

The Holt County Sentinel.

51ST YEAR.

OREGON, MISSOURI, FRIDAY, NOVEMBER 5, 1915.

NUMBER 27.

STILL GRINDING ITS GRIST.

The October Term of Circuit Court Still in Session--Many Cases Disposed of.

The October term of our circuit court has been one of the busiest for a long time. The docket was an unusually large one, and included many important cases; some of these were disposed of by change of venue, while others went to trial. Among these was the damage suit of David M. Dovel against Carl Nauman. This case occupied the attention of the court the greater part of Friday and all of Saturday, of last week, and the case was given to the jury about 3 p. m. Saturday, and at 1 p. m. not returning a verdict, Judge Burnes kindly excused them until Monday, when they again took up the case for consideration.

The court will likely take an adjournment, tomorrow, Friday or Saturday until December 13, to which date several cases have been continued.

State vs. Lum Patterson, operating automobile without tail lights. Plead guilty and fined \$25 and costs.

State vs. Jesse Kahn, Joe Catron, Ike Adkinson and Harold Kahn, hunting on Sunday. Each plead guilty and were fined \$1 and costs.

State vs. Fred Graves, operating automobile without tail lights. Plead guilty and fined \$25 and costs.

Roscoe Blazer was paroled with stipulations.

Kunkel vs. Evans was a suit to determine title and acquire possession of an interest in real estate. The real estate in question is land owned by Joseph Evans at the time of his death. Kunkel's wife was one of the children of Joseph Evans and she died leaving no children. Joseph Evans left at his death 6 children. Kunkel inherited from his wife one-half of the one sixth that descended to her, and this suit was for his one-twelfth interest in the land left by Evans at his death. The cause was submitted to a jury, which returned a verdict for the defendant.

William Mosiman, Herman Tubach vs. Edward Lunsford, Eimer West. Damages. The case was submitted to a jury, who returned a verdict for the defendants. The plaintiffs filed motion for a new trial.

William G. Andes vs. John F. Shipley. Suit on note. Continued to Monday, December 13.

Joseph L. Minton, Isaac M. Minton, vs. Almarinda Steinhauer. Ejectment. The jury had the case and gave a verdict in favor of the plaintiff.

The suit by Frank Watson, Robert B. Walter and G. S. Moore, as Directors of School District, Number 60, against James Conn and Annie Conn, is a suit to condemn 96-100 of an acre of land, for school purposes. This is what is known as "the Culp district," and it is alleged that the grounds now owned and used for school purposes contain only 48 square rods, and that same is not sufficient for the uses of the school; that, at the annual school meeting in 1913, the qualified voters and taxpayers determined that it was necessary to have additional ground for school purposes, that they have been unable to agree upon a price for the necessary land, and they therefore bring this suit to condemn sufficient ground for school purposes. The court appointed A. H. Bailey, M. R. Martin and Wm. Pennel as commissioners to assess the valuation of this land.

D. W. Jessup vs. D. F. McDonald. Damages. Continued to Monday, December 13.

The suit of Wesley W. Wehrli vs. Clark E. Brown, was an attachment suit—upon a note given Sept. 2, 1908, for the sum of \$90.95 to Welty & Wehrli, the Welty member of which was Enoch A. Welty, who afterwards was county clerk. The plaintiff alleges absolute ownership of the note, and non-residence of the defendant, and the sheriff attached all of said Clark E. Brown's interest in the lands formerly owned by J. J. Brown, deceased, near Napier. Judgment was ordered by reason of default in the sum of \$346.01.

The suit of Dr. H. L. Walker vs. James A. Oyerly and Mrs. James A. Oyerly was a suit for a doctor's bill, alleged to be due to plaintiff. Plaintiff is a practicing physician in St. Joseph, Mo., and his account, an itemized statement of which was filed in court, covers several months, from Sept., 1909, to Aug., 1910, and amounts to \$228.06. Judgment for plaintiff in the sum of \$228 with interest.

The suit of the B. F. Goodrich Rubber Co. vs. Fred Carpenter is a suit for balance claimed to be due on account. The plaintiff is an Ohio corporation, and claims a balance due

to it on first count, for goods and merchandise, of \$144.84, and on second count, for goods and merchandise sold to defendant by the American Asbestos Co., of \$9.38. Judgment by default.

George W. Poynter vs. Edward Forter, et al. Suit on notes. Judgment by default.

Bank of Mound City vs. D. C. Snider. Suit on note. Judgment by default in the sum of \$226.95, with interest at 8 per cent, and \$21.50 for attorneys' fees.

Levi M. Thompson vs. R. G. Cowan. Suit on note. Dismissed.

F. W. Walter vs. Johann Peters. Suit on note. Judgment by default.

Emil Weber vs. C. W. Craig. Suit on note. Judgment by default.

The Farmers' Bank of Maitland, a corporation, vs. O. D. Batman, Martha Batman. Suit on note. Judgment by default.

Minnie Fields vs. O. D. Batman, Martha Batman, P. W. Zachary. Suit on note. Judgment by default for \$1,344.07 with interest at 7 per cent and \$122.50 attorneys' fees.

The suit of James Rhodes vs. James Bunker and William Hudson was a suit in forcible entry and detainer, appealed from William C. Andes, justice of the peace, and concerns the possession of the west half of section 12, township 60, range 49, same being part of the so-called "made" land, southwest of Fortescue, near John C. Hinkle's. Plaintiff says that, on May 5, 1915, and long prior thereto, he was in the peaceable possession of the land, and that on said date, the defendants, with strong hands, made unlawful and forcible entry into and upon the same, and have ever since so held the same; wherefore he asked for possession of the premises and \$50 damages. The plaintiff took a non-suit.

The suit of Joseph Mitchell against T. P. Fitzmaurice was a suit in replevin, for the possession of 25 head of yearling steers, that plaintiff says are worth \$1,000. Plaintiff says that he is the owner of said steers, is entitled to possession of same, that said property is unlawfully detained by the defendant, and that he will be in danger of losing the same unless it is taken out of the possession of defendant, or otherwise secured. An order, dated Aug. 6, 1915, from the clerk of the circuit court for defendant to deliver said property and chattels to the sheriff appears amongst the papers. The cause was submitted to a jury, which returned a verdict for the plaintiff. The defendant filed motion for a rehearing.

The case of Aaron Johnson versus Richard Gross, was a case brought here, upon change of venue, from Atchison county. The plaintiff alleges that he is a blacksmith, at Corning, Mo., and that, in January, 1910, the defendant brought to him to be shod, a horse that was what is commonly known as an "outlaw" horse, of savage, vicious and dangerous disposition and temper. That defendant well knew that the animal was an "outlaw" animal, and possessed of a savage, vicious and dangerous disposition and temper, and that he was liable to attack and injure plaintiff, while plaintiff would be attempting to put shoes on his feet, but that he negligently and carelessly failed and refused to inform plaintiff thereof, and that said horse viciously and violently attacked plaintiff with his fore feet, striking him on the head and body therewith, and stamping and trampling upon him, whereby plaintiff suffered severe injuries to his person and about his head, was rendered unconscious, and greatly injured internally, and that the injuries are permanent. Plaintiff asked for \$10,000 damages and for costs of suit. Defendant filed motion to dismiss the case on the grounds of statute of limitation, which motion was sustained by the court, and the plaintiff filed motion for a rehearing.

The suit of Consolidated District, No. 2, of Holt county—and G. A. Conway, W. M. Troxell, Frank Walker, C. S. McKee, George Courier and J. M. Wilson, Board of Education thereof, against Sallie Orwick, Serepta Graham and R. C. Hatawell was a proceeding to condemn certain lots in Bigelow to add to the school grounds, in order to make sufficient room for the school under the enlarged conditions since the consolidation. Judge Burnes, on July 20, last, appointed David F. Romine, A. H. Bailey and R. C. Glenn, as commissioners, to view and assess damages to the property to be taken, and, on August 12, they filed their second report, where, by they assessed the damages to Sallie Orwick's property at \$750; to R. C. Hatawell's property at \$650, and to Serepta Graham's property at \$650. R. C. Hatawell and Serepta Graham

to it on first count, for goods and merchandise, of \$144.84, and on second count, for goods and merchandise sold to defendant by the American Asbestos Co., of \$9.38. Judgment by default.

When J. N. Hodgkin (Nobe) came to this county in 1854, and entered his first 80 acres up on the wild prairies at the head of Hog creek, in Hickory township, at \$1.00 per acre, and built his little log cabin. Little did he think the development of the county would bring such advancement in price as were made up to the time of his death which occurred February 6, 1913. He pinched along and saved money enough to enter a 40 and paid \$1.25 per acre for it; and from this beginning he died possessor of 320 acres of land located in the Fairview and Triumph districts.

At the recent term of our circuit court, in the partition suit of Ransom Hodgkin vs. Lewis Hodgkin, this land was sold at the partition sale for the benefit of the heirs, by the sheriff, the son, Lewis Hodgkin, became the purchaser of the 320 acres at \$150.50 per acre—a total of \$48,160. Some land; some money, too.

Some Big Deals.

Don Weller, the live wire in real estate, up at Maitland, pulled off a couple of good deals last week, that will pull tight on the purse strings of those interested. Fred Fleener bought the Charley Cowan 200 acre farm, seven miles north of Oregon, for the round and even-up sum of \$30,000. Mr. Fleener then leased the Cowan 100 acres, adjoining his farm for a five year term.

Mr. Weller also brought about the deal whereby John Long becomes the purchaser of the C. M. Thompson 80 acre farm, 3 miles west of Maitland, for \$11,400. Long then got dizzy and Don made the sale for him of his 80 to Bethel Goodpasture, for \$9,400; this 80 lies 4 1/2 miles, northwest of Maitland.

Abie Showalter has bought the John Wise 80 acres, located in the Mt. Hope district for \$8,750.

In the partition sale of the late George Weber residence in Forest City, the sheriff made sale to Mrs. Nellie Everson, for the sum of \$2,050.

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Lineman Electrocuted.

A. G. Utka, a lineman in the employ of the Western Union Telegraph Co., was instantly killed this morning, 3 1/2 miles west of Fortescue.

The fatal accident occurred about 9:30 o'clock as the man was measuring the height of the Mound City Transmission Company's line transmission line. The body was discovered by Dan Sapp, a farmer who was crossing the railway, and noticed the lineman's motor car standing on the track. Upon further investigation, he found the body of Utka, where he had fallen after receiving the fatal shock. The people of Fortescue were notified, and the section men brought the body to the Fortescue depot. Squire Steele, of this city, went to hold an inquest over the remains, but after learning the particulars, decided this to be unnecessary. The body was taken this evening to the home of the deceased at Wymore, Neb., where he has a family. The dead man was about 45 years of age.

Indications are that death was instantaneous. He was getting the measurement by means of a tape line, of the distance between the ground and the transmission line. The tape line had a hook on the end, which it seems, he was in the custom of throwing over the transmission line while standing on the ground. The tape was made of cloth, strengthened by a number of small copper wires, and when the tape line struck the highly charged transmission line, the current was transmitted to his body. The tape line was burned in several places, and the unfortunate man's hands were badly burned, his gloves being burned to a crisp.

Tony Byers, who was operating the light plant machinery here when the accident occurred, noticed the sudden drop in the power, and in a short time received the news of the death of the lineman. The deflection of the current was very noticeable in the local plant. — News-Jeffersonian, Mound City, Oct. 28.

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They were married at the bride's home in Andrew county, October 26, 1865. To them were born eight children, five boys and three girls, but only three sons are living, C. W., E. L. and G. P. Mr. Craig was a union soldier during the war. He removed with his family Holt county in 1891.

A delightful and enjoyable time was had by all present. The following guests were present: Earl Book and wife, Ernest Stirk and wife, Mrs. Frank Johnson, Mrs. Roy Noland, Mr. and Mrs. Rosling, Miss Nellie Book, Miss Alice Wilson, Mrs. Ed Scott, Robert Asher, Thomas Asher, C. W. Craig and wife, Grace, Marie and Edith Wake, Mable and Marie Book, May Scott, Thelma Aylor, Lillian Scott, Mary Williams, W. G. Craig and wife, J. C. Hinkle and wife, A. Wake and wife, John Book and wife, Mrs. Alfred Noland, Dr. James Tracey, Jr., Wm. Wake and wife, Mrs. Settle Williams, Mrs. Chas. Williams, Eimer Eike and wife, Mr. and Mrs. William Craig, Mrs. Chaut Dean, Mrs. Sallie Orwick, Ezra Martin and wife, Harvey Chiles and wife, C. O. VanCamp, wife and sons, C. Hill and wife, Rastes Ross, James Williams, John Scott and wife, Earnest Cook and wife, Miss Ethel West, Lester Williams, Teddie Scott, Harry Heath, Roy Aylor, Charlie Craig, Chester Wake, Mary E. Scott, Wellington Chiles, Beniah Bush, Edna Boyer, Claudie Scott, Albert Eike, Ivan Eike, G. P. Craig.

A Pleasing Incident.

A most pleasing incident, and one out of the ordinary, occurred at the recent meeting of the veterans at the home of Hon. T. C. Dungan, on October 23d.

In the fall of 1833 there came to this country, from Baden, Germany, John Hornecker, Jacob Markt, Jacob Frey, Sr., and George Adolph. Mr. Adolph had been here before, but had returned to Baden to get his bride, and this was Mr. Adolph's bridal trip. The parties arrived in New Orleans in the fall of 1833, and took a steamboat to St. Louis, where several of the party remained, and in the spring of 1834, Jacob Markt, the Freys and Hornecker took steamboat passage up the Missouri river for St. Joseph, and from there they walked to Holt county, locating at Oregon.

In the Fry family was a lad of seven summers, Jacob Fry, Jr., now 63 years of age. He grew to manhood here, and in fact spent the greater part of his life here, but is now an inmate of the military home at Leavenworth, Kans.

At the meeting at Mr. Dungan's these two old veterans met—Jacob Frey and Jacob Markt; they were born in the same town in Germany, sailed for the United States in the same ship, were mates during the voyage, came to Oregon together, and met as old veterans, the former as a member of the 11th Kansas Cavalry, and the latter as a member of the 4th M. S. M. Cavalry—62 years after their voyage across the ocean and 61 years after their arrival in Oregon. Of course, it was not their first meeting since coming here, but it was their first meeting under such pleasing environments, and it was certainly enjoyed by them.

October Weddings.

County Recorder Danker reports a big "stump" in the marriage market for October, having only issued five licenses for the month, as follows:

Wayne Mohler, Hannah Mae Drake, Mound City, Mo., Sept. 29, by Rev. G. W. Ellenberger.

George Fry and Stella Heckman, Oregon, Mo., Oct. 8, by Probate Judge Dungan.

Nola Guyer and Ethal Sipes, Forbes, Mo., Oct. 17, by Probate Judge Dungan.

Wm. E. Moore, Craig, Mo., and Lela Nancy Ball, Fairfax, Mo., Oct. 17, by Rev. T. J. Puckett.

William F. Dodge and Gennette M. Ashlock, Forest City, Mo., Oct. 27, by John H. Steele, J. P.

The Treacherous Crank.

Miss Marie Hodgkin, the second daughter of Mr. and Mrs. Scott Hodgkin, of this city, is now badly out of repair, by reason of the antics of the treacherous automobile crank.

Mr. Hodgkin and some members of the family were out Sunday morning, October 31, enjoying an auto ride. They stopped at the new High school building and while Mr. H. was looking around, the engine stopped, and Miss Marie in order to have things ready to move on when her papa returned, concluded to do the cranking act, for him, and the result is that Miss Marie has a broken elbow, which will likely keep her out of school for a week or two. Doctors Kearney and Hogan were called and rendered the necessary surgical attention and she is now getting along just fine.