

# Crook County Journal

Oregon Historical Society  
City Hall

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PRINEVILLE, CROOK COUNTY, OREGON, THURSDAY, MAY 11, 1911.

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## County Court Proceedings.

### May Term.

Be it remembered that at a regular term of the County Court of the state of Oregon for Crook county, begun and held at the court house in Prineville, in said county and state, on Wednesday, the 3d day of May, 1911, the same being the first Wednesday in said month and the time fixed by law for holding a regular term of said court, when were present the following:

H. C. Ellis, judge, presiding, and Commissioners R. H. Bayley and James Rice; Warren Brown, county clerk; T. N. Ballour, sheriff. Whereupon on Wednesday, the 3d day of May, 1911, being the first judicial day of said term, the following, among other proceedings were had to-wit:

Amended plat of Newsom's addition to Prineville. Now on this day is presented to the court a plat showing dedication of streets in Newsom's several additions to Prineville, Oregon, and said plat having been approved by the common council of the city of Prineville, and by the county surveyor of this county, and the same being in compliance with the statute, said dedication is hereby accepted and ordered spread of record, and the county clerk is hereby requested to make proper notations and cross-reference marks on the old plat referred to in said plat and dedication herewith filed and approved.

Petition for right of way for Black Butte-Culver Telephone. And now is presented the petition of J. P. Hahn et al., asking that they be allowed to erect telephone poles along and upon the county roads where necessary to build said telephone system, within the following townships and ranges, to-wit: Township 12 S, range 13 E; Tp. 12 S, range 12 E; Tp. 13 S, range 11, all in Crook county, Oregon; said poles to be firmly planted and placed so as not to interfere with the use of said county roads for all purposes for which said roads are intended to be used; it is ordered that such permission be hereby given, provided, however, that said line be so constructed and maintained as not to interfere with any telephone or telegraph line now constructed along

said road; and provided further, that said line shall in nowise be constructed as to interfere with travel or the other proper use of said highway, and at all crossings its wires shall be at least 20 feet high in the clear.

Petition for county road by John W. Usher et al. It being represented to this court that the order heretofore made by this court in the matter of said road has not been complied with, it is ordered that the petitioners show cause at the July term hereof why said order heretofore entered in the matter of said road, should not be vacated and annulled.

Wrongful assessment of Frank J. Stroud. It appearing to the court by the affidavit of J. Frank Stroud, that he had been wrongfully assessed for the year 1910, for the sum of \$8.49 and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$63, it is ordered that the county clerk of Crook county, credit the sheriff on said tax roll of the year 1910, with said \$8.49, the same being the amount of said wrongful assessment.

Wrongful assessment of E. F. Batten. It appearing to the court by the affidavit of E. F. Batten that he had been wrongfully assessed for the year 1910, for the sum of \$28.75 and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$63.50, it is ordered that the county clerk of Crook county, credit the sheriff on said tax roll of the year 1910, with said \$28.75, the same being the amount of said wrongful assessment.

Wrongful assessment of Elva J. Smith. It appearing to the court by the affidavit of Elva J. Smith that she had been wrongfully assessed for the year 1910, for the sum of \$9.36, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of her taxes, to-wit, \$25.30, it is ordered that the county clerk of Crook county credit the sheriff on said tax roll of the year 1910, with said \$9.36, the same being the amount of said wrongful assessment.

Wrongful assessment of Frank Basl. It appearing to the court by the affidavit of Frank Basl that he had been wrongfully assessed for the year 1910 for the sum of \$2.99, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$21.55, it is ordered that the county clerk of Crook county credit the sheriff on said tax roll of the year 1910, with said \$2.99, the same being the amount of said wrongful assessment.

Wrongful assessment of L. B. Baird. It appearing to the court by the affidavit of L. B. Baird that he had been wrongfully assessed for the year 1910 for the sum of \$23.95, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$62.55, it is ordered that the county clerk of Crook county credit the sheriff on said tax roll of the year 1910, with said \$23.95, the same being the amount of said wrongful assessment.

Wrongful assessment of John E. Fryrear. It appearing to the court by the affidavit of John E. Fryrear that he had been wrongfully assessed for the year 1910 for the sum of \$3.22, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$21.39, it is ordered that the county clerk of Crook county credit the sheriff on said tax roll of the year 1910 with said \$3.22, the same being the amount of said wrongful assessment.

Wrongful assessment of Dan Greenhalgh. It appearing to the court by the affidavit of Dan Greenhalgh that he had been wrongfully assessed for the year 1910 for the sum of \$33.28, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$61.30, it is ordered that the county clerk of Crook county credit the sheriff on said tax roll of the year 1910 with said \$33.28, the same being the amount of said wrongful assessment.

Wrongful assessment of John Bloss. It appearing to the court by the affidavit of John Bloss that he had been wrongfully assessed for the year 1910 for the sum of \$17, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$77.36, it is ordered that the county clerk of Crook county credit the sheriff on said 1910 tax roll with said \$17, the same being the amount of said wrongful assessment.

Wrongful assessment of John Faulkner. It appearing to the court by the affidavit of John T. Faulkner, that he had been wrongfully assessed for the year 1910, for the sum of \$2.01, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$99.44, it is ordered that the county clerk of Crook county credit the sheriff on said tax roll of the year 1910 with said \$2.01, the same being the amount of said wrongful assessment.

Wrongful assessment of Guy Lafollette. It appearing to the court by the affidavit of Guy Lafollette, that he had been wrongfully assessed for the year 1910 for the sum of \$5.28, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$9.88, it is ordered that the county clerk of Crook county credit the sheriff on said 1910 tax roll with said \$5.28, the same being the amount of said wrongful assessment.

Wrongful assessment of C. H. Foster. It appearing to the court by the affidavit of C. H. Foster, that he had been wrongfully assessed for the year 1910 for the sum of \$5.28, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$9.88, it is ordered that the county clerk of Crook county credit the sheriff on said 1910 tax roll with said \$5.28, the same being the amount of said wrongful assessment.

Wrongful assessment of John E. Fryrear. It appearing to the court by the affidavit of John E. Fryrear that he had been wrongfully assessed for the year 1910 for the sum of \$3.22, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$21.39, it is ordered that the county clerk of Crook county credit the sheriff on said tax roll of the year 1910 with said \$3.22, the same being the amount of said wrongful assessment.

Wrongful assessment of Dan Greenhalgh. It appearing to the court by the affidavit of Dan Greenhalgh that he had been wrongfully assessed for the year 1910 for the sum of \$33.28, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$61.30, it is ordered that the county clerk of Crook county credit the sheriff on said tax roll of the year 1910 with said \$33.28, the same being the amount of said wrongful assessment.

Wrongful assessment of John Bloss. It appearing to the court by the affidavit of John Bloss that he had been wrongfully assessed for the year 1910 for the sum of \$17, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$77.36, it is ordered that the county clerk of Crook county credit the sheriff on said 1910 tax roll with said \$17, the same being the amount of said wrongful assessment.

Wrongful assessment of John Faulkner. It appearing to the court by the affidavit of John T. Faulkner, that he had been wrongfully assessed for the year 1910, for the sum of \$2.01, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$99.44, it is ordered that the county clerk of Crook county credit the sheriff on said tax roll of the year 1910 with said \$2.01, the same being the amount of said wrongful assessment.

Wrongful assessment of Guy Lafollette. It appearing to the court by the affidavit of Guy Lafollette, that he had been wrongfully assessed for the year 1910 for the sum of \$5.28, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$9.88, it is ordered that the county clerk of Crook county credit the sheriff on said 1910 tax roll with said \$5.28, the same being the amount of said wrongful assessment.

Wrongful assessment of C. H. Foster. It appearing to the court by the affidavit of C. H. Foster, that he had been wrongfully assessed for the year 1910 for the sum of \$5.28, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$9.88, it is ordered that the county clerk of Crook county credit the sheriff on said 1910 tax roll with said \$5.28, the same being the amount of said wrongful assessment.

by the affidavit of Guy Lafollette, that he had been wrongfully assessed for the year 1910 for the sum of \$5.28, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$9.88, it is ordered that the county clerk of Crook county credit the sheriff on said 1910 tax roll with said \$5.28, the same being the amount of said wrongful assessment.

Wrongful assessment of A. L. French. It appearing to the court by affidavit of A. L. French that he had been wrongfully assessed for the year 1910 for the sum of \$88.63, the total amount of his tax, he not being a resident of or owning any property in Crook county on the 1st of March, 1910, and therefore not being subject to any taxes, and that the sheriff, under the provisions of the statute, has remitted the same, it is ordered that the county clerk credit the sheriff on the 1910 tax roll with said \$88.63, the same being the amount of said wrongful assessment.

Wrongful assessment of Ole Erickson. It appearing to the court by the affidavit of Ole Erickson that he had been wrongfully assessed for the year 1910 for the sum of \$2.48, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$92.77. It is ordered that the county clerk credit the sheriff on the 1910 tax roll with said \$2.48, the same being the amount of said wrongful assessment.

Wrongful assessment of James McElroy. It appearing to the court by the affidavit of James McElroy, that he had been wrongfully assessed for the year 1910 for the sum of \$13.45, and that the sheriff, under the provisions of the statute, has remitted the same from the total of his taxes, to-wit, \$15.55. It is ordered that the county clerk credit the sheriff on the 1910 tax roll with said \$13.45, the same being the amount of said wrongful assessment.

Wrongful assessment of Jennie Sellers. It appearing to the court by the affidavit of Jennie Sellers that she had been wrongfully assessed for the year 1910 for the sum of \$22.77, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of her taxes, to-wit, \$69.67, it is ordered that the county clerk credit the sheriff on the 1910 tax roll with said \$22.77, the same being the amount of said wrongful assessment.

Wrongful assessment of C. H. Foster. It appearing to the court by the affidavit of C. H. Foster, that he had been wrongfully assessed for the year 1910 for the sum of \$5.28, and that the sheriff, under the provisions of the statute, has remitted the same from the total amount of his taxes, to-wit, \$9.88, it is ordered that the county clerk of Crook county credit the sheriff on said 1910 tax roll with said \$5.28, the same being the amount of said wrongful assessment.

Upon the application of Geo. Good, showing payment, by mistake, upon 160 acres of land which the said Geo. Good did not nor never has owned and upon the certificate of the sheriff of Crook county, showing that the said Good has paid taxes upon said property to the amount of \$25.74, less 3 per cent discount, equaling \$24, it is therefore ordered that the county clerk draw a warrant on the general fund for \$24 to the order of said Geo. Good.

Wrongful assessment of S. A. Logan. Upon the application of F. C. Logan, agent of S. A. Logan, showing payment by mistake, upon 160 acres of land which the said S. A. Logan did not nor never has owned and upon the certificate of the sheriff of Crook county, showing that the said Logan has paid taxes upon said property to the amount of \$5.12 it is therefore ordered that the county clerk draw a warrant on the general fund for \$5.12 to the order of said Logan.

Petition for liquor license by G. W. Reper. And now is presented to the court the application and petition of G. W. Reper, signed by 32 voters, asking for a liquor license in Ireland precinct for a period of six months, and it appearing to the court that said petitioner has filed a bond here-in in the penal sum of \$1000, with J. A. Silvertooth and F. W. Stafford as sureties; that applicant has filed an affidavit showing his qualifications; that there were nineteen votes cast within said Ireland precinct at the last general election as shown by the certificate of the county clerk; it is therefore ordered that license issue to the said G. W. Reper for the period of six months, beginning May 1, 1911, provided said applicant files with this court forthwith the receipt of the county treasurer, showing payment of \$200.

Viewers' report on C. J. Sundquist et al road. Viewers' report read in open court for second time. This road being in the nature of a private change, it is ordered that the old and present traveled road be not closed until the road hereby allowed is opened at the expense of petitioners in a manner satisfactory to the local road supervisor, who is hereby requested to report to this court when same is satisfactorily put in

## Lewis McCallister Killed at Howard.

Lewis McCallister, one of the pioneers of Crook county and a well known mining man and prospector of the Ochoco mineral belt, was shot and almost instantly killed Tuesday morning at the mines by Ernest Robinson after a quarrel between the two and a false move on McCallister's part as if to draw a gun. The victim died a few minutes later.

The first intimation of the homicide was a wire from Howard to Coroner Hyde, Robinson telling him that Lew McCallister had been killed by him and to come and get the body. The coroner left immediately for the scene of the shooting, 25 miles east of Prineville, where he empaneled a jury and held an inquest, the result of which was a verdict of justifiable homicide. The verdict reads:

We, the jurors in the killing of Lewis McCallister by Ernest Robinson, find the defendant acted in self-defense to the best of our knowledge.

R. E. JONES,  
A. NICHOLS,  
J. W. RITTER,  
GEO. ZACHARY,  
J. C. GOLDBACH,  
HENRY POCH.

Robinson, the slayer, gave himself up to the authorities and was brought to this city by Deputy Sheriff John Edwards and lodged in the county jail, where

he now lies awaiting his hearing. McCallister was working in a ditch at the time the trouble began and did not notice the approach of Robinson and his sister. After some talking it was testified that McCallister threw his shovel at Robinson and then moved his hand toward his hip pocket. This was where the first shot was fired that entered the right forearm. The second shot passed through his lungs. McCallister then crossed to the opposite side of the ditch, away from his assailant, and fell or rolled down hill. The ditch he was working in was 24 or three feet deep. No weapons were found on his person.

Coroner Hyde was accompanied by Deputy Sheriff Edwards, County Physician Rosenberg, and Deputy Prosecuting Attorney Sanborn. Mr. Sanborn was not satisfied with the findings of the coroner's jury and ordered the arrest of Robinson.

A brother, George McCallister who lives at Sisters, is in the city to attend the funeral and to see that his brother's untimely and tragic death receives the fullest investigation by the state authorities.

The funeral took place from the Union church today at 2:30 p. m., when a large concourse followed the remains to their last resting place.

condition for public travel.

Viewers' report on the J. L. Windom et al road. Viewers' report read second time in open court and approved. Road declared a public highway and clerk is directed to notify local supervisor, or supervisors, to request petitioners to donate at least one day's labor each in the opening of said road and fences across the same, if any, and that the said supervisor or supervisors, complete the work and opening of said road as soon as he or they shall have sufficient funds in their hands therefor.

Viewers' report on the J. E. Roberts' et al road. Viewers' report read second time in open court and approved. Road declared a public highway and clerk directed to notify local supervisor, or supervisors, to request petitioners to donate at least one day's labor each in opening said road and fences across the same, if any, and that the said supervisor or supervisors, complete the work and opening of said road as soon as he or they shall have sufficient funds in their hands therefor.

Viewers' report on Geo P. Elliott et al road. Viewers' report read second time in open court and approved. Road declared a public highway and clerk directed to notify local supervisor, or supervisors, to request petitioners to donate at least one day's labor each in opening said road and fences across the same, if any, and that the said supervisor or supervisors, complete the work and opening of said road as soon as he or they shall have sufficient funds in their hands therefor.

Viewers' report on C. M. Redfield et al road. Viewers' report read second time in open court and approved. Road declared a public highway and clerk directed to notify local supervisor, or supervisors, to request petitioners to donate at least one day's labor each in opening of said road and fences across the same, if any, and that the said supervisor or supervisors, complete the work and opening of said road as soon as he or they shall have sufficient funds in their hands therefor.

Viewers' report on the Guy E. Dobson et al road. Viewers' report read second time in open court and approved. Road declared a public highway and clerk directed to notify local supervisor, or supervisors, to request petitioners to donate at least one day's labor each in opening of said road and fences across the same, if any, and that the said supervisor or supervisors, complete the work and opening of said road as soon as he or they shall have sufficient funds in their hands therefor.

Viewers' report on T. W. Taylor et al road. Viewers' report read second time in open court and proposed road disallowed. Clerk to notify bondsmen of cost and request immediate payment thereof.

Petition for county road by C. C. McNeely et al. And now is presented to the court the petition of C. C. McNeely et al for a county road, accompanied by a bond in the sum of \$100, with C. C. McNeely and C. W. Elkins as surety, and it further ap-

pearing by the opinion of the district attorney herein that all papers are regular and in accordance with the statute, it is ordered that the board of road viewers meet at the beginning of said proposed road on the 29th day of June, 1911, view, review and survey said proposed road and report thereon at the next term of this court.

Petition for county road by R. E. Jordan et al. And now is presented to the court the petition of R. E. Jordan et al for a county road, accompanied by a bond in the sum of \$200, with Jacob N. Quiberg and William Boeghl as surety, and it further appearing by the opinion of district attorney herein that all papers are regular and in accordance with the statute, it is ordered that the board of road viewers meet at the beginning of said proposed road on the 23d day of May, 1911, view, review and survey said proposed road and report thereon at the next term of this court.

Petition for voting precinct by Hillman voting precinct. And now is presented to this court the petition of E. A. Cleland and 25 others, requesting the creation of a new voting precinct, and the same is hereby continued to the July term of this court for further action.

Funds for payment of scalp bounty. It appearing to the court that upwards of \$3000 scalp bounty is now past due and it is estimated that it will take \$2000 additional to pay said bounties between now and July 1, 1911, it is therefore ordered that the clerk draw a warrant on the general fund for \$5000, payable to "Scalp bounty fund, Ralph Jordan, county treasurer."

In the matter of fencing county roads. The county clerk is directed to notify the road supervisor of Hardin district to see that no county roads are obstructed by fences in his district, and that the fences now across county roads are forthwith removed.

The county clerk is to notify road supervisor of Lamonta district to see that no county roads are obstructed by fences or otherwise, and to cause all fences now upon or across county roads in his district to be removed forthwith.

Petition for establishing and maintaining a water system for Vanora. Now, on this day is presented to the court the petition of the Vanora Townsite Co., asking that a water system be established and maintained in the unincorporated town of Vanora, Crook county, Oregon, and leave is hereby given to the said Vanora Townsite Co., its successors and assigns, to locate, establish and maintain therein and thereon, all necessary mains, pipes, conduits, hydrants and connections necessary or convenient for furnishing the public, within the unincorporated town of Vanora, with water for domestic use, irrigation, fire and other purposes, provided said system is installed and maintained without obstructing or rendering dangerous, or interfering with, the public use of the streets or alleys, and provided, further, that said guarantees save harmless Crook county from all loss

Continued on last page.

## BOYS' CLOTHING.

Special this month at 1-4 reduction. With this price you are assured of the greatest values ever given here for the money.

Oxford pumps and other footwear for the summer style. Best styles shown this season. Your trade in this department invited.



## No Well Too Deep for This Farm Pump Engine

No Weather Cold Enough to Freeze It—No Hours Too Long for It to Work

At last we have found a pump engine that serves all the needs of the farmer and does it in the best possible manner. We investigated a score or more different makes and designs of portable engines to find the one best suited for our customers. We selected the Fuller & Johnson Farm Pump Engine. It is the most wonderful portable engine made.

400 to 1,000 Gallons Per Hour. Think of it! All the fresh water you want at any time or any place. Works in any well, regardless of depth. This farm pump engine completely solves the perplexing problem of water supply for the farm in winter as well as summer. Pumps all the water needed for the house, dairy, barn, feed lot and pasture in a few hours. Costs less to operate than a tank heater and eliminates all boiler and trouble.

## FULLER & JOHNSON Farm Pump Engine

Plenty of Power for Complete Water System



Just the thing for volume pump, pressure pump or tank system. Affords ample power for small Electric Lighting Plant.

Works ditch pump and spraying outfits perfectly. Handiest Little Worker on the Farm. Ensuring a reliable water supply for the farm is but one of the ways the Farm Pump Engine proves its superiority. It has pulley for running any kind of hand or foot power machinery. It helps the women folks in the dairy and laundry. Runs the grindstone, feed mill, fanning mill, etc. for the men. Does the work of two extra hired men.

See the Little Wonder at Work. You have read all about this engine in your Farm Papers but you cannot fully realize what a wonderful little worker it is until you see it in action. We show it at our exhibition rooms, doing exactly the kind of work you would expect it to do on your farm. Bring in the whole family and look it over. It is worth a special trip to town. Be sure and come in.

## New W. B. Nuform Corsets.

Long waist - - - \$1.25

Extra long waist - - - 1.50

Extra long waist - - - 2.00

This is the corset you see advertised in the Portland dailies by the Department Stores, at prices higher than ours. Buy at home and save money.

## The Reed Shirtwaist.

New this Week. Stands among

Shirtwaists as Silk does to Chambray. Finish, Style, Durability,

make it easily the best value for

the money that can be shown.

Sizes 32 to 46. If you are not

acquainted with the Reed Shirt

Waist, we solicit your inspection.

Red Cross Corset Waists.

For Misses, 65c. All sizes.

# Collins W. Elkins.

Prineville, Oregon.