FINAL EVIDENCE IN INJUNCTION

(Continued from Page 1)

These were all the questions asked the witness in cross examination.

O. A. Stearns testified that the town remained Linkville until 1887 or 1889, when it was changed by petition. He said he was representative from Lake county in 1889, Klamath county being then embodied in Lake county.

The witness said he had never been in the time during his long residence here when all public offices, municipal, military and governmental were not within the confines of the boundaries of what was known as Linkville.

"Where is the United States reclamation service buildings of offices?" Judge Drake asked.

"On Pine street, northeast corner of the original town of Klamath Falls," witness said, and then denied it was not half a mile east of that.

Judge Graves testified along similar lines, and then the arguments of counsel commenced.

At the late session of the court last night County Surveyor Henry took the stand and described the condition of the county buildings, as at present existing. After stating that he had lived in Klamath nineteen years, he described the circuit court, where the present proceedings are going on, as utterly lacking in ventilation, and in response to a question of Judge Drake's as to whether it did not become stagnant when crowded, replied in the affirmative.

"Why," queried Drake, "don't you, as a county officer, have an office in the county court house?"

"Because there is no room in the county court house," was the reply of the witness.

Following Judge Drake's lead the witness then detailed the locations of the officers who could not find an official habitation in the present court house, as follows: District attorney, assessor, county superintendent of public instruction, the grand jury. The witness said all the offices now are ever crowded in the court house. They are poorly appointed for the transaction of public business, and if a fire should occur all the public records would inevitably be destroyed. He described the building as a dilapidated wooden structure, without any suitable toilets, with only stoves for heating and with many other defects.

In cross examination by Attorney Rutenic for the plaintiff the witness was asked if anything outside of the Linkville plat where the original forty blocks were located would not be known as "additions."

"We object to that question," said Judge Drake, "as incompetent and immaterial, and in support of that objection we wish to call the attention of the court to the fact that the legislature passed an act repealing and wiping out Linkville."

Mr. Henry in redirect examination said that the boundaries of Klamath Falls were created by the legislature in 1893. The Central or East Side school form the subject of many questions by both lawyers, as it was stated that it existed in its present site prior to the act of the legislature and after it, and was the only school house in Klamath Falls. Mr. Henry said the school is 800 feet from block 10. The Hot Springs is 500 feet from block 10, farther east than where he was giving his testimony. He described the present corporate limits as created by the legislature, and said the railroad station was within those limits.

County Treasurer Claude Daggett examined by Attorney C. F. Stone, said there were $62,000 in the county treasury ready for court house use. He corrected a statement he made when on the stand earlier in the day, when he said there was $190,000 instead of $205,000, all in cash, in the local banks, ready for use and in cash at the disposition of the county court.

Deputy Sheriff John Schallock told of the early conditions of Linkville. At the time the county offices were in the warehouse of Reames & Martin's building at the corner of Conger avenue and Main, there were not 500 people here.

Invests in Mining Section

O. R. Robertson of the Klamath Dye Works, and J. F. Maguire, the Mount Hebron merchant, returned last evening from a visit to New Pine Creek and the Highgrade mines. While absent Mr. Maguire invested in property in New Pine Creek and intends to erect a building there.

GET THIS!

GERTRUDE & CO.

Importers and dealers in fine millinery. Remember the address.

Cor. Fourth and Pine Streets.

Come in and see the new spring styles at Mrs. Blanche Kemp's millinery store.

Temple theater, Matinee daily, 2:30 p. m. Evening, first performance, 7:15, continuous.

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

SUMMONS

In the Circuit Court, Klamath County, Oregon.

J. Alfred Newnham, Plaintiff, vs. Belle Newnham, Defendant.

To Belle Newnham, Defendant:

In the name of the State of Oregon, you are hereby required to appear and answer the complaint filed against you in the above entitled suit, on or before Thursday, May 16, 1912, being the last day of the time prescribed in the order for publication of this summons, the date of the first publication being April 4 1912, and if you fail to answer, for want thereof, the plaintiff will apply to the court for the decree demanded in the complaint, to-wit: that the bonds of matrimony now existing between plaintiff and defendant be dissolved.

This summons is served by publication in the Klamath Republican, by order of Hon. Henry L. Benson, circuit judge, Klamath County, Oregon, dated April 1, 1912, which said order requires that this summons be published once a week for six successive weeks from the 4th day of April, 1912, the date of the first publication prescribed in said order.

J. C. RUTENIC,
4-4-5-6-r Attorney for Plaintiff.

NOTICE FOR PUBLICATION

(Not Coal Lands)

Department of the Interior, United States Land Office at Lakeview, Oregon, April 15, 1912.

Notice is hereby given that Bert North of Klamath Falls, Oregon, who on January 11, 1[illegible] made Homestead entry No. 04[illegible] for S½ SE¼, SE¼ SW¼, Section 31, township 37 S., range 9 E., Willamette Meridian, has filed notice of intention to make final commutation proof, to establish claim to the land above described, before C. R. De Lap, county clerk, at Klamath Falls, Oregon, on the 1st day of June, 1912.

Claimant names as witnesses:

A. W. Jaquette, Charles Marscow, K. D. North, H. H. Weatherly, all of Klamath Falls, Oregon.

A. W. ORTON,
4-25-5-30 Register.

NOTICE FOR PUBLICATION

(Not Coal Lands)

Department of the Interior, United States Land Office at Lakeview, Oregon, April 15, 1912.

Notice is hereby given that John Y. Johnson of Klamath Falls, Oregon, who on September 1st, 1910, made Homestead entry No. 02972, for the N½ SW¼, NW¼ SE¼, Sec. 2, NE¼ SE¼, Sec. 3, township 37 S, range 10 E., Willamette Meridian, has filed notice of intention to make final commutation proof to establish claim to the land above described, before C R. De Lap, county clerk of Klamath county, at Klamath Falls, Oregon, on the 31st day of May, 1912.

Claimant names as witnesses:

Jack Leonard of Klamath Falls, Oregon. Jay Manning of Klamath Falls, Oregon, Patrick Callahan of Dairy, Oregon, Harry Mills of Dairy, Oregon.

A. W. ORTON,
4-25-5-30 Register.

REPORT OF THE CONDITION OF THE

First Trust and Savings Bank

At Klamath Falls, in the state of Oregon, at the close of business April 18, 1912.

RESOURCES

Loans and discounts	$140,328.89
Overdrafts, secured and unsecured	2,748.59
Bonds and warrants	$4,120.70
Furniture and fixtures	3,320.95
Due from banks (not reserve banks)	145.65
Due from approved reserve banks	35,348.42
Exchanges for clearing house	1,711.07
Cash on hand	10,465.08
Total	$228,224.97

LIABILITIES

Capital stock paid up	$ 50,000.00
Surplus fund	2,000.00
Undivided profits, less expenses and taxes paid	209.18
Due to banks and bankers	1,614.08
Individual deposits subject to check	114,782.64
Cashier checks outstanding	51.45
Time certificates of deposit	14,712.26
Savings deposits	38,854.36
Bills payable for money borrowed	10,000.00
Total	$228,224.97

State of Oregon,
County of Klamath. ss.

I, John Siemens Jr., cashier of the above named bank, do solemnly swear that the above statement is true to the best of my knowledge and belief.

JOHN SIEMENS JR., Cashier.

Correct—Attest:
J. W. SIEMENS,
P. M. REIDY,
GEO. T. BALDWIN, Directors.

Subscribed and sworn to before me this 27th day of April, 1912.

P. L. FOUNTAIN, Notary Public.

NOTICE

To the Stockholders of the Klamath Water Users' Association

You are hereby notified that the annual meeting of the stockholders of the Klamath Water Users' Association, which annual meeting is for the purpose of electing a board of directors for the ensuing year and the transaction of such other business as may regularly be brought before said meeting, has been called and will be held in the Houston opera house in the City of Klamath Falls, Oregon, on Friday, the 31st day of May, 1912, at the hour of 2 o'clock p. m.

You are hereby further notified, That the following resolution has been duly passed by the board of directors of said association:

Be it Resolved by the Board of Directors of the Klamath Water Users' Association, in Regular Meetin, held in the Office of said Association, Rooms 17 and 18, Maddox-White Building, Klamath Falls, Oregon, That there be and there hereby is submitted to the stockholders of the Klamath Water Users Association for their acceptance or rejection at the annual meeting of said stockholders to be held in the Houston opera house in the City of Klamath Falls, Oregon, Friday, the 31st day of May, 1912, at the hour of 2 o'clock p. m., the following question, to-wit:

Shall the capital stock of the Klamath Water Users' Association as authorized increased by the stockholders of the said association at a special meeting of the stockholders held in the City of Klamath Falls, Oregon, on the 8th day of November, 1909, to $6,000,000.00 be reduced to $1,800,000.00?

Dated at Klamath Falls, Oregon, this 6th day of April, 1912.

THE KLAMATH WATER USERS' ASSOCIATION,
By ALBERT E. ELDER, Secretary.
(Seal)
4-25-5-27 r

SEE THE NEW JOSEPH SAILOR at GERTRUDE & CO., Cor. Fourth and Pine Streets.

Cut flowers, 44 Main St. Phone 825

CHILCOTE & RICE

REAL ESTATE — INSURANCE

WE MAKE A SPECIALTY of close in property and good farm lands. No trouble to show property. Prompt attention vigen all inquiries. A few good houses for rent. If you want to buy or sell it will pay you to see us. Next to American Hotel. Phone 681

NOTICE OF SHERIFF'S SALE

In the Circuit Court of the State of Oregon, in and for Klamath County.

Geo. T. Baldwin, Plaintiff,
vs.
Long Lake Lumber Co., a Corporation, Defendant.

To whom it may concern. Notice is hereby given that under and by virtue of an execution issued out of the office of the clerk of the circuit court of the State of Oregon, in and for Klamath County, and under the seal of said court, on the 22d day of March, 1912, in a certain action in which Geo. T. Baldwin is plaintiff, and the Long Lake Lumber company, a corporation, is defendant, wherein on the 3d day of January, 1911, judgment was rendered in favor of the above named parties in the sum of six hundred seventy-one and 78-100 ($671.78) dollars, as principal judgment; seventy-five ($75.00) dollars attorney fees, and costs amounting to twenty and 20-100 ($20.20) dollars, and whereas, under and by virtue of a former execution it appears of record that the sum of five hundred ($500.00) was paid on said judgment, leaving on said principal judgment the sum of one hundred seventy-one and 78-100 ($171.78) dollars, with interest, costs and accruing costs thereon, in the following sums, via.: Interest seventy-one and 47-100 ($71.47) dollars, accruing costs to sheriff ten ($10.00) dollars, attorney fees seventy-five ($75.00) dollars, costs and disbursements twenty and 20-100 ($20.20) dollars, making a total of three hundred forty-eight and 45-100 ($348.45) dollars, which said execution is to me directed and was to me delivered, as sheriff of Klamath county, Oregon, I have under and by virtue of such execution, levied upon all the right, title, interest estate and demand of the defendant, Long Lake Lumber Co., a corporation, in and to the following described real estate, situate in the county of Klamath, State of Oregon, more particularly described as follows, to-wit: Beginning at a point 1864.2 feet south 98 degrees 23 seconds west and 60 feet north of the northeast corner of lot 10, section 19, township 38 south, range 9 east, Willamette Meridian. Thence south 89 degrees 23 seconds west 249 feet to the shore of the Upper Klamath lake. Thence following the shore of the Upper Klamath lake 41 degrees west 287 feet. Thence south 19 degrees west 196 feet. Thence leaving said lake north 89 degrees 23 seconds east 500 feet. Thence north 400 feet to place of beginning. (Said property being also known as the site of the Long Lake Lumber Co.'s saw mill in Shippington, Klamath county, Oregon.)

Notice is hereby further given that I, the undersigned, sheriff of Klamath county, Oregon, will sell all the above described real estate, the property of the defendant, the Long Lake Lumber Co., a corporation, at public auction at the front door of the court house in the city of Klamath Falls, Klamath county, State of Oregon, on the 11th day of May, 1912, at 10 o'clock a. m. on said day, to satisfy said execution, costs and accruing costs.

Dated at the sheriff's office in the court house in Klamath Falls, Klamath county, state of Oregon, on this 6th day of April, 1912.

W. B. BARNES,
W. B. BARNES, Sheriff.
By M. J. BARNES, Deputy.
E. L. ELLIOTT, Attorney for Plaintiff, 211-214 Willits Building, Klamath Falls, Klamath County, State of Oregon. 8-15-22-29-6 h

SHERIFF'S SALE OF PERSONAL PROPERTY

Notice is hereby given that on Saturday, the 4th day of May, 1912, at the hour of 10 o'clock a. m. of said day, at the bottling works of A. Castel & Company, corner of Spring and Hood streets, in the City of Klamath Falls, County of Klamath, State of Oregon, I will sell at public auction, to the highest bidder, for cash, in order to satisfy the sum of $11,921.50 and interest thereon at the rate of 6 per cent per annum from the 20th day of January, 1912, said sum being due on a certain promissory note and chattel mortgage securing the same, the following described personal property, to wit:

About four hundred casks of empty beer bottles;

About three hundred beer cases;

One lot of crown corks and labels;

One lot of soda and soda flavors and materials;

One lot of empty casks;

One Barry Wehmiller soaker; one Henes & Keller twelve spout filler; one lot of soda machinery, including one Baltimore Crown corker and one carbonater complete;

One lot of trucks for bottle beer and one lot of rolling trucks;

One lot of small machinery, tools and appliances used in bottling works; one set double harness; one office safe, number Y. 37391, made by Cary Safe company; one office desk, made by B. & G. Furniture Co.; one office chair; one black horse named "Coon" branded "A Circle," weighs about 1350 pounds; one black horse named "Nig" branded "AS," weighs about 1350 pounds.

That said sale will be had and made in accordance with the terms, conditions and stipulations of a certain chattel mortgage, given to the San Francisco Breweries, limited, by Paul Mugler, on the 20th day of January, 1912, and which chattel mortgage was duly filed of record in the office of the county clerk of Klamath county, State of Oregon, on the 29th day of February, 1912, and recorded in Book 2, on page 330, Record of Chattel Mortgages of said county.

W. B. BARNES,
Sheriff of Klamath County, State of Oregon.
NOLAND & CRANE, Attorneys for the San Francisco Breweries, Limited. 5-12-19-26-3 h

NOTICE OF SHERIFF'S SALE

Equity No. 309.

In the Circuit Court of the State of Oregon, in and for Klamath County.

Walter H. Sayre, Plaintiff,
vs.
George W. Carrick and Jessie Carrick, Husband and Wife, Defendants.

To Whom it May Concern:

Notice is hereby given that under and by virtue of an execution and order of sale duly issued out of the office of the clerk of the circuit court of Klamath county, Oregon, on the 28th day of February, 1912, in the above entitled suit, upon a decree made and entered in said circuit court, to-wit: the 18th day of November, 1911, in favor of the above named plaintiff, W. H. Sayre, and against the above named defendants, George W. Carrick and Jessie Carrick, husband and wife, ordering the sale of the hereinafter described premises which said premises are particularly described in said suit and decree, said premises to be sold to satisfy the judgment and decree of this court in said suit in the amount of seventeen hundred, twenty-seven and 25-100 (1727.25) dollars, together with the further sum of two hundred fifty and 00-100 ($250.00) dollars, attorneys fees, assessed and taxed by the court, and the further sum of twenty and 40-100 ($20.40) dollars, costs and disbursements, with interest thereon at the rate of eight (8) per cent per annum, from and after the 28th day of September, 1911, and for accruing costs. Now, therefore, by virtue of said execution and order of sale, and compliance therewith, and in compliance with the order of the court, recited in said writ, I have duly levied upon the herein described premises, and will, on Wednesday, the 22d day of May, 1912, at the hour of 10 o'clock a. m., on said day, at the front door of the court house in Klamath Falls, county of Klamath, state of Oregon, sell at auction to the highest bidder, for cash in hand, all of the right, title, interest, estate, or demands whatsoever, at law or in equity, including the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining to the hereinafter described premises, belonging to the said George W. Carrick and Jessie Carrick, husband and wife, or either of them, being the undivided one-fourth interest of, in, and to lots two (2), three (3), four (4), five (5), six (6) and seven (7), and the northeast quarter of the northeast quarter, all in section seven, (7), and the southeast quarter of the southeast quarter, section six (6), and the east half of the southwest quarter and the south half of the southeast quarter, in section five (5), all of said lands being in township forty (40) south, range nine (9) east, Willamette Meridian Klamath county, state of Oregon, or such part thereof as may be necessary to satisfy said execution and the amounts therein named, including judgment, attorney's fees, costs, interest and accruing costs; the proceeds of said sale to be applied to the satisfaction of said execution, order of sale and decree, including said judgment, attorney's fees, costs, interest and accruing costs, and the overplus, if any there be, to be paid into the court to be applied as may be required or directed.

Dated, Klamath Falls, Klamath county, state of Oregon, this 22d day of April, 1912.

W. B. BARNES,
Sheriff of Klamath County, Oregon.
E. L. Elliott, Attorney for Plaintiff.
22-29-6-13-20

ADMINISTRATOR'S NOTICE OF INTENTION TO RESIGN

In the County Court of the State of Oregon, for Klamath County.

In the Matter of the Estate of S. W. Kilgore, Deceased.

Notice is hereby given by the undersigned, who is now acting as administator of the estate of S. W. Kilgore, deceased, that he will, on Saturday, the 18th day of May, 1912, at 10 o'clock a. m., in the court room of said court, in Klamath Falls, Oregon, tender his resignation as such administrator to the honorable judge of the above-entitled court; and all persons interested in said estate are hereby notified to appear at said time and place and make their objections, if any they have, in writing, to the acceptance of said resignation.

Dated this 18th day of April, 1912.

H. H. KILGORE,
Administrator of Estate of S. W. Kilgore, Deceased. 19-26-3-10-17h

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

In the Circuit Court of the State of Oregon, for the County of Klamath.

The San Francisco Breweries, Limited, Plaintiff,
vs.
Paul Mugler and Helen Mugler, Defendants.

Under and by virtue of an order of sale and decree of foreclosure issued out of the circuit court of the county of Klamath, state of Oregon, on the 25th day of April, 1912, in the above entitled action wherein the San Francisco Breweries, Limited, the above named plaintiff, obtained a judgment and decree against Paul Mugler and Helen Mugler, defendants, on the 25th day of April, 1912, which said decree was on the 25th day of April, 1912, recorded in the Judgment Lien Book of the said court at page 82, Vol. 2; I am commanded to sell all that certain piece, lot and parcel of land situate in the county of Klamath, state of Oregon, to-wit:

Lots twelve A. (12 a.) and twelve B. (12 b.), block seven (7), in Railroad Addition to the city of Klamath Falls, according to the duly recorded plat thereof, on file in the office of the county clerk in Klamath county, state of Oregon.

Notice is hereby given that on the 24th day of May, 1912, at 2 o'clock p. m. of said day, at the front door of the county court house in the city of Klamath Falls, county of Klamath, state of Oregon, I will, in obdeience to said order of sale and execution in foreclosure, sell the above described property or so much thereof as may be necessary to satisfy plaintiff's judgment with interest thereon and costs, to the highest and best bidder for cash.

W. B. BARNES,
Sheriff of Klamath County, Oregon.
NOLAND & CRANE, Attorneys for Plaintiff. 25-2-9-16-23

Cream Kisses

A Dainty Nut Confection

40 cents a pound

Special all this week 25c pound

Hoxey's Candy Kitchen

Made in Klamath

Phonographs Typewriters Sewing Machines Pianos

Our stock is complete. We offer you everything in prices and terms that anyone can offer. We rent for long or short time and apply rent paid on purchase price. Legal blanks and typewriter supplies.

MULLER MUSIC COMPANY

Main street, between 7th and 8th

Does Your Door Bell Work?

IF NOT -- WHY NOT

Bells, Batteries and Buzzers

—AT—

COON, The Electrical Man,

910 Main Street Phone 1183

THE HOME BANK

Is a mighty uncertain place in which to keep savings. They are too easy to take out. Besides money saved at home doesn't earn anything. Better start an account with this bank, where everybody cannot get your money and where it will earn interest for you. You can start an account with as little as one dollar.

First Trust and Savings Bank

Klamath Falls, Oregon

DON J. ZUMWALT, President. E. M. BUBB, Vice-Pres. and Treas. HERT E. WITHROW, Secretary.

Klamath County Abstract Co

ABSTRACTING

Surveyors and Irrigation Engineers

MAPS, PLANS, BLUEPRINTS, ETC. Klamath Falls, Oregon

Constipated? Go To Your Doctor

It is impossible to be well, simply impossible, if the bowels are constipated. Waste products, poisonous substances, must be removed from the body at least once each day, or there will be trouble. Ask your doctor about Ayer's Pills, gently laxative, all vegetable. He knows why they act directly on the liver.

The World Moves—So Do We Move

Baggage And Passengers

to and from all trains and boats and give you Quick Service

Household—Heavy Freight A Specialty

Blacksmith Shop In Connection

Are prepared to turn out all kinds of First Class Work. Shoeing special attention.

O. K. Transfer Co.

Day Phone 871 Night Phone 873