

Lake County Examiner

VOL. XXVIII.

LAKEVIEW, LAKE COUNTY, OREGON, THURSDAY, NOVEMBER 21, 1907.

NO. 47

IMPORTANT LATE LAND DECISIONS,

New Hearing Ordered for Aztec Selections.

LAKEVIEW OFFICE IS SUSTAINED.

Other Decisions of Importance to Homestead and Timber and Stone Claimants.

Department of the Interior,
Washington, D. C.
November 2, 1907.
Register and Receiver,
Lakeview, Oregon.

Gentlemen: June 5, 1901, Joel P. F. met made H. E. No. 2394, for certain lands in Secs. 8 and 9 T. 38, S. R. 9 E, submitted final proof September 6, 1906, which you rejected because:

The witnesses were not familiar with the entry, and especially as to residence or the establishment thereof, or as to the periods of absence from said homestead.

October 15, 1906, you transmitted claimant's application to be allowed to submit additional proof in support of said entry.

By letter of Nov. 9, 1906, claimant was allowed 30 days from notice to make supplemental showing, using the advertised witnesses only.

July 16, 1907, you transmitted the original proof, and the supplemental proof, made Dec. 13, 1906, and stated that you could not agree as to issuance of final certificate.

Sept. 5, 1904, Special Agent Scott reported that said tracts are timber lands, unfit for cultivation; that said claimant was an unmarried man that he resided in Klamath Falls, Oregon, where he was the proprietor of a hotel; that the improvements consisted of a small board "shack" used for a wood cutters' camp, and that claimant obtained wood from the land for use in his hotel. The agent recommended that the entry be cancelled.

No action was taken on said report. In his proof testimony claimant stated that he established residence on the land in May, 1901, that his family consists of a wife and ten children that he was away part of the time to send his children to school; that he raised crops three seasons on from one to six acres of land, and that he made improvements on the land to the value of \$700.00, consisting of a good house, barn, two wells and fencing. It appears from all the proof testimony that most of said land is a level strip of meadow land lying between high hills; that claimants advertised witnesses were unable to set forth his residence and cultivation from year to year for the reason that the land is situated three miles from a traveled road. All the witnesses, however, stated that they had seen claimant on the land from time to time, and had seen him cultivating same, and knew that he and his family were on the land a part of the time.

August 21, 1907, Special Agent S. N. Stoper reported that he examined the entry August 14, 1907, and found a good house well furnished, two wells; 8 acres cleared; 6 acres in cultivation; 40 acres enclosed in a two wire fence; that entryman and family lived on the land about four months each year from the establishment of his residence until the date of proof, that he has lived on the place about five and one-half months; since proof was made; that claimant has a wife and ten children, seven of whom are girls, and that it was necessary that he be absent a portion of the year to earn money for their support and to keep them in school. In an affidavit accompanying said report, claimant states that the snow lies deep on the land during the winter months, attaining an average depth of five feet, which is another reason why he did not live on the land all of each year; that he has no other home, and that it is his intention to make the place his home. The agent recommended that the case pass to entry.

In view of the foregoing you are directed, upon compliance with any remaining requirements, to issue final certificate and receipts.

Signed by Assistant Commissioner,
Fred Dennett.

A new hearing has been ordered in the cases involving several homestead and timber and stone applicants, on the one part and the Aztec Land and Cattle Co. et al.

On account of lack of time to get up the type, because of a shortage of office help, the full text of the evidence and decisions cannot be given this week.

The contest case of John Stindt, contestant, vs. Gilbert J. Woodard, homestead entryman, involving lands in sections 12 and 13, Tp. 30, south, R. 15, east.

The Receiver found that the allegations set forth in the affidavit of contest were not sustained by evidence, and recommended that the homestead entry remain intact.

The Register found that the entryman had failed to comply with the homestead law and recommended that said entry be cancelled.

Defendant appealed from the decision of the Register to the commissioner of the general land office, who, on November 8, 1907, submitted the following:

"I find no evidence of good faith on the part of the entryman to make the land covered by said entry his home, and, up to date of hearing, he had not done so, but only visited the land while living elsewhere.

Accordingly the Register's decision is hereby affirmed and said entry held for cancellation. Notify the parties in interest hereof and the defendant of his right of appeal."

The contest case of Orlando Peterson contestant, vs. Walter W. Check, homestead entryman, involving lands in sec. 23, Tp. 30 south, R. 15, east.

This office found from the testimony that Check had failed to comply with the homestead law, and recommended that the entry be cancelled.

On November 5, 1907, Assistant Commissioner of the General Land Office, Fred Dennett submitted the following:

"There was no cultivation and none attempted. On the whole, the proof shows that defendant utterly failed to comply with the homestead law as to residence, cultivation and improvements.

Your decision is affirmed, and the entry held for cancellation. You will notify all interested parties, and the claimant of his right of appeal to the Secretary of the Interior."

Real Estate Transfers.

Transfers of real estate for the week ending November 16th.

T. A. Hammersley and wife to S. O. Hamaker, South half southwest quarter section 22 Tp. 31 R. 15. Consideration, \$2000.

A. A. Farrow to Martha J. Farrow, northwest quarter sec. 35, T. 34, R. 18; \$1.

A. Z. Hammersley to J. M. Hammersley, north half southwest quarter, south half northwest quarter sec. 24, T. 38 R. 18; \$1000.

U. S. to Claud L. Scofield, north half southeast quarter sec. 6, Tp. 23, R. 12.

U. S. to Ella K. Nowlin, northeast quarter sec. 18, T. 29, R. 12.

Frank Silva to Hewitt Land Co., east half southwest quarter, northwest quarter southwest quarter, southeast quarter northeast quarter sec. 4, T. 40, R. 19.

Edward Tatro to G. W. Buck, south west quarter sec. 14, T. 39, R. 19. \$1000

Furnished The Examiner by C. E. Oliver, searcher of records.

Windy Hollow Mining Company.

A meeting was held last Saturday evening of the organizers of the Windy Hollow Mining Co., at which the organization was completed, officers elected and stocks issued. The officers are, F. M. Duke, president; T. E. Bernard, secretary and treasurer; T. A. Crump, Gussie Metzker and F. M. Duke, directors. There are eight claims in the group, all adjoining, except one claim. The company is capitalized at \$100,000, with 400,000 shares of the par value of 25 cents. The above-named persons and Mrs. T. A. Crump are the principal stockholders. Before leaving Warner, Mr. Crump had some samples of the rock assayed and secured good results. He is of the opinion that with development they will have a good mine. A couple of Nevada mining men, so he informed us, offered to bond the claims, but the company prefers to develop the prospects.

Felix Green, who came home sick from Alturas, where he went on a business trip, and was laid up for a couple of weeks, is out again.

THIS NO MAN'S DRY COUNTRY.

Nearly Twenty-three Inches of Rainfall Since First of January, Last.

From January first, 1907, to October years past, with the exception of 1904, the annual precipitation has been exceeding that of the previous year. Last year the precipitation was nearly 20 inches, and the year before about 19 inches. An average for the past three years of nearly 22 inches. Wit proper farming that amount of rainfall good crops will grow.

BONANZA CREAMERY PAYS THE FARMERS.

The report of the Bonanza Creamery Co., published in the Bonanza Bulletin last week, shows that during the month of October there was used 7790 pounds of cream, for which \$687.16 was distributed among 23 farmers who are supplying the creamery with milk. The greatest amount of cream in pounds furnished by any one man was 605 pounds, furnished by Wm. Devaul, for which he received \$49.91. The greatest amount of money paid to any one man for cream during the month was \$55.57, paid to E. R. C. Williams, for 517 pounds of cream, which was of higher grade than Devaul's. The smallest amount of money paid to any one man during the month for cream was \$9.89 to I. Davies, for 107 pounds. The test runs from 25 to 87 per cent., the higher grade bringing the highest price per pound.

Robert Barry Killed.

Robert Barry, at one time a resident of Lake County, Oregon, and for the last 22 years on the police force in San Francisco, while taking a ride on one of his favorite horses, had the misfortune of being thrown and his injuries resulted in his death, on the 14th of this month.

Our townsman William Barry, one of the brothers of the deceased, at once left for the city, to attend the funeral, riding night and day to make the connection with the railroad.

Besides a wife, the deceased leaves a family of grown children, and a number of brothers and sisters in this Country and in Ireland.

Wants Application Rejected.

The Register and Receiver of the Burns land office have rendered a decision adverse to the Harney Valley Improvement Co., involving nearly 60,000 acres of land in Harney valley applied for by that company under the Carey Act.

Register Farral holds that: The land is desert in character; that the Development Co. has no legal existence, and that the money set aside for the purpose of reclaiming the land has been diverted into other channels and at the present time there is no money available for carrying on the project.

Receiver Gowan holds that: There is insufficient water to irrigate the lands, and that there are acquired water rights more than sufficient to consume all the waters of Silvie river, the source of supply depended upon by the company for irrigation purposes. Both officials recommend that the application of the State of Oregon in behalf of the Harney Valley Development Co., be rejected, and the lands involved be restored to entry or other disposal.

L. L. HOPKINS TAKES PICTURES OF TAFT.

We received this week a package of photographs from L. L. Hopkins, of Shanghai taken by his staff of photographers of Secretary of War Taft, while in China. Mr. Hopkins conducts a photograph supply house in Shanghai, and keeps a staff of expert photographers to advertise his goods. The best finished photographs we have seen anywhere are those presented to us by Mr. Hopkins. The last lot are perfect in every respect. The numerous banquets attended by Secretary Taft while in China are among the lot.

Following is what the Shanghai Bund has to say of the photos by Mr. Hopkins' house. We also received a copy of that paper from which the item is clipped.

The most enterprising people in Shanghai are undoubtedly Messrs. Dennis and Sullivan, and their excellent photos of the Taft reception and dinner fully bear out the above statement. At no small amount of trouble and cost Mr. Hopkins has arranged to have three photographers operate independently throughout the day, and despite the inclemency of the weather, his plan was carried out. The flashlight of the American Association's dinner is excellent, but the master photo is the snap-shot of Mr. Taft reviewing our American Volunteers in a driving rain storm on the jetty near where the "Villalobos" docked. This picture has already created considerable comment, and will doubtless be widely published throughout Europe and America.

We Go 'em One Better.

One of the largest turnips ever on exhibition in this town is at the A. C. Lowell store. The turnip was raised by C. L. Peterson and measures 30 inches in circumference and weighs 12 pounds.—Bidwell Gold Nugget.

(We can "skin" that all to pieces, Bro. Nugget. We received two turnips from T. F. Stanley's garden, at Paisley, one measured 51 inches around and weighed 32 pounds, and the other measured 31 inches around and weighed 24 pounds. The latter one being the smoothest of the two monsters, although not so large, was selected to send to Reno, where it was put on exhibit, in the office of the Overland Banking Realty Co., of that place. These turnips were not near done growing, but Mr. Stanley said they were crowding all the other vegetables out of the garden into the street, so he had to pull them up, and fill the holes to keep the children from falling in. Next year he will enlarge his garden, and let the vegetables get their growth.)

Meat Packing at Merrill.

The Examiner is in receipt of a circular letter sent out by E. E. Fitch, who is well known in Lakeview, containing the following information:

The town of Merrill is coming to the front. A long felt want in Klamath county is to be established, in the building of a packing plant for handling the cattle, hogs and sheep raised in that region. The enterprise is receiving active support from the farmers and cattlemen in that section.

The cattle raisers have been at the mercy of the beef trust of this coast for many years, reads the letter.

It is well known that the best beef that goes into the California markets comes from Klamath and Lake counties.

Many cattle raisers have tried to market their own stock in the past, and have found that when driven to Montague, thence shipped on the cars to Sacramento or San Francisco, the shrinkage is so great and the condition of the cattle so materially different from the time of starting as to make them almost unrecognizable, and the shipper is at the mercy of the buyer, being compelled to take what is offered, rather than what they are worth.

The shrinkage on the drive to the nearest railroad point is, as every cattleman knows, quite bad enough; as often four or five days intervenes before the stock reach their destination, and in the case of cattle, they must be kept on their feet the entire distance, otherwise the death rate from being trampled on adds immensely to the loss. Besides, even under the most favorable conditions, the stock is bruised, sore and fevered, for in keeping the cattle on their feet they are goaded and prodded until their flesh is full of sores and bruises that takes weeks to heal, and renders the flesh anything but first-class.

These are facts familiar to every cattle raiser, and the same rule applies to sheep and hogs.

The corporation being organized is under the name of the Klamath Packing Company, and will be capitalized at \$500,000; all stock paid up and non-assessable, as it is sold. The promoters of the enterprise have already secured a valuable tract of land situated on Lost river, just at the edge of the town, besides other valuable property in the town.

The company intends to devote the principal part of the coming winter to the handling hogs, turning them into bacon and hams, for which it has a very market right at home.

It will also give attention to the mutton industry as well and next season it will go more largely into cattle.

The par value of the stock of the company is \$1 per share. The enterprise is fostered by such men as E. E. Fitch, Frank Graybael, N. S. Merrill and C. A. Bunting, of Merrill, and Capt. J. A. Thompson, and Gen. R. G. O'Brien, of California.

School Report.

Report of Lakeview School for the month ending Nov. 15th 1907.

Primary Department: Whole number enrolled 64, whole number of days attendance 1210, whole number of days absence 16, number of times tardy 1, number perfect in attendance 45, percent of attendance 98.6.

Miss Pearl Hall teacher.

First Intermediate Department: Whole number enrolled 41, whole number of days attendance 766, whole number of days absence 16, number of tardies 2, number perfect in attendance 26, percent of attendance 97.8.

Mrs. Lura Cloud teacher.

Second Intermediate: Whole number enrolled 46, whole number of days attendance 826, whole number of days absence 38, number perfect in attendance 30, percent of attendance 95.6.

Miss Laura Snelling teacher.

Sixth and Seventh Grades: Whole number enrolled 52, whole number of days attendance 97.3, whole number of days absence 24, number of tardies 4, number perfect in attendance 30, percent of attendance 97.5.

Miss Robin Conn teacher.

Eighth Ninth and Tenth Grades: Whole number enrolled 57, whole number of days attendance 1133, whole number of days absence 24, Number perfect in attendance 97.4.

John Blough, teacher.

Summary: Whole number enrolled 260, whole number of days attendance 4908, whole number of days absence 123, number perfect in attendance 171, percent of attendance 97.4.

John Blough, Principal.

August Zattlin, who has been employed at the Rhinehart sawmill the past summer, had the misfortune Monday to get his leg broke. It seems that he jumped off a wagon and slipped under the hind wheel, which passed over the right leg below the knee. Earnest Nowlin brought him to town and Dr. Smith set the leg.

IMPROVEMENTS IN THE FORESTS.

Thirty thousand Will be Expended Next Year.

TELEPHONE LINES AND ROADS.

Dwelling Houses for the Rangers Will be Built. Road Work Now Under Way.

G. M. Ingram returned first of the week from inspecting the road work on the new road being built over the Currier trail, between the Currier ranch and Sican. J. S. Elder is in charge of the work, and Mr. Ingram says it is the best piece of road he has ever seen. Next year the forest service will expend \$30,000 on roads, telephone lines and houses on the reserve. Eight 4-room dwellings are to be built, 26 miles of fence and several miles of road and telephone line. Supervisor Ingram expects to put 80 men to work as early as is possible to get in the mountains, and hopes to have the work completed by July or August. The Klamath Indian reservation will be fenced off from the Goose Lake and Fremont forest, and wherever it is possible to fence up gaps where stock travel from one reserve to another, or from the public ranges onto the reserves, fences will be put up to prevent the passage at will of all stock. This is in order to protect those who have permits within the reserve and to facilitate the guarding the range not allotted.

Forest Service, Washington, D. C.
November 7, 1907.

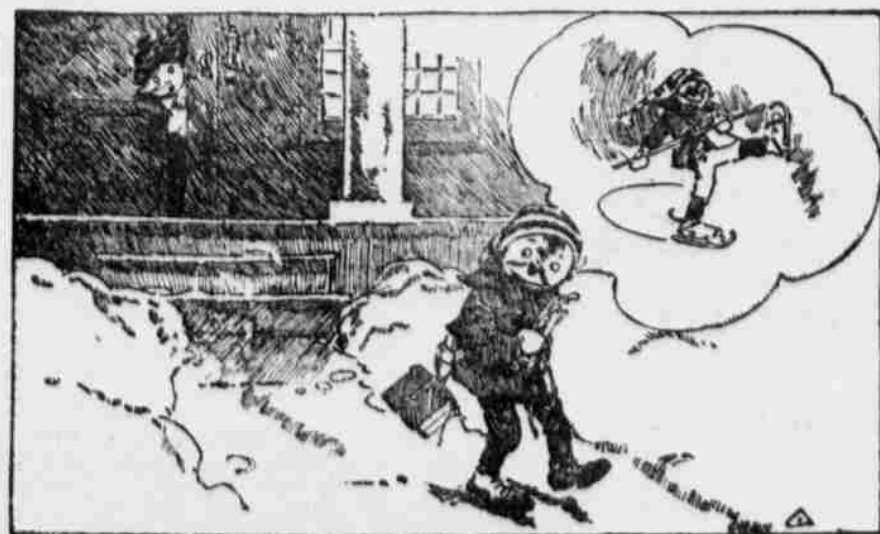
The government will soon begin the construction of a trail and two wagon roads in the Fremont National Forest, Oregon. The trail will lead from Timothy Meadow Ranger Station to the top of Bald Mountain, a distance of 3 1/2 miles. The two roads are to be known as the Timothy Meadow and Forest Wagon Roads. The former will be extended from the terminus of the sawmill road leading from Silver Lake and will connect with the Bald Mountain Trail at Timothy Meadow Ranger Station, a distance of approximately four miles. This is a very important road in that it will give access to the Timothy Meadow Ranger Station, which is one of the most important headquarters in the Fremont National Forest owing to the fact that it is situated on top of a mountain with an altitude of 80,000 feet from which the entire Forest can be seen.

The proposed Fremont Forest Road will run from the sawmill road near Silver Lake and run in a generally southerly direction to its intersection with the proposed Forest Road across Goose Lake National Forest. This road will be 37 miles in length and will tap a heavily timbered and grazing country and will connect five Ranger Stations. It will be of great assistance to stockmen in getting supplies to their camps and will shorten the distance between Silver Lake and Lakeview by ten miles.

There is on display in the window of the Overland Banking Realty Company, some fine sample of fruits from Lakeview and the country tributary to Reno, on the north, which Mr. Hubbard brought in from a recent visit in that section.

From the orchard of H. C. Fleming at New Pine Creek, Oregon, are specimens of apples that would take a prize anywhere, of the following varieties: American Beauty, Red Red, Yellow Bell Flower, Roman Beauty, Northern Spy, King of Tomkins County, White Bell Flower, Spitzenberg, Yellow Newtown Pippin, and Delaware Red Winter. A specimen of Paisley turnip, weighing 2 1/2 pounds; a bunch of wool from McCulley Bros', \$1000 Ramboulett ram, "Young Wilson, No. 84D." Specimens of ore from the Kafadar, North Star, Comstock, and mines near Fort Bidwell, Cal., from the Huckleberry, Mountain View, Sunshine, Windy Hollow, Fern, and other claims near Pine Creek, Oregon.

There are five different railroad surveying parties of the Oregon Short Line now working around Goose Lake and some of these men have already invested in land there, showing their confidence in the country's future. At present, owing to the cost of transportation, fine apples and other fruit are rotting on the ground there.—Reno Gazette.



"Now, Freddie, you come straight home from school today!"
—Donnieu in Cleveland Plain Dealer.