

Legal Notices

Summons

(Equity No. 507)
In the Circuit Court of the State of Oregon, in and for Klamath County.

Lulu H. Shephard, Plaintiff,
vs.
Oscar C. Lee, Defendant.

In the name of the State of Oregon 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; and you will take notice that if you fail to appear and answer or plead within the said time, the plaintiff for want thereof will apply to the above entitled court for the relief demanded in his complaint filed herein, to-wit:

For a judgment, order and decree against you in the sum of \$2,000.00 with interest thereon at the rate of ten per cent per annum from the 10th day of March, 1912, until paid; for the sum of \$441.00 with interest thereon at the legal rate on delinquent tax certificates; for the sum of \$275.00 attorney's fee and for costs and disbursements herein; and also for a decree foreclosing the mortgage described in the said complaint, to-wit: a mortgage dated on the 10th day of June, 1908, for the sum of \$2,000.00 made and executed by Francis L. Lee and afterwards assumed by the defendant herein, upon the following described real property in Klamath County, Oregon, to-wit: all of the south half of the northeast quarter, and the southeast quarter of section 34; township 38, S. R. 11 1/2 E. W. M., and the north half of lots 1 and 2 of Sec. 3, twp. 39 S. R. 11 1/2 E. W. M.; all being in Klamath County, State of Oregon, together with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the said mortgage having been recorded at page 357 in volume 8 of mortgages of the Mortgage records of Klamath County, Oregon, on the 27th day of June, 1908. For a further order and decree that the real estate named in this complaint may be sold by the sheriff of Klamath County and State of Oregon, as under execution and as provided by law for the sale of real estate under foreclosure and that the proceeds of such sale, after paying the costs, disbursements, attorney's fees, shall be applied upon the judgment, and if the proceeds of such sale be insufficient, the plaintiff shall have judgment and execution against the defendant to recover such balance unpaid; and, further, that the said defendant, Oscar C. Lee, and all persons claiming under him, may be barred and foreclosed of all rights, claims or equity of redemption in said premises or any part thereof, and for such other and further relief that to this Court may seem equitable.

This Summons is published pursuant to an order of the Hon. Henry L. Benson, Judge of the Circuit Court for Klamath County, Oregon, made October 7, 1913, and the first publication thereof is made on the 9th day of October, 1913, and the last publication will be on the 20th day of November, 1913.

W. H. SHAW,

Attorney for the Plaintiff.

10-9-11-20 r

Notice of Sheriff's Sale

By virtue of an execution in foreclosure duly issued by the clerk of the circuit court of the county of Klamath, state of Oregon, dated the 6th day of September, 1913, in a certain action in the circuit court for said county and state, wherein D. G. Horn as plaintiff recovered judgment against the Bonanza Creamery company, a corporation, for the sum of fifteen hundred (\$1500) dollars and costs and disbursements taxed at one hundred twenty-seven and 20-100 dollars, on the 6th day of September, 1913.

Notice is hereby given that I will, on the 1st day of November, 1913, at the front door of the court house in Klamath Falls, in said county, at 2 o'clock in the afternoon of said day, sell at public auction to the highest bidder, for cash, the following described property, to-wit:

A parcel of land 209 feet square, commencing 50 feet due east and 100 feet due north of a stake set in a mound of rock; said mound of rock being situated S 30 degrees 30 minutes east, 17.92 chains from the northwest corner of the SE 1/4 of the SW 1/4 of Section 10, in Township 39 south, Range 11 east of W. M.; thence south 209 feet to a point; thence west 209 feet to a point; thence north 209 feet to a point; thence east 209 feet to the place of beginning, containing one acre. (Reserving the right of way across the said premises for a flume and ditch and roadway described as follows: Commencing at a stake in the said mound of rock, running thence on a line about north 43 degrees 20 minutes west for the north boundary of

said premises; said right of way to be 50 feet wide, 25 feet on either side of said line, and said right of way to be used in common with Francis J. Bowne for said purposes).

Being situated in the S 1/4 of SW 1/4 of Section 10, Twp. 39 S. R. 11 E. W. M.

Also all machinery, tools, implements and appliances now in the building on said premises, and all personal property of whatever nature on or about said premises, or in said county owned by said company, taken and levied upon as the property of the said Bonanza Creamery company, a corporation, or as much thereof as may be necessary to satisfy the said judgment in favor of D. G. Horn against said Bonanza Creamery company, a corporation, with interest thereon, together with all costs and disbursements that have or may accrue.

Dated at Klamath Falls, September 25, 1913.

C. C. LOW, Sheriff.

By GEO. A. HAYDON, Deputy.

9-25-10-30 r

Summons

(Equity No. 497)

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

Edgar E. Magee, Plaintiff,

vs.

Kathryn Magee, Defendant.

To Kathryn Magee, 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 October, A. D. 1913, that being the day of the last publication of this summons, and the last day within which you are required to appear and answer, as fixed by the order of publication of this summons. If you fail to appear and answer, the plaintiff will apply to the court for the relief demanded in said complaint. Said suit is brought to secure a dissolution of the bonds of matrimony existing between yourself and the plaintiff herein.

This summons is published in the Klamath Republican, a weekly newspaper of general circulation, printed, published and circulated weekly in Klamath County, State of Oregon, by order of the Hon. Henry L. Benson, Judge of said court, and dated the 11th day of September, A. D. 1913, and the last publication thereof will be made on Thursday, the 23d day of October, 1913.

HORACE M. MANNING,

Attorney for the Plaintiff.

Klamath Falls, Ore. 9-11-10-23 r

Summons

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

Herbert E. Slater, Plaintiff,

vs.

Mabel Slater, Defendant.

To Mabel Slater:

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 action on or before October 31, 1913, and if you fail to 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 between the plaintiff and defendant, and giving the custody of the minor child of the said plaintiff and defendant, Ruth Maurine Slater, to the plaintiff, H. E. Slater, and giving the plaintiff such other and further relief as to equity may appertain.

October 31, 1913, is the last day of the time prescribed in the order for publication of this summons, the first publication thereof being on September 18, 1913. This summons is by publication in the Klamath Republican, a weekly newspaper of general circulation in Klamath county, by order of the Hon. Henry L. Benson, Circuit Judge for the County of Klamath, State of Oregon, dated September 12, 1913, which said order requires that this summons be published once a week for a period of six successive weeks from September 18, 1913, the date of the first publication of said summons prescribed in said order.

J. C. RUTENIC,

Attorney for Plaintiff.

9-18-10-30 r

Summons

486 Equity

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

State of Oregon, Plaintiff,

vs.

F. A. Hyde, Flora M. Sherman, Joost H. Schneider, Henry S. Morris, and A. S. Baldwin, Defendants.

To F. A. Hyde, Flora M. Sherman, Joost H. Schneider, Henry S. Morris, and A. S. Baldwin, Above Named Defendants.

In the name of the State of Oregon, you and each of you are hereby required to appear and answer the complaint filed against you in the above entitled suit on or before the 14th day of November, A. D. 1913, and if you or either of you fail to so

appear and answer, for want thereof the Plaintiff will apply to the Court for the relief prayed for in the complaint, a succinct statement of which is as follows: a decree canceling and annulling certain deeds of the State of Oregon to A. S. Baldwin of date May 19th, 1899; certain deeds of the State of Oregon to Flora M. Sherman of date September 12th, 1898; certain deeds of the State of Oregon to Henry S. Morris of date September 12th, 1898; certain deeds of the State of Oregon to Joost H. Schneider of date September 12, 1898; certain deeds of A. S. Baldwin and Emma C. his wife, to F. A. Hyde of date June 7th, 1899; certain deeds of Flora M. Sherman to F. A. Hyde of date September 15th, 1898; certain deeds of Henry S. Morris and Mary P. his wife, to F. A. Hyde of date September 16th, 1898; certain deeds of Joost H. Schneider and Rosa M. his wife, to F. A. Hyde of date September 16th, 1898; and certain deeds of F. A. Hyde and Filena T. his wife, to United States of America of date June 14th, 1899; June 22nd, 1899; July 24th, 1899; September 17th, 1899; September 17th, 1898, each pretending to convey certain lands situate in township 23 south, range 9 east; township 23 south, range 7 east; township 35 south, range 6 east; township 34 south, range 6 east; township 23 south, range 8 east; township 27 south, range 6 1/2 east; township 37 south, range 6 east and township 24 south, range 6 east, Wilamette Meridian, all in Klamath County, Oregon, and to cancel and annul all other contracts, certificates of sale, applications, etc., mentioned in the complaint relating to said lands described therein or to any part thereof, and for costs and disbursements, and such other and further relief as may to the Court seem equitable in the premises.

This Summons is published in pursuance of an order of the Honorable Henry L. Benson, Judge of the above entitled Court, made and entered on the 27th day of September, 1913, directing this Summons to be published for six consecutive weeks in the Klamath Republican, a weekly newspaper of general circulation printed and published in Klamath Falls, Klamath County, Oregon.

Dated at Salem, Oregon, this 27th day of September, 1913.

A. W. CRAWFORD,

Attorney for Plaintiff.

Date of first publication October 2nd, 1913.

Date of final publication November 13th, 1913.

10-2-11-13 r

Summons—Suit in Equity for Divorce

Addie Isabelle Graham, Plaintiff,

vs.

Edwin Lewis Graham, Defendant.

To Edwin Lewis Graham, the Defendant Above Named:

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 13th day of November, A. D. 1913, that being the day of the last publication of this summons, and the last day within which you are required to appear and answer, as fixed by the order of publication of this summons. If you fail to appear and answer, the Plaintiff will apply to the Court for the relief demanded in said complaint. Said suit is brought to secure a dissolution of the bonds of matrimony heretofore and now existing between yourself and the Plaintiff herein.

This summons is published in the Klamath Republican, a weekly newspaper of general circulation, published and circulated weekly in Klamath Falls, Oregon, by order of the Honorable Henry L. Benson, Judge of said court, and dated the 1st day of October, A. D. 1913.

First publication to be made upon Thursday, the 2nd day of October, A. D. 1913, and the last publication to be made upon Thursday, the 13th day of November, A. D. 1913.

HORACE M. MANNING,

Attorney for the Plaintiff.

White-Maddox Building,

Klamath Falls, Ore.

10-2-11-13 r

Summons

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

Frederick Winstanley, Plaintiff,

vs.

F. E. Robinson and Minnie A. Robinson and E. L. Carver, Defendants.

To F. E. Robinson, Minnie A. Robinson and E. L. Carver, the Defendants Above Named:

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; and you will take notice that if you fail to appear and answer or plead within the said time, the plaintiff, for want thereof, will apply to the above entitled court for the relief demanded in his complaint filed herein, to-wit: For judgment against you for the sum of \$1,000, with interest thereon from the 27th day of March, 1911, at

the rate of 10 per cent per annum, computed and added to the principal as provided by the terms of the promissory note mentioned and described in the plaintiff's complaint filed herein; and for the additional sum of \$200 as attorney's fees in this suit and for his costs and disbursements herein; and also for a decree foreclosing the mortgage described in the said complaint, to-wit: a mortgage dated upon the 27th day of September, 1909, for the sum of \$1,000, made and executed by defendants F. E. Robinson and Minnie A. Robinson, upon the following described real property situated in Klamath County, Oregon, to-wit: All of Sec. 16, Twp. 27, S. R. 9; all of Sec. 36, Twp. 28, S. R. 8; and the E 1/2 of Sec. 16, Twp. 28, S. R. 11, all E. W. M.; together with the appurtenances and hereditaments belonging thereto, said mortgage having been recorded at page 316 in Vol. 9 of Mortgages, of the mortgage records of Klamath County, Oregon, on the 29th day of October, 1909. That the court also decree that any party to this suit may become a purchaser of the said real property; and that the sheriff shall place the purchaser in possession of the property purchased; that the defendants and all persons claiming under them be forever barred and foreclosed of all right, title, estate and lien at law and in equity, and all equity of redemption, in, to and upon the said real property and every part thereof excepting the right of redemption allowed by the statutes of the state of Oregon.

This summons is published pursuant to an order of the Hon. Wm. S. Worden, Judge of the county court of Klamath County, Oregon, made on September 18th, 1913, and the first publication thereof is made on the 25th day of September, 1913.

KUYKENDALL & FERGUSON,

Attorneys for Plaintiff.

9-25-11-6 r

NOTICE TO VOTERS

There will be a special election held throughout the state on the 4th day of November, 1913, and ALL PERSONS desiring to vote at said election must register before the 20th day of October, 1913.

C. R. DE LAP, County Clerk.

9-29-10-20 h&r

Administratrix' Notice of Filing Final Account

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

In the matter of the estate of Sescio L. Wood, deceased.

Notice is hereby given that I have filed my Final Account and Report as Administratrix of the Estate of Sescio L. Wood, deceased, and the above entitled Court has fixed upon 10 o'clock in the forenoon of November 15, 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 and State 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 Administratrix and at the said time and place the said Court will finally settle said account.

This notice is published pursuant to an order of the above entitled Court made October 16, 1913, and the first publication is made on October 16, 1913.

NELLIE WALL,

Administratrix of the estate of Sescio L. Wood, deceased. 10-16-11-13r

ASHLAND HIGH

TO PLAY HERE

A game between the football teams of Ashland high school and Klamath county high school will be played at Modoc Park on Saturday, October 25.

This was finally settled by long distance telephone this morning.

In preparation for the coming contest, Coach M. A. McCall will put his players through a gruelling training period, and it is possible that he will outline a strict diet for them to stick to during the football season.

McCall has quite a bunch of boys out for places. His men, though, are nearly all light, but they lose no time in getting under way, so their speed may make up the lack of beef. Reports from Ashland are to the effect that the team this year is composed of brawny lads. They have arranged an extensive tour for this season.

15 Apples to a Crate.

At the First National bank a crate of apples were exhibited this forenoon, a present from N. S. Merrill to Uncle Alex Martin, of a size that took fifteen apples to fill the crate. Finer looking or better tasting apples were never grown in any country. These beauties came from Mr. Merrill's ranch near the town bearing his name.

WANTED TO TRADE—Player piano, furniture or city lot, to trade for good team, wagon and harness. L. G. Comstock.

CITY OBSERVES

CANAL OPENING

BY BRIEF STOP

THE HERALD GIVES THE TIDINGS THROUGH FIRE ALARM

Following the Flash, Bells Ring and Whistles Blow; Business Houses Suspend Activities, and the Schools Take a Recess, in Honor of the Great Work Just Completed by the United States

Last Friday forenoon there was flashed over the telegraph wire to the Herald the tidings that at 2:04 p. m. by Eastern time, President Woodrow Wilson at the White House touched the electric button signaling the setting off of the blasts to blow out the Gamboa dike in the Panama canal.

Immediately afterwards, Fire Chief Ed Wakefield, L. L. Terwilliger, Oscar Brennenman, "Brownie," Merle Houston and John Hubbard seized the ropes of the fire bell, and for five minutes the tones of the big bell, announcing the completion of the canal, were heard in every part of the city.

The bells of the schools and the whistles at the Ackley and Savage lumber plants also chimed in, and even auto horns tooted lustily their salute to the great Yankee achievement.

At the sound of the bells, business was suspended in every part of the city. Even on the streets, men paused for five minutes, many baring their heads, and all proud to be citizens of the country that has not yet known a failure in anything undertaken, a nation which by sheer determination and stick-to-it-iveness, put through a work that was dreamed of centuries before the Americans made their first independent stand by dumping overboard certain boxes of tea, to say nothing of the intervening years before the United States became an independent country.

At the high school the students marched out of the building and remained in the open for ten minutes. At the grammar schools, the pupils set aside their books for five minutes and heard their instructors tell of the marvellous work just completed.

Visiting Nephew.

Mr. and Mrs. A. E. Kent of Roseburg are here for a visit with Mr. Kent's nephew, Attorney D. V. Kuykendall. It is very probable that the visitors will remain here permanently.

To California Home.

J. U. Miner and son Kenneth left on Saturday afternoon for their home at Cupertino, Calif. Mr. Miner has extensive timber interests here, and usually spends part of the year in Klamath Falls.

MONEY TO LOAN

Six per cent loans on farms, orchard lands, city resident or business property, to buy, build, improve, extend or refund mortgages or other securities; terms reasonable; special privileges; correspondence invited. Dep't. L., 618 Commonwealth Bldg., Denver, Colo., or Dep't. L., 749 Henry Bldg., Seattle, Wash. 10-9-4t-r

More than 300 Missouri editors make less than \$12 a week from their labors.

ARE TO BURN INFESTED PINE TREES

Determined to eradicate the pine beetle by prompt action, work of burning infested timber in Southern Oregon has already been started by the forestry service and private owners of timber. A large force of men are to go to work in the Paulina National Forest, near Silver Lake, burning an area of ten square miles.

The timber that is to be burnt is practically worthless, being for the most part jack pine. It has been found to be infested with the pine beetle, and in order to prevent any spread of this pest it was thought best to destroy the area at once.

Following the work in Lake county the private owners and the Government will carry the work into Klamath county if it is found necessary.

So far, two distinct species of pine beetle, the mountain pine beetle and the western pine beetle, have been found in Southern Oregon. Their work in tree destruction is identical. Both insects bore directly through the bark, and then cut galleries through the soft inner bark, depositing their eggs therein. In this way, the tree is completely girdled and its destruction is as certain as if it had been completely girdled with an axe.

For some time, W. E. Glendinning, agent in charge of the field of operations of the Bureau of Entomology, department of Agriculture, has been making extensive investigations in Southern Oregon to ascertain the spread of the beetle. With his assistants, he has visited nearly every large tract to make examinations and to give what advice may be necessary.

So far as examined, the timber of Klamath and Lake counties is not in a bad condition, say timber men. However, it has been deemed best to watch the situation carefully and clear out the infested timber as fast as it is discovered.

The comparatively small infested timber areas in these counties are in much the same condition now as were those of Northern Oregon five years ago, when a malignant outbreak of forest insects commenced. This resulted in the destruction of millions of feet of yellow and sugar pine timber, and necessitated the expenditure of thousands of dollars. At this time, Government officials believe the local timber is in no danger.

"Your paper erred somewhat Saturday, in stating that the timber of Klamath and Lake county is in no danger from the pine beetle at this time," said Field Agent W. E. Glendinning of the bureau of entomology, department of agriculture, who has been making investigations here for some time.

"On the contrary, there is a grave danger. The timber is at present not in a bad condition, but scattered through the forests are small tracts of infested trees, and it is very easy for the pest to expand from these, unless action is taken right away to eradicate the beetle.

"The present situation in this section could be likened unto that of Northern California a few years ago, when a malignant outbreak of forest insects occurred. This resulted in the destruction of millions of feet of timber, necessitating a large cash outlay in control measures."

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