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IMMIGRATION TAX LAW VOID.

SALEM, Or., Aug. 7. The Supreme court today declared that the immigrating livestock tax law passed by the last Legislature is void, because in violation of that section of the constitution which requires that all taxation shall be equal and uniform. The decision was rendered in the case of Lake county, appellant, vs. A. B. Schroder, respondent, from Lake County. The suit was brought to enforce payment of the tax under the new law and Judge H. L. Benson sustained a demurrer to the complaint and this ruling is affirmed by an opinion by Chief Justice Wolberton.

The immigratory livestock law provides that when livestock is assessed, the Assessor shall collect the tax unless the owner has real property to secure the payment. If collected at the time of the assessment, the tax is to be computed at the rate of the last levy. The owner who has real property must pay at the rate of the next levy.

The Supreme Court holds that since the rate varies from year to year, this plan establishes a tax system that is unequal, for the man who has no real property will sometimes be compelled to pay a higher rate than the man who has, and vice versa. The opinion says that this objection could have been removed by the insertion of a provision for the reimbursement of the livestock owner who pays at a higher rate, but this was not done, and the law is plainly unconstitutional.

Other questions were raised but as this point disposes of the case, the Supreme Court does not discuss the others.

Something Doing in Police Court.

Last Sunday Michael O'Connor—needless to say an Irishman—went into the China restaurant and demanded something to eat. The Celestial gentleman refused to set out the hash until the money was in sight. Mr. O'Connor did not have the "change," and proceeded to "box" the Chinaman with an ugly gun. O'Connor was brought into the police court and fined \$40.

Monday Pat Kelley got mad at the Irish at the Jammertal saloon, and with six-shooter and Bowie knife in hand, proceeded to annihilate the Irish population of Lakeview. One Pat McAuliffe took the part of the "poor Irish" and "smashed" Kelley's face and gave him a pair of eyes that did not match his complexion. Kelley was brought into court Tuesday morning and fined \$40 or 20 days in jail. The forty was not at his command and the jail sentence was imposed.

W. B. Bailey was "thrown in" on a charge of drunkenness and received a 10 day sentence.

Whorton says "no free board at his quarters," and will put the two men at some kind of work. Even the most trivial offense is not allowed to go unpunished in Lakeview, and the offender is handled in a manner, though humane, that he remembers and does not care to repeat the offense.

No free work for "Red." Pat Kelley was put to work scrubbing out the jail and two hours was enough for him. He made a trip for water and "never came back." He possessed a gun and a bicycle, and with these he brushed the Lakeview dust

off his pants and bid adieu to all his Lakeview friends (?)

That Dumping Ground.

Editor of the Examiner, allow me a word in regard to the matter of dumping refuse on the main road. Any one coming in to town from the north, is certainly impressed with the fact that forbearance has ceased to be a virtue. Outside of outraging all sense of decency, by obstructing the highway, by making the dump along side of the cemetery. It seems that there is a law in the matter, I am informed that the charter of the town gives the Council authority in the matter, that they can order all refuse to be carried at least one mile from town. Common decency would say "Don't dump on the highway," while a proper regard for the dead, should preclude the idea of making a dumping ground of a cemetery. Besides being a public nuisance, the dumping of refuse so near town is a menace to public health. There is but little use or sense in quarantining people for measles and such, if we are to keep a cholera and yellow fever breeding pen right under the nose and eyes of the public. If those whose business it is to look after such things have neither sense nor courage, to attend to it, then in the name of common sense and decency let us have some one that will. That road along the cemetery is a disgrace to the civilization of the place, and would cause a Digger Indian to blush for shame.

I would suggest if the proper authorities will not attend to the matter then a public meeting be called and some delegation to attend to the burning of all the trash along the road side, and that after that no person be allowed to put any refuse nearer than one half mile to any public road, and that all dead animals be either buried or burned.

Respectfully Yours,

SANFORD SNYDER.

Harriman on the R. R. Question.

E. H. Harriman, while in Portland last week, became confidential over the elaborate cordiality with which he was received in that city and said more about railroad matters in Oregon than he is in the habit of saying. A banquet was given the distinguished railroad magnate, to which a great number of Portland's influential men were present. Mr. Harriman talked very freely on the railroad question, and inquired a great deal about the proposed extension of his lines into Eastern Oregon. He was asked about the prospects of early extension in the interior section and seemed interested. His replies to such questions were in the form of questions as to the actual needs of railroad facilities and the probable amount of traffic from their section; the quality and quantity of land and the possibility of getting water upon it to make it productive of sufficient export stuffs to warrant a railroad being built to it. He said whenever any portion of the state could show its needs for a road he was ready to furnish it.

Lindley May Sell Road.

A San Francisco dispatch to the Oregonian bears the earmark of more railroad rumor for Eastern Oregon.

Representatives of capitalists are now negotiating with Hervey Lindley for the purchase of the Pokegama railroad and land interests. The dispatch says in part:

Frederick Weyerhaeuser, of Minne-



E. E. SMATHERS, OWNER OF GREAT TROTTERS AND THOROUGHBREDS.

E. E. Smathers, owner of McChesney, the champion thoroughbred of the west; Major Delmar, two minutes, the champion trotting gelding of the world, and Lord Derby, another great trotter, is an oil magnate of Pittsburg and is fond of fast horses, no matter whether they trot, pace or run. He bought Major Delmar for the express purpose of wresting the trotting crown from Lou Dillon, two minutes.

apolis, known throughout the country as the Rockefeller of the timber world, is negotiating for a vast tract of valuable timber situated in Northern California and Southern Oregon.

In all Weyerhaeuser has under consideration between 45,000 and 50,000 acres, which are said to contain one of the most valuable tracts of white and sugar pine in California and Oregon. Timber cruisers have already made a thorough investigation of the property wanted by Weyerhaeuser and have reported in favor at a satisfactory price for the land.

Included in the tract is the property of the Klamath Lake Railroad Company, of which Hervey Lindley is president, and which owns 30 miles of line extending from Pokegama, Or., southward to Laird, where it connects with the Southern Pacific Company. It is proposed to make this railroad part of the big deal.

Benson Wants to Testify.

John A. Benson, who is soon to be tried in Washington, D. C., for fraudulent land transactions, has offered to turn states evidence if, by so doing, he can be guaranteed immunity from punishment for his own illegal acts. Benson, so the word goes, says he has letters, which if given to the authorities, would apply damagingly to Senator Mitchell in his next trial. It is understood that the government will refuse Mr. Benson's offer, as it is believed by Mr. Heney and others that convictions can be had without Benson's evidence.

Williamson's Gesner's and Biggs' third trial will begin the 28th, inst., and Binger Hermann's trial will follow shortly after. At the close of the Williamson trial the case will be taken up which involves Senator Mitchell, Congressman Williamson and Hermann jointly, in the Blue Mountain Reserve.

IMPORTANT STOCK NEWS.

J. W. Green, foreman for the XL firm, returned Tuesday from Abert lake. His mowing crew finished on that ranch last week and the stacking crew will finish next week.

Mr. Green started the general beef rodeo in the Dog Lake country Tuesday. He will start a drive of beef of 700 head about September 5, and as soon as they are all gathered he will make another drive of 300 head, all to Gazelle. Jim says the beef are fine and fat. He will turn off more XL beef this fall than was turned off last fall; some fat cows will be put on the market this year. He will also drive 70 or 80 head of broke horses to Gazelle after the beef is disposed of.

Felix Green, foreman for the 70 firm, expects to commence gathering beef in the Sican country the latter part of this month. Mr. Green will put off between 800 and 1000 head of 70 beef this fall. Two or three different parties have tried to buy the 70 beef but Felix refused to sell till the cattle were gathered, as he knew they would be good beef. No price has been set, and Mr. Green states that the outlook, owing to the dull Eastern market, looks slightly discouraging, no better, in fact, than it was last fall, while the cattle are much better. However, he thinks indications point to better prices later, because of the abundance of feed on which stockmen can carry over unless prices are favorable. Mr. West, the Seattle buyer, told Mr. Green he wanted to look at his cattle and "if he didn't buy them he would make some one else pay for them." West further stated that last year he purchased 10,000 head of cattle in the Sacramento valley, a great many of which had been bought here and driven there, and shipped them back up to Seattle, and that this year he was going to be in the field himself, and the producer would get the profit reaped last year by the middleman.

Edison, of Gazelle, and Swanson have also notified Green that they wanted these cattle. Mr. Green is now looking for Bird, the California buyer, here to buy.

We have been reliably informed that Dr. Patterson, who was here a few weeks ago looking over the beef situation, went out to W. W. Browns Wagontire ranch with a view to buying Mr. Brown out, and offered him \$110,000 for his interests in this and Harney counties, sheep, horses and land.

Peace Conference in Progress.

Representatives of both the Russian and Japanese governments are at Portsmouth, New Hampshire now negotiating for peace between the two countries. The Japanese plenipotentiaries have delivered to the Russian plenipotentiaries their terms of peace and received their reply. Two points in Japan's terms are seriously objected to, that of a heavy indemnity and the cession of the Island of Sakhalin. Much speculation is rife to the final settlement of these two most important questions, as the Russian envoys pretend that the matter of paying a war indemnity and the cession of territory were the main obstacles in the way of peace negotiations from the start, while the Japanese envoys fear that if they yield either of these points they will be murdered upon their return to their home country.

A New Business.

Mrs. A. J. Nelson and Daniel Boone have formed a business copartnership and will conduct a Woman's and Children's Supply store in the Sulder brick building.

This store will be open for business early in Sept. They will manufacture what they sell, in a large degree, and expect to employ a number of seamstresses; Lake County women.

Mrs. Nelson is now gone to San Francisco where she will remain for one month, studying fashions for fall and winter of 1905, in dress material, this season's most popular styles in everything in Women's and Children's wearing apparel, and will take lessons in dress cutting, fitting and hat trimming, in the best establishment of that city.

Lakeview, this firm says, is to have an establishment in which complete, "up-to-date" costumes for Women and Children may be had; and, best of all, the product of home industry.

Mr. F. L. Carter, representing the Peters Cartridge Co., was in Lakeview last Saturday proving the excellence of his company's goods. He gave an exhibition back of the Bernard & Sol's warehouse Saturday afternoon to show with what reliability the Peters ammunition could be used. Mr. Carter is a fine shot, and seldom missed the mark, though it be a brick, orange, iron washer, walnut or marble thrown in the air. He also gave quite a lecture.

While a woman of this place was splitting wood one day this week, says the Silver Lake Oregonian, and her husband was standing by and watching her, a stick flew up and struck him in the eye. There are some who think the happening was not purely accidental.—(No pity for him; why didn't the fool go in the house and sit down, where he belonged?)