOLLOW

PERMANENT HIGHWAY AND A BRIDGE IS POSSIBLE.

County Court Would Take Road If Government Builds Bridge at Crossing.

Athena is vitally interested in permanent road construction of the Thorn Hollow road. In past years before farmers could haul their wheat to the warehouses at Thorn Hollow station, they have been compelled to repair the road and put in a temporary bridge at the river crossing. This has been done at their own expense except what money was donated to help them out.

This road should be under the supervision of the county. It is even more necessary to the traveling public than the river road to Bingham Springs, a pleasure resort.

Farmers on this side of the river require the Thorn Hollow highway for hauling grain, and the farmers on the other side need it for convenience in coming out to trade.

It is said the county court is willing to construct a good road of a permanent character if the government can be prevailed upon to construct a bridge

over the Umatilla river where the Thorn Hollow road intersects.

Pendleton is interested also in having the road improved. The commercial association of that city has instituted a movement in its favor and Dr. F. W. Vincent, its chairman of county roads, says that the committee has things all in readiness to start the circulation of the petitions as early as is practicable. A Pendleton paper says:

"The plans are to make both the Thorn Hollow and Mission station roads county highways, and the county court has expressed its willingness to improve and make these roads permanent county highways if the government will put in the bridges across the Umatilla river at these two points. It is thought there will be no trouble about the government doing this when they understand the strategic points they will occupy, being the go-between points connecting two valuable tracts of grain land and the warehouses lying on the south side of the river, while a large proportion of the grain handled at each station is grown on the north side of the river. While it will take some money to install these bridges, yet when the benefits are considered the expense is nominal. The people interested will be glad to note that things are progressing so favorably."

Farm House Burned.

The farm house on the Henry Keen farm Northwest of Athena, was destroyed by fire Sunday, together with the household effects of Mr. and Mrs. Toland. Insurance was carried on neither dwelling or household goods. Frank Jackson raised a considerable sum of money for Mr. and Mrs. Toland by subscription. Athena and country people subscribing generously to the paper he circulated. The fire started in the kitchen, presumably from a defective flue.

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Mens Oxfords regular \$3 to \$4.50 **\$1.50**
Now selling at
Womens Oxfords regular \$3 to \$5 **1.45**
Now selling at
Misses Oxfords regular \$2 to \$2.75 **83c**
Now selling at
Sox, the pair, 5c

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Large assortment Ladies' Waists **49c**
Values \$1 to \$3.50, now
Embroidered Marquisette, French **98c**
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A large assortment of childrens dresses all sizes, styles, materials **25 TO 79c**
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Knickerbocker styles for boys from **49c**
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A very good quality of cotton crash **5c**
Towling, the yard
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