

Legal Notices

SUMMONS Equity No. 6887

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF UMATILLA

Tum-A-Lum Lumber Company, a corporation,

Plaintiff

vs.

- 1. Frank E. LaDow
2. Louis M. LaDow, and
3. Fay LaDow, his wife,
4. Catherine Baker
5. Eva Shtrum, and
6. Melvin E. Shtrum, her husband
7. Helen May Wilson, and
8. Robert A. Wilson, her husband
9. Ida Catlin
10. Harriette E. Burke, and
11. E. J. Burke, her husband
12. Edna E. Nelson
13. Charles Sturm
14. Joseph Sturm
15. Clifford Sturm
16. Jack Sturm
17. "The unknown heirs of Lizzie Sturm, deceased"
18. Wynne A. Spicer, and
19. Nellie Spicer, his wife
20. Gratia I. Pratt, and
21. Everett Pratt, her husband
22. Mary E. Spicer
23. Leslie William Spicer
24. Hal Andrew Spicer
25. Emma Spicer
26. "The unknown heirs of Leslie V. Spicer, deceased"
27. "The unknown heirs of John W. Luhrs, deceased"
28. Glenn M. Luhrs, and
29. Nellie Luhrs, his wife
30. Louisa Watson McCarthy, and
31. Eugene F. McCarthy, her husband
32. Ruth Watson Graham, and
33. Hugh E. Graham, her husband
34. Jesse M. Watson
35. Elsie Watson Harris, and
36. Wm. Stewart Harris, her husband
37. Spokane Flour Mills, a corporation
38. Charles Berg, and
39. Jane Doe Berg, his wife
40. "The unknown heirs of Charles Berg, deceased"
41. "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: Frank E. LaDow, Catherine Baker, Helen May Wilson and Robert A. Wilson, her husband, Clifford Sturm, "The unknown heirs of Lizzie Sturm, deceased", Leslie William Spicer, Hal Andrew Spicer, "The unknown heirs of Leslie V. Spicer, deceased", "The unknown heirs of John W. Luhrs, deceased", Louisa Watson McCarthy and Eugene F. McCarthy, her husband, Ruth Watson Graham and Hugh E. Graham, her husband, Jesse M. Watson, Elsie Watson Harris and Wm. Stewart Harris, her husband, Spokane Flour Mills, a corporation, Charles Berg and Jane Doe Berg, his wife, "The unknown heirs of Charles Berg, deceased", 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 and each of you by order of publication of the above entitled Court are hereby required to appear and answer the complaint filed against you in the above entitled Court and cause within four (4) weeks from the date of the first publication of this summons and on or before the date of last publication of this summons, and you will take notice that if you fail to appear and answer or plead within that time, for want thereof, the plaintiffs will apply to the Court for the relief prayed for and demanded in said complaint, to-wit:

That the plaintiff is the owner in fee simple absolute of the following described property located in Umatilla County, State of Oregon, to-wit:

TRACT I:

A portion of Lots 4, 5 and 6 in Block "A" of South Pendleton; and all of Block "A" in the Reservation Addition to the Town, now City, of Pendleton, Umatilla County, Oregon, called Tract I, and being more particularly described as follows:

Beginning at a point on the Southerly line of Lot 6 in Block "A" of South Pendleton; said point being 96.6 feet Northeast from the Southwest corner of said Block "A", and on the Southeast right-of-way line of the Northern Pacific Railway Company; thence North 22 degrees 46 minutes East along said right-of-way line 142.9 feet to the Easterly line of Lot 4 in said Block "A" to a point South 23 degrees 36 minutes East a distance of 1.4 feet from the Northeast corner of said Lot 4; thence South 23 degrees 36 minutes East 98.6 feet to the Southeast corner of said Block "A" in the Reservation Addition; thence South 66 degrees 24 minutes West 103.4 feet to the point of beginning.

Excepting therefrom all existing rights of way now in use for railroad purposes.

TRACT II:

The following property called Tract II and described as follows: Lots "J" and "K" in fractional Block opposite College Block and South of S. E. Dorion Avenue (formerly Alta Street) in the Original Town, now City, of Pendleton.

Excepting therefrom all existing rights-of-way now in use for railroad purposes.

Also, all of Lots 1, 2, 7 and 8, and that portion of Lot 3, herein-after described, and also that portion of Lots 4, 5 and 6 lying North and Westerly of that tract of land deeded to the Northern Pacific

Railway Company for railroad purposes; all in Block "A" South Pendleton, and more particularly described as follows:

Beginning at the Northeast corner of Lot "K" in fractional Block opposite College Block; thence South 66 degrees 24 minutes West along S. E. Dorion Avenue (formerly Alta Street), 100 feet to the Northwest corner of Lot "J"; thence South 23 degrees 36 minutes East, 200 feet to the Northeast corner of Lot 8, Block "A", South Pendleton; thence South 66 degrees 24 minutes West 100 feet to the Northwest corner of Lot 8; thence South 23 degrees 36 minutes East 150 feet to the Southwest corner of Block "A"; thence North 66 degrees 24 minutes East along the South line of said Block "A", 70.5 feet to the Northwest right-of-way line of the Northern Pacific Railway Company's spur track; thence North 22 degrees 46 minutes East along said right-of-way line 178.91 feet to a point on the Easterly line of Lot 3, said point being 23.45 feet Northwest from the Southeast corner of said Lot 3; thence North 23 degrees 36 minutes West 226.55 feet to the point of beginning.

Excepting therefrom all existing rights of way now in use for railroad purposes.

TRACT III:

A triangular tract of land in the Southeast corner of Lot 3, Block "A", South Pendleton, called tract III and more particularly described as follows:

Beginning at the Southeast corner of Lot 3, Block "A", South Pendleton; thence South 66 degrees 24 minutes West 24.6 feet; thence North 22 degrees 46 minutes East 34.01 feet to the Easterly line of said Block "A"; thence South 23 degrees 36 minutes East 23.45 feet to the point of beginning.

Excepting therefrom all existing rights-of-way now in use for railroad purposes.

TRACT IV:

The Westerly Half of vacated S. E. Fifth (formerly Vincent) Street adjoining Lot "K" and Lots 1 and 2 in Block "A", South Pendleton; lying Northerly of a line 169 feet North and parallel to the Northerly line of S. E. Emigrant Avenue (formerly Webb Street) called tract IV and more particularly described as follows:

Beginning at a point on the Easterly line of Block "A", South Pendleton, 169 feet Northerly of the Northerly line of S. E. Emigrant Avenue (formerly Webb Street); thence Northerly at right angles to the East line of said Block "A", 30 feet to the center of vacated S. E. Fifth (formerly Vincent) Street; thence at right angles Northerly 181 feet along the said center line to the Southerly line of S. E. Dorion Avenue (formerly Alta Street); thence Southwesterly 30 feet to the Northeast corner of Lot "K", Original Town, now City, of Pendleton; thence Southeastly 181 feet to the point of beginning.

Excepting therefrom all existing rights-of-way now in use for railroad purposes.

TRACT V:

A parcel of land described as tract V and beginning at a point on the Easterly line of Block "A", South Pendleton, 169 feet Northwesterly from the Northerly line of S. E. Emigrant Avenue (formerly Webb Street); thence North 66 degrees 24 minutes East 30 feet to the center of vacated S. E. Fifth (formerly Vincent) Street; thence South 23 degrees 36 minutes East 32 feet, more or less, to the Southerly right-of-way line of the W. S. Byers spur track; thence Southwesterly along the Southerly right of way line to a point on the Easterly line of said Block "A"; South 23 degrees 36 minutes East 40 feet from the Northeast corner of Lot 3 in said Block "A"; thence Northwesterly along said Easterly line to the point of beginning.

Excepting therefrom all existing rights of way, now in use, for railroad purposes and also excepting therefrom an easement for egress and ingress as shown in deed recorded in Book 106 at Page 155 of the deed records of Umatilla County, Oregon.

TRACT VI:

A parcel of land described as Tract VI and beginning at the Southwest corner of Lot 9, Block "J", South Pendleton; thence North 23 degrees 36 minutes West along the Westerly line of said Block "J", 59.6 feet to the Southerly right of way line of the Northern Pacific Spur track; thence North 22 degrees 46 minutes East along the said Southerly right of way line 58.5 feet to the Southerly line of S. E. Emigrant Avenue (formerly Webb Street); thence North 66 degrees 24 minutes East along the Southerly line of said S. E. Emigrant Avenue (formerly Webb Street) 137.7 feet; thence South 23 degrees 36 minutes East, parallel and 20 feet distant Southwesterly from the Easterly line of Block "J" in the Reservation Addition to the Town, now City, of Pendleton, 100 feet to the Southerly line of Lot 2 in said Block "J"; thence South 66 degrees 24 minutes West along the Southerly line of Lot 2 in Block "J", Reservation Addition to the Town, now City, of Pendleton, and along the Southerly line of Lots 2 and 9 in Block "J" of South Pendleton, 180 feet to the point of beginning.

Excepting therefrom all existing rights of way now in use for railroad purposes.

TRACT VII:

A parcel of land described as tract VII and beginning at the Northeast corner of Block "J" in Reservation Addition to the Town, now City, of Pendleton; thence South 66 degrees 24 minutes West along the Northerly line of said Block "J", 20 feet; thence South 23 degrees 36 minutes East 100 feet along the line parallel to the

Easterly line of said Block "J" to the North line of Lot 3 in said Block "J"; thence South 66 degrees 24 minutes West 180 feet along the Southerly line of Lot 2, Block "J" in Reservation Addition and Lots 2 and 9, Block "J" of South Pendleton, to the Westerly line of Block "J" of South Pendleton; thence South 23 degrees 36 minutes East 227.56 feet along the Easterly line of S. E. Fourth Street (formerly College Street) to the center line of the O. W. R. R. & N. Co.'s spur track; thence along the center line of said spur track to the left (the long chord of which bears North 21 degrees 31 minutes East 305.3 feet) to intersect parallel to and 15 feet distant Easterly from the Easterly line of Block "J" in said Reservation Addition; thence North 23 degrees 36 minutes West 84.79 feet along said line parallel to and 15 feet distant from the Easterly line of Block "J" to the South line of the N. P. spur track right of way; thence North 86 degrees 39 minutes West along the said spur track right of way 15.99 feet to the Easterly line of said Block "J"; thence North 23 degrees 36 minutes West 20.9 feet along said Easterly line of Block "J" to the point of beginning.

Excepting therefrom all existing rights of way now in use for railroad purposes.

TRACT VIII:

A tract of land in Block "J" and in Block 71 in the Reservation Addition to the Town, now City, of Pendleton; and portions of S. E. Fifth Street (formerly Vincent Street), now vacated, and called tract VIII and described as follows:

Beginning at the Southwest corner of Block "J" in the Reservation Addition to the Town, now City, of Pendleton; thence North 23 degrees 36 minutes West 22.44 feet to the center line of the O. W. R. R. & N. Co.'s spur track; thence on a curve to the left (the long chord of which bears North 18 degrees 02 minutes East 39.1 feet) to a point on the Westerly line of Block 71 in the Reservation Addition to the Town, now City, of Pendleton, 35.0 feet South-easterly from the Northwest corner of said Block 71; thence South 23 degrees 36 minutes East 11.5 feet; thence on a curve to the right and parallel with the center line of the O. W. R. R. & N. Co.'s spur track to a point on the Easterly line of said Block "J"; said point being located 144 feet Southeastly from the Northeast corner of said Block "J"; thence South 15 degrees 07 minutes West 58.25 feet; thence South 73 degrees 44 minutes West 72.32 feet; thence Southerly at right angles 39.18 feet; thence Easterly at right angles 29.68 feet to a point on the Westerly line of said Block 71; thence South 23 degrees 36 minutes East 8.41 feet to the Northwest corner of Lot 9 in Block 71; thence North 66 degrees 24 minutes East 80 feet; thence South 23 degrees 36 minutes East 100 feet; thence South 66 degrees 24 minutes West 340 feet to the point of beginning.

Excepting therefrom a triangular tract of land in the northeasterly part thereof, described as follows:

Beginning at a point on the Westerly line of said Block 71 and 46.5 feet Southeastly from the Northwest corner of said Block; thence North along said Westerly line of said Block 11.5 feet to the center of the Northern Pacific Spur track right of way; thence on a curve to the right (the long chord of which bears South 18 degrees 02 minutes West 39.1 feet) to a point on the Southerly right of way line of said Spur track (said point also being on the Northerly boundary line of the tract of land described in this complaint as tract number Nine); thence Southeastly to the point of beginning of this description.

Also, excepting therefrom all existing rights of way now in use for railroad purposes.

TRACT IX:

A tract of land lying in vacated S. E. Fifth (formerly Vincent) Street in the City of Pendleton, called Tract IX and more particularly described as follows: Beginning at the Northeast corner of Lot 1 in Block "J" of the Reservation Addition to the Town, now City, of Pendleton; thence North 66 degrees 24 minutes East 15 feet; thence South 23 degrees 36 minutes East 18.4 feet to the point of beginning for this description; thence South 23 degrees 36 minutes East 92.79 feet to the center line of the O. W. R. R. & N. Co.'s spur track; thence on a curve to the left and along the said center line to a point on the Westerly line of Block 71 in said Reservation Addition, 35.0 feet Southeastly from the Northwest corner of said Block 71; thence North 86 degrees 39 minutes West, 47.96 feet to the point of beginning.

Excepting therefrom the North-erly 7.5 feet.

Also excepting therefrom all existing rights of way now in use for railroad purposes.

All the foregoing nine tracts being in the County of Umatilla, and State of Oregon.

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining to said nine tracts, free from any right, title, estate, lien, interest or claim of the defendants or any of them, and for a further decree of the Court that none of the defendants have any right, title, estate, lien, interest or claim in the said property; and that the defendants and each of them, their heirs and assigns, be perpetually restrained and enjoined from asserting or claiming any right, title, estate, lien, interest or claim in said property or any portion thereof adversely to the plaintiff herein, and that each of the defendants herein set forth by answer the nature and character of any right, title, estate, lien, interest

or claim claimed by him, her or it in or to said premises, and that plaintiff have such other and further relief as may seem proper in equity.

This summons is served upon you by publication thereof for four (4) successive and consecutive weeks in the weekly edition of the Hermiston Herald, a weekly newspaper printed and published in Hermiston, Umatilla County, Oregon, being the time prescribed by the order of publication of the Honorable Calvin L. Sweek, Judge of the above entitled Court, which order was made and entered on the 23rd day of December, 1941, and which order specified that the date of the first publication of this summons be on the 25th day of December, 1941.

RALEY, KILKENNY & RALEY, Attorneys for Plaintiff.

Post Office Address: Pendleton, Oregon. (Dec. 25-Jan. 22)

NOTICE OF HEARING UPON FINAL REPORT

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UMATILLA COUNTY

In the Matter of the Estate of Peter E. Hall, Deceased.

NOTICE IS HEREBY GIVEN that the undersigned administrator of the estate of Peter E. Hall, deceased, has filed his final account with the Clerk of the above entitled Court and that the Judge of said Court has made an order herein designating Saturday, the 24th day of January, 1942, at 10 o'clock A. M. as the time, and the rooms of the above entitled Court in the County Court House in Pendleton, Umatilla County, Oregon, as the place for hearing of objections or exceptions to such final account and report and the settlement hereof.

Dated December 24, 1941.

ALFRED A. HALL, Administrator of the Estate of Peter E. Hall, deceased. (Dec. 25-Jan. 28)

CITATION

In the County Court of the State of Oregon for Umatilla County.

In the Matter of the Estate of James Gannon, deceased.

To the unknown heirs of James Gannon, deceased, and to all persons interested in the estate of said James Gannon, deceased:

IN THE NAME OF THE STATE OF OREGON:

You and each of you are hereby cited and required to appear in the above entitled court and matter within 28 days from the date of the first publication of this citation to show cause if any you have, or if any exist, why an order should not be made authorizing, empowering and directing W. J. Warner, as administrator of the estate of the above named, James Gannon, deceased, to sell the following described real property of said estate at private sale for cash, to-wit:

Tax No. 1 in Section 10 in Township 4 North of Range 28 East of the Willamette Meridian and more particularly described as follows:

Beginning at a point 30 feet South and 187.5 feet West from the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 10 in Township 4 North of Range 28 East of the Willamette Meridian in Hermiston in Umatilla County, Oregon, and running thence South 300 feet; thence West 157.5 feet; thence North 300 feet; thence East 157.5 feet to the place of beginning.

This citation is served upon you by publication thereof for four weeks by order of Honorable Carl W. Chambers, Judge of the above entitled court, which said order was made and dated November 29, 1941, and the date of the first publication of this citation is December 4, 1941.

Witness the Honorable Carl W. Chambers, Judge of said County Court, with the seal of said County Court affixed at Pendleton in Umatilla County, Oregon, this 1st day of December, 1941.

(SEAL) MRS. E. B. CASTEEL, Clerk of said Court. Dec. 5-Jan. 1

UMATILLA NEWS

By Mrs. Glenn Ostrom

The house in which Perry Pike lived beside the Leland Smith home burned Wednesday. Mr. Pike had gone home from his work near by and built a fire to heat some water. When he returned at noon his house was on fire. The garden hose was frozen so the fire had too good a start to be put out when the fire engine arrived. They kept the fire from being destroyed completely, but damaging most of the household goods, although Mr. Pike saved his violin, which is several years old, and his guns.

School was dismissed Wednesday afternoon after each room had their gifts and treats. Most of the teachers took advantage of the holidays and went to their homes for Christmas and New Year. Miss Virginia Richards went to Portland to visit her parents and later to Eastern Oregon. Miss Elva Twidwell went to La Grande to visit her parents. Miss Jo Fritzsche went to Pendleton to visit with her parents. Mr. and Mrs. Harold Regele and son Mervin left Wednesday evening for Estacada and Salem to visit their families. Miss Ina Gilbert spent Christmas in Hermiston and later went to Portland. Seymour Feathers went to Canby. Mr. Van Nince spent Christmas here with his family, but plans to spend part of his vacation in Portland. Miss Cecilia Beyler remained here and plans to go to Walla Walla later to see friends.

Kenneth Chandler of Wapato, Wn., Supper, New Year's resolutions, and aunt and uncle, Mr. and Mrs. Max Graybeal and son.

Mr. and Mrs. Frvin Chapman had as their guests during the holidays her parents, Mr. and Mrs. D. C.



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Brownell, and Miss Gertrude Simmons of Hermiston, Mr. and Mrs. Wm. Stever and children of Rieth, and Naomi Brownell of Portland, both sisters of Mrs. Chapman. Mr. and Mrs. D. C. Chapman and Mrs. Florence Turner of Pendleton also spent Christmas day at the Chapman home.

Mr. and Mrs. Roseco Williams and family were dinner guests Christmas day of Mr. and Mrs. Fred Houghten in Irrigon.

Mrs. Paul Walsh and Verna Dale and Merlin of The Dalles arrived Wednesday to spend until Sunday at the home of their parents and grandparents, Mr. and Mrs. James Byrnes. Gordon and Gerald Harryman of Kennewick spent the holidays with their grandparents, Mr. and Mrs. James Byrnes.

Mr. and Mrs. Wm. Sweeney and daughter Dorothy of Pendleton are staying at the home of their daughter and sister, Mr. and Mrs. John O'Gorman while Mr. Sweeney is employed at the Ordnance depot.

The Red Cross sewing sent to Umatilla is 100 per cent finished. Mrs. Jeff Stephens and Alva left Wednesday to spend the Christmas holidays in Portland with Mr. Stephens.

Students home from school to spend the holidays with their parents are: Blanche Pound and Margie Williams from Northwestern Business College in Portland; Mary Margaret Kennedy and Betty Goff from Eastern Oregon College in La Grande and Patsy Cooney from Maryhurst in Portland.

Mr. and Mrs. Don Diamond and daughter spent from Tuesday till Friday at his parents home in Hood River.

Mr. and Mrs. R. Collins and daughter Shirley spent from Tuesday till Friday with their families in Condon.

Mrs. John Wurster and Sara and R. E. McNabb and son Freddie spent Christmas day in Walla Walla with Mrs. McNabb and daughter Diane, who has been quite ill in the hospital there for the past ten days.

Christmas dinner guests at the home of Mr. and Mrs. James Byrnes were Mr. and Mrs. Glenn Ostrom and son, Mrs. Paul Walsh and Verna Dale and Merlin, and Gordon and Gerald Harryman.

Mr. and Mrs. Fred Rankin of Hermiston were dinner guests Christmas day at the home of her parents, Mr. and Mrs. D. C.

mas day at the home of her parents, Mr. and Mrs. E. McKenzie. Mr. and Mrs. J. B. Springer spent Friday in Walla Walla having their new Buick checked over.

James Baldwin has been ill with ear trouble the past week. James Guerin, who is attending school in Spokane, spent the holidays with his father.

Mrs. James Byrnes and daughter Joan, Mrs. Paul Walsh and children, took Gordon and Gerald Harryman to their home in Kennewick and spent Saturday afternoon visiting.

Milo McFarland and James Byrnes spent Monday in Pendleton. Mr. and Mrs. Milo McFarland and daughters spent Christmas at his parents' home in Boardman.

Mr. and Mrs. Glenn Ostrom and son Gary Dean spent Saturday afternoon in Pendleton.

Mr. and Mrs. Harold Regele and son Murvin returned Sunday from Salem and Estacada where they spent Christmas.

Mrs. R. E. McNabb and daughter Diane returned home Friday from Walla Walla where Diane had been quite ill.

The first commander in chief of the Army and Navy to hold divine services on ship board was President Roosevelt.

A Naval man always salutes the quarter deck of a ship, as the symbol of the state.

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