

The Semi-Weekly Democrat

WM. H. HORNIBROOK, Editor and Publisher

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FRIDAY, AUGUST 1, 1913.

A RICH MAN'S COURT.

"The appellate courts of the United are absolutely closed to the poor litigant by reason of the excessive and unreasonable clerk's fees required. The fees required are absolutely prohibitive for a litigant in humble circumstances."

The above statement was yesterday made by a prominent Portland Attorney who has recently been retained to assume charge of more than twenty appeals from the United States district court to the circuit court of appeals.

Assuming that the statement of the Portland lawyer is correct, and thus far it has not been disputed, the circuit court of appeals has become a rich man's court. It is no longer a court of justice. It has become a court of justice. Its doors are closed to the litigant in humble circumstances and cry those who are fortunate enough to possess wealth may ask for relief from its judges.

The truly an unfortunate condition of affairs. It brings us back to the days of the cliff dwellers when night was right and makes a veritable laughing stock of justice. A proper respect for the courts demands that their doors remain open at all times to the rich and poor alike. The dollar sign has no place in the courts and should not be made a condition precedent to obtaining relief through the medium of the circuit court of appeals.

The assertion of the Portland attorney should be made the subject of an investigation by the Oregon State Bar association and an effort made to correct the abuses complained of by both lawyers and litigants.

ALWAYS IN BLOOM.

Traveling salesman who cover the Pacific Coast are unanimous in the opinion that Albany is the best town of its size in the west. At no point on the coast is there more building activity, more optimism, or more substantial growth than in the Hub City. There is no "boom" and has been no era of inflated values. Our citizens are conservative but at the same time progressive. While other towns blossom and bloom for a time, Albany blooms always.

A DIPLOMATIC TANGLE.

That the administration has a well defined policy in relation to recent developments in Mexican territory is indicated by the demands yesterday made upon the Huerta government.

Through Secretary of State Bryan the United States demands not only the prompt arrest, confinement and punishment of the Mexican federal soldiers who shot Charles Dixon, an American immigration officer at Juarez, but the immediate release of two mining engineers who are imprisoned in a federal penitentiary and threatened with execution.

Not since the retirement of Diaz has the Mexican situation reached a more critical stage than it has during the past week. The assassination of an American official in a foreign country is a serious matter and one which the administration does not propose to overlook or condone. The Mexican government is now facing Uncle Sam and that gentleman is in no frame of mind to permit these insults to continue. The matter will first be taken up through the regular diplomatic channels and unless exact justice is dealt out to the guilty federal soldiers, the government will be forced to resort to more effective methods in dealing with this perplexing problem.

HOW EMMA IRRITATES SALLIE

George Fitch, writing about "Homeburg's Two Four-Hundredths" in the August American Magazine, satirizes those in a small town who "on an air" line of two families in Homeburg which feel superior is the Singer family. But Emma Madigan, who drives the milk route, is not particularly impressed with Sallie Singer, as the following extract shows:

"Emma Madigan weighs two hundred pounds and drives a milk route. She went to high school with Sallie Singer, and it is the joy of her life to poke her head into the Singer home when Sallie has company and yell, 'Sall, here's yer milk!' But Sallie never tries to refrigerate her with the Spitzbergen glare which she uses on us collectively when she goes to the theater. You couldn't possibly refrigerate Emma, but you might encourage her to say more—like the time when Sarah Payley passed her on the street without speaking, being busily treading the upper altitudes with a young Princeton College visitor, and Em yelled back, 'For goodness sake, Sarey, if you didn't lace so tight you could get your chin down and see somebody.'"

HIS MASTER'S VOICE

According to an interview given out to a Denver newspaper by Congressman Hawley, the Mulhall charges do not appear to him to be intensely grave. "As far as the insidious lobbyists are concerned," said the Oregon congressman, "I have been in congress seven years and never have I been approached by a lobbyist."

The Democrat has no reason to dispute the claim that Mr. Hawley has not been approached by a lobbyist during his seven years tenure of office. In fact the Democrat would be surprised if he had been approached.

Congressman Hawley has always been regular. He has been a cog in the Cannon legislative mill which has been grinding out legislation on behalf of the tariff protected trusts ever since the advent of Tom Reed in the political circles of Washington. He has been a small man in big and powerful company. It has not been within his province to lead or to direct affairs at the national capital. It has been his duty and his privilege to accept orders from his chief and in return therefor has secured the backing of the congressional committee in his campaigns for re-election. He is a private in the rear rank, never having merited promotion to the rank of corporal in the army of privilege. He seldom enters into the debates but invariably votes "right," and when he does talk, he talks "right" from the organization standpoint.

No, the National Association of Manufacturers never sent a lobbyist interview Congressman Hawley. It wasn't necessary. He has always been right on the tariff and that association and its backers were solely interested in excessive duties and long profits. Even had he left the reservation for a time and voted for a reduction in any schedules of the tariff bill, no lobbyist would ever darken the door of his apartments. Lobbyists take the shortest line to a given point and the line taken is always through the organization of which Hawley is, and has always been, a part. One thing which can always be said of Hawley and that is that he knows how to take orders. In this line of human endeavor he has had more than a little experience and far be it from him to dispute the right of the party leader to monopolize his brain when it comes to a question of moment to the party.

When W. C. Hawley became a Republican, he promised to love, cherish and obey the organization. History will record that he has always been faithful to his vow.

PERSONAL MENTION.

Mr. and Mrs. William McMillan of Berkeley, California, are guests at the home of George H. Crowell, West Fifth street. They are returning from a trip to Seattle.

President H. M. Crooks left on the morning train for a two days' stay in Portland.

Mr. and Mrs. F. H. Pfeiffer and daughter left yesterday for Cascadia where they will enjoy a few weeks outing.

Miss Amelia Zuhlendorf was operated upon yesterday for appendicitis at St. Mary's hospital by Dr. Davis. She is getting along nicely.

Miss Emma Croson will return today from a trip to Portland.

Miss Flora Mason and Miss Fannie Stokes are enjoying an outing at Detroit.

Mrs. Foley who has been a guest at the home of L. C. Marshall, has returned to her home in Lebanon.

News on this Page is From Daily Issue of TUESDAY, JULY 29.

George Fitch, writing about "Homeburg's Two Four-Hundredths" in the August American Magazine, satirizes those in a small town who "on an air" line of two families in Homeburg which feel superior is the Singer family. But Emma Madigan, who drives the milk route, is not particularly impressed with Sallie Singer, as the following extract shows:

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The assertion of the Portland attorney should be made the subject of an investigation by the Oregon State Bar association and an effort made to correct the abuses complained of by both lawyers and litigants.

Administrator's Notice.

To all the creditors of the estate of Chloe Huber, deceased: You and each of you are hereby notified that the undersigned has been duly appointed administrator of the estate of Chloe Huber, deceased, by the county court of Linn County, Oregon; therefore, all persons having claims against said estate are hereby notified to present the same with the proper vouchers within six months from the date hereof to the undersigned at his residence at near Jordan in Linn county, Oregon.

Dated this 25 day of July, 1913.
PETER R. BILYEU,
Administrator of the estate of Chloe Huber, deceased.
W. R. BILYEU,
Attorney for Administrator.
July 25-A 1-8-15-22-29

STATEMENT

of the First National Bank of Albany, County of Linn, State of Oregon, showing the amount standing to the credit of every depositor July 1st 1913, who has not made a deposit, or who has not withdrawn any part of his deposit, principal or interest, for a period of more than seven (7) years immediately prior to said date, with the name, last known place of residence or postoffice address of such depositor, and the fact of his death, if known.

Name of Depositor	Amount
John Dasher	\$ 2.25
C. F. Goin	12.35
A. B. Huddleston	25.61
Chas. Miller	6.60
Fred R. White	6.26

STATE OF OREGON,)
County of Linn) ss
I, O. A. ARCHIBALD, being first duly sworn, depose and say upon oath, that I am the cashier of the First National Bank of Albany, County of Linn, State of Oregon; that the foregoing statement is a full, true, correct and complete statement, showing the name, last known residence or postoffice address, fact of death, if known, and the amount to the credit of each depositor as required by the provisions of Chapter 148, of the General Laws of Oregon, 1907.

O. A. ARCHIBALD,
Subscribed and sworn to before me this 10 day of July, A. D. 1913.
(SEAL) PAULINE BURCH,
Notary Public for Oregon.
w-725-1-8-15

SUMMONS.

In the Circuit Court of the State of Oregon for Linn County.
C. H. Cummings, Plaintiff,
vs.

John D. Walton, and also all other persons and parties unknown claiming any right, title, estate, lien or interest in the real estate described in the complaint herein, Defendants.

To John D. Walton, and also all other persons or parties unknown claiming any right, title, estate, lien or interest in the real estate described in the complaint herein:

In the name of the state of Oregon: You are hereby notified that C. H. Cummings, the plaintiff herein, is the holder of certificate of delinquency number 31, issued by the Sheriff of Linn County, Oregon, on the 7th day of December, 1908, for the sum of \$174, the same being the amount then due and delinquent for the taxes for the year 1907, together with penalty, interest and costs thereon, upon real property situated in Linn County, Oregon, which is assessed to J. D. Walton, and of which the defendant John D. Walton is the owner of the legal title as appears of record, and which is particularly described as follows, to-wit: The North half of the Southwest quarter of Section Thirty-two (32), Township Thirteen (13) South, Range Four (4) East of Willamette Meridian, Linn County, Oregon.

You are further notified that the plaintiff has paid taxes on said premises for subsequent years as follows, all of which payments, together with the certificate of delinquency, bear interest at the rate of fifteen per cent per annum from the date of the several payments:

Yrs.	Date Paid.	Amt.	Rate of Interest
1908	Mar. 23, 1909	\$3.40	15 per cent.
1909	Mar. 24, 1910	\$2.80	15 per cent.
1910	Mar. 22, 1911	\$6.55	15 per cent.
1911	Mar. 23, 1912	\$7.28	15 per cent.
1912	May 15, 1913	\$8.25	15 per cent.

Total amount paid since the issuance of the certificate of delinquency, \$28.37.

You are hereby further notified that the plaintiff will apply to the Circuit Court of the county and State aforesaid for a decree foreclosing the lien against the property above described and included in said certificate of delinquency; and you are hereby summoned to appear within sixty days after the date of the first publication of this summons, exclusive of the day of the first publication, and defend this action or pay the amount due as above shown, together with costs and accrued interest; and in case of your failure to do so a decree will be rendered foreclosing the lien of said taxes and costs against the land and premises above described.

This summons is published by order of the Honorable P. R. Kelly, Judge of the Circuit Court of the State of Oregon in and for Linn County, which said order was made and dated June 16, 1913, and which requires that this summons be published once each week for nine consecutive weeks. The date of the first publication of this summons is June 20, 1913.

All process and papers in this proceeding may be served upon Gale S. Hill, residing within the State of Oregon at the address hereinafter mentioned.

GALE S. HILL,
District Attorney.
Address: Albany, Oregon.
W. P. Jun 22-27, Jul 4-11-18-25 Aug 1-8-15-22

SUMMONS.

In the Circuit Court of the State of Oregon for Linn County.
C. H. Cummings, Plaintiff,
vs.

W. C. Stearns, and also all other persons or parties unknown claiming any right, title, estate, lien or interest in the real estate described in the complaint herein, Defendants.

To W. C. Stearns, and also all other persons or parties unknown claiming any right, title, estate, lien or interest in the real estate described in the complaint herein:

In the name of the State of Oregon: You are hereby notified that C. H. Cummings, the plaintiff herein, is the holder of certificate of delinquency number 116, issued by the Sheriff of Linn County, Oregon, on the 7th day of December, 1908, for the sum of \$321, the same being the amount then due and delinquent for the taxes for the year 1907, together with penalty, interest and costs thereon, upon real property situated in Linn County, Oregon, which is assessed to the defendant W. C. Stearns and of which he is the owner of the legal title as appears of record, and which is particularly described as follows, to-wit: The Southeast quarter of the Southeast quarter of Section Four (4), in Township Eleven (11) South of Range Seven (7) East of Willamette Meridian, in Linn County, Oregon.

You are further notified that the plaintiff has paid taxes on said premises for subsequent years as follows, all of which payments, together with the certificate of delinquency, bear interest at the rate of fifteen per cent per annum from the date of the several payments:

Yrs.	Date Paid.	Amt.	Rate of Interest
1908	Mar. 23, 1909	\$4.95	15 per cent.
1909	Mar. 24, 1910	\$5.24	15 per cent.
1910	Mar. 22, 1911	\$6.21	15 per cent.
1911	Mar. 23, 1912	\$5.82	15 per cent.
1912	May 15, 1913	\$6.40	15 per cent.

Total amount paid since the issuance of the certificate of delinquency, \$28.62.

You are hereby further notified that the plaintiff will apply to the Circuit Court of the County and State aforesaid for a decree foreclosing the lien against the property above described and included in said certificate of delinquency; and you are hereby summoned to appear within sixty days after the date of the first publication of this summons, exclusive of the day of the first publication, and defend this action or pay the amount due as above shown, together with costs and accrued interest; and in case of your failure to do so a decree will be rendered foreclosing the lien of said taxes and costs against the land and premises above described.

This summons is published by order of the Honorable P. R. Kelly, Judge of the Circuit Court of the State of Oregon in and for Linn County, which said order was made and dated June 16, 1913, and which requires that this summons be published once each week for nine consecutive weeks. The date of the first publication of this summons is June 20, 1913.

All process and papers in this proceeding may be served upon Gale S. Hill, residing within the State of Oregon at the address hereinafter mentioned.

GALE S. HILL,
District Attorney.
Address: Albany, Oregon.
W. P. Jun 22-27, Jul 4-11-18-25 Aug 1-8-15-22

Application to Register Title.

In the Circuit Court of the State of Oregon for the County of Linn.

In the matter of the application of William Bogue, to register the title to the following described premises, to-wit:

Beginning at a point in the center of the County Road leading from Corvallis to Kendall's Bridge, said point being West 1104 chains and S. 45 degrees E. 280 chains distant from the N. E. corner of the Donation Land Claim of Joseph Robnett and wife, Not. No. 2007, Claim No. 51, in Tp. 12, S. R. 4 W. Willamette Meridian, Linn County, Oregon; said claim corner being also the S.W. corner of the Claim No. 39 in said Tp. and R.; thence S. 45 degrees E. 27.10 chains along the center of said Road—thence S. 36 degrees W. 36.31 chains to the center of Muddy Creek, thence down the center of said creek to the South boundary line of said Claim No. 51, thence N. 53 degrees 15 minutes W. 10.71 chains to the S. W. corner of said Claim, thence following the meander line of the Willamette River down stream in a North-Westerly direction to a point which is S. 54 degrees W. 45.80 chains distant from the point of beginning, thence N. 54 degrees E. 45.80 chains to the point of beginning, containing 16400 acres. Applicant and Plaintiff.

Charles Commons, and "All Whom It May Concern," Defendants.

To All Whom It May Concern: Take Notice, that on the 3rd day of July, A. D. 1913, an application was filed by William Bogue in the Circuit Court of the State of Oregon, for Linn County, for initial registration of the title to the land above described. Now, unless you appear on or before the 8th day of August, A. D. 1913, and show cause why such application should not be granted, the same will be taken as confessed, and a decree will be entered according to the prayer of the application, and you will be forever barred from disputing the same.

Witness my hand and the seal of the said Circuit Court, this 3rd day of July, A. D. 1913.

W. L. MARKS,
County Clerk and ex-officio Clerk of the Circuit Court of Linn County, Oregon.
(SEAL) J. E. YATES,
Applicant's Attorney.
July 18-25-A1-8

MANY NEW NAMES ADDED TO MOOSE LODGE ROLL

140 Applications Received During Past Two Months; Banquet Will Be Tendered.

Tomorrow night the whirlwind campaign for new members of the Loyal Order of Moose will come to a close after one of the most aggressive efforts ever made in Albany for new members.

According to a statement made this morning by Dictator I. R. Schultz, nearly 140 new names have been added to the membership roll as a result of the campaign.

Two months ago the lodge was divided into two sides for the purpose of conducting a membership contest. The one receiving the least number of new members will be compelled to tender a banquet to the winning side.

Administrator's Notice.

Notice is hereby given that the undersigned has this day filed his final account as Administrator of the estate of Nancy Muehlenhoff, deceased, and the County Court of Linn County, Oregon, has fixed Saturday, the 30th day of August, 1913, at the hour of one o'clock p. m. for the settlement of said account and the hearing of objections thereto. Any and all persons having objections to said account are hereby notified and required to be present in the above entitled court at said time and present such objections as they may have to said account.

Dated July 29th, 1913.
LLOYD G. ANDERSON,
Administrator of the Estate of Nancy Muehlenhoff, Deceased.
GALE S. HILL,
Attorney for Administrator.
Aug. 1-8-15-22-29

SUMMONS.

In the circuit Court of the State of Oregon, for the County of Linn.

Mary E. Wilson and G. W. Wilson, her husband, F. B. Powell, and S. M. Powell, Plaintiffs,

vs.
Martha Marrs and John Marrs, her husband, Horace M. Propst and Jane Doe Propst, his wife, Alvis L. Propst, his wife, and Mary Roe Propst, his wife, Nina P. Propst and Dale D. Propst, Defendants.

To Horace M. Propst, Jane Doe Propst, Alvis L. Propst and Mary Roe Propst, four of the above named defendants and all persons unknown having or claiming an interest or estate in the property described in plaintiff's complaint:

In the name of the state of Oregon, You are hereby required to appear and answer the complaint of the above named plaintiffs on file with the clerk of the above entitled court on or before the 1st day of August, 1913, same being the date of the last publication of this summons as prescribed by order thereof duly made in the cause herein by the Honorable Percy R. Kelly, Judge of the Circuit Court of the State of Oregon, for the County of Linn, and you are hereby notified that if you fail to appear and answer said complaint as herein required, the plaintiffs will apply to the court for the relief demanded in plaintiff's complaint on file herein; for a decree that the plaintiffs, Mary E. Wilson, F. B. Powell and S. M. Powell and the defendants, Martha Marrs, Horace M. Propst, Alvis L. Propst, Nina P. Propst and Dale D. Propst, are the owners in fee simple of the following described real property, to-wit:

Beginning at a point that is five chains west of the northeast corner of the Donation Land Claim of Samuel Simpson Not. No. 1862, in Township No. 11, South, Range No. 1 West of the Willamette Meridian, Oregon, same being the northeast corner of the tract of land heretofore set apart to Rebecca Powell by decree of the Circuit Court of the State of Oregon for Linn County, made and entered on the 16th day of November, 1904, and running from thence west 120 rods; thence south 66 2/3 rods; thence east 120 rods; thence north 66 2/3 rods; to the place of beginning, containing 50 acres, more or less, all in Linn County, State of Oregon. And for a decree that said real property be partitioned among the plaintiffs and defendants last hereinabove named according to their respective rights, quantity and quality relatively considered, except the portion belonging to the defendants, Horace M. Propst, Alvis L. Propst, Nina P. Propst and Dale D. Propst, and for a decree that the interest of the defendants last herein named be sold and the proceeds arising therefrom, after paying the pro rata of the costs and disbursements of this suit, be paid to the said Horace M. Propst, Alvis L. Propst, Nina P. Propst and Dale D. Propst, according to their respective rights and that the costs and expenses of this suit be paid pro rata by the several parties, plaintiffs and defendants, interested herein according to their several interests and that said costs and expenses be a lien upon the several interests of the parties, plaintiffs and defendants, in and to the above described real property, until paid, and for such other and further relief as shall seem meet in equity.

The date of the first publication is the 20th day of June, 1913, and the date of the last publication is August 1st, 1913. This summons is published in the Semi-Weekly Democrat, by order of the Hon. Percy R. Kelly, Judge of the Circuit Court of the State of Oregon, for the County of Linn, made and dated the 10th day of June, 1913.

Dated this 18th day of June, 1913.

J. E. YATES,
Attorney for Plaintiffs.
Tel. No. 1-20-27-11-4-11-18-25 Aug 1-8-15-22

VICE-PRESIDENT OF HIGHWAY ASSOCIATION COMING

Hon. A. L. Westgard Will Pass Through Albany on 17,000 Mile Auto Trip.

Editor Democrat, Albany, Or., Dear Sir—Mr. A. L. Westgard, vice-president of the National Highways association, will shortly pass through your city on his 17,000 mile trip by motor car which he is taking under the auspices of this association, in the interest of Good Roads Everywhere. In his ride through Utah, he was accompanied part of the way by Governor Spry, and while in Nevada, was joined by Governor Oddie. This trip he is taking is creating wide interest everywhere, as every city, town, and hamlet is anxious to share in the good work that the National Highway association is planning to do. Good roads all over the country mean development all along the line.

We shall appreciate any publicity you may give this matter before Mr. Westgard passes through your part of the country.

Very truly yours,
CHARLES H. DAVIS,
President.

ADMINISTRATOR'S NOTICE.

Notice is hereby given that the undersigned has been by the County Court of Linn County, Oregon, duly appointed administrator of the estate of Anna M. Yantis, late of said County, deceased. All persons having claims against the estate of said deceased are hereby required to present the same, with the proper vouchers, to the undersigned, at his residence, near the City of Albany, in said Linn County, within six months from the date of this notice.

Dated this 3rd day of July, 1913.
JOHN A. MILLARD,
Administrator.

HEWITT & SOX,
Attorneys for Administrator.
14-11-18-26-A1

Administrator's Notice.

Notice is hereby given that the undersigned was on the 30th day of June, 1913, duly appointed administrator of the estate of James B. Jenks by the County Court of Linn County, Oregon. Any and all persons having claims against said estate are hereby notified to present the same to the undersigned at the date hereof, duly verified as by law required.

Dated this 30th day of June, 1913.
F. E. JENKS,
Administrator of the Estate of James B. Jenks, deceased.

WEATHERFORD & WEATHERFORD,
Attys. for Admr.
Jul 4-11-18-25-Aug 1

Sheriff's Sale.

By virtue of an Execution and Order of Sale to me directed, issued out of the Circuit Court of the State of Oregon for Linn County, in the case of V. Cladek, Plaintiff, versus George W. Poole and Izzetta Poole, his wife, B. A. Ferrer and Mary A. Farrer, his wife, and Terzie Cladek, defendants, which said Order of Sale was issued out of said Court and by me received on the 16th day of July, 1913, I will on Wednesday, the 27th day of August, 1913, at the hour of 10 o'clock a. m. at the front door of the Court House in Albany, Oregon, sell at public auction to the highest bidder for cash in hand, the following described real property, to-wit:

Beginning at the southeast corner of Sec. 36 Tp. 10 S. R. 1 W. of the Willamette Meridian, Oregon, running thence S. 20 chains, thence West 30 feet, thence North 19.55 chains to a point which is 30 feet south of the east boundary line of said Sec. 36, thence west 40 chains more or less to the east boundary line of a 51.75 acre tract conveyed to Antoine Stepanek by deed as appears of record at Page 237 of Volume 60 Records of Deeds, thence North 13 degrees 30 minutes East 30 feet more or less to the N. E. corner of said 51.75 acre tract so conveyed to Antoine Stepanek, thence N. 50 degrees West 19.35 chains to the N. W. corner of said 51.75 acre tract so conveyed to Antoine Stepanek, thence N. 45 degrees W. 1.92 chains, thence N. 22 degrees 15 minutes E. 1 chain, thence S. 50 degrees E. 12.50 chains, thence N. 22 degrees 15 minutes E. 49 chains, thence N. 72 degrees 30 minutes W. 13 chains more or less, thence N. 22 degrees 15 minutes E. 24.1 chains to the N. boundary line of said Sec. 36, thence East on the North boundary line of said Sec. 36, 33.75 chains more or less to the N. E. corner of said Sec. 36, thence South on the East boundary line of Sec. 36, 80 chains more or less to the place of beginning, containing 329 acres more or less, all situated in the county of Linn, State of Oregon.

To satisfy the judgment rendered in favor of the plaintiff and against the defendants, George W. Poole and Izzetta Poole, his wife, B. A. Farrer and Mary A. Farrer, his wife, for the sum of \$10,330 with interest thereon at the rate of six per cent per annum from the 4th day of December, 1911, and for the further sum of \$500 attorneys' fees; and to satisfy a judgment and decree obtained by Terzie Cladek against the defendants George W. Poole and Izzetta Poole, his wife, B. A. Farrer and Mary A. Farrer, his wife, for the full sum of \$5,000 with interest thereon at the rate of six per cent per annum from the 4th day of December, 1911, to date, and for the further sum of \$2500 attorneys' fees and for the costs and disbursements of this execution and sale.

D. H. ROD