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COURT HOUSE PLAN BE CARRIED OUT

(Continued from Page 1)

concerned, it does not care who is benefited by the location of its court house. What the court needs is a suitable site at the least possible expense and greatest saving to the taxpayers. However, the court has decided, and is unanimous that if these people who oppose the Hot Springs site will purchase the Henley block, obtain Mr. Hurn's interest therein, and relieve the block from the government ditch, that it will construct thereon a suitable court house without delay.

And further, "It is the desire of certain people living in the immediate vicinity of the present court house to make and hold that part of town as the business center, and the court feels that if that is their wish and desire they should themselves contribute toward the benefit and not ask the county to do so.

Therefore, and in conclusion, the court will, as above specified, immediately and without delay, construct a court house upon the Henley block in case these people who are in favor thereof and opposed to the Hot Springs site, will give to Klamath county a deed in fee simple to said block, the Hurn property with all conditions removed and no strings attached thereto."

On June 29, 1911, the Klamath Development Co. deeded to Klamath county block 10, in Hot Springs addition to Klamath Falls, containing five acres, more or less, being the site previously offered to Klamath county, upon condition that Klamath county shall before the expiration of five years from date, construct and complete upon said land, a court house, jail and other necessary structures suitable for the transaction of the judicial and fiscal business of Klamath county, for said Klamath county, at a cost of not less than \$200,000, and shall thereafter properly maintain such court house on said land, and the said court house and other structures shall be used for the carrying on by said Klamath county of such judicial and fiscal business as the party of the second part shall see fit to conduct therein. Or failure on the part of the party of the second part to comply with the foregoing conditions shall render this conveyance null and void and said land shall forthwith revert to the party of the first part." And accompanied by a contract or agreement between the Hot Springs company and Klamath county wherein the Hot Springs company agrees to furnish said court house, when completed and thereafter perpetually during the maintenance thereof, from the said hot springs of the party of the first part, with hot water for heating said county court house for ordinary usage in said county court house, not to exceed, however, a quantity in excess of two miner's inches of said water.

At the time of this writing the court has received no acceptance of its offer to build upon the Henley block under the conditions specified, nor any other site as a substitution for that offered by the Klamath Development company, and has come to the conclusion that the conditions prevailing in the present court house, the overcrowded condition and the unsanitary, unsafe and disreputable condition of the county jail, that the exigencies of the case merit the construction of a new court house and jail with the least possible delay. That while it would rather see this question settled by a vote of the people, it believes it has a legal right and that the existing conditions demand that there be no further delay, therefore, it is the unanimous decision of the court that it will at its earliest opportunity commence and complete the construction of a suitable court house building upon block 10, Hot Springs addition to the city of Klamath Falls, the site previously offered by the Klamath Development company, and now accepted by the county court.

There is now on hand in the hands of the county treasurer in the court house fund \$42,357.01. Plans are being prepared and the court hopes to commence active operations at an early date. In deciding upon this policy the court realizes fully that some taxpayers are not in sympathy and accord, and will perhaps oppose by injunction or otherwise what the court seeks to do. It accepts this policy with the belief that it is doing right. It has followed every course of reasoning and look at the case on every possible viewpoint, and believes that it is acting for the best interests of Klamath county as a whole, consequently it is forced to disregard the private interests of any individual concerned. No matter what location might be decided upon, some taxpayer might feel that his pocketbook would be affected by the acceptance or rejection of said location. From a personal standpoint, each member of the county court would rather not be compelled to make a decision in which a single taxpayer might be injured, or think he is injured, but stern duty and judgment require that the interests of the county itself only be considered

and it has found it impossible to get away from the fact that the site accepted is a proper one, reasoning only from a cold and dispassionate dissection of the facts. The question has been discussed so much that it is quite familiar to each citizen in the county. There has been much bitter feeling occasioned thereby, and the court itself feels that it has friends in the citizenship of the county who will not be pleased; nevertheless, it can not reach any other conclusion, and will pursue its course without fear or favor, asking, however, that in case legal complications arise or injunctions are sought, that the matter may be tried entirely upon its merits, and no personalities indulged in.

Klamath county is a great municipality, as large as the state of Massachusetts, and the court house which the court is proceeding to build must be constructed for fifty and one hundred years. We are not building for today, but for the future, and the conditions as they seem now will be entirely different next year, and judgment which may seem proper and apropos today will be found faulty tomorrow.

No hasty action will be taken as to the disposal of the present site. With the amount of money on hand and the amount of time usually required for the construction of such a building as is needed, will undoubtedly hold the present headquarters during a period of several years. In other words, the new building could not be ready for occupancy before that time. This will leave plenty of time for the court and the people to ascertain what is best to do with the present site as to whether it would be sold and the sum converted to the construction of the new building, or as to whether it shall be retained as a park. The court desires to take no hasty action whatever in this particular. It is firmly of the opinion, however, that by the acceptance of the new site the county will gain thereby a valuation of many thousands of dollars in the site itself, and a saving of thousands of dollars by its heat supply from the hot springs, and have the most logical and appropriate situation of any county which the writer knows, with large, sufficient grounds, absolutely safe from fire except from incendiary origin.

These are matters which should be carefully considered before the investment of such an amount of money as will be required therein. Then, too, this is the first instance that the court knows where a county has been able to acquire something for nothing; usually the case is the other way. Claims against the county, in many instances, are padded, and exorbitant prices asked, and many people seem to think that getting money from the county, whether for value received or not, is the proper thing to do. The court believes, as in keeping with its other business transactions, that the county should have and be the recipient of benefits and profits wherever possible, the same as an individual or corporation. Respectfully submitted,

KLAMATH COUNTY COURT,
WM. S. WORDEN, Judge.
S. T. SUMMERS, Commissioner.
C. G. MERRILL, Commissioner.

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SUMMONS

In the Circuit Court of the State of Oregon, for Klamath County,
Lizzie Orr, Plaintiff,

vs.
George H. Orr, Defendant.
To George H. Orr, the above-named defendant:

In the name of the State of Oregon: You are hereby required to appear and answer the complaint filed against you in the above entitled suit, on or before the 30th day of December, A. D. 1911, that being the last day within which defendant is allowed to answer herein, as fixed by the order of the court for publication of summons herein; and if you fail so

to appear and answer, the plaintiff will apply to the court for the relief prayed for in the complaint filed herein, to wit: For a decree and order of the court: That the bonds of matrimony now existing between plaintiff and defendant be forever dissolved; that plaintiff have the custody of the minor child, Rebecca Orr, of plaintiff and defendant; that defendant pay the sum of fifteen dollars per month for the support of said child; that defendant be restrained from in any manner interfering with the personal liberty of the plaintiff or said minor child or plaintiff's custody of said child; and for such other relief as to the court shall seem just and proper.

This summons is published in the Evening Herald, a daily newspaper published at Klamath Falls, in Klamath county, Oregon, by order of the Honorable Henry L. Benson, Judge of said circuit court, dated November 16th, 1911, directing such summons to be so published once a week for six consecutive weeks.

Date of first publication hereof is November 16, A. D. 1911.

C. C. BROWER,
11-16-12-29 h Att'y for Plaintiff.

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BERT E. WITHROW, Secretary

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