

Wall Paper

Before selecting your paper you should become familiar with new Spring Styles and learn what general effects are to prevail this season. All our papers are here, and the selection afforded far exceeds anything ever shown in the city before.

We have Wall Paper from 10 cents a double roll and up.

We do paper hanging, painting, kalsomining and interior decorating. **WORK GUARANTEED.**

GUARANTEED PAINTS

In the Spring is the time to do your House Painting, and you should select your grade of paint which will not fade or peel off. Our Paints are Guaranteed. We have just received the Largest Shipment of Paints shown in this city, and thus give you a complete line from which to select your colors.

OUR PAINTS ARE \$1.90 PER GALLON.

We have Wall Paper from 10 cents a double roll and up.

We do paper hanging, painting, kalsomining and interior decorating. **WORK GUARANTEED.**

F. R. OLDS Biehn Building
One Block West of Public School

OUR PUBLIC LIBRARY.

Semi-annual report of Klamath Falls Public Library:	
Receipts:	
Balance in treasury January, 1909	\$ 74.80
Woman's Club dues	15.00
City Council	114.00
Monthly subscriptions	39.50
Contributions, book rent, old magazines sold	2.80
Benefit concert by Conservatory of Music	151.50
Library cards sold	38.75
Fines on books	12.70
Lunch for Railroad day	16.65
Rent of library basement	10.00
Total	\$480.70
Expenses:	
New books	\$165.00
Freight on books	8.25
Book shelves, screen and tables	13.60
Wood	29.00
Daily Oregonian and Chronicle	10.10
Light and water	34.95
Librarian's salary	162.00
Cleaning windows, chimney and floors	9.25
Relining stove	2.50
Library incidentals	4.90
Total	\$439.55

Balance July 1, 1909 \$ 41.15
Number visitors to library, 6,493; number books taken out—philosophy 4, sociology 21, literature 20, history 64, religion 4, fine arts 3, travel 18, biography 30, natural science 3, children's books 53, fiction 1,143; total circulation, 13,363; number books donated, 20; number books purchased, 209.

KLAMATH QUEEN VISITS CITY.

The Klamath Queen is in town. She is not a handsome critter, nor is she so unattractive that she does not command the attention of both sexes, and the inquiry "Who is she?" can often be heard. As a matter of fact, the Klamath Queen is a welcome visitor, even though it is the first time she has come to Klamath Falls, and for that matter probably the last time this city will have the pleasure of seeing her within its limits. The fair dame is none other than the mammoth dredger that has been at work for the past year or so paving the way for the entrance of the railroad into this city. She is now on her way to continue the good work by preparing for the immense docks that are to be constructed on the Upper Lake.

After channels and basins are dug, the dredger will continue to the marsh near Modoc Point, where it will be employed in throwing up a grade for the railroad. This is the first real evidence of the continuance of work on the northern extension, and the people here are glad to see it. No announcement has as yet been made as to who was the successful bidder on the nearly sixty miles of new road that is to be constructed at once on the Oregon Eastern. It is quite possible that the delay is caused by the fact that the announcement will be accompanied with the further information that the entire line will be completed at once. This may be looked for along about the 10th of the month.

Get your abstracts from the Klamath County Abstract Co., opposite Court House. 4-8tf

IMPROVEMENTS AT THE AGENCY.

The past week was a busy one at the Klamath Agency, due to the presence of a large number of contractors who went there for the purpose of looking over the plans and specifications for the new school building that is to be erected there this summer to replace one destroyed by fire last winter. The bids will be opened in Washington on the 15th of this month. Nearly every branch of the building trades was represented, and it is quite likely that there will be a large number of bids submitted for consideration.

In addition to the school building there will also be erected a gymnasium, plans and specifications for which are now in course of preparation by Superintendent Wilson. This will not be built under the competitive bid plan, but by day's labor, the materials being purchased in the open market. It is the purpose of the superintendent to have a gymnasium that will be among the best in the country and one of which the Indians may well feel proud.

If the newspaper reports are true it is quite likely that the Agency will be visited by Secretary of the Interior Ballinger this fall, who is now in the West on a tour of inspection. If he does come there will be some sort of entertainment prepared for his benefit, and every effort will be put forth by the Indians to make a showing that will redound to their credit and show the Secretary that the Klamaths are far in advance of any of the Indians in the West.

POSTOFFICE APPOINTMENTS.

Postmaster Emmitt has had all he wants of the honor of being a dispenser of Federal pie, and in the future if there is any to be handed out he is going to hire a deputy and turn the job over to him. When the announcement was made that he had at his disposal the appointment of two clerks, there was a rush for his private office, and he at first thought he was to be the victim of some lynching bee. When he learned, however, the purpose of the visit of the many seekers after the positions he was to fill, he politely informed them that he had made the appointments, and that he was sorry to disappoint so many "young, handsome, affable, energetic, winning and patriotic young ladies," and with an equal string of adjectives he disposed of the young men. His popularity as a diplomat has risen greatly, especially in the minds of those who were desirous of serving under him, for he convinced each and every one of them that if he had not already made the appointments he would certainly have chosen her for the place.

The following have been appointed by Mr. Emmitt to fill the positions in question:

Chief clerk, Mrs. K. O. North; assistants, Miss O'Leary Faught and Jesse Siemens. Miss Faught has been employed as a teacher in one of the schools near Merrill, and is a young lady of exceptional ability. She will undoubtedly make a valued addition to the clerical force. Mrs. North has been employed in the office for some time, and Mr. Siemens is a young man well qualified for the duties he will be called upon to perform. After the new members of the force become acquainted with the work there is no reason why especially good service should not be given the patrons of the office.

QUICK VERDICT IN ARANT CASE.

Jury Was Out Only Twenty-five Minutes and Returned Verdict for Defendants.

It took the jury just twenty-five minutes to find that George Kelley had no cause for action against the Arant boys. When the court convened Friday afternoon every seat was occupied, and the audience expected to witness some oratorical pyrotechnics, for it was recognized that the defense had about rested its case and that it would be up to the attorneys to lay the matter before the jury. When Drake is going to address a jury—or when the public thinks he is—then there is always sure to be a full courtroom. This afternoon, however, he handed them a disappointment, for he had agreed with Irwin & Irwin that in view of the fact that the jury on the case was a real, live one, it would be unnecessary to indulge in any arguments, so the case was passed on to the gentlemen without comment. Judge Noland read his charge and then placed the jury in charge of a bailiff. Twenty-five minutes thereafter there was a knock at the door and the announcement was made that they had agreed, the verdict being for the defendants. It is to be hoped that this will put an end to this litigation.

What will probably prove to be the last chapter in the famous calf case was begun Thursday afternoon when the case of Kelley vs. J. J. Chauncey and Early Arant was called. Kelley was represented by Attorney Irwin and the Arants by Judge Drake. Little difficulty was experienced in securing the jury, which is composed of the following: J. G. Pierce, E. B. Ramsby, E. W. Gowan, H. S. Parrish, H. L. Boggs, M. E. Hutchinson, J. H. Danner, Frank Anderson, H. B. Nichols, H. S. Oden, A. Kershner and R. H. Ross.

The first witness to be called was Richard Breitenstein, in whose place the disturbance first started. He stated that on the night of April 28th Kelley was in his place of business when the three Arant boys entered. Herbert stated that he could lick any man in the house, directing this same remark particularly to Kelley, who was present. They began taking off their coats, when the witness informed them that they could create no disturbance in there. Kelley was getting ready to take a hand in the affair when he interfered. The four of them went outside, but the witness did not follow them and did not know what happened until he was called out by Harry Stilts. He then found Kelley lying face downward on the sidewalk, bleeding profusely. They carried him inside and later brought him to a doctor's office. Breitenstein was followed by James G. Kenniston, E. M. Childers, E. L. Robinson, Dr. Hamilton, John Steivers, Lloyd Low, William Downey and C. S. Patten. Childers, Robinson, Downey and Steivers testified to having seen J. J. Arant kick Kelley in the face while the latter was lying on the sidewalk.

Kelley was the last witness called for the day, and he was still on the stand when court adjourned. His testimony was practically the same as that given by Breitenstein and the other witnesses.

When court convened this morning George Kelley was put on the stand and asked in regard to the case in the justice court against J. J. Arant, after which the prosecution rested its case. Attorney Irwin, by permission of the court, read a certified copy of the proceedings in the justice court of the case against J. J. Arant, wherein the defendant pleaded guilty of assault and was fined \$35, which he paid.

Attorney Drake, for the defense, asked the court to instruct the jury to return a verdict in favor of the defendants, on the ground that the prosecution had no cause for action or any grievance, and that no evidence had been introduced to prove that the plaintiff had received any serious injury or damage. The motion was overruled by the court. The court then allowed the reading of the petition for a continuance on account of the absence of certain witnesses of the defense, which petition had been refused by the court.

The first witness for the defense was Early Arant, one of the defendants. He testified that he and two brothers, A. T. Arant and others left the courtroom after ten o'clock at night, following the conclusion of the Arant case, and went toward the American House; that they went into the Breitenstein place, and that there was quite a number of men in the place, including John Lambert, Paul Breitenstein, Kenniston, John Steivers and others. The Arant boys were talking about the trial when they entered, and Herbert said he could whip any of the perjuring — that testified in the case. George Kelley pulled off his coat and said he could whip the whole bunch. Breitenstein then came from behind the bar and told them that they could not fight there and ordered them out-

side. They all started out, Kelley ahead, he next and Herbert following. Kelley stepped to the side of the door, and when he stepped out he was struck in the jaw and knocked down on the sidewalk. One tooth was knocked out and another loosened, so that he pulled it out with his fingers. The tooth was shown in evidence. He was stunned by the blow, and someone picked him up.

Herbert Arant was the next witness, and his testimony was about the same as the preceding witness. He admitted making the remark as stated by his brother, but denied saying that he could lick anyone in the house. When he saw Early knocked down he went to pick him up and Kelley hit him in the face. They began to fight, and Kelley clinched him and threw him down. Kelley had his hands around his throat trying to shut off his wind, and he struck him three or four times in the face and finally got loose and crawled out from under him. He saw someone help Kelley up, who walked back into the building.

A. T. Arant of Grants Pass, a brother of J. F. Arant, was then called. He stated he was present when the trouble occurred and he corroborated the evidence given by the preceding witnesses. P. B. Southworth testified to the condition of Kelley after the fight. He saw Breitenstein and another man help Kelley get up and assisted him into the building. Kelley was dazed, but able to use his legs in walking. J. J. Arant's testimony was substantially the same as that given by his brothers. He stated that when Kelley was choking Herbert Arant, he kicked him with the side of his foot to break his hold on his brother's throat. All of the witnesses were cross-examined by Attorney Irwin of the prosecution. Court then adjourned for noon.

WILL OPEN MANY RESORTS.

With the completion of the Oregon Eastern between this city and Natron there will be opened to the tourists of this country a section that is unequalled anywhere. Odell Lake has for years had a reputation as being the home of a species of the trout family that reaches a size unknown anywhere else on the American continent; the country surrounding it is filled with all kinds of game; the scenic beauty of it is unsurpassed. Close at hand are Crescent Lake and Davis Lake—both of which are a close second to Odell. The towering mountains, precipitous canyons, timbered hills, and broad valleys combine to make it one of the most picturesque sections imaginable. The new railroad will pass through the center of this country, and will bring to it every year thousands of tourists.

After the range is crossed and the Willamette valley is entered, there will be found many pleasure resorts that have been exploited to some extent, but which, due to their inaccessibility, have made very little growth. Among them are the hot mineral springs twelve miles above Hazel Dell and about forty miles east of Eugene. As the springs are on the line of the proposed railway, no doubt a large resort will be built up there, as the hunting and fishing in that vicinity are excellent. The railroad will also attract thousands of sportsmen to other points along the upper Willamette, where fishing and hunting are hard to equal.

It is natural for every section of the country to proclaim its undeveloped portions as being unequalled, but in the case of Klamath, it is different. The northern part of this county has been recognized for years as being the Switzerland of America, and when it is once made accessible to the tourist it will be the Mecca for thousands of them annually.

REAL ESTATE TRANSFERS.

Martin Perry to Isa E. Richardson, E½ of E½ sec 22, tp 35 s, r 14 e, \$10.
G. W. White et al to J. W. Jones et al, lot 5 blk 15, Fairview add. No. 2 to Klamath Falls, \$150.
Robert G. Caldwell to F. P. Hixon, E½ of SW¼, NW¼ of SW¼, SW¼ of NW¼, sec 27, tp 27 s, r 11 e, \$10.
Abner Weed et ux to C. T. Felt, SE¼ of SW¼ sec 22, tp 39s, r 9 e, \$10.
Ada H. Smith et vir to Chas. E. Worden, part lot 4 blk 4, Klamath Falls, \$125.
D. V. Kuykendall et ux to Amanda Hamaker, part tract No. 99, Enterprise tracts, \$1.
R. E. Guthridge et ux to Chas. F. DeLap, parcel of land in NE¼ sec 32, tp 38 s, r 9 e, \$1,125.
Geo. A. Libbe to Abner Weed, SW¼ of SW¼ sec 12, NW¼ of NW¼ of SW¼ sec 12, tp 41 s, r 9 e, \$10.
Guber & McKendree to Mary L. Kilgore, lots 19 and 20 blk 47, Grandview add. to Bonanza, \$1.
Flora B. McKendree et al to Mary L. Kilgore, part blk 12, First add. to Bonanza, \$10.

E. Bloomingcamp of Bly was in the city on business Friday.

WATER CONTRACTS AMENDED.

When The Herald some weeks ago called attention to the fact that under the provisions of the contract signed by the land owners under the Klamath project it would be impossible to sell or assign their water rights, the proposition was laughed at by many, it being deemed ridiculous that the government would ask the signing of any such a document. Judge Noland, however, looked at the matter in a different light, and in a letter to Senator Chamberlain called attention to the fact that the contract could be construed along the lines indicated by The Herald, and suggested that he take up the matter with the Interior Department and have the contract changed so that all doubt might be removed. The following correspondence is self-explanatory, so that no further uneasiness need be felt about the matter:

United States Senate,
Washington, D. C.,
June 16, 1909.

Hon. George Noland, Klamath Falls, Oregon.

My Dear Judge: Your letter of April 28th, relative to the form of contract prepared for the water users of the Klamath Project, reached this office in due time, and was handed to me by Senator Chamberlain. I took the matter up immediately with the Reclamation Service and with the Commissioner of the General Land Office and the Secretary of the Interior. The Reclamation Service stated that they had prepared that form in order to prevent "dummy" sales, and when I told them that their work was so effective that legitimate sales were prevented, using all further arguments I could, they promised to insert the word "assign." I have not a form of the contract with me at this time, but I asked to have that word appear in its proper place.

The Secretary and Commissioner both referred it to their law officers, and I had several talks with them regarding it. They dropped the entire matter when, about two weeks ago, the acting Director of the Reclamation Service, Mr. Davis, informed them that he had so changed the form as to make it satisfactory. I enclose the letter from Mr. Davis, which you see was dated May 19th, and it was entirely because of the fact that your letter was mislaid that I have not answered before.

If I can be of further service at any time, command me.

I have the honor to remain, yours very sincerely,
R. A. CAPLES,
Department of the Interior,
U. S. Reclamation Service,
Washington, D. C.,
May 19, 1909.

Hon. Geo. E. Chamberlain, United States Senate.

Sir: Your secretary recently called at this office in regard to the matter of transferring a water right under form of water right application filed in pursuance of the reclamation act. As that time reference was made to the fact that regulations were to be issued, but the details of the regulations which had been adopted April 20, 1909, were overlooked at the time.

Herewith is transmitted copy of a circular of April 20, 1909, providing for the method of transfer of a part of the lands covered by a subsisting water right application and the water rights appurtenant thereto.

Very respectfully,
A. P. DAVIS,
Acting Director.

ALBANY PLACES BAN ON LIQUOR TRAFFIC.

ALBANY, Ore., July 1.—The citizens of Albany are up in arms against the many blind pigs which have been running wide open in the city during the past year. At a recent Council meeting the Council and Mayor took the initiative and ordered the near-by joints to close. As the Grand Jury convened yesterday, all those violating the local option law did not hesitate to close up at once.

Now the citizens come up with a resolution as follows:
"Whereas, it is generally conceded that the local option law is being frequently violated in Linn county, and especially in Albany; and

"Whereas, Mayor Wallace, the City Council, Sheriff Smith and Deputy Munkers are using their best endeavors to enforce said law; therefore, be it

"Resolved, that we pledge ourselves to aid in all honorable ways said officers in their efforts to enforce said law, and we most respectfully solicit the co-operation of Judge Burnett, John McNary, District Attorney, and City Attorney W. R. Blyen, and every law-abiding citizen to make a special effort to bring about a better and more rigid enforcement thereof."

After twenty years of experimenting, an Edinburgh firm has brought out an essence of tea which is said to preserve the qualities of the prepared leaf.



Nyal's Vegetable Prescription is indicated in all ordinary diseases of women. This remedy never disappoints, its good effects being perceptible from the very first. It is composed of the purest and the most reliable drugs: mercurials, opiates and other harmful drugs being excluded. The many disagreeing influences to which a woman is constantly subjected render her liable to many functional disorders that not only tend to destroy her comfort and happiness, but which gradually merge into chronic and serious diseases.

Nyal's Vegetable Prescription is without a peer for the successful treatment of female weakness, painful and disordered menstruation, hysteria, cramps, "bearing down pains," inflammation and falling of the womb. This is a remedy of sterling worth.

UNDERWOOD'S PHARMACY
Cor. 7th and Main Streets
Klamath Falls - - - Oregon

TO BUILD AN ESPLANADE.

What is going to be done about the holding of a county fair this fall? That is a question that must be answered within a short time, and one that many business men of the city would like to know something about. When the question of holding a county fair comes, it brings with it many others of equal importance. The chief one is what is going to be done with the fair grounds. As they now are a fair cannot be held there. Neither can the funds be raised to complete it. On top of this comes the inquiry of what means of transportation will be used. If the plan to take the Klamath to the Upper Lake is carried out, what will then be used to get the people back and forth from the fair grounds? It is a certainty that they will not go there if they have to drive.

An answer to the latter problem is found in the suggestion that a dike be thrown up between this city and the fair grounds along the edge of the lake, and that it be made into a beautiful drive. Trees could be planted and the road macadamized, and this city could then boast of one of the most beautiful drives on the coast. This question has received a good deal of consideration since the big dredger made its appearance, and it has been suggested that some steps be at once taken to see if something cannot be done with this proposition before the big machine is transferred to the Upper Lake. It has been suggested that the Chamber of Commerce take the matter in hand. If it can accomplish this it will be the last straw of conviction necessary to make the people of this city come to the realization of the fact that the Chamber of Commerce is a body of men organized to do things, and that it is carrying out the program with precision and dispatch.

At the same time that it is considering the question of the grand esplanade to the fair grounds it might also consider the advisability of taking the holding of the fair under its wing. The work done on Railroad Day convinces the business men of what would be done on Fair Day. Then, again, the accounting made of the expenditure of the funds has inspired a confidence in the workings of this organization that insures the hearty support of every business man of the town. They will contribute liberally, especially when they know where the money is to be spent and that an accounting is going to be made. In connection with the fair should be held a water carnival, when it will be possible to see, to some small extent, what can be done with this feature.

Two important matters are, therefore, passed up to the Chamber of Commerce. First, the construction of an esplanade from this city to the fair grounds; second, the holding of a county fair here this fall and, in connection therewith, a water carnival.

A FEW BARGAINS.

Five lots, slightly location, \$1500. Can loan \$750 on the deal.
A nice cottage with bath, large lot, \$1700. A good buy.
A large residence, five lot, \$3500.
Three cottages on three lots. Room enough for another cottage; \$2250.
MASON & SLOUGH.

NOTICE.

Parties wishing sagebrush land cleared, call on or write,
W. W. MASTEN,
12-31tf Klamath Falls, Ore.

Have E. W. Muller add an attachment to your phonograph so you may enjoy the new 4-minute Amberol records. 12-17