

PASS RIVERS AND HARBORS BILL

APPROPRIATION THIS YEAR AMOUNTS TO MORE THAN \$40,000,000—MEASURE PASSES THE HOUSE

United Press Service
WASHINGTON, D. C., Jan. 28.—The house today passed the annual rivers and harbors improvement appropriation bill.

The bill this year carries an appropriation of \$40,000,000. Provision is made for work in all parts of the country.

MOTHER OF MRS. YOUNG IS DEAD

OREGON PIONEER PASSES BEYOND—DAUGHTER WAS AT THE FAMILY HOME IN WOODBURN AT THE END

Dr. Ellis Young, who owns a ranch near Wilson Bridge, has just received tidings of the death of his wife's mother, Mrs. Doud, at Woodburn, last week. Owing to the storm his relatives were unable to communicate with him sooner.

Mrs. Doud has visited here several times. Mrs. Young was at Woodburn at the time of the death, and she will remain for some time. The following is taken from the Woodburn Independent:

"Another of the old residents of Woodburn passed away last Sunday in the person of Mrs. Mary V. Doud. She had been an invalid for the past three years and barely able to get about. Mrs. Doud was born in Gibson, Elkhart county, Indiana, February 25, 1841, and was almost 73 years of age at the time of her death. In 1855 she removed to Oceana county, Michigan, with her parents. There she was married on April 15, 1865, to Jason F. Doud, who died here five years ago, on March 8, 1908. Of this union four children were born, one of whom died in infancy, and two of whom survive, Nelson B. Doud of this city, and Mrs. D. Ellis Young of Klamath Falls. She has two grandchildren also. Mr. and Mrs. Doud came to Oregon in 1859, and settled in Woodburn, where they spent the remainder of their lives."

MEMORIAL SUSTAINED ONCE MORE

(Continued from Page 1)
for breaks, applied for admission to the general school, and were denied admission. Thereupon their father started suit.

Judge Benson sustained the original demurrer filed by Judge Thomas Drake and Kuykendall & Ferguson, and an amended complaint was filed. To this another demurrer was filed,

and today Judge Benson sustained this. The decision of the court follows: "This cause is presented to the court upon an amended alternative writ of mandamus, requiring the board of directors of School District No. 7 of Klamath county, to admit plaintiff's children to the public school of said district."

"It appears to the court that the amended writ does not obviate the objections of the original writ, to which a demurrer was sustained by the court."

"It therefore follows that the court should sustain the demurrer. Let an order be entered in accordance herewith, and dismissing the petition and writ herein."

BOLO MEN ATTACK CAVALRY TROOPS

JOLO TRIBESMEN ARE ROUTED BY TROOPERS AND CONSTABULARY AFTER AUDACIOUS ATTACKS BY MOROS

United Press Service
MANILA, Jan. 28.—A large force of Jolo bolo men attacked two troops of the Fourteenth cavalry and a detachment of native constabulary today. One American was killed and several wounded.

The tribesmen were completely routed by the troops after the first skirmish.

BONANZA PLAYERS APPEAR FRIDAY

"A NOBLE OUTCAST" WILL BE THE OFFERING OF DRAMATIC CLUB FROM NEIGHBORING COMMUNITY

For the first time in the history of the organization, the Bonanza Dramatic Club will visit Klamath Falls Friday evening. On this occasion they will produce the four act comedy drama, "A Noble Outcast."

During the several years the club has been in existence it has produced plays in Merrill and other Klamath county towns, scoring big successes. Their trip to this city promises to bring out a large attendance, as the local residents are anxious to see the amateur thespians of the neighboring town.

Since the play was first produced in 1888, it has proven one of the most successful dramas ever written, and the bill made record runs in London, New York and other large cities.

A Wise Fellow
is the man that provides for himself ahead of time. Bert McCoy peddles Health and Accident Insurance that is insurance. 25-6t

If it's worth having, it's worth insuring. See Chilcote, 622 Main St. Phone 64.

PLAINTIFFS THE TIME JUGGLERS

RECORD IN FAMOUS MANDAMUS CASE INDICATES THAT CITY OFFICIALS DID NOT DELAY ACTION'S TRIAL

In the opinion of well informed attorneys to whom The Herald submitted the matter this morning, there is no question as to the soundness of Judge Benson's decision in the mandamus case started by Messrs. Rabbon and Leonard, and neither is there any foundation for the charge against city officials of dilatory tactics.

As a matter of fact the mandamus case was never properly in court until last Saturday morning, and a decision was rendered by Judge Benson the following Monday morning. Considering the importance of the case, this is a remarkably short space of time in which to consider judgment.

A morning newspaper has, since the action was started, repeatedly charged that city officials as well as others were trying to cause delay in the clearing up of a vital question. This morning the same paper prints an alleged interview with a party to the action in which the city officials are charged with having failed in their duty, but, to quote the morning paper, "they have actually come into court and opposed us, as citizens, and for nearly six months, or since last August, have flustered by filing demurrers and motions, and by resorting to similar jockeying methods."

The truth of the matter is that if there has been any delay in getting a judgment in this case it has been entirely the fault of the petitioners. By dismissing all of the original proceedings, it was practically admitted that the first proceedings were not in accordance with law, and when the proper action was finally started it was speedily disposed of.

At the court house this morning the case was freely discussed, and it was the prevailing opinion that the case was one that even a layman might easily understand.

In the first place it was set forth by the petitioners that the commission charter was an amendment to a previous charter, but as to its being an amendment there was a question inasmuch as it did not amend anything but was entirely new in its text. But in the event of an admission that it was an amendment, the charter could not be valid for the reason that the charter which it proposed to amend had already been repealed by a charter already adopted by the voters.

There is a feeling that it might be well to appeal the case to the state supreme court in order that all might be perfectly satisfied, but at the same time it is admitted that Judge Benson's decision will satisfy any bond house in the country as to the strict legality of the present city administration.

"WHAT USE IS CHIN" IS QUERY

SIR RAY LANKESTER CANNOT FIND ANY PURPOSE WHICH THIS FACIAL ADORNMENT SERVES

LONDON, Jan. 28.—"What is your chin for?" is the odd query raised in a newspaper article by Sir Ray Lankester, the eminent scientist, who says he is unable to find any mechanical or physiological purpose which the chin serves.

"The fact that modern races of mankind have chins and the most primitive races whose remains have been found did not have them naturally leads to speculation why this is so," he says.

Dr. Forbes Ross agrees with Sir Ray that the chin is useless in itself, but gives the following explanation of its why and wherefor:

"All animals that browse have no chin at all. Their teeth slant forward to allow them to reach easily things that would otherwise be beyond their reach. The moment man gave up browsing on green things and became less and less animal his teeth grew erect and his jaw had to accommodate itself. Erect teeth prove man to be far removed from the ruminants, and therefore a man with a well marked jaw is farther removed than a man without. That's why we are inclined to regard a man without a definite chin as possessing a mind rather like a sheep, without determination, without character."

PETERSON GOES TO THE SCHOOLS

COUNTY SCHOOL SUPERINTENDENT IS EXPLAINING SCHOOL STANDARD AND THE LECTURE COURSE IN DISTRICTS

County School Superintendent Fred Peterson is visiting the schools in the vicinity of Merrill, his itinerary including trips to the Shasta View and Malin schools. He will be away several days.

In addition to making his regular visits, Mr. Peterson is taking advantage of this occasion to explain to the teachers and scholars the school standard idea lately adopted in Klamath county, and to explain the home lecture course.

There are two kinds of insurance. Chilcote writes the right kind. Call at 622 Main street, or phone 66.

Administrator's Notice of Filing Final in the County Court of the State of Oregon, for Klamath County. In the Matter of the Estate of Ada L. Kinney, Deceased.

Notice is hereby given that I have filed my final account and report as administrator of the estate of Ada L. Kinney, deceased, and the above entitled court has fixed upon 10 o'clock in the forenoon of March 5, 1913, as the time, and the county court room in the court house of Klamath county, Oregon, in the city of Klamath Falls in said county, as the place when and where any person may present any objection or exception to anything therein contained, or to anything done by me as administrator, and at the same time and place the said court will finally settle the said account.

This notice is published pursuant to order of the above entitled court made January 20, 1913, and the first publication is made on January 23, 1913.

A. KINNEY,
Administrator of the Estate of Ada L. Kinney, Deceased.
KUYKENDALL & FERGUSON,
Attorneys for the Administrator.
1-23-13 7

Notice of Sheriff's Sale
By virtue of an execution duly issued by the clerk of the circuit court of the county of Klamath of the state of Oregon, dated the 16th day of November, 1912, in a certain action in the circuit court in said county and state, wherein Richard Willis as plaintiff recovered judgment against John Yahr for the sum of \$75, with interest at the rate of 8 per cent per annum from the 24th day of March, 1910, and the costs and disbursements.

Notice is hereby given that I will on the 27th day of February, 1913, at the front door of the court house, in Klamath Falls, in said county, at 10 o'clock in the forenoon of said day, sell at public auction, to the highest bidder for cash, all the right, title and interest of the within named defendant, John Yahr, to the following described property, to-wit:

8 1/2 of S 1/4, Section 3, Township thirty-eight (38) south, range twelve (12) east of Willamette Meridian, in Oregon, and situated in Klamath county in said state.

Taken and levied upon as the property of said defendant, John Yahr, or as much thereof as may be necessary to satisfy the said judgment in favor of the plaintiff, Richard Willis, against said defendant, with interest thereon, together with all costs and disbursements that have or may accrue.

Dated at Klamath Falls, Oregon, January 16, 1913.
C. C. LOW, Sheriff.
GEO. A. HAYDON, Deputy.
1-16-13 7

NOTICE TO CREDITORS
In the County Court of the State of Oregon, For the county of Klamath.

In the Matter of the Estate of William Pitts, Deceased.

Notice is hereby given that the undersigned has been appointed Administratrix of the above estate, and that all persons having claims against said estate shall present them, with proper vouchers, within six months from the date of this notice, to said administratrix at her residence, No. 238 Washington Street, Klamath Falls, Klamath County, Oregon.

Dated this 8th day of January, 1913.
MARGARET FITTS,
Administratrix of the Estate of William Pitts, Deceased.
1-9-13 8

Notice of Sheriff's Sale
By virtue of an execution duly issued by the clerk of the circuit court of the county of Klamath of the state of Oregon, dated the 16th day of Jan-

uary, 1913, in a certain action in the circuit court in said county and state, wherein E. L. Foutch as plaintiff recovered a judgment against J. O. Hamaker for the sum of \$349.58, with interest thereon at the rate of 8 per cent per annum from the 14th day of March, 1910, for attorney's fees and the costs and disbursements on the 24th day of December, 1912.

Notice is hereby given that I will on the 27th day of February, 1913, at the front door of the court house in Klamath Falls, in said county, at 10 o'clock in the forenoon of said day, sell at public auction to the highest bidder for cash, all the right, title and interest of the defendant, J. O. Hamaker, to the following described property, to-wit:

Lots 1, 2, 3, 4, 5 and 6 of block 15; lot 3, block 14; lot 2, block 15, and lot 4 of block 22, of the First Addition to the city of Bonanza, Klamath county, Oregon.

Taken and levied upon as the property of the said defendant, J. O. Hamaker, or as much thereof as may be necessary to satisfy the said judgment in favor of the plaintiff, E. L. Foutch, against said defendant, with interest thereon, together with all costs and disbursements that have or may accrue.

Dated at Klamath Falls, Oregon, January 16, 1913.
C. C. LOW, Sheriff.
GEO. A. HAYDON, Deputy.
1-16-13 7

6-978 c.
NOTICE OF CONTEST
Serial No. 62356
Contest No. 500

Department of the Interior, United States Land Office, Lakewview, Oregon, January 2nd, 1913.

To the Unknown Heirs of Joe Dreher, deceased, whose addresses are unknown, Contestees:

You are hereby notified that Anderson Allen, who gives Klamath Falls, Oregon, as his postoffice address, did on October 23, 1912, file in this office his duly corroborated application to contest and secure the cancellation of Homestead, Entry No. 62356, Serial No. 62356 made August 9, 1909, by Joe Dreher, deceased, for the W 1/2 S 1/4, SW 1/4 NE 1/4, Section 6, Township 39 South, Range 10 East Willamette Meridian, and as grounds for his contest he alleges that said Joe Dreher died on or about the 2nd day of September, 1911; that R. C. Short has been appointed administrator of the estate of said Joe Dreher, deceased; that there are no known heirs of said Joe Dreher; that said Joe Dreher never established or maintained residence upon said land nor cultivated or improved the same during his lifetime, but abandoned the same immediately after filing thereon and remained away therefrom until the time of his death; that since said Dreher's death his heirs have neither lived upon, cultivated, or in any manner improved said land, but they have wholly failed and neglected to reside thereon or to in any manner cultivate or improve the same; that said administrator of said estate of said Dreher has not lived upon, cultivated or improved said land since his appointment as such administrator; that no one, for the use and benefit of Dreher or otherwise, has ever lived upon said land or cultivated or improved the same.

You are, therefore, further notified that the said allegations will be taken by this office as having been confessed by you, and your said entry will be canceled thereunder without your further right to be heard therein, either before this office or on appeal, if you fail to file in this office within twenty days after the FOURTH publication of this notice, as shown below, your answer under oath, specifically meeting and responding to these allegations of contest, or if you fail within that time to file in this office due proof that you have served a copy of your answer on the said contestant either in person or by registered mail. If this service is made by the delivery of a copy of your answer to the contestant in person, proof of such service must be either the said contestant's written acknowledgement of his receipt of the copy, showing the date of its receipt, or the affidavit of the person by whom the delivery was made stating when and where the copy was delivered; if made by registered mail, proof of such service must consist of the affidavit of the person by whom the copy was mailed stating when and the post office to which it was mailed, and this affidavit must be accompanied by the postmaster's receipt for the letter.

You should state in your answer the name of the post office to which you desire future notices to be sent to you.

A. W. ORTON, Register.
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J. H. CARRAHAN,
Klamath Falls, Ore.;
O. C. GIBBS,
Lakewview, Oregon,
Attorneys for Contestant.

SHEPHERD PIANO DEPOT

KLAMATH FALLS, OREGON



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