

WATER RIGHTS FOR DRAINAGE DIST. FIXED

County Clerk C. R. DeLap, secretary of the Klamath Drainage district, received yesterday from the United States government, the draft of the contract for the water right of the Klamath drainage district, embracing about 22,000 acres of land in the Worden and Midland precincts. This contract affects lands lying in California which are subject to the terms. Most of the lands affected by this contract are in what is commonly called the lower Klamath swamp.

This drainage project was started some ten years ago by about 60 farmers in the district and many difficulties have beset them as they have had to conform their plans to both state and government acts. At present, the district is working under the state drainage laws of 1915 and approval of the state engineer must be secured before the plans can be placed into operation. About a year ago, the district voted bonds for \$200,000 to complete this project but none have been sold as the water right contract from the government was necessary before sales could take place.

The draft of this contract received by Secretary DeLap was approved as to form by the assistant secretary of the interior on August 9 of this year. It is similar in all respects to the one which the district adopted a few months ago. The present agreement is made under the terms of the Warren act approved in Congress on February 21, 1911.

According to the terms of the contract, the United States government has kept the gates in the channel connecting the Klamath river and lower Klamath lake closed, reclaiming a tract of land in the drainage district of about 22,000 acres, including the portions in California.

The United States government agrees to supply all the water necessary for irrigation during the farming season; to install at its own expense permanent iron gates at place of delivery for the control of water at the opening of the strait. It is stipulated that "beneficial use shall be the basis of and limit of all rights acquired by district and that the water shall be used only for irrigation and purposes incidental thereto."

The Klamath drainage district agrees to pay the United States government \$50,000 in 10 equal installments of \$5,000 each, the first payable the year following the use of water but not later than December 31, 1926. The \$50,000 to be paid by the district is conditional upon the storage works at the outlet of upper Klamath lake being constructed by the California Oregon Power company under the contract between the United States and them on February 24, 1917. Should the storage works be constructed otherwise, then under the provisions of the contract, the quantity of water the district shall be entitled to, shall be in such proportion of the storage works as \$50,000 bears the total expenditure by the government in utilizing upper Klamath Lake as a storage reservoir. Additional water can be secured at a rate to be fixed by the secretary of the interior and his rate is final.

Operation and maintenance charges are based on the cost of regulating the water level of Upper Klamath lake. The district grants the right to the government to enlarge the canals and extend them for the supplying of water to California lands without extra expense to the district. The California lands served will bear proportionate cost of construction prior to enlargement. The California lands must assume all cost of rebuilding bridges over canals for benefit of their lands. The terms of this contract shall inure to the benefit of and be binding upon the successors in interests and assigns of either party.

Wednesday, August 31, the board of directors composed of President M. Motschenbacher, R. C. Zuckerman and L. Jacobs will meet in the court house to consider this draft of the contract and if satisfactory, will sign it for the district. With this con-

Portland Bankers Say Business Is Fast Stabilizing

Marshall Hooper, vice president of the First State and Savings bank, returned last night from a two weeks' vacation with his wife and daughter in Portland. The family also had a pleasant outing at the beach at Seaside.

"Business conditions are looking better," said the local banker. "I talked with a number of bankers in Portland and the general sentiment is that conditions are greatly improved and that business is fast getting down to normal."

"I never was a pessimist regarding the future, foreseeing panics and all that sort of thing," said Mr. Hooper. "But I have returned from the trip very much of an optimist."

MODOC PT. ROAD TO BE SURFACED

State and county will share equally in the \$86,000 cost of improving the six and a half mile grade from Barclay Springs to Lamm's mill and a 37 mile stretch of the Dallas-California state highway north of Sand Creek, according to an order of the county court at last evening's session.

The six and a half mile stretch, grading of which has just been completed by the Warren Construction company, will be gravelled at a cost of \$32,000. At present the surface is covered with loose and jutting rocks, difficult for driving and extremely hard on automobile tires, springs and mechanism.

It is planned to widen the Sand Creek stretch to 60 feet, the center 30 feet to be graded. The approximate cost is \$54,000.

During the two and one-half years that Klamath county has cooperated with the state in a road program, it was announced, 109 miles of roads are building or are proposed have been built in the county at a cost of \$890,000. The county's share of the cost is placed at \$283,000.

A conference last night between Herbert Nunn, state highway engineer, President E. B. Hall and Secretary T. L. Stanley of the chamber of commerce relative to the stretch of road between Ft. Klamath and this city, the state engineer assured them that the worst spots would be filled with gravel and crushed rock and an endeavor would be made to pave a portion near Lamm's mill before the cold weather sets in. At present a roller is being used on the Lamm's mill section.

Brumfield Calmly Adjusts Himself To Jail Routine

PORTLAND, Aug. 18.—Dr. R. M. Brumfield slept well last night. This morning he bathed, shaved and ate a hearty breakfast. A. N. Orcutt, Roseburg attorney, and A. A. Hampson, Portland attorney, conferred with the prisoner in the presence of District Attorney, Neuner of Roseburg, Sheriff Starmer and Deputy Sheriff Webb. The details of the conference were secret, but at its conclusion Orcutt said that no new angles had developed.

Sheriff Starmer announced that Brumfield would be lodged in the Roseburg jail tomorrow. He would not indicate the time of departure from Portland, the time of arrival in Roseburg or the method of transportation. He said he had nothing definite to fear but was taking no chances.

BURNS HEADS NATIONAL BUREAU OF INVESTIGATION
WASHINGTON, Aug. 18.—William J. Burns, head of the Burns Detective agency, was today appointed director of the bureau of investigation of the United States department of justice by Attorney General Daugherty.

tract for the water right made the bonds can be sold, the inspection of the state engineer made and his approval secured. Secretary DeLap stated that prospects were bright for the district now that the water right terms had been submitted.

SITE SELECTED FOR LABOR DAY PICNIC GROUND

The labor unions of this city will celebrate Labor Day, September 5, with a good old fashioned picnic on the west bank of the Upper Klamath lake about six miles from Klamath Falls. Each family who attends this outing will bring along a well filled hamper of good things to eat and hot coffee, free of charge will be served to everyone on the grounds.

There was talk this past week that no celebration would take place this year but the committee after making an inspection of a number of places, located an ideal spot near the Skillet Handle where a good landing can be made with a barge. Also access is possible for autoists. A car can be driven up the west side of the lake to within a quarter of a mile of the location. A path is being cut in the brush for the people to follow from the road to the camp.

Chairman William Conklin, in charge of the entertainment arrangements, states that a barge has been secured which will be pushed up to the camp grounds. Two trips will be made in the forenoon and one in the afternoon. There will be no charge for transportation either way. The barge will be arranged so that dancing can be indulged in by all who care to do so. But the day's diversion will cost no one a cent, and there will be nothing for sale.

The location made by the committee is one where a good view of the lake is obtained and the striking feature is the absence of mosquitoes. This spot has been used as a camp all summer by people from the city and they report that no mosquitoes have annoyed them. This one feature alone would make this camp grounds ideal as most picnic parties this summer have reported that they were annoyed by this pest.

A party of union men will go to the camp grounds this coming Sunday and clear away brush and arrange for the cutting of the path to the highway. The party will be entertained by Chairman Conklin who will take them up in his launch and furnish the "eats."

Local Alfalfa Meal In Market Here

Harry Telford was in town this morning from his ranch on the Merrill road with a supply of alfalfa meal for the local market. Mr. Telford grew the alfalfa and manufactured the meal himself and reports that he is finding quite a market for this product as it makes fine chicken feed as well as good stock food.

The proposed plan to erect an alfalfa meal mill at Midland to manufacture some of Klamath county's surplus crop was announced in a recent issue of The Herald.

Northwest Realty Dealers to Meet

TACOMA, Wash., Aug. 18.—Real estate men of Washington, Oregon, Idaho, Montana, British Columbia and Alberta, belonging to the Interstate Realty Association of the Pacific Northwest, will hold their 1921 convention on Mount Rainier, near here, during four days beginning August 24. Ira E. High of Boise, is President.

A feature of the convention will be a speaking contest between delegates from various cities. Each speaker will be given five minutes to advance arguments why his is the best city in this section for a man to establish his home.

A special message from Herbert Hoover, secretary of commerce, will be read to the convention, and men of national prominence in real estate work will speak.

A feature of the convention is the arrangements that have been made to accommodate delegates who travel in their own automobiles. Camping accommodations in Tacoma and in Rainier National Park have been set aside for these, with running water, cooking and tenting facilities.

FIRST WOOL OF STATE POOL IS SHIPPED TODAY

Fred McKendree of Merrill and J. F. Kamerad of the Malheur district are the first growers to ship their wool under the pooling proposal of the Oregon Wool and Mohair Growers association. McKendree has 5400 pounds for shipment. Kamerad has four or five sacks.

The wool pool organization is sponsored by the state farm bureau and the Klamath county farm bureau is signing up local growers. Contract forms are now available at the office of E. H. Thomas, county agent.

Sixty-five per cent of the wool growers west of the Cascades have joined the pool, said Mr. Thomas today. The association has 1700 members in the state, representing 250,000 head of sheep. This growth has taken place in less than six months as the association was formed only last March.

The association has its own warehouse and grading facilities. The wool is graded under inspection of a licensed government inspector. Mr. Thomas claims that the association's methods of handling the wool eliminates two middlemen's profits.

Growers who join the association sign up for a term of five years. This, it is claimed, puts the organization on a permanent basis, giving the association opportunity to carry its stock over periods of fluctuation.

The campaign for organizing the growers of Klamath county is showing satisfactory results, it was said. Full details of the pooling plan and the benefits promised members can be obtained at the office of County Agent Thomas in the Swanson building.

Klamath's Fruit Crop a Surprise To the Skeptics

The fruit crop in Klamath county this year is proving a surprise to new comers who thought fruit would be a poor investment here. Due to continuous frosts for the past four or five years there has been very little fruit here, but this year every orchard in town and vicinity are loaded to capacity.

Skeptic would do well to visit the Ulrich place on Conger avenue for a glimpse of the four crab-apple trees in the front yard of this city home. They are loaded to the ground, and an interesting feature of one of the trees is, that though originally created as a plain crab, it is now bearing, due to grafting, some of the more select type known as Martha Washington crabs.

Other orchards boast pears and almost every known kind of apple from Gravenstein to Golden Russett. One small apricot tree supplied its owner and many neighbors with a share of its 150 pounds of fruit. Apricots were almost unknown in the Rogue River valley this season.

Farms in the valley, the Latta farm for one, are now bringing home grown strawberries to market and are conceded to have as fine and in many cases finer flavor than berries shipped in. Blackberries and raspberries too are grown to some extent, but not profusely.

BIG CHURCH BUILDING PROGRAM IN SOUTH CAL.

LONG BEACH, Cal., Aug. 18.—Four million dollars will be spent in the construction of new churches within the next ten years in Southern California according to announcement made recently at the convention of the Christian church held here. This sum, it was said, will be distributed among fifty or more churches. One central edifice, however, will be erected in the downtown section of Los Angeles, as the outstanding place of worship in the west. In connection with this Christian church will be maintained a large auditorium, to be neighbored by offices of various missionary organizations.

Financing of the building program has been started, it was announced.

Cementing Siemens Oil Well Today; to Resume Boring Soon

The cement for the Siemens oil well arrived last night and work of cementing the bottom of the hole was undertaken this morning.

Pouring of the cement will take only a few hours said Captain Siemens. It will be allowed to harden and then drilling will be resumed.

The manufacturers of the cement, which is a special brand used in checking the water flow in oil wells, claim that it will set in seven days, but Captain Siemens said the cement in the local well would be allowed to set longer before drilling was resumed to make assurance that it would hold doubly certain.

FLAY FORMER JUDGE ADVOCATE

WASHINGTON, Aug. 18.—Samuel Tilden Ansell, former acting advocate general for the United States army and counsel for Grover Bergdoll, draft evader; Colonel John E. Hunt and Colonel C. C. Crosson, were charged with conspiracy in connection with Bergdoll's escape, today, in a report signed by three of the five members of the special investigating committee.

The report recommended that Ansell be disbarred from practicing in the courts of the nation above whose safety and integrity he placed the power of gold.

The minority report, signed by Representative McArthur of Oregon and Representative Peters of Maine, held that there was no testimony to show improper motives or conspiracy on the part of Ansell.

Representatives Lohring of Indiana, republican, and Johnson of Kentucky and Flood of Virginia signed the majority report.

DIVORCE ACTION

Suit for divorce has been filed in circuit court by Florence M. Roedeger against Carl A. Roedeger alleging cruelty as grounds for her petition.

Member of Commons Wants Kaiser Tried

LONDON, Aug. 18.—Loratio Bottomly, independent, declared in the house of commons that Holland should be called on to surrender the Kaiser. He raised the question of recent trials of Germans accused of acts of violation of the rules of civilized warfare. He said if the administration found itself unable to deal with the matter effectively it should make way for men of sterner stuff.

Flaw in Traffic Law Found in Attempt To Arrest Officer

Effort to secure a complaint against J. J. McMahon, state traffic deputy, for alleged turning with a motorcycle and side car in the middle of a block, was halted this afternoon when City Attorney Duncan failed to find anything in the city ordinance defining such action as an offense. Percy Twombly, driver for a local laundry, who alleged he saw McMahon turn in the middle of the block, sought the complaint before the city attorney.

In the course of his investigations, the city attorney looked up the state law and could find nothing in the statute defining turning in the middle of the block as an offense.

Lawyers are busy this afternoon conning the codes, as it has been generally understood here in the past that turning in the middle of the block was a violation of the traffic laws and it is said that penalties for such driving have been inflicted in local courts.

Regardless of how it is viewed by the law, local drivers say that it is one of the most dangerous practices and more conducive to accident than any other in the driver's experience, and that if no law exists to prevent it one should be passed.

WEATHER REPORT
OREGON—Tonight and Friday, fair; moderate westerly winds.

COURT MOVES FOR SQUASHING OF INJUNCTION

Today is the last day, it is said, for the county court to answer the injunction issued by Judge Calkins of Jackson county, December 31, 1921, forbidding the collection of a burget levy for the completion of the Hot Springs courthouse. It is reported in courthouse circles that F. H. Mills, one of the counsel for the county court, has prepared and answer and that a copy will be filed here late this afternoon. Mills is said to be on his way to Medford today to file the answer with Judge Calkins.

The attorneys for the county court will ask Judge Calkins to set aside the order made last December and cancel the injunction.

If the petition were granted, it is said, it would permit the completion of the Hot Springs building. The injunction was secured on petition of Frank Ward, a tax payer, to prevent inclusion in the current levy of two items, one for \$50,000 for completion of the Hot Springs courthouse, and one for \$40,000 which was designated as a miscellaneous fund.

On March 17, 1921, the county court ordered the elimination of these levies from the tax rolls, and this, it is said, will be one of the grounds for the request for cancelling the injunction.

Another reason is that a special levy was made in 1918, defendants allege, for Hot Springs courthouse construction and is available and not subject to being tied up by the injunction, and in connection with this the county court will advance their reliance upon the recent opinion of Justice Harris in the supreme court, in which he said: "If, however, the county court lawfully proceeds with the construction of the Hot Springs courthouse, then the money collected on the 1918 tax levy can be used for no purpose except the construction of the Hot Springs courthouse."

On July 11, last, the county court, adopted a resolution expressing their intention of completing the Hot Springs courthouse.

Later: The motion for dissolution of the Calkins injunction, in general conformance with the outline above, was filed in the circuit court here at 3 o'clock this afternoon.

Sues to Annul Transfer of Land

Henry K. Jackson, a Klamath Indian living at Chiloquin has filed suit against R. C. Spink alleging that 169 acres of land was secured from him on January 19, 1920, for the sum of \$5000 and that up to date, no payment nor return of the deeds to the two tracts of lands included in the sale have been made.

Jackson alleges that he is uneducated, cannot read nor write or understand the English language and that he has no ability as a business man. Jackson alleges that on January 19, 1920 Spink secured his signature, a thumb print, to two deeds to lands adjoining Chiloquin and that while \$5000 was to be paid as consideration, this sum was not paid him. Jackson asks the court to annul the deeds and prevent the transfer of the property during the period while this suit is pending. Fletcher and Ferguson are Jackson's attorneys.

DAIL EIREANN IN SECRET SESSION DEBATES REPLY

DUBLIN, Aug. 18.—Debate on the reply of the Irish parliament to the British government was begun today in executive session. There is a general belief that the Dail Eireann will not break off negotiations but will take action toward securing the co-operation of Ulster.

MARKET REPORT

PORTLAND, Aug. 18.—Cattle steady and unchanged; hogs \$0 to 75 cents lower, prime light \$11 to \$11.50; sheep steady, east of the mountain lambs \$8 to \$8.50