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IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA, IN AND FOR THE COUNTY OF LINCOLN.

The Continental Oil Company, a corporation, Plaintiff, vs. Rustler Mining & Milling Company, a corporation, Defendant.

ALIAS SUMMONS

THE STATE OF MONTANA sends greetings to the above named Defendants and to each of them:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action, which is filed in the office of the Clerk of this Court, a copy of which is herewith served upon one of you in each County wherein any of you reside, and to file your answer and serve a copy thereof upon the Plaintiff's Attorney within twenty days after the service of this Summons, exclusive of the day of service; and in case of your failure to appear or answer, judgment will be taken against you, by default, for the relief demanded in the Complaint.

This action is brought for the purpose of recovering from said Defendant the sum of three hundred thirty three and twenty six hundredths (\$333.26) dollars, being a balance due and owing by Plaintiff to said Defendant, and still remaining unpaid for goods, wares and merchandise sold and delivered to said Defendant by this Plaintiff at the special instance and request of said Defendant, between the fifth day of July, 1905 and the thirtieth day of December, 1905; also interest on the said sum of three hundred thirty three and twenty six hundredths (\$333.26) dollars, at the rate of eight per cent per annum from the thirtieth day of January 1906, together with Plaintiff's costs and disbursements in this action.

Witness my hand and the Seal of said Court this 4th day of August, 1913. TIMOTHY MILLER, Clerk of said Court. RHOADES and REINKING, Attorneys for Plaintiff, Kalispell, Mont.

### THOS. D. LONG

Lawyer

Buffalo Block - Kalispell, Mont.

### Christian Science Services

Christian Science service Sunday at 11 a. m. and on Wednesday at 7:30 p. m. Subject of the Sunday lesson—sermon "Christ Jesus."



## KRYPTOK INVISIBLE BI-FOCAL

In the Kryptok lens there are no abrupt inequalities of thickness to produce confused vision; no exposed edges of glass to become chipped and ragged; no crevices to collect dust and dirt. There is no weakness of mechanism, necessitating frequent repairs.

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## F. H. Keller

Optometrist.

### B. F. MAIDEN

Lawyer

Practice in State and U. S. Courts and Land Offices. LIBBY - MONTANA

### SAYINGS OF SAGES.

When from some noisy haunt of mine I step into the quiet night And, coolly contemplating, scan The lamps of heaven all alight, Remorse is mine that e'er I trod In way where man's mean tumult jars, Then loud my spirit cries to God, Grant me the calmness of thy stars!

—Gilbert Thomas.

The law of the harvest is to reap more than you sow. Sow an act and you reap a habit; sow a habit and you reap a character; sow a character and you reap destiny.—G. D. Boardman.

Life is made up not of great sacrifices or duties, but of little things in which smiles and kindness and small obligations, given habitually, are what win and preserve the heart and secure comfort.—Sir H. Davy.

Thank God every morning when you get up that you have something to do that day which must be done, whether you like it or not. Being forced to work and forced to do your best will breed in you a hundred virtues which the idle never know.—Charles Kingsley.

## ..The Libby Herald..

Entered as second-class matter August 17, 1911, at the postoffice at Libby, Montana, under the Act of March 3, 1879.

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### OFFICIAL DIRECTORY

STATE OFFICERS  
U. S. Senators—Thos. J. Walsh and H. L. Meyers.

Governor—Samuel V. Stewart.  
Lieut. Governor—W. W. McDowell.  
Congressmen—Tom Stout and John M. Evans.

Associate Justice of the Supreme Court—Sydney C. Sanner.

Secretary of State—A. M. Alderson.

Attorney General—Dan M. Kelly.

State Treasurer—Wm. C. Rae.

State Auditor—William Keating.

State Superintendent of Public Instruction—H. A. Davee.

Railroad Commissioners—J. H. Hall.

E. A. Morley.

COUNTY OFFICERS

State Senator—James E. Leary.

Representative—C. H. Conner.

District Judge—J. E. Erickson.

County Commissioners—Paul D. Pratt, chairman.

Frank P. Garey.

J. P. Bartlett.

Sheriff—Frank R. Bauey.

County Clerk and Recorder—Samuel Carpenter.

County Treasurer—John C. Friend.

County Assessor—John D. Weir.

County Attorney—James M. Blackford.

Clerk of the Court—Timothy Miller.

Supt. of Schools—Forrest D. Head.

County Coroner—Harry M. Gompf.

Public Administrator—A. V. Howard.

Surveyor—Samuel G. Ratekin.

### X. K. STOUT LEAVES AGAIN

The resignation of X. K. Stout as county attorney was filed with the county commissioners, to take effect Sept. 1.

Mr. Stout left Kalispell last Thursday night and apparently went through Butte, as his resignation was forwarded from that point, but it is believed that he went to some point outside the state. His destination, however, is unknown to anyone here.

This is the second time that Mr. Stout has left Montana recently with the intention of never returning, and it is probable that he has left for good this time.

Early in April he left Kalispell quietly without telling any one where he was going and proceeded to San Francisco, where he joined Mrs. Bergwald, a former resident of Kalispell. Mr. Stout was formerly court reporter under Judge D. F. Smith, and, having a friendly interest in his welfare, Judge Smith persuaded him to leave the woman and return to Kalispell. He was reappointed to the position of county attorney made vacant by his departure and took up his law practice where he had left it off. Shortly after his return Mrs. Stout left for a long visit in the east and while nothing was said openly about the affair it was known quite generally, and it is probable that the coolness of former friends was partly responsible for Mr. Stout's final departure.

Mrs. Bergwald is now defendant in an action for divorce, recently started in the district court by her husband, on the grounds of desertion.

Mrs. Stout, who is still in the east, is an accomplished lady and has a host of friends here.

A letter written by Mr. Stout was mailed last Friday at Butte to his former partner, T. A. Thompson, in Kalispell, in which he announced that he made a mistake in returning before and would not do so again.

Mr. Stout's present whereabouts are unknown, and no one seems to be trying to find him. His successor in the office of county attorney has not yet been appointed by the county commissioners—Kalispell Bee.

### Delayed, But Coming

Owing to pruning and field work in a nursery of 200,000 trees, J. I. Thurman has been delayed in canvassing for fruit tree orders, but will call on all Lincoln Co. farmers this fall. Trees finer than ever, at reduced prices. Hold your order for him. King-Thurman Nursery Company.

### THAT WONDERFUL BABY.

Smith and Jones Compare Notes About Their Respective Progeny.

A man named Jones and a man named Smith met on a street corner one afternoon, and, after talking politics, suffragettes and the high cost of living, the conversation turned to kids.

"How about that baby of yours?" asked Jones. "Is he doing any talking yet?"

"No," replied Smith. "Outside of 'Da, da,' his vocabulary is not very extensive. Can yours talk?"

"Well, I should say so!" was the proud rejoinder of Jones. "Talks like a parrot. Has got his mother chirped to a standstill. I suppose yours is able to walk?"

"No," responded Smith, just a little sadly. "He hasn't taken a step yet."

"Not taken a step!" exclaimed Jones with a life size expression of amazement. "Why, he is a good bit older than mine, and mine is toddling all around!"

"I don't doubt it," peevishly responded Smith, who was getting a trifle wearied. "And, by the way, Jones, does he use a safety razor or one of the old fashioned kind?"—New York American.

### Near Midnight.

"Elizabeth—Miss Crumpitts!" he said after they had been sitting on the parlor sofa for five silent minutes. "I—I want to say, I—er—want to tell you"—He mopped his neck nervously with his handkerchief, with his initials woven in the corner, thus, J. W. P. V. T. R. L.

"Yes, yes! Go on!" she said encouragingly.

"I want to say," he said desperately. "I want to let you know how—er—how"—Panting, he slid one finger inside his collar and pulled it violently.

"Yes, yes!" she smiled. "Go on!" (She had said that before.)

"I want you to know—er—I—oh, Miss Crumpitts!"

"Yes, yes! Go on!" (That made the third time.)

He blurted it out:

"I want you to know my collar is so tight I fear I shall have to go home and change it!"

She gave him a contemptuous look and his hat.—Detroit Free Press.

### Did Not Take It.

Sandy MacIvor was "no feelin' just well," so he went to the doctor.

"What do you drink?" demanded the medico.

"Whisky."

"How much?"

"Maybe a bottle a day."

"Do you smoke?"

"Yes."

"Well, you give up whisky and tobacco altogether."

Sandy took up his cap and in three steps reached the door.

"Here," called the doctor, "you have not paid for my advice!"

"Ah'm no takin' it," snapped Sandy as he shut the door behind him.—Newark Star.

### Lifelike.

The irate customer entered the taxidermist's in a high dudgeon.

"See here, sir," he said, addressing the proprietor, "what kind of a job do you call this? Only last summer you stuffed this partridge for me and now all its feathers are falling out!"

"And you complain?" asked the taxidermist.

"Why, the bird is mounted so naturally that even its feathers molt in the proper season."—St. Louis Post-Dispatch.

### Worked Long Hours.



"But two of our factory hands work twenty-four hours a day without complaint."

"Impossible. What do they do?"

"I refer to the hands on the factory clock."—Portland Oregonian.

### Amusement.

"You get a great deal of amusement out of your new canoe, I suppose."

"Well, my wife does."

"But she never rides in it."

"No. She says it's safer and funnier to watch me from the shore."—Washington Star.

### In Different Divisions.

"The man who runs that store has got the right idea, all right."

"How so?"

"He advertises bagpipes and musical instruments."—Houston Post.

### Unlucky.

Mrs. Gnages—I could have married a dozen men before I met you.

Mr. Gnages—Yes, thirteen was always my unlucky number.—Philadelphia Record.

### A Woman's First Thought.

Benham—Truth crushed to earth will rise again.

Mrs. Benham—Yes, but how its clothes will look!—Exchange.

## FACING TORTURES.

The Sublime Courage Shown by an American Indian.

WILLING TO DIE FOR ANOTHER.

Story of a Dramatic Episode in Which the Iowa and Musquakie Tribes Figured—Heroism That Won the Admiration of the Enemy.

A striking story of the courage and self sacrifice of which the American Indian at his best is capable is given by O. H. Mills in the Des Moines Register and Leader. It was told to the white men by the famous Sac chief, Black Hawk, who himself saw the incident.

It all began with an unfortunate quarrel between an Iowa and a Musquakie, in which the latter killed the former and then in a moment of frenzy scalped his victim. The two tribes were at peace, and this act, allowable only in time of war, was, in Indian eyes, an intolerable breach of good faith.

The Musquakies offered all sorts of reparation, but the Iowas would accept nothing but the person of the offender, to be tortured and put to death in propitiation of the outraged spirit of the dead man. To this the Musquakies agreed on condition that the culprit be given a month to fortify himself for his terrible ordeal. But just as the month was about to expire he fell ill with a raging fever. In that condition he could not be carried across the prairie, but a failure to produce him at the appointed place would arouse the suspicions and perhaps the hostility of the Iowas.

A council was called to debate the matter, before which appeared Cono, a brother of the sick man. "There are no squaw men in our family," he declared. "I will go in his place."

The others tried to dissuade him and described to him the tortures he would have to undergo, but he insisted upon making the sacrifice. Accordingly an escort was selected to accompany him, at the head of which Black Hawk, then a young but widely respected chief, was placed.

"I never saw a more pathetic scene," said Black Hawk, "than the parting of Cono and his father and mother and other relatives. The whole tribe was overwhelmed with gloom."

In the middle of the afternoon the party arrived at the Iowas' village. Cono had asked that his identity should not be disclosed, but one of the Iowas who was present at the time the young Indian was slain saw that the guilty party was not being delivered, and Black Hawk told the whole story. The Iowas accepted it as true and, after a brief council, consented to the arrangement. The death circle was staked out and patrolled with armed guards, and Cono was placed in its center, while his escort was entertained in the tepee of the chief. It was a chill November day, and the sun was just sinking behind the cliffs of the Des Moines river when the escort left the camp.

They paused on a hill about a half mile distant from the camp. They could see that the fires had been lighted round the death circle, and in the hush of the evening came the plaintive sound of Cono chanting his death song. Having traveled some two hours, they halted and made camp. About midnight they heard the clatter of horses' feet, and in a moment more a single horseman rode up. It was Cono! This was his remarkable story:

The fires of the death circle were burning brightly, and the squaws with their burning sticks were preparing to make the first attempt to extort a cry of pain and agony, when an old man, the father of the dead Indian, raised his voice:

"Stop!" he said. "Let me speak. I am the one that has suffered. My son was killed and scalped by a Musquakie. I was hungry for revenge, and were the one that killed and scalped him here I would shout with joy at his torture. But this young man is brave. Never have I seen such bravery before. He is too good a man to torture and kill. Release him and let him return to his own people."

Although the entire village a few hours before had been eager for revenge, there was a murmur of approval as the old man gathered his blanket about him and took his seat. Without any one's making a single objection, Cono was removed from the circle and given food and drink. A few hours later he was led from the camp, allowed to mount his own pony and depart in peace.

**Persuasive.**  
The teacher meant to convey a profound lesson. "You must forgive your enemies, boys," she said, "and then your enemies will forgive you. I want you all to try it."

The next morning Johnny Jones came to school with a very black eye. "Why, Johnny, what's the matter?" "Aw," replied Johnny, "I've been forgin' Scruppy Green an' makin' him forgive me."—Cleveland Plain Dealer.

**Willing to Try.**

Mary—The butcher is here, ma'am. What shall I order? Mrs. Morris Parke—Dear me, I haven't a thought! What can I order? Mary (thoughtfully)—I really don't know, ma'am, I'm sure. Mrs. Morris Parke—Oh, can't you make a suggestion? Mary (cheerfully)—I can try. What do you make it of?—Puck.

If you make money your god, 'twill plague you like a devil.—Fielding.

## ALL PASSES RECALLED

Helena, Aug 24—The Great Northern and Northern Pacific railroad companies have revoked all passes issued to Montana state officials and their deputies, numbering about 600, and it is expected that the other roads operating through the state will take like action.

All who have been provided with passes have been requested to turn them in, with the notice that conductors have been instructed not to honor them. This determination to cancel passes is predicated upon the decision of the interstate commerce commission in the case of Colorado, where the conditions are very similar to those in Montana, and by advice of their attorneys. In Colorado the interstate commerce commission gave the railroads to understand that plans to advance rates would be disallowed whenever it appeared to the commission that the carrier was wasting its revenue by issuing free transportation when not required to. There is now pending before the commission a new schedule of rates, filed by the transcontinental railroads operating in Montana. State officials believe this fact, together with the decision in the Colorado cases, was responsible for the revocation of the passes. State officials are authorized by law to accept passes.

## SLACK MAKES CONTRACT

Wm. Hogan was in the city to day from Troy and made a contract with George Slack, the Great Northern tie contractor, for 100,000 ties to be delivered between now and July 1, 1914. Mr. Hogan intends to commence work on the contract immediately and will put a large force of men on the job.

This is probably the largest tie contract ever taken by any one person in this locality and involves a large sum of money as well as a great amount of labor.—Kalispell Bee.



Standard "Avoyn" Lavatory

SECURE the benefits of good plumbing now. Think what it means to you to have a dainty bathroom, a convenient cleanly laundry and a bright, glossy white kitchen sink; all the fixtures of "Standard" guaranteed manufacture.

Give us an opportunity to explain the benefits of good plumbing—to do so will not place you under any obligation.

## LIBBY SUPPLY CO.

22

Libby, Montana

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA, IN AND FOR THE COUNTY OF LINCOLN.

In the matter of the estate of Ludwig Glatt, deceased. ORDER

Appearing to this Court by the petition this day presented and filed by A. V. Howard, Public Administrator, the administrator of the estate of Ludwig Glatt, deceased, that it is necessary to sell the whole or portion of the real estate of said decedent in order to pay his debts and the expenses and charges of administration, it is ORDERED that all persons interested in said estate appear before this Court on Thursday the 28th day of August, 1913, at the hour of ten o'clock a. m. of that day in the Court room of said Court at the Court house in the City of Libby, County of Lincoln, State of Montana, to show cause why an order should not be granted to sell so much of the said real estate as shall be necessary, and it is further ORDERED that a copy of this order be published four successive weeks next preceding said day in The Libby Herald, a newspaper printed and published in said County of Lincoln.

Dated July 24, 1913. J. E. Erickson, District Judge.