

INJUNCTION IS GRANTED

County Court is Restrained from Enforcing Local Option

Judge Benson granted a temporary injunction late Wednesday afternoon, restraining the County Court from carrying out the provisions of the Local Option Law as set forth July 7 as the date on which a hearing will be had on the writ of review.

Since the decision of Judge Hanna granting a permanent injunction against the county court of Jackson county in the matter of declaring the city of Medford prohibition under the local option law there has been a movement among the saloon men of this city to start legal proceedings that would prohibit the county court from declaring the city of Klamath Falls prohibition under the local option law in accordance with the vote of the county at the recent election.

The first step in this direction was taken Monday when Kent Ballard and A. Castel, through their attorneys, F. H. Mills and A. L. Leavitt, filed a petition in the circuit court asking for a writ of review, making County Judge Griffith and Commissioner Fred Melbase the defendants. This writ will come before Judge Benson as soon as he can find time to take up the matter, and this will likely be before the first day of July, as according to the order of the county court prohibition goes into effect. The outcome of the case will be watched with much interest. The matter of granting the writ will in itself stop prohibition from going into effect, but if the writ is granted it is very probable that a restraining order will be issued, and if this is done the saloons will continue business until the matter is finally settled.

In the petition are set forth a number of reasons why the writ should be granted, but chief among them is that the local option law is superseded by the charter of the city of Klamath Falls. The local option law was enacted in June of 1904, while the city charter was not enacted until the following year.

This places the case practically on a par with that of Medford, except that the charter of this city does not contain the clause delegating to the city the power to regulate license and prohibit the sale of intoxicating liquors regardless of any other state law. The appendix, "regardless of any other state law" is not affixed to the clause in the charter for Klamath Falls.

The petition cites error on the part of the county court in making the order for the local option election and also in declaring the result of the election.

Pelican Lodge is being fitted up for the reception of the Harriman party. A large shipment of furniture was taken to the resort today, and the many improvements and changes in the place are nearing completion. Col. Holabird, who has charge of the work, has had several men employed for the past few months with the result that the Lodge is equipped with all modern conveniences.

One of the last things to be done is the wiring of the resort for electric light. R. J. Sheets, of the Midway Tel. & Tel. Co., has gone to the Harriman resort, and, assisted by Jud. Cox, will do the electrical work.

Clear Lake Dam

"Newell paid some attention to the action we took at the Bonanza meeting," said Jacob Rusek, one of the directors of the Water Users' Association and a landowner in the Upper project, when speaking about the meeting recently held to determine upon some action to be taken if the Reclamation Service should refuse to reconsider the bids on the Clear Lake dam and decide not to begin work on that part of the project this year. Mr. Rusek continued, "We at least got an answer to our telegram, and that is more than the association got to the telegrams sent out by order of the association when in session in Klamath Falls. Director Newell telegraphed the committee that as soon as we had 80 per cent of the lands signed up he would begin work on the dam. We have almost that now, counting the lands that are signed conditionally, and we are going to make an effort to get the balance at once."

Mr. Rusek was not informed as to how Director Newell proposed to do the work, whether by contract, or by force account. Should he undertake it by the force account it is very probable that he will meet with considerable opposition, as many of the landowners in that section are bitterly opposed to that form of construction work.

It is apparent from the telegram sent Mr. Newell that his chief reason for the rejection of the bids on the dam was because the required per cent of the lands has not been signed up with the Government. Mr. Rusek thinks that with Director Newell's promise that he will begin work on the dam just as soon as the required amount of land is signed for irrigation, there will not be much difficulty in getting most of the lands remaining unsigned under contract for water. At the present time about 74 1/2 per cent of the lands are signed conditionally and unconditionally.

Stockmen are Jubilant

Stockmen of this section feel that this is to be a prosperous year for them. While the scarcity of beef in the East has no direct bearing upon this country yet in an indirect way it will effect the price of Klamath county stock. Horace Mitchell, in speaking of the situation said:

"The shortage in the beef supply in the East will have some effect upon the local market, and I think that this is going to be a good year for the stockmen of this section. Much of the beef in Nevada and Utah that has heretofore been going to the Western markets will go East because of the shortage and it will result in an increase of the price of all Western beef. It is also very probable that stock will be shipped to the northern markets this year and this will also make an increase in the price."

In speaking of the range conditions Mr. Mitchell said, "I think the range is about the same as it was last year. Stock is looking pretty good and unless something unusual should happen the hay crop will be up to the average."

Sheriff Obenchain will sell the Midway Bar fixtures, building formerly occupied by the Midway Bar, together with about 60 tons of ice, on the 26th day of June. The sale will be made at what was formerly the Midway Bar, and will commence at 10 o'clock a. m. on Friday the 26th.

G. Heitkemper, Jr., and W. J. Brennan are putting some of the finishing touches on their launch and will have it ready for the water in the course of a few weeks. While in Portland Mr. Heitkemper purchased a fine searchlight which will be placed on the boat when it goes into commission.

L. & W. Co.'s Reservoirs

Construction work will begin within a few days on the two reservoirs to be built by the Klamath Falls Light & Water Co. Mr. H. V. Gates, the president of the company, has been on the ground for a few days and has already let contracts for some of the material. As was stated in this paper early in the Spring, one of the reservoirs will be built in the Breitenstein addition, to West Klamath Falls and the other will be built in the Hot Springs addition. In addition to the construction of the reservoirs several miles of pipe will be laid this Summer, and a shipment of pipes sufficient to lay between three and four miles will arrive here within a few weeks. It will require about three months to complete the construction of the reservoirs and the pipe will be laid as it is needed.

The construction of the additions to the water system will give Klamath Falls excellent fire protection. In case of a serious conflagration water can be drawn from four sources, the three reservoirs and the pump direct. The pressure will also be much stronger as all of the sources of supply will be connected by the system of pipes used in the distribution of water.

Several of the additions to the city are now without a water supply and the completion of the new reservoirs will enable the company to deliver water to every part of the city that has sufficient residences to warrant the expense of laying the pipes.

"Many of my friends in Portland will visit the Klamath country this Summer, to spend their vacations," said G. Heitkemper, Jr., when asked about his visit to the state metropolis. He continued, "I met many people who are interested in this section and who talked strongly of coming here to look over the country with a view to investing as well as for the purpose of visiting some of the resorts in this section. Portland people are very much interested in Crater Lake Park and many of them were very much disappointed that the appropriation for this year is such a small amount, and they will work for a large sum next year. It is considered a direct slap at the entire state of Oregon that the appropriation was cut down to \$3000. The people of Portland are fully aware that Crater Lake is one of the world wonders and a large delegation from there will visit the park during the next few months."

When asked about the business conditions at the metropolis, Mr. Heitkemper stated that from talking with some of the largest dealers in the city he gained the impression that conditions were improving and that in the past few months business of every kind had picked up considerably.

In speaking of the political situation Mr. Heitkemper said: "Chamberlain will be elected United States Senator. All of the Statement No. 1 men have been interviewed and every one has said that the promises and pledges made during the campaign would be fulfilled. The sentiment in Portland is strongly in favor of the election of Governor Chamberlain, although the Statement No. 1 men did not think that they would be called upon to elect a Democrat to the United States Senate."

The Chamber of Commerce, is receiving many inquiries from parties looking for homes on farms. These are coming not only from the cities and agricultural districts of the east but many are coming from Washington, Oregon and other western states. An eastern Oregon rancher writes asking information concerning this country. He states that he has a 300 acre wheat ranch which he expects to sell. He says he is tired of raising wheat and wants a 40 to 80 acre farm where he can grow alfalfa, hogs and chickens and probably keep a few dairy cows.

From the number of inquiries being received it looks as if Klamath county will have no trouble in settling up its surplus lands. The Chamber of Commerce is doing good work in helping to advertise this country and is sending out literature and answering correspondence as well as they can, but the directors realize that a more extensive plan of advertising is necessary in order to get our share of the homeseekers. Other towns and counties are spending more money with greater success. Every dollar spent is bringing twenty into the country.

The entire support of the Chamber is derived from a few business men and an effort is going to be made to get everybody to lend their support and financial assistance to carry on the good work. If every citizen will get in and do his part, be that ever so little, the thing will be easy, and there will be no trouble in settling up this entire valley in the next two years.

Sheriff Silas Obenchain and Deputy Sam Walker returned last night from Salem where they took W. H. Bittner and Clarence Getter, the horse thief and forger, who were sentenced to the state penitentiary by Judge Benson.

They delivered their men to the authorities of the institution, and while there took occasion to visit a number of Klamath men who are guests at the state institution. Sheriff Obenchain says most of them are looking well and the life seems to agree with them.

COURT PROCEEDINGS

The case that has attracted the attention of the public this week is that of the State vs. Jay Arant, who is accused of stealing a calf from Clarence Harris. The jury in the case is as follows:

A. C. Lewis, Felix Strickland, Allen Sloan, Henry Straw, Burge Mason, Fred Stukel, F. L. Armstrong, H. L. Aldridge, Chas. Ager, Henry Offenbacher, E. W. Gillette and R. H. Ross. The case was called Tuesday morning and the prosecution stated to the jury what it proposed to prove. Following this began the examination of witnesses, Clarence Harris, the complaining witness was the first to be examined, and the direct examination together with the cross questioning by the defense took up the entire forenoon and part of the afternoon.

Harris testified that he purchased the calf from Early Arant June 11, 1907; it was then three weeks old. That from time to time the calf was outside of his property on the highways and range. Wishing to have a private mark on the calf, inasmuch as he had no brand, he, on Dec. 28, 1907, inserted a ten cent piece in the hide of the calf; this was marked on both sides with his initials; this was done in his wife's presence. About Jan. 17, 1908, the calf disappeared from the Cox ranch; next time he saw it while digging a well on the J. Arant homestead; it was branded "J A" on the right side; the dime inserted was removed by Henry Low in presence of witness, Burrell Short, John Short, Sam Short and Arthur Hawkins.

On cross examination he stated that he told B. S. Grigsby that he might have been mistaken, but that he was not being paid to prosecute Arant. Mrs. Harris then followed and gave testimony as to the insertion of the dime into the calf's hide by her husband.

James Kelly then took the stand and stated that he stayed at the Arant place last winter; was familiar with the Harris calf; saw a cow and calf pass the Pine Grove school one day last February; that evening when he returned home he saw the calf in the corral; calf was kept in barn while he was there; bore no marks or brands; he was present when dime was removed; the calf then bore the "J A" brand. The cross examination did not shake his testimony.

Arthur Kelly described the calf and testified that after the calf disappeared from the Cox place where Harris was living he next saw the calf at Jay Arant's.

Court Reporter Richardson identified the dime, and it was then offered in evidence.

Henry Low then took the stand and testified to the taking of the dime from the neck of the calf. Court then adjourned until Wednesday morning.

The jury, judge and lawyers, accompanied by about thirty men, went to the barn in the east end where the calf is being kept, and made a thorough inspection of the calf, which Mr. Arant claims is the one in dispute and belongs to Harris, also of the cow and the hide of the calf, which Arant claims belongs to him and which Harris disputes.

The court room was packed all day but the main interest seems to settle on the battle which the opposing lawyers are putting up rather than on the evidence as to who owns the calf.

Circuit court convened Saturday morning. After listening to the final report of the grand jury an adjournment was taken until Monday when the Arant case will be tried. The grand jury returned no further indictments and its report to the court was as follows:

"In pursuance of your instructions, we have carefully and diligently investigated all cases that have come before us of a criminal nature and whatever character. Where we have had evidence sufficient to sustain a complaint, we have promptly returned an indictment. However, we have had to dismiss cases for want of sufficient evidence to indict. In reference to the court house offices and outbuildings, we have examined them under provisions of the statutes, and find them in fair condition with the exception of the combination locks that lock the doors to the cell in the jail. We would recommend that this be put in repair; also we recommend that suitable cases be made for the care of the records now stored in the jail; we find the safe in the clerk's office in rather bad condition; also we visited the poor farm and for the most part found comfortable and suitable provisions made for the inmates. We would recommend the deepening of the well and would call attention to the nearness of the slaughter house and pens; we would recommend that a new out of doors closet be built, and that the inmates rooms at said poor farm be painted."

"Having conscientiously performed our duties under your instructions and there being no further business before us, we most respectfully ask to be discharged."

The final report was accepted and the jury discharged. A number of cases of a criminal nature were investigated, but there was not sufficient evidence to warrant indictments and consequently the suspected parties will escape trial. The John Doe and Richard Roe bench warrants ordered issued by the court have not been served and it is stated that both of the parties feared arrest, and left the state.

LANGELL VALLEY

The government surveyors have established a camp in Langell Valley and are now busy surveying the so-called Upper project.

The recent rain was a great help to all crops, it being one of the heaviest in this section for a number of years.

Haying time in Langell Valley is not far distant.

The agent for the J. R. Watkins remedies is making his semi-annual trip among old customers.

From present indications the wild strawberries are going to be quite plentiful.

Here are a few questions that we would be pleased to have answered by those who are in a position to answer: 1st. Why is Langell Valley termed the upper project? 2nd. If this is a separate project why do the people up here have to help keep up the expenses of the K. W. U. A.? 3rd. If this is not an individual and separate project why is it that our government men ask that a certain per cent of the land up here be signed up before you begin work on the Clear Lake dam, when in fact as a whole more than the percentage asked is already signed up. 4th. Are we known at Washington as a separate project, or are we classed with those around the Falls?

If all the saloon men would submit to the new law as does Jack Robinson of Bonanza, it would surely be to their credit. Jack deserves due credit for his view of the matter.

Howard Biggs has returned home from Klamath Falls where he has been attending the High school.

Henry Haines and family attended the Baptist Association at Klamath Falls.

Frank Swingle has returned to his home at Ashland after an extended visit with his son. He was accompanied home by Mr. and Mrs. W. H. Copeland. The latter will visit with her sister, Mrs. Swingle.

Robert Williams is building a milk house. He is an enthusiastic dairyman and believes in keeping abreast with the times.

Mrs. E. C. Cowley has gone to Klamath Falls to meet her sister, who has been attending school at Central Point, Ore.

E. C. Lyon was elected director and Wm. Pankey was re-elected clerk of Lorella school district at the annual meeting.

The Ladies' Aid Society had an enjoyable meeting at the home of Mrs. D. Campbell last Thursday. Their next meeting will be held at the home of Mrs. Bussey. The time is spent in visiting and making useful articles.

The people of Lorella school district met at the school house Tuesday for the purpose of building a wood shed and also a fence around the ground and to otherwise improve the premises. Luncheon was served by the ladies.

Should all seasons be like the present with regard to rains we would not need irrigation in this locality.

Geo. T. Cline is doing jury duty in Klamath Falls.

Two deer went past J. D. Seaton's home and across the swamp Sunday afternoon.

James Malone, our genial postmaster, has been under the weather but is now improving.

Born—To Mr. and Mrs. R. L. Malone an 8 1/2 pound girl. Mother and child are doing nicely.

Mr. and Mrs. Gunn, Ernest Burnham and sister, and Miss McSpadden were visiting at Lorella last week.

Children's day was observed with an appropriate program. Music for the occasion was furnished by Mr. and Mrs. Jeff Wilson.

Bears Plentiful

Bears are more numerous in the mountains this year than they have been for some time. A few have been killed by hunters and a number of these have been seen have escaped in the woods. A few days ago Wm. Yeo was coming from Ash and with a load of fruit and on the road in the mountains he encountered a large cinnamon bear. His horses were badly frightened and almost caused a runaway. The bear was allowed to go on his way unmolested.

The Baptist Association concluded its meeting Sunday and most of those in attendance from the various parts of the district started home Monday. All of the sessions were largely attended and it is said to have been one of the most successful associations ever held in this district.

Alex. Davis, one of the Klamath marsh cattlemen, is in the city. He says that the range is not as good as usual and as a consequence stock might be in better condition. The cold Spring has kept the grass back.

E. W. Smith will start for Pelican Bay shortly with a force of men to begin work on the automobile road from the Bay to Fort Klamath. Most of the expense of the building this road will be paid by E. H. Harriman.

warrants ordered issued by the court have not been served and it is stated that both of the parties feared arrest, and left the state.

Musical Recital

Friday evening in the High School assembly the pupils of Mrs. Don J. Zumwalt gave a musical recital before a large audience. Mrs. Zumwalt has a large class of pupils in vocal music and the recital was given by her advanced pupils, aided by others in the chorus.

The chorus of sixteen ladies' voices rendered two numbers very beautifully and showed good chorus training.

Miss Mabel Campbell sang very sweetly and showed great advancement over her work in the last pupils' recital.

Miss Mae Worden captured the audience by her singing of the Scotch songs and pleased and surprised many of her friends by her beautiful rendition of the difficult aria from Iltrovatore.

Miss Louise Lee sang most excellently the two difficult songs assigned her, and her high clear notes were most pleasing.

Roy Walker's was the only male voice on the program, but what the program lacked in number he made up in quality, and delighted the audience by his full round tones.

Miss Mamie Boyd is one of Mrs. Zumwalt's youngest pupils and has sung only a few times in public, but her natural sweet voice has responded wonderfully to the training and her future will be watched with interest.

Mrs. O. B. Gates was not able to sing owing to illness and the audience was very much disappointed.

This was the second song recital given by the pupils of Mrs. Zumwalt and it was a treat to all music lovers. Few cities have music teachers that excel Mrs. Zumwalt, and her unselfish and tireless devotion to the voices under her care was fully exemplified in the recital last evening.

Miss Elsie Applegate accompanied Miss Mamie Boyd with a violin obligato in the "Angle's Serenade." Miss Applegate is always a favorite with Klamath Falls audiences.

Members of the Order of the Eastern Star tendered a banquet to Mrs. E. R. Reames Tuesday at the Masonic Hall. Mrs. Reames was elected Grand Worthy Matron at the recent Grand Lodge meeting held at Portland and the festivities of last night were in honor of her home coming.

A musical and literary program was rendered and this was followed by the banquet. Judge H. L. Benson acted as toast master and among those who responded were W. A. Dellzell, Hon. H. V. Gates, A. L. Leavitt, Ky Taylor and Miss Lulu Straw. The lodge presented Mrs. Reames with a beautiful silver berry dish, Mrs. H. F. Murdoch making the presentation speech. Mrs. Reames responded, thanking the lodge for the many honors she had received, and expressing her hearty appreciation of all that the Order of Eastern Star has bestowed upon her.

The evening was one of the grandest events in the history of the local lodge and all who were in attendance participated in one of the leading social events of this season.

E. B. Mitchell, who has been here from Mission for the past several weeks, started for his home this morning. He was so favorably impressed with this section he will return here with his family this Fall and will make his home in this county. He has been assisting his brother, Horace V., in the stock business since he came here.

C. A. Lee and family have returned from Washington, where they had gone to locate. After spending a few weeks in that country they returned here with the intention of staying and with the firm belief that there is no place like Klamath.

EX-PRESIDENT CLEVELAND DEAD

Dies Wednesday Morning at his Home in Princeton, New Jersey

Princeton, N. J., June 24.—Grover Cleveland, ex-President of the United States died at 8:30 this morning. For the past fifteen months rumors of his illness have indicated that the fatal disease from which he has been a sufferer for so long was gradually baffling the skill of the most expert physicians of the country and that it was only a matter of a short time before the great Democratic statesman would succumb. Each time these rumors were emphatically denied by the attending physicians and members of the family and recently statements were made that the distinguished patient was rapidly recovering his old time strength. His death, therefore came as a surprise.

At his bedside at the time of his death were Mrs. Cleveland who for the past several months has been most devoted in her attentions refusing to permit anyone but herself to care for her husband, and only under the strictest orders of her doctor retiring for brief periods of much needed rest. All of the children gathered to bid farewell to their distinguished father. Tuesday afternoon a consultation was held and the unanimous opinion was that death was but a matter of a few hours, although every effort known to science was put forth to ward off the fatal hour. At times these efforts would seem to succeed, but the ex-President gradually failed until this morning when he sank into a comatose from which he never rallied.

Orders were issued directing the placing of all flags throughout the country at half mast. Princeton and all New Jersey is in mourning, for during his residence in this city and state President Cleveland has endeavored himself to all of its citizens.

Arrangements are being made for the funeral which will be one of the most noted ever held in America.

Grover Cleveland was born in Caldwell, N. J., March 18, 1837. His father was Rev. Richard F. Cleveland. He received a common school education in Fayetteville and Clinton, N. Y. His first position was as a clerk in the New York Institute for the blind. In 1855 he went to Buffalo, N. Y., where he began the study of law, being admitted to the bar in 1863. That year he was appointed assistant district attorney of Erie County. In 1865 he was defeated for district attorney. In 1869 he became a member of the law firm of Lansing, Cleveland & Folsom. In 1870 he was elected sheriff of Erie county. At the end of his term he became a member of the firm of Bass, Cleveland & Bissell. In 1881 he was elected mayor of Buffalo, which office he administered with brilliant success. In 1882 he was elected governor by an unprecedented majority. His record in this office secured for him the nomination for president in 1884, to which office he was elected. In 1888 he was defeated for re-election, but was successful in 1892. At the close of his term he retired to Princeton, N. J., where he has since resided. Since his retirement he has been much talked of as a candidate for a third term, but each time the question was broached he emphatically declined to be so considered.

*If I do not lead, why
do others follow.*

A few good reasons for my success in the
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New and Up-to-date High
Grade Goods.
Reasonable Prices.
Responsible Guarantee.
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