

WATER USERS FILE APPEALS

OBJECT TO RULINGS OF LAKEVIEW LAND OFFICE

IN ERROR IN AT LEAST THREE CASES

A Compliance With the Conditions Imposed Would Work a Hardship to Farmers

The Klamath Water Users' Association and the United States land office at Lakeview have had trouble on several occasions over rulings made by the land office, and now Secretary Elder of the Water Users' association is busy filing appeals from the land office rulings, the appeals being made through the association in behalf of the individual members.

There are three grounds for the appeals. The first is from the land office ruling that descriptions of property less than forty acres must be by metes and bounds, instead of by fractions of a section, which has heretofore been accepted by the land office and which descriptions are accepted in any transfer of title in the local courts. Applications for water rights under the Klamath project have been made by many persons who own twenty acres or less, and as the descriptions of their property were by fractions of a section and not by metes and bounds it would require a great deal of time and expense to have the land surveyed so as to describe it by metes and bounds. The land owners claim that a description by fractions of a section answer the purpose, and have filed an appeal on that ground.

The second ground for an appeal is based on a ruling of the land office relative to cases where the land has been temporarily withdrawn.

When the applications for water were made the owner of the land applied for water for as many acres as could be irrigated. For instance, if he had 160 acres and 120 could be irrigated, he applied for 120 acres, the remaining forty being "temporarily" withdrawn. That form of application was accepted. When it was desired that the remaining parcel of land be irrigated application for the remainder was filed. The Lakeview land office held that it was not necessary to file for the remaining part of the land which had been temporarily withdrawn. From this ruling the association also appealed on the ground that a man was not entitled to the water until he had made application and that he must apply and his application be accepted before he could be assessed.

The third objection the association has is to a ruling of the department of the interior promulgated in July, but not received here until in August, which states that all applications for water made after the 1st of May must pay the 1909 tax and also pay the 1910 tax in advance. The payment of the 1910 tax in advance is most strenuously objected to by the association.

They claim that by making a ruling of that kind it is an *ex post facto* law, and that the department has no right to make such a ruling. The association further holds that the land owner cannot be forced to pay the tax for the current year unless the tax has been declared delinquent by the Water Users' association, and that is not done until the end of the fiscal year.

The Water Users' association has had several tiffs with the land office heretofore, and has always come out ahead, and they expect to do so this time.

AGED VICTIM OF THE IMMIGRATION LAW

Sad Case of the Hardship Worked on a Man and His Wife From Hungary

NEW YORK, Nov. 11.—Ellis island will remember the case of Franz Loh and his wife, Hungarians, as a peculiar example of how the letter of the law, as applied to immigrants, may work heart-rending hardships. The aged couple have two daughters living in Passaic, N. J., and it was their intention to join them when they journeyed to Hamburg, Germany, and bought a ticket to America. But the man who sold them the tickets put them on a steamer which landed them in Buenos Ayres. With no funds they spent a year at hard labor on a ranch, finally earning enough for passage to New York. A week ago they arrived here, again penniless. The immigration officials said immediately that they could not land because they were likely to become public charges.

The pleadings of the two daughters availed nothing, and the only question which remained was, should they go back to Argentine or to Hamburg? The law says specifically that the blue which brings over an undesirable

alien shall take him back. The daughters offered to pay the passage to Germany, but the law was inflexible, and the two are now aboard a steamer sailing back to Argentine.

KILL TWO HUNDRED RATTLES BEFORE FORCED TO RETREAT

Two Modoc Count, Boys Run Into a Den of Reptiles While Hunting—Escape Unharmed

ALTURAS, Nov. 12.—Two young boys, sons of W. S. Chambers of Cloverdale, had a thrilling fight with rattlesnakes in the Pitt River canyon, and escaped safely after killing upwards of 200 snakes.

The boys were hunting squirrels when they noticed a number of rattlesnakes among the rocks. They attacked these, and soon found the rocks were fairly alive with vast numbers of the reptiles. For an hour they fought with rocks and sticks, slaying them by scores. Finding the number seemed undiminished, the boys retreated. Chambers will use dynamite in the canyon to destroy the snakes.

SAN FRANCISCO TO VOTE ON BOND ISSUE FOR THE FAIR

If Successful It Will Mean \$17,500,000 for the Big Panama-Pacific Exposition

SAN FRANCISCO, Nov. 11.—The committee of exposition directors is preparing to depart for Washington following the subscription of \$7,500,000 and also the passage of the state bond issue of \$5,000,000, by the largest vote ever polled in California. The state constitutional amendment, authorizing San Francisco to change its charter so as to vote \$5,000,000, was passed by a vote of twenty to one. The city votes next Tuesday and indication points to the passage of the bond issue, making a total of \$17,500,000. This sum can be used for the fair only. Additional sums will be raised to pay boosting expenses.

SHIP \$3,573,308 IN GOLD FROM NOME IN THREE MONTHS

SEATTLE, Wash., Nov. 10.—Nearly 2,000 more people left Nome than entered the Bering Sea city during the navigation season just closed, according to the figures compiled by the United States customs officer there. The report shows that seventy-six American and foreign vessels entered the Northern port, taking in 2,154 passengers and bringing out 4,699.

The gold shipped out during the five months of open navigation amounted to \$3,467,698.54. Twenty-one thousand tons of merchandise and 1,305,000 feet of lumber, board measure, were unloaded at Nome during the summer.

EX-PRESIDENT ROOSEVELT REFUSES TO APPEAR

Keeps Himself Secluded at Oyster Bay and Neighbors Are Wondering What Is the Matter

OYSTER BAY, Nov. 11.—Ex-President Roosevelt is still in complete seclusion at Oyster Bay. Not since the Spanish-American war, twelve years ago, has he kept himself so secluded. The village folk don't know what to make of it.

CLOSE RACE IN CALIFORNIA DISTRICT

SAN FRANCISCO, Nov. 11.—The latest returns here indicate that the official count will be necessary to decide the Englebright-Raker contest in the First Congressional district. The incomplete returns show that Englebright's plurality in Humboldt and the coast counties is 2,762, while the latest returns from the mountain counties give Raker a plurality of 2,960.

TWENTY-ONE PERSONS LOSE THEIR LIVES IN A WRECK

BOULOGNE SUR-MER, France, Nov. 11.—Twenty-one persons were drowned in the wreck of two fishing vessels which foundered today. It is feared the crews are lost.

REPUBLICAN MAJORITY IN SENATE IS REDUCED

WASHINGTON, D. C., Nov. 11.—Revised returns indicate that the republican majority in the United States senate will be cut from 26 to 19. The senate will stand: Republicans 51, democrats 41.

AVIATOR DIES FROM FALL FROM AEROPLANE

BRUSSELS, Nov. 11.—Aviator Peeters fell 75 feet with his aeroplane in a cross-country flight today, and died from the injuries he received.

More than 13,000 tons of steel ingots and direct castings were made with electricity in four plants in the United States in 1909.

WERE ON THE ANXIOUS SEAT MANY EGGS SHIPPED HERE

MISTAKE IN MESSAGE CREATES AMUSING SITUATION

Telegram Giving Statewide Prohibition Figures Creates Consternation Among Liquor Men

The skipping of a space in a type-writer when a message was being received in this city Thursday caused the telegram to read in such a way that it caused consternation in the ranks of the liquor men and exceeding joy to the prohibitionists. But, later, when the message was straightened out the liquor men were joyous and the prohibitionists correspondingly depressed.

Horace Manning telegraphed to Portland for the figures on the statewide prohibition law and the home rule bill, and in reply received the following telegram:

"H. P. Manning, Klamath Falls, Ore.: 'Will be at statewide prohibition upwards of 10,000 and carry home rule by much smaller majority.'"

Mr. Manning and the men to whom he showed the telegram all thought the "t" in the third word was an error, and that the telegram should read: "Will be a statewide prohibition by upwards of 10,000."

They could not see, though, how the message could be correct, and finally it was suggested that it be verified. As soon as the telegraph operator was told what was wanted he informed the anxious inquirers that the message should read:

"Will beat statewide prohibition by upwards of 10,000, and carry home rule by much smaller majority."

The liquor men are now satisfied.

NEW HOURS FOR WESTERN UNION TELEGRAPH OFFICE

Commencing Today, Will Be Open From 7:30 in the Morning Until 11 at Night

The business of the Western Union Telegraph company has grown to such an extent that it is necessary to employ another operator, and beginning this morning the office will be open from 7:30 a. m. until 11 p. m., or later if necessary.

On Sunday the regular hours are from 8 to 10 a. m. and from 4 to 6 p. m., but if necessary the office will be kept open after these hours.

This will be welcome news to those who patronize the office, as heretofore many messages which would have been sent have not been forwarded because the office was not open at a time when they could be received.

FIRST SOCIALIST GOES TO U. S. CONGRESS

MILWAUKEE, Nov. 11.—The social-democratic party will be represented in the next house of representatives by Victor L. Berger of the Fifth Wisconsin district.

Gaylor, social-democrat, also says he is elected over Carey in the Fourth district, though the republicans' claim Carey's election by a small plurality.

The social-democrats elected their Milwaukee county ticket by between 2,999 and 5,000, according to the latest returns.

This is the first time a socialist has been sent to the United States congress.

Berger is the man who has been chief adviser to Emile Seidel, socialist mayor of Milwaukee.

YOUNG GATES LOSES \$40,000 OVER TABLE

NEW YORK, Nov. 10.—Charles G. Gates, son of John W. Gates, took his first plunge into the sporting life of New York since his operation for appendix in July, on Thursday night, losing \$40,000. Arnold Rothstein, a notorious gambler, whose house on West Fifty-sixth street has remained open throughout so many New York spasms of virtue that the most rigid investigators never think of bothering him any more, acted as Gates' host. A well known wine agent and sporting man was the escort. Much roulette and some faro were the mediums through which young Gates and his bank roll were parted.

TAKES PUPILS TO ARIZONA INDIAN SCHOOL

Young People From the Klamath Reservation Leave for Southern State to Study

Wednesday afternoon Charlotte Schulz, one of the teachers in the schools at the Klamath reservation, came down from there and this morning left for the government school at Phoenix, Ariz., taking with her Iva Smith, Mary David and Richard Gray, three young Indians, who will be placed in the school in the Southern state. Miss Schulz will not return to the reservation here, but will remain in the South.

ONE HUNDRED CARLOADS ARE BROUGHT IN EACH YEAR

More Chickens Should Be Raised, as Conditions Are Ideal for Poultry

PORTLAND, Nov. 11.—Oregon is importing more than 100 carloads of eggs each year, according to the experiment station of Oregon Agricultural college. This 100 cars of eggs should all be produced here at home, and many more besides, according to the experts in charge of the experiment station work. How to bring this about is what is taxing the ingenuity of those having the agricultural future of the state in charge.

Conditions here for poultry growing are ideal. By experiment and practical demonstration it has been shown that the hen thrives throughout this state, and shows a handsome profit to her keeper when handled properly. But more chickens are needed to care for the demand that is outrunning production.

One means to increase poultry production has been taken by the experiment station, in connection with the Portland Y. M. C. A., and day after tomorrow will mark the close of the first year's work. School children have been interested in chicken raising and urged to grow small flocks on back lots. The attention given them has been after school hours and on Saturdays. The results have been very gratifying indeed.

Prizes are offered for the best flocks and the best progress made during the year. Indeed the premiums are well worth striving for, the first prize being \$100 and the second prize \$50, while there are many minor prizes. Those failing to win any of these prizes can point to their poultry earnings for recompense, together with the knowledge and practical experience they have gained in the work. Dr. James Withycombe of the experiment station, and Prof. James Dryden, head of the department of poultry husbandry at the same institution, will make awards of prizes.

PRESIDENT TAFT STARTED FOR PANAMA THURSDAY

CHARLESTON, Nov. 10.—The cruiser Tennessee, with President Taft aboard, started for Panama at noon today. President Taft arrived at 10 o'clock this morning and the presidential flag was raised and 21 guns boomed out the official salute. It will take four days to reach Colon.

HORSES WANTED

I want two or four horses for farm work in exchange for your winter's keep. H. G. FAIRCLO, Merrill Route.

WANTED—Ten tons of scrap cast iron, in large or small quantities. Bring what you have. Price 1 cent per pound. Klamath Falls Iron Works.

WANTED—Good 16-inch stove wood, juniper preferred. Call on W. E. Coman, Republican office, Fourth street, opposite courthouse.

NOTICE

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

A FEW BARGAINS.

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

NOTICE OF RESTORATION OF PUBLIC LANDS TO SETTLEMENT AND ENTRY

Department of the Interior, General Land Office, Washington, D. C., September 19, 1910.

Notice is hereby given that the acting secretary of the interior has vacated departmental order of withdrawal in so far as the same affects the withdrawal for irrigation purposes under the act of June 17, 1902 (32 Stat., 358), for use in connection with the Klamath project, Oregon, of the following described lands in the state of Oregon, and by his authority such of said tracts as have not been heretofore finally restored and are not otherwise withdrawn, reserved or appropriated, will be subject to settlement under the public land laws of the United States on and after December 12, 1910, also to indemnity school land selection as well, but shall not be subject to entry, filing, or other selection until January 11, 1911, at the United States Land office at Lakeview, Oregon, warning being expressly

given that no person will be permitted to gain or exercise any right whatever under any settlement or occupation begun after September 13, 1910, and prior to December 12, 1910, all such settlement or occupation being forbidden:

Willamette Principal Meridian, Oregon
Township 36 south, Range 7 east, SW 1/4, SW 1/4 sec. 19; SE 1/4, SE 1/4 sec. 23; SW 1/4, SW 1/4 SE 1/4 sec. 27; S 1/2 NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4 sec. 28; S 1/2 NE 1/4, S 1/2 NW 1/4 sec. 31; SW 1/4, SW 1/4 SE 1/4 sec. 32; W 1/2 NE 1/4, W 1/2 SE 1/4 sec. 34; SE 1/4 NW 1/4, SW 1/4 sec. 36.

Township 37 south, Range 7 east, SE 1/4 NE 1/4, W 1/2 NE 1/4, NW 1/4, S 1/2 sec. 1; NE 1/4 NE 1/4, S 1/2 NE 1/4, NE 1/4 SW 1/4, S 1/2 SW 1/4, SE 1/4 sec. 2; NW 1/4 NE 1/4 sec. 3; SE 1/4 SE 1/4 sec. 4; SE 1/4 NE 1/4, W 1/2 NE 1/4, NW 1/4, S 1/2 sec. 5; E 1/2 NE 1/4, S 1/2 sec. 9; NW 1/4, W 1/2 SW 1/4 sec. 24; W 1/2 NW 1/4, W 1/2 SW 1/4 sec. 25; NW 1/4 NW 1/4, S 1/2 NW 1/4, SW 1/4, SW 1/4 SE 1/4 sec. 36.

Township 37 south, Range 8 east, W 1/2 SW 1/4 sec. 6; SW 1/4 NE 1/4, NW 1/4, S 1/2 sec. 7; SW 1/4 SW 1/4 sec. 8; N 1/2 NE 1/4, NW 1/4 sec. 18.

Township 38 south, Range 8 east, W 1/2 SW 1/4 sec. 6; W 1/2 NW 1/4 sec. 7; SE 1/4 NE 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 sec. 8; NE 1/4, NE 1/4 SW 1/4, SE 1/4 sec. 9; S 1/2 NW 1/4, SW 1/4, SE 1/4, W 1/2 SE 1/4 sec. 10; S 1/2 NE 1/4, SE 1/4 NW 1/4, SE 1/4 sec. 12; NE 1/4 NE 1/4 sec. 13; NE 1/4 NE 1/4, W 1/2 NE 1/4, NW 1/4 sec. 15; NE 1/4 NE 1/4 sec. 16; SW 1/4 NW 1/4, SW 1/4, SW 1/4 SE 1/4 sec. 18; NE 1/4, NE 1/4 SE 1/4 sec. 19; SW 1/4 SW 1/4 sec. 20; NW 1/4, S 1/2 SW 1/4 sec. 23; S 1/2 SW 1/4 sec. 25; NW 1/4 NE 1/4, S 1/2 NE 1/4, NW 1/4, S 1/2 sec. 26; E 1/2 SW 1/4, NW 1/4 SW 1/4, S 1/2 SW 1/4, SE 1/4 sec. 28; SE 1/4 NE 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4, NW 1/4 NW 1/4, SE 1/4 SE 1/4, N 1/2 SE 1/4 and lots 2, 3 and 4, sec. 29.

Township 37 south, Range 9 east, NE 1/4, NE 1/4 NW 1/4, N 1/2 SE 1/4, SE 1/4 sec. 6; E 1/2 NE 1/4, E 1/2 SE 1/4 sec. 7; all of section 19; N 1/2 NE 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4, E 1/2 SE 1/4 sec. 30; E 1/2 NE 1/4, SE 1/4 SW 1/4, NE 1/4 SE 1/4, S 1/2 SE 1/4 sec. 31.

Township 38 south, range 9 east, N 1/2, NE 1/4 SW 1/4, SE 1/4 sec. 6; NE 1/4, S 1/2 sec. 7; NE 1/4, E 1/2 NW 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4 sec. 18; E 1/2 NE 1/4, SE 1/4 sec. 19; all of sections 28 and 29; E 1/2 NE 1/4, S 1/2 SW 1/4 sec. 30; W 1/2 NE 1/4, NW 1/4, S 1/2 sec. 31; N 1/2 NE 1/4, NE 1/4 NW 1/4 sec. 32; N 1/2 NE 1/4, NW 1/4 sec. 33; NE 1/4, SE 1/4 NW 1/4, N 1/2 NW 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4 sec. 34; all of sections 35 and 36.

Township 40 south, Range 11 east, E 1/2 NE 1/4, N 1/2 SE 1/4 sec. 21.

FRED DENNETT, Commissioner of the General Land Office.

FRANK PIERCE, First Assistant Secretary of the Interior, 10-6-12-15



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E. L. ELLIOTT ATTORNEY AT LAW

General Law Practice State and Federal Courts Examiner of Land Titles. First National Bank Block Klamath Falls, Oregon

FRED WESTERFELD DENTIST

Klamath Falls, Oregon Over Star Drug Store

C. C. BROWER ATTORNEY AND COUNSELOR AT LAW

KLAMATH FALLS, OREGON ROOMS 7 & 8, MURDOCK BLDG.

WILL A. LEONARD DENTIST

White-Maddox Bldg.

DR C. P. MASON DENTIST

Office in American Bank & Trust Company's Building PHONE 614 KLAMATH FALLS OREGON

BENSON & STONE ATTORNEYS AT LAW

American Bank and Trust Bldg. KLAMATH FALLS - OREGON

R. M. RICHARDSON United States Commissioner

TIMBER AND HOMESTEAD PROOF TAKEN

Office, Third and Main, opposite City Library. Telephone 391.



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 disconcerting influences to which 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.

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STORE OPEN SATURDAYS UNTIL 10 P. M.

Special Sale of Overcoats

for Saturday only

These are all-wool coats, cravenetted, with the two-in-one collar; a new and practical creation this season. Sizes from 34 to 44

Regular \$15 Overcoats for Saturday only	\$12.00
Regular \$16.50 Overcoats, Saturday only	\$13.50
Regular \$20 Overcoats, for Saturday only	\$16.00
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