

MORE DRYNESS IN KLAMATH FALLS

City Believes It Sees an Opportunity to Get Hold of Some of that Easy Money Now Going to the County

An ordinance was passed by the Council last evening declaring the keeping for sale or selling, except as otherwise provided, intoxicating liquors, within the city limits of Klamath Falls, unlawful; prohibiting such keeping or sale and fixing penalty for violation thereof; and prohibiting such offenses, within the limits of said city, and declaring an emergency. The ordinance was signed today by the President of the Council and is now a law. Following are a number of the sections of the new law.

Section 1. It shall be unlawful for any person, or persons, in any manner, either directly or indirectly, by agent, servant, or employee, or otherwise, to keep or maintain within the limits of the city of Klamath Falls, Oregon, any bar-room, drinking shop, drinking saloon, tipping house, club room, club house, or any other place in which spirituous, vinous or malt liquors are kept to be sold, disposed of, or given away, except drug stores; provided, that any disposition in the manner above mentioned of any spirituous, vinous, malt or intoxicating liquors in a drug store having a duly licensed druggist, may be made for mechanical and medicinal purposes; and provided further that in all cases of such sale of intoxicating liquors by a drug store upon prescription of a duly licensed physician, the proprietor of such drug store shall keep a full and accurate record of such prescriptions, showing the name or names of the person or persons to whom such intoxicating liquors were delivered, the date of such sale, and the name of the physician issuing such prescription, which record shall be subject to the inspection of the police of the said city of Klamath Falls at any time.

Section 2. It shall be unlawful for any person in any manner, either directly or indirectly, or by agent, servant, employee or otherwise, to sell, dispose of, or give away, any spirituous, malt, vinous or intoxicating liquors within the limits of the city of Klamath Falls, Oregon, except as provided for in section 1 hereof.

Section 3. It shall be unlawful for any person, firm or corporation maintaining a store, shop or other place of business in said city, to keep or store in such place of business, or in any part of the building where such place of business is maintained, any spirituous, vinous, malt or intoxicating liquors; nor shall the owner or lessee of any building in said city per-

mit any intoxicating liquors to be stored therein, except the same be used as a drug store, nor shall such owner or lessee allow any devices to be constructed or maintained in his building designed to prevent or avoid detection of the unlawful sale of intoxicating liquors therein.

Sec. 5. Where local devices are resorted to by the keepers of houses or places mentioned in this ordinance, for the purpose of preventing or avoiding the detection of the keeper thereof, it shall be the duty of the Chief of Police or other police officer, when evidence is presented to him or evidence is obtained by such officers that such devices are resorted to, to file a complaint with the Police Judge setting forth the device resorted to, or the means employed to avoid such detection, describing the place where the said device is kept, or suspected of being kept, and the name of the person or persons, if known, violating this ordinance; whereupon the said Police Judge shall issue his warrant commanding the Chief of Police or other police officer, to search such place and, if the law is being violated to arrest the person or persons violating the same; and it shall be the duty of the Chief of Police, or other police officer, after having obtained such warrant, to demand admission into such house or place where such device is resorted to, and upon admittance being refused, such officer is hereby authorized and required to force open the same and arrest and hold over for trial before the Police Judge, all such persons who shall be found violating any of the provisions of this act. And any person, or persons, aiding or abetting such violators by obstructing or trying to prevent the said officers in the discharge of such duty, shall be equally guilty under this ordinance.

Sec. 6. In any prosecution provided for in this ordinance, it shall not be necessary to state the kind of intoxicating liquor sold, nor describe the place where sold, provided the sale or disposal thereof shall be within the city limits, nor to show the knowledge of the principal in order to convict for the act of the agent or servant, and in all cases the person or persons to whom the said intoxicating liquor shall have been furnished, whether of sale, gift, or otherwise, in violation of this ordinance, shall be competent witnesses. The issuance of a license or internal revenue stamp by the Federal Government to any person for the sale of intoxicating liquors, or the certificate

TODAY'S EVIDENCE IN WALLIS TRIAL

Walter Welch occupied the stand the greater part of the forenoon, in the continuation of the trial of Alf. Wallis. He was followed by Mrs. Lizzie Fitch, who testified to seeing Alf. Wallis, Chas. Liskey and Walter Welch on December 4 near her place in Yonna Valley with a band of horses, among which she recognized two of the horses. The defense objected to all of the testimony and did not cross examine the witness.

John W. Logue, father-in-law of Wallis, was then called and stated that he was at the home of Alf. Wallis one night and the following day, which he thought was Friday and Saturday, December 4 and 5. He testified to seeing a strawberry roan mare belonging to Donnell and one of Manuel Vierra's horses in the Wallis pasture, which were turned out by Welch and Liskey. On cross examination by Stone an attempt was made to use Mr. Logue as a witness for the defense, but the questions were objected to and the objections sustained. Mr. Stone intimated that he might call Mr. Logue later for examination as a witness for the defense.

Luke Walker was next called. He was at the Fitch place on December 4 and saw three men with a band of horses, one of which he took for Alf. Wallis.

J. B. Short, of Poe Valley, was the next witness. He went to the Wallis place on Saturday afternoon, December 5, and remained over until Sunday. When he arrived Saturday afternoon there were no men about the place, but Wallis, Welch and Liskey returned about dark. Wallis and Welch left Sunday morning saying they were going to Bonanza.

Court then adjourned until 1:30. Mrs. Fitch was recalled by the state after the noon recess and was asked several questions in regard to the roan pony which has been prominent in the evidence in the horse stealing case.

F. W. Broadsword, a hardware merchant of Bonanza, testified that on December 5th last, the defendant purchased from him a pair of pliers, used for cutting wire, two files and also a sausage grinder. The articles were taken from the store by the defendant.

J. A. Bradley, of Bonanza, testified that on or about December 5th, Alf. Wallis was in his store.

Lewis Gerber was next called and was asked numerous questions relative to the usual route followed in driving stock from the Bonanza section to Mt. Hebron. His testimony was to the effect that the route most used was not through the Lava Beds but via Poe Valley and Merrill. Witness was also asked numerous questions about having ordered a certain number of cars for the shipment of stock from Mt. Hebron.

Guy Merrill gave evidence in regard to the nature of the Lava Beds and the location and condition of a certain horse camp he maintains there. Counsel for the defense interposed objections to most of the questions asked, practically all of which the Court overruled.

Geo. Ritter, a Yonna Valley farmer, gave evidence as to a certain horse belonging to him. The horse disappeared from the range near his ranch last fall or winter and was subsequently located in California, where it had been taken without his permission.

Annie Vinson, daughter of Henry Vinson, furnished evidence pertaining to the horses owned by Henry Vinson, and going into detail about visiting San Jose, Cal., in January, 1909, for the purpose of identifying the Vinson horses which had been

sold in that city. She was closely cross examined as to the ownership of the horses in question, she testifying that they were the property of her father.

Aley Vinson, the 20-year-old son of Henry Vinson, testified that he had no interest in the horses owned by his father except as a child. He stated on cross examination that he had no source of remuneration aside from that paid him by his father for helping on the ranch.

John Shook testified that on December 19th last, he saw Alf. Wallis on horseback come from Poe Valley towards Bonanza. Probably a half hour later he saw him in Bonanza and noticed that the horse looked as if he had been hard ridden and he also heard Wallis say that he had ridden about 50 miles that day. This was shortly after 4 o'clock in the afternoon.

Mrs. John Shook corroborated the evidence of the preceding witness about Wallis coming toward Bonanza on the road leading to Poe Valley. The horse he was riding appeared to be very tired. She recognized the defendant as he passed by the house and spoke to him, he replying by a nod of the head.

The testimony of the witness, John Shook, was fully corroborated by R. J. Kilgore, who stated that he was in Bonanza on December 19th; that he saw the defendant ride into town on his bay saddle horse; that the horse appeared to be tired and looked as if he had been hard ridden; that he particularly noticed the condition of the horse as it stood in front of the Driscoll store; that Wallis came into Bonanza across the bridge from the east.

Wm. Goss gave testimony corroborating Witness Kilgore regarding the condition of Wallis' horse on the day in question.

C. H. Hoagland was not positive in his testimony in regard to the condition of the horse, but he corroborated preceding witnesses in regard to the horse being in Bonanza on December 19th.

On cross examination the witness testified that he had had a fight with the defendant, but that they were not on unfriendly terms.

Lee Dean, who conducts a barber shop in Bonanza, testified that he saw Wallis on or about December 10; that he noticed his horse and that his attention was called to the tired condition in which the horse appeared to be.

Mrs. M. Smith, residing on the Major Bruce ranch 13 miles from Mt. Hebron, was called and testified about a band of horses being at her place on or about December 12th last. Counsel for defense objected to every question asked, the Court overruling the objections.

T. J. Patterson, of Mt. Hebron, gave evidence about seeing a bunch of horses at Mt. Hebron on December 13, 1908, and about seeing two men with the horses.

W. H. Shook corroborated the witness Welch in his testimony about cutting wire fences. Numerous objections were again interposed by counsel for defense and were promptly overruled. The testimony of witness Shook corroborated that of Welch in regard to the route taken with the bunch of horses.

At the conclusion of the testimony by W. H. Shook the Prosecuting Attorney announced that the state had introduced all of its witnesses on hand and that it was preferred to stop proceedings for the time being, and in accordance with this an adjournment was taken until tomorrow morning when the state will continue with its witnesses.

WORK TO BEGIN ON ROAD FIRST OF JULY

Forestry Service Will Divert Funds to Begin Work on Crater Lake Highway Through Cascade Reserve

Will G. Steel, who has done more toward furthering the recognition of Crater Lake than any other one man, is in the city for a few days to begin arrangements for the handling of the tourists the coming summer. Mr. Steel is well satisfied with the prospects for the building of the Crater Lake road. Probably no other man could have accomplished what he did with the head of the Forestry Service. He secured a promise from Mr. Pinchot to divert from other sources in the Forestry Department funds to be used on a road through the reserve. The appropriation for the Forestry Department had already been made when Mr. Steel reached Washington, and in view of the fact that not enough money had been appropriated to cover the expenses of all the improvements which were desired, it seems incomprehensible that Mr. Steel was able to get the Forestry Department to even consider the expenditure of money for any new work.

Mr. Steel and Mr. Pinchot have been close personal friends for years and it was due, in a great measure, to this fact that Mr. Steel was granted the opportunity to present to Mr. Pinchot the great necessity for this highway, which finally resulted in success. It was this agreement of Mr. Pinchot's that made it possible to secure the appropriation from the Oregon Legislature. The opponents in the Senate went to the extent of wiring Mr. Pinchot in regard to the matter, and when informed that he would do just as he promised Steel, they were left without one of their strongest arguments.

Mr. Steel states that the Forestry Department will begin work on the road in the forest reserve in July, and also the Good Roads branch of the Agricultural Department will make the surveys and plan the course of the road. The highway through the reserve will be built strictly according to the recommendations of the government engineers, but the road outside of the reserve will probably be constructed according to the wishes of the state commission which will be appointed by Governor Benson. It is not known who the members of this commission will be at the appointments cannot be made until 90 days after the adjournment of the Legislature according to the provisions of the bill as passed.

Mr. Steel, as secretary of the commission appointed by Governor Chamberlain, has gathered all the material

possible, and also obtained rulings on every legal point that might come up in the work of the new commission which will have in charge supervision of the road. All this matter will be turned over to the commission as soon as it is appointed, so that there will be no delay in beginning work. The work done in this respect by Mr. Steel will save the commission fully a month and a half of labor.

BALDWIN-JACOBS.

Will W. Baldwin and Miss Mabel Jacobs were united in marriage yesterday at the home of the bride's parents, Mr. and Mrs. B. E. Jacobs, at Baker City, Oregon. The young couple will spend their honeymoon in Portland and return to this city about the middle of the month.

The bride is well known in this city where she has a host of friends, who will extend her a hearty welcome on her arrival to make her home here. She lived in Klamath Falls about a year, while her father was constructing the government tunnel as contractor for Mason, Davis Company. During her short residence here she became very popular in the society of the younger set, and won the love and respect of all.

The groom, who is the son of Judge and Mrs. George T. Baldwin, of this city, is a Klamath County boy whom the city and county are justly proud of. He has been connected with his father's big hardware house for a number of years and he has had practically full charge of the business for the past six months. The immense business handled by this concern is sufficient evidence of the ability of the young manager. As a business man he has always been a hustler and seems to have inherited the boosting ability of his father, Judge Baldwin. He has always taken a prominent part in all public and business movements and is popular in social circles as well.

OUR NEW POLICEMAN.

H. W. Ward was appointed as policeman by the City Council last evening to fill the vacancy caused by the resignation of Mr. Masten. Mr. Ward has been employed for the past year as a clerk in the Boston Store.

For most complete line of Photographs and Records, see Muller, 6th and Main. 18

Celebrated Union Made

Carhartt

Overalls, Jumpers, Corduroy Pants and Gloves

K K K STORE

of the collector of internal revenue that such license or tax stamp valid at the time of said violation, has been issued to any person, shall be prima facie evidence that such person is selling, exchanging or giving away intoxicating liquors in violation of this ordinance.

AT THE OPERA HOUSE TONIGHT.

"The Valet's Wife," comic; "The Rose That Makes Everybody Laugh," colored; "In the Valley of Shenandoah," a portrayal of the battle of Cedar Creek and Sheridan's famous ride. New songs.

Amberol Records play for four minutes. At Muller's. 18

MAY SECURE ANKENY CANAL.

The City Council last evening appointed the Finance committee to interview the Reclamation officials in regard to the city acquiring the old Ankeny canal, which runs from the Upper Lake through the city, for purposes of irrigation and to supply running water on the principal streets. The committee is composed of Councilmen Sanderson, Crisler and Obenchain.

Just received—Nice assortment of mattings and rugs in all sizes and colors. Japanese mats in Oriental designs, etc. Drop in and see them. VIRGIL & SON. 8-1



Dr. David Roberts is the best known practical veterinarian and veterinary author in the country. You can get his book "Practical Home Veterinarian," cloth bound and illustrated, FREE. You can get a high class live stock paper FREE for a whole year. Ask about these offers at

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