

MARSH LANDS

50 PER CENT. VEGETABLE MATTER.

THE EVENING HERALD

Issued Daily, Except Sunday, by the
HERALD PUBLISHING COMPANY
W. O. SMITH, Editor

SUBSCRIPTION RATES:

Daily, by mail, one year.....	\$5.00
Daily, by mail, six months.....	2.50
Daily, by mail, three months.....	1.25
Daily, by mail, one month.....	.50
Daily, delivered by carrier, one week.....	50

KLAMATH FALLS, THURSDAY, DECEMBER 2, 1909.

DAVE'S REPLY TO CHARGES

(Continued From Page One.)

fraud or intimidation or anything of the kind was concerned, my letters to the secretary of the interior were never intended to be so taken, that he still maintained that the prices to be paid were beyond the real value of the property, but that such property was necessary to the project and that there was no graft connected therewith; also that he would have been willing to have agreed to pay double the amount agreed upon for the canals, etc., to save a year's delay in the construction of the project.

Thomas Not Sane
"The statement that the settlers have been deterred repeatedly from proving these various charges by the reclamation service engineers threatening to divert the funds needed for this project to other sources is absolutely false and without foundation."

"The large physical and financial difficulties which it was necessary to overcome in connection with the Klamath project were indeed a serious objection to its adoption, but the department was required to take up a project in Oregon by the provisions of section 9 of the reclamation act, which provide:

"To expand the major portion of the funds arising from the sale of public lands within each state and territory heretofore aimed for the benefit of arid and semi-arid lands within the limits of such state or territory."

"The provisions of this act have always hampered the service in obtaining favorable terms for undertaking any reclamation project, as the owners of the necessary rights of way always have the best legal advice, which is able to assure them that the government must take up work in Oregon under the terms of the act, and is therefore at a disadvantage in making favorable contracts and in select-

ing projects favorable for irrigation purposes.

"The specific purchases referred to are as follows:

"1. Damsite and reservoir site at Clear lake, included in the Carr ranch, was purchased for \$183,000. It is charged in the dispatch that this property had been 'offered by the owners when the government began this project for \$35,000.' The statement in quotation marks is false, and at the hearing W. C. Dalton, who was part owner, denounced it as false and offered to forfeit \$500 to anyone who could substantiate such a statement.

"The Carr ranch has been held at \$350,000 and an option for this amount was in existence at the time the purchase was made. For the smaller sum mentioned, the service acquired 14,500 acres of the best land of the ranch and 18 miles of riparian rights around Clear lake. A statement that the company retained the best land on the ranch is false. Practically all of the good meadow land and all of the land most convenient to water and most of the land valuable for agricultural purposes was obtained by the purchase, the remaining acres being mostly of an inferior character.

Adams Canal Necessary

"The ditch known as the Adams canal was purchased for \$100,000. The statement that it was valued by the government engineers at \$41,000 is not borne out by the public records, and is not true. Its construction cost about \$75,000. It was necessary to incorporate this into the project, as its water right controlled the reclamation of the marsh lands of Lower Klamath lake. The canal is also useful and will be used as a part of the canal system. The former owner now offers to purchase the system back at a much higher price, if desired by the United States, and avers that he will make a profit by such a transaction.

"The Moore Bros. had large filings

for water flowing in Link river, which at that time were not limited by law, as is now the case in Oregon. These waters were partly used by them for power purposes above Klamath Falls. They also owned the major portion of the right of way necessary for the Keno canal on the west side of Link river, which is necessary for the irrigation of the lands between Klamath Falls and Keno, on the west side.

"For all these rights the government agreed to build a portion of the Keno canal with 30 per cent larger capacity than needed for the government project, in order to carry a portion of the water to which Moore Bros. were entitled, to a point where a greater fall could be obtained and enough power developed to compensate them for the rights surrendered. This canal was built at cost less than \$90,000.

No Water Right Granted

"The government granted no water right, but received a concession of a portion of the water rights already claimed by Moore Bros. and retains the possession of the canal and the use of two-thirds of its capacity for public purposes, while the other third carries the water to which the Moore Bros. are entitled to a point where they have installed a plant for its use. The total expense incurred by the government, therefore, and the compensation which it gives to Moore Bros. by this contract is a proportionate part of the expense of the canal required to carry their waters. One-third of \$90,000, or \$30,000. This is a low valuation to place upon the rights of way and water rights obtained by the government as far as possible in its construction work.

"The Ankeny canal was purchased for \$50,000, and not \$104,000, as stated by your correspondent. Neither was this canal valued at \$20,000 by any government engineer, so far as known. The price paid is considered reasonable by good judges, and its purchase was necessary to clear the way for the government project.

"The purchase of the work, rights and filings of the Klamath Canal company, which had entered the field at this point before the government began work, was made for \$150,000—a price which has been much discussed and specifically approved by the irrigators at the time as being entirely reasonable and just. As much as possible of this work was utilized in the construction of the final project, but not all could be so utilized, but the purchase was necessary to clear the field, and avoid litigation.

Three Reasons Given

"The Klamath project, in spite of all obstructions and difficulties, physical, legal and financial, was approved by Director Walcott and Secretary Hitchcock mainly for three reasons: "First—As above quoted, the law required a large amount of work to be taken up in Oregon and California, as these are states in which large sums are received from the sales of public lands, and no other feasible project had at that time been discovered in either. At the present time the expenditures in Oregon and California are less than the law requires and this fact is being constantly used to bring pressure upon the department to take up additional work in these states.

Second—It is an interstate project and for this reason could not be so advantageously developed by private capital or state authority. The state of California and Oregon both passed legislative enactments inviting the United States to take up this project, and ceded all rights to state lands to the United States for this purpose. The local people, including Mr. Ady, also urged the adoption of the project.

"Third—Upper Klamath lake, Klamath river and Lower Klamath lake are all navigable waters, and therefore are under the jurisdiction of the general government.

"The legality of irrigating land that may also require drainage was carefully considered by the assistant attorney-general and determined in the affirmative."

NOTICE, COMPANIONS

All Royal Arch Masons in the city are requested to meet in the Masonic hall on Sunday afternoon, December 12th, at 2:30 p. m. sharp. The meeting is important. By order of committee,

JUDGE WILLITS,
E. B. HENRY,
JUDGE LEAVITT,
W. A. LEONARD.

TREES AND SHRUBBERY

Left uncalled for at my place will be sold at a discount on original price. Call on O. A. Stearns, West side.

A PATRIOTIC PIG.

The Queer Pig That Was Adopted by a Regiment.

Perhaps the strangest pet that ever attracted a regiment's fancy was a pig. She attached herself to a Kentucky regiment on the way to invade Canada during the war of 1812.

As the men marched out from Harrodsburg one morning they came across two pigs fighting. They halted to see it out. When the march was resumed the victorious pig followed the regiment. When they encamped at night the pig halted and found a shelter. The next morning the pig started with the regiment, and when it stopped the pig halted. Day by day it trotted along until the Ohio river was reached. A ferryboat transported the troops to Cincinnati, but the pig swam the stream and waited on the other side until the regiment took up its line of march.

During the long tramp to the lake piggy received her full share of rations. Occasionally the men were put on short commons, but no one thought of attacking the regiment's pet.

When they came to the lake's shore piggy was offered a passage across to Canada. She refused to stir from American soil.

When the campaign closed the troops recrossed to American soil, where they had left their horses. As the line was being formed a familiar grunt was heard. There was piggy ready to resume the march. On the homeward way the pig suffered greatly from the cold weather. It crossed, however, the Ohio river and then gave in. Governor Shelby of Kentucky had piggy conveyed to his farm, and there she passed her days in indolence and good living, honored as the regiment's pet—Exchange.

KNEW IT WOULD RAIN.

And He Had a Substantial Basis For His Conviction.

A mission teacher on the Bowery, by the force of his enthusiasm, succeeded in gaining the interest of a well known tough, who began at once to change his way of living, certainly to the signal betterment of his worldly comfort. He wore new clothes, associated with attractive people and experienced the prosperity of peaceful ideas.

The convert, though much regenerated, could not wholly abandon his former life, and the drift of his mind toward things of the past came into startling evidence. He attended a non-devotional class meeting called by his mentor for the special purpose of considering the practical ways and means of promoting a nuptial basket picnic. An appropriate date for the picnic was one of the matters to be decided. Much to the general astonishment, the convert was greatly opposed to the date favored by all the others. A recess was taken to discuss the issue more informally, and the mission worker drew his protege aside to interrogate him.

"It is going to rain that day," declared the convert earnestly. "It will spoil the picnic."
"But how do you know it is so certain to rain?"
"Then the convert blurted forth his reasons helplessly, but with conviction: "I have it straight that Taboo's people will start her in the third on that very day. She is out for a killing, and I never knew her to run that it didn't rain."—New York Telegraph.

Boomerang Kinks.

There are a good many "kinks" to be learned to throw the boomerang skillfully. One is always to throw against the wind if you want it to come back to you. It is a miniature aeroplane, for it literally sails against the wind and is borne upward and onward by the breeze. If the player wants to make a long distance straightaway record he can throw with the wind, but he must take care to select a boomerang which is heavy—no heavy that it will not be too much affected by the air currents. By pointing the boomerang at a certain angle he can make it soar aloft in circles like a hawk until it may be as high as 100 feet above the earth. As in golf playing, it is not so much mere strength that makes a long thrower, but the skill in aiming, the direction and in boomerang throwing the way in which advantage may be taken of the air currents.—St. Nicholas.

Hard on the Chairs.

Among the ancestors of Wendell Phillips were several Puritan clergymen. Perhaps it was a push of heredity which made him at five years of age a preacher.

His congregation was composed of circles of chairs arranged in his father's parlor, while a taller chair, with a Bible on it, served him for a pulpit. He would harangue these wooden auditors by the hour.

"Wendell," said his father to him one day, "don't you get tired of this?"
"No, papa," wittily replied the boy preacher, "I don't get tired, but it is rather hard on the chairs."

Obedy Him.

"Where's old Four Fingered Pete?" asked Alkali Ike. "I ain't seen him around since I got back."

"Pete" said the bartender. "Oh, he went up to Hyens Tongue and got jagged. Went up to a hotel window, stuck his head in and bellowed 'Fire' and everybody did."—Everybody's Magazine.

DON'T GET YOUR FEET WET

Save a doctor's bill! Buy a good waterproof shoe or boot—you perhaps can't wear rubbers. If you can't, we have shoes to answer the purpose. Our prices are the lowest and goods the best. We introduced good shoes into Klamath county. We have more and better shoes in our new store one door west of the postoffice. "Sign of the Boot" Klamath's Exclusive Shoe Store.

TO MILK CONSUMERS

Owing to the increased cost of feeding and natural shrinkage in production in winter, we are forced to advance the price of milk. Beginning Dec. 1st and until further notice, the price will be 30 cents per gallon and 10 cents per quart.

CLAYTON STONE.

HOME REALTY CO.

Watch this Space for "REAL SNAPS"

For Rent—Good house and barn; well located.

For Sale—Wood claim, close in; will pay big money on investment.

For Sale—\$900. Two choice city lots; view; well located; corner; worth \$1,000.

For Sale—\$35 per acre, the finest ranch proposition in the country. In sagebrush; level; fine soil; new house.

TIMBER CLAIMS HOMESTEADS

"THE RED FRONT"

Office, Main St. Phone 811

WANT ADS.

FOR SALE—Miscellaneous.

For Sale—Canaries, fine singers. Mrs. C. C. Low, Oak st., between Fourth and Fifth.

FOR SALE—\$850.00 Steinway grand piano, practically new, for \$700.00; \$100.00 down, balance easy installments at 6 per cent. Inquire at "The Oregon," Klamath Falls. If

FOR SALE—Or will exchange for Klamath county property, small farm in Mendocino, near Ukiah; well improved; nice location. For particulars address H. T. BARNETT, Midland.

MISCELLANEOUS.

WANTED—Hand ironers at the Klamath Falls Steam Laundry.

FOR RENT—Storeroom at corner 7th and Main sts. Inquire of C. W. Harlow on premises.

NOTICE OF SALE OF REAL ESTATE

In the County Court of the State of Oregon, for the county of Klamath in the matter of the estate and guardianship of Charles Hughes and Mary F. Hughes, minors. Notice is hereby given that the undersigned, guardian of the persons and estates of Charles Hughes and Mary F. Hughes, will sell at private sale an undivided one-sixth interest each of said minors in and to:

Lots 5, 6, 7 and 8 of section twenty (20); 8 1/2 of SW 1/4 and lots 6, 8, and 9 of section twenty-one (21); N 1/2 of NW 1/4 and lot 4 of section twenty-eight (28); E 1/2 of E 1/2 and NW 1/4 of NE 1/4 of section twenty-nine (29), all in township thirty-nine (39) south of range eleven and a half (11 1/2) E. W. M., all in Klamath county, Oregon, containing 475 acres, more or less;

On or after the 8th day of December, 1909, for cash, pursuant to order of said court made and entered in the above proceeding on the 8th day of November, 1909.

Dated at Klamath Falls, Oregon, November 8th, 1909.

FRANCIS HUGHES, Guardians of the persons and estates of Charles Hughes and Mary F. Hughes, minors.

ABEL ADY PHONE --- 303

OREGON'S RICHEST SOIL

KLAMATH'S GREATEST BARGAINS AT \$25 PER ACRE AND UPWARDS.

EASY TERMS

Goodrich's Cash Store

C. F. GOODRICH, Proprietor

Dealer in Dry Goods, Clothing, Shoes, Hats, Carpets, Rugs, Wall Paper and Groceries

Flour Table Salt, 50 pounds for.....	\$.75
Snap Soap, 100 bars for.....	2.50
Coffee, per pound.....	18c to .40
Tea, per pound.....	.40 to .50
Star Tobacco, per plug.....	.45
Horseshoe Tobacco, per plug.....	.45
Spear Head Tobacco, per plug.....	.40
Rice, per pound.....	8c, 10c and .11
Beans per pound.....	.06 and .07
Columbia Oat Flakes, piece for chinaware in each package.....	.35
Violet Oats, package.....	.15
Violet Pancake Flour.....	.15
Rolls Oats, in bulk, 16 pounds for.....	1.00
Dried Prunes, 50 pounds for.....	1.00
Sugar, per sack.....	6.75
Gold Dust.....	.35

Highest Price Paid for Hides and Produce

Have You Had Any Trouble With Your Heater?

No, of course not, if you have one of our

"CHEERFULS" WITH CAST LINING

That don't have to be replaced every season. They burn for years without repairs. We also have a fine line of medium and cheap heaters at prices which are right

ROBERTS & HANKS, HARDWARE DEALERS

Don J. Zehnwalt, President. Abstracting. E. M. Dunn, Vice-Pres. and Treas. Maps, Plans, Blue Prints, Etc.

Klamath County Abstract Co.

Surveyors and Irrigation Engineers

BEAT E. WITKOW, Secretary

Klamath Falls, Oregon

"JUST WHAT THE DOCTOR ORDERS"

Better Equipped Than Ever

WE NEVER USE A SUBSTITUTE

UNDERWOOD PHARMACY

CHINLER & STILTS BLDG.

PRESCRIPTIONS ACCURATELY FILLED

BEST SERVICE TO CUSTOMERS

OUR STOCK IS NEW AND FRESH

NOTICE FOR PUBLICATION

Department of the Interior, U. S. Land Office at Lakeview, Oregon, October 6, 1909.

NOTICE is hereby given that James B. Humphrey, whose postoffice address is Klamath Falls, Oregon, did, on the 23d day of April, 1909, file in this office sworn statement and application, No. 61827, to purchase the 8 1/2 of NE 1/4, W 1/2 of SE 1/4 section 23, Township 37 South, Range 9 East, Willamette meridian, and the timber thereon, under the provisions of the act of June 3, 1878, and acts amendatory, known as the "Timber and Stone Law," at such value as might be fixed by appraisement, and hat, pursuant to such application, the land and timber thereon have been appraised, June 14, 1909, the timber estimated at 545,000 board feet at \$0.75 per M. and the land \$190.80; that said applicant must offer final proof in support of his application and sworn statement on the 8th day of December, 1909, before R. M. Richardson, United States Commissioner, at Klamath Falls, Oregon.

Any person is at liberty to protest this purchase before entry, or initiate

a contest at any time before patent issues, by filing a corroborated affidavit in this office, alleging facts which would defeat the entry. ARTHUR W. ORTON, Register. 10-9-12-8

Phone—Residence 823. Office 1091

Dr. J. E. Taylor, PHYSICIAN AND SURGEON. Postoffice Building.

DR. C. P. MASON, Dentist. American Bank and Trust Co.'s Bldg.

Telephone 19

D. V. KUYKENDALL, Attorney at Law. Klamath Falls, Oregon

Dr. Amos C. Graves, A. S. O.—ORTHOPATH. Klamath Falls, Ore.

Postoffice Bldg., Second and Main Sts. Phone 1091.

Helping the Town . . .

By banking your money in a bank in your own community you increase the community's power to do business. If substantial farmers want to borrow money there is more to loan them. If you bank your money away from home it is loaned to other farmers, merchants and manufacturers. Help your home people. Money hidden at home helps no one. Placed in a bank it is put to work in ways that help all.

The First National Bank of Klamath Falls

Is a good bank to put your money in—safe and reliable.

A Savings Account . . .

In a rainy day fund, a life insurance policy, a sick benefit, a funeral benefit, and an old age pension. There is no forfeiture clause in the passbook, and it is under the owner's control at all times. It will tide him over sickness; it will care for his family when he must go; it will see him through old age, and bury him when he dies. It is a simple business proposition. Begin early, and keep it up, and, like money in the desert, it will supply him as he journeys.

Now is the time to open an account with the

The First Trust and Savings Bank