

MANDAMUS CASE IS BARRED

PLAN TO FORCE COURT MEETS WITH COMPLETE FAILURE

Messrs Leonard and Rabbes Get no Satisfaction from Judge who is Here for Judge Benson. Request for Writ of Mandamus is not Taken up, as Court Considers not Proper at this Time

An attempt to involve Judge McGinn in the campaign inaugurated by Dr. W. A. Leonard and Henry Rabbes against the city officials of Klamath Falls came to an ignominious ending in the circuit court last week, when the Portland jurist positively refused to take a hand.

"This appears to be family trouble," said Judge McGinn, in disposing of the matter, "and it would ill become me to take any action in the matter."

The decision of the court did not come as a surprise, especially as the matter had already been tried in the morning paper and practically disposed of. It is, however, generally conceded that the newspaper decision will not stand in the face of the statement by Judge McGinn from the bench.

The matter came up on motion of C. M. O'Neill, attorney for Rabbes and Leonard, who asked that the previous proceedings in the mandamus case in which the plaintiffs sought to force the city council to inaugurate a commission form of government be dismissed, and a peremptory writ of mandamus be issued on new pleadings, which were characterized as being "much broader" than those in the previous forms.

Judge Drake, acting as city attorney, called Judge McGinn's attention to the fact that different phases of the case had been threshed out before Judge Benson, and that it appeared to be in the nature of internal origin. Mr. O'Neill started to explain to the court the new phase of the situation when the judge interrupted with the statement that he had come here to try certain cases and not to become involved in a "family trouble."

As the matter now stands Messrs Leonard and Rabbes are in exactly the same position that they were before the case was submitted to The Northwestern.

LOGGING GOING

FINE AT KENO

"Logging operations in the vicinity of Keno are going along in great shape," declared W. C. Ball of Keno. "The weather is just right, and there is just the proper amount of snow on the ground to make the hauling of logs easy."

"The Big Basin Lumber Co's crews are working right along and are making much better progress than when the traction engine was used on the road."

NEW LAW FIRM

IS ORGANIZED

S. S. Johnson and Arthur D. Hay today entered into partnership in the practice of law here.

Mr. Johnson came here last September from Oregon City and Mr. Hay followed from Portland a month later. They are both young men, and have made a number of friends since coming here. They will open offices in the Odd Fellows building.

Return from Trip

Mr. and Mrs. J. C. Cleghorn returned last week from their honeymoon tour. They spent the greater part of their time in Iowa, the groom's former home, but visited several large cities. Mr. Cleghorn is assistant engineer with the local branch of the Reclamation Service.

Earl Foster, who was operated upon Tuesday is recovering splendidly, according to reports from the Blackburn Hospital.

Governor West is investigating the management of the reform school as well as the state asylum.

Miss Edna Norris of Fort Klamath is the guest of Miss Fannie Virgil.

Gus A. Johnson, a well known travelling man, is in from Sacramento to call on the local trade.

T. W. Murphy, a well known weed timber cruiser, is here to attend to business matters.

4-972 c.

NOTICE OF CONTEST

Serial No. 02356
Contest No. 509
Department of the Interior, United States Land Office, Lakeview, Oregon, January 2nd, 1913.

To the Unknown Heirs of Joe Dreher, deceased, whose addresses are unknown, Contestees:

You are hereby notified that Anderson Allen, who gives Klamath Falls, Oregon, as his postoffice address,

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.

DR. ANDREW A. SOULE
Physician and Surgeon
Office, Hoyt Hotel, Ft. Klamath

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

Oregon Timber Lands Bought and Sold
C. H. WEBBER
508 Lumbermen's Building
Portland, Ore.

deeds, did on October 22, 1912, file in this office his duly corroborated application to contest and secure the cancellation of Homestead, Entry No. 02356, Serial No. 02356 made August 9, 1909, by Joe Dreher, deceased, for the W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 39 South, Range 10 East, Willamette Meridian, and as grounds for his contest he alleges that said Joe Dreher died on or about the 2nd day of September, 1911; that R. C. Short has been appointed administrator of the estate of said Joe Dreher, deceased; that there are no known heirs of said Joe Dreher; that said Joe Dreher never established or maintained residence upon said land nor cultivated or improved the same during his lifetime, but abandoned the same immediately after filing thereon and remained away therefrom until the time of his death; that since said Dreher's death his heirs have neither lived upon, cultivated, or in any manner improved said land, but they have wholly failed and neglected to reside thereon or to in any manner cultivate or improve the same; that said administrator of said estate of said Dreher has not lived upon, cultivated or improved said land since his appointment as such administrator; that no one, for the use and benefit of Dreher or otherwise, has ever lived upon said land or cultivated or improved the same.

You are, therefore, further notified that the said allegations will be taken by this office as having been confessed by you, and your said entry will be canceled thereunder without your further right to be heard therein, either before this office or on appeal, if you fail to file in this office within twenty days after the FOURTH publication of this notice, as shown below, your answer, under oath, specifically meeting responding to these allegations of contest, or if you fail within that time to file in this office due proof that you have served a copy of your answer on the said contestant either in person or by registered mail. If this service is made by the delivery of a copy of your answer to the contestant in person, proof of such service must be either the said contestant's written acknowledgement of his receipt of the copy, showing the date of its receipt, or the affidavit of the person by whom the delivery was made stating when and where the copy was delivered; if made by registered mail, proof of such service must consist of the affidavit of the person by whom the copy was mailed stating when and the post office to which it was mailed, and this affidavit must be accompanied by the postmaster's receipt for the letter.

You should state in your answer the name of the post office to which you desire future notices to be sent to you.

A. W. ORTON, Register.
Date of 1st publication, Jan. 9, 1913
Date of 2d publication, Jan. 16, 1913
Date of 3d publication, Jan. 23, 1913
Date of 4th publication, Jan. 30, 1913
J. H. CARNAHAN,
Klamath Falls, Ore.;
O. C. GIBBS,
Lakeview, Oregon,
Attorneys for Contestant.

Administrator's Notice of Filing Final Account

In the County Court of the State of Oregon, for Klamath County.
In the Matter of the Estate of Charles Erickson, Deceased.

Notice is hereby given that I have filed my final account and report as administrator C. T. A. of the estate of Charles Erickson, deceased, and the above entitled court has fixed upon 10 o'clock in the forenoon of

January 18th, 1913, as the time, and the county court room, in the court house of Klamath county, Oregon, in the city of Klamath Falls, in said county, as the place, when and where any person may present any objection or exception to anything therein contained, or to anything done by me as administrator, and at said time and place the court will finally settle said account.

This notice is published pursuant to order of the above entitled court made December 5, 1912, and the first publication is made on December 12, 1912.

BERT E. WITHROW,
Administrator of the Estate of Charles Erickson, Deceased.
12-12-1-16 r

Notice to Creditors

Notice is hereby given that the undersigned has been duly appointed administrator of the estate of Henry E. Meier, deceased, by the county court of Klamath County, Oregon, and all persons having claims against said are required to present the same to me at the law office of Keesee & Groesbeck, in Klamath Falls, Oregon, within six months from the date of this notice, verified as required by law.

Dated at Klamath Falls, Oregon, this 19th day of December, 1912.
JOHN L. MEIER,
Administrator of the Estate of Henry E. Meier, Deceased. 12-19-1-16 r

Summons

In the Circuit Court of the State of Oregon, for Klamath County.
Sarah Wallace Currin, Plaintiff,
vs.
Robert Hope Currin, Defendant.

For Robert Hope Currin, the above-named 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, the 23d day of January 1913, that being the last day of the time prescribed in the order for publication of this summons. The first publication thereof being on Thursday, the 12th day of December, 1912; and if you fail to so appear and answer, for want thereof the plaintiff will apply to the court for the relief demanded in the complaint, to-wit, for a decree dissolving the bonds of matrimony now existing between plaintiff and defendant, for the care and custody of Hugh Currin, a minor child, the issue of said marriage, and for such other and further relief as to the court may seem equitable. This summons is served on the defendant herein by the publication thereof in the Klamath Republican, a weekly newspaper of general circulation, printed and published at Klamath Falls, Oregon, once a week for six consecutive weeks, by order of Honorable Henry L. Benson, Judge of the above entitled court, made, dated and filed in said suit, at Klamath Falls, Oregon, on the 11th day of December, 1912, the date of the first publication thereof being on Thursday, December 12th, 1912.
KEESE & GROESBECK,
12-12-1-16 r Attorneys for Plaintiff

Petition for License

To the Honorable, the County Court of the State of Oregon, for Klamath County.

We the undersigned, legal voters of Sprague River Precinct, of the county of Klamath, State of Oregon, being actual residents of said precinct at the date of signing this petition, and having resided therein at least thirty days immediately preceding the date of signing this petition, hereby respectfully petition your honorable body to grant unto James Edsall and O. W. Howard, residents of said precinct, under the firm name of "Howard & Edsall" a license to sell spirituous, malt and vinous liquors or fermented cider, commonly called "hard cider," within the precinct of Sprague River, in the town of Bly, Klamath County, State of Oregon, for a term of one year from the 1st day of February, 1913, in less quantities than one gallon.

P. P. Voege
J. S. Lowry Wm. Lowry
Homer Cox Geo. Bloomcamp
Arthur Hamaker A. W. Evans
L. L. Griffin R. E. Hartley
George R. Boyd Glenn Wilson
E. H. Reddin G. W. Elliott
J. F. Lowry M. Sowash
Eldon Davies F. H. Coates
M. S. Hamaker W. W. Smith
Earl E. Walker H. L. Anderson
Elmer Jones E. W. Whetstone
Mark Johnson J. J. Anderson
J. O. Watts Amos Lundy
L. A. Richardson Chas. Pattee
O. F. Boyd Wm. W. Ross
Bert Gooch O. T. Anderson
J. S. Watts J. E. Lowe,
D. P. Driscoll James Calahan
Frank Obenchain Ross W. Finley
A. R. Kincaid Ed Bloomcamp
J. C. Lerberz John C. Kappes
W. W. Stanley

Notice is hereby given to all persons interested that the foregoing petition will be presented to the county court on the 5th day of February, 1913, and application will be made to said court upon said date for the li-

cente herein petitioned for.
Dated at Bly, Klamath County, Oregon, this 28th day of December, 1912.
O. W. HOWARD,
Of the firm of Howard & Edsall.
1-2-1-30 r

Petition for a liquor license to sell, exchange, or otherwise dispose of spirituous, malt, or vinous liquors, or fermented cider, commonly known as "hard cider," at Altamont Tavern, Klamath County, and State of Oregon.

To the Hon. W. S. Worden, Judge of the County Court of the County of Klamath, State of Oregon, and to S. T. Summers and C. G. Merrill, Commissioners for the County and State aforesaid, and the County Court of said County:

We, the undersigned, legal voters and residents of Mills Addition Precinct, Klamath County, State of Oregon, would respectfully petition that a liquor license be granted to L. H. Snell to sell, exchange, or otherwise dispose of spirituous, malt or vinous liquors, or fermented cider, commonly known as "hard cider," in quantities less than one gallon, at Altamont Tavern in said Precinct. That said license be granted to the party aforesaid for a period of twelve months from and after the date of the granting of said license, and each for himself says: That I have personally signed this petition and that my residence and voting Precinct is correctly written after my name, and that I have been an actual resident of Mills Addition Precinct, in Klamath County, State of Oregon for a period of more than thirty days immediately preceding the signing of this petition.

Name	Precinct
T. H. Brown, Mills Addition.	
J. A. Varner, Mills Addition.	
A. Turner Mills Addition.	
S. T. Irwin Mills Addition.	
Otto Shoenfeld Mills Addition	
John Cablar, Mills Addition.	
Arthur C. Dorris Mills Addition.	
Shelby Naul Mills Addition.	
L. D. Phillips Mills Addition.	
G. W. Tramel Mills Addition	
G. J. Hughes Mills Addition.	
John Jaquess Mills Addition.	
Sam Varner, Mills Addition.	
T. A. Varner Mills Addition.	
F. P. Irwin Mills Addition.	
J. W. Arnold Mills Addition	
John N. Schmitz Mills Addition.	
L. Barfoot, Mills Addition.	
J. Trammill Mills Addition.	
A. C. Barrett Mills Addition.	
J. J. Jorgenson Mills Addition.	
J. S. Hawthorn Mills Addition.	
W. B. Floyd Mills Addition.	
James Eaton Mills Addition.	
M. B. Athens Mills Addition.	
C. O. Snell Mills Addition.	
John P. Meier Mills Addition.	
J. W. Thompson Mills Addition.	
O. R. Mersener Mills Addition	
Frank Williams Mills Addition	
A. McCabe Mills Addition	
C. Bell Mills Addition	
Frances Williams Mills Addition	
Winnie Johnson Mills Addition	
Miss Lewis Mills Mills Addition	
Mrs. G. J. Zink Mills Addition	
N. E. Miller Mills Addition	
C. Perry Mills Addition	
L. H. Snell Mills Addition	
Walla A. Turner Mills Addition	
I. E. Lucas Mills Addition	
Geo. A. Bell Mills Addition	
L. Lamming Mills Addition	
H. E. Lewis Mills Addition	
J. L. Meier Mills Addition	
G. W. Osborne Mills Addition	
E. E. Kirkendall Mills Addition	
J. D. Witt Mills Addition	
Martin Oronbey Mills Addition	
W. H. Thompson Mills Addition	
Jasper Hillerts Mills Addition	
T. J. Bellamy Mills Addition	
A. J. Weard Mills Addition	
Fred Buerman Mills Addition	
T. Buerman Mills Addition	
George Buerman Mills Addition	
Frank Howard Mills Addition	
C. C. Warden Mills Addition	
W. A. Langell Mills Addition	
W. H. McClure Mills Addition	
W. Doney Mills Addition	
G. W. Messenger Mills Addition	
E. F. Durkee Mills Addition	
C. C. Crouse Mills Addition	
Iva Wiard Mills Addition	
Mrs. Geomessner Mills Addition	
G. Grow Mills Addition	
F. R. Call Mills Addition	
C. Door Mills Addition	
J. J. Laughlin Mills Addition	
W. McCabe Mills Addition	
C. E. Grey Mills Addition	
I. P. Cutter Mills Addition	
F. Beard Mills Addition	
F. J. Schmitz Mills Addition	
W. H. Bell Mills Addition	
Emil Schiessel Mills Addition	
T. R. Johnson Mills Addition	
Otis Webb Mills Addition	
A. Westfall Mills Addition	
Chris Nelson Mills Addition	
D. Miller Mills Addition	
G. H. Jasper Mills Addition	
D. Round Mills Addition	
J. A. Grimes Mills Addition	
S. J. Michelson Mills Addition	
Chas Hamaker Mills Addition	
Frank Doohin Mills Addition	
Sam Hamilton Mills Addition	
Frank Duffey Mills Addition	
Tom Duffey Mills Addition	
M. L. Allison Mills Addition	

Dennis Provo Mills Addition
A. Dodinal Mills Addition
E. M. Edwards Mills Addition
L. V. Duffey Mills Addition
C. C. Martin Mills Addition
Denny Provo Mills Addition
Jay J. Arant Mills Addition
W. A. Stiles Mills Addition
Amalie Shoenfeld Mills Addition
F. Netschelm Mills Addition
Notice is hereby given that the foregoing petition will on the 7th day of February, 1913 at the hour of 10 o'clock A. M. of said day or as soon thereafter as the same may be heard, be presented to the County Court of the State of Oregon, for the County of Klamath.
Dated Klamath Falls, Oregon Jan. 9, 1913.

L. H. SNELL, Applicant.

1-9-2-6 R

NOTICE

To The Stockholders of the Klamath Water Users Association.

A RESOLUTION, INTRODUCED AND PASSED BY THE BOARD OF DIRECTORS OF THE KLAMATH WATER USERS ASSOCIATION, A CORPORATION, AT A REGULAR MONTHLY MEETING OF SAID BOARD, HELD IN THE ASSOCIATION OFFICE, ROOMS 17 AND 18 MADDOX-WHITE BUILDING, KLAMATH FALLS, KLAMATH COUNTY, STATE OF OREGON, ON THE 4th DAY OF JANUARY, 1913, EMBRACING THE ESTIMATE OF COST MADE BY SAID BOARD OF THE SUMS OF MONEY REQUIRED FOR THE EXPENSES OF SAID ASSOCIATION FOR THE YEAR ENDING MAY 1st, 1914.

BE IT RESOLVED, That there be and there hereby is, on this 4th day of January, 1913, by the Board of Directors of the Klamath Water Users Association, a corporation, an estimate made of the sums of money required for the expenses of said Association for the year beginning May 1st, 1913, and ending May 1st, 1914, in the sums as follows:

1. Estimated cost of labor and materials	\$146.84
2. Estimated cost of salaries, wages of officers, and other employees	\$3120.00
3. Other liabilities and the subjects for which they are to be incurred, as ents	\$240.00
Opera House ..	20.00
Recording	20.00
Stationery and Printing	175.00
Postage	75.00
Lights a n d phones	50.00
National Federated Water Users Ass'n..	400.00
Miscellaneous as Post office box	2.40
Livery hire ..	50.00
	\$1032.40

4. Total estimated expense	\$4299.24
5. The number of shares against which the expense is to be charged on account of items 1, 2 and 3	\$9,084
6. Assessment per share on account of items 1, 2, and 3	11 cts
7. (a) Assessment per share on account of operation and maintenance charges	\$0.75
(Corresponding with sum per acre due for operation and maintenance for the irrigation season of 1909, subsequent thereto under Public Notice of the Secretary of the Interior dated November 18, 1908, and amendments thereof.)	
(b) Call and Assessment per share on account of Building charge	\$3.00
(Amount per share to be levied on account of the charge levied by the Secretary of the Interior)	
Total of (a) and (b)...	\$3.75
8. Number of shares to be levied upon under 7 (a)	30,106
Number of shares to be levied upon under 7 (b)	30,106

(Appurtenant to the Irrigable areas covered by Public Notice of the Secretary of the Interior dated November 18 1908 and amendments thereto as shown upon Township Plats accompanying the same and set out herein) That said shares against which assessments and calls and assessments shall be made for the charges levied by the Secretary of the Interior and which designate the shares and lands herein affected are embraced within those lands contained in the following Departmental Notices and Orders and Township Plats then issued of the following dates, to-wit: Public Notice issued by the Department of the Interior, November 18, 1908, to the Klamath Project, Oregon, California, and all Departmental Orders and Notices modifying and

amending said Public Notice; said Notice being on file and on record in the office of the Klamath Water Users Association, Rooms 17 and 18 Maddox-White Building, Klamath Falls, Klamath County, State of Oregon, and the irrigable lands and shares herein affected are shown upon Farm Unit of

WILLAMETTE MERIDIAN

T. 39 S., R. 9 E.
T. 39 S., R. 8 E.
T. 38 S., R. 9 E.
T. 39 S., R. 10 E.
T. 40 S., R. 9 E.
T. 40 S., R. 10 E.
T. 40 S., R. 11 E.
T. 41 S., R. 10 E.
T. 41 S., R. 11 E.
T. 41 S., R. 12 E.

MOUNT DIABLO MERIDIAN

T. 48, N., R. 5 E., approved November 16, 1908, by the Secretary of the Interior, and on file in the Local Land Office at Lakeview, Oregon, and Redding, California.

YOU ARE HEREBY NOTIFIED, That at the Regular Meeting of the Board of Directors of the Klamath Water Users Association to be held in the office of said Association in Klamath Falls, Klamath County, State of Oregon, on the 1st day of February, 1913, at the hour of 10:30 o'clock, A. M., Stockholders may appear and in writing object to the published estimates.

Dated this 6th day of February, 1913.

Klamath Water Users Association.

(Seal)

By ABEL ADY, President.

By, ALBERT E. ELDER, Secretary.

1-9-16-23-R

NOTICE TO CREDITORS

In the County Court of the State of Oregon, For the county of Klamath.

In the Matter of the Estate of William Pitts, Deceased.

Notice is hereby given that the undersigned has been appointed Administratrix of the above estate, and that all persons having claims against said estate shall present them, with proper vouchers, within six months from the date of this notice, to said administratrix at her residence, No. 825 Washington Street, Klamath Falls, Klamath County, Oregon.

Dated this 9th day of January, 1913.

MARGARET PITTS,
Administratrix of the Estate of William Pitts, Deceased.

1-9-2-6 R

NOTICE OF SALE OF REAL PROPERTY BY GUARDIAN.

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

In the Matter of The Guardianship of The Persons and Estates of Margaret Ann Hargus and Harry Buford Hargus; Minors.

NOTICE IS HEREBY GIVEN, that in pursuance of an order of the County Court of the State of Oregon, for Klamath County, made on the 7th day of January, 1913, in the matter of the Guardianship of The Persons and Estates of Margaret Ann Hargus and Harry Buford Hargus, Minors, the undersigned as Guardian of the Persons and Estates of the said Margaret Ann Hargus and Harry Buford Hargus, Minors, will sell at private sale to the highest bidder, upon the terms and conditions hereinafter mentioned, and subject to confirmation by said County Court of Klamath County, Oregon, on or after the 17th day of February, 1913, all the right, title, interest and estate of the said Margaret Ann Hargus and Harry Buford Hargus, Minors, in and to the real property hereinafter described:

The terms and conditions of said sale are to be all cash in gold coin of the United States of America, or one-half cash and the balance secured by first mortgage upon the said property; or purchaser can assume the payment of a certain mortgage now upon the said premises in favor of the State of Oregon, in the sum of \$250.00 and the balance of the purchase price bid to be paid in cash.

The real estate herein advertised to be sold is described as: The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and Lots 3 and 4 of Section 21; and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and Lots 1, 2, 3, and 4 of Section 22; and Lot 1 of Section 26; and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$, and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and Lots 1 and 2 of Section 27 in Township 40, South, Range 8 East of the Willamette Meridian in Klamath County, Oregon.

All bids or offers must be in writing and may be delivered to or addressed to this Guardian, care of Kuykendall & Ferguson her attorneys, at Klamath Falls, Oregon.

Dated this 7th day of January, 1913.

LENA L. SMITH,

Guardian of the Persons and Estates of Margaret Ann Hargus and Harry Buford Hargus, Minors.

KUYKENDALL & FERGUSON,
Attorneys for Guardian.

1-9-2-6 R