

## HOW OAK NOLAN BUNCOED A GERMAN.

### Accused of Cheating, Wronging and Deceiving Herman Boelk.

NOLAN OFFERED \$25 FOR RIGHT OF WAY.

But Succeeded in Getting the Unsuspecting German to Deed Away his Property.

What promises to be a most interesting case was filed in the circuit court of Tillamook county, in which Herman Boelk, who was a resident of this county some years ago, but left here in 1899, going to California, where he has since resided, against Oak Nolan to set aside a deed which defendant obtained from plaintiff under false and fraudulent representation, Boelk having signed a deed conveying his property, which was his homestead to Nolan, when he thought he was signing a right of way for a logging road.

Nolan has not long been admitted to the bar, and is now a candidate on the republican ticket for Joint Senator for Washington, Yamhill, Tillamook and Lincoln counties.

H. T. Botta, of this city, and Ralph Duniway, of Portland, are attorneys for plaintiff.

The complaint, which makes interesting reading, for it is an exposure of the whole scheme worked out by Nolan to get possession of the land, is given below:

#### The Complaint in Full.

Plaintiff for cause of suit against defendant alleges: That plaintiff is, and for ten years or more has been the owner in fee simple of the following described real property, situated in Tillamook County, Oregon, to-wit:

The north east quarter of the north east quarter of the south east quarter of section fourteen, and the north west quarter of the south west quarter, the south east quarter of the south west quarter, the south west quarter of the south east quarter and the south west quarter of the south west quarter of section thirteen, save and except that portion of the south east quarter of the south east quarter of section thirteen deeded to Frank Ekroth, being a strip off the west side of said south west quarter of south west quarter twenty rods wide and eighty rods long, all in township one, north of range ten, west of Willamette Meridian.

That on or about the day of April, 1899, the plaintiff delivered the possession of said lands to one Frank Ekroth, to be used and enjoyed by the said Ekroth until plaintiff should desire to reclaim the same; that acting under said arrangement said Ekroth took possession of said lands and has used and enjoyed the same at all times since said date, he paying the taxes thereon except for the year — the taxes were not paid and said lands were attempted to be sold for delinquent taxes, but that the same were bid in by the said Ekroth and the taxes fully settled in that manner.

That said Ekroth and plaintiff were and are close friends; that shortly after the arrangement between plaintiff and said Ekroth above mentioned, plaintiff removed from Tillamook County, Oregon, where he was then residing, to the state of California, and has at all times resided in said state since that time until in the month of March, 1908, when he returned to Tillamook county, Oregon.

That the said Ekroth at all the times mentioned was holding the possession of said lands for the benefit of this plaintiff and was guarding the rights and interests of this plaintiff in and to said lands, and that the same were in condition so that the said Ekroth could and would have delivered the same to this plaintiff at any time when the same should be demanded by this plaintiff.

That after plaintiff left Tillamook, Oregon, as aforesaid, he did not write to said Ekroth or keep him informed as to his whereabouts, and plaintiff received no information from said Ekroth or any other person as to the matter of said lands or the disposition thereof until the year 1907.

That on or about the 8th day of October, 1907, and while this plaintiff had received no information from said Ekroth or any other person as to said lands or the disposition thereof since plaintiff left Tillamook County, the defendant approached plaintiff in the state of California, and for the purpose of cheating, wronging, deceiving and defrauding this plaintiff, falsely and fraudulently represented and told plaintiff that the said Frank Ekroth had failed, neglected and refused to pay the taxes upon the lands herein first described; that the same had been sold for taxes to one Joe Harrison, and the said Harrison had received a tax deed therefor; that plaintiff's time for redeeming from said tax sale had long since expired, and that plaintiff could not redeem from said tax sale or in any way have or claim any right, title or interest in and to said lands which would be in any way valid; that the said Ekroth has mismanaged his own business and property so that he had lost everything which he had formerly owned, and that he was at that time a county charge and further falsely represented to plaintiff.

That he the defendant had purchased a tract of timber lying to the east of the lands above described, and desired to remove said timber and to have a right of way for transporting said timber on said lands of plaintiff above described; that he had purchased from said Harrison a right of way over said lands for the removal of said timber as aforesaid.

defrauded by defendant in said matter. That said pretended conveyance is of record as aforesaid in Tillamook County, Oregon, and the defendant is claiming to be the owner of all said lands by virtue of said purported conveyance; that said purported conveyance does not convey any title whatsoever to said lands, or any portion thereof, because the same purports to be the deed of Herman "Koelk" and is not signed by him, and the same does not purport to be the deed of this plaintiff, by whom the same is signed, but that said instrument purporting to be a conveyance of said lands constitutes a cloud upon plaintiff's title thereto, and particularly when taken in connection with defendant's claim to be the owner of said lands by virtue of said conveyance.

That plaintiff did, on March 21st, 1908, tender to defendant the sum of \$30.00 in gold coin of the United States, and demanded that defendant should execute a quit claim deed to plaintiff of all defendant's interest in and to said lands, but that defendant refused to accept said sum of money or to execute said quit claim deed or any release whatever of said lands, or any part thereof, and still refuses so to do.

That the plaintiff now tenders and pays into court the sum of \$30.00 to be paid to the defendant as repayment of the sum of \$25.00 received by this plaintiff from the date of said payment, and any other matters which the defendant might be entitled to receive on account thereof.

That plaintiff has no plain, speedy or adequate remedy at law.

Wherefore, plaintiff prays that this said pretended conveyance executed by this plaintiff aforesaid be held to be null and void and to be cancelled of record; that the defendant be required to execute a proper conveyance, conveying said lands to this plaintiff free and clear of all claim thereto by defendant and in default of his executing such conveyance that the decree herein be held and taken as such conveyance; that plaintiff have and recover his costs and disbursements herein, and that he have such other and further relief as may be equitable and just.

To the Republican Voters of Tillamook County.

I hereby respectfully announce myself as a candidate for the nomination of County Commissioner on the Republican ticket at the primary election to be held April 17, 1908.

If nominated and elected I pledge myself to a faithful discharge of the duties of my office to the best of my ability.

Yours respectfully,  
H. V. ALLEY.

To the Voters of Tillamook County.

I hereby announce myself as a candidate for the re-nomination for Sheriff on the Republican ticket at the primary election, to be held April 17th. If nominated and re-elected I pledge myself to the faithful performance of the duties of the office without fear or favor.

Trusting that my candidacy shall meet with your favorable consideration, I am,

Respectfully yours,  
H. CRENSHAW.

To The Voters of Tillamook County.

I hereby announce myself as candidate for the nomination of school superintendent on the republican ticket, and would respectfully request the support of the voters at the primary election to be held April 17, 1908. If nominated and elected I pledge myself to attend strictly to the duties of the office and to give an honest, economical and impartial administration during the whole of my term.

Very respectfully,  
W. S. BUEL.

To the Voters of Tillamook County.

I hereby announce myself as a candidate for the nomination of County Clerk on the Republican ticket, and would respectfully request the support of the voters at the primary election to be held April 17th, 1908.

If nominated and elected I pledge myself to attend strictly to the duties of the office.

Soliciting your support in the coming primaries, I am,

Very respectfully yours,  
J. C. HOLDEN.  
February 27th, 1908.

To Voters of Tillamook County.

Gentlemen,—I beg herewith to announce myself as a candidate for nomination on the Republican ticket for the office of County Treasurer, at the primary election to be held on April 17th, 1908.

If elected County Treasurer I will have my office in the Court House.

Yours Very Truly,  
J. S. STEPHENS.

To the Republican Voters of Tillamook County.

I hereby announce myself as a candidate for nomination on the Republican ticket, for the office of County Clerk, at the Primary election to be held on April 17th 1908.

If nominated and elected, I pledge myself to attend strictly to the duties of the office. The same courteous treatment to all.

Yours respectfully,  
CHAS. A. JOHNSON.

To the Voters of the Second Justice District of Tillamook County, Ore.

I hereby announce myself as a candidate for the office of Justice of the Peace for the second justice district in Tillamook County, subject to the Republican primaries to be held April 17, 1908.

A. T. WHITE.

To the Voters of Tillamook County.

I hereby announce myself as a candidate for the nomination of County Clerk on the Republican ticket, and will appreciate the support of the voters at the primary election to be held April 17th, 1908.

If nominated and elected I will attend strictly to the duties of the office.

Very respectfully,  
FRED W. CHRISTENSEN.

To the Voters of Tillamook County.

I herewith announce myself as candidate for re-nomination for the office of County Assessor, on the Republican ticket, at the primary election to be held April 17th, 1908.

Yours truly,  
A. M. HARR.

To the Republican Voters of Tillamook County, Oregon.

Tillamook, Ore., Feb. 7, 1908.

GENTLEMEN—Having served one term in the office of County School Superintendent, I hereby announce my candidacy for re-nomination in the Primary Election to be held April 17, 1908.

If re-nominated and re-elected, I pledge myself to attend to all of the duties of the office in a careful and conscientious manner, and without prejudice and partiality; that I will labor diligently for the upbuilding of our splendid public schools in all parts of the county, believing that the best schools possible are one too good for the boys and girls of Tillamook County.

Soliciting your support in the coming primaries, I am,

Very respectfully yours,  
WAYNE W. WILEY,  
County School Superintendent.

To the Republican Voters of Tillamook County.

I hereby announce myself as a candidate for the nomination of Sheriff on the Republican Ticket, to be nominated at the primary election, to be held on the 17th April, 1908, and respectfully ask the support of the republican voters of the county.

Respectfully yours,  
E. J. GIENGER.

To the Republican Voters, Second Justice District, Tillamook County, Ore.

I hereby announce myself a candidate for the office of Justice of the Peace, Second Justice District, Tillamook County, subject to the action of the Republican voters at the primary election to be held April 17th, 1908.

G. W. SAPPINGTON.

For Sheriff.

I hereby announce myself as a candidate for the Republican nomination for Sheriff at the coming Primary election. If I am nominated and elected I will endeavor to conduct the affairs of the office efficiently and economically and treat every man according to the Golden Rule.

GEO. F. ZIMMERMAN.

Yamhill Man for Senator.

C. C. Hammerly, publisher of the News Reporter, McMinnville, is a candidate for Senator for this district now represented by Dr. Wright and composed of Lincoln, Tillamook, Yamhill and (recently added) Washington counties.

Mr. Hammerly was born and raised on a farm in Iowa, taught school a number of years in country high school and academy; but for the greater part of the time he has lived here in the west (over twelve years) has been an editor. He is a life long republican. If elected he will make a special effort to represent every portion of the district.

Notice to Socialists.

A mass meeting of the registered voters of the Socialist party will be held at the County Court House, April 4, 1908, for the purpose of nominating a county ticket and transacting such other business as may come before it. By order of local quorum.

W. C. WOLFE, Sec.

Call for City Warrants.

All warrants on road fund endorsed prior to Sept. 20, 1907, will be paid on presentation. Interest ceases this 25th day of March, 1908.

J. S. STEPHENS,  
City Treasurer.

Call for City Warrants.

All warrants on general fund endorsed prior to March 13th, 1907, will be paid on presentation. Interest ceases this 25th day of March, 1908.

J. S. STEPHENS,  
City Treasurer.

For Whooping Cough.

Give Chamberlain's Cough Remedy. It will keep the cough loose, expectoration easy and render the fits of coughing less frequent and less severe. It is safe and sure. For sale by all druggists.

## Tillamook Land & Investment Company.

INCORPORATED.  
Excellent Facilities for Handling Dairy Ranches, Timber Lands and City Property.  
List your property with us.

L. W. McADAMS, Pres. Offices: Tillamook, Ore.  
B. O. SNUFFER, Sec. Portland, Ore.  
Tillamook Office, first door west of Coates' Abstract Office.

The Tillamook Lumbering Co. having a large amount of Fur Logs on hand, made arrangements with Frank Long to saw the same, the Company is now in a position to sell and take orders for Lumber. Leave orders at the Company's office.  
F. S. WHITEHOUSE.

Opened Up for Business.  
**SAPPINGTON & CO.**  
A Full Line of Groceries,  
Flour, Feed, Tinware,  
and Crockery.  
We Want all Kinds of Produce.  
Call and See Us.

Olsen Building, Opposite the Tillamook Hotel.

The Best Hotel.  
**THE ALLEN HOUSE,**  
J. P. ALLEN, Proprietor.  
Headquarters for Travelling Men.  
Special Attention paid to Tourists.  
A First Class Table. Comfortable Beds and Accommodation.

A. K. CASE, PROPRIETOR  
**Tillamook Iron Works**  
General Machinists & Blacksmiths.  
Boiler Work, Logger's Work and Heavy Forging.  
Fine Machine Work a Specialty.  
TILLAMOOK, OREGON.

I have just opened up the most complete line of  
**STAPLE & FANCY GROCERIES**  
in Tillamook, all new and Fresh. The prices are no higher than others.  
We most cordially invite you to come and look at what we have and get our prices, whether you buy or not.  
**W. M. MILLS,**  
Opposite the Post Office.

**KILL THE COUGH AND CURE THE LUNGS**  
WITH **Dr. King's New Discovery**  
FOR COUGHS, COLDS AND ALL THROAT AND LUNG TROUBLES.  
GUARANTEED SATISFACTORY OR MONEY REFUNDED.

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**OILED SUITS, SLICKERS AND HATS**  
Every garment guaranteed Clean - Light - Durable  
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