



ONLY ONE BAR LEFT

## PROVES COUNTY COURT'S WISDOM

H. F. MURDOCK FURTHER CON-  
DEMNS HIS SIDE OF CASE

His Own Figures Go to Show That  
Acceptance of the Site Will  
Save Money

There is an old saying that "if you give a calf enough rope it will hang itself." This was never better illustrated than in the present controversy over the removal of the court house. The latest mathematician to enter the field is H. F. Murdock. Mr. Murdock has never been known as possessing a very ardent desire to sacrifice his own interests for the benefit of the dear people, and it is a safe statement to make that his interest in keeping the court house where it now is not due to a desire to save the taxpayers money, as he so ardently tries to make it appear. He has made the statement that if he had a chance he would produce facts and figures that would be unanswerable, and he has at last secured that opportunity. It is almost true that they are unanswerable, for they are so ridiculous as to be nearly beyond the pale of consideration. However, The Herald will give a summary of his case.

He bases his figures on the assumption that the court house will remain for 100 years on whatever site it may be erected, and then proceeds to show the debit and credit side of the case.

Cost of grading and filling new site: (1) \$18,000; (2) value of water right of old site, \$2,000; (3) cost of reservoir site, \$6,000; (4) cost of cement retaining wall, \$5,000; (5) cost of laying pipes for hot water, \$5,280; (6) cost of city water for heating purposes—to be heated in the hot springs—for 100 years, \$25,000; (7) cost of pumping plant, \$5,000; (8) operating and maintaining same and help therefor, for 100 years, \$300,000; (9) cost of new highway, \$20,000; total debit, \$360,280.

Credit account: (1) Old site, \$30,000; (2) cost of filling old site, \$5,000; (3) saved on walks, etc., \$5,000; (4) fuel for 100 years, \$50,000; total saved, \$90,000, thus making it cost the county \$271,280 more than if it retains the present site.

Now for the facts:

It will cost the county, accepting Mr. Murdock's figures, which are over \$16,000 too high, for grading and filling new site, \$18,000; retaining wall, which is unnecessary, \$5,000; cost of city water \$25,000; total \$48,000. Items 3, 5, 7, 8, are disallowed, because there will be no necessity for reservoir sites, nor pumping plants. The cost of laying the pipes from the hot springs to the building, item 5, will not be any greater than would be the cost of installing a heating plant. Item 2, value of water right appurtenant to old site, is disallowed, because it is worth as much after the court house is removed as it is now, and can be sold for that amount. It will thus be seen, that the county will have to expend \$48,000. Mr. Murdock admits that it will save \$90,000, thus leaving a credit of \$42,000. Add to this the value of the new site with its improvements, of \$55,000, and the county will be ahead \$92,000, which is \$2,000 more than has ever been claimed for the property offered by the Klamath Development Company.

There is only one consideration to be reached, based on the "facts and figures" that have been presented by those favoring the retention of the court house on its present site—and

that is to accept the site offered and thus save to the county at least \$90,000.

## KLAMATH COUNTY REMAINS IN THE DRY COLUMN

Supreme Court Sustains the Decision  
of Lower Court in Ballard-  
Castel Case

The Supreme Court of the State has handed down a decision sustaining the decision of the lower court, rendered by Judge Benson, in the liquor case of A. Castel and Kent Ballard. These gentlemen brought the action for the purpose of nullifying the decision of the voters in the local option election of two years ago, as a result of which the county went "dry." The chief allegation of their complaint was that the county court and sheriff did not comply with the provisions of the local option law, relative to the posting of notices of the election and the issuing of the order declaring the result thereof. Judge Benson decided in favor of the county, which decision was sustained by the State Supreme Court. In the following opinion:

"This is an appeal by the plaintiffs, A. Castel and Kent Ballard, from a judgment dismissing a special proceeding instituted to re-examine the action of the defendants—Klamath County, J. B. Griffith as county judge, and Fred Melhase and Albert Walker as county commissioners, constituting the county court—in making an order declaring the result of a county election held June 1, 1908, to determine whether or not the sale of intoxicating liquors as a beverage should be interdicted, and absolutely prohibiting the sale thereof within the proscribed limits, except for medicinal and other purposes allowed by statute.

"The plaintiffs, as petitioners in the application for a writ of review, severally allege that he is a citizen, taxpayer and qualified elector of the City of Klamath Falls in that county; that Castel is operating in that city a brewery, in which business he has invested about \$10,000; that Ballard, pursuant to lawful authority, is engaged in conducting therein a licensed saloon; and that in consequence of the order complained of, the plaintiffs have been deprived of valuable property rights without an opportunity of being heard respecting their several injuries in a court of competent jurisdiction.

"An examination of the transcript fails to show that either of the plaintiffs appeared, in person or by counsel, in the County Court of Klamath County during the consideration of the matter in question, or in any manner resisted the order, the making of which they seek to review. So far as appears from the return, which was made pursuant to the writ, neither Castel nor Ballard was a party to the proceedings, and hence no more interested therein than any other citizen or taxpayer of the county, and for that reason is not entitled to a determination of his rights. (Raper v. Dunn, 53 Or. 203; Garrison v. Richardson, 101 Pac. 900).

"Other objections are urged against the order of prohibition, on the ground that it is void. It is sufficient to say, however, that since this appeal was taken and perfected, each question now presented has been determined adversely to the plaintiffs' contentions.

"It follows that the judgment should be affirmed, and it is so ordered."

E. S. McDonald and family have returned from Southern California. Mr. McDonald is the owner of opportunity addition.

## ARE NOW LOOKING FOR NEW EDITOR

HOG COMBINE MEMBERS HAVE  
HAD TO "DIG UP"

Beginning to Realize the Troubles  
Following an Effort to Raise  
Their \$10,000 Baby

There is trouble in the camp of the Hog Combine, and all because its \$10,000 baby is not delivering the goods. When the editorial luminary that was to guide the organ of the Combine on its great and glorious path was "discovered" it was thought that at last the man was found who could deliver the goods. He was accepted with the understanding that he would write all of his articles with gall and vinegar, diluted with a goodly portion of sulphuric acid, so that they would burn and smart everything and everyone they touched. But, lo! The first attempt brought libel suits galore. To add further to the troubles of the Combine two assessments have already been levied in order to raise money enough to pay the men on Saturday night. The third one is booked for next Saturday. And another is on the hook, calling for an assessment to hire legal talent to defend the libel suits. But that is not all.

One of the leading stockholders has been handing out a bunch of talk about someone selling out "to the other side." Now, that is serious. Is it possible that there is a schism in the ranks of the pure and noble members of the Combine? Two of the bankers are alleged to have already started to make overtures for mercy. Some of the smaller stockholders are beginning to see where they are going to get off at in the melee, and they are beginning to rapidly calculate on how to get out. Merchants are beginning to realize that they have been played for suckers and bluffed into advertising through a medium that has proven profitless. They are beginning to learn that the people who BUY AT HOME are those who read the Herald and the Republican; they are beginning to see that the readers of these papers appreciate the fact that the Herald and the Republican are making the fight for them—the great common people—and they are patronizing the merchants who are advertising in them. The merchants are beginning to realize that the people of the city and county have taken a deeper interest in this struggle and they are feeling the effect of it on their business. As a result, they are pulling out their advertising from the organ of the Combine and giving it to that of the people.

But the greatest disappointment of the whole affair is that of the "guiding star." What a disappointment he has been! The beginning of the end is at hand, and then the real trouble will commence. A new hand is demanded at the helm, but there is that infernal contract! It was a costly blunder, but it must be overcome. A new tack must be taken. The court house matter must be presented in a different light. The Herald has held the winning cards all the time. These and many more are the expressions of the outfit that are beginning to kick on the weekly assessments. They even now do not seem to realize that the Herald holds the winning cards because it is advocating right against wrong.

In the meantime the Combine has commenced its still hunt for an editor who can convince the people their way.

## WHAT IS WANTED BUSINESS MEN?

A MAN WHO WILL BUILD UP CITY  
OR ONE WHO TEARS IT DOWN

## WHAT HAS THE OPPOSITION DONE?

They Have Used the Merchants of the  
City to Promote Their  
Private Schemes

The past winter has been a hard one on the merchants of the city. The same is true of the past two years. The prime cause of the trouble lies in the fact that there are no weekly payrolls in this city. Who is responsible for that condition? There are men here whose duty it should have been to aid in every way possible to bring in here capital and manufactures. But what has C. S. Moore, G. T. Baldwin, E. R. Reames, L. F. Willis, Fred Melhase and many others that might be named, done for the city and the merchants? Have they done aught but promote their own interests, irrespective of what it cost their fellow business men? When the Evening Herald refused to do the bidding of their spokesman, C. S. Moore, did they not bulldoze the other business houses into supporting the organ of their creation? What benefit is it to you, Mr. Merchant, or to the community? Does it publish all of the news? Does it reach the people who spend their money at home, or does it go into the homes of those who send away for their clothing, dry goods, hats, shoes, and even groceries? Look over your books and see how much money the men who are opposing progress in this city have spent with you during the past few years. But you are asked to pay your 10 per cent interest whenever you want a dollar, give ironclad security, while a bunco-steerer can come in here and walk off with his thousands. That is the treatment you get.

Here we find C. S. Moore taking nearly \$100,000 out of this community and putting it into a building in Portland. He insists on 10 per cent interest through his banks here, but does he get it in that building? How much better it would be for the city if he put up some business block here and secured for the merchants lower rents? Why didn't he erect a home for the Klamath County Bank? Why didn't he invest in some manufacturing establishment? Why didn't he improve his property? Why didn't he lower your rate of interest, or leave that money here and loan it out even at 10 per cent, when it is so badly needed in this community? He is the moving spirit back of the fight against the Klamath Development Company. He is the man who says to you, Mr. Business Man: "Keep the foreign devils out. They trespass on 'my' private preserves. If they come here they will bring with them money, and interest rates must go down; they will bring with them new citizens whom I cannot control; they will improve their property and thus show me up in a bad light; they will show an enterprise in which I am lacking. Keep them out, for it hurts me."

It is time for the business men of the city to wake up and open their eyes to the sucker game into which they have been roped. The Klamath Development Company will do more for this city in one month than Moore and his gang have ever done; they will bring capital here; through it we may hope to have big sawmills established; manufacturing establishments will spring up and give employment to men; weekly payrolls will be the order of the day. You will have something to live on, for you will be doing business with the men who spend their money at home. While Moore Brothers are selling the only revenue producing thing they have—their sawmill—men who came here through the Klamath Development Company are buying it in order to help build up this city. How long are you going to pursue your suicidal policy? Step to the front, extend your hand of welcome and with a hearty "Come," pull into the city the men these people are trying to drive out.

On next Monday a vote will be taken on the removal of the courthouse to the site offered by the Klamath Development Company. Everyone admits that it will be accepted by an overwhelming majority. This city is practically the only spot in the county where there is opposition. Mr. Johnson has been given to understand that every business man in the town has his hands raised against him. That is not true. The Herald believes that a majority—a big majority—of them want him to come and stay and do everything he can for the city. There is one way to prove it. Get out next Saturday and

vote to accept the site. Let the vote be as near unanimous as it is possible to make it. It will give the lie to the slanders that have been fired against the only men who have ever done anything to make a city here. Cease listening to the soreheads, who are pleading for THEIR own interests. You have your own business to care for and the best way to do so is to build up the city, that as it grows you will grow.

## DAILY LIST OF TRANSFERS

Furnished by the Abstract Firm of  
Mason & Slough

United States to Thomas Michael, SE 1/4 of Sec. 29-38-11 1/2.

United States to Thomas Michael, NW 1/4 of SW 1/4 and S 1/2 of SW 1/4 of Sec. 28, and NW 1/4 of NW 1/4 of Sec. 33-38-11 1/2.

Thomas Michael to S. P. Michael, SW 1/4 of SE 1/4 and W 1/2 of SE 1/4 of SE 1/4 of Sec. 29-38-11 1/2; \$600.

Thomas Michael to S. P. Michael, NW 1/4 of SE 1/4 of Sec. 29-38-11; \$400.

Thomas Michael to T. P. Michael, NE 1/4 of SE 1/4 of Sec. 29 and NW 1/4 of SW 1/4 of Sec. 28-38-11 1/2; \$600.

Thomas Michael to Martha J. Michael, E 1/2 of SE 1/4 of SW 1/4 of Sec. 29 and W 1/2 of SW 1/4 of Sec. 28-38-11 1/2; \$400.

Thomas Michael to Mirdie W. Michael, SE 1/4 of SW 1/4 and E 1/2 of SW 1/4 of SW 1/4 of Sec. 28-38-11 1/2; \$400.

Thomas Michael to A. L. Michael, NW 1/4 of NW 1/4 of Sec. 33-38-11 1/2; \$100.

F. P. Michael to A. L. Michael, NE 1/4 of SE 1/4 of Sec. 29 and NW 1/4 of SW 1/4 of Sec. 28-38-11 1/2; \$200.

Sarah Jane Woods to A. L. Michael, NW 1/4 of SE 1/4 of Sec. 29-38-11 1/2; \$10.

Birdie W. Thompson to A. A. Michael, SE 1/4 of SW 1/4 and E 1/2 of SW 1/4 of SW 1/4 of Sec. 28-38-11 1/2; \$10.

Martha J. Patterson to A. L. Michael, W 1/2 of SW 1/4 of SW 1/4 of Sec. 28 and E 1/2 of SE 1/4 of SE 1/4 of Sec. 29-38-11 1/2; \$1.

G. A. Schenecker to Louis Ait, lots 1 and 2, block 46, 1st Add. to Klamath Falls; \$10.

Geo. B. Snyder to Elmer Beardslee, lot 7, block 82, Klamath Add. to Klamath Falls; \$2,150.

Evelyn V. Turner to R. R. Bunnell, undivided sixth interest in lot 5 Sec. 17; lots 1, 2 and 3 and SE 1/4 of SE 1/4 of Sec. 20; lots 1, 2, 3 and S 1/2 of SW 1/4 of Sec. 21; also NW 1/4 and lot 1, Sec. 28-40-10; \$10.

Charley F. DeLap to H. F. Shepherd, lots 9 and 10, block 36, 1st Add. to Klamath Falls; \$10.

Enterprise Land & Investment Co. to W. J. Manchester, tract No. 26, Enterprise tracts; \$1950.

Eugene Spencer to Western Pacific Land & Timber Co., NW 1/4 of NW 1/4 and lot 1, Sec. 24; NW 1/4 of NE 1/4 and SE 1/4 of NW 1/4 and lots 1, 2, 3 and 4, Sec. 30-39-7; \$10.

James E. Swanson to Fred Noel, lot 5, block 2, Hot Springs Add. to Klamath Falls; \$10.

J. D. Carroll to Edward and Geo. Bloomingcamp, NE 1/4 of Sec. 30-39-10; \$10.

G. W. White to E. H. DuFault, lot 7, block 19, Fairview Add. to Klamath Falls; \$10.

Geo. D. Grizzle to John W. Shannon, lot 2, block 48, Klamath Falls; \$4350.

Oregon Valley Land Co. to Geo. W. Kinkead, SE 1/4 of NW 1/4 of Sec. 25-36-14; \$200.

Oregon Valley Land Co. to O. B. Swayne, N 1/2 of S 1/2 of SW 1/4 of SW 1/4 of Sec. 11-36-14; \$200.

Jessie B. Eldred to Henry Jackson, lots 9, 10, 11 and 12, block 60, of Grandview Add. to Bonanza; \$1000.

Thomas Hampton to J. G. Pierce, undivided half of lots 9 and 12, block 1; lots 1, 2, 3, 4, 5 and 6, block 2; lots 7, 8 and 9, block 3; lots 5, 6, 7 and 8, block 4; lots 1, 2 and 5, block 5; lots 7, 8, 9, 10, 11 and 12, block 6; lots 1, 2, 7 and 8, block 7; lots 7, 8, 9, 10, 11 and 12, block 8; lots 1, 2, 3, 4, 5 and 6, block 9; lots 7, 8, 9, 10, 11 and 12, block 10; lots 3, 4, 5 and 6, block 11; lots 5, 6, 7 and 8, block 12; lots 5, 6, 7 and 8, block 13; lots 1, 2, 3, 4, 5 and 6, block 14; lots 6, 9, 10, 11 and 12, block 15; lots 1, 2, 3, 4, 5 and 6, block 16; lots 3, 4, 5 and 6, block 19, Nob Hill Add. to Klamath Falls; \$10.

United States to George LaFlesh, S 1/2 of SW 1/4 of Sec. 28; SW 1/4 of SW 1/4 of Sec. 27, and NW 1/4 of NW 1/4 of Sec. 34-34-14.

Edmond Croft to J. A. Maddox, part of lots 3 and 9, block 49, Nichols Add. to Klamath Falls; \$10.

J. A. Maddox to J. J. Maehl, part of lots 3 and 9, block 49, Nichols Add. to Klamath Falls; \$4500.

## A FEW BARGAINS.

Five lots, signly location, \$1500 Can loan \$750 on the deal.

A nice cottage with bath, large lot, \$1700. A good buy.

A large residence, fine lot, \$8500

Three cottages on three lots. Room enough for another cottage; \$2250

MASON & SLOUGH.

## Get Glasses in Time...

Any person who needs glasses  
AT ALL, needs them just as  
quickly as they can be had.

Because each day that is al-  
lowed to pass increases the  
trouble just that much more.

We have a free service of ex-  
aminations here that is for any-  
body and everybody.

We employ only the most ap-  
proved methods for testing the  
eye, and results are always what  
they should be.

Take advantage of our offer.

**H. J. WINTERS**  
Graduate and State Registered  
Optician

## GOOD SEED RYE

400 bushels of good seed rye for  
sale, \$1.75 per hundred at ranch.  
2-3-11 JOHN DE PUY,  
Hopkins Ranch, near Midland.

## RELINQUISHMENT FOR SALE

160 acres of land near railroad,  
cabin and barn, for \$300. Running  
stream. I have about eight home-  
steads, level and good running water.  
For particulars write to

JOHN KNOTT  
CRESCENT, OREGON

## NOTICE FOR PUBLICATION

Lakeview 01187.

Not coal land.  
Department of the Interior, U. S.  
Land Office at Lakeview, Oregon.  
March 11, 1910.

Notice is hereby given that James  
E. Newbanks, of Keno, Oregon, who,  
on May 12th, 1904, made Home-  
stead Entry No. 3236, Serial No.  
01187, for SW 1/4 NW 1/4, N 1/2 SW 1/4,  
SE 1/4 SW 1/4, Section 17, Township 40  
S., Range 8 E., Willamette Meridian,  
has filed notice of intention to make  
Final Five-Year Proof, to establish  
claim to the land above described,  
before C. R. DeLap, County Clerk, at  
Klamath Falls, Oregon, on the 23rd  
day of April, 1910.

Claimant names as witnesses:  
Samuel Padgett, of Keno, Oregon;  
Albert Shear, of Keno, Oregon; Ray  
Lamb, of Keno, Oregon; Chester  
Wilston, of Keno, Oregon.

ARTHUR W. ORTON,  
3-17-4-24 Register.

## SUMMONS

In Justice Court for the Precinct  
of Tule Lake, County of Klamath,  
State of Oregon.

J. G. Patterson, Plaintiff, vs. Frank  
Worley, Defendant—Summons.  
To Frank Worley, the above named  
defendant:

In the Name of the State of Ore-  
gon, you are hereby required to ap-  
pear and answer the complaint filed  
against you in the above entitled ac-  
tion within seven days from the date  
of the service of this summons upon  
you, or suffer judgment to be taken  
against you for the sum of Thirty  
Dollars and interest with the dis-  
bursements of this action.

Given under my hand this 12th  
day of March, 1910.

G. W. OFFIELD,  
3-17-4-28. Justice of the Peace.

## NOTICE FOR PUBLICATION

Lakeview 02885.

Not coal land.  
Department of the Interior, United  
States Land Office at Lakeview,  
Oregon.

March 7th, 1910.

Notice is hereby given that Wil-  
liam Sargeant, whose postoffice ad-  
dress is Klamath Falls, Oregon, did,  
on the 27th day of December, 1909,  
file in this office Sworn Statement  
and Application, No. 02885, to pur-  
chase the SE 1/4 Section 35, Township  
37 S., Range 9 E., Willamette Me-  
ridian, and the timber thereon, under  
the provisions of the act of June 3,  
1878, and acts amendatory, known as  
the "Timber and Stone Law," at such  
value as might be fixed by appraise-  
ment, and that, pursuant to such ap-  
plication, the land and timber there-  
on have been appraised, June 14th,  
1909, the timber estimated 787,000  
board feet at \$75 per M., and the  
land \$92.00; that said applicant will  
offer final proof in support of his  
application and sworn statement on  
the 20th day of May, 1910, before  
C. R. DeLap, County Clerk, at Klamath  
Falls, Oregon.

Any person is at liberty to protest  
this purchase before entry, or initi-  
ate a contest at any time before patent  
issues, by filing a corroborated  
affidavit in this office, alleging facts  
which would defeat the entry.

ARTHUR W. ORTON,  
3-17-5-19. Register.