

## War-Maimed Man Defies Government

### American Legion Will De- fend Buddy in Court Contempt Charge.

Oregon Journal—Equipped with a dirty and battered copy of the forest service manual, honorable discharges from the United States army, a hazy understanding of law, a stubborn belief in personal liberty and no money to speak of, two mountaineers came down to Portland from Umpqua national forest Friday in custody of a deputy United States marshal to resist the federal government's efforts to take away their homesteads.

Elwood H. Best and Emory Davis are as mild mannered men as ever defied an established government.

Best is a World war veteran. The Germans almost finished him at Belleau Wood. They knocked him out three times, but every time he had enough grit left to crawl, and that was about all. They shot out part of his mouth and knocked out a number of teeth. They perforated his legs with rifle bullets and otherwise "trimmed" him.

They made him feel pretty bad for a time but they couldn't do anything to his spirit. Best had red hair, blue eyes, lean cheeks and one of those keep-away-from-here chins. When he recovered from the battle of Belleau Wood the war was over and most people had about forgotten it, or, from the way it now seems to Best, had forgotten how that war was won.

Best went up into the Cascade mountains and carved out a home for himself. Nobody was using the land around where he went and it didn't look like anybody ever would have much use for it. Best didn't have any money, but he had plenty of will power and after a time his strength came back and he worked hard to make a living out of the ground. He took himself a wife and now he has three children to feed. The oldest one is 7 and the youngest 18 months.

Emory Davis put in his army hitch during the Spanish-American war. He took all the Spanish had to offer down in Porto Rico. For more than 20 years he has been knocking around in the mountains trapping. His wife died a long time ago. He took a liking to this red-headed bullet stopper named Best and settled down near Best on Fish Creek desert about 23 miles west of Diamond Lake.

He built a house, too, out of logs and started tilling the ground. They were as peaceable and remote as men could be.

Then the federal government heard about them. That land belonged to the government, one of the most prosperous of all land owners.

Forest rangers tried to make them get out, but they wouldn't do it. They didn't have anywhere else to go. And they believed and still believe they have a right to be where they are.

Best totes the old forest service manual. That's his sole proof of his right to the land. There's a paragraph in the manual that says the federal government won't be over particular about putting men out of house and home in the national forests as long as they are not trying to make commercial use of the land and only want a place to live and raise a few turkeys and one thing and another like that.

The page where that paragraph is has gotten pretty dirty from being referred to so many times.

Best says the whole point of the argument lies in the fact that land up there hasn't got any timber on it worth having and is only fitted for farming, which is what he wants to use it for.

He says if the federal government can prove to him that the land is

worth more for timber than turkeys he'll get out as gracefully as his war wounds will let him.

But if the government can't prove that, then somebody is liable to get hurt trying to blow up his cabin with dynamite, as seems to be the custom in such cases.

The federal government takes an entirely different view of the situation. It says these two men went up there and took possession without any authority. When they were told to come to court and see about it they didn't come. So the government got a permanent injunction ordering them out, and also a citation for contempt of court because they didn't come down to see about it.

That's how they happened to be in Portland. Deputy United States Marshal Cochran went up and brought them down.

There's a lot of talk about them being desperate men, they said. "That's all rubbish," they point out. They never pulled any guns on anybody.

"Only time any gun was pulled was when a ranger came up and shook an axe in my face," Best said. "And I never pulled it then. It was pulled by a fellow he brought along with him. But if they start messing with my house, look out!"

"Yes, sir," echoed Davis, "he shook that axe in my face, too. Threatened my life, he did."

Best and Davis have a little trouble hearing what's said to them because they've lived so long at a high altitude—3300 feet—that they can't get used to sea level.

They've a couple of acres in cultivation now and they plan to put in a full homestead claim of 160 each as soon as they can.

The charge they are held on, contempt of court, doesn't admit them to bail for the present, consequently they were taken to the county jail to await a hearing.

The predicament of the two men has aroused the interest of the American Legion and Joseph Carson was retained to represent them in court. They said the reason they overlooked the omnipotent orders of the federal government about coming down to Portland to see about it was because they didn't have any money and it was too far to walk, so they just waited for the government to come get them.

They haven't got any contempt for anybody, they say, but forest rangers who go around shaking axes at squatters.

### No Standard Pictures During Round-Up Week

On account of the annual Round-Up at Pendleton this week, there will be no pictures at the Standard tomorrow night nor Sunday night.

On Next Wednesday night, September 21 Douglas Fairbanks will be seen in the greatest photoplay of his career, "The Three Musketeers." Also Harold Lloyd and Bebe Daniels will be there in a two-reel comedy production.

Saturday following, Milton Sills comes in "The Sea Tiger." First National's super sea production. Sills is supported by Mary Astor and an all-star cast.

Sunday night "Somewhere in Sonora," a fine Western picture, featuring Ken Maynard will feature the program.

### Stock Killing Bears

Fourteen stock-killing bears were among the predatory animals whose scalps or skins were taken by federal hunters in Oregon during August, according to the monthly report of Stanley G. Jewett, leader of predatory animal control work in the state for the United States biological survey.

There also were 52 bobcats, 388 coyotes, 205 badgers, 208 porcupines and 17 skunks killed. Harlan Gubser working in Klamath county was high among the hunters with a record of 50 coyotes and one bobcat killed.

## Eugene Folk Enjoy Jaunt to Islands

### Dean Landsbury of Univer- sity is Leader of Excur- sion for Summer.

Into the very heart of the South seas went a party of Oregon people led by Dr. John J. Landsbury, dean of the school of music of the University of Oregon, for their vacation this summer. There, in quaint Samoa, among the hospitable natives, countless interesting places were found, and every minute of the trip was packed full of enjoyment, those on the tour declare.

Dr. Landsbury and his party have returned to Eugene enthusiastic over the jaunt. The trip occupied the time between June 29, when they left Vancouver and August 20, when they returned there. Those in the party included Mrs. Anna Landsbury Beck, sister of Dr. Landsbury, who was making her second trip; Miss Una Eldridge, Dr. and Mrs. F. M. Day and Miss Grace Turned of Eugene; Edward L. Barrett, Miss Annie Hunt, Miss Anna K. Barrett and Mrs. Orpha Schmitt of Albany and Miss Linnie Belshe, also of this state. Others who traveled with them from California were Rev. H. P. Ide and A. Fields of Redlands; Miss N. Nichols and John Nulul of Oakland and J. L. Wheeler of San Francisco.

The party landed first at Suva, in Fiji, and from there they went by small boat to Bau, the old cannibal capital of the islands.

One of the most enjoyable features of the journey was the fact that Dean Landsbury had made many friends on his previous trip, and these friends showered all the visitors with hospitality. At Bau they were greeted by Chief Ratu Pope, who is the grandson of the cannibal king Thakembau. Here they visited the historic house where the treaties were signed.

From Bau the party embarked in a small steamer and went up to Ha-papai, and from there to Niefu. Short visits were made at both places, and they then went to Apia. Here Dean Landsbury was saddened to learn that one of his old friends, Chief Siako Toomalubund, had died there recently and was buried the day before.

In this region, Dean Landsbury met a young man, the outstanding athlete of the territory, whom he had known before, and this lad took the whole party up to the island on which he lived. Here a native feast was held in honor of the visit, and the honors these people bestowed included many gifts, such as tapa, cloth, beads and other wares. The youth, Jone Musa Kanetavu, is the leading football player of his section, is a fast track man and participates in other sports. He has been honored by the queen by being made a knight in her party.

From this section the party came back to Suva, from where they took the vessel to Vancouver, B. C. They stopped but a day in Honolulu.

### Indians Arm When Ponies Are Seized

Pocatello—Round-up of range ponies in the vicinity of the Fort Hall Indian reservation, 12 miles of here, may precipitate an outbreak of the Bannock and Shoshone Indians.

Because of the arrest of Jim Baker, a ward of the government when he protested that several of his choice ponies had been included in the round-up, seven of his tribesmen, all armed, rode up to the reservation jail and demanded his release. Baker had previously effected his own escape.

Discrediting this statement, the braves demanded that they be shown, threatening to storm the jail building. Deputy sheriffs and several Pocatello police officers were summoned and finally succeeded in dispersing the tribesmen.

The situation is still regarded as critical, although no shots were fired. A federal Indian agent is reported to be en route here.

The trouble started when a Portland concern contracted for several thousand head of wild horses, which the government is endeavoring to remove from this section. It is understood the purchasers plan to ship the animals to Portland and other points for slaughter.

### Water Fowl Disease

The disease which has killed thousands of wild ducks in Central and Southern Oregon, has spread to the lakes and ponds of Utah. The disease which is supposed to have its inception from alkali water has destroyed ducks and other shore birds by the thousands in Utah and the game commissioner of that state has joined the commissioners of other western states in making a plea for federal aid in curbing the disease.

## 31 Years Ago

September 11, 1896  
J. M. Morris is in town from Ross-land, B. C.

Professor F. J. VanWinkle, of the Eastern Oregon State Normal School was in town Tuesday.

A Press reporter visited the plant of the Athena Flouring Mill Sunday, and found that institution humming away on a big order from the China trade. The mill has been in operation night and day to fill this order, which must be completed and loaded by next Monday, in order to occupy space in a vessel sailing for the Flowery Kingdom. The flour trade of the Pacific coast with China and Japan has increased one-third in the last year, and should the increase continue it is only a matter of a short time, when our wheat will be ground at home.

The first frost of the season occurred Tuesday night. Pumpkin vines and tomatoes caught it.

Charles Norris and wife left Wednesday morning for Heppner, by team. They will be gone several days. Miss Eva Walter, daughter of Mr. and Mrs. Clark Walter, is ill with typhoid fever, at her home west of town.

Lee Mitchell and wife, are over from Walla Walla visiting relatives and friends. Lee is regaining his health we are glad to state.

Mrs. J. W. Smith is making improvements on the interior of her residence, on Fifth street S. A. Maloney is doing the work.

Noah Remelard and family this week removed to the home farm on the reservation, after a couple of years city life. Noah is glad to get back home.

John Medlock, aged 74 years, who has been a resident of this county for 24 years, was Monday admitted to the county hospital by Judge Martin. Medlock came from Arkansas in 1862.

The reported find of gold placer mining at The Slides on the Walla Walla river in this county, has caused some excitement, and it is said numerous claims have been taken up. A ditch is in course of construction, with the view of thoroughly testing the ground.

Tivis H. McBroom, the Mountain valley correspondent of the Press, was in the city Monday on his way home, after harvesting in this section. Mr. McBroom is a writer of ability, and will continue to contribute to the columns of the Press.

Walla Walla has been successful in securing the Odd Fellows home. Tacoma, Centralia and Edmonds were in competition for the institution, but the trustees accepted Walla Walla's offer of six acres of land and \$3000 in cash.

The ladies of the Woodman Circle contemplate giving a social the last of September, to their neighbors of Woodman camps in Athena, Adams Weston and Pendleton. A more extended notice will be given later.

Professor Dunn, who will officiate as principal of our school the coming year, arrived in the city Friday last, accompanied by his family. They occupy the Irving McQuary residence, on Fifth street.

The E. O. S. N. S., opens Monday, September 14. Those pupils in the regular course will continue their studies this year. It is said the attendance will be far greater than last year.

The officers of the Adams Bryan club are: C. W. Gates, president; C. C. Darr, Ben. J. Marquis, T. J. Lieutallen, vice-presidents; Charles Bowling, treasurer; L. E. Darr, secretary.

E. P. Cooper has located a tintype gallery on Main street, east of Fishers harness shop, where he will make 15 pictures for 35 cents. Will stay two weeks only.

A new paper has made its appearance in Pendleton. It will be known as the Sunday Herald, and will be published on the plant of the defunct Alliance Herald.

President Royal and Regent Worthington, of the Weston Normal school, were in town Wednesday, purchasing supplies for the new ladies' hall.

City Marshal Gillis and deputy Marshal Gholson are doing some very creditable work in laying street crossings this week. The material being used is firstclass, and several years should elapse before the city is again confronted with the street crossing problem.

Donald McKay, the famous scout, came in from the Wallowa country Tuesday evening. He had been sent by Major Harper, the Indian agent, and Mr. McKay understands that he is to be appointed interpreter at the agency in place of the late John McBean.

R. Burns, traveling freight agent for the O. R. & N., was a visitor on our streets last Tuesday.

Rain Record Broken  
Meteorology reports from districts in the Inland Empire indicate that for the month of September the record rainfall of 2.60 inches, established in September 1893 has been passed.

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