

# BIG TIMBER DEAL IS IN PROSPECT

**MORTONSON AND SON MAKING INVESTIGATIONS**

**CRUISER WORKED DESPITE STORMS**

**Starbird's Efforts in Inclement Weather Lead to Belief That Deal Will Soon Be Closed**

Klamath county timber is daily attracting the big men of the United States in the lumber business, and it will be only a matter of a few years before this industry will be one of the greatest producers of this section.

A. W. Starbird, a veteran timber cruiser, has been in this section for several weeks, making a cruise of a large tract of government timber in the northern part of the county. That the work was urgent is evident from the fact that the storms of the last few weeks did not deter Mr. Starbird from his work, but snow or rain found him and his men among the timber.

Mr. Starbird gave no evidence of whom he represented or the purpose of his work, and it was not until Saturday, when H. P. Mortonson and son arrived here from Chicago, that the secret leaked out. These gentlemen and associates are heavy timber operators, being interested in the South, Middle West and on the coast. Saturday evening they received the report of their cruiser, and on Sunday went to the Upper Lake, where they looked over a promised mill site above Shippington.

In an interview with a representative of the Herald Mr. Mortonson admitted that he was investigating the timber resources of this section with the prospect of manufacturing, but did not wish to say anything for publication, as he had not arrived at any decision as to future plans. He stated that the present condition of the lumber market did not warrant very extensive manufacturing at this time, but looked for the market to take a change for the better in the near future. Mr. Mortonson and son left Monday on their return to Chicago, but intimated that they would probably return here later in the year.

**KLAMATH IS MECCA FOR SLIVER STATE RESIDENTS**

**Prominent Grand Junction Jurist Is Confident That This Will Soon Be Oregon's Second City**

Colonel M. L. Allison has received a letter from his brother in Grand Junction, Colo., stating that a number of people are to leave that section soon for Klamath county. He also recites a conversation with Judge Myers, one of the prominent and wealthy men of Grand Junction.

Judge Myers has recently been to California and other parts of the coast, and from information gained on the outside he gives it as his opinion that Klamath Falls will be the second city in the state of Oregon within the near future.

While Judge Myers has never visited this city, it shows what people on the coast at least think of the prospects of Klamath Falls. This is only in accord with the constant reports of people returning to Klamath county. This section is better known and advertised on the outside than any other place in the West.

**SPOKANE BUSINESS MAN LIKES KLAMATH FALLS**

**C. E. Atkinson Says He Will Return With a View Toward Locating Here**

C. E. Atkinson of Spokane was in Klamath Falls Wednesday, looking around the town with a view of establishing a mercantile business. He expresses himself as being most favorably impressed with the city, and when he left he told Secretary Oliver of the Chamber of Commerce he would return as soon as possible.

Mr. Atkinson has long cast longing eyes in the direction of Klamath Falls and he has corresponded extensively with Mr. Oliver. Now that he has seen the town Mr. Atkinson is more anxious than ever to come here.

**THE PARCELS POST A NATIONAL NEED**

The demand for an extended Parcels Post has become insistent; it will no longer be denied, says an editorial writer in Success. Renewed agitation for the elimination of the annual deficit in the postoffice department has revealed the folly of permitting the express companies to rob the postoffice of a source of large income by

conveying small parcels. The recent strike in New York and vicinity during which the business of our greatest city was partly paralyzed by the refusal of the express companies to meet the moderate demands of their employees, emphasized the necessity of rescuing this important public function from the hands of a private monopoly that is not responsible to the people. The complaints which the Interstate Commerce commission at Washington has received from shippers throughout the country, constitute a demand for immediate relief from the extortions of these companies. The people are determined that we shall have a cheap, immediate and general parcels post—a real parcels post.

## MIDLAND MUSINGS

Mr. J. C. Mitchell's cattle came in Wednesday and Thursday morning. He shipped ten cars.

Wm. Barks went to the county seat Friday.

Mr. Briggs was in Midland from the Ferguson farm this week.

Mr. and Mrs. Tallman and children, who live near Merrill, came to Midland Thursday and took the train Friday morning for Sisson, where they will visit with Mr. Tallman's parents for a while.

Sam Woodard has rented William Bark's blacksmith shop for three years, has built an addition to it, and expects to engage in the work of blacksmithing at Midland. Sam is an excellent workman, and the people will be very glad that he is to locate at Midland.

Mr. and Mrs. Scott Barnes have moved to their new farm near Chrysler & Stilts ranch, on the Klamath Falls road.

E. S. Barnes was in Midland Sunday after potatoes.

The Ady children are very happy over the arrival of a new sister.

The dance given at Mr. Court's Friday night was a complete success. The crowd was really too large for the house, yet all enjoyed a very pleasant evening.

A surprise party was given at Mr. Rushe's Saturday night, but on account of the severe cold not many were in attendance.

Fred Willard was out of school Thursday to attend the wedding of Mary Miller and Dr. Ellsworth.

Mr. McLean and Jas. Jory visited at the Morgan home Sunday.

Henry Stiles and mother have returned from Swan Lake.

Ed and Lee Sutton were repairing a hole in the dike Saturday when Ed, thinking he was on safe ground, broke through the ice and got a good ice bath.

A certain young couple of Midland went for a brief sleigh ride one foggy night. Not being acquainted with the road they lost their way and claim they spent some time in the center of a small lake. They were met with good-natured smiles when they related their experience.

Clyde Barks was out of school on Monday on account of illness.

Louis Gerber shipped three cars of cattle this week. A. T. Langell was in charge.

Riley Myers this week sold his farm of 96 acres, 2 1/2 miles north of Midland, to Mr. Walton, who will take possession the middle of April. The price paid was \$5,000.

## SUPREME COURT PLACES LIMIT ON ITS OWN POWER

**Holds That Congress Cannot Confer Jurisdiction for Testing the Merit of Laws**

WASHINGTON, D. C., Jan. 26.—On the theory that congress cannot confer jurisdiction on the Supreme Court of the United States for the sole purpose of testing the constitutionality of a law, the supreme court declined to consider the constitutionality of the laws increasing restrictions on the sale of and otherwise affecting Indian lands in Oklahoma.

## TO LEAVE AMENDMENTS TO THE PEOPLE FOR DECISION

**California Legislature Proposes a Special Election for That Purpose**

SACRAMENTO, Jan. 26.—A bill providing for a special election for the submission of all amendments to the constitution proposed at the present session of the legislature has been introduced in the senate by Senator Caminetti. The date of the election is left blank for the election committee to fill in. An election soon after the end of the legislature is expected.

## "COOLIE RESOLUTION" GOES UP TO SENATE

SACRAMENTO, Calif., Jan. 30.—The resolution asking congress to "formulate a treaty with Japan which forever excludes coolies" and protesting against the dropping of the "coolie clause" in the present treaty was presented to the senate today.

## THE INJUNCTION DISMISSED

**RESTRAINING REMOVAL OF THE COUNTY COURT HOUSE**

**Dismissal is by Mutual Consent Without Cost to Either Parties**

Circuit Judge Benson Friday afternoon dismissed the injunction restraining the County Court from moving the location of the court house building from its present site. The case was brought up by Judge Drake and D. V. Kuykendall, representing the County Court, and F. H. Mills, attorney for H. F. Murdock, asked that the injunction be dismissed by mutual consent without cost to either party.

This injunction was granted by Judge Noland about a year ago, shortly after the special election was held on the removal of the Court House to the site offered by the Klamath Development Company. The injunction was asked by Mr. Murdock on behalf of himself and others who were opposed to the removal.

It is not probable that the County Court will take advantage of the dismissal of the injunction, as it is the general opinion that when the County is ready to build a new court house the matter of location will be left to a vote of the people.

## HARRY RICHARDSON BUYS CONFECTIONERY

**W. H. Dulaney's Celebrated Tamales, Delicatessants, etc. Will Be Carried by House**

A change has been made in the ownership of "The Bonboniere," the popular confectionery and ice cream parlor next door to Houston's Opera House. Joseph Sasser selling the concern to Harry Richardson, a well known young business man of this city. The new proprietor has taken possession of the store and reports good business.

In addition to its present complete line of fine confectionery, cigars, tobacco, etc., W. H. Dulaney, whose celebrated line of tamales and home made delicatessants have made him famous in Klamath Falls, will conduct a delicatessen in the Bonboniere. The nicely appointed lunch room of the confectionery, and its nearness to the Opera House makes the Bonboniere an ideal place for after-theater lunches.

A complete line of the Model Bakery's splendid bread, pastry, etc., will also be carried in stock by the Bonboniere.

## AGENCY INDIAN RECEIVES SCALP WOUND

**After Firing Shot at Byron Lotches at Modoc Point, Hugh Hough Vanishes**

Byron Lotches, an Indian at the Agency, is nursing a bad scalp wound as a result of a shot fired at him Thursday by Hugh Hough, also of the Agency. The shooting arose from a quarrel between the two men, the exact cause of which is not known. The bullet striking Lotches grazed his head and made a scalp wound three inches in length.

Immediately after the shooting Lotches' assailant escaped and the Indian Police are vigilantly scouring the country adjacent in an effort to find him. Hough is from Oklahoma, and his family reside on the Reservation near Modoc Point, where the trouble occurred.

## WILL FIND POPULATION CENTERS OF ALL STATES

WASHINGTON, D. C., Jan. 27.—Only the center of population of the entire United States and the centers of the various individual states will be determined by Geographer Sloane, it was announced at the bureau of census today.

Mr. Sloane is now working on the center of population for the whole country, and this will soon be forthcoming. The centers of the various states will be announced as they are completed.

## FRENCH AVIATOR MARRIES SIR MCKENZIE'S DAUGHTER

**De Lesseps Announces That He Will Forsake His Profession Forever**

LONDON, Jan. 26.—Count De Lesseps was yesterday married to Miss Grace McKenzie, daughter of Sir William McKenzie of Toronto, who is president of the Canadian Northern railroad. Canon Gildea officiated at the ceremony. The count has announced that he will not fly again.

## MAYOR VETOES FRANCHISES

**SANDERSON FROWNS ON WATER AND LIGHT PERMITS**

**Believes It Unwise for City to Bind Itself at One Rate for Number of Years**

Mayor Sanderson on Wednesday vetoed both the light and power and the water franchises of the Klamath Falls Light and Water company, recently passed by the council. Following are the reasons given by the mayor to the council for his action:

### Light Franchise

"This ordinance, as you will observe, fails to state when the wires are to be placed underground. Some date should be designated in the franchise, as I do not believe that it is right or proper that these wires and poles should remain on our public highways for a period of fifty years.

"Second, the franchise does not state what the charge will be for the use of meters.

"Third, the location of poles by the city engineer should be done at the expense of the Klamath Falls Light and water company. Wires should not be less than twenty-five feet above the ground, the company to cut the wires free of charge on reasonable notice to allow the removal of buildings, machinery, etc.; also to raise or lower its poles and wires to conform to street grade at its own expense, and to change the location of all poles and wires whose removal may be necessary for the requirements of municipal improvements, such as sidewalks, street pavings, sewer pipes, etc.

"This franchise should contain a rate for electric power and street lighting. Its provisions in the matter of power are vague and indefinite. The three should be incorporated in one franchise.

"There is a petition before the council relating to municipal ownership of a light and water system. It might be well to give this matter consideration before granting a franchise for too long a period.

"The city should reserve the right to regulate these rates at any time, the same as those of any other commodity. With methods of generating electricity that are constantly being improved, the cost of producing electric energy is continually decreasing, and recent progress made in the manufacture of electrical apparatus has decreased the electric energy formerly necessary to produce a certain number of candle power at least 50 per cent.

"With these conditions confronting us, I do not believe it proper or right that this council should establish a rate for light or power or any other purpose where electric energy is required which is irrevocably fixed for a period of ten years. I cannot conscientiously sanction a measure which might retard the future progress and rebuilding of this city by giving any company the right to the use of our public highways free of charge for a period of fifty years. I warn you, gentlemen, particularly, on this point. Let future legislation regulate these matters.

"I herewith return you Ordinance No. 208 with my disapproval. I veto the ordinance."

### Water Franchise

"This ordinance provides that during the next ten years the Klamath Falls Light and Water company may charge certain rates named therein and that every five years thereafter such rates shall be subject to regulation by the city council.

"I do not consider this fair to the citizens of Klamath Falls. I am inclined to believe that the ordinance repeals portions of Ordinance No. 150, adopted February 20, 1910, which provides for supplying the city with fire hydrants. One clause of Ordinance No. 150 provides that the city shall pay \$22 per year for 3-inch fire hydrants. Ordinance No. 209 raises the price of 3-inch fire standpipes to \$42 per year. Throughout the ordinance it mentions mains for fire protection for the city, and incorporates several provisions of Ordinance No. 150. Since Ordinance No. 209, repeals all ordinances and parts of ordinances in conflict with its provisions, it must prevail in these particulars over Ordinance No. 150.

"I see no reason for adopting such rules as appear in Section IX. A rule entirely adequate for one period of time may be entirely inadequate as applies to another period of time. These rules are established for a period of twenty-five years, and will not be subject to change by the city during that time unless by the consent of the Klamath Falls Light and Water company. I notice that Rule 11 does not permit a water consumer to water the streets bounding his property, even though the water may be measured by a meter.

"I am of the opinion that the city should always reserve the right to make reasonable rules whenever

deemed expedient or public necessity requires it.

"Another provision I consider very unsatisfactory is to be found in Section X. This section makes it incumbent on the city to exercise the right of eminent domain in condemning land for right of way and reservoir grounds for the Klamath Falls Light and Water company. This does not obligate the company to reimburse the city. Under this provision the company might put the city to heavy expense without a guarantee that the city will be reimbursed for such expenditure.

The company has assured the council that rates prescribed by this franchise are no higher than in several other cities similarly located. Particular mention has been made of Portland, Oregon; that the rates submitted in this franchise are practically the same as are now in force in the above mentioned city. I have the rates charged by Portland, adopted January 1st, 1910, and find them approximately 50 per cent lower than the rates in the proposed franchise. It must also be remembered that Portland, owning her own water works, may change the rates at will.

"I am disposed to consider this franchise critically because of the fact that it irrevocably ties the city up, so far as this company is concerned, for a period of twenty-five years. I do not believe that this is good business policy. Let future generations regulate these matters for themselves. I believe the city should reserve the right to regulate these rates at any time. You are all aware that there should be two sides to a contract. I fall to see where the city's interests have received proper consideration in this franchise, and the proper time for adjusting these matters is before the contract is signed.

"As an individual I would not sign this contract in its present form, and I feel that as one of the agents selected by the people of this city to protect their interests in municipal legislation I should be derelict in my duty were I to be any less cautious where the rights of the whole people were involved, than in my own private affairs.

"With that fact in view, I herewith return to you Ordinance No. 209 with my disapproval. I veto the ordinance."

## RAILROADS DO NOT EXPECT TO DEFEAT BILL

**Concentrated Attack on Constitutionality Will Be Made Through the Courts**

SACRAMENTO, Jan. 26.—The railroad representatives do not any longer expect to defeat the administration railroad bill, according to the statements made by the leading railroad lobbyists. They say the bill will be permitted to pass practically unopposed, and that the railroads will concentrate their opposition in a fight through the courts, attacking the constitutionality of the measure.

The lobbyists are planning to remain in the capital long enough to advocate certain minor amendments to the bill.

## FIFTY THOUSAND DOLLARS MAY BE APPROPRIATED

Among the items in the United States senate appropriation bill is one for the construction of irrigation ditches to the lands in the Klamath Indian reservation lying near Modoc Point. A total of about \$185,000 will eventually be appropriated, which will place under irrigation between 8,000 and 10,000 acres of fine land. The money will probably be available about next July. The government will be reimbursed the cost of the Klamath reservation system through the sale of timber from the Indian lands.

## SUFFRAGE BILL PASSES CALIFORNIA LEGISLATURE

SACRAMENTO, Jan. 27.—By a vote of 35 to 5 Bell's equal suffrage bill passed the senate. If it passes the assembly the measure will be submitted to the people at the next general election.

H. L. Vyorheis, who has been suffering for the past month with inflammatory rheumatism, is improved of late.

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I have some fine young registered Holstein bulls for sale; A-1 stock and accredited. M. F. LOOSELEY, Ft. Klamath, Oregon.

## NOTICE

Parties wishing sagebrush land cleared, call on or write, W. W. MASTEN, 12-31st Klamath Falls, Ore.

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