

COUNTY COURT

(Continued from last week)

Court met pursuant to adjournment, when the following proceedings were had:

In the matter of refunding money paid for Tax Certificates of sale to Fred Melhase:

It appearing to the Court that lots 1, 8, 9, and 16, Section 7, Tp. 25 South of Range 11 E. Wm. is not owned by anyone, and is still Government land, and has been sold to Fred Melhase for taxes, amounting to \$18.56;

It is therefore hereby ordered that the money be refunded, and the Clerk is instructed to draw a warrant on the General Fund in favor of Fred Melhase for the amount of \$18.56 and interest at 5 per cent for one year, amounting to \$19.50.

The following General claims were allowed and warrants ordered drawn on the General Fund for the same:

Table listing various court fees and amounts, including Silas Obenchain, R. S. Moore, T. F. Nicholas, John G. Schallock, etc.

In the matter of the petition of Hot Springs Imp. Co. and W. A. Wright, et al. for a county road.

This matter coming on to be heard on report of W. T. Shive, Gus Melhase, and M. D. Williams, constituting a Board of County Road Viewers heretofore appointed by this Court upon the application of W. A. Wright and Hot Springs Improvement Co. for the laying out and establishment of a County Road on the following described route:

Beginning at section corner common to sections 28, 29, 32 & 33, Tp. 38 S., R. 9 E. W. M. Ran easterly along section line between Secs. 28 & 33 to 1/4 section corner for 80 ft. right of way, being 50 ft. on north side and 30 ft. on south side of section line. Thence continuing east 0.51 ch. to a point. Thence N. 54 deg. 05 min. E. 2.27 chs. to a point where the center line of bridge extended would intersect the easterly line of right of way of U. S. Reclamation Service Canal. Thence N. 47 deg. 00 min. E. 8.64 chs. to a point. Thence N. 14 deg. 00 min. E. 4.55 chs. to a rock marked "A-R" at the intersection with the old county road to Ft. Klamath. Said last point being terminus of new road, being 30ft. on either side of above described center line from 1/4 section corner above mentioned.

It appearing to the satisfaction of the Court that the proposed road has been viewed, surveyed, marked and laid in all respects as required by law and the line called for in the deeds of right of way heretofore made and filed by the applicants and owners of lands over which said road will pass; that said road is located on a practicable route and is necessary for the convenience of the public and that said road should be established and that no protest has been made and no claim for damages filed and all matters and things appearing regular;

It is therefore ordered that the viewers report be in all things approved, that the said application be and the same is hereby granted; that said road as surveyed and located is hereby declared to be a county road on the route above described and that said report and field notes be recorded and that said road be platted in the proper records of Klamath County and that an order issue to proper Road Supervisor to open said road.

In the matter of a bounty for Cougar Scalps:

It appearing to the satisfaction of the Court that it would be to the best interests of the County to have a bounty on Cougar scalps;

It is therefore hereby ordered that a bounty of \$10.00 be allowed on all cougar scalps taken in Klamath County after Jan. 10, 1908, until otherwise ordered, provided that said scalps are presented to the County Clerk and the person presenting them making the proper affidavit.

In the matter of the petition of M. F. Parker, et al. for a franchise.

This matter coming in at this time, and it appearing to the Court that the petition was indefinite in regard to the construction of telephone lines and poles and also in regard to where lines are to be constructed, and all references to time should be denied;

The Court therefore denies the franchise.

WHEREUPON, Court adjourned, until Friday, January 10, 1908, at 9 o'clock A. M.

J. B. GRIFFITH, County Judge
FRED MELHASE, Commissioner
W. A. WALKER, Commissioner

(Continued next week)

The Illinois Republican State Central Committee has adopted resolution endorsing Joseph Cannon for the Presidency.

Corporation Acquitted

George Biehn was then called and testified as follows: "I went to the saloon after the fight; Corpron told me Johnson had hit Schmidt and knocked him down and then threatened to clean out the saloon. When Corpron started towards him, Johnson turned and ran; that he injured his eye either by running into something or falling on the broken cue."

Henry Jensen was then called and stated that he was in the Klamath bar when the trouble started; was standing at the bar talking to John Schmidt, when Johnson hit Schmidt with the cue; threatened to assault him and clean out the saloon; Johnson turned and ran out doors; did not see a broken cue.

C. B. Crisler was then called and stated that Johnson came to his place of business Christmas eve about 7 o'clock and purchased some meat; he was "tolerable drunk" as he turned to go out he fell on the floor.

Ludwig Biehn was the next called and stated that he was tending bar at the Klamath bar at the time of the trouble; said Johnson came in; he took a drink; went to rear of saloon; returned to the bar again; saw him strike Schmidt; broke the cue; Johnson then started for the door, followed by Corpron and Petersteiner; saw nothing in Corpron's hand.

Willie Page was then called and stated he was with his mother Christmas eve; heard the disturbance at the Klamath bar; saw two men come out of saloon; saw nothing in the hands of the men.

E. J. Hawkins was then called and stated he was playing solo when the trouble occurred; saw Schmidt fall; Corpron and Petersteiner followed Johnson out door; saw the door open; Corpron and Petersteiner were five or six feet behind Johnson; heard no trouble at the door. Court adjourned until 9 o'clock Thursday.

Court convened at 9 o'clock.

Harry Stiltz was the first witness called and testified to Johnson being in his place on the evening before Christmas; that he was drunk and fell on the floor. No cross examination.

Louis F. Titus followed Mr. Stiltz and described the scars on the inside of the Klamath bar, expressing the opinion it was done with an iron bar.

Frank Corpron, the defendant, then took the stand. Stated he was born in France 25 years ago; served in the army under Miles in Porto Rico; been here about a year; worked for Mr. Hopkins; also Henry Anderson of Merrill; paper maker by trade.

"I was in the Klamath bar on the evening of December 24; was playing solo when trouble occurred between Schmidt and Johnson; Johnson threatened me with a cue; I grabbed a chair and Johnson started for the door. I thought he had stabbed Schmidt and wanted to detain him. He was out of the door when I got there. As I got out of doors Johnson was lying in the mud. Petersteiner came up then and Johnson kicked him on the shin. Petersteiner hit him across the legs; I told him not to do it and he replied: 'I would not hit him if he had not kicked me.' Johnson shouted, 'you're killing me; help; murder.' I pulled him onto the sidewalk and Mr. Hart helped me carry him into the saloon. I did not see the cue until after the trouble."

The witness underwent a searching cross examination, without varying his testimony a particle.

The defense rested with Corpron's testimony.

A. L. Leavitt was called by the state in rebuttal for the purpose of showing that Johnson made a statement that the bartender at Biehn's saloon inflicted the injury, in contradiction to the testimony given by Robt. Casey. He so testified.

Lucius Emerson was the last witness called. He stated that Ludwig Biehn told him he took the cue away from Johnson and put it up. On cross-examination he stated he did not see him do it.

It concluded the taking of testimony and court adjourned until 1:30, when the counsel will begin their arguments. This will probably consume about five hours. The judge will then give his instructions to the jury.

When court convened at 1:30 every seat in the court room was occupied and the aisle crowded. Everyone was on the tip-toe of expectancy, and when District Attorney Moore arose to address the jury, the silence of a tomb prevailed. The long struggle was nearing an end and the final effort to be put forth by counsel on each side would be the greatest in their lives.

District Attorney Moore called the attention of the jury to the solemn duty they had to perform; the necessity of dispassionately reviewing the testimony. He then went over briefly the testimony of each witness carefully bringing out the salient points of the evidence. He was followed by Attorney Smith. This is the first time Mr. Smith has addressed a jury, and in his effort he covered himself with glory. His plea was reasonable, conservative and to the point. He dissected the evidence witness by witness, bringing out the salient points with force and telling effect. It was an able effort and merited the congratulatory given him.

He was followed by Attorney Noland. Never was he in better form. He is recognized as one of the ablest attorneys in the state and this reputation is well deserved.

Mr. Noland for nearly an hour held the close attention of the jury as he went over the case point by point, advancing very ably the theory of the defense, that Johnson inflicted the injury on himself. Following Mr. Noland, Assistant Prosecuting Attorney Stone made the closing argument for the state.

In his talk to the jury Mr. Stone insisted that the jury proved conclusively that Corpron was guilty of inflicting the injury that caused Johnson's death. He dwelt particularly on the statement made to Mrs. Johnson and Mr. Hixon and backed it up with the corroborative testimony of the state's witnesses. He held the close attention of the jury from beginning to end. His address was a masterful effort and reflected much credit on him as a lawyer and orator.

Following the close of Mr. Stone's remarks the jury was excused to await the arguments on the instructions to be given by the jury. The defense asked, and the state approved, that the jury give the same weight to Johnson's statement that it would give to the testimony of a witness on the stand.

The jury on the Corpron murder trial after being out less than an hour Thursday returned a verdict of "not guilty." Only two ballots were taken, the first one standing 10 to 2 for acquittal.

When court convened this morning the securing of a jury for the Petersteiner case was taken up. Out of the panel of 22 jurors only one man was selected. The court thereupon adjourned until 1 o'clock Tuesday and ordered a special venire of 25 men summoned.

The president has signed a proclamation creating addition amounting to 600,000 acres to the Modoc national forest, in Northwestern California. All the lands put within the forest by this proclamation are in Modoc county, except a small area in the northern part of Lassen county.

Letter from Mayor

To the Officers and Members of the Civic Federation.

Gentlemen:—I regret very much that circumstances, which could not be foreseen, will prevent me from accepting the very cordial invitation extended by your committee to myself and the city council to be present at your meeting Thursday. I wish to assure you, however, that the efforts of your body, or any other body organized for the purpose of improving our financial and civic conditions, will certainly have the most hearty support of myself and the city council.

The gentlemen of the council and myself have thought a great deal of the matter of bringing into our city's limits the outlying townsite additions, and have also discussed various other plans to improve our city's finances, and among other plans the one of bonding the city for sufficient money to pay up all our outstanding bonds and general warrant indebtedness, build a new sewer system and do any and all necessary improvements.

This would place us in a thoroughly practical position in such matters as would be raised by a sewer assessment on the many lots abutting on and adjacent to each sewer main and laterals, could be placed in a separate fund to be allowed to accumulate, and the same, with other moneys which could be raised by levy for the purpose of a sinking fund each year, together with interest on same through any safe investment, would in a few years pay up all our debt. This method, with or without, and more particularly with the additional revenue derived from the increased assessments, should the outlying townsites come in, would in my estimation settle the financial question for all times to come.

While this is only a suggestion at this time, it is my intention to take the matter up thoroughly with the city attorney as soon as he can get leisure from his court duties, and will then be in better condition to go into detail on the subject, but I am of the opinion that both the matter of bonding the city and bringing into our corporate limits the outlying townsites, will be a matter for the people themselves to decide, and it may require an act of legislature to get the outside townsites with us. I am not in favor, however, of bringing in any townsite addition with any reservation to retain control of their streets, lights, etc., which I understand, is one of the conditions of dedication in the case of the Hot Spring Company. As far as I am concerned, they would have to come in without any conditions, and would be governed completely by the one city government.

The Civic Federation could be of material help in such matters, and if such measures be put to a vote of the people, would be a strong factor in the matter of all the elections for representatives to the general city improvements of our city. Nothing can be gained however, by discussion in general at the present time, and I would suggest that your honorable body appoint a permanent committee of three or five, to look this matter up thoroughly and confer with the city council from time to time, and I venture to say that such good may arise from such action.

With reference to the matter of irrigation of our city, I would suggest that the government officials work out some definite plan of action and make the people a proposition of some kind. It is my belief that many are in favor of irrigation by the government, and it would seem that some plan could be devised satisfactory to our citizens.

The city council sits on the 1st and 3d Mondays of each month, and I would be pleased to receive any committee who might wish to favor us with their presence, and should anything develop of sufficient importance to the general public to justify, I would be glad to attend a special meeting of the council to confer with you. Yours Respectfully,

B. Sr. Geo. Bisnor.

CANDIDATES' COLUMN

County Assessor

Lorella, Oregon, Feb. 1, 1908. I hereby announce my candidacy for the nomination of assessor, subject to the action of the republican voters at the primary election, April 17, 1908. R. C. COWLEY.

I hereby announce myself as a candidate for nomination on the Republican ticket for County Assessor, of Klamath County, subject to the decision of the voters at the primary election. BERT E. WITHROW.

I hereby announce myself as a candidate for the Republican nomination as Assessor of this county, subject to the will of the voters at the primary election, April 17, 1908. E. W. GOWEN.

I hereby declare myself a candidate for the nomination for county assessor on the republican ticket, subject to the decision of the voters at the primary election, April 17, 1908. S. B. GARDNER.

County Clerk

I hereby announce my candidacy for the office of County Clerk, subject to the Republican Primaries of April 17, 1908. C. K. BRANDENBURG.

I hereby declare myself a candidate for the nomination for County Clerk on the Republican ticket, subject to the decision of the voters at the primary election. C. R. DeLAP.

I hereby announce myself as a candidate for nomination to the office of County Clerk, subject to action of Democratic voters at the primary election. W. A. DELZELL.

County Commissioner

I hereby announce myself as a candidate for nomination to the office of County Commissioner, subject to the decision of the voters at the Republican primary election, to be held April 17, 1908. C. J. SWINGLE, Lorella, Ore.

State Senator

I hereby submit my name to the Republican voters for joint senator from Klamath, Lake and Crook counties at the primary election to be held April 17, 1908. Having faithfully represented this district in the last session of the legislature, and since the senatorship has, for this term, been conceded to Klamath, I again ask for the favorable consideration of the voters of this Senatorial district. Respectfully,

Geo. H. MERRYMAN.

I hereby announce myself a candidate for joint Senator from Klamath, Lake and Crook counties on the Republican ticket, subject to the decision of the primary election. L. F. WILLITS.

I hereby announce myself a candidate for joint Senator from Klamath, Lake and Crook counties, on the Republican ticket, subject to the decision of the primary election. H. L. HOLGATE.

County Sheriff

I hereby announce myself as a candidate for the nomination on the Republican ticket for the office of Sheriff of Klamath County, subject to the decision of the coming primary election. W. B. BARNES.

Oleme, Ore., Feb. 1, 1908. I hereby declare myself a candidate for the office of Sheriff for the consideration of the Republican voters at the primary election. B. S. GRIGSBY.

I hereby announce my candidacy for the nomination of Sheriff of Klamath County, subject to the action of the Republican voters at the primary election, April 17th, 1908. WM. MARTIN.

County Treasurer

I hereby announce my candidacy for the office of County Treasurer, subject to the action of the Republican voters at the primary election, April 17, 1908. T. W. STEPHENS.

I respectfully announce myself as a candidate for the office of Treasurer of Klamath County, on the Democratic ticket, subject to the decision of the voters at the primary election. CLAUDE H. DAGGETT.

I announce myself a candidate for the Republican nomination for the office of County Treasurer, subject to the action of the voters at the coming primary election. C. C. CHITWOOD.

I hereby announce myself as a candidate on the Republican ticket for the nomination for the office of District Attorney for Klamath and Lake counties, subject to the decision of the voters at the primary election. FRED. H. HILLS.

I will be a candidate for the Republican nomination for the office of Prosecuting Attorney, District of the State of Oregon, consisting of the counties of Klamath and Lake. D. V. KUYKENDALL.

County Surveyor

I hereby announce myself as a candidate on the Republican ticket, for County Surveyor of Klamath County, subject to the decision of the voters at the primary election. MELVIN D. WILLIAMS.

School Superintendent

I respectfully announce my candidacy for re-election on the Republican ticket to the office of County School Superintendent, subject to the will of the voters at the primary election. J. G. WIGHT.

I hereby announce myself a candidate for nomination on the Republican ticket, for County School Superintendent of Klamath County, subject to the decision of the Republican voters at the primary election. J. H. HOBBS.

I hereby announce myself a candidate for the nomination for County School Superintendent, for the consideration of the Republican voters at the primary election. J. G. SWAN.

To the Republicans of Klamath, Lake, Crook and Grant counties: I wish to inform the Republicans of Klamath, Lake, Crook and Grant counties constituting the Twenty-first Representative District of Oregon, that my name will be presented for your consideration at the primary election to be held April 17, 1908, asking your suffrage for one of the Republican nominees for joint representative in said district, to be balloted for on June 1, 1908. H. A. BRATTAIN, Paisley, Oregon.

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Notice

December 1st—One brown pony mare with oval brand on left shoulder, about 4 years old. One black mare with white strip in face and white hind feet, about three years old. One mouse-color mare with narrow white strip in face, about two years old. One bay mare colt coming two years old, has four white feet, small spot in forehead and on nose. J. C. BEACH, 2-13-3-19 Klamath Falls, Ore.

The Legislature

This representative district, consisting of Grant, Crook, Klamath and Lake counties will send two representatives to the lower house of the State Legislature. The district is strongly Republican and the Republican nomination is equivalent to an election. Only two candidates have thus far announced themselves, Dr. H. P. Belknap, of Prineville, and H. A. Brattain of Paisley. It is unlikely that others will enter the field, but in any event these two will have practically unanimous support. Mr. Brattain is known to have the qualifications necessary in a good legislator and with these two in the lower house, the district is certain of being well represented.

Notice

Notice of Intention to Change the Principal Place of Business of the German Commercial Savings Bank of Klamath Falls, Oregon.

Pursuant to the written consent of the holders of all the Capital Stock of the GERMAN COMMERCIAL SAVINGS BANK, which written consent has been obtained, and is now on file in the office of said corporation, and pursuant to the resolution of the Board of Directors of said corporation, ordering that the removal and change herein mentioned be made.

Notice is hereby given, that it is the intention of said corporation to remove and change its principal place of business from the town of Klamath Falls, Klamath County, Oregon, to the city of Portland, Multnomah County, State of Oregon, said removal and change to take effect on the 20th day of March, A. D. 1908, after the due publication of this notice.

By order of the Board of Directors. Dated this 20th day of January, 1908. F. N. MYERS, Secretary German Commercial Savings Bank. 1-23-2-17

School Lands

Department of the Interior, United States Land Office, Lakewave, Oregon, Jan. 20, 1908.

Notice is hereby given that the State of Oregon has, under the provisions of an Act of Congress of August 14, 1886, and the acts supplemental and amendatory thereof, made application for the following described unappropriated, non-mineral surveyed public lands as indemnity for losses to its grant for common school purposes, to-wit:

List No. 244, for selkawk, Sec. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721