

James M. Stout,

GENERAL

Blacksmith!

Plow Repairer.

Plow Work &

Horse Shoeing.

If you want your shoes repaired, or your horses shod, give me a trial.

A good wagon shop in connection where all kinds of repairing is done on short notice.

Washington Street,

HURLEY, - DAKOTA.

CITY

Meat Market,

CORNELIUS DWYER.

Proprietor.

Hurley, - Dakota.

PARLOR

Cigar & Tobacco

Store,

JERRY MANNING,

Proprietor.

A full assortment of

SUMMER DRINKS

Kept in stock. If you want a good cigar or a nice lemonade, give me a call.

HURLEY, - DAKOTA.

H. G. CLARK & CO.,

Watchmakers,

Jewelers & Opticians.

Hair Jewelry Made to Order.

YANKTON, - DAKOTA.

THE BEST

Place in the West to buy

FURNITURE,

UPHOLSTERY, MIRRORS,

MATTRESSES

and UNDERTAKERS' GOODS,

IS OF

J. R. SANBORN & SON,

Wholesale and Retail Dealers,

YANKTON, - DAKOTA.

E. J. JENCKS, G. H. HARRIGAL.

JENCKS & HARRIGAL,

Contractors

and Builders.

Plans and specifications furnished on application.

Shop on Center avenue, between Washington & Monroe streets.

HURLEY, - DAKOTA.

ATTENTION!

Farmers!

The Celebrated Norman Vercheron,

CHIEF

Will stand for mares the present season at the stable of Swan Brothers, in Hurley.

Chief is a dark bay, 16 1/2 hands high, and weighs over 1,500 pounds.

Terms to insure \$10.00.

Persons parting with mares before knowing them to be with foal will be held responsible for the insurance.

JOSEPH SMITH, Owner.

JOS. ALLEN

MAY 10, 1883.

My Stock will in a Short Time be Complete in all its Branches. Come to HURLEY and see the Town, and be Sure to call on us.

Deals in General Merchandise, Farm Machinery and Farm Produce.

JOSEPH ALLEN, the Pioneer Trader of Turner County,

JOSEPH ALLEN, HURLEY, D. T.

HURLEY, - DAK.

Turner County Herald.

Published Every Thursday.

HURLEY, DAKOTA, MAY 17, 1883.

A destructive cyclone passed near Mason, Missouri, Sunday night.

The law providing for county auditor is not a general law. It applies only to the counties of Pembina, Walsh, Grand Forks, Lincoln, Traill, Cass and Richland.

Governor Ordway was at Canton at the meeting of the capital commission, and seemed very much surprised at the bids from the northern portion of the territory.

A call will be issued next week for a mass convention, to be held at Swan Lake, Thursday, June 7th, for the purpose of electing delegates to the constitutional convention to be held at Huron, June 19th.

From the county records it appears that there has been added to the taxable property during the past year 28,640 acres of land, which were formerly held under the following rights: Homesteads, 93; cash entries, 77; timber culture, 6.

The citizens of Yankton are taking steps toward the establishment of a line of railroad south from that point. With such a line, and a bridge across the Missouri at or near the city her future prosperity and greatness is assured.

The capital commission met at Canton Tuesday, and after opening the bids from the different sections of the territory, took their grips in their hands, boarded a north bound train and started for a personal inspection of the region of No. 1 hard, the large amounts offered by different localities in that region having apparently demoralized them.

A disastrous land slide occurred in the Sioux City bluffs, on the line of the Chicago, Milwaukee and St. Paul railway, early Monday morning. It is estimated that 1,000,000 cubic feet of earth were loosened and swept down to the river, carrying with it railroad track and telegraph line. Transfer is now made by teams from Sioux City to the Big Sioux river.

On Monday night a severe storm passed six miles north of Comersville, Ind., with a path of only a few rods wide, striking the little village of Waterloo and destroying every house but three in it, and doing great damage to farms in its path, but inflicting no loss. In the southern part of Waterloo county, adjoining, much damage was done to farm buildings. In Preble county, Ohio, the damage is estimated at \$70,000.

Rev. J. B. Curran, of Parker, in an address before the prohibition club of Huron, among other things, said: "It is now the height of christian duty to talk politics on Sunday and to preach it from the pulpits. In a popular government every citizen should be an honest politician, and the times demand that every citizen should take a bold stand. Public sentiment must back law, and public sentiment must be moulded into higher forms."

At St. Paul the feeling among railroad men shows that they anticipate a war in the passenger rates to the west and northwest. It is rumored the Milwaukee and St. Paul have been allowed \$5,000 commissions upon all tickets where the company's proportion is \$12.50. This is on Council Bluffs and Omaha business. The effect it is thought will be a general rate war. Officials of the Milwaukee and St. Paul depot at Milwaukee deny the rumor of a cut in the rates to the west and northwest, declaring that there is not the least prospect of a rate war.

ing bids of towns interested in the capital were opened at the commission at Canton:

—\$100,000 and 160 acres of

land.

—\$100,000 and 250 acres of land.

—\$100,000 and 320 acres of land.

Mitchell—\$100,000 and 160 acres of land.

Redfield—\$100,000 and 240 acres of land.

Ordway—\$100,000 and 320 acres of land for capital and 160 acres for railroad.

Canton—\$100,000 and 160 acres of land.

Frankfort—\$100,000 and 160 acres of land.

Huron—\$100,000 and 160 acres of land.

Oleska—\$200,000 and 160 acres of land.

Steele—\$100,000 and 160 acres of land.

Yankton Press: A letter from a passenger to Pierre on the steamer Josephine states that the commission will undoubtedly locate the capital at Pierre. As Governor Ordway was on the Josephine it is probable that the writer of the letter imbued his views from the expressions of that individual. The governor is either affecting an unconcern which he does not feel regarding the movements of the capital, or else he knows its programme. There is little doubt that in the beginning the whole scheme was mapped out, but it became necessary to make some changes to pacify Jerome and McCauley, and these changes resulted leading members of the syndicate of expected representatives upon the commission. This failure to fill according to agreement doubtless disarranged the plans of the ring to some extent, and it will take time to bring them around to the views of the speculators. This necessitates another trip into the unexplored region of the north. The schemers within and without the commission are not ready to report and are killing time by useless travel. Meanwhile Ordway holds the fort and his forty acres at Pierre, while his trusty servant, Alexander, manipulates the deal.

The case of Plaintiff against Jackson, involving the title to 190 acres of land near Bismarck, which has been under consideration by the interior department for some years, has finally been decided in favor of the latter.

T. C. Evans, superintendent of the La Salle (Illinois) Coal Co., has recently visited the Charles Mix county coal beds to make an inspection of the find. There is a good supply of coal at this point, but it underlies the water stratum, which makes it difficult to reach.

Mitchell Capital: A farmer on the Firested creek entertained a party of Mitchell citizens a day or two ago by pointing out to them the disturbed graves of former brave but untutored Dakotians. He had dug into a mound on his farm for building purposes when his shovel struck the skull of an Indian. Continuing his researches further he unearthed skeleton after skeleton until the bones of thirty red warriors "lay bleaching on the soil."

The Tidal Wave of Emigration.

There never has been in the history of any country such a perfect tidal wave of emigration flowing in upon the land as has been pouring into Dakota this spring. From midwinter until this writing there has been a continuous and ever-increasing procession moving forward night and day to the rich, rolling prairies of this fair new country. Throughout the states of Illinois, Iowa, Indiana and Wisconsin there are many communities that have emigrated in a body to Dakota, settling down in colonies together and maintaining their social relations the same as in their old homes. In years past the pioneer has gone forward into the wilderness singly, and bravely endured the privations of pioneer life, isolated from all old-time friends and deprived of all society, laboring for long years to build up a home for himself and family, while the slow tide of civilization followed a long distance in the rear. Here and now the pioneers come in a body, taking their friends and their society along with them. The difference is very great, and there must be some strong motive that can induce a whole community to leave their old homes and venture out into the wilds of a new country, which but a few years ago was known as a desert, inhabited only by Indians and buffaloes.

The great motive that impels emigration in all countries and at all times is the hope of bettering one's worldly condition, and here in this country that hope can be and is almost universally realized. The attraction of free land to the landless is one of the principal incentives to the remarkable emigration, and when to that attraction is added the certainty of abundant crops and the enjoyment of old associations and friendships, the pressure is too great to withstand, and so they come. Dakota is destined to become not only one of the grain producing states, but the leading one, and but a few years will elapse when the reports of the wheat prospect of Dakota will affect the grain markets of Chicago and New York. This vast country is being settled by a class of men who came to work and to thrive, and they will thrive, and in years to come will thank their lucky stars that they had the courage and energy to come at the right time and the sand to stay when they got here. The new-comers will find several things here very different from the distorted accounts of the eastern papers would indicate. They will find a very fertile soil, plenty of water, an abundant amount of rainfall, but little snow in winter, and a climate as mild as that of Iowa, Nebraska or northern Illinois. There is room for thousands yet, and the more the better of such citizens as Dakota is receiving now. - Dakota Farmer.

DAKOTA ITEMS.

The Huron fire company have their new uniforms.

Yankton and Scotland are to have telephone connection.

The people of Vermillion are talking about a steam ferry.

Carpenters and masons are in great demand in Dell Rapids.

A large number of English and Scotch families are locating on the fertile farms of Yankton county.

The Steele Herald apologizes for being on both sides of the fence on the capital removal business.

Vermillion has a brick making machine that will manufacture from 10,000 to 15,000 bricks per day.

Prisoners heretofore sentenced to the county jail at Bismarck will be made to work on the public streets.

Ordway Times: Talk about emigration. Twenty-eight babies in one car arrived at Ordway in one day.

The Elk Point creamery is completed and by the first of June will be turning out 2,000 pounds of butter per day.

While a Bismarck buggy dealer was drawing a dozen buggies from the freight yard to his place of business he sold all of them for spot cash.

It is reported that corner lots in Creed City sell for \$200 and inside lots for \$500. One hundred and fifty people were refused lots in that town last week.

The Grand View Enterprise says that owing to its capital loss and other things real estate has advanced twenty per cent in Douglas county in the past month.

A Norwegian by the name of Mats Anderson, of Pecos Valley township, Clay county, committed suicide by hanging himself last week. No cause assigned.

The heaviest loss ever experienced in Clay county from lightning was that of Moody Bros. last week. Their barn was burned containing five horses and seventeen bogs.

Captain Maratta tells the Bismarck Tribune that he expects more river business this season than has been known on the upper Missouri since the season of '76.

The new Catholic church at Elk Point was struck by lightning and seriously damaged last week. This church was only just completed and was the finest and most expensive building in Elk Point.

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THE PUBLIC LAND LAWS.

How to Secure the Benefits Thereof.

None of the lands of Dakota have ever been offered at public sale, all having been reserved for homestead, pre-emption and timber claims on account of their agricultural value and because this system is more in accordance with the interests of the masses and not for speculators, as under the public sale system. Sioux half-breed scrip can be very little of this scrip is now outstanding.

PRE-EMPTIONS.

Heads of families, widows or single persons (male or female), over the age of twenty-one years, citizens of the United States or who have declared their intention of becoming such under the naturalization laws, may enter upon any unsurveyed lands to which the Indian title is extinguished, and purchased not exceeding 160 acres under the pre-emption laws.

When the tract has been surveyed the claimant must file his or her declaratory statement within three months from date of settlement. Settlement is the first thing to be done under the pre-emption laws.

When settlements are made on unsurveyed lands, settlers are required to file their declaratory statements within three months after the date of the receipt at the district land office of the approved plat of the township embracing their claims, and make proof and payment within thirty months from the expiration of said three months.

Pre-emptors may submit proofs of residence and improvements at any time after six months of actual residence. He must show by his own testimony and by two credible witnesses such actual residence and cultivation—a habitable dwelling and other improvements—to the satisfaction of the land officers, that the spirit of the law may be complied with.

At any time before the expiration of the time allowed for proof and payment, the settler may, by making proper application at the land office and payment of the required fee, convert his claim into a homestead, and the time he has resided upon the land is credited on the homestead residence if he desires. No person who abandons his residence on his own land to reside on public land in the territory or who owns 20 acres of land is entitled to the benefits of the pre-emption laws. It is held, however, that this provision does not apply to a house and lot in town.

Claims cannot be transferred until title is perfected. The second filing of a declaratory statement by any pre-emptor, when first filing was legal in all respects, is prohibited. Before proof and payment on pre-emption claims, written notice must be given by the claimants to the register, who must post a notice in his office and cause the same to be published in a newspaper to be by him designated as nearest the land, once a week for six weeks, at the applicant's expense.

HOMESTEADS.

The law allows but one homestead privilege to any one person.

Any person who is the head of a family, who has arrived at the age of twenty-one years, and is a citizen of the United States, or has filed his declaration of intention to become such, is entitled to enter one-quarter section or less quantity of unappropriated public land under the homestead laws. The applicant must make an affidavit that he is over the age of twenty-one, or is the head of a family, and that he is a citizen of the United States, or has declared his intention to become such, and that the entry is made for his exclusive use and benefit, and for actual settlement and cultivation, and must pay the legal fee and that part of the commission required to be paid when entry is made, as follows: For 160 acres, \$14.00; for 80 acres, \$7.00; for 40 acres, \$3.50. When these requirements are complied with the register issues his receipt in duplicate and the matter is entered on the records of the office.

After faithful observation of the laws regard to actual settlement and cultivation for the continuous term of five years, at the expiration of that term or within two years thereafter final proof must be made, and if satisfactory to the land officers, the part of the commissions remaining unpaid, to-wit: For 160 acres, \$1.00; for 80 acres, \$2.00; for 40 acres, \$1.00, must be paid. The register then issues his certificate and makes proper returns to the general land office, as the basis for a patent.

Any settler desiring to make final proof must first file with the register a written notice of his intention, describing the land and giving the names of four witnesses by whom the facts as to settlement, continuous residence, cultivation, etc., are to be established, which notice must be published by the register the same as in pre-emption proofs.

Final proof cannot be made until the expiration of five years from the date of entry, and must be made within two years thereafter. In making final proof the homestead settler may appear in person at the district land office with his witnesses, and there make the affidavit or proof required, or he may, if by reason of bodily infirmity or distance, it is inconvenient for him to appear at the land office, with his witnesses appear before the judge or clerk of a court of record of the county and district in which the land is situated and there make final proof. If in an unorganized county the proof may be made in a similar manner in any adjacent county.

When a homestead settler dies before he can prove up the widow, or in case of her death, the heirs, may continue settlement and obtain title upon requisite proof at the proper time. In case of death of both parents leaving infant children, the homestead may be sold for cash for the benefit of the children, and the purchaser will receive title.

The sale of a homestead claim to another party before the completion of title is not recognized. In making final proof the settler must swear that no part of the land has been alienated, except for child, widow, or school purposes, or right-of-way of railways.

Homestead claims may be relinquished, but in such cases the lands revert to the government. If a settler does not wish to remain five years on his tract he may commute it to cash after actual inhabitation and cultivation of the land for a period of six

months or more by making payment therefor at the rate of \$1.25 per acre.

A person who commutes a homestead entry cannot move from the tract and settle upon other public lands in the same state or territory as a pre-emptor. A person commuting a homestead entry when he has not actually resided upon the land and improved and cultivated it as required by law, forfeits all right to the land and the purchase money paid.

Every person who served not less than ninety days in the army or navy of the United States during "the recent rebellion," who was honorably discharged, may enter a homestead, and the time of his service shall be deducted from the period of five years, provided that the party shall reside upon and cultivate his homestead at least one year after he commences improvements. The widow of a soldier, or if she be dead, or married again, the minor heirs (if any) may, through their guardian, make a homestead entry, and if the soldier died in the service his whole term of enlistment will be credited upon the terms of required residence. Soldiers and sailors, as above, may file a homestead declaratory statement for 160 acres of land through an agent, after which they have six months to file their homestead. This latter entry must be made in person. Thus a soldier who desires to secure a claim may do so by sending a power of attorney and a certified copy of his discharge to some responsible party, who can file for him upon the land selected. Soldiers are not entitled to land, nor to bounty land warrants, for their military service in the late war, nor can title to land be obtained for them by agents or attorneys.

All representations to the contrary are false, and soldiers and sailors are warned against imposition by parties who offer to locate land for them, or to sell their rights. Lands acquired under the homestead laws are not liable for any debt contracted prior to the issuing of the patent therefor.

THREE CLAIMS.

Under the timber culture laws not more than 160 acres on any one section, entirely devoid of timber, can be entered, and no person can make more than one entry thereunder.

The qualifications of applicants are the same as under the pre-emption and homestead laws. The land office charges are, for an entry of more than eighty acres, \$14.00, and the same fee at final proof; for eighty acres or less, \$9.00. The applicant must make affidavit that the land specified in his application is exclusively prairie, or other land devoid of timber; that his filing or entry is made in good faith and not for the purpose of speculation, nor directly or indirectly for the use of any other person or persons; that he intends to hold and cultivate the land and comply with the laws, and that he has not previously made an entry under the timber culture law.

The party making an entry of a quarter section is required to break or plow five acres covered thereby during the first year, and five acres in addition during the second year. The five acres broken or plowed during the first year must be cultivated by raising a crop or otherwise during the second year, and to plant in timber, seeds, or cuttings, during the third year. The five acres broken or plowed during the second year he is required to cultivate by raising a crop or otherwise, during the third year, and to plant in timber, seeds, or cuttings, during the fourth year. For entries of less than 160 acres the amount of land to be cultivated must be pro rata. Provision is made for extension of time in case drought or grasshoppers destroy trees. These or grasshoppers during the second year he must cultivate and protect, and if at the expiration of eight years from date of entry, or at any time within five years thereafter, the entrant, or, if he be dead, his heirs shall prove, by two credible witnesses the planting, cultivating and protecting the timber for not less than eight years; that not less than 2,700 trees were planted on each acre, and that at the time of making proof there are growing at least 675 thrifty living trees on each acre.

Failure to comply with any of the requirements of the law at any time after one year from date of entry, renders such entry liable to contest, and upon due proof of such failure the entry will be canceled. No land acquired under this law will in any event become liable to the satisfaction of the debt or debts contracted prior to the issuing of the final certificate therefor. Only an applicant for the land under the timber culture or homestead laws can institute a contest, and the contestant will have a preference right of thirty days after cancellation in which to make entry of the land.

REMARKS.

A qualified applicant cannot take a homestead and pre-emption claim at the same time, but he may take either and a tree claim at the same time. A man may take a pre-emption and a tree claim, and after proving up and obtaining title to his pre-emption, may then enter a homestead.

In case the settler lives at a distance from the land office and desires to make proof and payment of his claim under the pre-emption law he can have the testimony of his witnesses taken before any notary public in the district, and if he further desires, can have his own testimony taken before a clerk of the court, and these he can transmit, with the necessary amount of money to pay for his claim to the register and receiver or to some reliable party, who can present the proof and money to them and obtain their receipt and certificate for the land.

Peter Nessen came to America five years ago from Denmark, and was last heard from in Richburg, Wisconsin, from which point he wrote his parents. Any one knowing his whereabouts, or if he is living or not, will confer a favor by addressing his father, Chas. Nessen, Crookston, Minn. Minnesota, Dakota and Wisconsin papers will do a charitable act which will be thankfully received, by copying this notice.

When you come to Hurley be sure and call at this office and subscribe for the Herald. Terms, one dollar and fifty cents per year, in advance.

COMPLIMENTS  
—OF—  
**KAHN & CO.,**

"One Price Clothiers of Yankton."

Having removed to the corner of 3d street and Douglas avenue, where we have better facilities for showing

NEW STYLES,

for the coming season, we invite the

CITIZENS OF TURNER COUNTY

to inspect our stock or SEND FOR PRICE LIST before purchasing. We have a complete line of

Men's, Youths', Boys' and Children's

CLOTHING.

Furnishing Goods,

HATS, & C.,

Containing all the STAPLES AND NOVELTIES of the season, and pay

Special Attention to Mail Orders.

All goods ordered must SUIT and FIT Customers, or the money will be refunded on return of goods.

Yours for Style and Quality,

**KAHN & CO.,**

Cor. 3d and Douglas Ave., YANKTON, D. T.

Dudley & Richey,

Yankton, D. T.,

—DEALERS IN—

Builder's Hardware, Coal and Wood

Stoves, Hay Stoves,

Tinware, Glidden Barb Wire,

Wood and Iron Pumps,

Gasoline, and Oil Stoves.

Creamery Cans and all Dairy Goods.

Iron conducting pipe and

Artesian well tubing.

Rowland Rees,

—DEALER IN—

Stoves, Nails, Tinware,

Barbed wire, Shovels,

Spades, Hoes, Forks, &c.

Builder's Hardware.

Heavy and Shelf Hardware.

Hurley, - Dakota.

THE

Pioneer Drug Store,

Hurley, Dak.

Keeps always on hand a full line of

Pure Drugs, Paints,

Oils, Varnishes,

Books and Stationery,

Window Glass and Putty.