

DRAKE TO ACT FOR THE CITY

ATTORNEY DOES NOT AGREE WITH THE MAYOR AND COUNCILMEN THAT SUIT IS AGAINST INDIVIDUALS INSTEAD OF CITY

City Attorney Thomas Drake said this morning that he had learned that papers in the case of Dr. William A. Leonard and Henry Rabbes against the city had been served on the councilmen, mayor and police judge, and indicated that he expected to act for the officials. This would indicate that he does not hold, with Mayor Thomas F. Nicholas that the suit is one against individuals, and that the men concerned will have to appear as such as defendants.

"I expect, of course, to appear in the circuit court to act in behalf of the defense, and will endeavor to protect the rights of the city of Klamath Falls in the premises," said he.

He stated that he thought under the existing conditions in the city affairs, that it was rather unfortunate for the city to be involved in a lawsuit which would put it to some expense, but declined to go into the merits or demerits of the plaintiffs' or defendants' side of the case.

The suit will be called up before Circuit Judge Henry L. Benson at 10 o'clock next Monday morning, and it remains to be seen at that time whether the mandamus shall issue or whether the case will be subject to sparring by either side and the consequent delays which so often happen in the law.

CARDINAL TO RUN OWN MOTORBOAT

MERRY DEL VAL WILL ACT AS CAPTAIN AND PILOT ON PRESENT WHICH IS SENT TO HIM FROM AMERICAN CARDINAL

ROME, Sept. 5.—No small amount of consternation was expected in conservative vatican circles when it became known that Cardinal Merry Del Val, secretary of state to Pope Pius, has accepted from Cardinal O'Connell of Boston the gift of an unusually fine type of motor boat. The craft has been sent to Lake Piediluco, where Cardinal Merry Del Val will run it himself.

The acceptance by the papal secretary of state is declared by the conservative element to be the culmination of "modernism" which has invaded the vatican under the regime of Merry Del Val, resulting not only in the introduction of typewriters and telephones in the vatican offices, but of the actual installation in Saint Peter's, built by Michelangelo, of an elevator, and also in the use of automobiles by high prelates in the vatican. While the use of automobiles has now become common among the cardinals at Rome, it is pointed out by the conservatives that no cardinal ever before even rode in a motorboat, to say nothing of the personal manipulation of one.

PHOSPHORUS IS FOUND IN BODY

EXAMINATION OF REMAINS OF NOTED SCULPTOR LEADS TO CLUE—CHINESE DOCTOR IS AMONG THE MISSING

SEATTLE, Sept. 5.—Indications of phosphorus poisoning have been found by Dr. O. J. West in a pathological examination of the stomach of Louis Potter, the sculptor, and Dr. West reported the discovery to Coroner Snyder.

Arrangements have been made to ship Potter's body to the family in New York.

Leo Hang Chow, the Chinese doctor who treated Potter, is still missing, as is also "Mrs. Percy," who was the sculptor's companion and came with him to Seattle.

A marriage license was issued this afternoon to Thomas D. Stiles of Swan Lake and Miss Benish Flackus of Dairy. Miss Flackus is a daughter of Charles Flackus, the well known Dairy farmer.

Wanted to Buy Two good milk cows; must test 6 per cent. Apply box 745. 8*

TOURIST FAILS TO GET AWAY

ATTEMPT TO LEAVE THE CITY LEAVING UNPAID BILLS BEHIND FRUSTRATED BY QUICK ACTION OF SHERIFF

One tourist who had been in this neck of the woods camping and hunting, did not get away without paying his score, as he tried to do. This was a man giving his name as Arthur Robinson, and who is presumed to be from New York, at which city his traveler's checks were issued.

He secured from Barney Chambers gun store over \$25 in ammunition, gun and tent rental, and at the Monarch grocery A. G. Lewis gave the man "tick" for over \$50 worth of food and supplies.

Robinson came through Klamath Falls Tuesday and left on the evening train, apparently for San Francisco, without settling for his purchases.

Chambers and Lewis took up the matter through the office of Justice of the Peace Charles Graves, and through quick action by the office of Sheriff William B. Barnes the man was apprehended at Wood, where he promptly settled the bills and was allowed to go on his way.

SHERIFF'S DEBY PUBLISHED INTERVIEW

(Continued from Page 1)

ing arrests for any law infractions here.

It was argued that unless resorts outside of the city limits were closed it would be impossible to carry on any effective campaign in the city.

For pure and unadulterated facts, the story printed in the morning paper today regarding the closing of the houses in the restricted district in this city is entitled to all of the medals, according to Deputy Sheriff Schollock and Wheeler, from whom the paper claimed to have secured its information.

Both Wheeler and Schollock are credited with long statements, in which they outlined the work they are supposed to have contemplated. Mr. Schollock satly denied this morning that there was any truth in the following printed in the Northwest:

"After Mayor Nicholas learned yesterday that the sheriff's office had notified the women to close up, he visited Deputy Sheriff John Schollock and offered to co-operate with him.

"We have waited a long time for you and your officers to enforce the city statutes against places of this kind," the mayor was told, "and you have utterly neglected to act. Now we are proceeding under the state law, and need no help at this belated time from the city administration."

Mr. Wheeler is credited with a long and rambling statement concerning the moral crusade.

"I had a short conversation with a Northwestern reporter last night," said Mr. Wheeler today. "I gave him practically the same information that I had given to The Herald in the morning. The report of my statements as printed in the morning paper is not correct."

As a matter of fact, there has been a disposition all along to co-operate with the city police, so far as the sheriff's office is concerned.

"A Northwestern reporter asked me yesterday evening about the work we had done in connection with the cleaning up of the city," said Mr. Wheeler. "I told him that we had ordered the inmates of the houses in the restricted district to leave the city forthwith.

"He asked me where we got our orders from.

"Did the district attorney tell you to go ahead?" he asked.

"I replied in the negative.

"Did Governor West order you to act?" he asked.

"Again I told him 'no.' That was about all there was to it."

BRITONS WILL DELAY PROTEST

United Press Service LONDON, Sept. 5.—Unofficial but reliable information from a foreign office source confirms the report that England will not present a protest against the Panama canal regulations until after the forthcoming presidential election.

Chances are that soon a new fraternal organization will have a branch in this city. An organizer for the Loyal Order of Moose in the city, endeavoring to enlist a membership sufficient to launch a Klamath Falls lodge.

Earnest Women Workers for Suffrage are Here

Medford Ladies Meet With Local Men and Interest Many in the Cause of "Votes for Women"—Campaign Will be Brisk in this Section

Although in the city but a few hours, since the arrival of the train from the south yesterday, Mrs. J. F. Reddy and Miss Gladys Heard of Medford announced this afternoon that they had interested many men and women here in the equal suffrage movement which is sweeping the state.

Both ladies are members of the

Southern Oregon Equal Suffrage Club and are thoroughly interested in the campaign in which they are active.

During the day they interviewed a number of prominent women in the city, and a plan of campaign was practically agreed upon. It was decided that the most effective work could be accomplished here through individuals, rather than in exclusive

co-operation with any one club or society.

Judge Benson and Judge Worden promised the Medford workers that they would assist whenever called upon, and it is assured that there will be here before election day a number of prominent speakers, both men and women, who will aid in the campaign.

Mrs. Reddy and Miss Heard will start for home tonight.

BRAY MAN WEDS A LOCAL GIRL

WEDDING IS SOLEMNIZED AT THE BAPTIST PARSONAGE THIS MORNING—WILL MAKE THEIR HOME IN BRAY

Clayton H. Blake of Bray and Miss Ethel May Noeler of this city were united in marriage this morning at the Baptist parsonage by Rev. J. G. Brendell. Only witnesses were present.

The bride is a niece of Captain A. Noeler of Shippington, and is well known in the city. The groom is employed in the lumbering business in Bray. Mr. and Mrs. Blake will go to Bray at once.

MOTHER JONES TO LEAD STRIKERS

THREE THOUSAND MINERS WILL MARCH BEHIND THE WOMAN TO THE STATE HOUSE TO SEE STATE EXECUTIVE

United Press Service CHARLESTON, W. Va., Sept. 5.—Mother Jones will lead 3,000 miners from the Kanawha coal district through the streets here tomorrow to call at the state house and protest to Governor Glasscock against the order permitting mine guards in the Paint Creek district.

STRIKE RUMORS PUT TO AN END

United Press Service CHICAGO, Sept. 5.—All possibility of a strike of the street railway workers is believed to have been eliminated. President Roach of the railway company has agreed to the demands of the men for arbitration.

SAWMILL QUARREL LEADS TO MURDER

HOAQUIM, Wash., Sept. 5.—As the result of a quarrel, Tony Prapas shot and killed Oscar Fremke, head sawyer at the Western Coopersage company's plant, at Aberdeen, Fremke expiring half an hour after he was shot.

Prapas tried to escape, and was pursued by J. Hemphill, at whom Prapas shot twice, but when the gun failed to explode the third time Hemphill closed in on the murderer and caught him.

Prapas is 28 years old and Fremke was 26 and unmarried. The men had quarreled the night before, and Prapas secured a gun before returning to work. He is said to have angered Fremke, and when Fremke retaliated he was killed.

MEDFORD MEN EXCEED LIMIT

If 148 divided by four equals 37, did four Medford hunters violate the state game law?

According to the Medford Tribune, four Medford men returned to that place from a hunting trip on Lake Klamath with the result of their brief sojourn in this section. The paper says that the four men shot 148 fine Mallard ducks.

The state law provides that not more than 35 ducks may be killed by a hunter in any seven consecutive days. The Medford men, according to the Tribune, exceeded the legal limit by two ducks each.

Notice for Publication

(Not Coal Lands)

Department of the Interior, United States Land Office at Lakeview, Oregon, June 17, 1911.

Notice is hereby given that James Ericson, whose postoffice address is Klamath Falls, Oregon, did, on the 24 day of January, 1911, file in this office sworn statement and application No. 62287, to purchase the SW 1/4 NW 1/4, Section 25, Township 28 S., Range 10 E., Willamette Meridian, and the timber thereon, under the provisions of the act of June 8, 1878, and acts amendatory, known as the "Timber and Stone Law," at such value as might be fixed by appraisal, and that, pursuant to such application, the land and timber thereon have been appraised at a total of \$100, the timber estimated at \$0,999 board feet at \$1 per M., and the land at \$10; that said applicant will offer final proof in support of his application and sworn statement on the 30th day of August, 1912, before C. R. De Lap, county clerk of Klamath county, Oregon, at Klamath Falls, Oregon.

Any person is at liberty to protest this purchase before entry, or initiate a contest at any time before patent issues, by filing a corroborated affidavit in this office, alleging facts which would defeat the entry.

A. W. ORTON, Register.

7-4-2-29

Suit in Equity to Foreclose a Mortgage—Summons

In the Circuit Court of the State of Oregon for Klamath County Joseph T. Peters, Plaintiff

vs. Lela Hardy, Ira Hardy, Jane Roe Hardy, John Doe Hardy, Heirs at Law of J. Frank Hardy, Deceased; Also the Unknown Heirs of J. Frank Hardy, Deceased; Also, All Unknown Persons or Parties Claiming Any Right, Title, Estate, Lien or Interest in the Real Estate Described in the Complaint Herein, Defendants.

To Lela Hardy, Ira Hardy, Jane Roe Hardy, John Doe Hardy, heirs at law of J. Frank Hardy, deceased; also the unknown heirs of J. Frank Hardy, deceased; also all unknown persons or parties claiming any right, title, estate, lien or interest in the real estate described in the complaint herein, the above named defendants.

In the name of the State of Oregon, you are hereby required to appear and answer the complaint of the above named plaintiff in the above entitled court, now on file with the clerk of said court, within six weeks from the date of the first publication of this summons, and you are notified that if you fail to appear and answer said complaint as hereby required, the plaintiff will apply for a decree of this court, as prayed for in his complaint, to-wit: That a certain mortgage given by J. Frank Hardy to this plaintiff on the thirteenth day of September, 1908, to secure the payment of the sum of four hundred and eighty-five dollars (\$485.00), with interest at the rate of ten (10) per cent per annum from said date be foreclosed, defendants equity of redemption therein foreclosed, and the land described therein, to-wit: South half (1/2) of the southeast quarter (1/4) of Section Thirty (30) and north half (1/2) of northeast quarter (1/4) of Section Thirty-One (31), Township twenty-three (23) south, Range nine (9), east of Willamette meridian, in Klamath county, Oregon, sold in the manner provided by law; and the proceeds of said sale be applied as follows, to-wit:

First—To the payment of the costs of this suit and the foreclosure and sale.

Second—To the payment of such sum as the court may adjudge reasonable as attorney's fees to be allowed therein.

Third—To the payment to the plaintiff of the sum of four hundred, eighty-five (\$485.00), with interest thereon at the rate of ten per cent (10) per annum from the thirteenth day of March, 1910, until paid; and the further sum of sixteen and 47-100 (\$16.47), with interest thereon at the rate of six per cent per annum from the fifteenth day of March, 1911, until paid.

Fourth—That the plaintiff recover of and from defendants his costs and disbursements herein.

Fifth—For such other further and general relief as to the court may seem meet with equity.

This summons is served upon you by order of the Honorable Henry L. Benson, Judge of the Circuit Court of the State of Oregon, for Klamath county, made on the thirty-first day of August, A. D. 1912, by publication thereof in the Klamath County Republican, a weekly newspaper published in Klamath county, Oregon, for six consecutive and successive weeks, the date of the first publication being the 5th day of September, A. D. 1912.

W. LAIR THOMPSON, 9-5-10-10 r Attorney for Plaintiff.

Notice for Publication (Not Coal Lands)

Department of the Interior, United States Land Office at Lakeview, Oregon, August 26, 1912.

Notice is hereby given that Cora M. Dodge, as widow of Frank F. Dodge, of Fort Klamath, Oregon, who, on August 11, 1908, made Homestead Entry (Act June 11, 1906) No. 0329, for the SW 1/4 SE 1/4, SE 1/4 SW 1/4, Sec. 23; E 1/2 NW 1/4, Sec. 24, Township 24 S., Range 6 E., Willamette Meridian, has filed notice of intention to make final five-year 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 5th day of October, 1912.

Claimant names as witnesses: Arthur Morrison of Fort Klamath, Oregon; George J. Weiss of Fort Klamath, Oregon; Alice A. Voss of Fort Klamath, Oregon; Restora French of Klamath Falls, Oregon.

A. W. ORTON, Register.

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A. W. ORTON, Register.

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