

CASE GOES TO JURY

Johnstone's Guilt or Innocence Will Be Determined Shortly

DEFENDANT TESTIFIES IN HIS OWN BEHALF

Order Written by Johnstone Alias Nevell Directing the Disposal of Horse After Its Arrival at Straw's Stable Is Introduced by Defense

In the continuation of the horse stealing case this morning, T. F. Nicholas, justice of the peace, who held the preliminary hearing was the first witness. He was simply used by the defense to identify the order, which was submitted as evidence, given by Jack Nevell for the horse. The order read:

"Mr. Messner—Kindly let Mr. Mitchell have little black mare I rode into barn this morning and he will pay for the feed. Henry Jackson, the Indian will call for sorrel horse. Jack Nevell."

The defendant Johnstone was then placed on the stand. He was questioned fully as to his past, for the purpose as stated by Mr. Noland of laying open his past history. According to the testimony of Johnstone he drove the stage out of Keno for five weeks, was a member of the fire department in Portland four months, spent several years in Alaska, worked in Los Angeles, Santa Barbara, Goldfield and Reno, Nevada, and finally came north by way of Lakeview to Bonanza, looking for work in the hay fields. He was told that Henry Jackson wanted men at his ranch on the reservation and on July 8, 1907 started for his place, and met him on the road. He worked for Jackson from that time until October 6th. In contradiction of Jackson's testimony he swore that instead of only two days, he nursed Ralph Jackson constantly from October 4th to the 12th. He said that he was allowed the use of a horse whenever needed and once was given permission to take a horse to go to Bly and another time to go to Bonanza. That the horse Springfield was known to be a running horse and was kept with the saddle horses in Ralph's field. Permission for the use of horses was always obtained from Matt Skeen, who was a kind of a foreman and looked after the horses.

On his return from Bonanza one day he found that Ed. Wakefield and Dave Skeen had secured whiskey from somewhere and got into a fight, and were arrested by Ike Moore, the policeman. He had been told that the assistant

agent at Yainax wanted these two to swear that he had furnished the whiskey and he had been advised by Jackson and others to look out for the policeman.

On Sunday he and Matt Skeen and another Indian went to Bly, driving Springfield and another horse. They procured whiskey and drank it coming home. On the trip he told Skeen of his intention of leaving and coming to Klamath Falls. They got back from Bly about 8:30 in the evening. He told Skeen that he wished he had a horse that he was sure would carry him to Klamath Falls and was told that "Ed Springfield would not take him to Klamath Falls there was no horse on Jackson's ranch that could."

About 8 o'clock he started for the Falls riding his own horse and leading Springfield, and arrived here about 7 o'clock in the morning. He put the horses in the Mammoth stables and after getting his breakfast went back to the stable where he saw officer Shallock. He thought that Ike Moore had telephoned to have him arrested on the whiskey charge and gave Mitchell an order for his horse so that he could go to Keno. He had intended to tell Fred Mills where Jackson's horse was so that he could get it when he came to town that night, but had learned that Mills was out of town.

On cross examination he stated that he changed his name when he went on the reservation, so that his friends and acquaintances would not know that he was willing to work for an Indian. He said that he had planned to go to Portland and had never said that he intended going to Sacramento. A leaf of a memorandum book with the address of John M. Leigh, Sacramento, Calif., was introduced as evidence. The witness admitted that he wrote the name and address but said that he did so at the instance of one Bill Smith, who asked him to see if there was any mail at the Falls postoffice and to forward it

(Concluded on last page.)

SELECT SOUND SEED

Low Grade Stuff Never fails to Lead to Most Unsatisfactory Results

A matter which should receive the most careful attention on the part of the farmer is the matter of seed selection. The utilization of cull potatoes and foul grain and grass for seeding purposes is like the planting of low grade fruit trees which always leads to unsatisfactory results. In short the success of any crop depends primarily on the character of the seeds we employ.

The influence of seed selection is well shown by consideration of the development and perfection of the sugar beet. The ordinary garden beet contains from 4 to 5 percent of cane sugar. By careful selection of seeds from exceptionally rich beets, the sugar content of the average beet delivered at the factory has been increased to 15 to 16 per cent, and individual beets are found with a sugar content of as high as 20 per cent.

The grade of seed depends first upon its vitality or power to germinate and

MORE BIDS WANTED

Reclamation Services to Ask for Same on Six Miles of South Branch Canal

Within the next day or two advertisements for bids for the first five and one half or six miles of the South Branch canal will be published. The plans and specifications have not as yet been received from Washington by Project Engineer Murphy, but are expected daily and may reach here tonight. The Engineering News of New York contains a notice in its current number stating that bids would be asked for this work at once that contractors would have until two o'clock on the afternoon of April 1 in which to submit the same.

This is the first big piece of work the Service is going to do here this year, and is only a small part of it. There is every reason to believe that the Keno canal will be completed to Keno this year and also work begun on the Clear Lake dam. There are a few obstacles in the way of the Service relative to pushing work all along the line, but is un-

SERIES OF MEETINGS

Forestry Association Will Hold First Public Gathering in Portland

WILL DISCUSS OREGON'S FOREST WEALTH

Timber Supply Is of Inestimable Value and the Maintenance of the Lumbering Industry Is a Matter of More Than Ordinary Importance

and capable legislator; that his personal acquaintance with leading men throughout the state will give him standing and influence in the state, and that he is familiar with the needs of this district.

Two Years in the Pen

Judge Benson this morning pronounced sentence on John Willard who

Speaking of the coming meeting of the State Forestry Association to be held in Portland February 14, Prof. Lake of the Agricultural college says:

"This meeting is really the first public meeting held by the association though it is more than a year old, or perhaps it is better to say, since it was organized. We have felt for some time that the only way to get this forestry proposition before the people properly is to hold a series of public meetings at which all those who are interested in the subject may take part in the discussions.

"The forest wealth of this state is enormous. The lumber product alone is estimated at two and one half billion dollars. An item of greater value to the state than this is the conservation of water supply; while the problem of future supply of timber and the maintenance of a great industry employing thousands of industrious citizens is of inestimable value.

"At the bottom of the economic phase of the forest problem lies the subject of taxation and it is the purpose of the association to give this subject free and fair consideration with the hope that some just and equitable laws looking to the reforestation of burnt lands and cut over lands may be secured.

"Other equally important questions will be discussed at subsequent meetings.

The association stands for the protection and preservation of our forests and the dissemination of knowledge pertaining thereto. It has no other purpose and will devote its whole effort to the end that Oregon may not suffer from a reckless devastation of its forests as witnessed by Michigan, Wisconsin, Minnesota and other of our eastern states.

"We would like to see this forest crop economically harvested and still have the land that is more valuable for the production of timber trees than other crops. We want to see our water shed protected; we want the water flow of our streams maintained; that the intense agriculture of the future may be insured a success. Briefly we hope to see the establishment of an enlightened forest policy."



LINING UP

secondly upon its purity or freedom from foreign seeds

The germinating power of a seed may be conveniently tested by placing a definite number of seeds between two layers of cotton flannel in an ordinary plate, moistening the flannel and inverting another plate to prevent evaporation. If kept in a warm place (70 to 80°), after from 4 to 6 days the germinating seeds may be counted and the percentage determined.

The vitality of the seed is largely influenced by the methods of curing, age, etc. Records show that only 3 per cent of a ten year old clover seed germinated whereas 95 per cent of a good seed will grow. A large acreage of Alberta wheat was a complete failure last year, due to wheat fresh from the thresher being used for seed before it had properly cured.

Probably the greatest amount of adulteration occurs in the small grass seeds. The presence of foreign seeds may be detected by pouring a small quantity of the seed to be tested on a piece of white paper and examining with a small magnifying glass.

The purity standards of the U. S. require clover and alfalfa to be 98 Per cent pure with a germination of 90 to 95 percent.

Cabbage and Kraut

Jim Straw wants to close out what Cabbage and Kraut he has left and offers Cabbage at 2c per lb. in 50 lb. or over and Kraut at 25c per gallon. Residence, West End Bridge. Telephone 328. 2-12-1wk

WANTED—A second hand go cart. Apply at this office.

likely that the people of this county are not going to stand in the way of the rapid construction of the project.

There are a few rights of way on the Keno and South branch canals that ought to be given to the government in order to insure the prosecution of this work with rapidity, and in view of this fact a movement is now on foot by the water users association and others looking toward the removing of all questions that might in any way be a handicap on the service.

One of the gratifying signs of the times is the disposition of all parties to get together and put their shoulders to the wheel and make things hum and if this is persisted in it will lead to but one result—unqualified good for the entire community.

As soon as the specifications are received by the local office it will be in a position to give the facts and the Herald will be able to present them to its readers within next few days.

For Joint Senator

I wish to state that I am a candidate for the Republican nomination for Joint Senator to represent the district consisting of Crook, Klamath and Lake counties. H. L. HOLGATE, Bonanza, Oregon.

Holgate Enters Race

In another column appears the announcement of H. L. Holgate, of Bonanza, as candidate for the republican nomination for Joint Senator. Mr. Holgate has a wide acquaintance in the country, and comes into the race with the promise of strong support. His friends urge in his behalf that he has the qualifications required in an efficient

was found guilty of burglary by breaking into and stealing chickens from a building owned by Frank Armstrong.

He was given two years in the state penitentiary, and the costs were awarded against him. Judge Benson in pronouncing sentence, stated that he considered the punishment under the circumstances rather severe, but that two years was the minimum according to the statute under which the charge was made and the case tried.



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