

## McLEAN TELLS OF HORSE DEALS

### DEFENDANT IN HORSE STEALING CASE ON STAND

Declares That the Mare Claimed by Complaining Witness Is Not His Property—Denies Testimony of Fred Campbell—Intimations of Perjury May Lead to Sensational Developments.

Intimating that he is a victim of a "put-out job," George McLean took the witness stand Monday in his own behalf in the case in which he is charged with stealing a mare from H. E. Winnard.

A severe blow was dealt the defense on Monday, when Fred Campbell, a witness for the defense, denied that he had sold McLean a mare similar to the one in dispute in the case. McLean, however, strenuously asserted on the stand that he had bought a mare from Campbell, and that she answers very closely the description of the Winnard animal.

Asked directly whether the mare claimed by Winnard is his property, McLean answered in the negative.

In brief, McLean's defense is that he bought a bay mare in 1910 from Campbell, but had not seen the animal for some time. He asked Charlie Walker to bring her in from the range, and the latter did so, pointing out the mare claimed by Winnard as the one answering the description.

Velled inferences of perjury were freely handed out during the session of court today, and there will probably be sensational developments before the case is finally concluded.

Charlie Walker was the star witness this morning. He was preceded by Frank Coburn and Mrs. Walker, who were called by the defense immediately after the prosecution suddenly rested.

Coburn and Mrs. Walker testified along the same line, concerning trips made to the desert country in Lake county.

Charlie Walker testified that he had resided in this section for nine or ten years, and had been engaged in ranching during that time. In 1910 he had taken a bunch of horses to the desert country, and had turned them on the range. In May, 1911, he had gone to that section and brought back what of his stock he could find. Among the others he had brought out of the range country a bay mare that he had been asked to pick up for McLean, the defendant.

This mare, the witness said, answered closely the description of the mare in dispute, as near as he could remember. On the trip, the mare and four of his own horses, the witness said, were in such poor condition, that he left them at Whiskey Creek for pasture, and on his return notified McLean of this fact. The next time the witness saw the mare she appeared larger and was in much better condition. In his opinion the mare in dispute and the one he brought back from the desert country are one and the same.

The witness said that the pig-pen brand was his own, and was adopted after he had discarded the brand used by his mother, an "F."

"There were too many horses on the range bearing the 'F' brand," said the witness.

"Is there any chance of your being mistaken in this mare," asked Mr. Shaw for the defense.

"I'd take her to be the same mare," was the reply.

"Do you know where the defendant got this mare?"

"He told me he got her from Fred Campbell. I know that he has made some trades with Fred."

The witness said that he had been called as a witness at the preliminary hearing of McLean, but had not been called to the stand.

He was asked to draw the pig-pen brand and the trunk handle brand, and did so. The two were introduced in evidence.

"Has Winnard, the complaining witness, any horses bearing your brand of pig-pen?"

"I don't know. I have traded horses considerable, and Mr. Winnard has also traded considerable."

The witness explained the difference in marks a brand might make on an animal by saying that the man doing the actual branding could control this by the manner in which the brand was applied.

### SOUTHERN CALIFORNIA TO THE ROGUE RIVER

A party consisting of J. D. Gentry, W. E. Vardy, W. O. Buckles, and Dr. E. H. Lyman and wife, arrived in the city Sunday in three automobiles from San Bernardino, Calif., on their way to Grants Pass. They left San Bernardino on the night of July 17th, and have been camping on the road, enjoying the fishing and hunting. They came in Sunday from Susanville. Tomorrow the party will go to Crater Lake, and from there to Medford and Grants Pass, returning down the coast through Coos county.

## PROFESSIONAL CARDS

**C. C. BROWER**  
Attorney and Counselor at Law  
Rooms 7 and 8  
Murdoch Bldg. Klamath Falls

**WILL A. LEONARD**  
Dentist  
White-Maddox bldg.

**MUSIC**  
Orchestra or Band  
Furnished for all occasions  
**A. Y. TINDALL**  
Klamath Falls Herald Office

## WANT CHANGE IN FISH LICENSE

### PETITION ASKING \$1 LICENSE FOR NON-RESIDENTS IS TO BE CIRCULATED AND PRESENTED TO COMMISSION

Some of the local sportsmen are preparing a petition which is to be circulated and presented to the state fish and game commission, asking for a measure providing for the reduction of the fishing license for non-residents to \$1, the same as it is for residents of the state.

It is argued that the state, and particularly Klamath county, is losing a large revenue from tourists by compelling them to pay \$5 for the pleasure of a few hours fishing. There are many commercial men and visitors coming to this city who would remain over a day or so to enjoy the upper country resorts if they did not feel that they were being held up by being compelled to pay \$5 for a fishing license for a few hours' fishing.

Many autoists traveling over this route would spend a day or so at the famous fishing resorts of the county, if they were encouraged by a reasonable license, and with fair treatment, would be sure to return and induce their friends to come here. It is argued that as great if not greater revenue would be received by the state from licenses if they were \$1, as there is at the present, and there would be just as many fish in the streams.

### NEW PASS FOR AUTOS OVER THE CASCADES

BEND, July 29.—A new route for automobiles across the Cascade mountains has been discovered by two Brownsville men, H. H. Hilliary and R. W. Tripp, president and secretary of the Commercial Club in that town. They came over the mountains the first of the week, and report that the McKinzie Pass, which has never been used by motorists, is in fine condition for automobile travel.

This road opens a new route into Central Oregon from the Willamette Valley. Heretofore it has been impossible for autoists to come over from the west side. They can go from the east by the Santiam route, but it is impossible to traverse this pass in the opposite direction, owing to sand on the west side of the mountains.

The McKinzie pass is similarly limited as regards travel from the east side. Hilliary and Tripp, after making a tour of the Central Oregon, returned by the Santiam route.

### ARE BACK FROM VISIT TO MINE

J. J. Keller, O. W. Robertson and Chas. Baldwin returned last evening from a visit to mining property they are interested in near Virginia City, Nevada. They left Susanville Sunday morning at 7:30, and arrived here in the evening at 8:30, which is a distance of 215 miles. During their absence since last Tuesday about noon, they traveled a distance of over 800 miles by auto and never experienced a breakdown or mishap. Full credit is given for this record to Chas. Baldwin, who drove the machine.

Each member of the party is enthusiastic over the possibilities of their mining proposition, and report that they found conditions just as represented by their engineer's report. Their claim adjoins the famous Pandora mine, from which \$80,000 worth of ore has been recently taken. On the other side is the Consolidated Mining company's property, which has also yielded rich ore.

The party went by way of Lakeview, New Pine Creek, Alturas and Reno.

### Order to Show Cause Why Real Estate Should Not Be Sold

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

In the Matter of the Estate of James C. Mongold, Deceased.  
To William D. Mongold, sole and only Heir of said Estate:  
You are hereby notified that P. L. Fountain, executor of the estate of

James C. Mongold, deceased, did on the 8th day of July, 1912, file a petition in said court, praying for an order of sale, at private sale, of part of the real estate of said deceased, hereafter particularly described, for the purpose therein set forth.

It is, therefore, ordered that you, and all other persons, if any there be, who are interested in the estate of the said deceased, appear before the said county court on the 17th day of August, 1912, at 10 o'clock a. m. of said day, at the court room of said court, in the city of Klamath Falls, in said county and state, to show cause why an order should not be granted to the said administrator to sell said real estate of James C. Mongold, deceased; and that a copy of this order be served on all heirs of said deceased within the state, and be published at least once a week for four successive weeks, in the Klamath Republican, a weekly newspaper of general circulation, printed and published in the city of Klamath Falls, Klamath county and state of Oregon.

The real estate hereinbefore referred to is particularly described as follows:

"NE 1/4 of Sec. 4, T. 40 S., R. 9 E., W. M."

"An equity of \$150.00 in lots 9 and 10 of block 304 of Darrow Addition to the town of Klamath Falls, as shown on the plat thereof and filed with the clerk of Klamath county, Oregon."

"An equity of \$160.00 in lots 11 and 12 of block 304 of Darrow Addition to Klamath Falls, Oregon, as shown on the plat thereof filed with the clerk of Klamath county, Oregon."

"An equity of \$470.00 in lot 1, block 59, Second Hot Springs Addition to Klamath Falls, Oregon." Dated this 17th day of July, 1912.

W. S. WORDEN,  
County Judge

**Summons**  
In the Circuit Court of the State of Oregon, for Klamath County.  
Luke E. Walker, Plaintiff,  
vs.

J. F. Munz; the Unknown Heirs of J. F. Munz; John Friese; the Unknown Heirs of John Friese; Alexander Martin, Sr.; B. J. Pengra; P. J. Pengra; the Unknown Heirs of P. J. Pengra; William J. Pengra; the Unknown Heirs of William J. Pengra; 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 J. F. Munz; the Unknown Heirs of J. F. Munz; John Friese; the Unknown Heirs of John Friese; Alexander Martin, Sr.; B. J. Pengra; P. J. Pengra; the Unknown Heirs of P. J. Pengra; William J. Pengra; the Unknown Heirs of William J. Pengra; Also all other persons or parties unknown claiming any right, title, estate, lien or interest in the Real Estate described in the Complaint herein:

You and each of you are hereby summoned to appear and answer the complaint filed in the above entitled suit within six weeks after the first publication of this summons in the Klamath Republican newspaper.

And you will take notice that if you fail to appear and answer or otherwise plead within said time, the plaintiff for want thereof will apply to the above entitled court for the relief demanded in his complaint filed in said suit, to-wit:

For decree determining all adverse claims of the defendants or any other party or parties in or to the SW 1/4 of Section 21 and the SE 1/4 of the SE 1/4 of Section 26, all in Township 36 South, Range 14 East of Willamette Meridian, in Klamath County, Oregon, and declaring the plaintiff to be the owner in fee simple of the said described lands, and that the defendants and all other persons be forever enjoined and debarred of asserting any claim whatever in or to said lands or premises adverse to this plaintiff, and for such other and further relief as to the court may seem meet in the premises.

This summons is published pursuant to an order of the Honorable Henry L. Benson, Judge of the Circuit Court of the State of Oregon for Klamath County, made on the 29th day of June, A. D. 1912, and the first publication thereof is made in the Klamath Republican on July 4th, 1912.

KUYKENDALL & FERGUSON,  
Attorneys for Plaintiff.

### NOTICE FOR PUBLICATION

(Not Coal Lands)  
Department of the Interior, United States Land Office at Lakeview, Oregon, May 17, 1912.

Notice is hereby given that James B. Short, whose postoffice address is Olene, Oregon, did, on the 17th day of November, 1911, file in this office sworn statement and application No. 55153, to purchase the SW 1/4 of the NE 1/4, the SE 1/4 of the NW 1/4, Sec-

tion 31, Township 39 S., Range 11 1/2 E., Willamette Meridian, and the timber thereon, under the provisions of the act of June 3, 1878, and acts amendatory, known as the "Timber and Stone Law," at such value as might be fixed by appraisal, and hat, pursuant to such application, the land and timber thereon have been appraised at a total of \$200, the timber estimated 280,000 board feet, at 50 cents per M., and the land at \$60; 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. DeLap, county clerk of Klamath county, at Klamath Falls, Oregon.

Any person is at liberty to protest this purchase before entry, or to file 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.

### 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 Briscoe, whose postoffice address is Klamath Falls, Oregon, did, on the 3d day of January, 1911, file in this office sworn statement and application No. 95237, to purchase the SW 1/4 NW 1/4, Section 29, Township 38 S., Range 10 E., Willamette Meridian, and the timber thereon, under the provisions of the act of June 3, 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 90,000 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. DeLap, county clerk of Klamath county, Oregon, at Klamath Falls, Oregon.

Any person is at liberty to protest this purchase before entry, or to file 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.

### Notice for Publication

(Not Coal Lands)  
Department of the Interior, United States Land Office at Lakeview, Oregon, June 29, 1912.

Notice is hereby given that Oscar E. Willey, of Odessa, Oregon, who, on June 8, 1912, made homestead entry No. 93892, for the S 1/2 S 1/2, Section 18, Township 37 S., Range 7 E., Willamette Meridian, has filed notice of intention to make final commutation proof, to establish his claim to the land above described, before C. R. DeLap, county clerk of Klamath county, at Klamath Falls, Oregon, on the 19th day of August, 1912.

Claimant names as witnesses: Lynn Fulkerson, Paul Bogardus, J. G. Swan, Bird Loosley, all of Klamath Falls, Oregon.

A. W. ORTON,  
Register.

### Administrator's Notice

Notice is hereby given by the undersigned, administrator of the estate of Edward G. Thomas, deceased, to all persons having claims against said estate, to present them, with proper vouchers, within six months from the date of this notice, to the administrator, at the office of Attorney F. H. Mills, 206 Odd Fellows' building, Klamath Falls, Klamath county, Oregon.

Dated July 11, A. D. 1912.

LEE S. THOMAS,  
Administrator.

### Summons

In the Circuit Court of the State of Oregon, for Klamath County.  
J. W. Jory and D. E. Risedorf, Plaintiffs,

vs.

George W. Brown; Hiram H. Folsom; Peri E. Allen; Price Allen; Charles M. Beckwith; Catherine R. Beckwith; Frank G. Miller; Klamath Canal Company, a Corporation; Also all other persons or parties unknown, claiming any Right, Title, Estate, Lien or Interest in the Real Estate described in the Complaint.

To George W. Brown; Hiram H. Folsom, Peri E. Allen; Price Allen; Charles M. Beckwith; Catherine R. Beckwith; Frank G. Miller; Klamath Canal Company, a Corporation; Also all other persons or parties unknown, claiming any Right, Title, Estate, Lien or Interest in the Real Estate described in the Complaint.

You and each of you are hereby summoned to appear and answer the complaint filed in the above entitled suit within six weeks after the first publication of this summons in the Klamath Republican newspaper. And you will take notice that if you fail to appear and answer or

otherwise plead within said time, the plaintiff for want thereof will apply to the above entitled court for the relief demanded in the complaint filed in said suit, to-wit:

For decree determining all adverse claims of the defendants or any other party or parties in or to the W 1/2 of NE 1/4 of Sec. 31, Twp. 39 S., R. 9, E. W. M. and the NE 1/4 of NW 1/4 of Sec. 5, and the NE 1/4 of NE 1/4 of Sec. 6, Twp. 40 S., R. 9, E. W. M. Also the NW 1/4 of NW 1/4 of Sec. 5, Twp. 40 S., R. 9, E. W. M., in Klamath County, Oregon, and declaring the plaintiffs to be the owners in fee simple of the said described lands, and that the defendants and all other persons be forever enjoined and debarred of asserting any claim whatever in or to said lands or premises adverse to this plaintiff, and for such other and further relief as to the Court may seem meet in the premises.

This summons is published pursuant to an order of the Honorable H. L. Benson, Judge of the Circuit Court of the State of Oregon for Klamath County, made on June 28th, 1912, and the first publication thereof is made in the Klamath Republican on July 4, 1912.

KUYKENDALL & FERGUSON,  
Attorneys for Plaintiff.

### Summons

In the Circuit Court of the State of Oregon, for Klamath County.  
Earl E. Walker, Plaintiff,

vs.

Daniel J. Walker; the Unknown Heirs of Daniel J. Walker; the Unknown Heirs of John D. Walker; 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 Daniel J. Walker; the Unknown Heirs of Daniel J. Walker; the Unknown Heirs of John D. Walker; 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 are hereby summoned to appear and answer the complaint filed in the above entitled suit within six weeks after the first publication of this summons in the Klamath Republican newspaper.

And you will take notice that if you fail to appear and answer, or otherwise plead within said time, the plaintiff for want thereof will apply to the above entitled court for the relief demanded in his complaint filed in said suit, to-wit:

For decree determining all adverse claims of the defendants or any other party or parties in or to the east half of Section 28, in Township 36 South, Range 14 East of the Willamette Meridian, in Klamath County, Oregon, and declaring the plaintiff to be the owner in fee simple of the said described lands, and that the defendants and all other persons be forever enjoined and debarred of asserting any claim whatever in or to said lands or premises adverse to this plaintiff, and for such other and further relief as to the court may seem meet in the premises.

This summons is published pursuant to an order of the Honorable Henry L. Benson, Judge of the Circuit Court of the State of Oregon, for Klamath County, made on July 3, 1912, and for the first publication thereof is made in the Klamath Republican on July 4, 1912.

KUYKENDALL & FERGUSON,  
Attorneys for Plaintiff.

### Notice for Publication

United States Land Office, Lakeview, Oregon, July 8th, 1912.

Notice is hereby given that the Northern Pacific Railway Company, whose postoffice address is St. Paul, Minnesota, has this 8th day of July, 1912, filed in this office its application to select under the provisions of the act of congress approved July 1, 1898 (30 Stat. 597, 620), as extended by the act of congress approved May 17, 1906, the NE 1/4 SE 1/4, S 1/2 of SE 1/4, Sec. 30, and NE 1/4 NE 1/4, Sec. 31, T. 37 S., R. 9 E., W. M.

Any and all persons claiming adversely the lands described, or desiring to object because of the mineral character of the land, or for any other reason, to the disposal to applicant, should file their affidavits of protest in this office on or before the 9th day of September, 1912.

A. W. ORTON,  
Register.

### Notice of Sheriff's Sale of Real Property

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

vs.

Bert E. Withrow, as Administrator of the Estate of Louis Walter, Deceased; and all Other Persons Interested in the Estate of the Said Louis Walter, Deceased, Defendants.

Notice is hereby given that by virtue of an order of sale duly issued out of the above entitled court on the 1st day of July, A. D. 1912, in the above

entitled cause, the real property mentioned and described in the information filed on behalf of the plaintiff, state of Oregon, was ordered sold by the sheriff of Klamath county, Oregon, at public auction, for cash, in the same manner as real estate is sold on execution;

Now, therefore, by virtue of said order of sale and in compliance therewith, I will, on Saturday, the 31st day of August, A. D. 1912, at 10 o'clock a. m., of said day, at the front door of the court house of Klamath county, Oregon, in the city of Klamath Falls, Oregon, sell at public auction, to the highest bidder for cash, the following described real property situated in Klamath county, Oregon, to-wit:

Lots three (3) and four (4) and the south half (S 1/2) of the north-west quarter (NW 1/4) of Section four (4), in Township thirty-nine (39) South, Range six (6) East of the Willamette Meridian.

The proceeds of said sale to be applied to the payment of the costs and expenses thereof, and the costs and expenses of the proceeding incurred on behalf of the state of Oregon, and the remainder of the proceeds of such sale to be paid to the treasurer of the state of Oregon.

Dated this 24th day of July, A. D. 1912.

W.B.BARNES,  
Sheriff of Klamath County, Ore.  
GEO. W. HAYDON, Deputy.  
KUYKENDALL & FERGUSON, Attorneys for the State of Oregon.  
7-25-8-29 r

### Summons

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

G. Merrill, Plaintiff,

vs.

Edward C. Brooks, Margaret C. Brooks, wife of Edward C. Brooks; Hattie Brooks; Heirs at Law of Quincy A. Brooks and Lizzie Brooks, Deceased; Charles Cranston, Lida Cranston and Nell Williams, Heirs at Law of Warren Cranston and Nettie Cranston, Deceased; Charles E. Wilkey; James B. Churchill and C. N. Hawkins; Agnes Pierce and Albert Hopkins Pierce, Heirs at Law of J. G. Pierce, Deceased; Also all other Persons and Parties Unknown Claiming any Right, Title, Estate, Lien or Interest in the Real Estate Described in the Complaint Herein. Defendants.

To Edward C. Brooks, Margaret C. Brooks, Wife of Edward C. Brooks; Hattie Brooks, Heirs at Law of Quincy A. Brooks and Lizzie Brooks, deceased; Charles Cranston, Lida Cranston and Nell Williams, Heirs at Law of Warren Cranston and Nettie Cranston, Deceased; Charles E. Wilkey, James B. Churchill and C. N. Hawkins; Agnes Pierce and Albert Hopkins Pierce, Heirs at Law of J. G. Pierce, Deceased; Also all Other Persons and Parties Unknown, Claiming any Right, Title, Estate, Lien or Interest in the Real Estate Described in the Complaint Herein. Defendants Above Named.

In the Name of the State of Oregon: You and each of you are hereby required to appear and to answer the complaint of the plaintiff above named, now upon file in the clerk's office for the above mentioned court, in the above entitled suit, on or before the 5th day of September, 1912, said day being the last day of the publication of this summons, and the last day within which time you are required to appear and answer the said complaint, as fixed by the court's order for the publication of this summons.

If you fail to appear and answer the said complaint the plaintiff will apply to the court for the relief demanded in the complaint of the plaintiff.

That this suit is brought for the purpose of quieting the title to lots 9 and 10 in block 77 in the town of Klamath Falls, the same being a part of lot 3, in Section 32, Township 38, South Range 9, East of the Willamette Meridian, Klamath county, Oregon. And for a decree of the above named court, adjudging that the plaintiff in the above entitled suit is the owner of the said lands and entitled to the peaceable and quiet possession of the same, and that the defendants, nor either of them have any right, title or estate in and to the same and that each and every of the above named defendants be forever barred from asserting any right or claims to any part or parcel of the said lands in any manner whatever.

That this summons is published once a week, for the period of six successive weeks in the Klamath Republican, a newspaper, printed and published at Klamath Falls, Oregon, by an order of Wm. S. Worden, county judge for the county of Klamath, and state of Oregon, dated July 18, 1912, and the first publication being made upon the 25th day of July, 1912.

C. M. ONEILL,  
Attorney for Plaintiff.  
7-25-9-5 Klamath Falls, Ore.