

CLOSING OUT

THE BOSTON STORE is going out of business and in order to dispose of the stock quickly, EVERYTHING IS REDUCED TO ROCK BOTTOM PRICES.

BENSON TO FEDERATION

The Judge Delivers an Eloquent Address to the Civic Organization

Houston's opera house was filled Friday night with our citizens who had been invited there by the Civic Federation to hear an address by Circuit Judge Benson on "What May Citizens do to Aid in the Enforcement of the Law."

G. W. White, president of the Federation, in a few appropriate remarks introduced the able orator of the evening who, reading from manuscript, said:

Mr. President and Gentlemen of the Civic Federation:

I have been honored by a committee from your organization with an invitation to address you this evening upon the subject suggested by the committee themselves, and this subject is the question: "What may citizens do to aid in the enforcement of law." In as much as this subject has been suggested by your Federation, for a discussion before your Federation, I take it that what is meant is "Citizenship in the aggregate," or rather, "Organized Citizenship," and, therefore, in the first instance, I shall take up the question of what organized citizenship, in the form of a Civic Federation, may do to aid in the enforcement of law.

Organizations, such as yours, are not a new thing in self-governing communities, and for many, many years, at varying intervals of time, such bodies have been created by good citizens for the purpose of more rigidly enforcing the law, and more perfectly restraining the lawless. In nearly, if not all instances, they have accomplished much good; their weak points lying in the fact that in too many instances they have been the creation of an impulse, guided by men inspired rather by zeal and a sudden enthusiasm than by calm, dispassionate judgment. The result has been that after a few spasmodic, and more or less illogical efforts, they have fallen to pieces, not from lack of merit, but from the lack of an abiding purpose, and a consistent motive power behind them. In too many instances they have permitted their organizations to fall under the control of men who sought to use them for the advancement of their own secret, selfish, political purposes and aggrandizement: in too many instances they have fallen under the blight and control of the lawless themselves, and have been turned from their first, clean, honest and worthy purpose into channels which lead in the opposite direction. This organization of yours, by reason of the character of the men whose names appear upon its roll call, is starting out under peculiarly auspicious and hopeful surroundings. Its motives are evidently those of a pure and upright desire to maintain good citizenship, and to aid the public officers in the performance of public duties; to develop a clean moral sense in the community; to raise the moral tone of the community, and to put civic affairs upon a higher plane than they have hitherto been. These are worthy purposes, and the development of a noble ambition, an ambition which cannot but meet the approval and the hearty co-operation of all good citizens. Such an organization as yours, if properly safeguarded alike from the machinations of the lawless, and the intemperate zeal of blundering friends, can and will accomplish an inestimable good to the community in which it works; but if you permit it to be dominated by men of narrow views, by men who are riding hobbies, by men who seek to use it for the furtherance of their personal and selfish ambitions, it will not only cease to become a blessing to the community, but it will become, on the contrary, so much of a curse that it will eventually perish from the inherent weakness of its own evils.

As to what may be done by such an organization, living up to the lofty ideals which prompt its organization, it may be well to remind you, and for us all in fact, to keep in mind the truth which is known to those who have had much experience in the enforcement of the law, "that the stream can rise no higher than its source," which truism, applied to the enforcement of law against crime, means something like this: That a law can not be enforced successfully in any community wherein the average sentiment of the community is not as high in its ideals as the moral tone expressed in the law itself. To illustrate what I mean by this, let us take the so-called "Sunday Laws." In many communities, the Sabbath, as a day of rest, is generally disregarded; and where the average public sentiment is indifferent to the observation of the day, you may have statutes upon the statute book, and ordinances without number, you may have honest and efficient officers of the law, and yet all their efforts to enforce such laws will be futile and unavailing. I recall, by way of illustration, an incident that came under my own observation several years ago. Several of the good citizens of a growing town in Oregon went to the district attorney and demanded that the law against doing business on Sunday be enforced. Upon consultation with these citizens, the prosecuting officer discovered that the enforcement of the Sunday-closing act was not designed to apply to, or affect

the merchants of the city, (who at that time were treating Sunday as an ordinary commercial day), but that it was to be enforced solely against the liquor dealers of their municipality. The officer undertook the task. With their assistance he acquired the necessary evidence of the violation of the Sunday law upon the part of the saloon men of the city, on a particular Sunday, and on the following Monday morning he caused the arrest of every saloon proprietor within the municipal corporation limits. Each of them, of course, demanded a jury trial, and while the district attorney waited at his hotel for the summoning of the jury in the first case, he was waited upon by a committee of the merchants of the town, who warned him of political vengeance, and the baffling of all his ambitions, in case he persisted in this prosecution. He showed them the law, reminded them of his oath of office, and went ahead with the trial. The jury was drawn from the regular panel, in the manner prescribed by law, and were, apparently, a group of representative good citizens. The evidence presented to them was clear and convincing, to the effect that the defendant had willfully disregarded the law which required him to keep his place of business closed on Sunday. The jury, after an absence of ten minutes, returned a verdict of not guilty. This verdict was received by a crowded audience with rounds of applause. A second and a third trial followed with the same result, and the prosecuting officer, recognizing that he was up against an average public sentiment in opposition to the enforcement of that particular law, abandoned the unequal struggle.

Again, those of you who have been reading the daily papers for the past few weeks have learned that the law and order forces in the great City of Chicago have been making a supreme effort to enforce the same law there, and with the same disastrous result. The jury returns a verdict of acquittal. Now, in the use of this illustration, I do not wish to be understood as saying that these efforts at the enforcement of an unpopular law were a failure. It may be that in their effect and influence upon the public conscience they may have accomplished lasting good. But, I do want to impress upon your mind the thought that it is unfair to demand impossibilities from your public officers. And, further, that when such a condition confronts you, the duty before you is manifest: that is, to create a public sentiment that will render the enforcement of the law possible.

Whether or not the people of our county, upon an average, have reached a moral tone sufficiently high to render practical the effective enforcement of any law is a question which can only be determined by an actual test resulting from the prosecution of an established violation thereof, but such efforts, even though they be barren of immediate, satisfactory results are, nevertheless, a step in advance, and mark a degree of progress, consequently must necessarily have their educational influence upon the community at large and, in this connection, permit me to suggest that such an organization as yours, educational necessarily as it must be in its character, cannot afford to be inconsistent. If it demand that one citizen shall obey the Sunday law, it should with equal energy and force demand that every citizen shall obey the Sunday law; if it insist that one man shall not steal, it must by the inevitable logic of moral law demand that every citizen shall refrain from theft; if it shall insist that one man shall not give liquor to minors, by the same rule it must demand that all citizens shall refrain from giving liquor to minors; if it insists that one man shall not gamble, it should by the same rule demand that all citizens shall refrain from gambling; if it insists that one criminal law shall be enforced, by the same inflexible logic it must demand that every criminal law, whether a wise or unwise one, shall be enforced to the utmost limit, until the unwise ones are eliminated by repeal. An organization like this, gentlemen, cannot, in the very nature of things, temporize with crime or lawlessness, and this brings me to the question in detail which has been presented me by your committee for this discussion. "How may the citizen aid in the enforcement of the law?" This calls for still more serious consideration, and very careful deliberation, and I must say in passing that he gives no aid to the enforcement of the law who rails against the public officers whom he helped to choose, that he gives no aid in the enforcement of the law who babbles in ill-considered rhetoric, in public declamation, against the moral tone of the community in which he resides, and sends broadcast throughout the land the mistaken impression that his own community is the wickedest and most lawless aggregation of human beings within the State. You may take it as a general proposition that the people have considered with fairly accurate wisdom what they were doing when they elected the men whom they have chosen to enforce the laws of the land, and that, therefore, it may at least be said that these men who have been elected to public office represent the average public sentiment of the communities in which they dwell, and that they are at least an average of intelligence and honesty of purpose, and that if crimes are still committed during their incumbency it is barely possible that it is not their fault, but the result of the timidity and cowardice of the average

citizen, who, knowing that a crime has been committed fails to report the same and register complaint with the proper officer. It is always to be remembered, for instance, that the district attorney is not an official detective; that the city attorney is not an official detective. It is not to be presumed that he frequents haunts of vice and places where lawlessness abounds. On the contrary, he has been selected, presumably, among other things, by reason of the fact that he is a good citizen, a law-abiding citizen, a man without habits of dissipation, a man with clean ideals, a man with the courage of his convictions, a man who will faithfully perform every duty that presents itself to him under his oath of office; and when you know of a crime that has been committed, and observe no prosecution upon the part of the public prosecutor, did it ever occur to you that it was barely possible that the neglect to prosecute rests rather upon your silence than upon any dereliction of duty upon his part?

It must also be remembered, gentlemen, that it is not the part of good citizenship to reiterate street rumor of lawlessness and crime without any justification in the shape of definite and reliable data. It will not do for members of this organization to go up and down the community reiterating the formula of the scandal monger "they say;" it should be only what you, individually, say; and you should say nothing that you do not know to be true. It is a well established legal principle that he who testifies to that which he does not know to be true is as guilty of perjury as he who testifies to that which he positively knows is not true. It is useless for members of this organization to go up to the public prosecutor and demand an indictment, or an information, or complaint, against any individual charged with the commission of a crime upon hearsay, and if you go up and down the streets charging John Doe or Richard Roe with having committed a specific crime without any definite knowledge which you could reiterate under oath of the commission of such crime, how much better are you than the commonest gossip or scandal monger of the community? It is not sufficient to go to the prosecuting officer with a statement that Bill Jones told you that Tom Brown told him that Billy McGee told him that John Doe violated the law, but it is necessary for you to go to the district attorney, or city attorney with the statement, "I know." "I saw this or that violation of the law." If you believe that gambling is carried on in violation of the statute, or an ordinance, it is your duty as a good citizen to investigate for yourself, and to be prepared to say to the officer, "I saw John Doe violating the law;" "I saw Richard Roe selling liquor without a license;" "I saw Richard Roe keep open his place of business for the purposes which are forbidden upon that day, on Sunday; a specific Sunday." It is necessary for you to be able to do this, or to know through witnesses, whom you know are available and reliable, such circumstances as would be admissible to a jury, and would tend to establish, beyond a reasonable doubt, the truth of the charge you make. Remember that these officers can not prosecute a man upon hearsay; remember that no court in this enlightened land of ours can permit a jury to hear the statements of men's suspicions and guesses and speculations as to what their fellow citizens may or may not have done, and, therefore, it resolves itself into this: That a good citizen, who seeks to aid in the enforcement of the law, can accomplish that purpose only by furnishing to the proper officers the necessary facts which tend to establish the commission of the violation of a law by such evidence as courts may receive, and permit to go to a jury as tending to prove the commission of a wrongful act.

There is another suggestion which I desire to call to your attention with much emphasis, and that it is this: Whenever you know of crimes committed within the corporate limits, which are prohibited by municipal ordinance, you should take the prosecution of such offenses to the police court of the city, and not into the state or county courts, for it is certainly unjust, (to say nothing of the spirit of the law) for a municipal corporation to saddle its troubles and expenses incurred in maintaining law and order upon outside citizens and tax-payers who derive no immediate benefits from such corporation.

In addition to this, however, it may be said that the citizen may aid in the enforcement of the law by his example, by his own unswerving and faithful obedience to the law, and a fearless, brave denunciation of the violator of the law; not in any public speeches, not in print, but in the personal interview with the officer whose duty it is to punish the lawless.

Finally, my friends, there remains the greatest, grandest and finest of all duties of good citizenship; that of an honest, earnest, patient, continuous effort at the education, refinement and uplifting of the community in which one resides, and if the members of this organization, each for himself, will do his part, not in a railing, complaining or fault-finding spirit, but in kindly, zealous, never-ceasing efforts to uplift the community in which he resides, and to uplift the moral tone of the community in which he resides, and to direct the youth of his community into higher and better planes of living, and to loftier ideals of human life, its purposes and accomplishments, your or-

NOTICE TO THE PUBLIC

CHANGE OF TIME

Klamath Lake R. R. Co.

Effective Thursday, January 16, 1908

DAILY

Leave THRALL after arrival of Trs. 15 and 16 on S.P.R. 3:00 p. m.
Arrive KLAMATH SPRINGS, 4:07 p. m. POKEGAMA, 5:05 p. m.

Leave POKEGAMA at 6 p. m.
Arrive KLAMATH SPRINGS, 7:05 p. m. THRALL, 8:20



In connection with the Straw-McIntire Stage Company

All daylight between Klamath Falls and Pokegama

Comfortable Stages will leave Klamath Falls and Pokegama Daily

at 6 a. m.

Fare in either direction between THRALL and KLAMATH FALLS **\$5.50**

Through Tickets on Sale at Thrall, Cal., and at the office of the McIntire Transportation Co. at Klamath Falls

Passengers who miss connections with S. P. trains at Thrall by reason of delays either on the K. L. R. R. or above Stage Line, will be entertained free of charge at the Hotels either at Thrall or Pokegama until connection is made.

FARE Klamath Falls to Weed, via Thrall and Pokegama, **\$6.75**

SAVE YOUR MONEY BY GOING THIS WAY

Telephone FREE OF CHARGE for Pullman Reservations at Thrall

ganization will be one of the greatest elements that can be conceived, or dreamed of, for the development of the cleanest and finest that can be imagined of human communities.

In your honest effort to bring about this result, gentlemen, I bid you God-speed.

Public Library

The Free Public Library is open every evening from 6:30 to 10 o'clock; and Saturday and Sunday afternoons from 2 to 5:30 o'clock. A cordial invitation is extended to all.

Grieg as a Schoolboy.

Grieg, the noted composer, was not a pattern schoolboy. In a description of his days at school he wrote: "Knowing that by arriving late I would not be allowed to enter the class until the end of the first lesson, I used, on wet mornings, to stand under a dripping roof until I was soaked to the skin. The master then sent me home to change my clothes, but the distance being long this was equivalent to giving me a discipline. I played this prank pretty often, but when at last I carried it so far as to come one day wet through, though it had hardly rained at all, they became suspicious and kept a lookout. One fine day I was caught and made an intimate acquaintance with the birch."—St. James' Gazette.

A Peculiar Cold.

Sims Reeves had been announced to sing at a small public dinner at which Dickens presided, and, as happened not infrequently, Sims Reeves had something the matter with his throat and was unable to attend. Dickens announced this, and the announcement was received with a general laugh of incredulity. This made Dickens very angry, and he rose manfully to the defense of the delinquent. "My friend, Sims Reeves," he said quietly, "regrets his inability to fulfill his engagement owing," he added, with caustic severity, "to an unfortunately amusing and highly facetious cold."

Large Doings.

On Long Island a hundred and more years ago there was fox hunting for three days during the season, and the biography of Catherine Schuyler contains the following apt lines from the pen of a witty woman whose name remains unknown:

A fox is killed by twenty men.
That fox perhaps had killed a hen.
A gallant act no doubt is here.
All wicked foxes ought to fear.
When twenty dogs and twenty men
Can kill a fox that killed a hen.

School Lands

Department of the Int. for, United States Land Office, Lakeview, Oregon, Dec. 28, 1907.
Notice is hereby given that the State of Oregon has, under the provisions of the Act of Congress of August 14, 1888, and the acts supplemental and amendatory thereof, made application for the following described unappropriated, non-mineral surveyed public land as indemnity for losses to its grant for common school purposes, to-wit:
Lot No. 242, for ne1/4 Sec. 25, Tp. 33 S., R. 14 E.; ne1/4 Sec. 25, Tp. 33 S., R. 14 E.; ne1/4 Sec. 25, Tp. 33 S., R. 15 E.; and ne1/4 Sec. 25, Tp. 33 S., R. 15 E., W. M.

Any and all persons claiming adversely the above described lands are requested to file in this office their said claims on or before the 21st day of February, 1908.
J. N. WATSON,
12-1-30
Register.

Guardian Sale of Real Estate

By virtue of an order of sale duly made and entered by the County Court of the State of Oregon, for the County of Klamath, on the 17th day of September, 1907, authorizing, hearing and empowering me, as the guardian of the persons and estates of Mary Parkinson, and Frank Dewey Parkinson, minors, to sell at private sale and the right, title and interest of said minors in and to the following described real estate, situate in the County of Klamath, State of Oregon, to-wit: An undivided two-sevenths, being an undivided one-seventh interest each, (subject to an unassigned dower interest therein) in and to the south half of the south-west quarter of the northeast quarter and lots one (1), two (2), three (3), four (4) and five (5) of section twenty-eight (28); the north half of the southwest quarter; the southwest quarter of the southwest quarter, and lots one (1) and two (2) of section twenty-seven (27), all in township thirty-nine (39) south, range seven (7) east of the Willamette meridian, containing 652.50 acres, I will, from and after the 17th day of January, 1908, proceed to sell and continue until sold, to sell at private sale for cash in hand, subject to confirmation by the abovesaid Court, all the right, title and interest which the said minors, or either of them have in and to the said premises.

Applications for purchase may be made to O. A. Stearns, Klamath Falls, Oregon, and to Nina Parkinson, guardian, Palo Alto, Cal.
Dated and first published Dec. 28, 1907.
MRS. NINA PARKINSON
Guardian of the persons and estates of Mary Parkinson, and Frank Dewey Parkinson, minors.
12-26-16

Beware of Ointments for Catarrh That Contain Mercury

As mercury will surely destroy the sense of smell and completely derange the whole system when entering it through the mucous surfaces. Such articles should never be used except on prescriptions from reputable physicians, as the damage they will do is ten fold to the good you can possibly derive from them. Hall's Catarrh Cure, manufactured by F. J. Cheney & Co., Toledo, O., contains no mercury, and is taken internally, acting directly upon the blood and mucous surfaces of the system. In buying Hall's Catarrh Cure be sure you get the genuine. It is taken internally and made in Toledo, Ohio, by F. J. Cheney & Co. Testimonials free.
Sold by Druggists. Price, 75c per bottle. Take Hall's Family Pills for constipation.

BELMONT FEED YARD

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Opp. Martin Flouring Mill
Wood, Posts, Shakes

Horses boarded by the day, week or month.
Fine livery teams at reasonable rates
Grain and hay for sale—Hay baled or loose.

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General Blacksmithing and Wagon Work
Livery and Feed Stable Both Saddle and Driving Horses
Phone 456 CHAS. R. BALDWIN Klamath Falls

The Modern Laundry

Discard the use of leaky wooden wash tubs, quit carrying clean water in and wash water out, by fitting your Laundry with

"Standard" Laundry Trays

If your Laundry is not modern, don't you think it should be? If you make it so, the household duties will be pleasantly performed, and in case you wish to sell your home it will increase the selling value. Let us give you prices.

H. BOIVIN, the Plumber, Agent,
PHONE 396
Klamath Falls, Oregon