

Lake County Examiner

FRED J. BOWMAN.

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PRESERVE THE TIMBER

The Forest Service of the United States informs The Examiner that holding that the legislature has a constitutional right to pass laws regulating the cutting of timber on private lands, if the cutting is liable to be detrimental to the public welfare, the judges of the Maine Supreme Court handed down an opinion of great importance to the owners of forest land in that state, and of interest to land owners in all parts of the country.

The opinion refers particularly to cutting of small timber which should be left growing to give a forest cover which will conserve the water and lessen flood ravages and prevent or diminish soil erosion and consequent filling up of the rivers and lakes. The judges specifically state that regulations of that kind cannot be construed as the taking of private property for public use, and that the state need not pay for young growth which it may forbid the owner to cut.

This was not a court decision, for no case was before the court for review, but was a formal opinion prepared at the request of the senate for the guidance of the legislature in the enactment of laws to regulate forests and protect the interests of the public. Similar questions have come up in other states and may be expected to come up in the future.

In the proposition which the Maine senate submitted to the judges for their opinion it was stipulated that a law should not be enacted which would interfere with clearing land for agricultural, mining or manufacturing purposes, or for building sites, or pleasure grounds. The purpose is to forbid total stripping of forest land where a forest cover is necessary to prevent the wash of the soil, the lessening of flood ravages, and the mitigation of drought, and where the public good requires that such cover be preserved.

In submitting their opinion the judges cited numerous examples of legislation restraining property holders from using their property in such a way as to endanger the public welfare. A man may not erect a dangerous building on his city lot because it would imperil or damage the property of others. For the same reason, a forest owner may be restrained from denuding his hillsides to such a degree as to send down upon the lands of his neighbor the soil wash to cover their meadows, choke their streams, and injure them in their rightful use and enjoyment of property. It was declared that there is nothing in the constitution of the United States or in that of the state of Maine prohibiting the enforcement of a forest law of that kind.

Maine's greatest wealth is in its forests—directly or indirectly. In several ways it has been a pioneer in forest legislation and management. It is one of the few states—probably the only state—whose forests are nearly holding their own. Lumbering has gone on there for a long time, and every year there is something ready to cut. The folly of stripping land and leaving it defenseless against erosion is well understood in Maine, and the legislature has taken the preliminary steps toward a law to compel unwilling forest land owners to leave enough small timber and brush on the ground to cover it.

WILL BOOST FOR ALL

The Silver Lake Leader, published in the northern part of the county, gave The Examiner extended mention in its last issue, in which praise, censure and advice were intermingled.

In reply the present editor of The Examiner will say that he knows nothing of the past, so far as concerns the politics, or the animosities thereby engendered, in the affairs of this county. Life is too short, and time too precious to make a practice of picking flaws in the opinions of men because of political difference. We can not all think alike, and the opinions of our neighbors and friends may be as near right as our own, however widely divergent. All that is necessary

is to state our beliefs or opinions without bitterness, and let it go on such basis. If approved, well and good; and, if otherwise, a clear conscience will at least give its approval of such course.

Our eyes, however, are fixed upon the future. We believe, honestly, that there are great things in store for all of Lake County, and in the earnest exploitation of the diversified interests of the whole county will our energies be entirely devoted.

The Leader truly says that all of Lake county does not center at Lakeview, "but that it embraces a large area of territory peopled with as good and true men and women as the sun ever shone down upon." Judging from those we have met so far from all parts of the county, we can and do readily accept the statement of the Leader as to the character of the people. We also hope to be able soon to accept the very kind invitation of the editor of the Leader to be "our guide, philosopher and friend" in making the acquaintance of the good people of Silver Lake, Paisley, Summer and Christmas Lake valleys.

The Examiner has heard much good of the resources of other parts of this county, and as it is the representative paper of the entire county, will surely devote its energies towards development of every section. But, in order to do all justice we must have the aid and assistance of the people of the entire county. We wish particularly to receive all the local doings of interest from each of the valleys. We want the news of all new arrivals and the object of their coming; the improvements going on of every sort; facts about the stock interests; the rainfall; the crops, conditions, yields of grain, fruit, mention of the marriages, births, deaths; accidents; news of the mines; goings and comings, and the like. We do not want to slight any neighborhood, and if friends of The Examiner will take a little pains to report such things to us, we think we can make a newspaper that will be of interest to every man, woman and child in Lake county.

Such is our aim and purpose, and we think the last two issues of The Examiner are a fair sample of what our readers may expect of us in the future.

STANDS BY STATEMENT

Hon. H. M. Cake, defeated candidate for United States Senator, is out with a statement to the republican members of the legislature who signed Statement No. 1, advising them to live up to their pledges, and to vote for Mr. Chamberlain.

Unquestionably, if so disposed, the legislature could elect any one that body could unite upon, as the constitution of the United States makes such requirements, and that part has not been changed. But, the bargain and purchase of senatorships by class interests, too notorious to ignore in all parts of the Union, and especially true in this State, has so incensed the people that open rebellion to the methods employed have demanded, and continue to demand, that the senatorships be removed from the grasp of the predatory interests which heretofore have considered such office made especially for them as a device to defeat the will of the people, and to make senators subservient only to them, and not to the people. The result in this state was a law which took the senatorship from the classes and restored it to the people. The Hamiltonian idea of centralization of power in the hands of the few, was repudiated, at least in this state, and the heaven is working so that a constitutional amendment covering every state in the Union sooner or later will be a reality, which will make such office elective by the whole people, as should have been done in the first place. A parallel case is had in the election of governors of states, against the will of Hamilton, who wanted such office made appointive by the president. The result, if Hamilton had had his way in that matter, would in all probability, have been as scandalous as has been the history of the election of United States senators, in not one, but in all the states—a mere matter of barter and sale, to the utter defeat of popular or even representative government.

The people of Oregon evidently will have no more of it, and while their effort at reform does conflict with the requirements of the constitution, it is safe to assume that any effort to thwart their will as expressed at the polls, will result disastrously on the political future of any who might dare such attempt.

Taking all these matters into consideration, the action of Mr. Cake in calling upon his friends to stand by Statement No. 1 is a just recognition of the rights of the people to make their own choice. While it may, for the present, hurt his party and himself individually, yet we can not help believing, in his case, that virtue shall have its own reward in the future.

The following is the letter of Mr. Cake as it appeared in the Portland Telegram:

"The official count being complete and Governor Chamberlain having

received the popular vote for United States senator, the question has been raised as to the duty of the legislators in the premises who have signed Statement No. 1. There is only one answer—they should live up to their obligations and vote for the people's choice. Not only is this course necessary to vindicate their integrity as men, but to maintain the principle of electing United States senators by the direct vote of the people.

"While it is generally admitted that United States senators should be elected by the people, and the Constitution of the United States should be amended so as to provide for such an election, many are opposed to the present system, and the obligation involved in Statement No. 1. By many such there has been a most determined effort made to defeat the law by electing an unpledged legislature or rendering it odious in the eye of the people by electing a democratic senator from a republican state, but I believe that such a course was a mistaken one, and that such efforts will fail.

"Furthermore, I am firmly convinced that any political party in the state of Oregon will ultimately suffer defeat unless it fully acquiesces in the desire of the people to participate in the election of their senators and to bind the legislature to carry out their will, as expressed in the June election.

"H. M. CAKE."

TAFT IN OFFICE

In an article to be published in the current issue of Collier's Weekly, Secretary Taft sets out his conception of the duties of the office. In concluding he eulogizes Washington and Lincoln and says:

"It remained for Roosevelt to prove how the people will respond to strong true leadership when the hour has come for great reforms. Policies which he inaugurated must be continued and developed. They are right and they are the policies of the people. For that reason his successor may well disregard any charge of lack of originality if he does not make an entirely new program of his own.

"The President at this time has the work before him clearly defined. Enforcement of law, equally against high and low, powerful and weak, should be his thought. The danger to our country of laxity or favoritism in this is the greatest one we have to face."

He adds that conservation of the national resources and their development must command his attention and that he should aim to give a high tone to his administration, as President Roosevelt has done by surrounding himself with eminent men.

WETS ON TOP

Jackson county voted the saloon out of business at the late election, but Judge Hanna, of the circuit court at Jacksonville, last week, issued a permanent injunction restraining the county court from declaring prohibition in effect in Jackson county on account of provisions in Medford's city charter giving the city right to regulate the liquor traffic regardless of the state laws on the subject.

The court's ruling nullifies county prohibition in Jackson county, enabling those precincts which voted "wet" to remain wet, keeping "dry" those precincts which voted dry.

The towns of Medford, Gold Hill and Jacksonville will be wet. Ashland Central Point and Eagle Point will be dry.

The Judge based his ruling on the fact that Medford's special charter under which the decision was rendered was passed by the legislature of 1905 after the passage of the local option law by the initiative, and it completely nullified the local option law in Medford, giving the city council the right to keep the town open.

Medford went wet in the election, but the heavy in Ashland and Central Point, made a "dry" county on the map.

Taking a cue from this decision the wets of Klamath Falls are making a fight to nullify the "dry" victory in that county.

The Portland papers have long wielded a hammer on the pretensions of that city as a great seaport, by constant reference to the Columbia river "bar", which, thanks to the success of the jetties constructed by the government, is now a thing of the past. San Francisco has her "Golden Gate," known the world over, Portland now ships more grain than the latter, and the end is not yet, as Central and Southern Oregon, comprising the great Inland Empire, will soon help to swell the output. This being the case, why not call the mouth of the Columbia, "Empire Way," or "Gate," or "Pass," and cut the bar out? Or, if the city craves a distinction of that sort, make it "Portland Gateway". The world would soon learn, like the tribes of old, to "frame the words so as to pronounce it aright, in order to gain admission therein."

The Klamath Falls Herald, 25th ult, reports Edward Horrisfell from a ladder, while stringing lines for a private telephone company near Long Lake and fractured his skull, dying from the effects the next morning. Nothing is known as to his relatives.

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Smiles and Squalls
BY "THE VERDANT ONE"

Isn't it about time for the daily papers to let up on the slush they grind out about that Gould woman and her aggregation of French toughs?

So Teddy is going to Africa after Taft is elected? That being his intention he should at once cut all wires, or the big game will hear of his coming and make themselves as scarce as the bears did in Louisiana last fall.

With Taft in the White House and Teddy in the wilds of Africa, it is safe bet that the predatory tribes here and there can see trouble ahead, both coming and going.

The Portland Journal says that the trouble with its great and good friend, one Jim Hill, is that he magnifies the hole in the doughnut. So far as our knowledge of this predatory giant goes, he seems to be perfectly willing to give you, and every one else, both the hole and all of the outside. He just wants the doughnut. That's all?

The Grant's Pass Courier comes to the rescue of the curfew by telling of a monstrous congar that roams the streets of that city after night fall. It would take a bigger "Boo!" than that to scare a Lakeview kid, or Jose plus and Katy, off our streets these beautiful nights!

A New York paper informs the public that street cars in that city bear the command conspicuously displayed: "Thou shalt not steal!" But the public would be much more interested to know whether this command applied to one Ryan and the estate of a man named Whitney.

Every German soldier's outfit comprises a bible and a half pound cake of chocolate. The Bible is all right but when he leaves his girl behind him what in the world can he do with that chocolate?

An old English lady not more than 1,000 miles from Tonopah, (to her pastor)—"Lor! sir, I do love to 'ear you preach about 'eaven. You do get so hellequent."

An enterprising reporter attempted the other day to get Admiral Evans to commit himself as to which waters the next great naval battle would be fought in, and got the unexpected reply: "Salt waters, sir!" We are so sorry to learn this as we expected the great Admiral would say "Fresh waters, sir!", and would designate the Golden Goose lake as the scene of the future sanguinary conflict for the mastery of the world. It is so disappointing to learn otherwise from such an undoubtedly reliable source!

A Paris newspaper says that the Monroe doctrine is as dead as a smelt. Well, since we saw that array of 16 battleships at Monterey, California, we are pretty sure there would be a bad spell ahead for the Frenchmen, or any other foreign nation, who would attempt to teach Uncle Sam that the doctrine aforesaid is not in force.

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