

KLAMATH REPUBLICAN

W. O. SMITH, Editor.

LEADING NEWSPAPER OF INTERIOR OREGON

TWO DOLLARS PER YEAR IN ADVANCE

All communications submitted for publication in the columns of this paper will be inserted only over the name of the writer. No non de plume articles will be published.

1913 CHARGES ONLY ARE REDUCED

FIRST DISPATCHES, INDICATING LOWER RATE FOR 1912 BUILDING CHARGES, WAS IN ERROR

The reduction of building charges by the Reclamation Service applies to the 1913 charges, according to the full notice received from Secretary Lane of the Department of the Interior. The dispatches received from Washington indicating that the ruling cut the building charge for 1912 to \$1 an acre.

Under the ruling, the building charges for 1912 are practically extended to December 1, 1913, before the water right application will be subject to cancellation.

Following is Lane's notice in full: 1. On February 26, 1913 the Secretary of the Interior, acting under the provisions of the Reclamation Act of June 17, 1902 (32 Stat., 338) and acts amendatory thereof and supplementary thereto, issued an order suspending for the time being the requirement that no water would be furnished under the several projects as provided by existing public notices and orders until payment had been made of the charges for operation and maintenance.

2. This order was issued because of the pendency in the United States Supreme Court of the case of Swigart v. Baker in which was called in question the right of the Secretary of the Interior to collect charges for operation and maintenance under the terms of the said Acts.

3. Said order provided that in case the United States Supreme Court sustains the authority of the Secretary to require such payments, the water user shall make prompt payment of the portions of installments for operation and maintenance which should have been paid under public notices and orders before the furnishing of water, and in case of failure of any water user to make such payment within ten days after public notice of a decision of the Supreme Court of the United States in said case sustaining the right to make such collections, the water supply for his land shall be promptly shut off and so remain until payment has been made of said charges.

4. On May 26, 1913 the Supreme Court of the United States decided the case of Swigart v. Baker, holding that the Secretary of the Interior was authorized by the law to require payment of the charges for operation and maintenance.

5. Notice is accordingly hereby given that the charge for operation and maintenance on every project shall be paid as required by the public notices and orders issued thereunder, and in case of failure to make such payment on or before July 21, 1913, such action shall be taken in each case as is provided by law and by the public notices and orders applicable to the project.

6. The said date of July 21, 1913 hereby fixed is intended to give not less than ten days' notice from the date of publication of this order in some newspaper of local circulation on each project affected.

7. The building charge of the several projects due December 1, 1912 or March 1, 1913; April 1, 1913 or May 1, 1913, as the case may be, is hereby reduced to one-third of the amount due on the said dates (taking the remainder of such installment of said building charge shall be each case be added to the last installment due under the corresponding water right application).

8. All water right applicants who have already paid the building charge due December 1, 1912, or March 1, 1913; April 1, 1913, or May 1, 1913, as the case may be, shall be credited with payment made in excess of the amount herein provided, to be applied on their next unpaid annual building charge, or they may have the credit applied to the charges for operation and maintenance now due.

9. No water right applicant shall be entitled to the above reduction in the building charge unless he has paid the charges for operation and maintenance now due, and has prepared for irrigation and has irrigated in good faith for the purpose of raising agricultural crops, one half the entire irrigable area of his tract or not less than five acres for each full irrigation season since water was available therefor.

10. As a matter of further relief to the water user who is delinquent in his payments to such extent as to be

subject to cancellation, it is hereby ordered that no proceedings looking toward cancellation will be taken before December 1, 1913, on account of said delinquency; provided that the said water user has paid the charges for operation and maintenance now due and has prepared his land for irrigation and has irrigated to the extent described in the preceding paragraph.

LOCALS TAKE THE CLOSING GAME

CHILQUIN, WITH A BORROWED BATTERY, IS BEATEN BY AN 8-TO-2 SCORE SUNDAY MORNING AT MODOC PARK

The second and final game arranged by Manager Miller of the Elks' sport committee, was captured by the classy Klamath Falls team, making the series a 2-to-0 affair. Captain Maxwell has a splendid team, a team that would do credit to any city, and it is the greatest wonder in the world that the Chamber of Commerce does not arrange to finance the team for trips to outside cities and towns. Such a splendid opportunity for advertising Klamath Falls should not be overlooked.

The box score of Sunday's game will show something unique in baseball, in that the Klamath first baseman is credited with only one put-out, and only one player on the Klamath team figured in the assist column. As far as known the nearest approach to this record was the spectacular game pitched by the erratic Rube Waddell for Brooklyn, when he pitched three innings with only a catcher and first baseman helping him. He struck out seven men and threw two out at first.

Klamath Falls broke into the run column in the first frame Sunday. Houston singled to left; Ambrose sacrificed him to second, himself going out, Foster to Ball; Motschenbacher spilled one over second, scoring Houston; George grounded one to C. Motschenbacher, who tossed to Siemens, forcing his brother; French flied out to Larkey. One run.

Both sides played gilt-edged ball for three innings, then in the fourth two errors, a walk and a single netted the Chilquins a brace of tallies. Thresher started the trouble by sending Maxwell a hot one; Green swung thrice at elusive benders; Lee Ball connected for a smash into the weeds on the canal bank that looked very much like a foul, but his Cumps called it fair, and allowed Thresher to register; Larkey whiffed, and Siemens went to first on four bad ones; in an attempt to kill Siemens off first, Motschenbacher threw high to Arnold, Lee Ball crossing the pan on the overthrow; C. Motschenbacher fanned. Two runs.

The local lads came strong in their half of the fourth, and put the game in cold storage. Motschenbacher shot one past his brother for a single; French was safe on Green's error; Arnold slid an easy one to Foster, who delayed in his anxiety to hold Motschenbacher on third, till every one was safe; George straightened out one of Foster's curves for a single, Motschenbacher scoring on the hit, and French tallying on the throw; Maxwell lived on a fielder's choice, but George was called out at the plate on a quick relay of the ball from Green to Thresher; Maxwell went to second on the play, but was retired on a run-down between second and third, Green, Siemens, Thresher and Foster figuring in the murder. Baum was called out on strikes. Three runs.

In the last half of the sixth Klamath again put over three runs. George swatted safely, and attempted to purloin second; Thresher made a pretty peg to the bag, and George was out by a red knat's eyelash; Maxwell was safe on an infield fumble, stole second, went to third on a hit by Baum, tried to make home on the throw-in, got trapped on the path and finally scored when Foster dropped the throw from Green. Shive was safe on a fielder's choice; passed ball allowed Baum to take third and Shive second, from which stations they romped home when Houston bounced one over C. Motschenbacher's head for a single.

In Motschenbacher Klamath has one of the niftiest mitt artists outside of the big brush. He knows the game in all its dips, curves and angles, and has a better whip than half the professional backstops. As the team now lines up, it will take a mighty good

aggregation to beat them.

Figure this out for yourself:

KLAMATH FALLS										
	AB	R	H	PO	A	E				
Houston, lf	3	2	2	0	0	0				
Ambrose, 3b & rf	4	0	1	1	0	0				
Motschenbacher, c&p	3	1	2	15	1	1				
French, ss & c	3	1	0	1	0	0				
Arnold, 1b	3	1	0	1	0	0				
George, 3b & lf	2	0	2	0	0	0				
Maxwell, 2b	1	1	0	2	0	1				
Baum, cf	3	1	1	1	0	0				
Shive, p & ss	2	1	2	0	0	1				
Totals	24	8	10	21	1	3				

CHILQUIN										
	AB	R	H	PO	A	E				
Foster, p	4	0	2	2	2	2				
Bullard, rf	4	0	1	0	0	0				
Leavitt, cf	4	0	2	0	0	0				
Thresher, c	4	1	1	8	2	0				
Green, 3b	3	0	1	1	1	2				
Lee Ball, 1b	3	1	1	2	1	0				
Larkey, lf	3	0	0	1	1	0				
Siemens, 2b	2	0	2	3	3	0				
C. Motschenbacher, ss	3	0	0	1	2	1				
Totals	30	2	10	18	12	5				

* Seven innings. x Six innings. Summary—Two base hits, Ambrose, Foster, Siemens. Sacrifice hits, Ambrose, Maxwell, French. Stolen bases, Ambrose, Maxwell, Motschenbacher. Struck out, by Foster 6 in 6 innings; by Shive, 12 in 6 innings; by Motschenbacher, 2 in 1 inning. Hits, off Foster, 10 in 6 innings; off Shive, 8 in 6 innings; off Motschenbacher, 2 in 1 inning. Base on balls, Siemens. Earned runs, Klamath Falls 3. Time of game, 1:45. Umpire, Tweedmore.

BAND ASKS COUNCIL TO RECONSIDER

There is much consternation among the members of the Klamath Falls Military band as a result of council's action Monday night in refusing the petition of the band for an appropriation of \$200 for a series of weekly concerts in the park during the next two months. Heretofore, this appropriation has been made each summer, and the concerts have been enjoyed by crowds that filled the park.

Believing that the councilmen acted too hastily in the matter, the band, before taking any action themselves, are asking for a reconsideration of the appropriation request by the council. Toward this end, the following resolution was adopted by the band today:

Resolved, That the Honorable Mayor and City Council:

"We, the members of the Klamath Military band, desire to thank Councilmen Savidge, Matthews, Hamilton and Goeller for the hearty support given in behalf of what we consider a benefit to the populace of our city. To the Council in General:

"It is evident that some of our worthy councilmen fail to take into consideration the fact that a band is a most difficult organization to assemble. It is evident that some of our worthy councilmen forget that on such occasions as Memorial Day, Flag Day, etc., that the band is called upon to donate their services. We have always responded to every donation request. Therefore, we, the members of the Klamath Military band, request the city council to reconsider their action in behalf of all band members and the general public. (Signed)

GEORGE TUGNOT, President.
J. B. HUBBARD,
A. Y. TINDALL,
R. A. MITCHELL, Trustees.

TEXAS STEER

The Texas Longhorn is a fierce enough looking brute when looking from the protection of the grandstand, you watch him wrestle with a bulldog who is endeavoring to throw him, but when this bovine specimen wanders on your peaceable domain, he appears actually blood thirsty. That at least is the way Crescent Avenue folks look at, and they ought to know.

Monday night one of the steers used at the Rodeo left the pasture with some dairy cows, and despite the efforts of the small boy to drive him away, he remained with the cows until they reached their barn at Crescent Avenue. He then commenced his hoof work on the lawn.

Phil Stilts went to the scene of the trouble to oust his steership, but before he could do so, some lawns had been trampled, and a number of clotheslines were broken. The critter was running all right, but instead of taking to the street, he chose the cross country route, tearing through back yards and over lawns, with Stilts in pursuit.

Go for a Visit—Mrs. F. J. Williams and daughters, Misses Margaret and Katherine Williams, leave in the morning for a visit in Vancouver, B. C. They will be away about six weeks.

M'REYNOLDS IS AGAINST RULING

OVERRULES OPINION IN THE ARANT CASE

Park Superintendent Is Again Requested to Resign by Secretary Lane of the Department of the Interior—Arant Says He Will Carry the Matter Into the Courts and Fight to the Last Ditch

The decision by the civil service commission that W. Frank Arant, as superintendent of Crater Lake National Park, is subject to the civil service, has been overruled in an opinion given the department of the interior by Attorney General McReynolds.

Arant has been notified of this ruling. In connection with it, he has again been asked by Secretary Lane of the interior to resign in favor of Will G. Steel.

"I am going to fight to the last ditch in this matter," said Arant today. "I am going to take the matter into the courts on the strength of the ruling of the civil service commission."

"This has become a matter of principle with me, and my friends look at it in the same way."

Steel was some time ago appointed superintendent of the park by Lane, and Arant was requested to resign. This Arant has refused to do, saying that he secured the position under the civil service, and cannot be ousted for political reasons.

Prior to being a candidate for the superintendency, Steel was president of the Crater Lake company, which has the exclusive hotel, store and stage concession in the park. A short time ago Steel announced his resignation from the company.

REAL ESTATE TRANSFERS

The following realty transfers, recently filed with the county clerk, are furnished by the City and County Abstract company:

Wm. S. Worden to Wm. W. Aldredge, warranty deed, \$10, lot 4, block 46, Worden.

James A. Seydel to Weyerhaeuser Lumber company, \$10, W 1/2 SE 1/4, Sec. 26-34-14; N 1/2 NE 1/4, Sec. 34-14-14, W 1/2 NW 1/4, Sec. 35-34-14.

Ida E. Saydel to Weyerhaeuser Lumber company, \$10, W 1/2 NE 1/4 and E 1/2 NW 1/4, Sec. 35-34-14.

Klamath Corporation to Ben S. Owens, warranty deed, \$10, lots 4 and 5, block 216, Mills Second addition.

The Klamath Development company to Mrs. L. W. Wilson, warranty deed, \$10, lot 17, block 20, Second addition.

The Klamath Development company to W. A. Winters, warranty deed, \$10, lot 2, block 39, Hillside addition.

The Klamath Development company to R. A. Edminster, warranty deed, \$10, lot 1, block 32, Hillside addition.

The Klamath Development company to J. O. Marrett, warranty deed, \$10, lot 11, block 28, Hot Springs addition.

The Klamath Development company to Paul E. Wahlberg, warranty deed, \$10, lot 16, block 44, Hillside addition.

T. T. Land to T. W. Thornburg, warranty deed, \$10, lots 6, 7, 8, 9 and 10, block 22, First addition.

The Klamath Development company to Wilfrid M. Snow, warranty deed, \$10, lot 12, block 40, Hillside addition.

Wm. S. Worden to Alvina Regan, warranty deed, \$10, lot 10, block 38, Worden.

The Klamath Development company to Ivie Spencer, deed, \$10, lot 16, block 61, Second Hot Springs addition.

United States to Sylvester W. Buckmaster, patent, NE 1/4 NW 1/4, N 1/2 NE 1/4, Sec. 29-38-13, and SE 1/4 SE 1/4, Sec. 17-38-13.

United States to S. W. Buckmaster, patent, W 1/2 Sec. 17-38-13, and E 1/2 SE 1/4, Sec. 18-38-13.

P. M. Reidy to Big Basin Lumber company, warranty deed, \$10, lots 14 and 15, block 17, Second Railroad addition.

Willis E. Faught to Martin D. Coats, warranty deed, \$1,000, E 1/2 SE 1/4, Sec. 5-41-9.

Otis E. Lashmett to Martin D. Coats, warranty deed, \$1,000, W 1/2 N 1/2 NW 1/4, Sec. 5-41-9.

United States to Wm. P. Hopkins, patent, 15,861.77 acres in sections 4, 5 and 6, twp. 39, sections 4, 5 and 6, twp. 40, and in Jackson county.

Elsa Calkins to H. S. Newton, warranty deed, \$4,000, portion of block 45, Nichols addition.

Perry Stratton arrived last night from Cottage Grove. This morning he left for Merrill, where he has accepted a position in the mercantile establishment of Thomas & Henley.

TOWN TOPICS

Goes to Idaho.—Fred Ellis, son of John Ellis of the Seven Mile ranch, left on Tuesday for Idaho. He has a tract of land in the Twin Falls country, and will cultivate it.

Golden Rule Man Here.—F. S. Jones, president and general manager of the Associated Golden Rule stores, is here from Kansas City, on a trip of inspection. He is visiting all of the stores on the coast, and he says the local store, conducted by Vannice Brothers, compares very favorably with all of the others.

Breitenstein Buys a Farm.—The lower half of the Grigsby pre-emption claim on Lost River has been purchased by Paul Breitenstein, "Mayor of West Klamath Falls." Breitenstein paid \$5,700.

Melhase Returns.—Mr. and Mrs. Fred Melhase are home from California, where they spent the past few weeks. Mr. Melhase, while away, was stricken with appendicitis, but he is much improved, though still ill.

Portlander Here.—L. R. Busby of Portland is visiting this city, the guest of Mr. and Mrs. Clarence O. Morgan. Busby is Mrs. Morgan's brother, and he is much impressed with the possibilities of the Klamath country.

Bob Zeverly Back.—One of the Rodeo visitors this year is Bob Zeverly of Prineville, who brought a load of Prineville folks over in his machine to see the great show. Bob lived in this county up to about ten years ago, his home being in Bonanza. As this is his first visit since that time, he is a remarkably busy fellow shaking hands with old friends.

Espee and Pelican City.—The Southern Pacific baseball team will journey to Pelican City to meet the Lumbermen Sunday, if arrangements now under way are completed. Both teams hold daily practices.

"Aunt Ann" Visits Friends.—Mrs. Anna Beall arrived in Klamath Falls Monday on her way home to the Rogue River Valley from a visit with her son, Dr. Lee Beall of Lakeview, and is visiting with friends here today. Mrs. Beall is a pioneer resident of the Rogue Valley, and is familiarly known to all by the endearing title of "Aunt Ann."

Leave for Canyon City.—Dr. Leo M. Chilton, Mrs. G. B. Cozad and Miss Cozad left on Tuesday in an automobile for Central Oregon. The Cozads are going to Prairie City, their former home, and Dr. Chilton will visit relatives at Canyon City. He will also visit Prairie City, John Day and other towns in that vicinity before returning.

Visiting Smith.—E. F. Montgomery and Chas. L. Smith Jr. of Portland are spending a few weeks at Meadow Lake, the guests of Earl Smith, bookkeeper for the Pine Tree Lumber company.

They All Read It.—The Stilts Dry Goods company, which is conducting its own reduction sale, is receiving letters from firms in Spokane, Portland and San Francisco who make a specialty of conducting sales, wanting to handle their stock. In every instance these firms mention seeing their advertisement in "The Herald." All of which emphasizes the fact that you get the publicity when you use the paper with the circulation.

Petersons Return.—County school Superintendent Fred Peterson and wife returned Saturday evening from Portland and Salem, and they will be at home to their friends after July 10th. Previous to her marriage Mrs. Peterson was Miss Nett Drew, and the couple were married in Portland on June 29th.

Enjoy Half Holidays.—Commencing today, employees of the reclamation service will enjoy a half holiday every Saturday during the summer. This plan is in vogue in all the government departments, and is in force from July until the latter part of September.

White Visits.—"Billy" White, who is connected with the forestry service in the Crater National Forest, is here from Medford, attending the Rodeo and renewing acquaintanceships. He has been stationed in this county a part of the summer.

Melhase Improves.—Fred Melhase, who is suffering from an attack of appendicitis, is much improved, according to a letter received by A. J. Lyle, manager of the Blackburn hospital.

COUNTY MONEY INVOLVED IS SUIT

MATTER IS TAKEN TO THE SUPREME COURT

Right of a County Treasurer to Use His Discretion as to the Depository for County Money Is the Point at Issue in Action Started by Local Bank—Alternative Writ of Mandamus Issued by Judge McBride

An action having a bearing on the legality of one of the measures passed by the last legislature has been started in the supreme court by the First National bank of this city. The action is a special mandamus proceeding, and the defendant is Captain J. W. Siemens, county treasurer.

The question at issue is the distribution of county money among the banks. Since Siemens became county treasurer upon the resignation of Claude Daggett, he has withdrawn county money from all the other banks in the county and deposited it in the First Trust and Savings bank.

The recent session of the legislature adopted a county depository act, providing that the county treasurers shall on the first day of June of each year designate such banks as have under the provisions of the act become eligible, as depositories for the funds of the county. The county treasurer shall keep on deposit in these banks all of the funds of the county in the proportion that the capital and surplus of said depositories bears to the total public funds.

After Siemens succeeded Daggett as treasurer he withdrew the funds from the Bonanza, Merrill and First National banks, according to the complaint of the latter. On June 3, the First National made application for designation as a depository, but Siemens declined to comply with the application. He held that the county treasurer had the right to use his own discretion in the matter.

On the ground that the acceptance of the application was mandatory on the county treasurer when the conditions of the law were complied with, and that it was a matter of public question which involved the actions of county treasurers throughout the state and involved the safety of the public funds, the First National commenced proceedings in the supreme court, through J. C. Rutledge and Kuykendall & Ferguson.

The bank asked for a writ of mandamus compelling Siemens to recognize the bank as a depository. The writ was issued by Chief Justice McBride of the supreme court. The justice also issued an alternative writ, directing Siemens, on July 25, to show cause before the supreme court why he does not designate the First National bank a depository for county funds.

Mother Visits.—Charles Mashburn connected with the Golden Rule store, is enjoying a visit from his mother, Mrs. James H. Mashburn. Mrs. Mashburn is from Kansas City, Mo., and will spend several weeks here.

Dakotans Here.—Mr. and Mrs. Geo. J. Longfellow of Buxton, N. D., are in Klamath Falls for a visit with Miss Sauber and Mrs. Charles Pickett, who are cousins of Mrs. Longfellow.

Baths Have Visitors.—Mr. and Mrs. Herbert Harris and small son arrived Monday night from Northern Ohio to spend a few weeks with Mr. and Mrs. Louis Bath. Mrs. Harris is Mr. Bath's sister.

Street Fair Next.—Council Monday night granted permission to the county fair board to hold the county fair on Second and Third streets, between Main street and Klamath avenue, this fall. Instead of racing, the money is to go toward better premiums, and a big street carnival will be the feature.

Daughter Is Born.—Dr. Merryman reports the birth of a daughter to Mr. and Mrs. John Uerling. The young lady arrived Sunday.

Underwood Is Ill.—Clarence H. Underwood is confined to his home by illness. He is suffering from a sore throat and tonsillitis, caused by inhaling dust at the Rodeo grounds.

Yankee Doodle Boy.—A son was born July 4th to Mr. and Mrs. T. H. Darling, who reside in Fairview addition. Dr. Truax was in attendance.

WILL TRADE

Will trade 104-foot corner near business in Klamath Falls for small stock ranch. Would like from 100 to 400 acres, with some grain or hay land and next to outside range. Will consider any part of Klamath county, and will either pay or take difference in values of property. Better let me know soon what you have.

CHILCOTE,
635 Main St.
10-17 r Phone 60