

DECISION AGAINST HOMESTEADER

Dusenberry Loses Valuable Quarter Section to Withers of Paisley

RULING OF THE ASSISTANT COMMISSIONER

Split Decision Appealed to General Land Office from Lakeview Office--Register Is Sustained and Entry Is Ordered Held for Cancellation]

Homestead stock has taken another tumble. The Assistant Commissioner has decided another important contest against the homesteader on a slice of Uncle Sam's timber land received a blow which has caused homestead stock to fall in value. The case is that of Chester L. Withers, of Paisley, Oregon, vs. C. H. Dusenberry, of this city. The defendant filed on the claim in November of 1904, and the contest was instituted April 22, 1907. The affidavit alleged abandonment, and at the hearing held in June of 1907, the register decided in favor of the plaintiff and the receiver decided in the favor of the defendant. The matter was appealed to the general land office and Assistant Commissioner S. W. Prosser has rendered a decision sustaining the register of the Lakeview office.

From the evidence submitted at the hearing the register formed the following opinion: "That the homestead entry should be cancelled for the reason that the contestee has not complied with the homestead laws in regard to residence, cultivation and improvements; that he is not acting in good faith to procure this land for a home, but for other purposes, that owing to the high altitude and character of the land it is unfit for agricultural purposes or grazing, but it is more valuable for timber; that he used his claim as a kind of headquarters when out locating other parties on lands in that vicinity, and that his residence upon the land was the exception and not the rule."

The Assistant Commissioner holds that the register's opinion is warranted, and the entry is held for cancellation.

This decision like a number of others that have been rendered recently, is a strong indication that the Department is aiming to put a stop to the homesteading of lands that are strictly timber and that a line is to be established between agricultural and timber lands. Most of the contest decisions that have been rendered have been adverse to the homesteader, and all are based on the non-compliance with the laws governing homestead entries, but the character of the land is always taken into consideration. In cases where

it is shown that the land is fit for cultivation the homesteader is usually given a much wider latitude than when he settles on land heavily timbered and unfit for cultivation.

\$10,000 for Crater Lake

Senator Fulton has again shown his power and influence in the United States Senate. He appeared before the Senate appropriations committee and secured the incorporation of a number of amendments in the sundry civil bill, among them one for \$10,000 for Crater Lake Park. While the bill has not yet passed the Senate it is safe to presume that Senator Fulton will be successful in getting at least this amount. Crater Lake Park needs all that Superintendent Arant asked for, but \$10,000 will be much more acceptable than \$3000, and if it is secured the people of this section will again be indebted to Senator Fulton for his efforts in their behalf.

Will Not Stop Stage

Owing to the heavy traffic the McIntire-Straw Stage line from this city to Pokigama will not be discontinued tomorrow as has been announced, but will be continued to the first of the month and longer if the travel keeps up. Many passengers come and go via this route every day and the company concluded to operate the line as long as people wanted to travel via Pokigama.

Wood River Lands Selling

Lands in Wood river valley have been changing hands in the past month and the prices paid show a big increase in values in the past few years. A little over a year ago Henry Gordon sold his place of 240 acres for about \$20 per acre, and a short time ago he bought the same piece of property at about \$30 per acre. The land changed hands twice and Mr. Gordon purchased it from L. W. Copeland. Another deal involving 320 acres was consummated when Chas. Westerton sold his place to L. W. Copeland. The price paid was about \$30 per acre.

Dr. E. W. Huson will preach at the Methodist church next Sunday evening.

DEMOCRATIC PRESIDENTIAL CANDIDATES



JUDSON HARMON OF OHIO.

UNITED EFFORT WILL GET RESULT

Real Estate Man Tells Why Very Small Per Cent of Prospective Buyers Coming to the Klamath Country Invest in City and Farm Property

Twenty-two passengers boarded the train at Weed yesterday for Klamath Falls. Some of these were parties who reside in this section, but most of them were men who are looking for locations to engage in business or farming. This was not an unusual occurrence, but rather a thing that takes place nearly every day. The stream of homeseekers keep coming and going. This can be traced directly to the large amount of publicity that has been given the country. One of the noticeable features about the parties who come here is that a very small percent of them invest in property in this section and some remain scarcely long enough to get acquainted with any part of the city or county. Nine out of ten of the newcomers if asked what they think of the country when they first arrive in the city express themselves well pleased with all they have seen, and then without going out of town they leave, saying that there is something wrong with the farming country.

One of the city's real estate men was asked to explain why this condition existed and his explanation was about as follows: "A man comes here with money to invest and he naturally falls in with a real estate man who shows him certain properties. He does not buy immediately but spends some little time about town and soon meets other men engaged in the real estate business. He tells them that he has been out with a certain man looking over some properties and has about decided to buy. Instead of leaving the buyer to the first man he at once starts to tell him of better bargains he has and sometimes tells him that the land he has seen is no good and the real estate dealer is an irresponsible party. About two jolts like this and the prospective buyer secures a ticket for the railroad and quits the country in disgust. The whole matter is due to the lack of

unity on the part of those engaged in the real estate business and also on the part of the business men of the city. There is nothing wrong with the lands, but the people."

The gentleman was asked for a remedy for the condition, and he stated that the only remedy that he could suggest would be to form some sort of an organization whereby the boosters' efforts would be united and would all pull in the same direction. He thought that the Chamber of Commerce was the proper body through which the remedy should be secured.

Automobile Service

Last Winter the prediction was made that this city would be connected with the outside world this Summer by an automobile line, and now comes the report that while in San Francisco last week Capt. J. M. McIntire purchased an up-to-date car and will put the same on the run between this city and Dorris within a few days. The car will be for passenger service only and when the roads are put in a little better condition the run can be made in about two hours. The transportation facilities will be all that can be expected when this service is established.

Sawing Flume Lumber

The Long Lake Lumber Co. which has the contract for furnishing the lumber for the Lost River flume has already cut and delivered 75,000 feet of lumber and 20,000 feet is being cut daily. W. O. Huson, the manager of the company, has just returned from his trip to Odessa to see how the work of getting out the lumber was progressing. He says they will have no trouble in filling the contract.

In speaking of his being shipwrecked Mr. Huson said that the engine refused

HEADQUARTERS NOW AT DORRIS

Engineer Hoey Transacting Business at the New Railroad Terminus

ADVANCE CAMP NOW AT DOWNING PLACE

Necessary Bridges and Culverts Between This City and Edge of Marsh Will Be Constructed During the Summer and Fall of This Year

to work when they were near Eagle Ridge and they pulled out for the shore and spent the night there. The next morning when the wind had subsided they rowed to the Doak ranch, but the launch at that place was out of order and they were forced to wait until they could secure help from Odessa. The Odessa launch had in the mean time gone out to look for them and considerable time was lost before they could get a boat to tow them to their destination.

Dairy

John Cox from near Olene was trading in Dairy this week.

Chas. McCumber has his crop all in except some that will have to be resown on the sandy land where the wind uncovered the seed.

Jan. Harris who has been caring for the stock of Prof. J. G. Wight all winter was in Dairy trading Friday, from now on he will work at home.

Uel Bussey went to Langel Valley Friday evening to visit his parents.

W. L. Welch, H. J. O'Brien, and Wm. Wight, near by farmers were in town Saturday.

Prof. Hall went to Klamath Falls on business Saturday.

Chas. Woelk took a load of pork to Klamath Falls Saturday and will bring back a load of goods for Dairy.

Chas. and Rufus Moore were in Dairy Saturday on business connected with their electric line. We had heard that they were going to leave us out, but from what we heard today they will give us a branch line.

W. J. Brown, of Bonanza, was out exercising his bronchos Saturday and came to Dairy, bought a few groceries and talked Prohibition, and that is all right too. We have no use for the booze.

Gentle showers fell during Sunday night and the prospect looks good for more today. They are heartily welcomed by the farmers.

H. P. Hoey, Chief Engineer of the California Northeastern Railroad, has moved his headquarters to Dorris which means that the road to that point is fully in charge of the operating department. His office equipment has been shipped to the new terminus and all business is now transacted from that place. All of the construction work is now being done this side of Dorris. The advance camp is working on the side hill at the Downing ranch. The work is being prosecuted more vigorously, and the present plan is to bring the bridge crew to this side of the Marsh to build all bridges between this city and Midland during this Summer. This is done in order to cause no delay as soon as the marsh is crossed.

Mr. Hoey will have his headquarters at Dorris until he moves to Klamath Falls, but throughout the Summer he will spend more or less of his time at the company headquarters in this city. Mrs. Hoey will arrive here shortly to take up her residence for the Summer.

There is no question but what the Southern Pacific is anxious to complete the road to this city and everything is being done to rush the work. The construction department realizes that the marsh is the portion of the road that will cause delay, and the bridges on this side of the swamp are to be put in this Summer so that if it should be possible to cross the marsh late this Fall or in the early Spring no time will be lost in constructing the grade and bridges from the edge of the marsh to this city. The engineers in charge of the work are very reticent about saying at what time the line will be completed to Klamath Falls and will be ready for the operating department, but the impression generally given to inquirers is that the road will be in operation into this city in the early Spring of 1909. [However, this is not official and it is possible that the road may reach here late this Fall or that it may not be completed and be ready for traffic until late in the Summer of next year.]

BARGAINS THIS WEEK
AT K. K. K. STORE

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|---|--------------------|--------|
| Ladies \$6.00 Khaki Suits (This week) | - - | \$5.00 |
| Ladies \$7.00 " " " " | | 5.75 |
| Ladies \$3.00 Khaki Skirts | | 2.40 |
| Mens Split Straw Hats, values up to \$2.00, | | .75 |
| Childrens Blue and Pink Canvas Slippers, | | |
| Reg. 1.00 and 1.25, | 80 and 95 the pair | |
| 10 per cent off on all Shirt Waists | | |
| Odds and Ends in China Below Cost. | | |

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