

WATER USERS HAVE LOTS OF PROBLEMS

RDSHIPS TOLD OF

ABEL ADY, PRESIDENT OF KLAMATH WATER USERS ASSOCIATION, IN COMPREHENSIVE STATEMENT

stating that settlers on government irrigation projects are subjected to unnecessary hardships, are not provided with data to which they are entitled and that the reclamation service employs bureaucratic methods, and the "big stick" as a weapon in the interest of preferred irrigators, Abel Ady, president of Klamath Water Users' Association, submitted a statement to the commission as follows:

The Federated Water Users' Association, composed of all duly organized water users' associations within various irrigation projects created by the provisions of the reclamation act, was organized for the purpose of safeguarding the best interests of all water users on such projects.

For years the settlers have waited for a change in administration of the reclamation laws that would recognize their legal and moral rights. In substance the reclamation law provides a loan of money for the reclamation of certain arid lands, requiring approved security for the repayment of the loan before the work is undertaken.

A corps of agents has been organized to prosecute the work of procuring data relative to the adequacy of the security and feasibility of the reclamation of the lands involved in a proposed loan and to supervise the reclamation of the lands after the loan has been approved.

The form of contract-mortgage required from the settler leaves no question relative to the adequacy of the security approved projects has been used upon so many times and by a long list of government engineers, agents, employees and novices that the children on irrigation projects have learned to imitate the attitude and swagger of reclamation employees.

After investigations, surveys and estimates had been sufficiently made, agents informed the settlers that the loan would be recommended in the securities were provided in a definite and approved form, and that after the reclamation of the project would be pushed to completion in the shortest possible time.

Approved securities were provided more than a score of projects, and settlers patiently waited for the progress of the work in accordance with the verbal assurances of the agents.

The first decade since the passage of the reclamation act is now almost over, and from the various annual reports of the reclamation service the settlers are able to ascertain that the aggregate against the securities of the various projects, and that the total amounts charged against the completed units of the various projects range from 50 to several hundred per cent higher than the estimates given to the settlers verbally at the time the security was delivered. The settlers on the various projects have persistently requested that

they be furnished copies of the preliminary estimates, also copies of plans, specifications and official recommendations for future expenditures of these secured funds, so that those who must repay the money might have opportunity to consider the substance and effect of the proposed expenditures and have possible opportunity to file protests before such expenditures are made. Such requests have been denied.

The settlers on various projects have repeatedly requested that they be furnished regular quarterly itemized statements of expenditures charged against the contract-mortgages on the settlers' homes. These requests have been denied.

The settlers on various projects have requested that the projects be completed as outlined at the time the security was approved. This request has been denied. The settlers' associations have requested that the water rights, power sites, reservoir sites and other properties acquired for use in connection with an irrigation project be retained for use in such project, unless disposed of with the consent of the settlers who furnished the security for the money expended upon such properties. Such request has been denied.

"Being without information relative to the future plans and policy of the future work, the settlers have been left to guess what ditch system would be constructed the following year. One settler guesses that he will be on the safe side, and delays preparation of his land until the ditch is constructed, only to find the ditch rushed to completion within a short period of time in the early spring, and the construction

(Continued on page 3)

ACCUSED PAVERS ASK FOR DELAYS

DOCTORS GIVE AFFIDAVIT OF BAD CONDITION OF McMAHON, WHOSE EVIDENCE HUGHES WANTS TO WAIT FOR

In circuit court this afternoon the cases of S. A. McMahon and James Hughes, charged with attempted bribery, were not called at 1:30, as set yesterday, but it was expected that at 5 p. m. motions for indefinite continuance of both cases would be asked by Attorney C. M. O'Neill, representing the defendants.

Mr. O'Neill has an affidavit from Drs. R. R. Hamilton and Leo R. Chilton to the effect that they have been in attendance on McMahon since December 15th, and that he is in danger of a mental and physical collapse, especially in case of undue mental excitement. The affidavit sets forth that the condition of the patient's heart and lungs is dangerous, and that it would be advisable for him to go to a warmer and lower altitude to recover his health, on account of the severe weather conditions in Klamath Falls at the present time. Hughes makes an affidavit for indefinite continuance until such time as McMahon is able to appear in court and testify for him. He swears that McMahon will testify that Hughes did

not give anything of value or make any promise to give anything of value to his accusers to influence a paving contract, that he was not authorized by McMahon to offer or give anything of value, and that there was no proposition to come before the council calling for any such alleged offer of a bribe.

BABY'S BODY IN SUITCASE CHECKED AT FERRY STAND

Special to The Herald
SAN FRANCISCO, Jan. 4.—The dead crushed body of a month old baby girl was found in a suitcase which was checked at the ferry news stand December 5th by an unknown person.

Whether a man or a woman left the suitcase at the stand could not be learned.

JURY OBTAINED IN MONEY ISSUE

TWELVE MEN NECESSARY TO TRY CASE OF HAWKHURST VS. MEADOW LAKE LUMBER CO., FINALLY SECURED

In the circuit court this morning was commenced the selection of a jury to try the case of Hawkhurst vs. the Meadow Lake Lumber company for the recovery of money. The regular panel presented thirteen men to the court, two of whom, H. R. Dunlap and R. J. Sheets, were excused by the court, the others being satisfactory to counsel for both sides. This made it necessary to have the office of Sheriff William B. Barnes hustle around and get another man, H. C. Chamberlain being secured. He and the following others made up the jury: D. B. Nichols, F. P. Van Meter, G. H. Carleton, H. S. Parish, John Forbes, Floyd Brandenburg, Alexander McDonald, Thomas E. Stanley, R. W. Tower, Clarence H. Underwood, Jacob Rueck. The trial proceeded this afternoon.

HONORS FOR EVANS AS HE IS TAKEN TO LAST REST

Brigade of Midshipmen, Artillery, Marines and Seamen Determined on a Military Escort as Last Respect to "Fighting Bob."

United Press Service
WASHINGTON, D. C., Jan. 4.—Admiral Evans will be buried with military honors at Arlington cemetery by a brigade including Annapolis midshipmen, a battery of light artillery, four companies of marines and two companies of seamen.

Interment will be in Arlington National cemetery, with plain but impressive services.

President Taft and government officials will attend.

PHILIPPINES PEOPLE SAY SHEPKE'S MURDERED

United Press Service
LONDON, Jan. 4.—A Philippines dispatch reports that Shekret Pasha, former war minister and leader of the Young Turk army which dethroned Abdul Hamid, has been assassinated. It also reports an uprising in Constantinople.

SUIT AGAINST CLARK SETTLED

LOWT RIVER DAM CONTRACTOR, WHO HAD BANK DEPOSIT GARNISHED, ARRANGES WITH INNES-CLARK CO.

The case, which was one for the recovery of money, was entered November 25th, the plaintiff claiming \$3,704.68 as balance due on a bill of \$7,525.53 for lumber furnished. By a garnishment proceeding the plaintiff tied up \$2,500 of the defendant's money on deposit with the American Bank and Trust company, after which an order was secured from Judge Henry L. Benson, before his departure for Dallas, lifting the garnishment, the defendant paying \$1,500 to the Innes-Clarke company on account.

Since then the adverse parties have arrived at a settlement.

MEAL TICKET, IN A SENSE, THIS IS

PROPOSED OFFICERS OF CHAMBER OF COMMERCE WHO WILL BE VOTED ON AT THE MEETING THIS EVENING

Before the food is brought before the diners at the Klamath Chamber of Commerce dinner at the White Pelican hotel this evening, there will be a business meeting of the chamber, including an election of officers to succeed the present regime, which is as follows:

President, Evan R. Reams; vice president, County Judge William S. Worden; secretary, Caleb T. Oliver; directors, C. H. Daggett, William S. Fish, W. Paul Johnson, E. N. Chilcote.

The proposed ticket for the coming year is: Frank Ira White, president; W. T. Shives, vice president; W. A. Delsell, secretary; Edgar J. Murray, James A. Maddox, W. Paul Johnson and E. C. Spink, directors.

Mr. Delsell, who is proposed for secretary, was formerly president of the organization, which he headed for three terms.

PROTEST MADE TO POWERS OVER YUAN SHI KAI'S ACT

Special to The Herald
SHANGHAI, Jan. 4.—Wu Ting Fang has protested to the powers against Yuan Shi Kai's refusal to abide by agreements made with Tang Shao Yi.

Negotiations are near the breaking point.

LANE FOR SUPREME BENCH IS LATEST MENTIONED

United Press Service
WASHINGTON, D. C., Jan. 4.—Commerce Commissioner Franklin K. Lane conferred with President Taft, causing the gossip that he is being considered as a supreme bench compromise candidate.

RICHESON IS WRECK BOTH AS TO BODY AND BRAIN

Pastor Confined in Jail at Boston for Murder of Avis Linnell Will Probably Not Be Brought to Trial at the Time Set

Special to The Herald
BOSTON, Jan. 4.—Rev. Richeson is declared a physical and mental wreck, and probably will not be tried January 15th.

PEACE JUDGE BADLY SHOT BY LOSER OF LAWSUIT

Special to The Herald
RIVERSIDE, Calif., Jan. 4.—Justice of the Peace Holton Webb was fatally shot on entering his office by John Chinuel, an Italian.

Wedd decided a \$90 suit against Chinuel, who fired four shots, one entering his right lung. Chinuel was captured after becoming exhausted by his attempt to escape on a bicycle. The jail is triply guarded to prevent a lynching.

CATHOLICS ATTACKED AND RIOTS RESULT IN LIBBON

United Press Service
LIBBON, Jan. 4.—Today set for the expulsion of Mgr. Belle, patriarch of Libbon, by an order issued some time ago, there was serious rioting when 10,000 Catholics gathered at the patriarch's residence. Five thousand republicans attacked them.

The Catholics are bitter, and there is danger of a revolutionary outbreak.

NEW YORKERS WANT DEMS TO MEET IN THEIR CONFINES

United Press Service
NEW YORK, Jan. 4.—A sensation in democratic ranks results from a report that a Tammany coterie is planning to make \$100,000 out of the democratic national convention if it can persuade the national committee meeting on Monday to select New

York. Wilson's criticism of Taft before the National Democratic Club, asserting that the president had set the tariff board to an impossible task, has revived his boom. Bryan has arrived at Tampa, and expects to announce his campaign policy at the Jackson Day dinner next week. It is believed certain that Taft can get New York delegates if he "talks business." Barnes and Governor Foss, his emissaries, are active in the East.

ROOSEVELT'S POLITICS HARD TO SECURE

United Press Service
OYSTER BAY, Jan. 4.—Colonel Roosevelt refused to talk politics. His secretary said he wouldn't go to town today, and would not make a statement regarding politics until he is ready. This may not be soon, if at all.

IRRIGATION SUIT NOT HEARD YET

GOVERNMENT ACTION AGAINST RANCHER HUNTING AND MEN HUNTING MAY COME UP LATER IN THE TERM

Attorney C. C. Brower has returned from Portland, where he made his appearance as attorney for the defendants in the case of the United States government vs. C. A. Bunting and wife, who are homesteaders not far from Midland.

The government is suing them for alleged interference with its irrigation enterprises, while the defendants assert that the government has not any right to the laterals concerned, and deny any interference as set forth by the plaintiff.

For the present the testimony in the case will not be taken, but when the court is ready for it an arrangement will probably be made to have it taken in this city by a referee.

NEW MEXICO WILL BE STATE SOON AS TAFT PROCLAIMS

It Such, and This May Be Tomorrow. Since Delegation of New Mexicans Has Officially Informed President of New Order of Things

United Press Service
WASHINGTON, D. C., Jan. 4.—New Mexico will be formally proclaimed a state in the next few days.

A delegation of New Mexicans presented President Taft with returns of the recent election, and it is stated at the White House that the proclamation may be made tomorrow.

HAIF-BREED KILLS SQUAW, HIDES WITH BODY ON SEAT

United Press Service
FRESNO, Jan. 4.—William Scott, a half-breed, confessed to Sheriff McSwain his murder of his squaw, "School House Mary," on Christmas. He said he was drunk and slapped his wife, who fell out of the wagon and refused to get in. He clubbed her to death with a shotgun, and then drove twenty miles with the body on the seat to deceive passersby.

INSTALLATION OF CHURCH HEADS

OFFICERS AND TEACHERS OF GRACE METHODIST EPISCOPAL TO BE INDUCTED NEXT SUNDAY EVENING

Next Sunday evening at Grace Methodist Episcopal church there will be a special service for the installation of the officers and teachers of the organization, at which members of the church, congregation and Sunday school are expected, and to which patrons of the school are most cordially invited. There will be a program, including music, which has been prepared particularly for the occasion, and the services will begin at 7:30 p. m. sharp.

Following are officers and teachers of the church: Pastor, Rev. Geo. H. Foose; super-

LAKEVIEW GLORIES IN RAILS' ARRIVAL

CELEBRATION PLANS

COMING OF STEAM LINE GREAT CONTRAST TO CONDITIONS OF PIONEERS IN DAYS OF YEARS GONE BY

LAKEVIEW, Jan. 4.—Many visitors from Klamath Falls are expected at the celebration of the completion of the Nevada, California and Oregon railroad from Alturas to this city next Saturday and Sunday. The visitors will be made welcome to every form of hospitality known to the West.

Sunday will be the principal day of the celebration, of which the nature will depend largely on the weather. If there is plenty of snow a grand rabbit drive will be arranged for the amusement of the visitors. Saturday night there will be a smoker at the new court house, and a free dance at Wizard hall. There will be a continuous dinner all day Sunday for the visitors, which will be in charge of the women of the improvement club.

The citizens of Lakeview have determined that the visitors to the celebration shall have every accommodation for their comfort, and have freely placed their rooms at the disposal of the committee on entertainment. Mayor E. E. Rinehart, E. Britton, president of the chamber of commerce and V. L. Snelling are working on the general committee.

The coming of the railroad, bringing its facilities for transportation and travel is a great contrast to the experiences of some of the old pioneers, who had to go to Winnemucca, Nev., a distance of 185 miles, for their mail. For many years they had to haul their freight from 150 to 185 miles by wagons. Twelve years ago, when the railroad was completed to Madeline, a distance of about 100 miles, the residents of Lake county were quite well satisfied with the convenience it afforded, as compared with the freighting facilities of former years. This satisfaction was increased when the distance of hauling freight was reduced to 60 miles. It was necessary in all these years for the merchants to carry immense stocks of goods through the winter, as very little freighting could be done between the months of October and the following May. The charges were high, and it is easy to see what the completion of the railroad to Lakeview means to the residents of Lake county. For these and other reasons the celebration will be the most notable in the history of Southeastern Oregon.

Although it is planned to extend the Nevada, California and Oregon railroad to the northern boundary of Oregon, the officials of the company say that Lakeview will be the northern terminus for many years.

The residents of the county now have rail connection with Sacramento, San Francisco and Reno. In anticipation of the connection with the railroad, Lakeview citizens have expended generous amounts on public and private enterprises. Bonds are issued for a \$60,000 high school building which will compare favorably with any other of its kind in Oregon. A \$15,000 Odd Fellows' temple has been erected, a \$10,000 Catholic

GRAND JURY HAS LAWYER AS PRINCIPAL WITNESS

Federal Attorney Presented Documents Believed to Be Transcripts of Evidence Put Before Los Angeles Body of Inquiry

United Press Service
INDIANAPOLIS, Jan. 4.—Federal Attorney Lawler was the chief witness before the grand jury today.

He presented mysterious documents believed to be a transcript of the evidence presented to the Los Angeles federal jury. He was examined for two hours.

But for an attachment issued against them, a carload of horses bought by F. A. Peach and P. H. Brunzell, horse buyers of Oakland, might have been well on their way to the city on the bay by the time the reader scans these lines. Attorney C. M. O'Neill, representing J. M. Howell of Merrill, attached the horses in connection with a suit entered today by Howell for \$325 and costs. Howell alleges that the two men, who are the firm of Peach & Brunzell, some time ago bought two horses of him and took them, giving him a check for \$325 on an Oakland bank. He put the check through the Merrill bank for collection, so it is claimed, and it was returned unpaid because payment on it had been stopped by the defendants. It is understood that one of the horses bought of Howell died after the buyers took it away, and that this may be used as a part of the defense of the purchasers.

Temple theater, Matinee daily, 2:30 p. m. Evening, first performance, 7:15, continuous.

(Continued on Page 4)

Will Appeal Martin Vs Yaden Case Where Plaintiffs Were Successful

In the case of J. A. and J. L. Martin vs. J. L. Yaden, suit on a contract to carry mail between Fort Klamath and Klamath Falls, the plaintiffs got a verdict some time. Attorney E. L. Elliott asked for a stay of execution. "The question arises in my mind as to what power a court has to stay an execution," remarked Judge Henry L. Benson, sitting on the circuit bench. "I think it is very doubtful whether I have the power to do what you ask, even if it seemed the just thing to do under all circumstances." "I'm willing to wait if you give notice of an appeal, without requiring you to give a bond," was the offer

CHAMBER OF COMMERCE BIG FEED Comes Tonight At White Pelican

This evening at the White Pelican hotel the annual meeting of the Klamath Chamber of Commerce will be combined in a big dollar dinner to be served at the White Pelican hotel. This is the program: Toastmaster, W. A. Delsell. Invocation, Rev. Stubblefield. Secretary C. T. Oliver starts the fireworks with "Relation of Landowner to Chamber of Commerce." James Ezell, "Dairying and Hog Raising." James Pelton, "Future Development of Wood River Valley." Fred Pelton, "Development of Upper Project."

CHAMBER OF COMMERCE BIG FEED Comes Tonight At White Pelican

J. Frank Adams, "What I Know About the Irrigated Sections of Klamath." M. L. Barnes of Dorris, "Our Relation as Sister Towns." James O'Gara, district freight and passenger agent of the Southern Pacific company, "The Railroad and the Farmer." E. O. Johnson, "The Outlook." A. C. Whrona, "Community Interests." W. O. Smith, "The Press." E. J. Murray, "Our Summer Resorts and their Possibilities." Other impromptu speeches will be made.