

**Decision from the Secretary.**

The following decision from the Department of the Interior is of much interest, as it is the only one of this class of cases that has gone up to the Secretary of the Interior for his decision.

A. Odalite Horning, Allowings  
vs. Homestead

Katharine A. Clopton, Entry.  
September 3rd, 1906, Katharine A. Clopton filed Timber and Stone Application for the E half SW quarter, NW quarter, SE quarter; NW quarter, S W quarter, Sec 9 Tp. 37 S., R. 9 E.

September 5th 1906 A. Odalite Horning filed Homestead Application for the S half SW quarter; NW quarter SW quarter; Sec. 9; SE quarter SE quarter Sec 8 1/2 p. 37 S., R. 9 E. Alleging Settlement August 20th, 1906; On this a hearing was ordered and on January 12th 1907 both parties appeared before the local Office and submitted evidence. The testimony submitted shows that the entryman, Horning, built a cabin on the land at a cost of about 50,000, and made settlement thereon, on August 20th, and remained there for 2 nights only, and was not back there until the time of hearing, in January. That if it had not been for the large growth of Timber she would not have attempted to make Entry of said land; that there was about 3,000,000 feet of Timber on the tract she applied for, that the altitude is about 5500 to 6000 feet;

In the Local Office the Register finds that the Homestead claimant has not resided continuously upon said land; nor has she maintained her residence thereon to the exclusion of a home elsewhere; and that she did not make her application in good faith; that the land is more valuable for its Timber than for Agricultural purposes, and recommends that the Homestead Application be rejected. The Receiver finds that the Homestead Claimant settled on the land in good faith; that the land would be good for agricultural purposes if the Timber were removed; that the land is suitable for grazing purposes, and recommends that the Timber and Stone Entry be cancelled.

Both parties Appealed to the Commissioner, and the Commissioner Decides as follows, to-wit:

It appears that the land involved was open to settlement but not to Entry until September 3rd, 1906 the date on which Miss Clopton made her Timber and Stone Application, which was 2 days prior to the date on which Miss Horning made her Homestead Application. But it is admitted that Miss Horning completed her house on the land and made settlement August 20th, 1906, therefore when Miss Clopton made her application for the land it had been appropriated by another party and under which circumstances it cannot be held that Miss Horning had abandoned her settlement right; the mere fact that the land is more valuable for Timber than for agricultural purposes becomes immaterial in view of the fact disclosed in this case. Only unoccupied and unappropriated lands can be taken under the Timber and Stone Act and it is admitted that Miss Horning had a cabin 12 by 14 feet on the land and was living on it, if not the very day that the Timber and Stone Application was filed, at least within a few days of it.

The Receiver's Decision is therefore Affirmed.

Fred Dennett,

Acting Commissioner of G. L. O. From the foregoing Commissioners Decision Miss Clopton appealed to the Secretary of the Interior, and the following is his Decision:

The Department has before it the Appeal of Katharine A. Clopton from your decision of August 2nd, 1906, wherein you affirmed that of the Receiver and reversed that of the Register and rejected the Timber and Stone Application of Clopton, so far as the same is in conflict with the Homestead Application of A. Odalite Horning.

The record has been carefully considered and is found to show that Horning settled on the land in controversy prior to the date of Clopton's Application and had not abandoned the same.

Your said decision is accordingly affirmed.

Frank Pierce, Acting Secretary of the Interior.

Good resolutions. The best resolution is to make some money the coming year. Stock makes you money while you sleep. Send 15c a share for a block of it to the Lee Comstock Mining company, P. O. box 258, Rhyolite, Nevada, without delay. 1

**The Comedy-Drama.**

The comedy-drama, "A Crazy Idea," presented by local talent at the opera house last Friday night for the benefit and under the supervision of the Public Reading Room and Library, netted the Association a handsome little sum, the gross receipts being \$160.

The play was well presented, each one of the various players taking their part in an excellent manner. The public was well pleased, and the common expression was that it was one of the best plays ever produced in the town, and that its presentation equaled the best of traveling companies, who make it their profession.

The Library Association never does anything by halves, and the name of the Association at the head of any affair has become synonymous with success. The drama was no exception. At the rise of the curtain the players were greeted with a packed house and looked out upon a sea of smiling, good natured faces which gave them renewed enthusiasm, and the play went on without a break, as was evidenced by the rounds and rounds of applause. No better evidence of the thorough satisfaction of the audience could be given, than the repeated requests to the committee for a repetition of the drama.

The opening scene with Mr. Thos. Powell, as "Mr. Stone," in a jealous rage, was splendid, his interpretation of the sarcastic, jealous old man with a young and beautiful wife, was fine. When he summoned the servants to "See who is master here," a dainty little maid appeared; a typical French maid, coy, and pretty, was represented by Mrs. Bieber.

Mr. Guy M. Ingram, as the medical student who "rented out the rooms," was true to life. His stage presence was easy, and his hearty laugh was genuine, and contagious.

Mr. Scott Leavitt as "Dan the cold gem'man" was great. He kept the audience in roars of laughter when ever he appeared. His invitation to the officers to "Call again, when you want more easy money," brought down the house.

"Buttons" the slippery "gent", was well presented by Walter Dutton. His comical swagger was exceedingly ludicrous.

Jim Partin as "Mr. Puders" had a very difficult part to sustain, and was a complete surprise to his friends. He both looked and acted the part of a nervous broken down musician, and in his long and difficult speech explaining to Tom the reason for his condition, he did a fine piece of acting.

Miss Amra Glenn, as "Lillian Tus-

sell, a comic opera singer," was very good. Her scene with Mr. Davis was especially fine, and in her costume of "Princess Ramiro" she was very beautiful.

Mrs. Leita Handley, as Mr. Stone's wife, did very nicely, and when Mr. Stone said to her "I will always be jealous, because you are beautiful," the audience quite agreed with him.

Mrs. W. R. Boyd, as "Eva" was as sweet as a new blown rose. She played her part as a lovable daughter in a very pretty manner.

Fred Reynolds as Niel Browning, Eva's suitor looked the lover to perfection, which showed that it was no new game to Fred.

Jim Judge, as Mr. Hicks the rural gentleman, with his nasal twang was very good.

Mrs. Watson was a mother-in-law of the "funny paper" order. She went after "Buttons" in fine mother-in-law style, and her "Come on—Julious", when she thought him in questionable company, was very laugh provoking.

The Davis family from "Kokomo," was represented by W. Lair Thompson, as John Davis, Genie Snelling, as Catharine his wife, and Augusta their daughter, by Mrs. C. O. Metzker.

Miss Snelling was fine. As Catharine, she portrayed the jealous watchful wife perfectly. Her appearance and acting was so true to life, that one felt great sympathy for poor John, who was looking for "fields green and pastures new"

W. Lair Thompson as John Davis, was a whole show in himself. His appearance on the stage was a signal for laughter. Mr. Thompson is no amateur; that was plain to be seen. We doubt if the part of John Davis was ever portrayed so well,—and we know never better—than last Friday night.

When "Handsome John" appeared alone on the stage as the curtain rose on the last act, the house broke into loud applause, simultaneously.

Augusta—Mrs. C. O. Metzker, wore a number of pretty gowns, which required quick changes, and has received a number of complements in regard to her part.

But we must not close without mentioning Mrs. Snelling as Anna, Lillian's maid—her performance was excellent.

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Notice For Publication. Department of the Interior, United States Land Office.

Lakeview, Oregon, Nov. 22, 1907.

NOTICE is hereby given that the State of Oregon has, under the provisions of the Act of Congress of August 14, 1848, and the acts supplemental and amendatory thereof, made application for the following described, unappropriated, non-mineral, surveyed public land as indemnity for losses to its grant for common school purposes, to-wit:

LIST No. 236, for the SE 1/4 NE 1/4, Sec. 17 Tp. 35 S., and SW 1/4 SW 1/4, Sec. 8, SE 1/4 SE 1/4 Sec. 30, and Lot 4, S ec. 31, Tp. 34 S., R. 15 E., W. M. and SE 1/4 NW 1/4, SE 1/4 SW 1/4, Sec. 1, Tp. 35 S., R. 14 E., W. M.

LIST No. 237, for lot 1, Sec. 7, Tp. 34 S., R. 15., W. M.

Any and all persons claiming adversely the above lands are requested to file in this office their said claims on or before Saturday, the 11th day of January, 1908.

J. N. Watson, Register.

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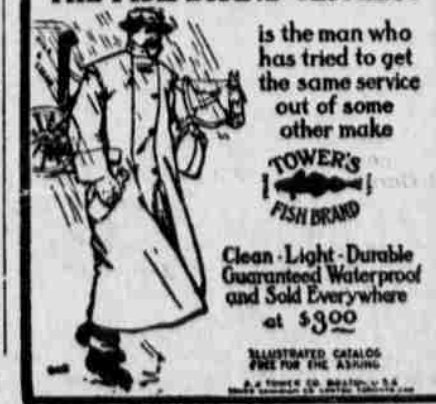
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