

## GREAT INTEREST IN LAKE LANDS OF KLAMATH BASIN

(In view of the keen interest that is being manifested in the settlement of the lake bottom lands of Lower Klamath lake and the great value of the development of these lands will be to Klamath Falls. The Herath Lake Settlers' Association, to the president of the Lower Klamath Lake Settlers' Association to furnish it with a detailed statement on the subject. Mr. Wetzel has, for the past four years, been closely identified with the opening of these lands to settlement and is thoroughly familiar with every phase of the subject. His letter, therefore, will be of value to those who have taken up claims or who may later become interested in this property. Owing to its length, it will be necessary to publish it serially, a portion of it appearing each day for the next four or five days.)

The question has very often been asked recently "Under what authority the settlers on the Lower Klamath Basin lands are settling." In answer I will state, that these settlements are being made in accordance with and under the authority of the laws of the State of California regulating the sale of land of this character, and also under their constitutional right.

The State of California has never acquired any title to these lands under the Swamp Land Grant of 1850 but has always held the absolute right and title to these lands by virtue of her sovereignty on account of these lands being a part of the bed of Little or Lower Klamath Lake, which was a navigable body of water. There is quite a distinction between lands of this character and swamp and overflowed lands within the intent and meaning of the grant of 1850. The sovereign lands are the lands below the ordinary high water mark on the shores of navigable lakes and streams as well as the bed. The State has no power to dispose of lands of this character until the water has receded from them. These lands in the Lower Klamath Basin have been annually covered with the waters of the Lower Klamath Lake for a greater part of the year. These waters have now receded and the lands are high and dry. There are now over 140 settlements made on these lands in the Lower Klamath Basin in tracts of 160 acres each. Some of the settlers have planted crops which are growing nicely and wells have been dug on many of the different locations to secure water for household purposes. Mr. George Goldy on Sheepy Creek dug a well 14 feet and it is 11 feet below the surface of the ground to the water. Mr. Frake dug a well on his settlement and it is over 4 1/2 feet below the surface of the land to the water. Mr. Jay on the east end of the Basin has a well and it is over 5 feet below the ground to the surface of the water. These wells are all dug on the lake bed.

This is the land that Swamp Land claimants are trying to have segregated and get a title for as Swamp and Overflowed land under the laws of California. This land is entirely dry and capable of growing crops adapted to the locality and climatic conditions. This land is settled upon by actual settlers who have growing crops thereon. In this Swamp and Overflowed land within the intent and meaning of the grant of 1850, it constitutes swamp and overflowed land? The various decisions of the Land Department of the United States and of the U. S. Supreme Court, as well as the California Supreme Court, have upheld the principle that it must have been swamp and overflowed land at the time of the grant in 1850. Should this land ever become high and dry by the processes of nature or by any means whatever, it loses the character of swamp and overflowed land. These lands in the Lower Klamath Basin were not swamp and overflowed lands in 1850, and are not now swamp and overflowed lands. So in what way can they be brought under the grant of 1850. In order to

be swamp and overflowed land in law it must be land of this character in fact. These lands in the Lower Klamath Basin are no longer covered with water, but are high and dry and as dusty as the noted Lava Beds, which lay but a short distance south and east of the Lower Klamath Basin.

In 1891 the State of California made application to the General Land Office of the United States to have certain land on Sheepy Creek and Oklahoma segregated as swamp and overflowed land. The State's application was rejected, and the lands were decided as lake bottom land by the U. S. Land Department, because they were covered with water a greater part of each year, and a dense growth of Tule, which is only characteristic of Lake bottom lands. It is a well known fact that the Tules will grow only in places where the land is covered with water to the greater part of each year. The entire land under contention in the Lower Klamath Basin are lands in Section 26 of Township 48 North, Range 1 East M. D. M. which was decided upon as Lake bottom Land in 1892 and also other lands in Sheepy Creek and Oklahoma, which were decided as Lake Bottom Land at the same hearing, are more than a foot higher than the lands in the east end of the Klamath Basin while in the service of the Government. His work on the Lower Klamath Basin had extended over a period of many years and his knowledge of the condition of these lands is far superior to that of anyone who had obtained their knowledge only from actual views, as his knowledge was obtained thru the actual views, as his knowledge was obtained thru the actual conditions and surveys and measurements, etc.

The settlers on the lower Klamath Basin are making application to the state of California to purchase this land as recession land, because it is high and dry and was covered with water in 1850, the date of the Swamp Land Grant, to the state of California, and it laid below the high-water mark or meander line of Lower Klamath Lake, a navigable body of water. The classification of this land, like in all navigable lakes and streams, is determined by the navigation of the waters of the lake.

The Supreme Court of California in July 1918 decided a portion of this land which is now under controversy on the east end of the Lower Klamath Lake to be sovereign State Land, because it lays between the high and low water mark of a navigable body of water. It has never been shown that this land does not lay below the ordinary high water mark, as the levels run recently shows that the old established meander line varies from 3 to 6 feet above the level surveyor who run the meander line of the Lower Klamath lake show that these lands were covered with impassable Tule and water, varying from a depth of 15 in. to 4 feet, and in fact, it was impossible as well as impracticable to endeavor to run a segregation survey on any lands in the east end of the Lower Klamath Basin on account of the water and dense growth of Tule.

In 1911 the County Surveyor of Siskiyou county, endeavored to make a survey of the lands on the east end of the Lower Klamath Basin, but in the fall of that year, he found it impossible to make such survey on account of the land being covered with water and a dense growth of Tule. This is a matter of record. Lands of this character are only characteristic of Lake bed land. In 1916 the County Surveyor of Siskiyou County addressed me a personal letter in which he stated, that as it was getting late in the fall of the year and he thought the water would freeze over soon, it would be possible to make a survey of the land included in the number of applications which had been filed in February and March of 1916.

(to be continued tomorrow)

**COAL MINERS BUY BREWERY.**  
LONDON, July 14.—Because the coal miners of Wales can not buy enough beer, owing to the shortage, they are buying a brewery. A company has been formed to purchase an operate it an dthe capital of \$100,000 is being subscribed by various miners' clubs, which are taking out shares in the concern in proportion to membership.

## ROAD REPAIR IS PROGRESSING

**E. WITHYCOMBE, STATE DIVISIONAL ENGINEER, IS PLEASED WITH PROGRESS MADE ON THE ROADS THROUGHOUT COUNTY**

Road repair and building in and about Klamath county is progressing rapidly and every indication points to the completion of the work on the highway as far as Fort Klamath by September or October, according to E. Withycombe, state divisional highway engineer, who is in Klamath Falls at present. Mr. Withycombe is the son of the late Governor Withycombe.

"I'm pleased with the move of the work and the gains we are making each week," said Mr. Withycombe. "The roads leading out from Klamath Falls to Bend, Lakeview and Lamb's Mill have been in bad shape for some time. We hope to have them in fine condition before the winter months make further work impossible."

Work on the road from Klamath Falls to Bend, Lakeview, and Lamb's Mill, a distance of some 18 miles, is under the supervision of the state and county co-operative. Plans will be sent to headquarters in Salem on Wednesday. As soon as they have been approved, bids will be opened for the construction of the highway, according to Mr. Withycombe. It should be finished in late September, barring unforeseen conditions. The improvements on the Bend highway are also under the state and county cooperative department.

The roads will be macadamized and as far as possible crushed rock will be used. Owing to the scarcity of rock and gravel, cinders will necessarily have to be utilized.

## GEORGE STEVENSON BACK FROM FRANCE

After fifteen months of overseas duty with the 23rd Engineers, George Stevenson returned to Klamath Falls last night, where he will be permanently located. Needless to say he is happy to be back in "heaven's country" once more.

Stevenson enlisted in the engineers soon after America entered the war and was sent to Camp Mead Maryland. His organization included men from all over the United States. The 23rd engineers were used mainly in highway construction, according to Mr. Stevenson, although they were on the lines during the Argonne offensive. His honorable discharge was given him about two weeks ago at Camp Lewis.

## STATE CHAMBER OF COMMERCE LEADER HERE ON BUSINESS

"Your resources are stupendous—I often recommend Klamath County to people I meet as the place to settle," said F. S. Bramwell, vice-president of the State of Oregon Chamber of Commerce, who is in Klamath Falls on a visit from Grants Pass.

Mr. Bramwell is president of the Grants Pass Chamber of Commerce and is one of the best known business men in the Southern part of the state. He took a most active part in the development of mineral production during the war period and has always been a great booster in advertising Southern and Eastern Oregon. H. W. Webster, manager of the Copper King Mining company of Grants Pass, is accompanying Mr. Bramwell. He recently visited Crater Lake.

An arrangement has been made by the State Chamber of Commerce to make a canvass of the entire state with the object of finding out the needs and requirements of the different sections. This will enable the State Chamber of Commerce to be of great assistance in the development of the entire state.

Mr. Bramwell will be here the early part of next week in an official capacity.

## HEART OF PARIS BEATS IN GREAT HOLIDAY PARADE

PARIS, July 14.—Not since the signing of the armistice has the heart of Paris beat as it did today. All France, and particularly Paris, celebrated their National holiday in anniversary of the fall of the Bastille and the start of the French Revolution 130 years ago.

The day began with a triumphant march of the Allied and American troops thru the streets of Paris. Over a thousand wounded soldiers from the war led the parade. Marshall Foch, Marshall Joffre and General Pershing joined in the great pageant. The enthusiasm of the vast throngs that swarmed the boulevards of Paris was tremendous. It is estimated that over a million people from the outlying districts about Paris participated in the day's festivities.

## KILLS WIFE, THEN ENDS OWN LIFE

PORTLAND, July 14.—Albert Harris, a shipworker and former saloon keeper, aged 39, shot and killed his wife, Myrtle, in their St. John's home before their children. He then killed himself. Jealousy is given as the cause of his crime. Mrs. Harris was 29 years old.

## THREE INJURED IN CHICAGO.

CHICAGO, Ill., July 14.—Two women, and one man were seriously injured today when strikers at the Corn Products Company at Argo stopped streetcars carrying company guards. Many shots were fired by the strikers and the guards.

## French Statesman Now Head of Council of Four



Stephen Pinchon  
The French foreign minister, Stephen Pinchon, is chairman of the new council of four. The other members are Robert Lansing, American secretary of state; Arthur J. Balfour, British foreign secretary, and Tommaso Tittoni, Italian foreign minister. It is probably that a body similar to the old council of ten will be constituted, but the council of four will continue the work of direction.

## BUSINESS MEN MEET TONIGHT.

The regular banquet of the Business Men's club will be held at 7 P. M. tonight at the White Pelican Hotel. All members of the club are urged to be present.

## CORDOVA, Alaska July 14.—

Cordova yesterday did honor to the memory of Alaska boys who paid the supreme sacrifice in the war by unveiling a concrete monument on Flag Hill. The names of all Alaskans who died in the uniform, either in France or in training camps at home are to be engraved upon a bronze tablet and made part of the monument.

## COURT IN WRANGLE OVER PAVEMENT

Among the matters taken up by the County Court at their meeting Saturday afternoon, was the dispute over the proposed paving of High Street. G. W. White represented the opposition and W. H. A. Renner upheld the side in favor of the paving with a life assessment on all property.

The County Court was concerned in that the High School property faces on High Street and Mr. White asked that they sign a remonstrance to be presented before the City Council. The Court refused to do this since they had never signed a petition for the paving of the street and have always taken a neutral stand on the matter.

The objection to having this street paved and assessed at a like rate comes from persons owning property on the level, east end, of the street. This paving would be inexpensive to the property owners, but those with property on the west end, and hilly, rocky, section will have an expensive proposition on their hands. For this reason people with high grade, level property object to paying at the same rate the west end property owners will have to pay.

Bids that were to have been let for the building of the Merrill bridges and for the concrete addition to the Manual Training department of the high school were postponed until the Monday session of the court.

## DOUGHBOYS EAGER TO LEARN THE LIGHT FANTASTIC TOE

SAN FRANCISCO, Cal., July 14.—Soldiers, sailors and marines who went overseas without a knowledge of how to dance are realizing that they made the mistake of their lives. A veritable dancing epidemic is being noted among the men waiting discharge from the service at Pacific Coast Demobilization points, according to Art Neal, who is in charge of the Knights of Columbus war work at Parkwell Field and other points in Southern California.

Neal has been deluged with requests from men at demobilization points who desire to learn to dance. Many of them, just back from overseas, declare that their whole period of leisure hours was spoiled by the fact that they were unacquainted with the Terschorean art. "If a fellow could dance he could get along with the girls in any part of the world even if he didn't know a word of their language," said the doughboy who was bemoaning his inability to "step" while overseas. "Wall flowers were constantly left out of the entertainment."

Young women instructors are teaching the soldier boys to dance before the regular K. of C. socials, which are usually held twice a week. According to Neal the experiment has been a great success and many ex-service men will go back to their home towns eager to try their newly acquired art.

## SEVEN FIREMEN DIE IN EASTERN FIRE

PHILADELPHIA, July 12.—Seven firemen are reported killed and fourteen others injured in a blaze destroying a five-story warehouse today. Victims were plunged into the flames when the roof and walls of the building collapsed without warning.

## WISHARD VISITING HERE.

Friends of Ensign L. C. Wishard, who has been in the navy for the past six years, will be glad to learn of his return to Klamath Falls for a visit. Ensign Wishard spent four years in China. At the outbreak of the war he was transferred to New York where he made several trips on transports to France. He arrived in town Sunday night.

## GEOLOGICAL MEN HERE.

C. O. Gransfield, in company with F. B. Stowe of Washington D. C., are in Klamath Falls in the interests of the Geological Survey department. Their eastern headquarters are in Washington and they expect to spend a month or more in this county in the interests of the Government Geological Surveys. They will no doubt spend some time in exploring the lava beds.

## VERBAL TIRADES OPEN IN SENATE OVER BIG ISSUES

**League of Nations and the Peace Treaty Discussed**

**PRESIDENT NOT INVIT'D**

**Senate Asks Concerning Secret Treaty Between Germany and Japan—House of Representatives Fails to Pass Agricultural Bill**

WASHINGTON, July 14.—After weeks of discussion, maneuvering and platform speeches by various members of the Senate over the country, the actual flight over the unreserved ratification of the Peace Treaty, with the League of Nations Covenant attached began today.

Senator Swanson, democrat from Virginia, in opening the debate for the ratification, raised the League of Nations in face of many objections. "If the United States rejects the League," said the Virginia senator, "it will mean that she has skunked in the greatest world crisis that has ever occurred."

The Senate took no action on asking President Wilson to appear before them to be questioned concerning the League and the Peace Treaty. However they did report three resolutions calling on the President and the state department regarding the alleged secret treaty between Japan and Germany. The point in question was the protest said to have been made by Gen. Bliss, Secretary of State Lansing settlement, and why Costa Rica was not permitted to sign the Peace treaty.

President Wilson discussed the treaty with Democratic Senators, King of Utah and McKellar of Tennessee. He gave them the impression that the Shantung situation would clear itself, saying that the treaty did not give Japan political rights in Shantung and Kiau Chau, but only economic rights terminating in sixty or seventy years. That it was expedient to yield to Japan on Shantung in order to have Japan as a member of the League of Nations was the opinion of the President.

WASHINGTON, July 14.—Hopes of the Republicans of passing the Agricultural Bill with the Daylight Saving Repeal Rider over the veto of the President were smashed today when the House failed to pass the bill.

Twenty-three affirmative votes were lacking in order to pass the bill by the required two-thirds majority. The count was 247 to 139. The attempt to force the vote on the repeal of the time prohibition also failed in the House. On a point of order raised by Chairman Volstead, of the Judiciary Committee, an amendment to the pending Prohibition Enforcement Bill proposed by Democratic Representative Igoe of Missouri, was raised out of order.

With the daylight saving repeal a dead issue the Agricultural Bill will be passed with the repeal rider eliminated and no effort will be made to pass the repeal as a separate bill. The agricultural district representatives voted for the repeal. There was no division along political lines. Late in the afternoon the House began a fight over the motion to permit the sale of two and three quarters per cent beer offered by Republican Representative Dyer, of Missouri.

## WILSON GIVEN BLACKTHORNS.

DUBLIN, July 15.—Michael Buckley of Clara, who recently presented to President Wilson a number of Irish blackthorn sticks, has received a letter in which the President expressed his appreciation of the donor's thoughtful friendship and says that he will prize the sticks as a very interesting souvenir.