

# Heppner Gazette Times

Volume 48, Number 40.

HEPPNER, OREGON, THURSDAY, Dec. 17, 1931

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## MANY CHRISTMAS PROGRAMS SLATED

Churches, School and Organizations Prepare For Events.

### CANTATA FEATURES

School to Give "The Christ Child"; "Father's Son" is Picture That Will Entertain Kiddies.

### CHRISTMAS PROGRAMS.

- Dec. 20—School cantata, school auditorium, 8 o'clock.
- Dec. 23—Pageant at Episcopal church, 7:30.
- Dec. 24—Community show and treat at Star theater, 2:30. Pageant at Methodist church, 7:30.
- Dec. 27—Program at Christian church, 7:30.

The school, churches and organizations of Heppner have prepared programs in commemoration of the real spirit of Christmas. The first scheduled presentation is a cantata by the school next Monday evening. The community show and treat will be given at the Star theater next Thursday afternoon. The Episcopal church will present a pageant Wednesday evening, the Methodist church a pageant Thursday evening, and the Christian church will give a program the following Sunday.

"The Christ Child" by L. B. Hawley is the cantata to be given by the school under the direction of Mrs. Charlotte Woods, music supervisor. The program with cantata in two parts begins at 8 o'clock, at the school auditorium, as follows:

- Instrumental prelude.
- Invocation, Rev. Glen P. White.
- PART I
- Soprano solo, "He Shall Feed His Flock."
- Alto recitative and soprano recitative.
- Overture and chorus, "How Beautiful Upon the Mts."
- Soprano solo, "My Soul Doth Magnify the Lord."
- Overture and chorus, "Sing O Heaven."
- Audience and chorus, "Adeste Fideles."

- PART II
- Soprano solo, "The Plains of Bethlehem."
- Alto recitative.
- Chorus and soloists, "Glory to God."
- Chorus, "Holy Night, Peaceful Night."
- Chorus, finale.
- Benediction, Joel R. Benton.

The solo parts will be given as duets by Nancy Cox and Phyllis Pollock, contraltos, and Anabel Turner and Jessie French, sopranos. Composing the overture are Mat Kenny, Claude Hill, tenors; Nancy Cox, Phyllis Pollock, contraltos; Anabel Turner, Jessie French, sopranos, and Gay Anderson, Billy Cochell, basses. Members of the chorus are, soprano, Rachel Anglin, Hazel Beymer, Anne Crump; Jessie French, Lora Gilman, Myrtle Green, Ileen Kilkenny, Frances Rugg, Jennie Swindig, Roberta Thompson, Anabel Turner, Lydia Ulrich; alto, Lucille Beymer, Winifred Case, Nancy Cox, Mary Driscoll, Juanita Morgan, Adele Nickerson, Phyllis Pollock; tenor, Ralph Forzey, Claude Hill, Mat Kenny, Wrex Langdon, Anson Rugg, Jack Slocum; bass, Gay Anderson, Billy Cochell, John Franzen, Marlon Morgan, Billy Schwarz.

The community show and treat, sponsored by Elks, Lions, American Legion and Business and Professional Women's club, will be given at the Star theater Thursday afternoon at 2:30 o'clock for all children under high school age. The featured picture will be "Father's Son," a talkie entertainment appealing especially to boys and girls. The story was written by Booth Tarkington and Leon Janney takes the leading role. The story in brief is that of a middle-aged father who fails to be lenient with the pranks of his young son until almost too late to do so. The misunderstanding finally runs away from home and then things begin to happen somewhere in the region of dad's heart, all of which mother aids in ways which mothers know. But it is the riddle-dazzle of boy life that makes the play so real—the freckle-faced gang—the circus—the swimmer's hole—the village bully—the tumbled pup—and all the rest.

The pageant to be given at the Methodist church at 7:30 Thursday evening is entitled, "In Old Judea." "Suppose a Real Shepherd Came" is the pageant to be presented Wednesday evening at 7:30 at the Episcopal church.

Christmas recitations and music will make up the program at 7:30 at the Christian church the following Sunday.

Judge C. L. Sweek and J. S. Beckwith, court reporter, returned to Pendleton this morning, court having been adjourned for the term yesterday evening.

## FORMER LEADER HELPS LIONS FIGHT

Judge Sweek Gives Inspiring Message in Face of Depression; Local Musicians Heard.

Words of commendation from their former president, Calvin L. Sweek, came to Heppner Lions Monday to cheer them on their way to further community betterment work, following a discussion of ways and means of lifting the club from its difficulties arising from the depression. There was no thought of giving up the ship expressed by the membership, but the meeting was largely given over to a discussion of facts facing the club, which the members decided to buckle up their belts to meet.

The meeting was held at I. O. O. F. hall because of the fire of the Tuesday previous which destroyed the American Legion hall, former meeting place.

Mr. Sweek, circuit judge for the sixth judicial district, was over from Pendleton to preside over the court which convened here Monday. He said he had kept in close touch with the activities of the club since moving to Pendleton, and was pleased to note its many accomplishments. He noted the attendance as being very favorable compared to that of other service clubs over the district it had been his privilege to attend.

At its meeting next Monday the club will entertain the Business and Professional Women's club.

### WOOLMEN MEET JAN. 18-19.

The annual convention of the Oregon Wool Growers association will be held at Pendleton, January 18-19, announces J. G. Barratt, vice president, who returned Tuesday night from an executive committee meeting held at Pendleton at Baker. Plans for the convention talked at the meeting give promise of a lively and fruitful time at the Pendleton convention, Barratt said.

The lamb campaign will hold a prominent place on the program, and more consideration will be given local talent than heretofore with many local sheepmen slated for talks on local problems.

### GILLIAM BUILDING ROAD.

Gilliam county is at work on its portion of the Heppner-Eight Mile-Condor road, reported Harry Tamblin, county engineer, who departed for Condor expecting to spend two or three days there on work connected with the route. Part of the route is being relocated, Mr. Tamblin said, to cross Rock creek about a mile above the Burton Wood place, the old crossing. This road was put on the secondary highway map by recent action of the state highway commission.

### FORM HANDICRAFT CLUB.

The pupils of the Idea school have organized a 4-H club in handicraft. The officers of the club are: Michael Murtha, president; Robert Scrivner, vice-president and yell leader; Bonnie Jean Demaris, secretary; Jess Ray Beesley, news reporter. Members of the club are Mildred McClintock, Florence, Bonnie Jean and Valora Demaris, Pat, Michael and Jimmie Murtha, Lewis and Jess Ray Beesley and Robert Scrivner. Some of the members have their first piece of work nearly completed.

### ROAD WORK CONTINUES.

Fifteen men were put to work again Monday morning on the state road unemployment relief work below Lexington. The men are being worked a week on and a week off, though in cases of great need some men have been allowed to work straight through. The work is progressing nicely on the rock point on which the men were started, and another point a ways above Ione has been drilled ready for blasting when the present work is completed.

### ARRESTED FOR LARCENY.

"Gamey" Albee, charged with attempt to steal a case of ginger ale from the pastime of Curran and Barr last Sunday evening, was placed under arrest and has since been confined to the county bastille awaiting hearing.

Albee was arraigned in justice court before Judge Huston yesterday and on plea of guilty to the charge of petty larceny was given 5 days in the county jail.

### JUDGE CONTRIBUTES.

In line with the action of state employees, Judge C. L. Sweek has given one day salary each month covering a six month period, to unemployment relief work in Morrow and Umatilla counties, the amount being divided with two-thirds going to Umatilla and one-third to this county. Judge W. T. Campbell received Morrow county's apportionment the first of the week.

Mr. and Mrs. Chas. Valentine of Sourdough canyon were Saturday visitors in Heppner.

## IONE

JENNIE E. McMURRAY.

Richard McElligott, 78, died Thursday, December 10, at the home of his daughter in Portland. Funeral services were held December 14 at 10 a. m. at the Zellar Funeral chapel, Portland, and interment was at Mt. Calvary cemetery. Mr. McElligott was the father of Edmond McElligott of San Francisco, Charles McElligott of Ione, and Arthur McElligott of Salem; Mabel and Helen McElligott and Esther Alderson of Portland. He is also survived by seven grandchildren. Mr. McElligott was a pioneer resident of the Eight Mile district where he had extensive land holdings. He made his home on his ranch until the last few years when he had spent the most of his time in Portland. Mrs. McElligott died several years ago. Attending the funeral services from here were the son, Charles McElligott, and a nephew, Richard McElligott, Jr.

Gilbert Petteys visited relatives here last week. He was returning to his home in Pendleton after having paid a visit to his father, Albert Petteys.

Mr. and Mrs. Paul Balsiger were called to Portland Saturday night by the illness of their son, Alfred, a student at Adcox school. Accompanying them were Louis Balsiger of Ione and Dr. John Balsiger of White Salmon. While still in the hospital, the young man is improving and will soon be able to return to his home here. The Balsiger party returned Sunday.

In a preliminary bout at the high school smoker last Friday night, Eugene Normoyle received a broken right arm. He was taken to Heppner for medical attention. During the same evening's entertainment Norman Everson had a rib broken, and is under a doctor's care.

In the wrestling match, Paul Smouse vs. John Batts, decision went to Smouse. Boxing, Elwynne Lueuallen vs. Robert Batts, decision to Lueuallen. Boxing, Howard Eubanks vs. Ralph Gibson, a draw. Boxing, Joe Engelman vs. Norman Everson, decision to Engelman. Boxing, Donald Heliker vs. Leo Lueuallen, decision to Heliker.

In the basketball game between the high school boys and town team, the high school team won by a score of 11-16. In the game between the high school girls and town team, the town team won by a score of 20-1. The proceeds of the evening amounted to \$22.

The high school boys and girls are going to Umatilla Saturday night, Dec. 19, to play the second basketball game of the season.

Mrs. Harriet Brown and Miss Hildegard Williams were in Heppner Saturday, assisting in the work of correcting the 6th, 7th and 8th grade papers from the county examination given during the week.

Mr. and Mrs. Franklin Lindstrom have moved to their farm home near Morgan.

The members of the Young Peoples union will serve a 6 o'clock pot-luck dinner next Sunday evening at the congregational church dining room to which all young people are invited.

A get-together meeting of Hardman, Lexington, Heppner and Morgan lodges of Rebekahs and Odd Fellows will be held Saturday night in Ione. All members of the order are urged to be present.

The Christmas program of the Union Sunday school will be given Wednesday evening, December 23, at the Christian church. A cordial invitation to attend is extended to all.

The members of the American Legion and Legion Auxiliary are sponsoring a Christmas program to be given Thursday evening, December 24, in Legion hall. There will be the usual tree, a program and treats for the children. The program will begin promptly at 7:30. Those who have the program in charge hope to be through by 9 o'clock that each family may enjoy Christmas eve at home.

Tuesday, J. E. Grimes brought into town the first load of Christmas trees. These are for sale at the Grimes home.

Maxine, the small daughter of Mr. and Mrs. Elvin Ely of Morgan, is very ill at a Heppner hospital. The child was taken sick Friday night and was moved to the hospital Sunday.

From the Curry County Reporter we learn that Gold Beach has taken formal steps to organize a Masonic lodge, and that W. E. Iulard, former business man of Ione now residing in Gold Beach, has been recommended as worshipful master of the new organization.

At the regular meeting of Locust chapter No. 119, O. E. S., held December 8, the following members were elected to office for 1932: Lola McCabe, worthy matron; George Ely, worthy patron; Grace Misner, associate matron; Dwight Misner, associate patron; Ruth Mason, secretary; Clara Howk, treasurer; Oral Feldman, conductress; Ruby Roberts, associate conductress.

A little daughter was born Wednesday, Dec. 9, to Mr. and Mrs. Grant Olden of Rhea creek. The baby weighed eight pounds and has been given the name of Carletta Clair. The mother and baby are in a Heppner hospital.

Fred Mankin made a business trip to Pendleton Saturday. He found some of the roads at the beginning of his trip badly drifted with snow.

W. E. Ahalt was a week-end visitor at the home of his son-in-law and daughter, Mr. and Mrs. Herman Havecoat, at Rhea siding.

Mr. Corley, Sr., who has been a

## NATURE'S PRESENT IS CHEERING GIFT

Chinook Disperses Winter Adding Warmth to Holiday Spirit.

### SANTA'S VISIT SURE

Legion and Boy Scouts Put Trees in Place While Stores, Homes Make Preparations.

The green-tinged surface of Mother Earth emerged from its icy covering on the hills about Heppner for the first time in nearly a month this morning, as the cold east wind, shifting to the south, turned to a chinook at an early hour and rapidly melted the snow and ice. Though prospects of the often-desired white Christmas are lessened by the resultant black effect, Nature this year could probably have made a no more acceptable gift. Hearts and bodies, chilled by the wintry blasts of the last few weeks, have been warmed by the chinook adding to the season's cheer. Stockmen, especially, who have been forced to feed heavily, will welcome such a Christmas gift.

But whatever Nature may have to offer at Christmastime, prospects are bright for a merry Yuletide. Morrow county people are preparing to give Saint Nick a warm welcome whether hills be black or white. Heppner's Main street was lined with many small fir trees last Sunday by members of Heppner post American Legion, who also extended their thoughtfulness to their neighbors at Lexington. The post went to the mountains in force and gathered the trees, and with the assistance of local Boy Scouts, put the trees in place. The scout detail headed by Francis Nickerson, included Frank Anderson, Howard Bryant, Gerald Cason, Leonard Gilliam, Howard Furlong, Hubert Albee and Stephen Wehmer.

The trees, added to the bright store windows, decorated in Christmas colors and showing attractive stocks of Christmas merchandise, bear evidence to Heppner's hospitable welcome to Santa Claus. Home windows already show brightly decorated trees and trimmings, too, making Saint Nick's visit a certainty.

Mr. and Mrs. Edlie Walker from above Heppner spent several days the past week visiting with Mrs. LaVilla Howell.

Mrs. George White returned home Friday from Oakland, Calif. She had been there for the last few weeks visiting with her son and wife, Mr. and Mrs. Ray White.

On Sunday morning, Dec. 20, Rev. W. P. Napier will give a Christmas message and are very anxious to see a good crowd out.

Mr. and Mrs. Orville Outforth and children went to Walla Walla last Friday on business.

Lexington is decorated for the Christmas holidays with nice lot of trees brought down from the mountains Sunday by the American Legion boys of the Heppner post.

Monday evening W. F. Barnett and family entertained the following guests at dinner, Mrs. Lee Gilbreath, Mrs. Sarah White and Gilbert Gilbreath.

The volley ball tournament, consisting of five games, was played last week by the two teams of the girls athletic association. At the close of the fourth game the score was 2-2. The last game was filled with thrills and excitement. It was a close race all the way through and at the end the score was 22-24. Those on the winning side were Ruth Luttrell, LaVern White, Grace and Doris Burchell.

(Continued on Page Six.)

## GOING SHOPPING?

It's Christmas eve. A bright, sunny little face looks smilingly up into yours as you fasten the last button of the following outing-flannel nightgown preparatory to tucking the little one away to slumberland. Then two rosy little lips quizzically part. "Mamma, is there a Santa Claus?" What's the answer? Yes, there's no denying it—there must be a Santa Claus. Why wait till Christmas eve to make up your mind. Stocks of Heppner merchants, attractively arranged, await your early selection. Make out your shopping list from the Gazette Times advertising columns now. These merchants tell you of their wares:

- Wilson's.
- Hiatt & Dix.
- Huston's.
- J. C. Penney Co.
- Gilliam & Bisbee.
- MacMarr Stores.
- M. D. Clark.
- Pacific Power & Light Co.
- Gonty's.
- Ferguson Chevrolet Co.
- Peterson's.
- First National Bank.
- Farmers & Stockgrowers National Bank.
- Star Theater.
- Peoples Hardware Co.
- Humphreys Drug Co.

## LEXINGTON NEWS

By MRS. HARRY DUVAL.

Saturday night the Lexington grange will meet and install their officers for the coming year. They will also obligate those who have not had the third and fourth degrees. All members are requested to be present and those who have the rituals are expected to bring them or send them. A pot-luck supper will be served at 6:30 and after the business meeting the lecturer, Mrs. Edith Miller, will have charge of the social entertainment.

Mrs. Beulah Nichols and Mrs. Orville Cutsforth entertained the Home Economics club at the Nichols home last Thursday afternoon. The ladies spent the afternoon quilting and later the hostesses served salad, wafers and coffee. The following members were present: Mesdames A. H. Nelson, Myles Martin, John Miller, Merle Miller, Joe Devine, George Peck, Harry Shrieve and George Allyn.

Mrs. Eldon Gentry of Heppner is spending a few days visiting at the home of Mr. and Mrs. Orville Cutsforth.

Gwen Evans, Peggy Warner, Mae Gentry, Llewellyn Evans and Kenneth Warner motored to Pendleton and Walla Walla last Saturday and spent the day shopping.

George McMillan was here last week from his home at Cherryville. He came up on business and to see his mother, who is ill.

Sunday evening, Dec. 20, the Christian bible school, under the direction of Mrs. Elmer Hunt, will give a Christmas program. There will be singing and recitations, also a two-act play entitled "Going Home for Christmas." The characters for the play are as follows:

Mrs. Mary Hollister, Granny Hollister, Mrs. Sarah White; Alice Hollister, a graduate nurse, Naomi McMillan; Mrs. George Arlington Wells, one of the four hundred and daughter of Granny, Rose Thornburg; Jason Hollister, a successful young portrait painter, Garland Thompson; Andrew McGregor, in whose home Granny lives, Lonnie Henderson; Nettie McGregor, La Verne White; Tina McGregor, only ten but not too young to "co-work" in any plan of Christmas cheer for Granny, Norma Howell.

Mrs. Iona Gilbreath and her son Gilbert from Dayton, Wash., spent several days here visiting with Mrs. Gilbreath's mother, Mrs. Sarah White. They returned home last Tuesday, accompanied by Mrs. White, who will visit with them for some time.

Mrs. Katherine Slocum left Monday for Los Angeles, Calif., to spend the winter with her daughter, Mary.

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(Continued on Page Six.)

## ACCIDENT RESULTS IN PAINFUL INJURY

E. R. Schaffer Breaks Knee Cap and Suffers From Exposure When Wagon Overturns.

Overturning of the hay wagon he was driving on the Hynd brothers Freezout ranch Sunday, caused the fracture of the left knee cap of E. R. Schaffer and left him helpless for half an hour exposed to the raw cold until he was found, nearly frozen, by herder. A phone call was sent to Paul Hisler, on an adjoining farm, and Mr. Hisler brought the injured man to town for treatment, two hours having elapsed before he reached medical aid.

An x-ray picture revealed a horizontal fracture of the knee cap, with a gap in the bone an inch wide. The injury was very painful, though after being treated and dressed by the doctor, Mr. Schaffer rested easier, and the pain had become less severe, hurting worse whenever it was necessary to move the injured leg. The injury is of a slow-healing type, his physician reported, and may require Mr. Schaffer to remain bedfast for several weeks. He is at Heppner hospital.

Mr. Schaffer, son-in-law of Mr. and Mrs. Jack Hynd of Cecil, is foreman of the Hynd brothers Freezout ranch. He was putting out hay for the sheep when the wagon slipped on the steep mountainside and overturned. His first thought was holding the horses, and he had considerable difficulty in doing this owing to his injury, which he found made it impossible for him to move. He remained thus, exposed to the cold, for half an hour until the herder arrived with the sheep to feed.

The knee cap was apparently fractured from having struck a rock. The horizontal fracture was accounted for by the physician, by the nature of the physical structure of the member. The pull of the large muscle in the thigh of the leg is quite tense when the leg is bent and it is natural for a sufficient blow on the cap, when the leg is thus bent, to result in a cross-wise fracture.

In the operation performed the knee cap was sewed back together after the large accumulation of matter had been removed. In the healing process, it is necessary to work the knee joint to keep it from becoming stiff, and at the same time prevent enough strain being put on the cap to break apart the stitches. This is the reason for the slow recovery.

On arraignment Tuesday morning, John Akers entered a plea of guilty to the charge against him, and sentence was given later in the day.

Robert Burnside, who had previously entered a plea of guilty to a charge of burglary was sentenced Monday by the court to two years in the state penitentiary, and yesterday the court paroled Burnside to Charles Thomson. The parole was granted in view of the fact that Burnside had no criminal record, on a petition signed by leading business men of the city, presented by Burnside.

## Former Morrow Resident Dies at Gladstone Home

Funeral services were held Tuesday, December 7, at the Augustana Lutheran church, Rodney avenue and Stanton street, Portland, for Paul Troedson, 83, retired Morrow county rancher, who died at his home in Gladstone December 5. Rev. S. E. Johnson, pastor of the church, conducted the services and interment was in Rose City cemetery.

Mr. Troedson was born in Sweden, between 2, 1848, and came to the United States in 1871, making the journey to California by way of Panama and walking across the isthmus in order to reach the west coast. In 1884 he moved to eastern Oregon and operated a wheat ranch near Ione until 1918, when he retired and moved to Gladstone.

On April 4, 1892, he married Miss Sophie Swenson in Portland. He is survived by his widow, two daughters, Mrs. Frank C. Tews, Seattle, and Mrs. Frank Wilkinson, Portland, and two grandchildren. Mr. Troedson was a member of the Augustana Lutheran church.

## GRANGE TO GIVE PLAY.

Rhea Creek Grange is sponsoring a play and dance at their hall next Saturday evening. "The Man in the Green Shirt" is the three-act comedy drama to be presented with grange members cast in the various roles. The cast follows: Mr. George Fuller, always out of money, Chas. Beckett; Mr. Ivan Rowan, a guest from Arkansas, Barton Clark; Mr. Egbert Cain, a clever crook, Lewis Batty; Willie Roach, Fuller's hired man who keeps the house in an uproar, Velma Huston; Mrs. George Fuller, with millionaire ideas, Gladys Beckett; Delphine Larule, an adventuress, Evangeline Phillips; Millie Fuller, daughter of Fuller's, Margaret Beckett; Mrs. T. Jefferson G. Jones, a social leader, Hanna Anderson; Lena May Crow, maid of the Fullers, Gene Huston; Emma Rockhart, a hard-boiled police woman.

## RUTH CHAPTER ELECTS.

Ruth chapter No. 32, O. E. S., of Heppner selected officers Friday evening as follows: Florence Hughes, worthy matron; E. R. Huston, worthy patron; Gertrude Parker, associate matron; Earl Gordon, associate patron; Ealor Huston, conductress; Hazel Vaughn, associate conductress; Vivian Ball, secretary, and Nellie Anderson, treasurer.

Installation will be held the coming Saturday evening, December 19, in conjunction with the installation of officers of Heppner lodge No. 69, A. F. & A. M. The ceremonies will be preceded by a banquet, starting at 5:30, for members of the two orders and of Heppner chapter No. 26, R. A. M.

R. A. M. TO INSTALL.

New officers of Heppner Chapter of Royal Arch Masons will be installed this evening at Masonic hall. All companions are urged to be present.—Spencer Crawford, H. P.

For Sale—Mammoth Bronze turkeys. Emma Anderson, Ione. 11

## 3 CONVICTED MEN TAKEN TO SALEM

McCulloughs Found Guilty of Horse Stealing; Get Two Years.

Travis and Hubert McCullough, facing two years in the state penitentiary, and John Akers, to serve a one-year stretch, were taken to Salem yesterday in the custody of C. J. D. Bauman, sheriff, as a result of the grinding of the wheels of justice which have been in motion since Monday morning in the circuit court presided over by Judge C. L. Sweek.

The McCulloughs, charged with larceny by stealing of livestock, went to trial Monday, after having entered a plea of not guilty on arraignment Saturday. The case was turned over to the jury late Monday afternoon, and after remaining out all night the jury returned its verdict of guilty signed by W. O. Bayless, foreman. Joseph J. Nya was appointed defense attorney by the court and S. E. Notson, district attorney, prosecuted the state's case. Sentence was given Tuesday morning. On the jury were Earl Morgan, C. M. Scrivner, Owen French, H. E. Peterson, H. A. Duncan, Hanson Hughes, Lester Doolittle, Frank E. Parker, Jerome O'Conner, J. B. Adams, W. O. Bayless and E. E. Chapel.

The state's case against the McCulloughs arose from charges which alleged they stole a number of horses from James Carly of Juniper canyon. In their defense, the accused men admitted taking the horses, but asserted they believed the horses belonged to Shane and Montague, north Arlington ranchers, who, they said, directed them to the animals. This was the only criminal case to come to trial, and it attracted a court room full of listeners.

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The first of a number of civil actions slated to arise against Heppner Log and Lumber company, came to trial Tuesday. In this action State of Oregon, ex rel. C. H. Gram, Commissioner of Bureau of Labor of the State of Oregon, brought suit against Heppner Log and Lumber company and F. A. Doty, to recover judgment on a number of labor items. The jury, with Henry Peterson, foreman, found for the plaintiff in the sum of \$189.05 and \$50 costs.

Order of dismissal was given by the court on plaintiff's petition in the case of R. H. Lane vs. S. E. Simonton and Jane Doe Simonton, his wife.

In a trial action Tuesday in which the State of Oregon, through the state highway commission, sought to recover damages from Margaret Jones and William Instone for alleged appropriation of land, the jury, with R. A. Thompson foreman, allowed \$100 to plaintiff.

Default and judgment was entered in the case of Bristow and Johnson vs. Clifford Christopher-son.

Of three civil actions on the docket yesterday against the Heppner Log and Lumber company, one was settled and dismissed and two remained for final settlement when Judge Sweek adjourned court for the term yesterday evening. The case dismissed was that of Robert Owen vs. Heppner Log and Lumber company. In the case against the company with A. E. Hollenbeck and Sons plaintiff, stipulation as to facts was given and testimony taken and the case was resubmitted to the judge to be taken on brief later. In the case of John Otto, plaintiff, tried without a jury the judge took the findings under advisement.

An order of motion was entered by the judge requiring plaintiff to itemize and make more certain in the case of William Sanford vs. H. F. Duval.

Confirmation of sale was given in the case of State Land Bank vs. R. A. Campbell.

The grand jury to act to succeed the one dismissed at the beginning of the term was named by the judge as follows: H. J. Biddle, foreman, W. F. Pettyjohn, James T. Morgan, Lester Doolittle, John Clark, Fred Albert and Elmer Musgrave.

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