

# Another Courthouse or Another Schoolhouse--Which?

OFFICIAL PAPER OF  
KLAMATH FALLS

# The Evening Herald

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KLAMATH COUNTY

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## ONE PLEDGE BUNNELL MADE TABOOED TOPIC

When R. H. Bunnell took office as county judge two years ago he did so after a strenuous campaign, that resulted in the recall of Judge Marion Hanks.

The issue, then as now, was the choice of courthouses, but then the Main street courthouse was only in contemplation.

Judge Bunnell was elected upon the pledge that he would finish the Hot Springs courthouse. Judge Bunnell has an aggressive personality. When he stands upon the rostrum in this campaign and says, "I was elected two years ago, pledged to finish the Hot Springs courthouse. I have done my best to carry out the mandate of the majority who seated me and if I am re-elected I will finish the Hot Springs courthouse," the words, flung forth with all the virility of the candidate's physique and personality backing them, create a strong impression. No fair analysis would deny that the speech carries a strong appeal.

But Judge Bunnell forgets to explain his failure to keep another pledge he made in the former campaign—that he would stop the construction of the Main street courthouse within three days after election.

With four avenues open to him in making this promise good—two certain methods, one certain but of the last resort type, and one as futile as it seemed feasible—Judge Bunnell chose the last plan, the uncertain one.

One certain means of stopping work would have been the discharge of the architect, E. E. McLaren, the county's agent.

The contractor, J. M. Dougan, today admits, and his attorneys admit, that if the county court had discharged their own agent, whose certificate was necessary to the acceptance of the completed contract, Dougan would have been compelled to abandon the work at once.

Another method, practically sure, would have been the tender by the county to Dougan of damages for the loss sustained. Inasmuch as no start had been made Dougan could not have claimed an exorbitant sum. It is true that at the time his plans were laid and the material ordered, but by taking the material off his hands, and offering a fair figure to cover the expenses incurred, a settlement must have been reached. The courts would have enforced the settlement.

But, as said in the beginning, Judge Bunnell is virile, aggressive, a man of one idea. He is not of the compromising type. The only way past an obstacle for Judge Bunnell is roughshod over and straight ahead. He seeks no roundabout path and—giving him fair due, he acted on the advice of attorneys—he plunged straight ahead. He sought an injunction. He failed to stop the work. Dougan, expecting every day, that the court would discharge their architect, went ahead and the building went up. Now the county court knows the simplicity of the thing that would have redeemed the promise, but they are not telling their campaign audiences anything about it.

A fourth plan was possible. It has been stated. Judge Bunnell might have hired agents to forcibly eject the trespassers upon the county property. Direct action but effective. Not as simple as either of the other practical courses but it should have appealed to Judge Bunnell's straightforward method of meeting a situation.

But he depended upon the injunction and the injunction failed.

And the voters of Klamath county—the older residents—know that he failed to keep his pledge. The newer residents are learning it. Judge Bunnell's battery of orators would have his audiences believe that The Herald has switched sides on the courthouse question for sinister and ulterior motives. The Herald in the past few days has taken pains to seek out some of the partisans of the Hot Springs courthouse in former elections, who have changed their minds, and has met—not from one or two men and women, but a score—the reason outlined above, that Judge Bunnell failed to keep his promises to the people who elected him.

Not all are able to give a concise diagram of the causes of failure—but all are agreed that Judge Bunnell failed, and failed because he chose to fight stubbornly when the easy path of compromise lay open in two directions.

Wiser than Judge Bunnell, these former supporters are tired of fighting. They are fighters, too, but

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## Finds Sentiment of County Is Strongly G. O. P.

John C. Murphy, attorney, returned to the city yesterday after a 12 days' speaking trip through the county in the interests of Harding and Coolidge and Robert H. Stanfield for United States senators.

Mr. Murphy predicts that the county will go three, perhaps four, to one for the heads of the ticket and almost as strongly for Stanfield, who is handicapped by having to overcome personal friendship felt by many republicans for Senator Chamberlain.

Mr. Murphy says that cattlemen, farmers and lumbermen are aroused as never before over the dumping of foreign wool, lumber and other commodities on America under the free trade policy of the democratic administration. He called attention in his speeches in all parts of the county to the free trade record of Senator Chamberlain, and believes that people fully realize the necessity of backing the incoming republican administration with a republican senate.

## BELDING MAKES A STATEMENT

Don J. Belding, candidate for councilman in the Fifth ward, today gave the Herald a statement of the platform on which he seeks election. Mr. Belding is tied to an exacting office job, and has had no time to advance his claims in person, but the following statement outlines his policy:

"I am a firm believer in civic development, the establishment of parks, of children's playgrounds, fully equipped schools, of a definite city plan for growth and expansion. If Klamath Falls is to be our home we should do everything possible to make it an enjoyable place in which to live.

"An ex-service man, I naturally believe in an adequate police system with sufficient personnel to enable our property and our lives to be protected without fear of contradiction.

"Our city is host daily to hundreds of transient laborers and workmen, not counting hundreds of laborers resident here. I would encourage enterprises providing for the fireproof housing and wholesome entertainment of these people on a clean, set and non-profiteering basis.

The statement of my opponent, Mr. Vollmer, that I am in league with the California-Oregon Power company and the Pacific Telephone and Telegraph company, and intend to assist them in securing advanced rates, is an utter falsehood. On the contrary, I am utterly opposed to any advance in rates of either corporation in this city. My connection with the Western Union as its manager has been with the one thought of giving the people of Klamath county an efficient telegraph service, and our tremendous increase in business has in a way proven the confidence of the people of Klamath Falls in the Western Union.

## Bishop Paddock Will Preach Sunday

Bishop Robert E. Paddock, of the Episcopal diocese of eastern Oregon, will hold services tomorrow morning at 11 o'clock in the I. O. O. F. hall. The sermon subject is "What Has the Episcopal Church to Offer Klamath Falls?"

In the evening the bishop will deliver one of his popular lectures on "What is Wrong With the Churches?" taking the attitude so often attributed to "the man in the street." The lecture is calculated to appeal to those not ordinarily church goers and is open to all.

Last night at the home of Mr. and Mrs. S. E. Martin, the ladies guild, husbands and friends, discussed with Bishop Paddock progress of the new church campaign. It is hoped to have the building started next spring.

## Mrs. Bunnell Will Be Buried, Mt. Laki

The burial of Mrs. Matilda Natsel Bunnell, mother of Judge Robt. H. Bunnell, who died at Oakland, Calif., on Oct. 27th, will be at Mt. Laki on Monday afternoon, Nov. 1st at 2 o'clock p. m.

Judge Bunnell left for Oakland yesterday morning to bring the remains of his mother to Klamath county for burial.

## That Highway Injunction

In a page advertisement in yesterday's Herald, the people are warned about the "terrible disaster" that must follow as a result of the issuance of the injunction stopping the road work. Therein the statement is made that politics is back of it. Politics is not back of it, but politics is in it and it is the county court that put politics in it.

The attorney for the litigants asked for a temporary restraining order. It was up to the county to immediately make answer in order to protect the rights of the county and prevent the injunction being made permanent. Why haven't these men

who are howling so much about the "terrible disaster" attended to their duty and protected the rights of the people? Why haven't they stopped long enough in their mad campaign of misrepresentation and mistatement to have at least tried to protect the road work that they are claiming is being destroyed? They have not done one single thing in court to protect it. It is too good for campaign material. It is a fine thing to scare the people with. But the people must now realize that if they were sincere in their statements, Judge Bunnell and Burrell Short would be acting as well as talking.

## That Main Street Title

The people of the county must remember that if the county court should abandon the Main street property, the county would lose the east half of the block. We doubted this for a long time, and did not accept this theory until yesterday. But we are sure enough in our belief to say to our readers that the east half of Block 35 will go back to Hattie C. Brooks. These who have heretofore contended that the title was safe in the county, placed their belief on a decision of the state supreme court that reversionary conditions in a deed were invalid.

In the deed from Quincy A. Brooks and wife to Klamath county, the following condition was incorporated: "That said county shall, within five years from this date, erect on said premises a substantial county courthouse and there after keep and maintain said courthouse upon said premises. To have and to hold the said premises with their appurtenances unto said county of Klamath forever, subject to the above condition."

Quit claim deeds have been secured from all of the heirs except

Hattie C. Brooks, daughter of the donor, and she states her attorneys will bring suit for recovery of the property just as soon as the site is abandoned for courthouse property. Such a case would be tried in the United States courts and there is a federal decision directly upon this point, which if followed would give the property to Miss Brooks. The general practice in federal courts is to follow precedent and this would mean the loss of the property to the county.

Even if the county won, it would only be after the case had been passed upon by the United States supreme court, and if it costs \$20,000 to take a case to Salem, what would it cost to take one to Washington? Perhaps the prospects of such rich picking accounts for the enthusiasm of some of the legal friends of the county court for the completion of the Hot Springs courthouse. More litigation means more expense; more lawyers; more fight—will it ever end?

The decision is in your hands, Mr. Voter. The election of Chastain and Peterson will settle it.

## The Hot Springs Site

So much has been said about the Hot Springs site, that we have investigated what legal title the county has in it, and we have been unable to find a thing. The statement has been made time and again that there is a deed in escrow for the property in the custody of the First State and Savings bank, but the president has stated that no such document is there. In a word there is nothing on record anywhere that we can find that constitutes a legal contract between the Klamath Development company and Klamath county, whereby that company is now obligated to turn that property over in case the Hot Springs building is finished. Such a condition is poor business on the part of the county.

But this negligence on the part of Judge Bunnell and Burrell Short does not lead us to believe that the K. D. company will not turn over the property. We have sufficient confi-

dence in the men who control the company to state that the property would be turned over if the building had been or may be completed. Those men are not thieves. They are high in the business world and they reached the pinnacle of success because men had confidence in them.

That is why we have stated before and repeat now that if Chastain and Peterson are elected the Klamath Development company will turn that property to the school district and that the county will get practically all of its money out of it.

It can't be argued by anyone that the company will deal fairly with the county on the one hand and rob it on the other. While we have no commission to speak for the Klamath Development company we have no reason to change our original statement—that the Hot Springs building will be sold to the school district and the money used to build roads.

## Warden Says Game Can Be Shipped; Permit Necessary

J. H. Driscoll, member of the state fish and game commission, has been notified by the state game warden, that permits may be issued for shipment of game out of Klamath county, and also within the county.

Hunters who desire to ship game may secure tags—all shipments must bear official tags—from Mr. Driscoll or H. D. Stout, deputy game warden. Attention of hunters is called to the fact that the deer season closes tomorrow, and thereafter venison can only be kept in possession legally if properly tagged to show that it was secured before the expiration of the season. These tags may be secured from either Mr. Stout or Mr. Driscoll.

## ALL CANDIDATES STRIVING HARD AS END NEARS

Most of the fogots lighted under the political pot in the past week have been placed there by partisans of the county court controversy, either on one side or the other. The cracking of the flames thus created and the steaming of the court house broth has obscured the fact that there are other ingredients in the political stew. Nevertheless there are other men in the running for other offices, both city and county, and their respective campaigns have been waged with vigor.

The majority contest leads in interest in the municipal contests. Wilson S. Wiley and W. T. Lee, opposing candidates, are pushing vigorous yet friendly campaigns. Their campaign tactics show appreciation for the dignity of the office to which they aspire, and each is pledged, if defeated, to support the administration of the victor.

In the First ward W. S. Conkling is opposed by Paul Bogardus. In the Second it is a three-cornered race between J. H. Garrett, the garage man; M. S. West of the Big Lakes Box company, and Frank Miles, the sign painter. In the Third J. P. McColium has the field to himself. In the Fourth C. C. Colvin, incumbent, is opposed by Bert Hawkins, under-sheriff and deputy tax collector. In the Fifth Don Belding, local manager of the Western Union office, is running against J. P. Vollmer, carpenter and builder.

For the county offices, besides Judge and commissioner, there is a keen contest between George Humphrey, incumbent, and Lloyd Low for sheriff.

W. M. Duncan, incumbent, and C. C. Brower are opposing candidates for the district attorneyship.

C. R. DeLap, incumbent, and Frank W. Sexton, independent candidate, backed by the Good Government league, are rivals for the county clerkship.

Other county officers are unopposed, the incumbents being candidates for re-election.

In the township which includes Klamath Falls, L. L. Gebagen is the only candidate for justice of the peace. He was an independent candidate at the May primary.

## LEGION AUXILIARY DANCE ELECTION NIGHT

Election night is the time set by the Woman's Auxiliary of the American legion to stage their big dance for all ex-service men, their wives, mothers sweethearts and sisters. The dance will be held in the Odd Fellows hall and there will be cards for those not caring to dance. Returns from the election will be announced at intervals during the evening.

## High School Glee Club Makes Big Hit at C. C. Dinner

The musical exhibition of the high school glee club and orchestra at the chamber of commerce dinner last Thursday evening was given as G. R. Smith, of unanimous praise by all who attended the big affair. Miss Evelyn Applegate is the instructor for the club and is getting wonderful results. The girls and boys orchestra which furnished the music for the entire evening was a surprise to everyone, and particularly to the guests from outside of Klamath Falls, who had no idea that there was such a musical organization here.

## BIG BUSINESS METHODS FAIL IN SMALL DEAL

When, according to the figures submitted by themselves and advocates, the present county court has saved to the taxpayers of Klamath county thousands upon thousands of dollars, rescued the county from bankruptcy and given it a \$200,000 bank roll in two years, it may seem captious to call attention to waste of a paltry thousand or two.

A wave of the hand, one bombastic breath of Mr. Marx can doubtless disprove the story of the high school wiring, nevertheless, the Herald has investigated the matter with due care and presents the facts for what they are worth to prove that even great wizards of finance have their off days.

Late last fall it was decided to change the wiring in the county high school. If remembrance serves the fire chief had suggested the need.

The county court set about the matter. A bid was received in writing from R. J. Sheets (the Link River Electric company) for \$1,200, approximately, for the job. This is verified by Mr. Sheet's statement.

The court, however, rejected this bid and gave the job to H. J. Mellon, who at the time of the agreement, December 20, 1919, conducted the Klamath Electric company on Fourth street.

The agreement appears in the journal of the commissioner, from which the Herald gleaned these facts regarding it.

Mellon agreed to do the work for cost, plus 10 per cent profit. In other words, Mellon had not the finances to carry out the contract when he took it. The court arranged to buy the material and pay 10 per cent above the cost of installation as Mellon's profit. The payments were to be made from time to time up to January 10th, through the First National bank, and the warrant stubs show that they were paid at different periods, but ran along into April.

And they show also that the cost of the wiring was \$3,064.80, including the salary of E. G. Beauchamp as inspector, \$306.14. An inspector would have been essential, however, had Sheets got the contract at \$1,200, so that in final analysis they paid \$2,768.66 cents for work that they had an offer to do for \$1,200.

Incidentally the agreement between the court and Mellon provided that common labor was to be employed in the work where possible at an advance of 10 per cent on the wages usually paid common labor. Here we strike the economy note. If the going wages for common, which means in general parlance unorganized labor, were \$5, a day's wage, with 10 per cent advance would be \$5.50. Organized electricians' pay is \$7 per day and up, so that the county court was proceeding on a sound theory of economy, but unfortunately it did not work out efficiently in practice.

These are the facts as far as the Herald knows them. There is a report that Mellon was a shrewd financier than even the county court members, and that as a result of the arrangement he was able to do several profitable outside jobs with surplus material that he generously ordered on the high school account. Eventually his business methods, however, met with such general disapproval that his trade dwindled and he left for California, leaving quite a trail of financial woe in his wake.

## LECTURE TOMORROW EVE AT PRESBYTERIAN CHURCH

See the illustrated addresses—"Five Crisis in the Life of Christ"—at the Presbyterian church tomorrow night at 7:30. First of a series. Illustrated with colored stereopticon slides.


## 'WRIGHT' INSTEAD OF 'SMITH'

In an article in yesterday's Evening Herald about the construction of the Winters block, the name of the architect was given as G. R. Smith. This was an error and should have been G. R. Wright.

## FIRE AT PELICAN HOTEL

A fire that started in the Pelican hotel basement today at noon was put out before any damage resulted. A fire alarm was turned in, but the fire was out before the truck arrived.

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