

## CECIL FOLK RECOVER FROM BIRTHDAY PARTY

The people of Cecil are just beginning to resume their normal occupations after having enjoyed themselves to the limit at Frank Habel's birthday party, which was held on the fourth of this month in the Cecil Hall. We can say that Frank did not forget any of his friends, because we are in receipt of a generous portion of the birthday cake. One of the unique features of the party about which considerable comment has been heard was the introduction of the guest and his "bride." They were wheeled into the room, Mr. Habel with his eyes blindfolded. He thought that he had a sure-enough bride, but when his eyes were uncovered, he found that it was a dummy. However, Frank was not to be taken back, but had her sit with him at the big birthday supper.

The following list of names is but a partial list of the large number that attended. From Arlington there were Mr. and Mrs. P. T. Balsiger, Miss Bea Snell, Ernest Stephen, Claud Wresten, Mr. and Mrs. O. L. Lundell, Miss Ada Montague, Miss Helen Reader, A. B. Struit, Mrs. Bertha Struit, Earl Snell, Roy Smith, D. L. Lemon, F. L. Montague, Claude Duncan, Mr. Everett, W. H. Hawkins and the members of the orchestra T. O. E. Cattanaugh, the trombone player, Miss M. Butcher, the pianist and R. D. Cook.

From the Egg City were Dr. Dye, R. E. Forbes, Phillip Griffin, Mae Ganger, Dorothy Ganger, J. D. Helmick, J. H. Bryan, Roy Blake, Harry Beesley, Glenn Ball, Opal Cochran, Earl Jackson, Mrs. V. Jackson, R. J. Juday, C. B. McNabb, W. Smith, J. H. Wilt and Dick Turpin.

Morgan was represented by Lillian Troedson, Dottie Wiles, W. J. Martin, Ida Olson, Mrs. Mattie Morgan, C. B. McNabb, Earl Morgan, Phoebe Wiles Morgan, Miss E. Bentley, W. F. Burpee, Goldie and Irene Benedict, Mr. and Mrs. F. J. Ely and H. L. Dean.

Heppner Junction sent Mr. and Mrs. J. S. Taylor, Frank Boscoe, R. A. Harris and H. H. Hines.

Willows was represented by Mr. and Mrs. Jesse Deos and son, Mr. and Mrs. Albert Falkner, Misses Edna, Mandie and Wayne Falkner.

J. D. Weed came from Condon; Mr. and Mrs. Everett Logan and Mr. and Mrs. H. H. Hass from Portland. Umattilla was represented by Mrs. Clara Harvey and from the Eightmile country there were Mr. and Mrs. W. H. Shannard, Eugene Shannard, Mr. and Mrs. R. E. Montague, Mr. and Mrs. J. H. Montague, Helen, Haskell Edna and Mable Montague. Mr. and Mrs. Fred Buchanan of Butter Creek were over.

From Lexington B. Boon and B. Brown attended. Mr. and Mrs. Frank Nash were present from Heppner.

The following list of people from Cecil were present: W. A. Thomson, Alex Wilson, R. L. Moore, J. A. McIntosh, Ester Logan, Clara Taylor, Miss Peterson, Bryan Moore, J. H. Miller, Anna Pierce, Will Logan, Ben Tomlin, Mary Moore, Albert Nash, J. McIntire, C. A. Sennett, Miss Logan, Mr. and Mrs. W. G. Palmater, Mr. and Mrs. Robert Wilson and family, Mr. and Mrs. Peter Nash, Mr. and Mrs. T. H. Lowe, Mr. and Mrs. Boyd Logan, Mr. and Mrs. J. Moore, Mr. and Mrs. L. E. McBea, Mr. and Mrs. S. M. Morgan, W. E. Ahalt, Willie Ahalt, W. and G. D. Anderson, Harold Ahalt, Lula Brown, Ester Cox, Grover and Miss V. Curtis, Mrs. C. G. Fulton, Carl Fulton, Mr. and Mrs. Karl Farnsworth, Mr. and Mrs. Jack Hynd, Roland Goff, Mr. and Mrs. J. H. Franklin, Herbert and Annie Hynd, Erma Davenport, Miss Nell Donnelly, Cecil Thorne, C. W. Warfield, of Arlington, Mrs. Wilt and Doris Wilt of Ione, Elsie Weed, of Condon were also present.

O. J. Cox came to town last Tuesday to meet his daughter, Gladys and son, Bernard, who have been on an extended visit with relatives in Wenatchee, Wash. They were accompanied home by their cousins, Miss Grace Rickman and Perry Cox from Wenatchee. The young people had a very enjoyable trip to Heppner, stopping off at several places to visit with friends.

Prof. Otto was an Ione visitor last Wednesday.

We are in receipt of the following Honor Pupils which we are glad to add to the November list. District No. 19, Mrs. Margaret Cramer, teacher; Laura and Kenneth Burnside. District No. 38, Mrs. Clara Beamer, teacher; Lizzie, Emma, Marie, Willie and Martha Blahm, Ethel, Bertie and Murl Cummings, Oral Parker, Wm. Valentine and Olive Brown. District No. 2, Minnie Davenport, teacher; Jessie French, Shirley Straight, Millie and Ella Pearson. District No. 49, the Hail Ridge School, Ruth Bowman, teacher; Lena and Myrtle Cradick, Irene, Erma and Victor Lovgren. District No. 31, Joyce L. Hayes, teacher; Carl, Alfred and Edward Bergstrom, Alice and Christopher Keithley, Lavilla Walker and Ninon Huston.

## ODDFELLOWS HAVE A BIG NIGHT

Wednesday night was a big night for Rebekahs and Oddfellows of Heppner and vicinity. The occasion was the visit of Grand Patriarch Geo. W. Wright of Albany, who delivered an interesting and instructive address to over one hundred and twenty members of the Order, and a few invited guests.

Deputy Patriarch T. E. Chidsey was chairman of the evening. Preceding the address a short musical program was rendered which consisted of piano solos by Miss Virginia Crawford, vocal solos by Miss Thorley and vocal duets by Miss Long and Mrs. Harlan. The speaker then occupied the platform and held his audience in close attention for nearly an hour. Grand Patriarch Wright spoke of his coming to Heppner to make his start in life some thirty years ago and since leaving here twenty-five years ago he had not returned until Tuesday evening. His address on Oddfellowship, what it means and what it stands for, was greatly appreciated by the members present and gave his hearers a closer understanding of the obligations which they, as members, were under. Following the address the members and their friends were seated in the dining hall where they ate heartily of an elegant banquet, the main dish of which was clams, and more clams. In the eating contest Dr. Winnard was again far in the lead of his nearest rival, Hanson Hughes. Our old friend Andy Cook was in charge of the kitchen and kept his assistants on the jump all the time to see that every one present lacked nothing. The members departed for their homes as the midnight hour was announced by the Court House clock.

The Herald's big Annual Morrow County Edition will be off the press and circulated as our next regular number next Tuesday. It will consist of a large number of pages, all well filled with interesting and instructive reading matter concerning what can be done and what has been done on the ranches and in the various towns. It will also contain photographic reproductions of various scenes of interest throughout the county and these pictures will tell the story of prosperity and happiness. We will have several hundred extra copies of this edition wrapped and ready for mailing which will be on sale after Tuesday next. A large number have already been sold and will be circulated North, East, South and West, throughout the world, to tell the story of the opportunities open for homeseekers here.

Among the claims allowed by the County Court, recently in session, was a claim for \$877 presented by T. J. Mahoney as trustee for the creditors of J. P. Rhea, for the damages estimated on a proposed road for the use of the Eightmile ranchers leading from the Rhea Creek road at the Jim Rhea farm. This is just one half of the amount which was asked and most likely will not be accepted. The road in question would make adownhill haul from the Eightmile country to Ione or Jordan Siding.

Mrs. Frank Burgoyne and Mrs. Jim Pointer were Lexington visitors in Heppner yesterday.

HERALD'S ANNUAL WILL APPEAR TUESDAY

## SUPREME COURT AWARDS JUDGMENT TO F. M. TEMPLETON OF SPRAY

### Plaintiff Sues For Amount Due From Charles Bockler, Well Known Sheepmen; Case Handled By Local Attorneys.

In the decision of the Supreme Court rendered in this state about two weeks ago, F. M. Templeton was awarded a judgment for the amount due him by Charles Bockler in a dispute over a transaction in sheep which has attracted considerable attention in this part of the state. It seems as if Templeton was indebted to Bockler for the sum of about ten thousand dollars. He gave his promissory note to Bockler for this amount, together with a chattle mortgage on the sheep which he owned, some 3800 head. The plaintiff claims that about the 30th day of December 1908, the plaintiff entered into an agreement with the defendant, whereby they were to run the sheep together until they could be marketed at the best market price, and at which time the defendant as the agent and trustee for the plaintiff would sell the sheep and wool, and after paying the expenses for running the sheep, the amount due the defendant on the promissory note and reasonable compensation for his services, pay over to the plaintiff any balance from the sale of the sheep.

The defendant thereupon went into possession of the shepard continued until about the 15th day of November 1909 at which time he disposed of considerable thereof. And that on or about that date he had in his possession of said property 1960 head of ewes, 55 tons of hay and 28 bucks, which he sold to the firm of Baxter and Johnson for the sum of 10,400, this money he converted to his own use, claiming to do so under their agreement.

The plaintiff also alleged that according to the testimony of the defendant after repaying himself for all sums advanced and the amount due on the mortgaged indebtedness, and all running expenses, there remained in his hands \$4,181.78, which sum represented the profit to him by reason of the alleged agreement between himself and plaintiff. The plaintiff was willing to allow the defendant \$540 as a reasonable amount for compensation but brought suit for the recovery of the balance, together with interest from November 15, 1909, and all costs.

The case was first heard in the Circuit Court at Pendleton in the November term, with Judge Phelps on the bench. This court ruled that the plaintiff was not entitled to the relief prayed for and assessed the costs against the plaintiff. The plaintiff's appeal was based upon the ground that the court erred in not finding that the property sold to Baxter and Johnson in November 1909 was trust property and that the defendant was trustee of the plaintiff and as such should account to the plaintiff for the same. Also that the court erred in not finding that the defendant converted to his own use the note and mortgage taken from Baxter and Johnson for the trust property sold to them in November 1909. And also that the court erred in not allowing the relief prayed for in the complaint.

By the decision of the Supreme Court Templeton is awarded a judgment for the sum of \$4,181.78, less reasonable charges for assisting in the running the sheep, together with

interest which will bring the amount well up towards \$5,000.

This case has attracted much attention as the parties interested in it were well known here. Attorney C. E. Woodson, of Heppner, represented the defendant and Attorney S. E. Van Vactor represented the plaintiff.

The Commercial Club will meet tonight (Friday) and all members are urged to be at the meeting. There will be something important.

Wm. Haylor has been receiving many compliments for arranging a tasty and beautiful window display in his store this week. It is especially attractive at night when the many-colored lights lend a fascinating glow to the effect. Miss Shipley also comes in for a part of the praise.

## CHAUTAUQUA MAY BE SEEN HERE

A representative of the Ellison-White Co., of Boise, has been interviewing the local merchants the past few days and soliciting support to insure the success of a Chautauqua to be held in Heppner next June. It is proposed to make this a six-day affair, with a change of talent every other day. A guarantee of 450 season tickets is asked and thirty business men must place their signature on the contract to make it go. The representative has secured a list of the names already and hopes to complete the work today. Smaller towns than Heppner have chautauquas these days and there is little doubt but that the affair would be a great success here. The matter will be brought before the meeting of the Commercial Club tonight.

There will be a Christmas entertainment given in the High School Auditorium on Dec. 18, at 7:30 p. m., given by the Grammar School. The admission will be 15 and 20c and the proceeds will be used to buy pictures, books and other things for the school. Aaron Templeton, the well known Spray man, is in town today.

On December 17th, the ladies of the Methodist Church in Lexington will give a Necktie Social at the Hall. A good entertainment will be given and supper served. After the entertainment old-fashioned games will be played. Good music will be given between games.

## GOOSEBERRY PEOPLE ARE SURPRISED BY FRIENDS

A grand surprise party was given at the home of Mr. and Mrs. Erick Bergstrom, Tuesday, December 8. The occasion being their Silver Wedding anniversary. About 40 guests were present and among them were Mr. and Mrs. Shelstrom of Portland; Mr. Martin Anderson of Seattle and Mrs. Alfred Rivers of Buhl, Idaho. The long table was filled with all kinds of good things to eat and many beautiful silver presents were given to the happy couple by their friends.

Martin Anderson of Seattle is visiting his uncle, N. M. Johnson, this week.

Ray Drake who left for Salem a short time ago has given up his bachelor ways. He returned with a wife and the happy couple will make their home at the E. R. Lundell ranch, which Mr. Drake has leased. This young couple have the best wishes for success of the entire community. They are capable, energetic and have a host of friends.

A certain popular young lady by the name of Miss Hilma Bergstrom has been seen wearing a large diamond ring. Frank Anderson was seen looking at such things lately in a catalog.

Mrs. Alfred Rivers of Buhl, Idaho, is visiting with Amanda Carlson this week.

E. R. Lundell has been going thru the community lately with a broad smile on his face known as the one which won't come off. The reason seems to be that Mrs. Lundell presented him with a fine baby boy on the first of the month.

There will be a dance at the Drydock Hall, December 19. A basket social will be a feature of it and Leonard says that everyone is invited.

## CHANGE IN BUSINESS HOUSE AT THE EGG CITY

News comes from the Egg City that Joe Mason has purchased Roy White's grocery. Mr. White has been in business in Ione just one year and during that time built up a good, live trade, specializing selling for cash. Mr. Mason will move the stock, consisting mainly of groceries, to the building just across from Bender's store and will add a complete line of ladies' and men's furnishings of the best order. The grocery stock will be enlarged and Mr. Mason intends to have the most complete line carried in Ione. Joe has had plenty of experience in this business, is a son of an old pioneer family and brought up to hustle. Joe has a little to say about himself in the Herald—look up his ad.

Mr. White's will remain in Ione and will be employed by his successor.

Oscar Minor left for Portland Wednesday where he will look after his animals which will be sold in the Shorthorn sale, which he and other prominent stockmen will sell. This is an annual event and is widely attended by breeders from all over the country.

## WYNER BACK IN COUNTY JAIL ONCE MORE

Frank Wyner is back in the county bastille, this time being held on the charge of perjury. The first of the week he met the sheriff on the street and showed him a bottle of beer which he claimed he bought of Sherman Shaw. When Sheriff Wern was interrogated he was surprised that he had been accused of such a crime and denied any part in the matter. It was afterwards learned that Henry Bode gave the bottle to Wyner before City Recorder, Williams, and admitted that he had given the beer to Wyner. Bode paid a ten dollar fine for his act. Wyner waived a preliminary hearing and was held on the charge of perjury, which charge he will be tried in the May term of the Circuit Court. Mr. Shaw was exonerated of all charges which his many friends are glad to hear.

Mr. L. E. Rood and wife, from Independence, Missouri, are stopping in Heppner for a few days on their trip through the west. Mr. Rood reports good weather in the Middle States but likes Morrow County climate. He is a nephew of Andrew Rood, of this city.

The Court also directed the Assessor to extend on the 1914 tax roll the delinquent fire patrol tax due the State by timber owners for fire patrol service. This list was furnished by State Forester, F. A. Elliott.

Remember the Basket Social to be given Friday, December 11, at 7:30 p. m., by the Christian Endeavor in the parlors of the Federated Church. Ladies will please bring baskets filled with good eats. All are invited.

Maurice Kapple is back in Heppner and to stay. He has just returned from Condon where he moved his Astoria store. He reported that his opening day in Condon was a big success.

He's the manager.

Carl, Will and Ellen Bergstrom left for Portland a short time ago where they will attend business college this winter.

Aaron Peterson has installed a big new piano the other day, so we guess there will be some music around there from now on.

M. E. Cotter completed a well for Vern Jackson some time ago at a depth of 71 feet. Mr. Jackson now has a windmill and pump working with the greatest abundance of water.

Mr. Cotter is now sinking a well for Ed. Delzell. Leonard and Martin Anderson and Miss Langdon of Drydock attended the basket social at Fairview, Saturday evening.

**Open for Business**  
**Saturday, Dec. 12**  
WE INVITE YOU TO CALL  
**EGG CITY CASH STORE**  
Successor to  
**Roy V. White's**  
**Joe Mason, Prop. Ione, Ore.**

**Cavalry Horses WANTED**

The undersigned will be at the Stock Yards in Heppner on or about Dec. 10, definite date will be announced in this space next week. I want geldings or mares, 15 to 16 hands high, weight 950 to 1300 pounds, any color except white and light gray.

**J. M. SHAW, Buyer**

Watch this space for definite date and remember, I WILL BE THERE RAIN OR SHINE.

Any definite information required by interested parties will be furnished by Mr. Guy Boyer.