

NO DAMAGES ALLOWED.

Judge Noland Makes Important Decision in Road Case.

A very important decision was rendered Wednesday by Judge Noland in the Circuit Court, which will be of interest to farmers of the county. This was the dismissal of the appeal from the County Court in the case of R. C. Short, C. C. Low, H. S. Parrish and Mrs. Anna Thomas vs. the County of Klamath, the Judge deciding that the Circuit Court had no jurisdiction. This case grew out of the establishment of a county road. Viewers were appointed and they found in their report that the benefits derived were equal to the damages sustained by the property along which the road was located, or in effect no damages were allowed. Judge Noland held that the property owners should have then appealed to the County Court from the decision of the viewers. This decision practically means that parties must make proof of damages before the County Court at the time the case is being considered in order to recover damages. The acceptance of the viewers' report is final unless a review of the case is taken.

THROUGH TICKETS

TO LAKEVIEW.

On and after January 15 every ticket office on the Southern Pacific lines will have on sale through tickets to Bonanza, Bly and Lakeview via Klamath Falls. These tickets will be sold in connection with the Klamath Lake Navigation Company and the Klamath Falls-Lakeview Stage Company.

In action by the Southern Pacific Company will have a tendency to bring all of Lake County travel through Klamath Falls. It is estimated that this travel will be enormous during the next year on account of the extensive advertising of that section by the Oregon Valley Land Company. It is reported that this company has sold all of its stock and land and that next year the purchasers, numbering thousands, will come to Lake County with their families. The diverting of the passenger travel through Klamath will also have the effect of bringing the greater portion of the trade of Lake County by way of Klamath Falls. This big opportunity should not be overlooked by the people of this section and every assistance should be given the Railroad Company in inducing travel to come this way, as it will give prospective settlers a chance to investigate the advantages of the Klamath country.

THREE HUNDRED FORTY

FEET UNDER THE GROUND.

W. R. Davis, who is in the city from Dorris, states that the Southern Pacific Company, which is boring for artesian water, now has the well down to a depth of 340 feet. Mr. Davis had a sample of the soil which was found at that depth. It is a sort of a black loam and is said to be decomposed tules.

It is asserted that the whole of Butte Valley was at one time an immense lake or inland sea, in fact this whole section was supposed to have been under water. From the class of soil which has been brought up it is evident that the bottom of the lake has not yet been reached even at 340 feet. In boring the well, at no time have they encountered rock. Shells and other things of that nature have been brought up as has also what is supposed to have been fish bones.

A DELIGHTFUL EVENING.

A delightful evening was spent at the Baptist Church Thursday night. 150 people were present and enjoyed the musical program and the readings from Riley by G. Leftoy Hall. The program consisted of selections by Prof. Wirtz, Mrs. Morgan and the male quartet. The readings by Mr. Hall were thoroughly enjoyed by the large audience. The Riley selections as interpreted by Mr. Hall were a rare treat.

That evening's entertainment was the conclusion of Rev. Hall's services in this city. He has been here over a week and his special services at the Baptist Church have resulted in awakening a new interest among the congregation and outsiders. His meetings have been well attended and he has secured many warm friends as well as admirers during his short stay here.

Miss Ruby Hillis left Wednesday for San Jose where she will spend Christmas with her mother.

CIRCUIT COURT.

Monday.

The Grand Jury Monday morning brought in indictments against Melton, Johnson and Hale, the three men now being held in the county jail accused of robbing the cash register at the Schallock & Daggett store.

The entire day was taken up in hearing the evidence in the case of Wm. Schulmeyer vs. Joseph Provo. Mr. Schulmeyer had a contract to work Mr. Provo's ranch and the suit is the outcome of a disagreement over settlement. Mr. Provo seems to be having considerable trouble. Besides this case in the Circuit Court he is also being sued by his wife for divorce.

Tuesday.

No jury cases were heard today, the Court being taken up with the arraignment of Melton, Thompson and Hale for the robbery of the Schallock & Daggett store, and in hearing motions and setting the trials of cases. The defendants in the robbery case were given until 9:30 tomorrow morning at which time they will answer the charge against them. Benson & Stone will represent the defendants.

The jury in the Schulmeyer vs. Provo case brought in a verdict for the plaintiff in the sum of \$25.33 as payment for work performed on the defendant's ranch.

Wednesday.

Another epoch was reached Tuesday afternoon in the famous Mills case when Judge Noland reversed the decision of Judge Griffith of the County Court and decided that the adjudication of the case by County Judge Chas. Moore in 1895 to be the final settlement of the case. The administration of the estate of W. F. Mills has been in the courts for a period of 17 years and as an appeal can be taken from the last decision, it is possible that it may continue in the courts for a number of years yet.

Recently Judge Griffith readjusted the case on the grounds that no notice had been given to the creditors on the original order, and he allowed the claim of the successors to N. B. Knight \$1250.

The original order by Judge Moore dated July 12, 1895, is as follows: "It is ordered, adjudged and decreed that said claim of N. B. Knight amounting to \$1329, together with interest thereon at the rate of 8 per cent interest per annum from the 11th day of March, 1892, be and the same is in all respects allowed and said J. W. Hamaker, administrator of said estate, be and he is hereby ordered to pay said claim of N. B. Knight in full."

James B. Melton, Frank Thompson and Milton Hale were brought into Court on Wednesday and each plead not guilty to the charge of robbing the Schallock & Daggett store. The case was set for trial on January 4, 1909.

The concluding evidence in the Provo divorce case was heard Wednesday. The case was submitted to the Court at 3 o'clock. Judge Noland stated that he would render his decision later, probably today.

Thursday the case of Withrow, Melhase Company vs. A. M. Taylor will be heard. The trial will be before a jury.

Friday.

The jury in the case of the Long Lake Lumber Company vs. A. Kinney returned a verdict Thursday night in favor of the Lumber Company for \$160.82. The Company had asked for \$280 and the defense brought in a counter claim for \$56 and \$500 damages.

Saturday.

The case of Millie Garrison vs. O. F. North was started Friday. The plaintiff is suing for the return of a location fee and to be reimbursed for her expenses in attempting to secure a timber claim. It is alleged that the plaintiff was induced to file on a timber claim and after advertising proof she discovered that the claim was not as represented, and therefore did not make proof. She now wants her money back which she paid for location fees.

Before submitting their side of the case the defense asked for a nonsuit. The remainder of the afternoon was taken up by the arguments of the attorneys.

James H. Driscoll came down from Bonanza Wednesday to act as a witness in the Provo case.



Over one hundred boys and girls in Klamath County are using these banks, laying aside something for a "rainy day." Is your boy or girl among them? If not he ought to be. He can have one—and a dollar for a starter. The Republican will place to his credit in the First Trust and Savings Bank of this city one dollar and he can have one of these banks in which to save his nickels and dimes, if you will pay one year in advance for the Republican. There is no scheme about this. It is a bona fide offer. You get the dollar, the bank and the Republican for one year on the payment of \$2.



PROGRESS OF THE CHESS TOURNAMENT.

The committee on rules and regulations has made a slight change in the tournament schedule. As it is impossible for all the players to be present on the tournament evenings and consequently causes many delays and complications, the committee deems it more expedient to have each person play every man in the tournament three games, each game counting one and a draw one-half point. The games that have been played up to date will stand as played, but in cases where two opponents only played two games they will be required to play the third game. This makes it very simple and convenient for each player. You can play any man in the tournament at any time you please and give each other credit for the games lost or won. This way, no matter what evening you come up to the club rooms, you will always have a chance to play someone.

The games that have been played so far show some fine playing and some of the newer players are making very good headway. Even at this early stage of the tournament it is evident that there will be many surprises. There will be first, second, and third prizes to contend for.

The regular tournament evenings are on Tuesdays and Saturdays. However, you can play your tournament games at any other time, giving you a chance to make up for games that should have been played by this time.

NO STORE DELIVERY.

Commencing January 1, the Klamath Lake Navigation Company, which has been operating in connection with the Southern Pacific Railroad, will discontinue the store door freight delivery. It is expected that about that time the new terminus of the railroad will be established at Holland and direct connection will then be had with the steamer.

The freight rate to Klamath Falls is to be reduced at that time and all shipments will be delivered at the dock or wharf. The merchants and others receiving goods will have to make arrangements with the city transfer companies for the delivery of goods from the freight house as is done in all cities having railroad connection.

It is not believed that this change will make any reduction in the cost of freight, as the reduction made by the Southern Pacific will probably about equal the cost of city delivery.

Miss Perkins recently arrived from Portland to accept a position as bookkeeper for the Baldwin Hardware House.

IMPORTANT OPERATION.

Grafting Resorted to to Aid Little Julian Ager.

A very interesting operation of skin grafting was performed Tuesday by Dr. Merryman and Dr. Gyles on Julian Ager, a three year old boy. Some three weeks ago the child accidentally fell backwards into a pail of boiling water, which resulted in a burn extending over the whole back and right arm. The amount of skin loss was so great that it seemed impossible at the time for the child to live. The case did so well, however, that skin grafting was done to prevent deformity of the arm, shoulder and back.

The following boys from the seventh and eighth grades of the public school were brave enough to stand the operation of having the grafts removed averaging one-half inch by three or four inches long: Glenn Beals, Lloyd Alfred, Albert Jacobson, Walter Donart and Preston Avent. About fifty grafts were necessary and the operation consumed the greater part of the day. The case is doing remarkably well today.

This is probably one of the most difficult operations ever performed in this city and would be a remarkable case anywhere. Great credit is due the young boys who so bravely volunteered to allow the grafts to be taken from their arms in order to prevent this child from becoming a cripple for life. The loss of skin was so great that there was no possible chance of a complete recovery without new skin being grafted on, and it is no wonder that these young men are now the heroes of their classes.

GOES 100 MILES IN SIX YEARS.

Considering the millions of letters that are mailed every month and that reach their destinations promptly, we have little reason, on the whole, to complain of our mail service. But occasionally public attention is called to a case that illustrates the possibilities of delay. Such an instance has been reported recently from the state of Washington. John Paul, a resident of Nahcotta, Wash., has just received a letter that was mailed to him from Olympia, the state capital, six years and fifteen days previous to its receipt. The distance from Olympia to Nahcotta is 100 miles. The letter, therefore, traveled at the rate of ninety-two hundredths of a mile a day or one mile every twenty-two and two-ninths days. That is about the speed that a street car makes on mornings when one is late in starting to the office. It also recalls the snail-like unwinding of official red tape. The letter was slow enough to have qualified as a messenger boy, and as that is what it was it probably was doing all that ought reasonably to have been expected of it. The message that it contained informed Mr. Paul that he had made an overpayment to the land office of the state government and that a check covering the amount would be mailed to him. If Mr. Paul had received the check, he probably would never have told federal authorities of the letter that was six years in going 100 miles, but the check has not yet been received, and Mr. Paul has asked Uncle Sam to see if it is not still trying to find him. This case is so unusual that one naturally looks about for an explanation. Perhaps Mr. Paul is only paying the penalty for living in Nahcotta.

OPEN UP MORE STREETS.

The City Council has decided to open up more streets. It will be necessary to buy the property needed as the streets were not dedicated when the plats were filed and the land is now in private ownership. It is believed that it will be better to secure this property now than to wait until later, as the property is bound to advance in value and the city would have to pay a greater price at some later time.

The streets to be opened are Jefferson, between Second and Third, and Elighth, between Klamath and Walnut.

THE GOVERNMENT MAKES MONEY BY MAKING MONEY.

The government made a profit during the fiscal year ended June 30, 1908, of \$10,541,371 on the coinage of silver, nickel and one-cent bronze pieces. This represents the difference between the price paid by the government for the metals and their coinage value. Director of the Mint Frank Leach gives these figures in his annual report made public yesterday.

FIRE DELIVERY OF EXPRESS.

Almost weekly some important change is made that shows that Klamath Falls is fast becoming a business center of importance. On Wednesday of this week the Wells, Fargo Express Company put on an express wagon for free delivery in the business house district, which includes Main street from the bridge to Elighth.

In speaking of the matter Mr. Parker, the agent of the Wells, Fargo Company, stated that the business of the company has increased considerably over that of last year, and that under the conditions he considered that the business houses of this city were entitled to free delivery. He took the matter up with the head office with the result that he received orders to begin the new free delivery the middle of the month. This free delivery only includes the business houses of the city on Main street, the former arrangement being in effect as to the resident district.

The Southern Pacific steel gang began laying track on the fill across the marsh Monday a. m. The track has already been laid to the marsh and this leaves only a mile and a half of track to be covered to reach Holland, which will be the winter terminus. With conditions favorable the gang can lay two miles of track a day so at the outside it will not be but a very short time before rail connection can be had with the water. The change to Holland will probably not be made until after the first of the year.

EMIGRATION TO THE U. S.

TO BE STOPPED BY JAPAN. CHICAGO, December 15.—A special to the Record-Herald from Washington says:

"All Japanese emigration to the United States is to be stopped by the Japanese Government. When the Japanese Diet meets a few weeks hence Baron Komura, Minister of Foreign Affairs, will make official announcement that the Government has decided to prohibit all emigration to the United States after a given date. Thus will disappear the last remaining difference of possible cause of trouble between the United States and Japan. Though the announce-

NAVIGATION COMPANY

PREPARED FOR ICE.

The Navigation Company has had an ice breaker built for use on the steamer Klamath. Instead of breaking the ice down as the ordinary contrivance does, this one enters under the ice much in the manner of a snow plow. The company believes that the steamer will have no trouble on account of ice this winter. Even if the big boat is not able to keep the channel open, it is the intention, if it should be come necessary to use one of the smaller boats to run back and forth and thus keep a channel open all the time. It is not believed that there will be any heavy ice longer than a week or so at a time.

STOCK ITEMS.

F. M. Miller, of Lakeview, sold to Mitchell & Co., 450 head of beef cattle at Merrill. The cattle will be taken to Gazelle and shipped to Oakland.

Lewis Gerber started 300 head of cattle last Saturday to be shipped from Mt. Hebron to Sacramento.

Chas. Horton will start 300 head in a few days for Mt. Hebron. Their destination is Oakland.

It is asserted that the beef cattle in the Merrill country are nearly all in the hands of wholesale butchers of California.

BIRTHS.

To Mr. and Mrs. J. C. Mongold, at 3 o'clock Tuesday morning, a 10-pound boy.

To Mr. and Mrs. D. T. Meldrum, at 1 o'clock Tuesday morning an 8-pound boy.

Ammunition to be used by President Roosevelt on his African trip has been prepared at New Haven, Conn., and forwarded to Washington, together with the weapons which the President will use and which were sent there to be examined by experts. The ball cartridges are in varying weights, the largest being deemed of the right caliber to bring down a pachyderm.

SEPARATE STATEHOOD FOR ARIZONA AND NEW MEXICO.

WASHINGTON, Dec. 15.—Separate statehood for Arizona and New Mexico is provided for in two bills introduced today by Senator Foraker.

BIG LAND SALE.

Campbell and Reames Purchase Miller Tract and Midland Townsite.

Yesterday afternoon there was consummated in this city one of the largest real estate deals, considering the money involved, which has ever occurred in this section. This was the sale of the big Miller tract, including some 3200 acres of land under the government ditch, and the entire townsite of Midland, which is to be the main shipping point on the California Northeastern Railroad in Klamath County. While the purchase price has not been made public, it is known to have been in the neighborhood of between \$75,000 and \$80,000.

This tract, including the townsite, was purchased by D. B. Campbell and E. R. Reames. Mr. Campbell is a capitalist who has been interested in some of the most important developments in the county for the past four years. He was one of the former stockholders and the General Manager of the Midland Townsite Company, and the townsite was platted and laid out under his direction. Mr. Reames is one of the oldest business men and probably the wealthiest man in this section, being a retired merchant and at the present time interested in the banking business and a large land owner with many other interests in this section. In the future of which he has absolute confidence.

The sale of property in Midland has never been pushed to any extent, but these lots will be put on the market in the near future as the railroad will reach this point not later than June. The town has great prospects as a shipping point, not only for cattle and stock but for all farm products. Factories and other enterprises are scheduled at this point. Engineer Zumwalt has completed a survey of the big ranch and this tract has been cut up into 40-acre farms and will be sold. It is stated that within another year as many as eighty families will have homes on this immense stretch of agricultural land, which will be furnished water by the government ditch.

TO REVISE THE RULES.

Washington—The fight for a revision of the House was inaugurated Friday at a meeting of the so-called insurgents, attended by 25 Republican Representatives. Representative Hepburn, of Iowa, presided and was authorized to name a committee of five members with himself as chairman to draft the proposed amendments to the rules and report to the organization. The insurgents considered the various suggestions for more than two hours.

Mr. Hepburn said the plans proposed for changing the rules would be considered by the committee he would name. He desired to make it known that all of the members invited to the meeting with the exception of Representative Norris, of Nebraska, who is out of town, were present.

AFFECTS NEW LAND RULING.

Washington.—It is held by the Supreme Court of the District of Columbia that the Interior Department cannot require that entryman under the timber and stone act shall personally go upon the land sought before making their initiative entry. This decision was rendered in the case of Mary S. Ness, whose timber entry of a tract in the Roseburg, Oregon, land office had been cancelled because she had not visited the land before filing. The court holds that the Department was without authority in cancelling this entry merely on the ground "that the applicant discovered the character of the land from having had an expert examine it." This decision is of far-reaching effect, and seriously affects the new regulations recently promulgated for the enforcement of the timber and stone act.

Dr. Geo. H. Merryman and Dr. Edward Gyles have formed a partnership and will occupy Dr. Merryman's present offices.

James Gillogly received a letter on Tuesday from Berkeley with the following address: Southern Oregon, near E. H. Harriman's place on Klamath Lake. There was no delay in the letter reaching its destination, which proves that Klamath is known as Mr. Harriman's resort at least among the postoffice employees.

C. W. Sherman, Sr., is in the city from Dairy.