

CITY LOST AGAIN.

Attempt to Deprive George Tone of Water Fails.

The Supreme Court has handed down a decision in the case of Geo. Tone vs. Tillamook City. This was a case where Henry Lowry, with a number of other property owners gave the city the right to cross their land with the pipe line, in consideration of which the city gave them free water from pipes of certain dimension. Lowry sold his property to George Tone with the water privileges. The city stepped in and undertook to say that Lowry could not assign the water right and attempted to force payment of water rent out of Tone. The case was tried before Judge Burnett in the circuit court and a decision was rendered in favor of Tone, and the city appealed the case to the supreme court, and the decision that was rendered this week affirms the decision of the lower court.

Judge McBride, in closing, says: "Also the suggestion that the covenant was one beyond the authority of the city to make and is void, therefore, cannot be considered so long as the city retains the fruits of the contract. The covenant that the grantors, which we have already held include their assigns, were to have the right to take free a certain quantity of water, was a consideration for the deed, perhaps the main consideration, and until defendant abandons or offers to reconvey the right of way granted it cannot be heard to say that its contract was ultra vires unless there is shown some provision of its charter absolutely or by necessary implication prohibiting it from so contracting. We do not find such provision in the charter of the defendant. The power to provide a water system is not governmental nor legislative in its character, but strictly proprietary, the city, when engaged in procuring such an improvement, is clothed with the same authority and subject to the same liabilities as a private citizen.

"There is no question of the city granting a perpetual franchise involved in this case. The city needed the right of way and took it, subject to the burden of this easement. It did not obligate itself to perpetually convey water through the pipes and may at any time relieve itself from the obligation of doing so by taking some other route than that across the plaintiff's land. While regulations as to the manner of using the water and management of the business may be prescribed by ordinance or resolution, the legal position of the city is that of a proprietor, and we see nothing in the construction which we have given that interferes with any regulation that it may make unless it attempts to evade its contract."

Attorney H. T. Botts represented Tone and Attorney Talmage & Johnson and Oak Nolan the city.

Tin Wedding Anniversary.

Mr. and Mrs. Emmett Bales were host and hostess at a very pleasant affair at their home on last Friday evening, the occasion being their tenth wedding anniversary or tin wedding. Mrs. Bales had prepared for the evening's amusement, games of a musical nature, the first being a guessing contest, answered by musical terms. Mrs. Carl Haberlach won first prize in this game and Mrs. Wm. Bodylett received the consolation prize. Another interesting game was the musical story contest, in which prizes were won by Mrs. Fred Poorman and Carl Haberlach, and the consolation prize by W. A. Williams. Several other amusing features were introduced, causing much merriment.

The unique and novel feature of the evening was the luncheon which was served in tin dishes, and table cloths of tin sheeting were used. The tin plates, cups and saucers represented each guest's occupation or business. Before the happy party left they all tendered the happy couple many congratulations and best wishes for many like occasions. The invited guests were: Mr. and Mrs. Crenshaw, Mr. and Mrs. D. L. Shrode, Mr. and Mrs. Ira Smith, Mr. and Mrs. Carl Haberlach, Mr. and Mrs. E. C. Baker, Mr. and Mrs. C. I. Clough, Mr. and Mrs. H. Morris, Mr. and Mrs. W. A. Williams, Mr. and Mrs. B. W. Alderman, Mr. and Mrs. Fred Poorman, John Edwards, Mr. and Mrs. W. D. Bodylett, Mr. and Mrs. A. McNair, Mr. and Mrs. A. W. Funk, and Mr. and Mrs. F. W. Christensen.

Presbyterian Church.

Worship services will be observed both in the morning and in the evening on next Lord's day. At 11 a.m. the subject of sermon will be "The Resurrection." In the evening a program will be rendered by the S.S.

The time of the evening services have been changed from 7:30 to 8 o'clock.

The Christian Endeavor will meet at 7:15 p.m.

All are cordially invited to these services.

S. G. FINNEY, Pastor.

Bids for Wood.

The Tillamook Creamery will receive bids for wood, either Alder or Hemlock wood, in four foot lengths, piled in shed at factory. Bids will be received from one to fifty cords, and may be left at the factory or at the office of Carl Haberlach, Secretary. Part of wood to be delivered by May 12th and balance during the season, each bid to specify time when wood can be delivered. Company reserves right to reject any or all bids.

The TILLAMOOK CREAMERY.

Makes the most nutritious food and the most dainty and delicious.

ROYAL BAKING POWDER

Absolutely Pure

The only Baking Powder made from Royal Grape Cream of Tartar

No fussing or fretting over the biscuit-making. Royal is the aid to many a cook's success.

Royal Cook Book—800 Receipts—Free. Send Name and Address.

ROYAL BAKING POWDER CO., NEW YORK.

Commercial Club Nominations.

The annual election of officers for the Tillamook Commercial Club will take place on Monday, April 24th, and the Nominating Committee has placed the following names on the board:

President—Webster Holmes, C. I. Clough, F. Severance.

Vice-Presidents—F. A. Rowe, Russell Hawkins, Chas. Ray, A. A. Russell.

Secretary—B. Beals, Geo. W. Willett.

Treasurer—Jas. Walton, Jr. Trustees—S. M. Kerron, B. C. Lamb, F. Severance, C. Patzlat, R. T. Boals, M. Leach, Erwin Harrison, E. T. Halton, Rollie Watson, C. I. Clough and Fred C. Baker were elected for two years at the last annual meeting of the club, and they will hold over.

Church of Christ.

Next Lord's day will be a special day, not for display of millinery, but of rejoicing and high living in spiritual things. The spirit of joy and hope will express itself in an offering for Benevolence and Home Missions. Mrs. Marie Wade of Bay City will deliver the address for the morning. In the evening the minister will speak on "The Resurrection Day in A. D. 34." Special music has been prepared by the choir for both of these services. In the evening the C. E. Society will debate this proposition: "Resolved that it is right to play baseball on the Lord's day." The public is cordially invited to all of these services.

Sheriff's Sale.

NOTICE IS HEREBY GIVEN.—That in pursuance of an execution duly issued out of and under the seal of the Circuit Court of the State of Oregon, for the county of Multnomah, to me duly directed, dated the 23rd day of February, 1911, upon a judgment rendered and entered in said court on the 31st day of August, A. D. 1910, in favor of Lewis Barnard, plaintiff, and against William L. Kiefenberg, defendant, for the sum of \$310.54 with interest thereon, at the rate of seven per cent per annum, and the further sum of \$50.85, with interest thereon at the rate of six per cent per annum from the 31st day of August, 1910, and also the costs of and upon said writ, upon which there has been credited the sum of \$45.88 realized on execution November 10th, 1910, I did on the 27th day of February, 1911, levy upon the following described real property, situated in the county of Tillamook, State of Oregon:

The southwest quarter of the Northeast quarter of section eighteen (18), township one (1) North, Range nine (9) West.

Lots one (1) to five (5) inclusive, and lots sixteen (16) to twenty-seven (27) inclusive, of Block twenty (20), of Fuller's Amended Addition to Bay City, less a portion of Lots one (1), two (2) and three (3) owned by McNair.

Lot one (1), in Block eight (8), Bar View Addition to Bay City. Also, all of the following tract lying east of the Pacific Railway & Navigation Company's right-of-way; Beginning sixty (60) feet West of the Northwest corner of Block four (4) of Fuller's Addition to Bay City and running thence west to the northeast corner of Lot one (1) in Block twenty (20) of Fuller's Amended Addition to Bay City, thence South to the Southeast corner of Lot fifteen (15) in said Block twenty (20), thence East two hundred and sixty (260) feet, thence North to the place of beginning, containing one and one-half (1 1/2) acres, more or less.

Now, therefore, in pursuance of said judgment and execution, I will on Tuesday the 18th day of May, 1911, at 10 o'clock a.m. at the front door of the court house in Tillamook City, Tillamook County, Oregon, sell the above described real property at public auction to the highest bidder for cash in hand to satisfy said judgment and execution, interest and all accruing costs.

H. CRENshaw, Sheriff of Tillamook County, Ore. Dated at Tillamook City, Oregon, April 12th, 1911.

Vote of Condolence.

Tillamook Lodge, No. 57, A.F. & A.M., Tillamook, Ore. Whereas the Death Angel has suddenly visited our midst and taken from us our Sister, Mary E. Phelps, thus breaking and removing one of the links of our golden chain, and

In the death of Sister Phelps our Chapter has lost a faithful and worthy member. Be it resolved, that we deplore the death of our sister; that we extend our fraternal sympathy to the bereaved relatives of the departed; and that in this hour of sorrow we recommend them, as well as ourselves, for comfort, to the Divine Ruler of Heaven and Earth, who doeth all things well.

Resolved, that a copy of these resolutions be given to the bereaved family; that they be spread on the Records of the Chapter and given to the press for publication.

Committee: D. L. SHRODE, H. T. BOTT, HARRIET SARGENT.

Holstein Bull for Sale.

For sale, a thorough bred Holstein bull, nicely marked, first-class pedigree. Will trade, or price \$125 cash. John Hathaway.

Cows for Sale.

For sale, 10 or 15 head of good milk cows, all fresh. Fred Balmer, 4 miles east of town.

Notice.

Cheese maker wanted at Netarts Creamery. For particulars see on write Carl Haberlach, Secretary of Netarts Creamery, on Charles Lee of Netarts.

Summons.

In the Circuit Court of the State of Oregon for Tillamook County. Lois O. MacMahon, Plaintiff vs. Agnes and Francis Trevor, Jr., Defendants.

To Francis Trevor, Jr., one of the above named defendants: 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 the expiration of six weeks from the date of the first publication of this Summons, and if you fail to so appear and answer the plaintiff will apply to the Court for the relief prayed for in the complaint, which is that you be required to set forth any claim or interest held by you in or to the following described real property, to-wit:

The South East quarter of Section 15, in Township 2 South, Range 9 West, Willamette Meridian, save and except therefrom the following described portion, to-wit: A strip of land 300 feet in width, being 100 feet on each side of a line described as commencing in the center of Killam Creek, at a point 300 feet East of the West line of said South East quarter of said Section 15, and running thence easterly following up the center of said creek 200 feet, and a strip of land 30 feet in width, being 10 feet on each side of the point where the pipe line of Tillamook City, Oregon, water system crosses the west line of said South East quarter of said Section 15, and following said pipe line easterly to the dam on said Killam Creek; that such claim or interest be decreed to be void; that plaintiff be decreed to be the owner of said lands in fee simple, and her title thereto quieted as against any claim held by you in or to said lands, and for general relief.

This Summons is published by order of the Honorable Homer Mason, County Judge of Tillamook County, Oregon, made April 11th, 1911, and the time prescribed for the publication of this Summons by said order is once a week for six successive weeks, and the date of the first publication hereof is April 13th, 1911.

H. T. BOTT, H. K. SARGENT, Attorneys for Plaintiff.

COUNTY COURT MEETS.

Petition for a Saloon at Garibaldi Thrown Out.

In the matter of bids for the construction of the first mile of Wheeler Road the following bids were rejected: S. Cr Larsen and A. J. Zimmerman, \$2712; Rudolph Zweifel \$4200; C. W. Preston and T. W. Wallace \$2800; Charles Eason \$2985. Clerk was ordered to return certified checks accompanying the above bids.

In the matter of the bid of S. A. Smith for construction of first mile of Wheeler Road, bid of \$2400, being lowest bid, was accepted and the county agrees to pay for additional amount of lumber required for trestle mentioned by revised plans at the rate of \$16.40 per thousand feet.

In the matter of wood for the Court House, county clerk is authorized to give notice calling for bids for 100 cords of Hemlock wood, to be cut 46 in. in length, delivered and corded in basement of the court house not later than Oct. 1st, 1911 and that said bids be filed not later than April 15th with county clerk, to be opened and accepted or rejected by county judge.

On Thursday the 6th day of April. In the matter of the petition of P. Byrom and others for license to be granted to J. J. McCormick to run a saloon at the town of Garibaldi, a remonstrance to said petition and motion to the dismissals said petition was filed, the petitioners being present in court by their attorneys Talmage & Johnson, and the remonstrators by their attorney I. H. Goynes, the court heard the argument upon said motion of petitioners and reserved its decision until April 6th.

Now upon this 6th day of April, 1911 the parties being present in court by their respective attorneys, the petitioners presented a motion to be allowed to amend their return of posting notices filed herein, and it appearing to the court that W. H. Darby, the person who had made such return of posting having been present and in open court on the 6th of April, testified that March 10th, was the true and correct date on which said notices were posted, it is considered by the court that the showing made by the petitioners in such matter is not sufficient to warrant leave to amend such return and it is so ordered.

And it further appearing to the court that the petition herein and the proof of it posting such notices is insufficient and that due and lawful notice of the prevention of said petition has not been given, it is therefore considered that such petition should not be granted and it is ordered that said petition be and the same is hereby dismissed.

GENERAL FUND BILLS

Expense Clerk's office, including check of \$150 to Chas. Winters for right of way 187.70 Expense Sheriff's office in regard to Parker family, board and lodging 24.00 Clothes from Halton's 24.11 Fares on Elmore 37.50 Till., Meat Co., Jones, County poor 4.00 Oliver Typewriter Co., 210.00 C. I. Clough, mdse., 28.57 Geo. Willett, Atty. fees 14.50 Coroners inquest, John Hickey 35.90 King & Smith, mdse., 1.40 Nelson & Co., mdse for Jones 19.60 Dr. Hawk, Jones bill 30.50 J. S. Lamar, for medicine furnished John Millican 5.10 W. O. Donaldson, burial of John Waggoner, laborer on R. R. 14.00 Coroner's inquest, Tom Johnson 61.50 Beall & Co., for scarifier 550.00 Freight on above 95.00 Pacific Lodge I. O. O. F. for cemetery lot 3.00 U. S. Land office, for list of lands for tax purposes 5.60 R. U. Moore, conducting county examination, assistant examiner four days 20.00 Dawson Bros., livery rigs 6.00 Till., light & fuel Co., 28.20 Pacific Tel. Co., 31.35 Glass & Prudhomme, 1 case adding machine paper 6.75 Blain Hays, survey work 40.50 Barthold Barg Co., gathering field notes, roll profile paper, T. Scribe 13.75 Ed. Snodgrass, mdse 13.65 D. E. Dawson, case State vs. D. A. Simmons 2.40 E. W. Stanley, case State vs. D. A. Simmons 2.10 E. W. Stanley, case State vs. John Simmons 12.05 D. E. Dawson, case State vs. John Simmons 15.50 Jury, case State vs. John Simmons 8.00 Witnesses 25.50 E. W. Stanley, case State vs. J. C. Fuller 9.70 D. E. Dawson, case State vs. J. C. Fuller 3.40 Witnesses, case State vs. J. C. Fuller 16.40 E. W. Stanley, case State vs. Henry McKinley and Thos. Holman 14.60 D. E. Dawson, case State vs. Henry McKinley and Thos. Holman 2.41 E. W. Stanley, case State vs. John Chang 11.65 D. E. Dawson, case State vs. John Chang 13.60 Witnesses 11.90 Lola Vaughn, witness in case of F. W. Berger 2.30 U. G. Jackson, County Surveyor 92.70 F. W. Baker, road Sup. 62.90 Robt. Stillwell, work Sheriff's office 75.00 Pearl Phelps, Sheriff's office 3.90 John Aschm, Sheriff's office 92.52 C. A. Johnson 75.00 H. Crenshaw 133.33 K. Mills 75.00 J. C. Holden 133.33 Wm. bodyfeet 40.00 J. H. Johnson 39.00 A. M. Hare 75.00 W. S. Buell 83.34 A. B. Alderman 89.20 Roger & McNamer, livery hire 62.50 Homer Mason 108.60 H. V. Alley 50.00 H. Farmer 67.80

ROAD BILLS ALLOWED

DISTRICT NO. 1. T. H. Pitts 270 hours 87.50. Lester Pitts 260 .. 65.00. Gordon Pitts 240 .. 60.00. Dan Alley 85 hours 21.25. E. Rhodes 240 hours 60.00. Oren White 120 hours 30.00. Hugo Klein 149 hours 37.25. Julius Tohl 214 .. 53.50.

Wm. Zottinan 168 .. 42.00. H. Klattke 200 .. 50.00. A. Palmer 80 .. 20.00. Fred Lyster and team 250 hrs. 125.00. Joe West and team 185 .. 92.50. S. Scovel and team 156 .. 78.00. H. Scovel and team 145 .. 72.50. W. H. Brobst and team 176 hrs 88.00. Jas. Moore 50 hrs 12.50. Frank Moore 222 .. 55.50. Leslie Barber 210 .. 52.50. Hugh Barber 176 .. 44.00. E. O. Nevell 5 .. 1.25. M. L. Barber 100 .. 25.00. Fred Emery 38 .. 9.50. August Sanberg 17 1/2 .. 4.37. Geo. Loapabel 25 .. 6.25. Fred Zaddach's team 15 hrs 3.75. Wm. Schollmeyer 228 .. 56.50. Fred Nile and team 202 .. 101.00. Joe Angelo 156 39.00. Geo. Henderson 162 40.62. E. H. Geary and team 58 29.25. Wm. Wormelsdorf and team 24.25. M. Koempel 3.75. A. E. Rittenhouse and team 10.00. Z. M. Wakely 5.00. Harry Bell, road roller eng. 10.50. L. Barber 36.25. Ed. Tomlinson 21.75. Andy Hayden 60.25. Pete Cassidy 24.75. Chester Hoskins and team 72.00. Moses Bartrow 1.50. E. J. Bartrow 2.00. Geo. Hoskins 2.00. Mark Hobson 44.75. B. L. Thompson 36.00. Bob Kennedy 54.00. Eichinger and team 87.50. Grant Marshall 37.50. Deck Johnson and team 52.50. Joe Hauxhurst 35.00. Tom Robertson 17.85. Ben Johnson 17.50. F. K. Strueby 17.50. Andrew Peterson 17.50. Herbert Perry 35.00. Roy Dunham 14.62. Geo. M. Knight for use of four horses 112.00. H. L. Provoost's merchandise 26.15. C. L. Alley, hauling rock, earth and dragging road 150.25. Fred Zaddach, work performed as road supervisor in dist. No. 1, 44.80. C. V. Preston, 70 ricks wood 140.00. F. A. Emery, 7 1/2 ricks wood 15.00. Tohl & Anderson, powder and other merchandise 299.50. Wheeler Lumber Co., mdse., 12.00. Nelson & Co., mdse., 2.20. M. T. Ricard, blacksmithing, Beall & Co., 2 rock cars, rails, spikes 145.00. King & Smith, powder and fuse 110.30. DISTRICT NO. 2. W. G. Harris, livery hire, 19.00. H. Limker 27.50. Chas. McDavit 20.50. E. Homes 17.50. H. P. Cozhan 17.50. Lue Getchell 8.75. O. B. Darby 5.00. O. Getchell 10.00. B. A. Leach 10.00. T. E. Eppellett 3.00. C. Lee 18.50. P. Sherman 7.25. S. Tomlinson 11.75. G. W. Alexander 5.00. A. Sherman 29.50. A. Goskowsky 21.00. J. Arrance 8.50. E. Arrance 21.72. H. B. Stubbs 17.22. L. F. Snyder 19.75. W. Sherman 1.62. L. F. Snyder, Jr., 12.50. C. Timmerman 12.50. C. M. Myers 7.50. W. Hines 4.00. W. Arrance 4.00. E. Detrich 4.50. J. H. Moore 1.50. Hope Moore 3.00. Roy Funk 1.00. Andrew Anderson 25.00. Lewis Anderson 26.75. J. Woodward 5.00. H. B. Johnson, team 18.75. H. B. Johnson 22.50. Bill Smith 17.50. Roy Funk 27.50. Al Johns 13.75. John Perry 2.00. Hadley and son, teaming 7.62. John Blum, for wood 100.00. John B. Langley, for gravel 4.90. King & Smith, powder and fuse 7.25. King & Smith, powder, fuse and mdse. 47.70. Alex. McNair & Co., mdse 42.06. C. B. Wiley, road work per contract 30.00. Chas. M'Adkins, building bridge on Wilson river road 30.00. Edward Davis, work on Netarts road 5.00. Ed's Garage, gasoline, oil 4.75. DISTRICT NO. 3. Orley Kellow 4.00. J. Hill 2.00. H. White 4.00. E. H. Mesmer 5.25. J. H. Fredrixon and team 14.00. J. W. Fredrixon 6.00. U. S. Edwards and team 18.50. U. S. Edwards 11.50. E. R. Kays 8.75. W. B. Ramsey and team 18.00. G. W. Ramsey 10.25. W. B. Edwards 1.00. A. A. Lane 2.25. Herman Tchl 1.75. C. N. Jonson 3.50. Jack Davis and team 7.00. Eimer Davis 1.25. S. C. Woods and team 3.50. C. H. Waymire and team 3.00. Wm. Glick 5.10. Wm. Hgdon 2.75. H. M. Lawyer 2.00. T. A. Porter and team 11.50. Herbert Porter 4.75. F. W. Berger 6.62. F. Carver 2.62. Will Christensen and team 4.25. Jen Jensen 2.12. Christ Wingent and team 4.25. Carl Commons 2.12. A. M. Commons 2.12. J. T. Wilson and team 2.50. A. Hill 2.00. Joe Wilson 1.25. C. McKillip 4.00. C. McKillip 4.00. Chas. Lamaguet 1.00. C. W. Newbill 2.80. Louis Jensen 1.00. E. E. Cross, lumber 4.75. Alvin Curl 24.50. Chas. Baker 12.25. Oren Wallace 12.25. M. Shoulton 23.75. E. E. Davis 22.50. M. Larson 16.50. Fred Redaway 19.25. Ralph Burns 16.75. B. B. Dunham 6.25. Lee Lyster 9.50.

Robert Huston 1.50. Abner Gresek 12.50. Carl Curl 7.50. Fred Lyster and team 6.40. Hugh Wallace 23.50. Elmer Hall 3.25. Wm. Thun 2.50. L. S. Hushbeck 21.75. R. W. Richards 4.75. John Creevy 2.75. Dee Moon 2.50. Bob McClay 3.87. Ollie Woods 1.98. James Woods 6.53. D. W. Gilbert & sons, mdse., 128.96. W. C. Thun, lumber 30.82. King & Smith, powder 30.82. Peter Newberg, road work 37.50. J. M. Baker, road work 128.00. Ira Diamond, planking 128.00.

Notice.

Notice is hereby given that the Common Council, of Tillamook City, Oregon will receive bids for the grading and graveling of the following streets in said city, to-wit: 4th & 5th Avenues West from First to Fifth Street, Third Street from Stillwell Avenue West Avenue West, Second Avenue West from Front to First Street, Fifth St. from Third Avenue West to Sixth Ave. West, Second Street from Third Ave. West to Seventh Avenue West and Third Street; said streets to be graded with a bed of gravel at least 8 inches deep and graded so as to conform to established grades. All bids must be filed with the City Recorder on or before April 17, 1911.

The Common Council reserves the right to reject any and all bids. T. B. Handley, City Recorder.

Saved His Mother's Life.

"Four doctors had given me up," writes Mrs. Laura Gaines, of Avoca, La., "and my children and all my friends were looking for me to die when my son insisted that I use Electric Bitters. I did so, and they have done me a world of good. I will always praise them." Electric Bitters is a priceless blessing to women troubled with fainting and dizzy spells, headache, weakness, debility, constipation or kidney disorders. Use them and gain new health, strength and vigor. They're guaranteed to satisfy or money refunded. Only 50c. at Chas. I. Clough's drug store.

Midnight in the Ozarks

and yet sleepless Hiram Scranton, of Clay City, Ill., coughed and coughed. He was in the mountains on the advice of five doctors, who said he had consumption, but found no help in the climate, and started home. Hearing of Dr. King's New Discovery, he began to use it. "I believe it saved my life," he writes "for it made a new man of me, so that I can now do good work again. For all lung diseases, cough, cold, lagrippe, asthma, croup, whooping cough, hay fever, hemorrhage, hoarseness or quinsy, it's the best known remedy. Price 50c. and \$1.00 trial bottle free. Guaranteed by Chas. I. Clough.

Notice.

NOTICE IS HEREBY GIVEN.—That the County Court of Tillamook County, Oregon, will receive sealed bids for one hundred cords of Hemlock wood, cut 46 inches in length, delivered and corded in the basement of the Court House, of Tillamook County, not later than October 1st, 1911.

All bids to be filed with the County Clerk of said County on or before April 15th, 1911.

The County Court reserves the right to reject any and all bids. By order of the County Clerk. J. C. HOLDEN, County Clerk. April 13th, 1911.

Sheriff's Sale.

NOTICE IS HEREBY GIVEN, that in pursuance of an execution and order of sale duly issued out of and under the seal of the Circuit Court of the State of Oregon, for the County of Multnomah, to me duly directed, dated the 16th day of February, A. D. 1911, upon a judgment rendered and entered in said Court on the 3rd day of February, 1911, in favor of A. V. Allen, plaintiff, vs. August F. Mahne, defendant, for the sum of \$58.13, and the further sum of \$15.75 costs and disbursements, and also the costs of and upon said writ, commanding me to make and order of sale duly issued out of and under the seal of the Circuit Court of the State of Oregon, for the County of Multnomah, to me duly directed, dated the 16th day of February, A. D. 1911, upon a judgment rendered and entered in said Court on the 3rd day of February, 1911, in favor of A. V. Allen, plaintiff, vs. August F. 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