

## WALLIS ARRAIGNED CHARGED WITH STEALING BORD CATTLE

### Indicted With Liskey and Vestal --Will Probably Be Tried on New Charge First

#### SHERIFF CAPTURES VESTAL IN MISSOURI

WILL PROBABLY TAKE A WEEK TO SECURE A JURY--MAY COMMENCE SATURDAY.

Roy Vestal, the much wanted man whose evidence, it is believed, will convict and break up the gang of Klamath County stock thieves, has been captured by Sheriff Barnes, near Joplin, Missouri, and is now being brought back to this city. Vestal was run down after being traced nearly 2000 miles and through six states. He will be brought to Klamath Falls and tried with Chas. Liskey and Alf. Wallis on a charge of cattle stealing.

The first public admission on the part of the Prosecuting Attorney's office that Vestal was in custody, was made shortly after Court convened this morning. The Court had disposed of a number of cases on the docket, and announced that it would take up the case of the State vs. Liskey, Wallis and Welch, and ask if Wallis was ready for trial.

Benson & Stone informed the Court that the defense was ready for the trial of Alf. Wallis. Prosecuting Attorney Kuykendall stated that the prosecution would like a few days, but would be ready to try the case by Saturday or Monday. Circumstances had arisen whereby it might be advisable to first try Wallis on another charge for which he was indicted. It was evident that the prosecution was simply waiting for the return of the sheriff with Vestal in order to have the cattle stealing case come up first.

Judge Benson objected to the delay, and argued that Wallis had been kept in jail a long time; that their witnesses were all here, and that they had devoted all their time to the present case and it would not be fair to switch off on another charge,

of which his attorneys knew nothing on short notice.

Judge Noland assured Mr. Benson that in case Wallis was tried on the new charge, the defense would be given sufficient time to prepare their case. He stated that he would not set the case before Saturday, and asked the attorneys for the state to be ready before that time to state on which charge they wished to try the defendant. It is believed that it will consume a week to procure a jury. As it will be necessary to exhaust the old panel before summoning a new venire, there will necessarily be some days delay. By beginning the trial on Saturday, the sheriff could have Sunday in which to start for the country to summon the new venire. It is admitted that it will be a difficult task to find twelve men qualified to sit as jurors on this case.

Kuykendall informed the Court that there was another indictment against Liskey and Wallis and he would like to have them arraigned at this time. The two men were brought into Court by deputy sheriffs, and the indictment read, charging them together with Roy Vestal, with stealing on November 6, 1908, one steer and one cow belonging to sex Bord. Wallis was represented by Benson & Stone and in the absence of Attorney Mills, A. L. Leavitt appeared for Liskey. They asked until tomorrow in which to plead. Judge Noland set 10 o'clock tomorrow as the time.

#### TO ORCHARDISTS.

The time for spraying is near at hand and those having fruit trees should attend to the pruning of same, to obviate the necessity of excessive waste of spraying material as well as to insure greater results.

All trees that were infected with woolly aphis the past season, should have the dirt removed from a space of two feet around the trees, and deep enough to expose the main roots to enable them to be thoroughly saturated with the sulphur and lime solution.

The attention to infected trees

must be thorough this season both as to pruning and spraying, and the summer spraying of arsenate of lead for codling moth will have to be attended to by all having bearing trees.

With rail transportation so near, there will be no good excuse for lack of material if attended to and no such excuse shall prevail. If your trees are not worth attending to, cut them down and burn them up. They cannot remain as a source of infection for surrounding orchards.

I give this timely warning by publication. The next will be by personal notice with a very short time for compliance.

O. A. STEARNS, Fruit Inspector.

#### NEW GAME LAWS SERIOUS CALAMITY

##### MEANS EXTERMINATION OF WATER FOWL IN KLAMATH'S BREEDING GROUNDS.

Klamath County certainly got it in the neck when it comes to the protection of the game of this county. The new game law singles out Klamath County from all the counties of the state and allows open shooting of ducks from August 1 to April 1, a period of eight months.

The original bill as introduced provided for an open season from September 1 to March 1. This was considered too long a season and a petition with several pages of names signed to it was sent to Senator Merymen, asking him to have the season changed to October 1 to February 1, thus cutting off two months. Instead of lessening the season two months has been added.

The sportsmen of this section are very much worked up over the matter, and it is claimed that the new law is a calamity. It is the worst possible thing that could have happened. Allowing the killing of the birds in the fall before they are able to fly, and extending the season during the nesting period will mean that the great Klamath County hunting will be ruined in a few years. It is almost impossible to believe that this thing has happened. It certainly seems that there must be a mistake somewhere.

#### LISKEY FOUND GUILTY.

The case of the State vs. Charles Liskey, charged jointly with Alf. Wallis with the theft of twenty-one horses, went to the jury at 5:30 last evening and at 6:15 were ready to report. A verdict of guilty was returned and the jury discharged.

March 1 was the time set by Judge Noland for pronouncing sentence on Liskey.

#### WHITE DEMURRER ARGUED.

At 2 o'clock this afternoon Judge Noland heard the arguments on the demurrer filed against the indictment against Dr. P. M. White, charged with falsifying in the issuance of a prescription for intoxicating liquors. H. L. Benson, of Benson & Stone, appeared for Mr. White, and set forth in his demurrer that the indictment did not charge a crime according to the provisions of the Local Option law. No charge was made of illegally selling intoxicating liquors, and it was argued that no provision in the Local Option law makes it illegal for a regular practicing physician to issue a prescription, either falsely or otherwise, for intoxicating liquors. It was also argued that if there was any provision in the Local Option law making it a crime to falsify in issuing a prescription, that portion of the law would be unconstitutional, in that no reference was made to the crime in the caption or title of the law.

Attorney Kuykendall presented the arguments for the state, and after the authorities were presented by the attorneys, Judge Noland took the matter under advisement.

#### ANOTHER MAN FOR THE INSANE ASYLUM.

Dave Alexander, who is being held for trial on a charge of assault with intent to kill on the person of an Indian named Burnside, has been declared insane and will be sent to the asylum at Salem. County Health Officer Dr. Hamilton made the examination last evening. Alexander is declared to be a dangerous man to be at liberty, and the asylum authorities will be instructed not to turn him loose. He imagines that certain people have harmed him and has threatened to get even with some one when he gets loose. Even the attorney who was appointed to defend him, refused to go in the cell with him, but consulted with him through the bars. Alexander will be taken to Salem tomorrow or Saturday.

#### INTERESTING NEWS DAIRY AND YONNA VALLEY.

Mr. and Mrs. Thos. Michael, of Dairy, were visiting at the home of Mr. and Mrs. Geo. Smyth Monday and Tuesday.

Manuel Vierra is moving the windmill he recently bought from W. H. Bliss to his place. Perry Randles, John Anderson, Sey Pool, W. H. Bliss, Godfrey Beck and Wm. Flackus are assisting him.

Mrs. Thos. Michael passed away at her daughter's home in Swan Lake last Thursday night, February 18. She had had the grippe a short time before but had seemingly recovered, but was found dead in bed by her daughter Friday morning. The funeral was held at the home of A. L. Michael in Dairy Saturday and burial was made Sunday in the Bonanza cemetery. She leaves to mourn her demise three daughters and two sons, Mrs. Tom Patterson, of Swan Lake, Mrs. Wm. Thompson, of Edgewood, Mrs. Taylor Wilson, of Olene, A. L. Michael, of Dairy, and Tom Michael, of Dairy.

Mr. and Mrs. D. Y. Gray and son, Harrison, made a trip to Dairy Monday. We are glad to see Mr. and Mrs. Gray up again after their recent illnesses.

Jacob Rueck went to the Falls last Tuesday to attend the meeting of directors of the Water Users. He was compelled to go horseback on account of the roads.

Ludwig Sterzl and Chas. Woelk went up to the latter's homestead last week to saw wood.

Frod Beck and sons, Frank and Albert, and Willie Jonas are busy working on their tree culture. While the roads are so bad the boys cannot come to school.

Master Orville Smyth will be compelled to stay at home from school during his father's absence at Court. Miss Anna and Mary Smyth visited with their cousin, Mrs. Alf. Wallis, of East Yonna, last Sunday.

John Donnell is working at the Smyth ranch during Mr. Smyth's stay at the Falls.

Miss Rosa Beck, who was subpoenaed on the Liskey trial, returned to her home in Yonna Monday. She reports the roads as being in a very bad condition, the stage breaking down before they had reached Dairy, and the stage driver was compelled to go back to one of the ranch-

## TO MAKE SURVEY OF WOOD RIVER

### From Big Klamath Lake to Head of Navigation to Determine Cost of Improvement

es and get a buckboard in which to continue the journey. They did not reach Dairy until 3 p. m.

Geo. Smyth and daughter, Anna, left for the Falls Monday as witnesses in the Alf. Wallis trial. Mr. Wallis and Mrs. Alf. Wallis accompanied them.

Perry Randles will start for Medford Sunday. Mrs. Randles will go later, remaining for the present at the home of Mrs. Manuel Vierra.

Godfrey and Fred Beck's and C. C. Pearson's children are now staying out of school on account of the bad roads, but there is still a large attendance.

David Bliss, who graduated from the Hildebrand school last May and is now going to high school in Medford, writes that they are having pretty fair weather over there. He says they have now moved into the new high school building and he passed the first half year's work with an average of 88 per cent.

Wm. Flackus made a trip over to Mr. Struble's place in Swan Lake Feb. 21, finding him in a very bad condition, worse than he has been for years. He is to be taken to a hospital and cared for. He has a ranch and a few head of stock, and during his absence some one will be appointed to take care of his property. He will probably leave in about a month.

Mr. and Mrs. Geo. Smyth and Anna Smyth, and Mrs. W. H. Bliss went to Dairy Saturday, to attend the funeral of Thos. Michael's mother.

Henry Stanley visited with Carl Ritter last Saturday.

#### NO MORE PAY FOR PRESIDENT.

WASHINGTON, Feb. 24.—The House today rejected the Senate provision increasing to \$100,000 the salary of the President.

During the debate Clark (Mo.) declared that instead of \$50,000 the President actually received \$291,000 per annum.

The House later refused to accept the Senate amendment increasing the Speaker's salary.

#### OPERA HOUSE TONIGHT.

Home talent club, direction of J. H. Hearde, in a grand Minstrel Olio. To be followed by the three-act musical comedy, "The Devil in Society." Admission 25 and 50 cents.

#### SURVEY WILL BE MADE THIS YEAR

##### CONGRESS ORDERS WORK TO BE DONE --WILL BE GREAT BENEFIT TO UPPER COUNTY

A survey is to be made of the Wood River from the Klamath Lake to the head of navigation to determine the cost of the necessary improvements to open the river to general navigation by steam boats.

Congress has appropriated \$225,000 to be expended on the rivers and harbors of Oregon. The measure makes a lump appropriation for the maintenance of works heretofore begun, the amount of this sum being intended to continue the preservation of such works until July 1, 1910, when it is expected another river and harbor bill will become operative.

The river and harbor bill this session is purely an emergency measure. No appropriations are made for new projects, but a number of surveys are authorized, among them that of Wood River.

This is good news for the people of this entire county. The more attention that can be attracted in this direction the better it is for the country. There will be many prominent men visit Crater Lake and this section in the next few years, and no opportunity should be lost to interest them, so that when an appropriation is asked for the improvement of the river, public sentiment will be strong enough to insure its success.

#### BOAT WILL CHANGE TIME.

Commencing Monday morning, March 1, the steamer Klamath, which connects with the railroad, will leave at 9 a. m. instead of 8:30 as at present. This will not necessitate the passengers waiting so long at Holland for the departure of the train.

These winter evenings are just the time for study. See the I. C. S. man at the new Portland store. For a few days only. 13



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