

STRAW WINS OUT ON HOMESTEAD CASE

ANOTHER DECISION BY SECRETARY OF INTERIOR IN ONE OF MANY CONTESTS ON LAND NEAR ODESSA

In a case involving 160 acres of land, the defendant has been the winner in the litigation, in which the parties were Jennie L. C. Clay, Emma Wing, her mother, and Harry M. Ackley vs. Henry W. Straw. The case possesses some historic episodes, and dates back so far as the litigation is concerned, to 1892. The case has been fought with all the skill that legal ingenuity could contrive. Judge Thomas Drake of this city being the attorney for the successful appellant and Homer Gurrey of Washington, D. C., land lawyer of national reputation, being associated with Stone & Barrett of this city for the respondents.

The action resulting in the victory for Mr. Straw is founded on a decision recently made by the federal court of the United States, that a settlement made on a piece of government land that is afterward withdrawn under the reclamation act will not be counted in favor of the settler after the land has again been thrown open for settlement, and that rule was invoked by Judge Drake for Mr. Straw against Clay, Wing and Ackley, and upheld by the secretary of the interior. The case was withdrawn for irrigation purposes originally. The case was considered and dealt with by the local United States commissioner, R. M. Richardson, at that time, and it was then taken to Lakeview, and finally went to the general land office, and finally was submitted to the secretary of the interior.

The original claim of Henry Straw was seemingly meant to apply to 80 acres of homestead land granted on homestead application in 1903 by Mrs. Clay and Mrs. Wing. It is located a few miles from Odessa on the Doak ranch in the Upper Lake country. The decision now gives to Straw the entire 160 acres in township 37, range 7, and settles a contest that has been hampering the interior department for nine years.

Henry Straw, the successful litigant, is a brother of the well known dairyman, Jas. W. Straw, while the chief plaintiff, Mrs. Clay, is a daughter-in-law of Mrs. Griffith of Eagle Ridge.

Mrs. Clay, being a married woman, was claimed by Judge Drake to be not entitled to a homestead claim. On this point Mr. Straw's attorney was sustained by the interior department.

REAL ESTATE TRANSFERS

The following realty transfers, contracts, deeds, mortgages, etc., recently filed with the county clerk, are furnished by the City and County Abstract company:

- J. A. Reynolds et ux to P. M. Reidy, warranty deed, \$10, lot 6, block 1, Shive's addition.
- Lee S. Denton to J. S. Beckley, warranty deed, W 1/4 NE 1/4, E 1/4 NW 1/4, Sec. 8-33-7 1/2.
- Addie Walker et al to Luke E. Walker, deed, \$1, NE 1/4 NE 1/4, Sec. 23-36-14.
- Charley L. Lee to R. O. Vincent, warranty deed, \$1,000, lot 20, block 5, Midland.
- Chas. E. Worden et ux to the Klamath Development company, deed, \$19, lots 7, 8, 11 and 12, block 12; lots 1, 2, 3, 4, 19, 20, 21, 22, 23 and 24, block 19; lots 1, 2, 3, 4, 17, 18, 19, 20, 21, 22, 23 and 24, block 20; all block 22; Second addition.
- W. P. Johnson et ux to Chas. E. Worden, warranty deed, \$10, lots 1 and 2, block 75, Klamath addition.
- J. M. Evans et ux to Elsie Welsh Lewis, warranty deed, \$10, lot D, block A, Nichols addition.
- State of Oregon to O. L. Pankey, deed, \$25, N 1/4 NE 1/4, Sec. 4-36-14.
- State of Oregon to O. L. Pankey, deed, \$245, S 1/4 NE 1/4, E 1/4 NW 1/4, NW 1/4 NW 1/4, Sec. 4-36-14.
- Lewis Pankey et ux to Louis Dennis, warranty deed, \$10, S 1/4 NE 1/4, E 1/4 NW 1/4, NW 1/4 NW 1/4, N 1/4 NE 1/4 and water rights, Sec. 4-36-14.
- S. B. Evans et ux to R. Madsen, deed, \$10, lots 6 and 7, block 31, First addition.
- A. B. Libby to W. E. Burris, bond for deed, \$11,680, E 1/4 SE 1/4, SW 1/4 SE 1/4, Sec. 3; NE 1/4 NE 1/4, Sec. 10-41-11.
- Lillie Mae Remington et vir to Katie P. Remington, warranty deed, \$10, NW 1/4 of lots 1 and 2, block 25, First addition.
- Emma V. Cogswell to J. M. Evans, warranty deed, \$1,500, lot 7, block 11, original town.
- Arthur Lewis et ux to J. M. Evans, quit claim deed, \$10, 30 feet of south side lot F, block A, Nichols addition.
- B. F. Shepherd et ux to Nellie J.

SCHOOL SITE IS QUICKLY TAKEN

VOYE OF ACCEPTANCE OF KLAMATH DEVELOPMENT COMPANY'S OFFER OF FREE GROUND RECORDED YESTERDAY

By a vote of 110 to 40 the proposition to accept the site offered for a new school house was accepted yesterday. The vote was taken at the Central school building. The site offered is four lots in block 67, Lakeview addition, and four lots in block 73, Fairview addition, the city to buy two lots in the former addition which had already been sold. The city will pay \$400 for these. The site is at Academy and F streets.

In order to raise money to build the proposed school it will be necessary to bond the city, and special bond election must be held for the purpose. The amount of money necessary and the election date will be determined later.

Mrs. A. Langell and Mrs. R. Kilgore are down from Bonanza for a few days visit with friends.

Ray Merrill is up from Merrill.

Constantinople says the Italian fleet is reported as mobilized at the Gulf of Saros, and building land fortifications close to the entrance of the Dardanelles.

We have some very desirable 6th street property for sale—Stephens-Hunter Realty Co.

If you are looking for the best 50-cent meal in town try the Hotel Baldwin dining room. Rates by the week. 4-11

PUBLIC AUCTION

On Saturday, April 27, 1912, there will be sold at public auction at Greenfield Farm, 5 miles southeast of Klamath Falls, on Merrill road, 100 head of pure bred and registered Berkshire and Poland China hogs. Fifty each of sows of the finest breeding strains, some with pigs and balance will farrow soon; 10 head of choice Poland China boars, 10 head of Berkshire boars, all pedigreed and registered, or eligible to register; 30 head of extra fine shoats from the imported farm of Emerson Bros., Ohio, and C. H. Schofield, Missouri; stress and dam champion 1910 Chicago International exhibition.

This stock is all thoroughbred, and guaranteed as represented. A grand chance for the farmer to get a start in the finest strain in the West. Sale takes place at Greenfield Farm, Saturday, April 27, 1912, rain or shine.

Terms of sale—Six months time on approved security, with interest at the rate of 10 per cent; 5 per cent discount for cash. Free lunch for man and beast. GREENFIELD FARM, P. R. STARR, C. G. MERRILL, Auctioneer. 4-22-12

SHERIFF'S SALE OF PERSONAL PROPERTY

Notice is hereby given that on Monday, the 29th day of April, 1912, at the hour of 11 o'clock a. m. of said day, at the Altamont ranch, about two miles south of the city of Klamath Falls, Oregon, I will sell at public auction, to the highest bidder, for cash, in order to satisfy the sum of \$2,500 and interest at 8 per cent per annum from December 1, 1909, due on a certain promissory note and chattel mortgage, securing the same, the following described personal property, to wit:

- Two hay rakes, one ditch plow, one spring wagon, one lumber wagon, two mowing machines, one grindstone; two smory graders, one law mower, three wooden pullies, one disc harrow, two Jackson forks, one forge, two footings for derrick, one cider mill, one boring machine, twelve mowing sickles, two wooden shives, one bellows, one fanning mill, two cook stoves, one cupboard, two kitchen tables, one drop leaf table, two kitchen cabinets, seven bread pans, one dish pan, one box stove, two churns, two bread pans, two barrels, one rocker, two chairs, one chain, one binder, one spring tooth harrow, one lot of hay nets, one derrick, one lot of harness, ropes and cables, one spring cot, one combination desk and book case, two commodes, two dressers, three beds, three bedsprings, one mattress, one bed tick, three carpets, seven window shades, one kitchen chair, one barroom chair, one ice chest, two lumber wagons with boxes, one twelve-inch gang plow, one single top buggy, one double top buggy, one single harness, one slaughterhouse wheel, one hay rake, one garden seeder, one cultivator, one wooden drag or harrow, one iron harrow, one iron beam plow, one ten-inch plow, one grindstone, one set saws, one set stowards, one set saws, one blacksmith outfit, one derrick,

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- One gray mare, about 14 years old, named Klamath, branded IX on left side, and one bay colt about 2 years old, from this mare.
- That the above described personal property will be sold at the time and place herein mentioned, to satisfy a lien on said personal property, amounting to the sum of \$90.00, for depasturing, feeding, bestowing labor, care and attention upon said property from the 1st day of May, 1910, to the 29th day of January, 1912, at the special instance and request of J. D. Carroll and Per E. Carroll.
- That the charge for such depasturing, feeding, bestowing labor, care and attention upon said property is

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Rich, red blood, an active brain, a vigorous body and a marked buoyancy of spirit frequently result from the use of a single bottle of a simple, well-prepared mixture of the time-tried herbs, bark, roots and alteratives.

A. D. S. Blood Remedy is universally esteemed as a "spring medicine," because of the exceptional purity of its well-chosen ingredients and the skill with which it is prepared.

This preparation is particularly beneficial for those who are "run down," lacking in energy or otherwise depressed, physically or mentally.

A. D. S. Blood Remedy is absolutely free from mercury, arsenic or other injurious substances, and is well adapted to the requirements of both the youthful and aged.

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