

Lake County Examiner

HAS THE CIRCULATION—PRINTS THE NEWS—REACHES THE PEOPLE

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"PETE" FOLLETT IS FOUND NOT GUILTY

Jury Out 12 Hours Before Rendering Verdict of Acquittal

After one of the hardest legal battles in the recent history of Lake County, the jury in the case of the state against A. E. (Pete) Follett, charged with murder in the first degree, for shooting S. Martinus, a Mexican, at New Pine Creek last August, brought in a verdict of "Not Guilty." District Attorney D. V. Kuykendall fought hard for conviction and made the best appearance that he has made so far in the many trials that he has handled since being elected to that office, while Assistant District Attorney J. D. Venator also did his share of the work involved with credit to himself. The main reason of the acquittal was the testimony of James Nichols, of Silver Lake, whom L. F. Conn, attorney for the defense, brought to the stand during the closing period of the trial, though there were other witnesses that turned the balance in favor of the defendant.

The case was a long drawn out affair as the securing of the jury required a week's time, and then the battle began. The state presented many witnesses in a manner that showed much generalship, and ability on the part of the prosecuting officers and until the closing testimony was given the case looked dark for the defendant. Attorney Conn then brought his witnesses into the case one by one and gradually worked for the climax when he introduced Nichols, the star witness for the defense. Several jurors having known him at Silver Lake, and feeling that he was truthful, went more by what he stated than anything else as finally clinching the freedom of the accused, Nichols, testimony in his native tongue showed that the Mexican had threatened to kill the defendant, which he (Nichols) had spoken to Follett about, later leaving the room where the shooting occurred before the man was killed. He tried hard to keep away from the trial and was only caught at the last minute when Mr. Conn needed him. Nichols had learned Mexican in Mexico some years ago and his statement was strongly bearing on the self defense story.

In one of the best addresses of his career, Mr. Venator opened the closing arguments for the state, while Mr. Conn followed for the defense in an array of evidence as he interpreted it, while District Attorney Kuykendall followed Mr. Conn with the finest address that he had ever made to a jury in Lake County, being in good voice and master of himself at all stages of the recital. The case went to the jury in the evening and at a late hour the

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COMMERCIAL CLUB MET THIS WEEK

New Literature Necessary To Meet Homeseekers' Call

The Lakeview Commercial Club met in their rooms Monday evening and had a good attendance of the "Live-wires" of the community. President E. L. Britten presided over the meeting and every officer of the organization was in attendance with every man that was on any committee there also. This is the spirit that moves things and while there are organizations in the state that have larger memberships the fact remains that the local organization makes up in activity what it lacks in numbers, though the treasurer reports many new names of members enrolled and more coming. The only feature of the meeting that met with any disapproval was the attitude taken by the man that has in charge the property of the old Board of Trade which he is holding for the debts of that organization and which he will turn over under some terms that the Board of Trustees could not stand for. This lack of public spirit at this time when the organization is being formed and has many expenses

to meet is depreciated by every resident of the town that understands the conditions. The Trustees were authorized to use their judgment and purchase the things that they needed. On account of there being a draft unpaid in one of the local banks calling for the membership fee of \$80 for the Central Oregon Development League, the members voted an additional assessment of one dollar this month which will meet this obligation and mean so much to the good name of the community and county. The committee on publicity will get out a prospectus of the advertising literature within the next few days and will solicit every person that can use some space for advertising in it with the intention of making it partly pay for itself and as there are calls from all parts of the country asking for literature as well as from the railroads that are headed this way and from the Oregon Development League and the Central Oregon League, it will be necessary to get this matter attended to at once.

WINTER BANANA SEASON NOW ON

Nowhere Else Does Famous Apple Have Such Coloring

The Winter Banana Season is on. It's the time of the year when the Davis Creekites with their persuasive smile and well filled loads of the excellent fruit, come trailing into town, and immediately commence the process of separating the average citizen from some of the shekels that he has earned in various honest ways. One fine thing about a winter banana apple is that the purchaser never regrets the price when he gets a chance to bite into a delicately colored cheek, and tests the flavor that is added to the coloring and size. Some cheeks are painted; some grow natural with a delicate touch of color that would baffle an artist to imitate but the cheek on a Winter Banana Apple is beyond the power of artist or woman to duplicate. It is tainted there with the process that utilizes the delightfully pure air of this part of the country, the bright sunshine that comes as a free gift to those that will use its power to grow things, and the water that comes from above and is stored in the fine soils of this part of the country. Truly when soil, sunshine and water combine to do a thing there is going to be something happen that will make one sit up and think as though they had a part in the affair. Generally they don't.

Up-to-Date Showcase

The Parisian Show case on display in the Inn Saloon makes one feel like an enchanted being about the stentch time. The case is lighted by electricity and shows to advantage the fine stock kept by George and Dan.

CLUB LADIES TO HOLD RECEPTION

Celebrate Opening of New Quarters Next Saturday Evening

The Lakeview Civic Improvement League room in the Bunting building is to be used as a club room. The initial opening of the quarters will take place Saturday evening, November 18, from 5 to 8 P. M., when the ladies will serve a New England dinner, a menu, to consist of Boston baked beans with brown bread, cold ham, lobster salad, celery, pickles and plum pudding. Price of dinner 50 cents.

The proceeds of the affair will be donated towards the purchase of trees for the City Park and is a worthy object that deserves much commendation from the public spirited men and women of the community. The placing of trees there at this time will insure much pleasure to the people who will enjoy the park and in a few years will have shown what a little effort on the part of the earnest workers has produced, at the same time making the town more beautiful. It is hoped that everyone will turn out and assist this worthy movement and incidentally test some of Lakeview's finest cooking from the hands of the ladies that know how to really cook.

WILL COMPLETE SYSTEM

Goose Lake Valley Irrigation Co. Take Over O. V. L. Holdings

Deal Made in Order to Simplify Floating of Bonds -- Upper and Lower Projects Will Turn Water on Lands After Next Year's Work

One of the most important realty transfers that has been made in Lake County in some time was recorded in County Clerk Payne's office last week. There were four instruments, conveying the water rights, water contracts, warranty deed and quit claim to certain rights of way owned by the Lakeview Irrigation and Power Company to the Goose Lake Irrigation Company. Attorney W. Lair Thompson received the papers for record from Attorney James H. Pershing, of Denver, Colorado, representing the bonding company and on account of the lands and rights being decided to the new company there is no record of who the officers of the new concern are as they are contained on none of the documents filed, owing to it being a corporation receiving the assignments or deeds. The transfer of the property to the new company is made at this time to pave the way to float a bond issue that will be sufficiently large to insure the completion

of both projects of the former company states Mr. Thompson, and will enable them to be finished the coming year. This will be good news to the many people that have been fearful that there was an unnecessary amount of delay about the work that is being done, but on account of the magnitude of the projects which mean the development of the upper and lower Goose Lake Valley irrigation deals, the company believed it better to float the bonds and complete the entire project as the N.-C.-O. Railway coming at this time insures much development of the valley and the many thousands of owners of O.V.L. lands in the valley want water on their tracts. The Goose Lake Valley Irrigation Company in taking over the holdings of the former concern will fulfill all the rights of the latter and the completion of this work which has taken several years will mean many new settlers in Goose Lake Valley the coming year.

NEW MAIL SERVICE FROM DAVIS CREEK

After Much Delay Department Makes the Desired Change

Commencing next Monday the mails will be carried between Alturas and Davis Creek by the N.-C.-O. This greatly-to-be-desired state of affairs results after a four-months' continuous effort on the part of private citizens to overcome departmental red tape at Washington. After repeated unsuccessful efforts were made to have the stage contract annulled between the two points, the matter was taken up last month, with Senator Chamberlain by Dr. B. Dalv. The Senator's first report was to the effect that the Department had ordered the N.-C.-O. to commence carrying the mail October 10. This apparently placed the railroad company at fault, and General Manager Dunaway was at once communicated with. He immediately forwarded all the correspondence to Dr. Dalv, and from that it appeared that no such order had been issued.

Senator Chamberlain was advised of the facts, the Department acknowledged its error and ordered the service to commence November 20. Of course, it could not have the service begin at once but must delay 40 days and 40 nights after it supposed the order had been issued.

[Great are the powers that be!]

The mail schedule for the Lakeview-Davis Creek route was received the first of the week by Postmaster Ahlstrom and Agent Fuller of the Stage Co. Stages will leave Lakeview and Davis Creek in the morning at 7 o'clock with 12 hours running time to terminals. However, it is not likely that more than 8 hours will be required to make the trip under ordinary circumstances.

Stages will leave every morning except Sunday and Davis Creek every morning except Monday. Hence Saturday's outgoing mails will remain at Davis Creek over Sunday, the same as under the present schedule.

A Satisfied Homesteader

"Fremont is represented in town this week by D. E. McMicken, one of the jurymen in the recent trial of A. E. Follett. Mr. McMicken has a 320-acre homestead in that vicinity and is a firm believer in what the future holds in store for that section of this good old county. Like many others he does not believe the laws applying to homesteads need any residence requirements if a man means business, but he lives up to the law governing the matter and is developing his place at the same time.

COUNCIL MEETS FOR FIRST TIME

Members Will Work Together for Betterment of Community

Lakeview's new council met Monday night with Mayor E. E. Rinehart in the chair. The old organization met, after going through the usual routine Mayor Bailey handed over the reins of office to Mayor Elect Rinehart and became Ex Mayor. Mayor Rinehart's appointment of three committees, fire, sanitation, and street, is new, as after discussing the matter with the council men he appointed every man on the council on each committee. This plan while it might not work where the council was unwieldy in size, seems to be about as fine a thing as could be done here as it gives each member the feeling that he is a part of the organization and working for the welfare of the community. It will at any rate be thoroughly tested out and there will be ample time to try the new method as applying to local conditions. The members present were E. E. Rinehart, Mayor; Dr. E. H. Smith, E. F. Cherev, J. F. Mayfield and F. M. Duke. The new Mayor has some progressive measures that he is working on that will come up at an early date and being in line with the platform that the members were elected under. There is no doubt that the new council is an active working body and in complete harmony, with men at the helm who feel that the town deserves the best that is in them.

The new Council voted to retain the present marshalls, Ernest Brown on days and M. Whorton on the night patrol and there will be no changes in the personnel of the police force for the present. There were four applicants whose names were presented for the day position and three for the night job but the present force won hands down.

A Plant Specialist

L. G. Linville, the discoverer of a method of dispatching and exterminating insects of all kinds on plants by the use of some of the native plants that are found growing on the hills about this part of the country was in town this week. The plants that Mr. Linville uses are harmless in themselves and only injurious or deadly to the insects when combined chemically. There is no doubt that were he to give the information that he has on plants as poisons which he has worked out in this part of the country he could be of great assistance to the Bureau of

Animal Industry who sent a professor from Washington the past summer to study the causes of some of the losses to stockmen that resulted a year ago. Mr. Linville says that a few drops of his remedy on a cabbage is insurance against its being touched by worms and when the application is near the roots of the plant there is nothing doing for the cut worm.

Sam Lester, Farmer

Silver Lake Leader: S. A. Lester believes he has turned out more than the 16-pounder now on exhibit at the Meat Market. The biggest turnin Mr. Lester has brought to town weighs 2 pounds but this is a mere dwarf. Mr. Lester says, compared with some still in the ground on his ranch at the south end of the lake. On the same ranch Mr. Lester dug 15 potatoes weighing from 2 pounds to 3-4 of a pound from one hill. Some of his cabbages weighed 15 pounds, and cauliflowers 18 inches in diameter were grown. Mr. Lester believes his watermelons superior to those grown at Summer Lake.

NO OPPOSITION TO HIGH SCHOOL BONDS

Vote Was Unanimous at Election Held Last Saturday

High school bonds to the amount of \$20,000 were voted at the Special School election held Saturday. It was an odd election as there were 19 votes for the measure and none against. The small vote case is due to the fact that no one felt for a moment that there was any danger of the measure not carrying, so as it was a busy day the merchants and business men left word that if any votes were against the measure they were to be called up over the telephone and they would immediately appear on the scene in a body, but as no one that opposed the issue appeared the matter drifted along smoothly and ended with the securing of the necessary measure to allow the completion of the new building that will be a credit to the people of Lakeview and the surrounding country. With an area of over eight acres the grounds of the new institution will be the finest of the kind in the state and the Board in charge of the purchase secured a desirable site at a very low cost when they paid only \$3,200 for the site.

When finished the building and grounds will approximate about \$65,000 and be the finest of the kind in the state. There has never been a better example of the progressive feeling of the people of this community than when this matter carried by such a large majority and it forecasts that other measures that will be of inestimable benefit to the community will also be acted on favorably by the majority.

MUCH ACTIVITY IN HOAG DISTRICT

Consolidated Has Installed Additional Battery of Five Stamps

The Bidwell Consolidated Mines have just installed another battery of five stamps, which will make ten that the company has running and it is believed there is fully enough ore in sight and blocked out to warrant the company having a fifty stamp mill. The way that they are going ahead with the work of development shows that there is something going to happen in the section of the country before long. The mines are in the Hoag district and about eight miles from New Pine Creek which is the base of supplies. There are a number of men employed there now and the indications are that there will be many more before long as the company is putting to work every man that they can secure who is a competent miner. This company is one of the largest owners in the district and have a number of properties in their group of claims. The Big Four, Sunset and others are among those that have shown fine ore bodies in sight, some of which are so rich that it is almost unbelievable.

WINTER WIND STORMS COME VERY EARLY

However All Work is Still Being Pushed on N.-C.-O. Ry.

The weather during the past week has been anything but favorable for the construction of a railroad, and as a consequence more or less delay has resulted in the extension of the N.-C.-O. Superintendent Riddells, of the Manev Bros. Construction Co., has the grade completed as far north as the grandstand on the fair grounds, and it is now awaiting favorable weather in order to complete his contract.

The tracklaying gang has been unable to make much progress and is still working south of Pine Creek. However, the ballasting crew is putting in full time and has the grade completed almost to the end of the track. A new gravel pit has been opened near Willow Ranch, thus shortening the haul very considerably. As soon as the steel gang reaches the "Peninsula" another pit will be opened at that place, thus again reducing the haul. For several miles along the lake shore very little ballasting is necessary and progress has therefore been made. Unless weather conditions change in the very near future it is not likely that trains will be operated into Lakeview during the winter. The storms have been unprecedented at this time of year, and it is utterly impossible to keep men at work under existing conditions. Last Thursday morning about six inches of "the beautiful" covered the ground, and while since that time it has practically all disappeared yet snow and rain have fallen intermittently almost every day.

'Twas Ever Thus

It's not all jiv, this holding office, as is shown by the men that are impugning the newly elected members of the council for appointments for one office or another. The vote had not been more than counted before two of the councilmen elected had prospective candidates at their elbow seeking the offices at the disposal of the council. There seems to be a disease from some-quarters for holding some offices that gives little authority, even though there are many other means of making a livelihood at even better wages than is paid by the town to some of their officials.

Popular Clerk Weds

County Clerk Frank W. Pavne was married last evening to Mrs. Myrtle Barnum, who has for some time been employed in his office as stenographer and typist. The happy couple will reside in the Dan Godsil house which has been newly painted and opened for their reception. The ceremony was held at the residence of the bride's parents, Mr. and Mrs. C. A. Rehart, before a few immediate friends, while Judge B. Dalv performed the tying process in his usual graceful manner.

CITY'S FINANCES IN GOOD SHAPE

Treasurer's Report Shows Indebtedness to Be But \$5,287

The finances of the town of Lakeview show that there is an indebtedness of \$5,287, against the municipality and that when the new administration took hold of the affairs of the town there was \$12.47 in the treasurer's hands. Treasurer A. Bieber reports that there was on hand Nov. 1, 1910, the sum of \$68.58, and that during the year there was collected from all sources the sum of \$7,089.39 and this with the amount on hand made a total of \$7,157.97 and that there was paid out in warrants the total sum of \$7,145.00. It is impossible at this time to get at the detailed expenditures as the street, library and general funds are consolidated into one fund. During the past year a lot of work has been done on the streets but that too is in such a condition that it will be some weeks before the exact cost of the street work can be given. The tax levy the past year has been five mills and this together with the amount on hand in the Recorder's office and the sum of \$2,200 for liquor licenses is the source of income into the treasury.