

Lake County Examiner

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LAKEVIEW, LAKE COUNTY, OREGON, THURSDAY, OCTOBER 31, 1907.

NO. 44

LONG LINE OF LAND SEEKERS.

Land Office Handles Big Crowd Without Hitch.

STRICT HARMONY MAINTAINED.

Orderly Conduct Speaks Highly for Both Land Claimants and Land Office Officials.

Never was a large crowd of eager and seekers more orderly and courteous than that which was lined up at the land office here Monday. Up to Saturday evening the land office officials had charge of the crowd and called the roll both morning and evening. On Saturday those in line were told that they would have to manage the line-up themselves, and after roll call they all repaired to the Opera House to hold a meeting in order to come to an understanding as to how the line-up should be maintained on each one's rights respected. F. P. Light called the meeting to order, and Mr. J. H. Lee of Klamath county was unanimously elected chairman, and Mr. James Murry, of Lakeview secretary. Everything was harmonious and the crowd was assured that if harmony was maintained the land office officials would concur in any arrangements made by the crowd. It was agreed that the Secretary should call the roll Sunday, morning and evening and on Monday morning, and when the land office opened he should call the names as they appeared in line, and each one step into the land office and enter his filing. Not a dissenting voice was heard to this agreement, and it was carried out to a successful end. A strong guard was placed at the land office door to keep watch through the night, lest some one should attempt to break the rules and form a new line.

Some time in the night it was stated that some parties got a "jag" on and undertook to form a line, but they were "thrown out", and no more trouble was had. Even if such an occurrence took place, it is believed that the parties were not sincere.

Monday morning's roll call showed 204 in line, and at 9 o'clock the land office door was unlocked and quietly and peacefully the first two applicants stepped in at the call of their names. It was soon seen that but two minutes was required for a person to offer their papers. By 12 o'clock, noon, 136 had filed, and about 3 o'clock all had been put through the mill.

Between 50 and 75 homesteaders are expected to come in yet to file.

Up to last night 349 applications had been filed.

The officials rushed everything and by Tuesday evening one could learn if he had any opponent for his claim. It was discovered upon checking off the filings that some claims had three or four filings on them, but as the exact time to the half minute, was noted on each set of papers, no question will arise as to priority.

A great many are, of course, disappointed, but such was expected all along, and while some will compromise, others will settle their cases in the legal department of the general land office.

Wednesday morning the crowd began to leave for their homes, and while the town is yet full of strangers over-crowded conditions are somewhat relieved.

Women in the line were heard to remark that they never saw a more orderly and gentlemanly crowd of men in their lives; that they had not heard any improper language during their stay in line.

Lakeview has had the largest crowd it ever had, and handled it admirably.

Following is a list of those lined up on Monday:

Annie Babel, Nellie McShane, Geo. Harper, W. H. Casebeer, Jas. McShane, E. W. Casebeer, R. L. Weir, W. E. Anderson, A. H. Gray, F. R. Moran, Mrs. Geo. E. Storkman, Geo. Storkman, W. W. Hampton, Pearl Wilshire, Oda Craveas, Jas. Boyd, Geo. Emery, Mrs. Jones Norin, J. E. McCool, M. A. Light, F. P. Light, Frank Hutchinson, D. T. Godwin, Geo. Bloomingsamp, Jas. Ryan, Sarah Garrett, Lena Malloy, Clayton Kissell, L. S. Aacough, T. J. Powell, J. E.

Murray P. G. Hugus Mrs. W. K. Barry R. M. Boller, Dora Lane, John Hart, R. A. Hart, Ethel Painter E. J. Hawkins Geo. Kuott, E. E. Woodcock, F. P. Toller, W. T. Brismaster Chas. Stint, Luther Mallet, Mrs. M. C. Bernard Mrs. M. E. Steel Mrs. F. Lane, Frank Lane, A. L. Tonningsen, Chas. Tonningsen, Fannie Tonningsen, Amra Glenn, Mrs. S. P. Woodcock, S. C. Barnes, A. Toller, M. S. Barnes, Jos. Lane, G. S. Easter, Mrs. G. S. Easter, Mrs. A. Boyd Ira W. Bishop, John Wendell, Mrs. John Wendell, C. C. Price, B. R. McMartin, A. L. Poor, Joel McCullough, Elmer Davis, Mrs. A. F. Tonningsen, A. F. Tonningsen, Gene Tonningsen, Mrs. Wm. Harvey, A. M. Walker, Wm. Wagner, W. S. Allen, E. R. Post, Gus Atchley, J. F. Boller, Leta Handley, K. Woodward V. X. Wood, Mrs. G. B. Boyd, Mrs. H. C. Newell, J. P. Lee, Mattie Reed, W. F. Reed, S. F. Ahlstrom, Pearl Hartzog, Hattie Beal, J. R. Odem, C. A. Janson, Dan McNamara, J. B. Milton, Albright Rene, Arthur Oberlin, J. J. Noonan, W. J. Mulkey, C. E. Mulkey, W. J. Howard, W. A. Luster, W. B. Richardson, E. E. Walker, Ed Lake, Tom Bernard, Lydia Ross, Rosetta Downey, F. L. Ross, B. W. Mason, C. D. Nelson, G. C. Olson, Mattie Hedrick, E. E. Lyons, O. Schiele, H. A. Schenck, J. J. Wilkerson, S. M. Smithe, E. W. Richardson, H. S. Newton, A. W. Scullen, O. H. Newton, E. W. Whetstone, M. E. Reynolds, Wm. Folks, T. W. Newton, H. P. Cramer, W. H. Mason, C. H. Keene F. W. Kroger J. E. Hayes W. R. Steele, C. O. Metzker, Lyman Mills, Mrs. E. B. Henry, W. T. Lee, D. Mills, C. W. Jennings, A. M. Gowdy, S. Mosby, W. S. Flemming, W. R. Boyd, J. E. Freeman, Lola Nelson, Jess Spencer, F. W. McAffry, B. McAffry, H. Egli, Burke A. L. Poor, Geo. Hansell, J. J. Hogan, A. Wilcox, W. Bates, O. G. Baldwin, W. P. Henry, H. J. Lrangkam, D. Moses, E. Childs, H. A. Boggs, J. E. Harper, A. O. Walker, J. A. Wilson, S. J. Nelson, M. C. Keene, Geo. C. Nelson, K. D. Nelson, Jas. Phillips, A. H. Cross, Clyde Cogburn, C. A. Matdon, H. D. Witherell, J. W. Mclinton, James Norin I. H. Ivory M. Ivory C. E. Anderson et G. McDonnell J. S. Hall, Thos. Coppin, Joe. Murlin, S. W. Richardson, P. C. Boyd J. S. Stiekrel G. E. La Hef C. North J. Murphy, Ida Howard, W. C. Callen, Ike Kent, J. Ansel, Laura Small Linnie Small A. L. Culse Mrs. Culse C. R. Cressley R. Lead Anna Cressley L. B. Caecey, M. Cressley, J. H. Brown, R. Ewing, J. J. Mober, Dan Johnston, Ole Selein, W. A. Yerjen, N. O. Jacobson, R. Dunlap, E. B. Henry, W. B. Hanson, J. Sween, M. Perry, Wm. Aacough, Kissell, Edoall, Fitzgeral.

O. E. S. Entertains.
The Eastern Star Lodge held their annual Halloween entertainment Tuesday evening. A large number of guests were invited, each one receiving a "black cat" card of invitation, with a weird verse attached. Upon entering the hall, the "glad hand" was extended by ghostly figures. The lodge room was lighted with a number of jack-o-lanterns, and after the guests were seated, all other lights were lowered, and a tall ghost appeared, and told a blood curdling tale, which made the hair stand on end when just at the most thrilling part the awful apparition of the tale turned out to be a Hereford steer. After this games were played the grown-ups indulging with a vim-which told that they still had youthful hearts, (or had entered their second childhood.) Then supper was called—and when the banquet room was thrown open, a new world was discovered: of hobgoblins, brownies, witches on broom sticks flying in the air, jack-o-lanterns etc. The tables were covered with good things to eat, appropriate to the time. Pumpkin pies, doughnuts, gingerbread, home made candies, and coffee. Smilax and other pretty vines were twined around the plates, and overhead was a mass of pretty colors. We can say, as a guest, that the O. E. S. are royal entertainers. The committee worked hard but the success of the affair and the congratulations of those present repays them for their labor.

Rebekahs Entertain.

The Rebekahs gave an entertainment last Saturday evening to members of the order, and their wives and husbands, and The Odd fellows and their wives. The affair was a very pleasant one and highly enjoyed by those present. Grand President Mrs. Galloway was present, and the floor work was given for her inspection, and she said that of 25 lodges visited by her, none put the work on better, and few so well as the Lakeview lodge.

A banquet was served in the banquet hall—it was prepared by the Rebekahs—which always means that everything that one can think of, that is good to eat, was set before the guests.

Mail Schedule Changed.

Last week we published a telegram stating that the trains would run through from Reno to Lakeview in one day, delivering the north-bound mail to the stages which would be dispatched from Lakeview the same night, and not stop until Lakeview was reached. This schedule worked well, but Tuesday evening a dispatch was received here stating that both the north and south bound mails would be held at Madeline over night. This throws our mails a day late. This condition should be vigorously opposed.

Grain is Spoiling.

It is said that any amount of the grain down the valley is being spoiled by the rains.

Farmers neglected to provide threshing machines to thresh their crops, and when a big crop was raised, the single machine in the valley was unable to thresh the grain. The stacks are sprouting, and already a large amount of grain has been spoiled.

Attorney General Crawford, G. H. Stapleton, Judge Benson and C. A. Cogswell, left for their homes Tuesday morning.

BANKS OF LAKEVIEW WILL REMAIN OPEN.

Governor Chamberlain Has Proclaimed Financial Holiday of 5 Days.

Owing to the unsettled financial conditions prevailing in the East, Governor Chamberlain has declared a financial holiday of five days in all Oregon banks. While Oregon is not only very rich in money and could loan to Eastern interests more than \$50,000,000, as shown by the recent report of State Bank Examiner Steele, and still have sufficient money to transact the business of the state, yet the governor no doubt considered it to be to the best interests of Oregon to declare a holiday, of five days, in order to enable the financial institutions of the state to prepare for any possible emergency that might arise.

Of all places on the Coast, Lake county is the most fortunate, in a financial way, for the reason that the county, as a rule, does not owe one dollar to outside interests, and her two banks have now on deposit a sum equal to more than \$200.00 per capita, a showing, perhaps, that no other county in the United States can equal. The banks, therefore, will remain open to transact such business as can be legally done, during the five days proclaimed as a holiday by the governor.

Receiver's Decision Affirmed.

United States Land Office
Washington, D. D.
Register and Receiver,
Lakeview, Oregon.

Sirs: In the case of A. Odalite Horning vs. Katherine A. Clopton. Allowing homestead entry. Receiver affirmed.

It appears from the record of the above entitled case transmitted with your letter of March 18, that on Sept. 3, 1906, Katherine A. Clopton filed a timber and stone application No. 3201 for a certain tract of land.

On Sept. 5, 1906, A. Odalite Horning filed a homestead application for the same tract, or a part of it.

Owing to her failure to state whether she was married or single, or 21 years of age, Horning's homestead application was returned for correction, and when received at your office with an affidavit alleging settlement on the land August 20, 1906, you ordered a hearing to determine the rights of the parties to the land.

The land in conflict is the west half and southeast quarter of southwest quarter section 9, containing 120 acres.

Testimony was taken before the county clerk of Klamath County, Oregon, on December 29, 1906, both parties appearing and submitting testimony, and final hearing was had before you on January 12, 1907.

You rendered dissenting decisions, the Register finding that:

The homestead applicant has not resided on the land continuously, nor has she maintained a residence thereon as required by law, even though her application had been allowed, to make this land a home to the exclusion of a home elsewhere, as she admitted that if the land had not been covered with timber she would not have made application for it, as it is shown by the testimony that the land is not suitable for agricultural purposes, and that it would cost quite a sum of money to clear the timber therefrom to place the land under cultivation, and then again it is shown that the land could not possibly be irrigated.

That the land is more valuable for timber than for agricultural purposes.

I am, therefore, of the opinion that the homestead application of Odalite Horning is rejected as to the lands in controversy and the timber and stone application of Katherine Clopton be allowed.

The Receiver found that:

The homestead applicant built a cabin on the Southeast quarter, South west quarter, Sec. 9, which is one of the forties in contest, at a cost of \$50, that she made her settlement on the land August 20, 1906; that there is a small spring that could be used to irrigate the land; that there is a garden raised within 200 yards of the land, and that the land is grazing and agricultural land, therefore, that the homestead applicant settled on this land in good faith to make it her home; that the land would be suitable for agricultural purposes if the timber were removed; that the land is more suitable for grazing purposes and therefore the timber and stone application should be rejected and the homestead applicant should be allowed to enter the land under her homestead application.

Both parties filed appeals which bring the case before me for consideration.

It appears that although the land involved was open to settlement it was not opened to entry until September

3, 1906, the date on which Miss Clopton made her timber and stone application, and two days prior to the date Miss Horning made her homestead application.

But it was admitted that Miss Horning completed her house on the land and made settlement August 20, 1906, therefore, when Miss Clopton made her timber and stone application, the land had been appropriated under a squatter's right at least by another party, who, within fifteen days thereafter filed her homestead application claiming such settlement. Under such circumstances it cannot be held that Miss Horning abandoned her settlement right because she left the land temporarily about twelve days prior to her application.

The mere fact that the land is more valuable for its timber than for agricultural purposes becomes immaterial in view of the facts disclosed in this case. Only unoccupied and unappropriated lands are subject to entry under the T. & S. Act, and it is admitted that Miss Horning had a twelve by fourteen foot house built of lumber on the land and was living in it, if not the very day the T. & S. application was filed at least within a few days of that time, and it is not even pretended that the homestead applicant had abandoned it.

The Receiver's decision is, therefore, affirmed and should this decision become final Miss Horning will be allowed to perfect her homestead entry, and the T. and S. application in so far as it conflicts with the homestead application is rejected.

So note on your records, advise the parties of this decision and the T. and S. applicant of her right of appeal. Respectfully, Fred Dennett, Acting Commissioner.

Stock and Land News.

The great band of stock arrived yesterday from the Cox & Clark ranch in Modoc county after a drive of 175 miles, which was made by twenty cowboys under the leadership of James Snell. This is by far the largest drove of cattle that has been brought to Cottonwood this season for shipment by rail.

The stock are consigned to Miller & Lux and most of the band are fat steers ready for the butchers' block, though there are a few stock cattle, which are being shipped to Miller & Lux's pasture lands in the San Joaquin Valley.—Redding Searchlight.

What is probably the largest bunch of beef cattle ever rounded up in Grant county, and the largest that will be for many a year, was taken through town early Monday morning on their way to Weiser, Idaho, says the Canyon City news. The stock was purchased by Mr. Cox, agent for Alaska buyers and will be fed for some time in Weiser before starting on their long journey into the land of the "Call of the Wild."

David T. Jones passed through the valley this week with the Wilshire and Jones sheep, numbering 1900 head. Mr. Jones recently purchased a one-half interest in this band from A. H. Hammersley. The sheep are on the way to the desert for the winter.

Pat Angland bought the fine, big gray stallion brought here from Iowa by Joel McCullough. Mr. Angland is exceedingly fortunate in securing one of these fine stallions.

Fall Wool Market.

A Red Bluff dispatch to the Redding Searchlight says:

Two thousand bales of wool—the full clip of Tehama County flocks—are in store in Red Bluff, and though today was the sales day agreed upon two weeks ago by the Woolgrowers' Association, not a single buyer was in the field. Judge Ellison explained that the situation is not a new one. A year ago a sales day was agreed upon. The buyers formed a combination and none of them put in appearance. The association postponed the sales day a whole month, but within ten days the buyers came from their hiding and begged for wool. They got it, but they had to pay a fair price for it.

The fact is, Tehama County sheepmen, or at least the majority of them, including all the large owners, are prepared to hold their wool indefinitely if necessary to get what they consider a reasonable approach to the Boston market quotations.

The fall clip is worth 16 cents in Boston. Local sheep men want 13 cents and they will hang out till they get it. If there is a combination of buyers there is also a combination of sellers. A doleful story of the stringency of money, was put up by the buyer.

CIRCUIT COURT ENDS SESSION.

Pat Angland Case Ends In Verdict of Acquittal

EVIDENCE TAKEN IN WARNER CASE

Warner Valley Stock Co. Suit Against J. C. Dodson Was Dismissed.

Circuit Court adjourned Tuesday, and the Judge departed for Klamath Falls the same day. The following cases were disposed of:

In the case of the State of Oregon vs. Pat Angland, charged with the larceny of a sheep, the jury returned a verdict of not guilty, after being out 24 hours.

James R. Reid, charged with burglary, pleaded guilty, and was sentenced to two years in the penitentiary.

T. S. Handley, charged with assault with a dangerous weapon, pleaded guilty and was fined \$100 and costs of action.

The case of Edward Friday vs. Their Bros., was continued for the term.

In the case of Warner Valley Stock Co. vs. J. C. Dodson, the plaintiff company took a non-suit, and paid the costs, amounting to \$92.75. Quite a lot of evidence was taken in the civil case of the State vs. Warner Valley Stock Co., et al, and a stipulation entered that additional evidence be taken up until Feb. first, 1908.

Handley Pays \$100 Fine.

After a chase covering four days Thos. S. Handley, who last Wednesday took his little girl from the Wendell home by force and fled with her, was overtaken at Madeline and the two brought back to Lakeview, arriving here Sunday evening. Tom was released on bail, and the child turned over to Sheriff Dent. Habeas corpus proceedings were threatened if the child was not turned over to its mother, and the sheriff gave up the little girl into the hands of Mrs. Wendell. Tom was given until Tuesday morning to make a plea to the charge of pointing a gun at another. He plead guilty, and was fined \$100. Both parents claim possession of the child, but at present she is in the keeping of her mother.

Quick Work in Court.

The swiftest trial in the history of Lake county was that last Friday of James R. Reid for robbing the saloon of J. M. Flynn. The crime was committed in the morning and before night the man was sentenced to two years in the penitentiary.

Reid sneaked into Flynn's room some time in the night and stole the latters pants, took from them ten dollars, a watch and the keys to the Shamrock saloon. He then went to the saloon and tried to open the door. While he was working at the door Leo Hasel came along and inquired what he was about. Reid said he had hired Flynn to tend bar. Hasel helped him to open the door, and the two entered the place. Reid lit the lights and started to sweep out, but when Hasel went away the fellow, it is thought, busied himself trying to open the money safe, which contained about \$400. Failing in this he tapped the till for about \$10 and threw the keys in the back yard, and leaving the door unlocked, he lit out for the west about daylight. C. D. Arthur was deputized to capture the fellow, and a little after noon he returned with his man, having overtaken him in this edge of Drews valley. Reid plead guilty and was sentenced to two years in the penitentiary that evening. Sheriff Dent started for Salem with the prisoner yesterday.

Reid stated that he was drunk and did not know what he was doing. It is believed by some that he was crazy. Parties state that they have noticed him acting queerly ever since the burning of the electric plant at Pine Creek, some weeks ago, he having been in charge there at the time of the fire.

A Nevada exchange prints the following card: "Paul DeLaney, Attorney at Law, Deputy District Attorney, Rhyolite, Nevada."