

LEGAL NOTES

R. J. BORYER

This department is open to all the patrons of The Ranch. Inquiries on legal matters will be answered free in these columns. If a reply by letter is desired enclose a fee of One Dollar to R. J. Boryer, care The Ranch.

Two questions have been lost. Will the parties please send same again?

When an incomplete instrument has not been delivered it will not, if completed and negotiated without authority, be a valid contract in the hands of any holder, as against any person whose signature was placed thereon before delivery.

Every contract on a negotiable instrument is incomplete and revocable until delivery of the instruments for the purpose of giving effect thereto. As between immediate and as regards a remote party, other than a holder in due course, the delivery, in order to be effectual, must be made either by or under the authority of the party making, drawing, accepting or indorsing the instrument, as the case may be; and in such case the delivery may be shown to have been conditional, or for a special purpose only. Where the instrument is in the hands of a holder in due course, a valid delivery thereof by all parties prior to him, so as to make them liable to him, is conclusively presumed. And where the instrument is no longer in the possession of a party

whose signature appears thereon, a valid and intentional delivery by him is presumed until the contrary is proved.

Ambiguous Instrument.—Where the language of the instrument is ambiguous or there are omissions therein, the following rules of construction apply:

(1) Where the sum payable is expressed in words and also in figures and there is a discrepancy between the two, the sum denoted by the words is the sum payable; but if the words are ambiguous or uncertain, reference may be had to the figures to fix the amount; (2) Where the instrument provides for interest, without specifying the date from which interest is to run, the interest runs from the date of the note and if instrument is undated, from the issue thereof; (3) Where the instrument is not dated, it will be considered to be dated as at the time it was issued; (4) Where there is a conflict between the written and printed provisions, the written provision will prevail; (5) Where the instrument is so ambiguous that there is doubt whether it is a bill or note, the holder may treat it as either at his election; (6) Where a signature is so placed upon the instrument that it is not clear in what capacity the person making the same intended to sign, he is to be deemed an indorser; (7) Where an instrument containing the words "I promise to pay" is signed by two or more persons, they are deemed to be jointly and severally liable thereon.

No person is liable on the instrument whose signature does not appear thereon, except as herein otherwise expressly provided. But one who signs in a trade or assumed name will be liable to the same extent as if he had signed his own name.

The signature of any party may be made by a duly authorized agent. No particular form is necessary for this purpose; and the authority of the agent may be established as in other cases of agency.

From Wood Island, Alaska.

Curtis P. Coe, superintendent of the Kodiak Baptist Orphanage, at Wood Island, Kodiak, Alaska, sends some interesting items regarding agricultural and stock conditions in his particular district. He says:

I have been in this portion of Alaska, Kodiak, nine years and have been doing what could be done to investigate the advantages from an agricultural standpoint. The government has been assisting in the experiments here. The amount of tillable land is not very great, nor is it found in very large tracts. This condition is different in other portions. The Kodiak Baptist Orphanage has in cultivation about twenty acres, made up of several small fields and gardens. On this land we have raised almost all kinds of common garden vegetables, except beans, tomatoes, corn, etc. Cabbage, radishes, and lettuce do especially well, and turnips can not be beaten in any place. Of grains, we have raised with some degree of success barley, spring wheat, oats, speltz and rape.

This year our work was done much earlier than usual. Plowing was begun the last of March, and before the middle of April we had sowed grain and planted potatoes. At this writing, May 24, we have a good stand of different grains, about three inches high, grass sown this spring is making a good showing, and peas, radishes, etc., are well up in the gardens.

We have, with few exceptions, no other trees than spruce. This year we have planted two apple trees and two or three dozen raspberry and currant bushes. Would be glad to receive small fruit roots.

We have been raising Black Langshan chickens for five years and find them hardy and profitable. Pekin ducks did exceedingly well last year, but have not done so well this year.

Five Angora goats have lived here almost without care for two winters, and average about 5 pounds of mohair each a year. Our cows do very well, and are the most profitable of our stock, on account of the need of so much milk to feed our large family, consisting, all told, of fifty persons. The great danger to cattle raising is the cliffs, on which the grass springs first in the spring, and over which some cattle fall in the attempt to reach the grass. At present the grass is well advanced, and cattle that have run all winter without feed or shelter, except what they have found in the woods, are looking well. A Seattle firm that shipped up 350 cattle and 9 000 sheep have had a large loss. Fewer than 400 sheep remain, and the loss of cattle has been perhaps not less than 50 head. I understand they will send more cattle for another island.

I would be glad to exchange an Angora registered buck with some Washington farmer.

I will add directions for making a potato sorter which we used last fall—Make a chute a foot wide by 6 feet long, with slides six inches high. Nail on the bottom at each end and in the middle a cross piece. Make the bottom of the chute of narrow slats and the sides of which are beveled, being sure to place the wide side of the slat

up. The slats should be three feet long, and placed in the first section half an inch apart (more or less, according to the first size which it is desired to sort out), and the second section should have the slats a little wider. This will give three sizes as the largest will roll off the bottom of the chute. A gunny sack can be nailed below the slats, close to the bottom at the top of the chute, and hanging several inches below at the middle, and again another close to the top of the second section, and loose at the bottom, so the potatoes will run into a box or bin. If the potatoes run too rapidly through the chute, a gunny sack can be tacked to the sides and allowed to hang inside the chute.

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