

NOT FIRE A SHOT

Thousands of Indians Melted Away Before Forty Men.

A STORY OF PIONEER DAYS.

Captain McCabe Knew the Sioux Better Than They Knew Themselves, and the Indians Knew the Captain's Men Were Dead Shots and Scalp Takers.

In the pioneer days to reach Montana from Cheyenne, in Wyoming, required a roundabout journey that involved a double crossing of the Rocky mountains, with a change of base at Salt Lake City. The United States government brought about a better condition of travel by constructing a trail through the Gallatin valley along the course of the Gunpowder river, reaching around the base of the mountains in a curvilinear form, which crossed the heights of the Rockies. To protect this route from marauding Indians three forts were built—Reno, Phil Kearny and C. F. Smith.

In 1866 the murderous Sioux from the Yellowstone valley pursued a sanguinary course up through the Gallatin valley and into Montana. It was met by rapine and plunder. They burned Fort Reno and killed many of its garrison. They envied Fort Phil Kearny and wiped from the face of the earth every human being whose walls it failed to protect. Then they surrounded Fort C. F. Smith, where 200 soldiers found themselves surrounded by more than a thousand death seeking Indians. Escape seemed impossible. A courier got word of this condition of affairs to General Hancock, who was then stationed at St. Paul, and he sent a messenger to the governor of Montana at Bozeman.

The chief executive of the territory of Montana at that time was Green Clay Smith. He had been a member of congress from Kentucky, but President Lincoln made him territorial governor of Montana. He was seated on the porch of his residence in Bozeman when Hancock's message was handed to him. To a visitor he said: "What in the name of heaven can I do? Fort C. F. Smith is 250 miles away. The country between here and there is filled with Sioux Indians. Our militia force consists of exactly 427 men. Not a man of them could reach Fort C. F. Smith alive. I am absolutely powerless. However, I will send for Colonel Howie."

At that time Colonel Neil Howie was United States marshal for the territory of Montana. It was to this man that Governor Smith addressed himself, handing him General Hancock's dispatch and saying: "Colonel, we can't do anything for our poor devils in Fort C. F. Smith. Am I not right?"

"No," said Colonel Howie quietly, "and with the gentle voice of a woman. There is no trouble about that, governor. We can arrange that matter and still leave the Montana frontier protected. I will need some picked men and a good leader for them. I think Captain McCabe is best fitted for this undertaking. I will find him."

McCabe was another gentle voiced man with blue eyes. He didn't make much noise. He acted. He said to the governor: "Oh, yes. It is easy enough. But I'll need forty of the best men I can select. You can keep the rest of your volunteer force here."

Governor Smith looked at him in amazement. So did the visitor from the West. They both thought he was either insane or a braggart. Governor Smith said to him, "How in the name of heaven do you expect to raise the men of Fort C. F. Smith with forty men when you know that it is surrounded by more than 1,000 blood-thirsty Indians and that the country around here and there is covered with the hands more of murderous Sioux?"

McCabe quietly: "Why, governor, it is easy enough. The Indians know us and know that we know better than they know them. You folks from the east have ideas that what you call Indian scalps are simply unmeaning exhibitions of brutality; that scalping, for instance, is simply a form of torture, and that you are mistaken. The Indian knows that no man can go to the happy hunting ground—heaven we call it—who has been deprived of his hair. The motive in scalping a victim is to deny out fendish hatred to its utmost by preventing him from having a happy hereafter. Therefore to deprive an Indian of his scalp is to rob him of his hope of a happy hereafter. My men never kill an Indian without scalping him, and the Indians know that. The forty men I will select for this expedition are unerring in their aim with the rifle. They can shoot sixteen shots in sixteen seconds, and every dead Indian means a scalp, and every scalp means a warrior deprived eternally of a chance of ever reaching the happy hunting ground. My forty men will walk from here to Fort C. F. Smith without firing a shot."

"Incredible," said Governor Smith. "True," said Captain McCabe. "What was the result?"

Forty men walked the 250 miles from Bozeman to Fort C. F. Smith. Indians watched them on every side. By day progress was signaled by circling columns of smoke and by night by fire on mountain tops. But not a shot was fired. When they got within sight of Fort C. F. Smith the thousand sleeping Sioux who held the garrison were fed, and the forty frontiersmen from Bozeman marched in and reported the 200 soldiers back to the editorial capital without the loss of a man. Not a shot had been fired. Not a scalp had been lifted.

Summons.

In the Circuit Court of the State of Oregon, for Tillamook County. H. E. Noble, Plaintiff.

Floyd W. King, Nettie C. King, Thomas Childers, George H. Childers, and the Portland Coal and Development Company, Defendants. To Floyd W. King, Nettie C. King and H. E. Noble, of the above named defendants.

In the name of the State of Oregon: You are hereby required to appear and answer the complaint filed against you in the above entitled suit on or before the expiration of six weeks from the date of the first publication of this summons. And if you fail to so appear and answer for want thereof, the plaintiff will apply to the Court for the relief prayed for in the complaint. The relief prayed for in the complaint is the recovery by plaintiff of a judgment against defendants Floyd W. King and Nettie C. King for the sum of \$100.00, with interest thereon at the rate of 7 per cent per annum from February 15th, 1904, less the sum of \$12.00; for \$20.07, with interest thereon at 7 per cent from November 15th, 1905, for \$20.65, with interest at 7 per cent from November 6th, 1906; for \$125.00, as attorney's fees and for the costs and disbursements of this suit, being the amounts due upon note given by said defendants and for taxes paid by plaintiff, and that plaintiff have a decree foreclosing the mortgage executed by said defendants to Theodore F. Bowditch, bearing date February 15th, 1904, upon the North-west quarter of Section 14, and the South-east quarter of the South West quarter of Section 4, in Township 2 South of Range 3 West of the Willamette Meridian in Oregon. Said mortgage being recorded at page 567 of Book 'N' of the records of mortgages of Tillamook County, and that the defendants be forever barred and foreclosed of any right, title or interest in or to said premises, or any part thereof. For a sale of the mortgaged premises and payment of proceeds upon judgment prayed for. This summons is published by order of the Hon. H. F. Goodspeed, County Judge of Tillamook County, Oregon, made on the 3rd day of October, 1907, requiring you to appear and answer on or before the expiration of six weeks from the date of the first publication hereof and the date of the first publication hereof is October 3rd, 1907.

H. T. BOTTS, Attorney for Plaintiff.

Notice.

NOTICE IS HEREBY GIVEN—That on Monday, October 21, 1907, the County Board of Equalization will meet at the Court House of Tillamook County, Oregon, and publicly examine the assessment roll for said year, and correct all errors in valuations, descriptions of lands and other property. Said board will continue in session from day to day, until the examination, correction and equalization of the assessment roll shall be completed. All persons interested in the assessment of their property are requested to appear at said time and place, as no change can be made after the adjournment of the board.

Dated at Tillamook, Oregon, September 24th, 1907.

A. M. HARE, County Assessor.

Notice.

NOTICE IS HEREBY GIVEN—That Jonas Olson, S. A. Brodhead and Frank Long have been appointed by the Common Council of Tillamook City, Oregon, to view the proposed extension of Sixth Street from its present eastern terminus in Central addition to Tillamook City, Oregon, eastward to the west line of Second Avenue East, and to make an assessment of the damages and benefits as provided by the charter of Tillamook City, Oregon, and that Nov. 9th, 1907, at 10 o'clock a. m., at the intersection of said proposed extension of said Sixth Street with Second Avenue East, have been appointed as the time and place for said viewers to meet. The termination of said proposed street is as above mentioned and the boundaries thereof are described as follows, to-wit: Beginning at the North East corner of Block 2, in Central addition to Tillamook City, Oregon, and running thence East to the West line of Second Avenue East; thence North along the West line of said Second Avenue East 60 feet; thence West to South East corner of Block 1 of said Central addition and thence South to the place of beginning.

The private property to be appropriated for said proposed extension consists of a strip of land 52.32 feet of the North side of a tract of land owned by Mrs. Ida Walker, adjoining block 2 in said Central addition, and a strip of land 7.68 feet in width of the South side of a tract of land owned by John R. Harter adjoining Block 1 in said Central addition.

All persons claiming damages by reason of the appropriation of such property are notified to file their claim for such damages with the Recorder of Tillamook City before the time so appointed for the meeting of the viewers aforesaid.

Dated this October 10th, 1907, by order of the Common Council.

J. C. HOLDEN, City Recorder.

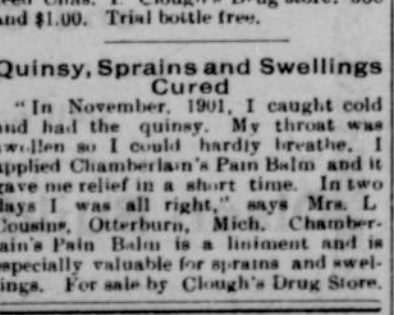
Hard Times in Kansas.

The old days of grasshoppers and drouth are almost forgotten in the prosperous Kansas of today; although a citizen of Codell, Earl Shonburg has not yet forgotten a hard time he encountered. He says: "I was worn out and discouraged by coughing night and day, and could find no relief till I tried Dr. King's New Discovery. It took less than one bottle to completely cure me. The safest and most reliable cough and cold remedy and lung and throat healer ever discovered. Guaranteed Chas. I. Clough's Drug store. 50c and \$1.00. Trial bottle free."

Quinsy, Sprains and Swellings Cured

"In November, 1901, I caught cold and had the quinsy. My throat was swollen so I could hardly breathe. I applied Chamberlain's Pain Balm and it gave me relief in a short time. In two days I was all right," says Mrs. L. Cousin, Ottumwa, Mich. Chamberlain's Pain Balm is a liniment and is especially valuable for sprains and swellings. For sale by Clough's Drug Store.

THE MAN WHO SWEARS BY THE FISH BRAND SLICKER



is the man who has tried to get the same service out of some other make... Clean-Light-Durable Guaranteed Waterproof and Sold Everywhere at \$3.00... LATER BROS., BARBER AND HAIRDRESSERS SHAVING, HAIR CUTTING SHAMPOOING, ETC. Electric Baths nicely fitted up. Good for persons suffering with rheumatism.

TIMBER LAND, ACT JUNE 3, 1878.—NOTICE FOR PUBLICATION.

United States Land Office, Portland, Oregon, Sept. 6th, 1907. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of public lands in the States of California, Oregon, Nevada and Washington Territory," as extended to all the Public Land States by act of August 4, 1892.

ORO C. DIMICK, Of Oregon City, county of Clackamas, State of Oregon, has this day filed in this office his sworn statement No. 758, for the purchase of the S 1/4 of Sec. 14, in T. 2 N. 3 E. 1/4 of Sec. 14, in Township No. 2 North, Range No. 3 East, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the Register and Receiver at Portland, Oregon, on Thursday, the 14th day of November, 1907. He names as witnesses: John B. Caples, of Nehalem, Oregon; John H. Caples, of Oregon City; Henry Tohl, of Nehalem, Oregon; Dan Hickey, of Balm, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 14th day of November, 1907.

ALGERNON S. DRESSER, Register.

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ANIEL T. PALMER, Of Salem, county of Marion, State of Oregon, has this day filed in this office his sworn statement No. 757, for the purchase of the N 1/4 of Sec. 14, in T. 2 N. 3 E. 1/4 of Sec. 14, in Township No. 2 North, Range No. 3 East, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the Register and Receiver at Portland, Oregon, on Monday, the 18th day of November 1907. He names as witnesses: George R. Ridgeway, of Beaver, Oregon; William Gilbert, of Beaver, Oregon; Fred Gilbert, of Beaver, Oregon; Sarah E. Palmer, of Salem, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 18th day of November 1907.

ALGERNON S. DRESSER, Register.

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LIZZIE HADLEY, Of Tillamook, county of Tillamook, State of Oregon, has this day filed in this office her sworn statement No. 756, for the purchase of the E 1/4 of Sec. 14, and Lots 3 and 4 section 19, and Sec. 14, N 1/4 of section No. 20, in Township No. 2 South, Range No. 3 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes and to establish her claim to said land before the County Clerk at Tillamook, Oregon, on Monday, the 11th day of November, 1907. She names as witnesses: Fred L. Sappington, of Tillamook, Oregon; Frank Hadley, of Tillamook, Oregon; William E. Ry, of Tillamook, Oregon; E. D. Hadley, of Tillamook, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 11th day of November, 1907.

ALGERNON S. DRESSER, Register.

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LARA E. JONES, Of Arleta, county of Multnomah, State of Oregon, has this day filed in this office her sworn statement No. 755, for the purchase of the N 1/4 of Sec. 14, in Township No. 2 South, Range No. 3 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish her claim to said land before the Register and Receiver at Tillamook, Oregon, on Tuesday, the 12th day of November, 1907. She names as witnesses: David J. Cully, of Clatsop, Oregon; Chas. A. Samster, of Tillamook, Oregon; Aida A. Cully, of Portland, Oregon; Clara Anderson, of Portland, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 12th day of November, 1907.

ALGERNON S. DRESSER, Register.

NOTICE FOR PUBLICATION.

Department of the Interior, Land Office at Portland, Ore., Sept. 10th, 1907. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada and Washington Territory," as extended to all the Public Land States by act of August 4, 1892.

HARRY H. SHARP, Of Tillamook, county of Tillamook, State of Oregon, has this day filed in this office his sworn statement No. 754, for the purchase of the S 1/4 of Sec. 14, in Township No. 2 South, Range No. 3 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the County Clerk at Tillamook, Oregon, on Monday, the 11th day of November, 1907. He names as witnesses: David Martiny, of Tillamook, Oregon; Henry Tohl, of Tillamook, Oregon; Paul Erickson, of Tillamook, Oregon; Peter J. Sharp, of Tillamook, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 11th day of November, 1907.

ALGERNON S. DRESSER, Register.

Notice to Creditors

NOTICE IS HEREBY GIVEN—That the undersigned has been appointed administrator of the Estate of Michael J. Reilly, deceased by the County Court of Tillamook County, Oregon. All persons having claims against the estate of said decedent are required to present the same to me at my office in Tillamook City, Oregon, within six months from the date of the first publication of this notice, duly verified as required by law.

Dated September 8th, 1907.

H. T. BOTTS, Administrator of the Estate of Michael J. Reilly, deceased.

Citation

In the County Court of the State of Oregon for the County of Tillamook. In the matter of the Estate of Nels Sather, dec'd. Citation.

To Doris Sather, Marit Sather, Hilma Sather, Julius Sather, Bertha Sather and Nora Dorothy Sather heirs of NELS SATHER, deceased, and all persons whomsoever interested in the estate of Nels Sather. In the name of the State of Oregon, You, and each of you, are hereby commanded to appear before the Honorable County Court of the State of Oregon, in and for the County of Tillamook, at the Court House in the City of Tillamook, Tillamook County, Oregon, on the 2nd day of November, 1907, at the hour of 10 o'clock a. m. of said day, to show cause, if any exist, why an order should not be granted to Raleigh P. Trimble, administrator of said estate, to sell all the real property of said deceased and belonging to said estate, to-wit: The southeast quarter of Section Four (4), in Township Two (2), South of Range Seven (7) West of the Willamette Meridian, in Tillamook County, Oregon. Any and seal of said court affixed this 8th day of October, 1907.

G. V. LAMB, Clerk of the County Court.

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Of Oregon City, county of Clackamas, State of Oregon, has this day filed in this office his sworn statement No. 758, for the purchase of the S 1/4 of Sec. 14, in T. 2 N. 3 E. 1/4 of Sec. 14, in Township No. 2 North, Range No. 3 East, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the Register and Receiver at Portland, Oregon, on Thursday, the 14th day of November, 1907. He names as witnesses: John B. Caples, of Nehalem, Oregon; John H. Caples, of Oregon City; Henry Tohl, of Nehalem, Oregon; Dan Hickey, of Balm, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 14th day of November, 1907.

ALGERNON S. DRESSER, Register.

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ALGERNON S. DRESSER, Register.

TIMBER LAND, ACT JUNE 3, 1878.—NOTICE FOR PUBLICATION.

United States Land Office, Portland, Ore., Sept. 6th, 1907. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada and Washington Territory," as extended to all the Public Land States by act of August 4, 1892.

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ALGERNON S. DRESSER, Register.

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LARA E. JONES, Of Arleta, county of Multnomah, State of Oregon, has this day filed in this office her sworn statement No. 755, for the purchase of the N 1/4 of Sec. 14, in Township No. 2 South, Range No. 3 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish her claim to said land before the Register and Receiver at Tillamook, Oregon, on Tuesday, the 12th day of November, 1907. She names as witnesses: David J. Cully, of Clatsop, Oregon; Chas. A. Samster, of Tillamook, Oregon; Aida A. Cully, of Portland, Oregon; Clara Anderson, of Portland, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 12th day of November, 1907.

ALGERNON S. DRESSER, Register.

TIMBER LAND, ACT JUNE 3, 1878.—NOTICE FOR PUBLICATION.

United States Land Office, Portland, Ore., September 7th, 1907. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada and Washington Territory," as extended to all the Public Land States by act of August 4, 1892.

HARRY H. SHARP, Of Tillamook, county of Tillamook, State of Oregon, has this day filed in this office his sworn statement No. 754, for the purchase of the S 1/4 of Sec. 14, in Township No. 2 South, Range No. 3 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the County Clerk at Tillamook, Oregon, on Monday, the 11th day of November, 1907. He names as witnesses: David Martiny, of Tillamook, Oregon; Henry Tohl, of Tillamook, Oregon; Paul Erickson, of Tillamook, Oregon; Peter J. Sharp, of Tillamook, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 11th day of November, 1907.

ALGERNON S. DRESSER, Register.

TIMBER LAND, ACT JUNE 3, 1878.—NOTICE FOR PUBLICATION.

United States Land Office, Portland, Oregon, Sept. 6th, 1907. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada and Washington Territory," as extended to all the Public Land States by act of August 4, 1892.

CLARA ANDERSON, Of Tillamook, county of Tillamook, State of Oregon, has this day filed in this office her sworn statement No. 753, for the purchase of the N 1/4 of Sec. 14, in Township No. 2 South, Range No. 3 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish her claim to said land before the Register and Receiver at Tillamook, Oregon, on Tuesday, the 12th day of November, 1907. She names as witnesses: I. F. Wagner, of Portland, Oregon; H. Tohl, of Tillamook, Oregon; H. G. Riddaway, of Nehalem, Oregon; J. B. Caples, of Nehalem, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 12th day of November, 1907.

ALGERNON S. DRESSER, Register.

TIMBER LAND, ACT JUNE 3, 1878.—NOTICE FOR PUBLICATION.

United States Land Office, Portland, Oregon, July 23rd, 1907. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada and Washington Territory," as extended to all the Public Land States by act of August 4, 1892.

CLARA ANDERSON, Of Tillamook, county of Tillamook, State of Oregon, has this day filed in this office her sworn statement No. 752, for the purchase of the N 1/4 of Sec. 14, in Township No. 2 South, Range No. 3 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish her claim to said land before the Register and Receiver at Tillamook, Oregon, on Tuesday, the 12th day of November, 1907. She names as witnesses: I. F. Wagner, of Portland, Oregon; H. Tohl, of Tillamook, Oregon; H. G. Riddaway, of Nehalem, Oregon; J. B. Caples, of Nehalem, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 12th day of November, 1907.

ALGERNON S. DRESSER, Register.

TIMBER LAND, ACT JUNE 3, 1878.—NOTICE FOR PUBLICATION.

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HARRY H. SHARP, Of Beaver, county of Tillamook, State of Oregon, has this day filed in this office his sworn statement No. 751, for the purchase of the N 1/4 of Sec. 14, in Township No. 2 North, Range No. 3 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the Register and Receiver at Portland, Oregon, on Wednesday, the 13th day of November, 1907. He names as witnesses: William Gilbert, of Beaver, Oregon; Fred Gilbert, of Beaver, Oregon; Nathaniel T. Palmer, of Salem, Oregon; Sarah E. Palmer, of Salem, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 13th day of November, 1907.

ALGERNON S. DRESSER, Register.

HEADQUARTERS FOR

MARYMEN'S SUPPLIES

AND STEEL STOVES & RANGES.

We carry a Large Stock of Hardware, Tinware, Glass and China, Oils, Paint, Varnish, Doors, Window Sashes, Fine Line of Choice GROCERIES

Agents for the Great Western Saw.

ALEX. McNAIR CO.

The Most Reliable Merchants in Tillamook County.

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BURR L. BRALS, Of Nehalem, county of Tillamook, State of Oregon, has this day filed in this office his sworn statement No. 750, for the purchase of the S 1/4 of Sec. 14, and Lots 1 and 2 of Section No. 14, in Township No. 3 South, Range No. 3 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the County Clerk at Tillamook, Oregon, on Wednesday, the 6th day of November, 1907. He names as witnesses: John H. Holgate, of Hemlock, Oregon; Ira J. Earl, of Hemlock, Oregon; Fred E. Beala, of Tillamook, Oregon; Theodore Kingsley of Tillamook, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 6th day of November, 1907.

ALGERNON S. DRESSER, Register.

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ANNA S. ANDERSON, Of Tillamook, county of Tillamook, State of Oregon, has this day filed in this office her sworn statement No. 749, for the purchase of the W 1/2 of Sec. 14, and Sec. 14 of N 1/4 of section No. 12, in T. 2 N. 3, range No. 3 west, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish her claim to said land before the County Clerk at Tillamook, on Wednesday, the 6th day of November, 1907. She names as witnesses: I. F. Wagner, of Portland, Oregon; H. Tohl, of Tillamook, Oregon; H. G. Riddaway, of Nehalem, Oregon; J. B. Caples, of Nehalem, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 6th day of November, 1907.

ALGERNON S. DRESSER, Register.

TIMBER LAND, ACT JUNE 3, 1878.—NOTICE FOR PUBLICATION.

United States Land Office, Portland, Ore., July 23rd, 1907. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada and Washington Territory," as extended to all the Public Land States by act of August 4, 1