

## ARGUE PRO AND CON

### Judge Benson Hears Attorneys In Wet Vs. Dry Case

#### CASE TAKEN UNDER ADVISEMENT

Final Argument on Petition for Writ of Review in Proceedings Consumes Most of Day and Both Parties File Briefs to Substantiate Arguments

The final argument on the petition of Castel and Kent Ballard against Klamath County, the county judge and commissioners, for writ of review, in the proceedings of the county on local option, took place before Judge Benson today. The arguments commenced at 10 o'clock and concluded at 3:30 this afternoon.

Honor announced at the close of the arguments that he would look through the authorities as speedily as possible to decide as soon as he could do so, consistent with the importance of the

Mr. Mills for the petitioners took the stand that in the matter of the petition the voters to order an election to be on the question of local option, the record did not show, by certificate of the clerk that the persons signing were legal voters; that the sheriff's certificate of posting of notices of the election was sufficient, in that his return did not show where the notices were posted but only that they were posted in five places in the vicinity of the poll places; also that the abstract of the record should have appeared in the record of the county court to give jurisdiction to make the final order declaring the result of the vote.

On the part of the defendants Mr. Benson contended that the law did not require a certificate of the clerk that the persons who signed the petition were legal voters, but that such petition for the county court and when the court had satisfied itself that the petition complied with the law it was its duty to make the order for the election; that the return made by the sheriff and his compliance with the law, being prima facie evidence that all the provisions of the law had been complied with, made the work exempt from an attack by writ of review.

Also that it was not necessary that an abstract made of the vote should be included in the order declaring the result of the election; that such abstract was made for the information of the

county court, and was not a jurisdictional matter. And that the order declaring the result of the election being prima facie evidence that all the provisions of the law had been complied with in giving notice of and holding said election, and in counting and returning the votes and declaring the results thereof, the proceeding could not be attacked by writ of review.

Both parties submitted voluminous briefs and it will probably be several days before Judge Benson files a decision.

#### Klamath Team Loses

In the ball games today at Lakeview Cedarville defeated Klamath Falls in a ten-inning game. In the ninth the score was 8 and 8. In the tenth Cedarville scored twice. This is, up to this time, the fastest game of the tournament. Saturday Klamath Falls defeated Lakeview, and tomorrow the local team plays Silver Lake.

#### Important Meeting

All who are interested in better fire protection for the city should attend the council meeting tonight and hear the plans that H. V. Gates will propose for the improvement of the system. It is especially desired that all who are interested in this matter should be present. Mr. Gates is of the opinion that he has something to offer to the city that will be of especial interest to all business men and property owners. Let everyone who has interests in the city be at the meeting tonight.

#### Injured in Ball Game

Wm. Caliph, one of the surveyors on the Klamath Indian reservation, was injured quite seriously in the baseball game at the old Fort Klamath on the afternoon of the Fourth. While playing in the game he collided with one of the other players, sustaining injuries that kept him unconscious for several hours. Dr. Merryman was summoned from this city. At last reports the condition of the man was very much improved.

### Scene of July Fourth Festivities



OLD FORT KLAMATH

## Many Participate In Grand Celebration of Anniversary

It is estimated that not less than two thousand people attended the celebration at the old Fort Klamath on the Fourth. Every part of Klamath county was well represented and the day was a pleasant one for all. The program for the day was carried out, Capt. O. C. Applegate delivering the oration, which

was well received by both the whites and the Indians. A baseball game and various kinds of sports occupied the attention of the large crowd during the afternoon and evening. One of the most interesting features of the day's events were the Indian war dances and also the witch dances by some of the squaws.

## Winners of Championships in Mid Pacific Tournament

The Tennis Tournament for the championship of the Middle Pacific Coast came to an end last Saturday morning when E. L. Swartzlander and W. I. Barclay defeated Curtis E. Widdoes and Henry Crosby in the finals for the gentlemen's doubles events.

The finals in the singles and consolation events were completed on the afternoon of July 3rd.

A large gallery was present to witness the match between Wilson S. Wiley and Henry Crosby in the finals of the gentlemen's singles. This was the most deperately contested match of the tournament, and the outcome was in doubt until the fifth and final set had been played. By brilliant stroking Mr. Wiley secured early leads in all of the sets except the fifth, but was unable to keep the advantage thus gained in the first and third sets. Mr. Crosby was in better condition than his opponent for the long grueling contest, however, and ran out the last set 6-0. Mr. Wiley was bothered by cramps in the last set and it was necessary to delay the match several times. Mr. Crosby played consistent tennis throughout the tournament and was particularly accurate with his hard placement shots to the corners of the court. He plays a strong net game, and with his long reach and hard smashing kept his opponent on the move at all times. He deserves the well earned title of Middle Pacific champion.

Preliminary round—E. L. Swartzlander defeated R. S. Sutton, 6-1, 6-2. Curtis E. Widdoes defeated W. H. Mason, 3-6, 6-3, 6-3. Henry Crosby defeated Borge Mason, 6-4, 6-2. D. B. Campbell defeated G. VanRiper by default. F. L. Humphreys defeated Chas. Powne by default. W. I. Barclay defeated Jerry Martin by default.

First Round—W. S. Wiley defeated W. I. Barclay, 6-0, 4-6, 7-5. E. L. Swartzlander defeated H. G. Wilson, 6-2, 6-4. Henry Crosby defeated Curtis E. Widdoes, 6-0, 6-2. Henry Crosby defeated E. L. Swartzlander, 6-8, 6-0, 6-2.

Miss Mildred Wilson defeated Miss Evelyn Applegate in the finals of the ladies' singles, 6-0, 6-3, 6-4.

Gentlemen's singles, finals, Henry Crosby of Oakland, California, defeated Wilson L. Wiley, Klamath Falls, Oregon, 6-3, 6-8, 6-3, 4-6, 6-0. Gentlemen's doubles, finals, E. L.

Swartzlander and W. I. Barclay of Klamath Agency, defeated Henry Crosby and Curtis E. Widdoes, 6-3, 7-5, 6-0.

Mr. W. I. Barclay of Klamath Agency won the consolation event by defeating H. G. Wilson of Klam. Agency, 6-3, 6-4.

In the tournament Klamath Agency won the most points.

Klamath Agency . . . . . 4  
Klamath Falls . . . . . 3  
Oakland . . . . . 2  
Dairy . . . . . 0

Two of the surprises of the tournament were the playings of W. I. Barclay and C. E. Widdoes. Mr. Widdoes is one of the younger players, but is rapidly developing into a first-class player. Mr. Barclay plays hard at all times and is very steady.

An effort will be made at once to gain admission to the United States National Lawn Tennis association, and make the tournament an annual event. The people of Klamath Falls have taken great interest in the tournament, and have helped to make it successful, even beyond expectations.

Next year the club proposes to be in better shape to entertain its visitors, and it is hoped more commodious quarters will be secured, with shower baths and lockers. An effort will also be made to get the best players of the state, as well as adjoining states, to enter.

#### Mines Coming Forward

According to the Lake County Examiner things are looking up in the mines in that section. Some of the discoveries are producing ore that assays as high as \$200 in gold and there seems to be lots of it.

Practical mining men have secured control of some of the best properties in the Windy Hollow district and will develop them this Summer. The surface showings in that district are very good and should the sinking of shafts and the tunneling that is now being done result in finding a permanent ledge of some size Lake county will become one of the gold-producing counties of the state.

#### New Pictures Tonight

"A Trip Through Darkest China," "The Animated Clock," "Peggy's Picture" and "The Lottery Ticket." New songs, etc.

## COMING TO KLAMATH

### Portland Excursionists to Visit Resorts of This Section

#### CHAMBER EXTENDS INVITATIONS

Board of Directors Holds Special Meeting and Plans Program for Entertainment of Pleasure Seekers and Investors Who Are Coming

#### Garfield May Come

C. H. Fitch, the Acting Director of the Reclamation Service, has written to Director Jacob Rueck, of the Water Users' Association, that it is very probable that Secretary Garfield and Director F. H. Newell will visit the Klamath project this Summer. At this time they are both absent from Washington and nothing can be done about the rejection of the bids on the Clear lake dam until they return.

It is the wish of many of the land owners that Secretary Garfield should come here and make a personal investigation of the conditions in the Upper project. So far the 80 per cent of the land asked by Director Newell has not been signed and unless a deal for the Beekman lands is consummated it will be a difficult matter to get the required per cent. The Beekman tract comprises over 2000 acres and if this is signed with the Government it will raise the per cent above 80.

#### Equal to the Occasion

A. F. Clubine, one of the Merrill saloonmen, does not propose that the prohibition wave shall drive him farther than across the line into California. It is not more than a mile and a half to the state line from Merrill and Mr. Clubine has a resort already started in the golden state and is advertising that free buses will run from Merrill to his resort in California, and it is said that the bus line is pretty well patronized even though Merrill did go dry quite strong.

#### Stringing the Wires

Linemen working for Moore Bros. have the wires strung about half way to Bonanza on the electric line. They are putting up the power line and also a telephone line so that the service will be entirely completed as soon as Bonanza is reached by the workmen. Another crew of men is setting poles in this city and still another is hauling poles for the power line to Merrill. The building will not be erected until the machinery is all installed and most of the other work completed.

A special meeting of the Board of Directors of the Klamath Chamber of Commerce was held this afternoon for the purpose of discussing the plans for an excursion from Portland for pleasure seekers and investors. A full board was present and after some discussion it was decided to extend an invitation to the people of Portland and the vicinity of that city to visit the Klamath country, leaving Portland July 25. General Passenger Agent Wm. McMurray had been previously seen regarding the matter and he stated that the Southern Pacific would make a special rate for the occasion. W. R. Davis and T. A. K. Fassett attended the meeting this afternoon and stated that they would attend to getting reduced rates from the local transportation companies.

The Chamber of Commerce will arrange a program for the excursionists from the time they arrive at Weed. The liberal time limit of the tickets, fifteen or twenty days, will enable the excursionist to make trips through the agricultural districts between this city and Merrill, to visit Crater Lake and many of the resorts on the Upper Lake.

The Board of Directors of the Chamber of Commerce also decided to extend an invitation to the Portland Y. M. C. A. to make their trip to Crater Lake via this city, and if the invitation is accepted they will be the guests of the Chamber when they arrive here about the middle of August.

#### Wool Clip Sold

Sheepmen of this section of the state have disposed of the wool clip for this year. The price in many instances was not as good as had been expected. In the early part of the season it was thought that the price would not go below 15 cents, but it was only the choice clips that brought this figure, the most of the clips selling for 13 and 14 cents. Last year the price ranged from 19 to 23 cents.

Shearing is finished in most parts of the country, although in the vicinity of the lava beds there are still a few bands that have not been sheared. All of the sheep are now on the summer range, most of the men engaged in this industry having leased land in the reserves.

## JULY SPECIALS

We will make special prices all this week

### On Ladies' Khaki Suits

### SKIRTS, DUCK SKIRTS

### SILK PETTICOATS

Watch This Store FOR JULY BARGAINS

## K. K. K. STORE

The proof of the freezer is in the freezing.

**The White Mountain Freezer**

makes more cream, better cream, and makes it easier and cheaper than any other freezer on the market

LET US SHOW YOU WHY

**ROBERTS & HANKS**  
HARDWARE DEALERS