

# THE YAKIMA HERALD.

Volume I.

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Number 6.

## THE YAKIMA HERALD.

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All kinds of FINE FRUIT TREES

At moderate prices.

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of North Yakima.

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### Jos. J. Appel,

—DEALER IN—

### Fine Wines & Liquors

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South Side Yakima Avenue.

### IN THE SOUP.

An actor had a jug of gin,  
And when he went to play  
He hid it darkly in a box  
Till he could come that way.

A super saw him hide it there,  
And deftly made a scoop,  
So, when the actor came again,  
The gin was in the soup.

### IS MARRIAGE A FAILURE?

You say I am old and decrepit,  
That the sands of my life are 'most run,  
And that you, in your youth and your beauty,  
Have only life's journey begun.

You beg me to answer a question  
In the sincerest words that I know—  
Is true love and marriage a failure,  
Or a bright little heaven below?

Ah! your query I never may answer,  
Tho' I speak with the wisdom of years,  
For until one has known what is sorrow  
He never can weep bitter tears:

For love is a joy and a sorrow—  
Like a forest with sunshine and shade—  
And our lives would be barren without it,  
And profitless, too, I'm afraid.

But when you have learned all love's teachings,  
The pain and the pleasure and all,  
And have given to "some one" a fond keeping,  
You own heart beyond your recall—  
Ah! then you will know all the meaning  
You ask me so plainly to tell.

And the song in your heart will but echo  
The sound of a sweet wedding bell.

### The First Printing Office.

The first printing office on the Pacific coast was built by the two missionaries, Whitman and Spaulding, who settled on Lapwai creek, a branch of the Clearwater, and twelve miles above Lewiston, Idaho. The house still standing was originally a two-story building, though only the ground floor remains, and was made of logs and shakes. It is now used by the Indians for a stable. In this building the first printing office west of the mountains on the Pacific coast was established. The material was originally sent by the American board of foreign missions in Boston, in 1809, to the Sandwich Islands, and in 1840 was presented by the First Native church of Hawaii to the Lapwai mission. E. O. Hall came along with it to set the type. The press is now in the state library at Salem, Ogn.

### Recovered Damages From the U. P.

Benjamin Davis, who sued the Northern Pacific for damages for ejection from the train, has just been awarded a verdict of \$3000, by a Spokane jury. The circumstances as claimed by the plaintiff were as follows: Davis wanted to go from Spokane Falls to Cheney. The ticket office was closed. He tendered the conductor a dollar but 15 cents additional was demanded to cover the rebate check, so he offered a five-dollar gold piece, which the conductor was unable to change. At the next station, Marshall, Davis purchased a ticket from that point to Cheney. The conductor demanded back fare and again the five-dollar piece was tendered which the conductor still couldn't change. The train was then stopped and Davis forcibly ejected, to his bodily injury, as he maintained.

### The Height of Adam and Eve.

Mr. Henricson, a member of the French Academy of Sciences, published a work in the year 1718, a larger part of which was given up to the past and present conditions of the human family. In the course of his arguments he proves, to his own satisfaction at least, that we have gradually degenerated from colossal specimens of flesh and sinew to almost microscopic specks in comparison. The dignified position of the learned Henricson demands for his views all due respect, but who of the present generation could be induced to believe that Adam, the first landlord of creation, was 123 feet and 9 inches high? Yet, in the course of his reasoning, he proves this in a satisfactory way to himself and his colleagues. "Eve," says this learned M. D., "was a splendid helpmate for her husband, but was not nearly so tall, being but 118 feet, 9 inches and 9 lines."—*St. Louis Republic.*

### Mrs. Cleveland in Literature.

I have reliable authority in stating that Mrs. Cleveland will make a mild venture into literature soon after her retirement to private life. Her undertaking will be a modest one, consisting of a magazine article, which, however, may evolve into two before it is finished. What periodical will secure the article cannot be definitely said, but in all probability the readers of the *Century* will find it in one of their forthcoming numbers. By her friends Mrs. Cleveland's taste for literature is well known, and her compositions at college show that the pen glides easily and effectively in her hand. The *Century's* editor, Mr. Richard Watson Gilder, is a close friend of the Cleverlands, and it is doubtless due to his persuasion that Mrs. Cleveland has consented to write something for publication. The channel through which it will be given to the public seems, therefore, easy to define.—*Boston Journal.*

### Their Business Booming.

Probably no one thing has caused such a general revival of trade at C. B. Bushnell's drug store as their giving away to their customers of so many free trial bottles of Dr. King's New Discovery for consumption. Their trade is simply enormous in this very valuable article from the fact that it always cures and never disappoints. Coughs, colds, asthma, bronchitis, croup, and all throat and lung diseases quickly cured. You can test it before buying by getting trial bottle free; large size \$1. Every bottle warranted.

### THE ADMISSION ACT.

#### The Law Creating the Three New States.

Method of Procedure to Complete the Work—Humane Federal Concessions—Liberal Grant for Permanent School Fund.

Following is the text of the act of congress admitting Washington, Montana and the two Dakotas into the Union. Sections 2, 5 and 6 and a few paragraphs are omitted in this publication, as they relate exclusively to the Dakotas:

Section 1. That the inhabitants of all that part of the area of the United States now constituting the territories of Dakota, Montana and Washington, as at present described, may become the states of North Dakota, South Dakota, Montana and Washington, respectively, as hereinafter provided.

Section 2. That all persons who are qualified by the laws of said territories to vote for representatives of the legislative assemblies thereof are hereby authorized to vote for and choose delegates to form conventions in said proposed states; and the qualifications of delegates to such conventions shall be such as by the laws of said territories respectively persons are required to possess to be eligible to the legislative assemblies thereof; and the aforesaid delegates to form said conventions shall be apportioned within the limits of the proposed states, in such districts as may be established as herein provided, in proportion to the population in each of said counties and districts, as near as may be, to be ascertained at the time of making said apportionments by the persons hereinafter authorized to make the same, from the best information obtainable, in each of which districts three delegates shall be elected, but no elector shall vote for more than two persons for delegates to said conventions; that said apportionments shall be made by the governor, the chief justice and the secretary of said territories; and the governors of said territories shall, by proclamation, order an election of the delegates aforesaid in each of said proposed states, to be held on the Tuesday after the second Monday in May, 1889, which proclamation shall be issued on the 15th day of April, 1889; and such election shall be conducted, the returns made, the result ascertained, and the certificates to persons elected cleared to such convention issued in the same manner as prescribed by the laws of the said territories regulating elections therein for delegates to congress; and the number of votes cast for delegates in each precinct shall also be returned. The number of delegates to said conventions, respectively, shall be seventy-five, and all persons resident in said proposed states, who are qualified voters of said territories as herein provided, shall be entitled to vote upon the election of delegates, and under such rules and regulations as said conventions may prescribe, not in conflict with this act, and upon ratification or rejection of the constitution.

Section 3. That the delegates to the conventions elected as provided in this act shall meet at the seat of government of each of said territories, except the delegates elected in South Dakota, who shall meet at the city of Sioux Falls, on the fourth day of July, 1889, and after organization shall declare, on behalf of the people of said proposed states, that they adopt the constitution of the United States; whereupon the said conventions shall be, and are hereby, authorized to form state governments for said proposed states, respectively. The constitutions shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not to be repugnant to the constitution of the United States and the principles of the declaration of independence. And said convention shall provide, by ordinances irrevocable without the consent of the United States and the people of said states:

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said states shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That the people inhabiting said proposed states do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes; and until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the congress of the United States; that the lands belonging to the citizens of the United States residing without the said states shall never be taxed at a higher rate than the lands belonging to residents thereof; that no taxes shall be imposed by the states on lands or property therein belonging to or which may be hereafter purchased by the United States or reserved for its use. But nothing herein, or in the ordinances herein provided for, shall preclude the said states from taxing as other lands are taxed any lands owned or held by any Indian who has severed his tribal relations and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been and

may be granted to any Indian or Indians under any act of congress containing a provision exempting the lands thus granted from taxation; but said ordinances shall provide that all such lands shall be exempt from taxation by such states so long and to such extent as such act of congress may prescribe.

Third. That the debts and liabilities of said territories shall be assumed and paid by said states, respectively.

Fourth. That provision shall be made for the establishment and maintenance of systems of public schools, which shall be open to all the children of said states, and free from sectarian control.

Section 7 relates to the constitutions of North and South Dakota, save the concluding paragraph, which is as follows: Provided, that if either of the proposed states provided for in this act shall reject the constitution which may be submitted for ratification or rejection at the election provided therein, the governor of the territory in which such proposed constitution was rejected shall issue his proclamation reconvening the delegates elected to the convention which formed such rejected constitution, fixing the time and place at which such convention shall assemble; and when so assembled they shall proceed to form another constitution to amend the rejected constitution, and shall submit such new constitution or amended constitution to the people of the proposed state for ratification or rejection, at such time as said convention may determine; and all the provisions of this act, so far as applicable, shall apply to the constitution which may be formed, its ratification or rejection, and to the admission of the proposed states.

Section 8. The constitutional convention which may assemble in North Dakota, Montana and Washington shall provide for submitting the constitutions formed by them to the people of said proposed states, respectively, for ratification or rejection at elections to be held in said proposed states on the said first Tuesday in October. At the election provided for in this section the qualified voters of said proposed states shall vote directly for or against the proposed constitutions, and for or against any articles or propositions separately submitted. The returns of the said elections shall be made to the secretary of each of said territories, who, with the governor and chief justice thereof, or any two of them, shall canvass the same; and if a majority of the legal votes cast shall be for the constitution the governor shall certify the same to the president of the United States, together with a statement of the votes cast thereon and upon separate articles or propositions, and a copy of said constitution, articles, propositions and ordinances. And if the constitutions and governments of said proposed states are republican in form, and if all the provisions of this act have been complied with in the formation thereof, it shall be the duty of the president of the United States to issue his proclamation announcing the result of the election in each, and thereupon the proposed states which have adopted constitutions and formed state governments as herein provided shall be deemed admitted by congress into the Union and by virtue of this act on an equal footing with the original states from and after the date of the said proclamation.

Section 9. That until the next general census, or until otherwise provided by law, said states shall be entitled to one representative in the house of representatives of the United States, except South Dakota, which shall be entitled to two; and the representatives to the fifty-first congress, together with the governors and other officers provided for in said constitutions, may be elected on the same day of the election for the ratification or rejection of the constitutions; and until said state officers are elected and qualified under the provisions of each constitution and the states, respectively, are admitted into the Union, the territorial officers shall continue to discharge the duties of their respective offices in each of the said territories.

Section 10. That upon the admission of each of said states into the Union sections numbered sixteen and thirty-six in every township of said proposed states, and where such sections, or any parts thereof, have been sold or otherwise disposed of by or under the authority of any act of congress, other lands equivalent thereto in legal subdivisions of not less than one-quarter section and contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said states for the support of common schools, such indemnity lands to be selected within said states in such manner as the legislature may provide with the approval of the secretary of the interior—provided, that the sixteenth and thirty-sixth sections embraced in permanent reservations for national purposes shall not at any time be subject to the grants or to the indemnity provisions of this act, nor shall any lands embraced in Indian, military or other reservation of any character, be subject to the grants or to the indemnity provisions of this act until the reservation shall have been extinguished and such lands be restored to, and become part of, the public domain.

Section 11. That all lands herein granted for educational purposes shall be disposed of only at public sale, and at a price not less than \$10 per acre, the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, under such regulations as the

legislature may prescribe, be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company, and such lands shall not be subject to pre-emption, homestead entry or any other entry under land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

Section 12. That upon the admission of each of said states into the Union, in accordance with the provisions of this act, fifty sections of the unappropriated public lands within said states, to be selected and located in legal subdivisions as provided in section 10 of this act, shall be and are hereby granted to said states for the purpose of erecting public buildings at the capital of said states, for legislative, executive and judicial purposes.

Section 13. The five per centum of the proceeds of the sales of public lands lying within said states which shall be sold by the United States subsequent to the admission of said states into the Union, after deducting all the expenses incident to the same, shall be paid to the said states, to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools within said states, respectively.

Section 14. Such quantity of the lands authorized by the fourth section of the act of July 17, 1854, are to be reserved for university purposes in the territory of Washington, as, together with the lands confirmed to the vendee of the territory by the act of March 14, 1864, will make the full quantity seventy-two entire sections are hereby granted to the state of Washington for the purposes of a university in said state. None of the lands granted in this section shall be sold at less than \$10 per acre; but said lands may be leased in the same manner as provided in section 11 of this act. The schools, colleges and universities provided for in this act shall forever remain under the exclusive control of said states, respectively, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college or university.

Section 15. That so much of the lands belonging to the United States as have been acquired and set apart for the purpose mentioned in "an act appropriating money for the erection of a penitentiary in the territory of Dakota," approved March 2, 1881, together with the buildings thereon, be and the same is hereby granted, together with any unexpended balances of the moneys appropriated therefor by said act, to said state of South Dakota for the purposes therein designated; and the states of North Dakota and Washington shall, respectively, have like grants for the same purpose, and subject to like terms and conditions as provided in said act of March 2, 1881, for the territory of Dakota. The penitentiary at Deer Lodge City, Montana, and all lands connected therewith and set apart and reserved therefor, are hereby granted to the state of Montana.

Section 16. That ninety thousand acres of land, to be selected and located as provided in section 10 of this act, are hereby granted to each of said states, except to the state of South Dakota, to which one hundred and twenty thousand acres are granted, for the use and support of agricultural colleges in said states, as provided in the acts of congress making donations of lands for such purposes.

Section 17. That in lieu of the grant of land for purposes of internal improvement made to new states by the eighth section of the act of September 4, 1841, which act is hereby repealed as to the states provided for in this act, and in lieu of any claim or demand by the said states, or either of them, under the act of September 28, 1850, and section 2479 of the revised statutes, making a grant of swamp and overflowed lands to certain states, which grant it is hereby declared is not extended to the states provided for in this act, and in lieu of any grant of saline lands to said states, the following grants of land are hereby made, to-wit:

To the state of Washington: For the establishment and maintenance of a scientific school, 100,000 acres; for state normal school, 100,000 acres; for public buildings at the state capital, in addition to the grant heretofore made for that purpose, 100,000 acres; for state charitable, educational, penal and reformatory institutions, 300,000 acres.

That the states provided for in this act shall not be entitled to any further or other grants of land for any purpose than as expressly provided in this act. And the lands granted by this section shall be held, appropriated and disposed of exclusively for the purposes herein mentioned.

Section 18. That all mineral lands shall be exempted from the grants made by this act. But if sections sixteen and thirty-six, or any subdivision or portion of any smallest subdivision thereof in any township shall be found by the department of the interior to be mineral lands, said states are hereby authorized and empowered to select, in legal subdivisions, an equal quantity of other unappropriated lands in said states, in lieu thereof, for the use and the benefit of the common schools of said states.

Section 19. That all lands granted in quantity or as indemnity by this act shall be selected, under the direction of the secretary of the interior, from the surveyed, unsurveyed, and unappropriated public lands of the United States within the limits of the respective states entitled

thereto. And there shall be deducted from the number of acres of land donated by this act for specific objects to said states the number of acres in each heretofore donated by congress to said territories for similar objects.

Section 20. That the sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated, to each of said territories for defraying the expenses of the said conventions, except to Dakota, for which the sum of forty thousand dollars is so appropriated, twenty thousand dollars each for North Dakota and South Dakota, and for the payment of the members thereof, under the same rules and regulations, and at the same rates as are now provided by law for the payment of the territorial legislatures. Any money hereby appropriated not necessary for such purpose shall be covered into the treasury of the United States.

Section 21. That each of said states, when admitted as aforesaid, shall constitute one judicial district, the names thereof to be the same as the names of the states, respectively; and the circuit and district courts thereof shall be held at the capital of such state for the time being, and each of said districts shall, for judicial purposes, until otherwise provided, be attached to the eighth judicial circuit, except Washington and Montana, which shall be attached to the ninth judicial circuit. There shall be appointed for each of said districts one district judge, and one United States marshal. The judge of each of said districts shall receive a yearly salary of \$3500 a year, payable in four equal installments, on the first days of January, April, July and October of each year, and shall reside in the district. There shall be appointed clerks of said courts in each district, who shall keep their offices at the capital of said state. The regular terms of said courts shall be held in each district at the place aforesaid, on the first Monday in April and the first Monday in November of each year, and only one grand jury and one petit jury shall be summoned in both said circuit and district courts. The circuit and district courts for each of said districts, and the judges thereof, respectively, shall possess the same powers and jurisdiction, and perform the same duties required to be performed by the other circuit and district courts and the judges of the United States, and shall be governed by the same laws and regulations. The marshal, district attorney and clerks of the circuit and district court of each of said districts, and all the other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States; and shall, for the services they may perform, receive the fees and compensation allowed by law to other similar officers and persons performing similar duties in the state of Nebraska.

Section 22. That all cases of appeal or writ of error heretofore prosecuted and now pending in the supreme court of the United States upon any record from the supreme court of either of the territories mentioned in this act, or that may hereafter lawfully be prosecuted upon any record from either of said courts, may be heard and determined by said supreme court of the United States. And the mandate of execution or of further proceedings shall be directed by the supreme court of the United States to the circuit or district court hereby established within the state succeeding the territory from which such record is or may be pending, or to the supreme court of such state, as the nature of the case may require, provided, that the mandate of execution or of further proceedings shall, in cases arising in the territory of Dakota, directed by the supreme court of the United States to the circuit or district court of the district of North Dakota, or to the supreme court of the state of North Dakota, or to the supreme court of the territory of North Dakota, as the nature of the case may require.

Section 23. That in respect to all cases, proceedings and matters now pending in the supreme or district court of either of the territories mentioned in this act at the time of the admission into the Union of either of the states mentioned in this act, and arising within the limits of any such state, whereof the circuit or district courts by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the said circuit and district courts, respectively, shall be the successors of said supreme and district courts of said territory; and in respect to all other cases, proceedings and matters pending in the

supreme or district courts of any of the territories mentioned in this act at the time of the admission of such territory into the Union, arising within the limits of said proposed state, the courts established by such state shall, respectively, be the successors of said supreme and district territorial courts; and all the files, records, indictments and proceedings relating to any such cases, shall be transferred to such circuit, district and state courts, respectively, and the same shall be proceeded with therein in due course of law, but no writ, action, indictment, cause or proceeding now pending, or that prior to the admission of any of the states mentioned in this act, shall abate by the admission of any such state into the Union, but the same shall be transferred and proceeded with in the proper United States circuit, district or state court, as the case may be; Provided, however, that in all civil actions, causes and proceedings, in which the United States is not a party, transfers shall not be made to the circuit and district courts of the United States except upon written request of one of the parties to such action or proceeding filed in the proper court; and in the absence of such request, such cases shall be proceeded with in the proper state courts.

Section 24. That the constitutional conventions may, by ordinance, provide for the election of officers for full state governments, including members of the legislatures and representatives in the fifty-first congress; but said state governments shall remain in abeyance until the states shall be admitted into the Union, respectively, as provided in this act. In case the constitution of any of said proposed states shall be ratified by the people, but not otherwise, the legislature thereof may assemble, organize and elect two senators of the United States; and the governor and secretary of state of such proposed state shall certify the election of the senators and representatives in the manner required by law; and when such state is admitted into the Union, the senators and representatives shall be entitled to be admitted to seats in congress, and the officers of the state governments formed in pursuance of said constitutions, as provided by the constitutional conventions, shall proceed to exercise all the functions of such state officers; and all the laws in force made by said territories, at the time of their admission into the Union, shall be in force in said states, except as modified or changed by this act or by the constitutions of the states, respectively.

Section 25. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the legislature of said territories or by congress, are hereby repealed.

### Advertised Letter List.

The following letters remain unclaimed in the postoffice at Yakima City, Washington, March 1, 1889. In calling for the same please say "advertised":

Apping, Z E  
Bradshaw, Miss L  
Berroughs, Miss Cora  
Cahoon, Jacob  
Demorest, J F  
Dorothy, Miss Libby  
Harris, M  
Hubbard, John  
Huger, M J  
Moore, Sarah A  
Morrison, John  
MacLean, Alex  
Primm, L H  
Simcoe, J T  
Shannafelt, E A  
Tuft, J K  
Young, E J  
Woody, W W  
Waters, Guss

Akers, W N  
Burton, Wm  
Carter, Miss Elva  
Curry, Emel  
Dawers, G A  
Downs, John  
Herbert, J S  
Harrington, Wm  
Jonson, Karl  
Miller, A P  
Mills, George  
Morris, Miss M  
Reynolds, Miss M E  
Shanahan, W M  
St. Hillare, Rev  
Tucker, Miss S J  
Vinson, Samuel  
Williams, C T

### Obituary Notice.

He passed around the cheerful and comfortable looking apartment, and addressing the widow, he said: "Your husband's been dead over a year now?" "Yes," she answered, with a sigh, "over a year."

"I remember reading his obituary," he said, "and I thought it contained a misstatement of facts."

"Yes, it said he had gone to a better home. In my opinion it would be impossible for him to find a more cheerful, more comfortable, and, with you in it, a more charming and desirable home than this."

The widow smiled sweetly, then he was accepted.

—Remember that Ayer's Cherry Pectoral has no equal as a specific for colds, coughs, and all affections of the throat and lungs. For nearly half a century it has been in greater demand than any other remedy for pulmonary complaints. All druggists have it for sale.

AVOID APPEARANCE.—A worthy gentleman, having an unusually red nose, was long suspected of being a tippler on the sly, by those not well acquainted with his strictly temperate habits. His unfortunate disfigurement was readily cured by the use of Ayer's Sarsaparilla.

FOURTH GOSPEL, OR, MARCH 8.  
I have been troubled many years with weakness of the kidneys and have tried many different remedies, sought aid from different physicians and even changed changed climates to obtain relief, but have met with indifferent success. Hearing through a friend of the value of the Oregon Kidney Tea, I obtained a box of it and have derived more benefit from it than anything else I have yet found.

Sold by Allen & Chapman.