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LEGAL NOTICES.

NOTICE OF MORTGAGE SALE. NOTICE IS HEREBY GIVEN That default has been made in the payment of a certain Mortgage executed and delivered by Anna Locke and Frederick D. Locke, her husband, Mortgagees, to C. M. Fisher, Mortgagee, dated the 10th day of December, A. D. 1912, and recorded in the office of the Register of Deeds of the County of Ramsey, in the State of North Dakota, on the 12th day of December, 1912, at 11:29 o'clock A. M., in Book 55 of Mortgages, on page 222, and which said Mortgage was duly assigned by an instrument in writing, executed and delivered by the said C. M. Fisher to A. D. Kleinman, dated the 28th day of May, A. D. 1915, and recorded in said office of the Register of Deeds on the 23rd day of July, A. D. 1915, at 9:30 o'clock A. M., in Book 66 of Mortgages, on page 490.

Dated Devils Lake, N. D., October 15th, 1915. A. D. KLEINMAN, Assignee of Mortgage. COWAN & ADAMSON, P. O. Address, Wineman Bldg., Devils Lake, N. D., Attorneys for Assignee of Mortgage. (16)

STATE OF NORTH DAKOTA County of Ramsey IN DISTRICT COURT. Second Judicial District. Morse R. Henderson, Plaintiff, vs. Luna H. Chaney, Ellen Cinnamon, May Wright, Lucy Woods, Amy A. Britton, Mark Henderson, Lucy G. Henderson, and the Unknown Heirs of Jay C. Henderson, Defendants.

THE STATE OF NORTH DAKOTA TO THE DEFENDANTS IN THE ABOVE ENTITLED ACTION: You are hereby summoned to answer the complaint in this action, which will be filed with the Clerk of the above named court, at the office of the City of Devils Lake in said Ramsey County, N. D., and to serve a copy of your answer upon your exclusive agent or other person, claiming any interest in or estate in, or lien or encumbrance upon the property described in the complaint.

DAVIS RUBIN, Attorney for Plaintiff, Devils Lake, N. D. (61)

NOTICE OF MORTGAGE FORECLOSURE SALE.

WHEREAS default has occurred in the terms and conditions of the mortgage described in that the mortgagee has failed to pay and comply with the terms of said mortgage in the sum of Five Hundred Dollars and interest thereon according to the terms and conditions thereof, and the said mortgagee being past due and the said mortgagee being now in default.

THE PROMISES DESCRIBED IN SAID MORTGAGE AND WHICH WILL BE SOLD TO SATISFY THE SAME ARE AS FOLLOWS: All of Lot Twenty-four (24) and the East one-half (1/2) of Lot Twenty-three (23) of Block Forty-four (44) of the City of Devils Lake, Ramsey County, North Dakota, according to the plat thereof now on file and of record in the office of the Register of Deeds in and for Ramsey County, North Dakota.

COCKBURN & DAELEY, Devils Lake, N. Dak.

COMMISSIONER PROCEEDINGS

THE ADJOURNED MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF RAMSEY COUNTY, NORTH DAKOTA. Tuesday, November 2, 1915.

The Board met at 2 o'clock P. M. There were present Commissioners Johnson, Thelin, Maloney, McNaughton and Gessner. The minutes of the previous meeting were read and approved. Bids for the furnishing of fuel for Ramsey County for the ensuing year were then opened, and bids were submitted by the Lake Fuel Company and the Central Fuel Company. Moved by commissioner Maloney, seconded by commissioner Johnson, that the bid of the Lake Fuel Company for the furnishing of fuel for the ensuing year be accepted, their's being the lowest and best bid.

A petition signed by G. W. Bedell asking that the Board reduce the assessed valuation for the year 1914 on the strip of land described as the West 1/2 of Section 14, Township 15S, Range 55E, containing 75-100 of an acre in the sum of \$111.00 as this tract was assessed on a basis of 75 acres, was read. Moved by commissioner Maloney, seconded by commissioner Johnson, that the foregoing request be granted. Motion carried.

A petition signed by T. H. Wold asking this Board to allow him to collect lot 10, block 7, Village of Edmore, for the sum of \$10.00, was read. It was moved by commissioner Johnson, seconded by commissioner Gessner, that the foregoing request be granted. Motion carried.

A petition signed by James W. Powell asking this Board to accept 50 per cent of the face amount of his delinquent personal property taxes in Ramsey and Pleasant Townships for the years 1902 to and include 1907, and 1911 and 1912, amounting to \$128.71, was read. Moved by commissioner Maloney, seconded by commissioner Gessner, that the foregoing request be granted. Motion carried.

A petition signed by P. G. Gooden and seven other resident tax payers of Ramsey County asking this Board to correct a mistake in a bid on the narrow part of Devils Lake in section 26, Township 15S, Range 55E, was read. Moved by commissioner Maloney, seconded by commissioner Johnson, that this petition be laid over until the next meeting of the County Commissioners. Motion carried.

Moved by commissioner Gessner, seconded by commissioner Maloney, that the Auditor be instructed to advertise for bids for the deposit of certain county funds under a time certificate of deposit, bids to be opened at the adjourned meeting December 7th, 1915, in accordance with Chapter 136 of the 1911 Session Laws. Motion carried.

A petition signed by Ed Kolstad and fifteen other resident tax payers of Ramsey and Benson Counties asking this Board to lay out a road on the section line between sections 2 and 3, township 15S, range 55E, was read. It was moved by commissioner Maloney, seconded by commissioner Johnson, that the chairman appoint a committee to view said location and report as to the necessity of establishing said road, and also to consult with the Benson County Commissioners in regard to same. The chairman then appointed commissioners Johnson and McNaughton as such committee and it was moved and seconded that the chairman also act as a member of this committee. Motion carried.

The county poor farm report of John E. Thelin for the year 1915 showing the proceeds in favor of Ramsey County in the sum of \$1071.50, which has been paid to the county treasurer, was read. It was moved by commissioner Maloney, seconded by commissioner Gessner, that this report be accepted as read. Motion carried.

Moved and carried that the following bills be allowed and warrants ordered drawn in payment of same as follows: Frank Plug, Witness fees under State Attorney subpoena, \$ 2 10 Siver Ness, Plowing done on county poor farm as per contract, 138 00 A. O. Wielum, To one-half of through bill on county poor farm, 256 38 Martin Olson, To mileage and conveyance for October, 1915, 48 30 Martin Olson, Boarding prisoners for October, 1915, 273 65 Martin Olson, To postage, long distance telephones, etc., for October, 1915, 41 02 C. A. Dodge, To survey of drainage between Cleveland and Webster townships, 21 50 Highland Township, To road work in Highland Township James Hay, To grading a road on the county line between Ramsey and Cavalier Counties, 142 40 John Assmundstad, To road work in Grand Harbor township, 56 00 Fred Seharbom, To road work in Lake township, 25 00 James Yeaman, To road work in Lake township, 153 75 Mauritz Thorstad, Hauling gravel between Webster and Freshwater Townships, 2 00 J. W. Cavers, To material and labor furnished in re-

pairing bridge on county line between Benson and Ramsey Counties, 9 57 A. E. Sylvester & Co., To cultivate furnished for township 15S, range 55E, 18 00 St. Anthony & Dakota Elevator Co., To material and labor furnished for building bridge south of Church's Ferry, 10 25 Lake Fuel Co., Fuel furnished for Court House and Jail, 154 40 M. L. Sprung, Fuel furnished for the County Jail, 3 50 Dekendorfer & Dickson, To labor on lawn mower, 1 50 Manns, Supplies furnished for Jail, 22 40 L. E. Stevens, Making money in Carter case, 2 00 Western Utilities Corporation, To lights, telephones and water for October, 1915, 69 12 W. F. Siller, To professional services in Ramsey case, 5 00 State Hospital for Insane, To board and care of county patients for quarter ending September 30, 1915, ending 1139 32 Devils Lake Journal, Supplies furnished county, 17 32 Devils Lake World-Inter Ocean, Supplies furnished county of Ramsey, 11 30 Devils Lake World-Inter Ocean, Printing and advertising, 31 38 Devils Lake Journal, Printing and advertising, 31 38 Star-Weather Times, Printing and advertising, 31 38 Hampden Guardian, Printing and advertising, 12 43 P. E. Gessner, services as county commissioner and mileage, 12 10 John E. Thelin, services as county commissioner and mileage, 54 20 C. Johnson, services as county commissioner and mileage, 56 80 Thos. H. Maloney, services as county commissioner and mileage, 55 50 D. D. McNaughton, services as county commissioner and mileage, 65 70 Moved and carried to adjourn until December 7, 1915. John E. Thelin, Chairman. J. A. Kramer, County Auditor.

NOTICE TO CREDITORS. In the Matter of the Estate of OLE M. TORVICK, Deceased. Notice is hereby given by the undersigned Anna Torvick, Executrix of the Last Will of Ole M. Torvick, late of the township of Grand Harbor, in the County of Ramsey and State of North Dakota, deceased, to the creditors of, and all persons having claims against, said deceased, to exhibit them with the necessary vouchers, within six months after the first publication of this notice, to said Executrix at the office of W. M. Anderson, in the City of Devils Lake, in said Ramsey County, Dated Nov. 1st, A. D. 1915. ANNA TORVICK, Executrix. W. M. ANDERSON, Attorney. First publication on the 5th day of November, A. D. 1915.

NOTICE TO CREDITORS. In the Matter of the Estate of FRED C. JONES, Deceased. Notice is hereby given by the undersigned Fred C. Jones, Administrator of the Last Will of Stephen C. Jones, late of the City of Devils Lake, in the County of Ramsey and State of North Dakota, deceased, to the creditors of, and all persons having claims against, said deceased, to exhibit them with the necessary vouchers, within six months after the first publication of this notice, to said Administrator at the Western Hotel in the City of Devils Lake, in said Ramsey County, Dated November 8th, A. D. 1915. FRED C. JONES, Administrator. First publication on the 11th day of November, A. D. 1915. (61)

TREASURER'S REPORT. For Cato School District No. 19, County of Ramsey, State of North Dakota, for the year ending 1915. RECEIPTS. Cash on hand at beginning of school year, July 1, 1915, \$ 619 06 Total amount received during the year from the apportionment of the State Education fund, 1000 00 Total amount received during 1915 from the apportionment of the County Tuition fund, 1000 00 Amount received during the year from Taxes levied by the District School Board, including amount received on warrants endorsed or endorsed in the collection of Taxes, 4151 91 Total amount received during the year from Sale of Bonds, 1000 00 Amount received during the year from Sinking Fund, 2130 07 Total receipts for the year including Cash on hand July 1, 1915, \$ 2130 07 EXPENDITURES. Amount paid during the year for Apparatus, 842 00 Amount paid during the year for Teachers Wages, 842 00 Amount paid during the year to Co. Treasurer on account of Teachers' Retirement Fund, 69 00 Amount paid during the year for Interest on Bonds and Warrants, 367 06 Amount paid during the year for repairs and returning of Bonds, 1278 88 Amount paid during the year for purposes not before mentioned, 852 89 Total expenses for the year, 1278 88 Cash on hand July 30, 1915, 852 89 Grand Total, expenditures and Cash on hand, to balance above total receipts, 2130 07 Amount of Sinking Fund in Treasury July 1, 1915, 2130 07 Amount paid into and transferred to the year ending during year, 2130 07 Total, 2130 00 Paid out of Sinking fund for Redemption of Bonds, 2130 00 Balance in Sinking Fund June 30, 1915, \$ 0 00 Treasurer of Cato School District No. 19, Approved this 9th day of July, A. D. 1915. By order the District School Board: A. VANDERHILD, President. ATTEST: GEORGE WRIGHT, Clerk. CLERK'S STATEMENT OF INDEBTEDNESS OF DISTRICT. Whole amount of Warrants Outstanding June 30, 1915, 2130 00 Whole amount of Bonds Outstanding June 30, 1915, 2130 00 Amount of Interest on Warrants Outstanding June 30, 1915, 0 00 Total Indebtedness of District June 30, 1915, 4260 00 Approved this 9th day of July, A. D. 1915. By order of the District School Board: GEORGE WRIGHT, Clerk.

JUDGE BUTTZ IS REVERSED

Attorney Goer received notice from the Clerk of the Supreme Court today to the effect that his client, John Eaton, had won his case. This was a case of considerable importance, involving some very fine points, and was tried in the district court here in the month of January, 1914. The facts in the case are, that on the 26th of March, 1912, John Eaton loaned one Ed Delay the sum of \$575 and took Delay's note for the same which was also signed by P. S. Dunn and Ed Jones. The note was due on the first day of December, 1912, and at the time the note fell due, or a few days after, Mr. Delay came to Mr. Eaton and asked until the following May in which to pay the note which request was granted by Delay paying the interest then due, and at the same time Mr. Eaton wrote on the end of the note the following words: "Extended to May 1st, 1913." Payment being refused by the said signers, suit was commenced on said note to force the collection thereof, on the first day of October, 1913. After the summons and complaint in the action had been served on the signers of said note, Dunn and Jones appeared by counsel and filed answers alleging, among other things, that said Dunn and Jones were released from liability on said note by reason of the extension of time for payment so made by Eaton and that they were sureties on said note instead of accommodation makers thereof. The case went to the jury and resulted in a verdict in favor of the plaintiff, John Eaton, for the sum of \$656.85, or the full amount asked for. Immediately after the verdict was announced, the attorneys for the defendants, Dunn and Jones, moved the court to grant them a judgment notwithstanding the verdict of the jury, and said motion was made upon the grounds that the writing "Extended to May 1st, 1913," constituted a material alteration of the note and therefore said note was void as to Dunn and Jones. The motion was argued by counsel on both sides after which the court granted said motion and set aside the verdict of the jury giving Dunn and Jones a judgment against Mr. Eaton for the costs in the sum of \$78.60. An Appeal was immediately taken to the Supreme Court resulting in a reversal of the judgment and giving Eaton judgment against the parties in accordance with the verdict of the jury. Messrs Flynn & Traynor appeared for the defendants, Dunn and Jones and R. Goer appeared for the plaintiff, John Eaton.

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The World Devils Lake, N. D.

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