

October 26th
1928

Miss Elma Wilber,
Ocean Pacific,
La Habra, Calif.

Dear Madam:

Our superintendent, Mr. Connor, after a two months' experiment, has informed me that while the trees are young it is a waste of water and tremendous waste of money to sprinkle avocado trees with the overhead sprinkling system.

The overhead sprinkling system sprinkles the entire surface of the ground. At the present time the roots are not more than a foot from the tree itself and it will be a long time before they have grown to three or four feet distant from the tree.

It is more labor and trouble to me to basin the trees and irrigate same in 3 or 4 foot basins, but we will use 50 to 65 percent less water, which means a 50 to 65 percent saving in cost of water to you and it gets the water to the trees where the fertilizer is and where the tree most needs it at the present time, as the avocado tree has no particular tap roots and the feeding roots are close to the surface. Many orchardists now are doing no cultivating whatsoever between the trees with the overhead sprinkling system as it creates a growth of weeds and by continuous cultivation it destroys the fibrous surface roots.

Our contract calls for using the overhead sprinkling system, where practicable. My opinion is that the trees while they are young anyway, should be irrigated by the basin system and the trees themselves sprinkled at least once or twice during the summer months. Of course, six months of the year they are naturally sprinkled by ten inches of rainfall.

What I would like to know is this. Is it satisfactory to you to have the trees irrigated by the basin system or shall we continue the overhead sprinkling system where it is practicable? I am sending this out as a circular letter and agree with my superintendent that your interests are best conserved by irrigating with the basin system, as three fourths of the avocado orchards in San Diego County are irrigated at the present time. We can irrigate with our portable overhead sprinkling system whenever conditions warrant it.

An early reply from you will be appreciated.

Yours truly,

EF:KMK

Pistabon Calif
Nov. 9th, 1928

Mr. Fletcher -
San Diego - Calif.
Dear Sir: -

In reply
to yours of Oct. 26th -
I will say that as my
trees had not set out
yet - unless they have been
put out in the last few
days - Guess it doesn't
matter which system
you use -
But when the trees are
out - you or your man

is to use your own judgment as you are better acquainted with conditions than I and I do not pretend to know what is best. Will be down that way in a short time and hope to see the trees set out any way.

Respectfully -
Elma Wilber

May 23rd, 1929.

Miss Elma Wilber
Ocean & Cypress Avenues
La Habra, California,

Dear Miss Wilber:

Referring to your note regarding Avocado Acres #4, we have lived up to our contract in every way and by fall you will appreciate this. During the winter months the trees do not grow at all, but take root.

We have put on extra fertilizer and you will be well pleased with the growth of the trees this summer.

We are taking as good care of your orchard as we are our own and it is our desire to give you satisfaction.

One party planted 1100 avocado trees about 12 inches taller than ours and they lost 500 of them this last winter. We have not lost 5%. We grow our own trees and know that the stock is genuine.

If you have any criticism to make I would ask that you write me a letter and tell me exactly what it is and greatly oblige,

Very sincerely yours,

EF:GMF

Was down to see my lot for first time since trees were set out about two weeks ago - and to say it was a sorry looking "buy" is just putting it mildly. Took some friends down - & they wanted none of it.

Ocean & Cypress Aves
La Habra
Miss Elma Wilber
Elma

GUYAMACA
SOLANA BEACH
FLETCHER HILLS
PINE HILLS
GROSSMONT
AVOCADO ACRES

The Fletcher Company
1020 NINTH STREET
SAN DIEGO, CALIFORNIA

March First,
1 9 3 0

Miss Elma Wilber
Ocean & Cypress Aves.,
La Habra, Calif.

Dear Madam:

I received your note regarding your avocado tract and will say I visited same yesterday.

There is one tree in the wouthwest corner that has not made the growth it should and one tree needed staking.

We have just fertilized the trees with twenty pounds of sheep manure to each tree and the basins have all been enlarged.

There is a crew of men going thru now setting and tying up and I am sure that you will see a marked growth in your trees during the next few months.

Sincerely yours,

W. H. Fletcher

EFjr:AK

Thanks - Even so I
will appreciate
everything you do
and take care -
Sincerely
Elma Wilber

Mr. Fletcher: - Was down to see
my trees last Sunday - week ago -
and they were several looked
like they needed attention -

Respectfully -

Elma Wilber

Lot 33
Bl. 4
A A 4

Went
Fert.
New beds +
treated.

March First,
1 9 3 0

Miss Elma Wilber,
Ocean & Cypress Aves.,
La Habra, Calif.

Dear Madam:

I received your note regarding your avocado tract and will say I visited same yesterday.

There is one tree in the southwest corner that has not made the growth it should and one tree needed staking.

We have just fertilized the trees with twenty pounds of sheep manure to each tree and the basins have all been enlarged.

There is a crew of men going thru now setting and tying up and I am sure that you will see a marked growth in your trees during the next few months.

Sincerely yours,

EFjr:AK

Gentlemen:- Just to show my good faith I am sending you my check for 15.53 =
On Gro. part. + Water bill =

Will send you fifteen in June ^{and July} then will be in position to pay this at rate of \$30.00 per month until I am caught up on back payments = As I will be through with another account of fifteen per. month by that time =

Thanks for your leniency =
Trusting this is satisfactory
I am

Sincerely

Elma Wilber
La Habra.

May 5th, 1931.

Ed Fletcher -
San Diego -
Calif -

422.01-

My dear Sir:-

In answer to your letter I want to say that I think I can manage without selling the lot at Encinitas by skimping if you will please be so good as to extend my payments about four months. I think I am behind two months now. March and April will make two more. While I still have my job - my brother has had work turned last June and it is crowding me to pay all bills. But March and April will see the finish of two accounts that will give me enough to resume your payments again - as I have to save for taxes which are due in April I needly One Hundred Dollars -

I certainly hate to ask this favor - also I would hate to have to sell the lot - as I know it would have to be at a sacrifice - and it will only be a short time until I will be over this tight place -

My mother's death together with all expenses of illness both hers and mine - left my margin so low that I have nothing laid aside for emergencies like this -

Trusting you will be able to see your way clear to granting this request I remain
as ever - Sincerely -

Edna Walker -
Post Office Clerk.
Las Tabras Calif -

March 19, 1951.

Miss Elma Wilber,
Post Office Clerk,
La Habra, California.

My dear Miss Wilber:

Answering your letter of recent date, I am sorry to hear of your bereavement. Money is tight with all of us.

I sold this property to another party, Mr. Mills, who sold it to you. The contract is in my name simply as an agent for the collection of the money.

I am personally favorable to giving you the extension of time desired and want to help you in any way I can, but I cannot give a final answer until I know where I am at with the other party, Mr. Mills.

Please take the matter up with me again in the next 30 days if you do not hear from me.

Yours very truly,

EF:KLM

Ed Fletcher,
San Diego,
California.

Dear Mr. Fletcher:-

On account of sickness and extra expenses I'm having to let my payments slide. Am awfully sorry. and if you can't wait much longer. I'd have to see about selling my equity as I am carrying all that I can at present. My home here at Castagna must be taken care of.

I am working but none of my relatives are steady and I must keep them - Expect to resume these payments in a short time - My tenants haven't paid me anything in months except in work which was given them to keep them from getting in too deep.

Will appreciate greatly any leniency you can show me at this time - Thanking you for kindnesses already shown -

Sincerely -

Elma Wilber

9-1-31.

October 8, 1931.

Miss Elma Wilber,
La Habra, California.

Dear Madam:

By reason of your failure to make the payment of installments as required under our contract for the purchase of Lot 33, Block G, Avocado Acres No. 4, I have exercised my option to terminate your rights thereunder. I have applied the money heretofore paid by you as liquidated damages in accordance with the terms of the agreement.

Please return the agreement.

Yours very truly,

MF:KLM

Registered Mail
Return Receipt requested

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Elma Wilber

(Signature of name of addressee)

(Signature of addressee's agent)

Date of delivery

10/9 19*31*

Form 3811

U. S. GOVERNMENT PRINTING OFFICE

e 5-6115

*Doc 19 1931
Trans
Wm
B
D*

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO WHICH PAYMENT OF POSTAGE IS NOT REQUIRED

REGISTERED ARTICLE

No. 6081

INSURED PARCEL

No.



Return to *Fletcher Co*

Street and Number, or Post Office Box, *Box 1412*

Post Office at *San Diego*

State *Cal*

October 22, 1931.

Miss Elma Wilber,
La Habra, California.

My dear Miss Wilber:

I was sorry to have to cancel you out on October 8th, but it was absolutely necessary.

However, the next time you have time let one of my men meet you at Encinitas and perhaps another sale can be made and the price reduced so that with easy terms you can carry on on a new deal that will make you satisfied that we are doing the right thing.

Yours very truly,

EF:KLM

re WILBUR, ELM
(AVOC ACRES)

RILEY MASON REED
Attorney at law
147 Central Ave.

La Habra, Calif

October 22d, 1951

Mr. Ed Fletcher,
1020 Ninth Ave.,
San Diego, California.

Dear Sir:

This is to advise you that I have been retained by Miss Elma Wilber to represent her in the matter of your attempt to cancel and terminate her contract of purchase from you of Lot 55, Block "G", of Avocado Acres No. 4, as per map 2118, in San Diego County, California, and apply her payments as liquidated damages.

We have your letter to Miss Wilber of date October 8th, 1951, in which you exercised your option to terminate her contract, and this will put you on notice that she recognizes the fact that by your action said contract is in fact terminated.

But you will be further informed that you have no right under the contract to apply the money heretofore paid by Miss Wilber as liquidated damages. In case of default, you have the right under the contract to either terminate the same, or to recognize the contract and demand payment of the unpaid balance of the purchase price. You have exercised the former and the contract is terminated.

Now, as to the disposition of the money already paid by Miss Wilber, the Supreme Court has drawn a clear distinction between contracts that give the seller the right in case of default to terminate the same and apply the amount paid as liquidated damages and those that merely give him the right to terminate. In the latter class (which covers the contract under consideration), the seller can terminate the contract, but he is not entitled to both the property and the amount of purchase money already paid in.

Therefore, under the ruling of the courts, as you have terminated the contract, Miss Wilber is entitled to have the amount of money which she has paid to you refunded to her. And we hereby demand that said amount of money so paid by her be refunded, otherwise suit will be instituted against you to collect the same.

Very respectfully,

R. M. REED

original to Sloane

La Habra, Calif
Oct. 26, 1951.

Mr. Ed Fletcher,
1020 Ninth Street,
San Diego, Calif.

My dear Sir:

Since you have terminated the contract, I will just leave this matter in the hands of the attorney whose letter is enclosed.

It will not be convenient for me to go to Encinitas in the near future and see any of your men.

The refund of the down payment of \$250.00 and whatever part of the payments that I made that is consistent with the law, will be satisfactory to me.

Respectfully,

Elma Wilber

original sent to Sloane.

June 8, 1932

Miss Elma Wilbur,
La Habra, Calif.

My dear Miss Wilbur:

I am leaving for Chicago and returning about the first of July. If during July you care to come to Encinitas I will show you over our properties and either sell you again the lot you purchased from Mills on some equitable basis, taking into consideration the money you have paid, and reduce the monthly payments, or perhaps a new piece of land already planted that might better suit your fancy. I want you to feel that I want to give you every opportunity to acquire a piece of property down here if you care so to do.

The old contract is cancelled and has no legal standing, but from a moral standpoint I want to give you another opportunity, with small payments if you still desire to acquire property in this county.

At any rate it is worth your while to make the trip.

Yours very truly,

EF:KLM

July Eleventh

1 9 3 2

Miss Elma Wilbur
La Habra
California

My dear Miss Wilbur:

Answering your recent letter I can meet you next Sunday afternoon, the 17th of July, at Encinitas, at the Bark at three o'clock if that is agreeable to you.

Yours very truly,

EF:ASK

Ed Fletcher:
San Diego-

[7/32]

Dear Sir:- In answer to yours ^{entirely} _(or your request)
of recent date - will meet you in
Encinitas any Sat afternoon or
Sunday in July that is convenient
for you - If a week day can be arranged
will let you know later - I can make ~~no~~
down print on a memo

Respectfully

Elma Wilber

July 14, 1932.

Elma Wilber,

La Habra, California.

Dear Madam:-

Answering yours of July 13th, I can meet you
at 1:30 P. M. at Encinitas at the Bank of America next
Sunday.

It will not take us over half an hour or an
hour, so that you will not have the congested travel.

Please let me know if this is agreeable.

Yours very truly,

EF/RC

Ed Fletcher Papers

1870-1955

MSS.81

Box: 34 Folder: 10

General Correspondence - Wilber, Elma



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