

Mostly Read Paper in Klamath Falls . . .

SECOND YEAR, NO. 618.

DREDGE OUT OF BUSINESS

Break in Machinery Puts It Out of Commission and Causes More Delay

An accident to the new dredge on the railroad dike is causing delay in the construction of the grade across the marsh. At this time only the old machine is at work, the other being laid up for repairs. The contractors have had a great deal of trouble with the dredges and, on account of this, there will be a few weeks delay in the establishment of a train service in navigable water.

Engineers in charge of the construction state that at this time it is absolutely impossible to say when the road will be completed to Klamath Falls. If the Southern Pacific were inclined to rush matters the road could, without a doubt, be completed to this city late this fall. This would necessitate the putting on of additional machinery for the work.

The Southern Pacific does not seem inclined to rush matters to this extent and consequently it will be some time next spring or early summer when the service to Klamath Falls will be established. It is the belief of the construction engineers that the road will reach navigable water by the first of the year.

STOCK DOING WELL.

Chas. Horton Returns From Trip to Sprague River Valley.

Chas. Horton, one of the prominent cattle buyers of this county, has just returned from a trip to the Sprague river valley, where he spent several days buying stock for the Oakland market. He says cattle are looking well in that part of the county, in fact much better than he had anticipated. He purchased considerable stock and is having it driven to the Horton ranch from where it will be taken to Mt. Hebron for shipment. Both he and Mr. Gerber are of the opinion that it is much cheaper and

better to ship from this valley than to drive to Mt. Hebron. The rate from Mt. Hebron is about \$25 a car higher but this amount is saved by making the drive shorter.

Among the stock that Mr. Horton shipped out during the coming week are 100 calves which go to Oakland or west. This is probably the largest shipment of calves ever made from this county.

AMONG MERRILL PEOPLE

Interesting and Important Items Taken From the Merrill Record.

"I. H. Merrill has leased the Masono River land and sale stable in this city from T. J. Oliver and is now in possession."

"Miss May Martin was teaching a prima donna this afternoon in Frazer's hall in some of her approaching marriage to R. H. Anderson, the special postmaster of our territory."

"Mr. Jones is having his newly-purchased launch thoroughly overhauled and put into first-class shape at the improved boat yard in the Park street canal on the bank of East river, and hopes to have it ready for a trial trip by Monday."

"Madsen Bros. sold to Erikson & Peterson the railroad contractors, the first of the week, 70,000 pounds of chopped better and some pounds of good. This was loaded Tuesday on a barge at Merrill landing and forwarded to Telfers by the steamer 'Cassidy'."

Was It One Per Cent?

Some of the friends of Judge A. D. Miller say that the badly bruised face that he is wearing is due to an overdose of one per cent, but the Judge denies this most emphatically, claiming that he has never been guilty of drinking such vile stuff. He explains the matter by saying that he went swimming with a crowd and as he dove he came in contact with Jerry Martin's toe nail. His nose really has the appearance of having been in some one else's business.

Sold His Ranch.

Jay Ensey is in the city from Fort Klamath attending to business matters. He states that he has sold his 160 acre ranch a half mile from Fort Klamath to Merrill of this place, and he expects to move to Corvallis in the near future. The ranch is one of the best in the vicinity of Fort Klamath.

IT'S UP TO THE BOARD

Petitions From the Landowners of Upper Klamath Project

Directors Asked to Take Action in Matter of Canceling the Contracts for Government Irrigation—Board Considering Question at Regular Meeting

The Board of Directors of the Klamath Water Users Association is holding its regular meeting this afternoon. The one important matter of consideration are the petitions of the landowners in the Upper project. The petitions are extensively signed by the members of the association and are passed up to the directors to take action on the same. It is not known what they will do with this matter, but it is very probable that the directors will disagree as to what action shall be taken. Before the meeting was called some of them stated that they thought this was a matter which did not concern the board and the proper time to present the measure for endorsement was at a meeting of the shareholders.

Jacob Rusek, one of the directors from the Upper project, thinks that the petition should be accepted by the board and sent on up to the Secretary of the Interior through the proper channels. He says that if the directors refuse to send the petition on through the channels he will see that it is forwarded and that it reaches the highest authorities in the Reclamation Service.

The petition presented to the board is as follows:

To the Board of Directors, Klamath Water Users Ass'n., Klamath Falls, Oregon.

Gentlemen:—We, the undersigned, hereby ask that the Water Users Association join with each in the revocation of our respective stock subscription to, and contract with, the association, in so far as said subscription and contract concern our lands lying under the Clear Lake system of the Klamath Reclamation Project, as shown by the maps and plats of the United States Reclamation Service.

A large majority of the aforesaid contracts were executed over four years ago, and have since that time

been subject to the annual, or oftener assessments for maintenance of the association. No construction work upon an irrigation system to benefit any of these lands has been undertaken, nor has the United States Reclamation Service given any assurance that such work will be undertaken soon or ever. Every legal and equitable consideration could be urged in behalf of the annulment of these indefinite contracts which apparently are binding upon us, without consideration, and binding upon no one else.

That at the time of organizing the Klamath Water Users Association it was contemplated that contracts of more than three years standing, affecting lands remaining unirrigated, should be cancelled, is shown by the provisions of Section 2, Article IV of the By-Laws of the Association: "Assessments paid on shares of stock cancelled at the instance of the Association within three years after April 1st, 1905, for the reason that the lands to which said shares are appurtenant are non-irrigable from the system owned or to be owned or controlled by the Association shall be refunded to the holder at the time of cancellation." The lands to which the shares of stock we desire cancelled are appurtenant, are not irrigable from any system owned or to be owned or controlled by the Association. The words "or to be owned or controlled" evidently does not mean "or which may be sometime thereafter constructed." The first quoted words refer to the ownership or control to be later acquired by the Association from the United States. The By-Laws do not say "irrigable or to be irrigable" from any system.

These By-Laws, including the section referred to, were approved by the Secretary of the Interior. This section gives full authority for the annulment of contracts upon lands not irrigable three years after April 1st, 1905, "at the instance of the Association." Neither the Secretary of the Interior nor the Reclamation Service is a party to the contracts we desire cancelled, nor does this section provide that the consent of either is a necessary condition precedent to such cancellation. Any subsequent contract between the Association and the Secretary of the Interior was made with notice as to the provisions of this section, and is subject to this section. The contracts we desire annulled come under the provisions of this section, and are therefore cancellable at the instance of the Association and can be cancelled by an indenture to that effect executed by the Association and the respective land owners.

Since the repayment to us of the assessments we have contributed toward the maintenance of the Association would at this time probably embarrass the Association, we ask that we be given credit on the books of the Association for the amounts due us respectively, to be paid us when the Association has sufficient funds for the purpose.

These contracts are liens upon our lands. Although they have been existent for more than four years, nothing has been done in constructing an irrigation system, and we have not even the benefit of any positive assurance that construction work will ever be begun. The existence of these contracts has prevented the building of other irrigation works, and has prevented our securing loans upon the lands, money urgently needed for making improvements, from the only sources of low-interest money. These contracts mean to us a constant annoyance and actual loss, while they are of no benefit to either the Association or the government.

We have been definitely informed by officials of the United States Reclamation Service, including the director of the Service, that in lieu of construction work on the Clear Lake system, under which our lands lie,

will absolutely depend upon 80 per cent of the lands under the system being under contract with the Association. We understand that including conditional contracts 75 per cent of the lands are now under contract. As most of these conditional contracts expire by the end of the present year, and will doubtless not be renewed, something less than 70 per cent can be said to be "signed up" to the Association. We are in a position to know that 80 per cent of these lands will not be signed up until work is under way, and since the Reclamation Service announces that work will not begin until that amount be subscribed, it is obvious that the Clear Lake system will not be constructed, and that it is utterly useless to continue these contracts.

The undersigned feel that they have spared no effort to secure the building of the Clear Lake system. They have subscribed their own lands and have urged, in every known way, others to subscribe their lands. They have given the Association and the Reclamation Service all the assistance they could render. They have, at their own expense, constructed a wagon road to the dam site. We have exhausted our resources, have received nothing, are promised nothing. We wish to withdraw from the Association, and feel that the Association has, and should exercise, the authority to assist us in doing so without further expense. Should it be necessary to have these contracts cancelled by order of the courts, we must bear that expense; but we would necessarily feel that to entail that burden upon us would be most unreasonable and unjust.

SATISFIED WITH CONDITIONS.

Management of the Portland Store Sale Well Pleased With Results.

The sale at the Portland Store has now been on for several days and the management is entirely satisfied with the results. Besides the newspaper advertising other means have been employed to attract the attention of the public and as the sale is genuine the receipts have been heavier than were anticipated. Numerous country people are in the city today and Mr. Sugarman states that his large force of clerks has been kept busy waiting on the customers.

The barrel of ice cold lemonade in front of the store is fully appreciated by the customers on these hot days. The Portland Store sale demonstrates that publicity will move the goods if the prices are right.

Up the River Monday.

The steamer Mazana will leave the Upper lake boat landing on Monday, going to the end of navigation on Wood river. The boat will arrive at the dock this evening after a successful trip up the river.

Mrs. G. Heltkemper, Jr., entertained the Ladies Bridge Club this afternoon.

J. A. Garber, of the Klamath Agency was in the city today, preparing for a four weeks' deer hunt.

IDEAL PLACE FOR ROWING

America's Champion Sculler Favorably Impressed by Klamath Waters

Klamath Falls has had for a guest for a few days past Al W. Pape, America's champion oarsman, the winner of seventy-three championship trophies. Mr. Pape is a native of California and is now representing the Paraffine Paint Co., of San Francisco. He was asked to go to London to represent the United States in the rowing races, but owing to business matters it was impossible for him to get away. Mr. Pape was very favorably impressed with Klamath and especially with the fine bodies of water surrounding this city. In summing up the situation he spoke about as follows:

"I have just returned from an extensive trip through Idaho and Utah, where the government is constructing reclamation projects. I think this district is just as good, or better, than anything that I have seen. There is no doubt about it, you have the soil and with the water on it you will get the crops. What has taken my eye is the fine water front that Klamath Falls has. Being interested in aquatic sports this naturally would appeal to me. The last time that I visited this city I was on my way to Portland to participate in the rowing races and at that time I won America's championship as single sculler. Klamath Falls had no athletic club at that time and it has none now. I am surprised that the young men of this city have not formed a club and taken to the water sports. I think there is no exercise that compares with rowing and for that reason I have made it my specialty. It is the chief of all exercises as it has collected and contrasted in itself the elements of all others combined. Rowing contests are not only interesting and exciting to the participants, but also to the spectators. One of the main sources of benefit to be derived from these contests is the training that must be undergone by the participants while they are preparing themselves for the final tests. The ordinary agents of health are exercise, diet, sleep, air, bathing, and clothing. I put them in the order that I consider them in importance. All of them are the sure results of the promotion of aquatic sports.

"I hope to see the day when rowing will be one of the chief sports of this section, and when the boys of Klamath Falls will compete with the larger clubs of the Pacific Coast. Your city is so situated as to make this possible."

10 Days Mid-Summer Clearance Sale

To make room for Fall Stocks which are beginning to arrive, we have marked Waists, Skirts, Gloves etc. at prices that will make them go--For 10 days from July 30

LOOK! READ!!

\$8.50 Silk Petticoats for	\$6.75	5.00 Silk Waists	3.75
7.50 " "	5.25	5.00 Net Waists	3.75
3.25 White Duck Skirts	2.25	3.75 " "	2.85
2.25 " " "	1.60	2.75 Lawn Waists	2.00
3.25 Khaki " "	2.60	1.75 " "	1.35
3.50 " " "	2.90	1.50 " "	1.00
2.75 Black Sateen Petticoats	2.00	6.50 Khaki Suits	5.00
1.50 " " "	1.00	7.50 Norfolk Khaki Suits	6.00

20 per cent reduction on all Silk Gloves

K. K. K. STORE

"The Best Place to Trade"

Hurry!

Before Sizes are Broken

Going Camping?

We have the best guns and ammunition. Let us outfit you for a trip to the mountains. We have the goods that hunters need.

Going Fishing?

Our rods and tackle are the best that are made and the stock from which we invite you to select is very extensive.



Roberts & Hanks

Hardware Merchants

July 31 1908