

COUNTY COURT'S BUILDING PLAN

PRESENT INADEQUATE CONDITIONS ARE CITED

WOULD HAVE CITY PARK ON MAIN

It is the Opinion of the Body That the Present Court House Site Should Be So Used

Letter No. 1.

To the Taxpayers and Voters of Klamath County:

It shall be the policy of the present county court to go directly to the people with all important matters pertaining to the interest, welfare and development of Klamath county. The court realizes that all power is inherent in the people, and that it is merely an instrument for the execution of their will and purposes, and to act for them along such lines and in such capacities as they may direct.

In the development of so large a region as the Klamath basin, there must needs arise a great many important and vexing questions which this court feels can best be settled by a frank disclosure of the facts and a calm dispassionate discussion of the matter at issue, having always in consideration the best interests of the county as a whole.

Therefore, as before suggested, this court will endeavor to keep in close touch with the desires, the will and the wishes of the people in whose behalf it is commissioned to act.

Court House

The time has now come for a frank and impartial discussion relative to the construction of a new court house. There has been considerable speculation and many questions asked concerning what the present county court will do relative to the construction of such a building. After careful deliberation and a thorough sifting of conditions as they now appear, and the law concerning which we have been advised, we have decided that the people whom we represent have a right to a plain statement and discussion of the facts as they exist.

The Law

The first step necessary was for the court to inform itself concerning the application of the statutes to the case in hand, that is, just what can and what cannot be done in so far as the legal aspects are concerned. It sought competent advice and believes the legal situation relative to the location of a court house to be as follows:

In 1882 the county seat of Klamath county was by legislative enactment located at the town of Linkville, the platting thereof comprising blocks numbered from one to forty. The same enactment stated and required that an election should be held at the next general election in 1884. While there is no record obtainable as to whether such an election was held, yet it is understood that various old inhabitants remember that there was such an election held, and that the county seat was formally located at Linkville. Later the name of the town of Linkville was changed to Klamath Falls; various additions in the way of city plats have been added thereto from time to time, until the present city of Klamath Falls covers a much larger territory immediately contiguous and surrounding the old town of Linkville, or that original plat covering the blocks known and numbered from one to forty. There is a dispute as to whether a county seat grows with the city; in other words, while the city of Klamath Falls comprises the old town of Linkville and all the other additions which have been made thereto during the time since 1882, it is claimed that the county seat itself does not grow and increase in size along with the city itself.

There are authorities to substantiate this view. There are also others upholding the view that the county seat does grow with the city, and that Klamath Falls and any portion thereof is now the county seat.

There is an Oregon statute which states plainly that in order to remove the county seat from one part of the county to another, a petition must first be secured, signed by three-fifths of the legal voters of the county, and that an election must be held at the next general election and the vote cast therefore must be a three-fifths majority of all the legal votes in the county.

There is no law providing for a special election for this purpose, and the question cannot be voted upon before the general election in November, 1912. The court has, however, authority to construct a building in any part of the old town of Linkville it may choose, but its location on any territory outside of it is subject to dispute, and can be settled only by a

vote of the people as above specified, or by an action in the courts.

The Site to Build On

During the year 1910 the former county court was tendered the donation of five acres of ground in the heart of the Hot Springs addition by the Klamath Development company, free of charge, as a site for the new building, and coupled with this offer was the donation of sufficient hot water from the springs contiguous thereto to heat the building forever.

The company promised to construct an alameda or driveway eighty feet wide around the property and a bridge across the canal immediately in front, connecting the alameda with the street leading to the esplanade.

This site constitutes a gentle knoll about forty feet higher than the level of Main street, in the center of what is thought will be a large and growing city during the next decade, and was regarded by the donors as an excellent site for a public building. The property at the time of the offer was estimated to be worth in the neighborhood of \$30,000 to \$40,000, and since that time the alameda and bridge mentioned above have been constructed at a large expenditure of money. The site is in close proximity to business and in plain view of the main line of the Southern Pacific company, and it has been said that a model building constructed on this site would do more to advertise Klamath county than any other one thing that can be done, for the reason that it would be in plain view of the thousands and thousands of tourists passing by on the said company's trains each year.

We are informed by Mr. S. O. Johnson of the Klamath Development company that this offer is still open, and that Klamath county can have a clear title to the same and sufficient hot water to heat the building forever, upon the construction of a court house suitable to the needs and requirements of so great a territory as Klamath county.

The Present Site

The county court is unanimous in that it does not favor the erection of a new building upon the present site. Its reasons are as follows:

First. We believe that a court house should not be built upon the Main street of any city. The home for the conducting of the county business should be such a place as to be quiet and orderly. It should not be a loafing place, and should be visited only by people who have business there or matters requiring their attention, or as interested attendants upon legal matters.

Second. The present site is too noisy. Main street will soon be paved; a petition has been signed for the paving of Klamath avenue; Third and Fourth streets will very likely soon follow, and the clatter of traffic thereon will result in so much noise that it will be practically impossible for cases to be tried in Circuit Court without great interruption.

Third. The rock strata underlying the surface of the ground of the present site is so deep and the soil above of such character that it will be practically impossible to get a solid foundation for the mammoth building which the court must needs construct without excessive expense. In discussing with competent engineers and contractors, it has been advised that it will cost at least \$10,000 more to construct a foundation on the present site than on one where the same conditions do not exist.

Fourth. To construct a building of adequate site practically all the trees in the court house yard except those fringing the outer edge of the property, would have to be cut down. This seems almost sacrilegious, since it has taken years to grow them, and their ruthless destruction would seem a pity.

Fifth. A greater portion of the present site is below the street grade to a depth of several feet, and should a new building be constructed there it would necessitate the filling of practically the entire block at an expense of several thousand dollars.

This site is very valuable property, and the value now will be greatly enhanced by the lapse of time. In the court's opinion it is so located that it will always be as good property as exists in the city of Klamath Falls, and could be sold for a sum, which put into the construction of a new building or into the building of good roads would mean a large saving to the taxpayers.

Which Site?

This discussion leads to the question, where, then, shall the court house be built? If the free site offered by the Klamath Development company is not accepted, then there remains the selection of another. Where shall it be, what will it be, and how shall it be secured.

If there be another site available the county court will be greatly pleased to have it suggested, and the terms and conditions under which it may be secured.

City Park

The city of Klamath Falls has no public park. It would be a calamity to build a city without making provisions therefor, and it will require at

the best fifteen to twenty years to grow trees of sufficient size to afford the shade necessary. It has occurred to us that the present site would make an admirable city park. Park property in this vicinity, or any other vicinity as well located as this for such a purpose, could not even now be secured, except at tremendous cost. The trees are large and beautiful, located sufficiently close to afford plenty of shade, and the location is exactly right.

The matter has been discussed quite fully, and the court is decided upon this point, that if those citizens who are opposed to the construction of a court house upon the site offered by the Klamath Development company will cease their opposition, it is willing to turn over this site to the city for a park for a period of ten years from the time the county ceases to occupy the same, with an option to buy at the then existing value, subject to arbitration at the end of the period of ten years, upon condition that the city of Klamath Falls shall maintain and operate the said site as a park, and remove all buildings therefrom, erecting in the center of same, at a convenient place, a building which we are pleased to term a "comfort house," containing a sitting room, with rockers, wash room, toilets, etc., with an attendant therein, which comfort house may be the headquarters for people from the country when they are in town; a place that they may feel is their own and to which they may have a perfect right to go, and where they may secure for themselves, without cost, such comforts and conditions as are always incident to an absence from their own homes; and that a band stand be constructed at some prominent place in the park to be used for concerts and celebrations; and that iron hitching rails for teams be provided along the sides of said property on Third and Fourth streets and Klamath avenue; that swings and other amusements be provided for children, and that sufficient comfortable benches be provided for seats throughout the park.

While we assume that the city of Klamath Falls is at the present time not in condition financially to purchase this property, at the value now existing, it can under this offer have the same benefits as though it owned the property, and at the end of ten years purchase it at the then value at a time when it is quite likely to be in a much better position to make the said purchase, even though it will be worth a much larger sum than at the present time.

Of Necessity

If the court is compelled to buy a site, it will feel the necessity of disposing of the present one for such sum of money as it will bring at the present time, the purchaser thereof acquiring it very likely for speculative purposes would not care whether the trees be cut, and the possibility of a city park gone for a number of years, and perhaps forever.

Present Conditions

The present building is a mere shell, inadequate in every way to house the transactions of the county's business. The ventilation in the court room is abominable. All one has to do during the session of the circuit court on any trial day is simply to pass from the open air into the crowded chambers, and be immediately becomes cognizant of the obnoxious odor of carbonic acid gas with which the atmosphere is permeated. There is no reasonable way to remedy this, and the county court does not favor the spending of a cent upon this old building.

The offices are entirely too small, and the district attorney and the assessor are now being housed in quarters outside the building at an expense of almost \$40 a month to the taxpayers.

The sheriff's office is entirely inadequate. His safe is not large enough and a fire would wipe out his entire paraphernalia, and take with it a tax roll which, this year if it were burned at its inception, would have meant a loss to the county of almost \$165,000.

The records of the county are housed in a small stone vault immediately contiguous to the county clerk's office, which is not in any way fire proof. The vault door cannot be locked.

If the court house should burn, the county would not only lose the contents, but all the records contained in the vault would be consumed, which would be irreparable, and a large part could never be replaced. This would mean a loss which would be difficult to estimate, and one which the court hopes will not occur during its incumbency.

It appears that desperate chances are being taken, and the responsibility is great. There is now in the treasury, or will be when the collection of the present tax roll is accomplished, practically \$75,000 in cash, to be expended for the construction of a new building.

The court could, were there no controversy relative to the selection of the site, build a foundation, put up the walls and the roof of a finely equipped building before snow flies;

next year a sufficient levy could be made and the building completed.

Possibilities

It is a well known fact that the writer personally favors the acceptance of the site offered by the Klamath Development company for business reasons only, since he has completely divorced himself from any connection with it other than a friendly interest. While the people cannot, as was generally considered some months ago, vote upon this important question at a special election, the matter can rest and be put upon the ballot at the next general election, almost two years hence, and then settled by the people themselves.

Or should work be started upon the site, some citizen could enjoy the court from the completion of the work and the matter could be threshed out in the courts, requiring in the neighborhood of fifteen or sixteen months to accomplish the same. The court believes the people should settle it.

In Conclusion

You are now in possession of all the facts relative to the court house situation known to the county court. It has given you the same frankly, and wishes to pursue this method all through its action relative thereto.

The time has come for careful and thoughtful deliberation since this is only one of the GREAT things which must be accomplished. There is an empire and a city to be built in the Klamath basin, and the wisdom which is exercised at this time will have great effect on the accomplishments of the future. Respectfully yours, WM. S. WORDEN, County Judge. By order of the County Court.

INDIANS USED NO DIVORCE PROCEEDINGS AT ALL

United States Marshal, Finding Condition of Affairs, Steps In and Takes a Hand

The following dispatch is sent out from Portland relative to the Klamath Indians who were recently taken to Portland by the United States marshal. About sixteen Indians were taken, and it was supposed here that they were witnesses in the shooting which occurred on the reservation a short time ago, an account of which appeared in the Republican:

"Trial marriages among the Klamath Indians must end. The iron hand of civilization demands it and word has come from Washington that the Indians must go through the white man's wedding ceremony. As a result ten bucks and as many squaws are in Portland today facing indictment at the hands of the United States grand jury.

"This is probably the first time that the government has interfered with the Indian marriage system, and it is expected that other tribes will next be called to mark time by the government.

"The old tribal ceremony simply calls for a gift of so many horses or cattle to the father of the Indian bride. A divorce is arranged by the father returning to this son-in-law the same number of animals given previously for the bride.

"Recently a number of redskins were legally married. Some of them wanted divorces, and so tore up their marriage certificates and, believing they were free, began matrimonial life anew with other mates. The United States marshal descended upon them, and twenty alleged to have used this simple method of divorce are now in Portland awaiting action of the grand jury."

Superintendent Watson is absent in Portland at the present time, and Captain O. C. Applegate, former superintendent and one of the best versed men on the Klamath Indians, states that up until within the past two years the Indians on the Klamath reservation were under the control of the government, and not amenable to the state laws, and that all marriage licenses were issued by the agent. Since the issuing of the trust deeds of the allotments the state laws apply to the Indians as well as to other citizens. While all of the recent marriages have been performed according to the white man's law, it is known that there are a number of cases where this law has not been followed in the matter of divorces.

GLENSIDE WINS THE NATIONAL STEEPLECHASE

LIVERPOOL, March 24. — The Grand National Steeplechase at Aintree, the richest cross country race in the world, was won by F. Bibby's Glenside, Tick Wilson riding, with O. H. Jones' Pathally second and F. Nelke's Shadygirl third. Twenty-six steeds started, but most of them fell during the four and a half miles of the course

Stanley Robinson Dead CLEVELAND, Ohio, March 24. — Stanley Robinson, former owner of the St. Louis National League baseball team, died of blood poisoning this morning.

KLAMATH FALLS RANKS 26TH

POSTAL SAVINGS BANK MAKES A FINE SHOWING

On February 28th There Were 25 Depositors, With an Average Deposit of \$42.96

Postmaster Emmitt is in receipt of a statement from the postoffice department, showing the number of accounts in the postal savings banks throughout the country, giving the total amount on deposit and average balance per depositor on February 28th. There is but one postal savings bank in each state, and Klamath Falls ranks 26th in the list.

Leadville, Colo., heads the list, with a total deposit of \$21,253, and Newberry, S. C., brings up the rear with \$199. Klamath Falls has \$1,071 on deposit, and as there are twenty-five depositors, the average is \$42.96 each.

Considering the size of the other cities in which postal savings banks are located, the showing made by Klamath Falls is indeed great, and Mr. Emm't reports the amount deposited as on the increase.

No Idle Time on His Hands

"Squire," asked the visiting friend, "how do you manage to occupy your time in this little village?"

The only justice of the peace in Skedunk leisurely bit off a large chunk of plug tobacco and chewed in silence for a few minutes.

"Bill," he said, with judicial solemnity, "I can beat any man in six counties pitchin' horseshoes."—Chicago Tribune.

Shortage Somewhere

Manager—What's the leading lady in such a tantrum about? Press Agent—She only got nine bouquets over the footlights tonight. Manager—Great Scott! Ain't that enough? Press Agent—Nope. She paid for ten.—Exchange.

PUBLIC SALE

The undersigned will sell at public auction at his residence on the E. W. Roberts ranch, in Poe Valley, on Wednesday, April 5th, 1911, the following described personal property, to-wit:

16 head of milch cows, 30 head of young stock cattle, 9 head of horses, 18 head of hogs, 3 brown Swiss bulls, 1 hack, 1 3-inch Moline Wagon (nearly new), 1 horse rake, 1 mowing machine, 1 14-inch walking plow, one DeLavel separator, lot of cream utensils, 1 set of harness, 1 saddle, 1 large Toledo range (No. 8), household furniture and numerous other articles. Terms—All sums up to \$20 cash in hand; above that amount bankable notes will be taken, due in six months, at 6 per cent interest, or a rebate of 5 per cent will be given for cash on notes. A light lunch will be served about noon. 20-6t-w-1t G. G. STEPHENS.

REGISTERED HOLSTEINS FOR SALE

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

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NOTICE

Parties wishing engraving and clearing, call on or write. W. W. MASTEN 12-3rd Klamath Falls, Ore.

HORSES WANTED

I want two or four horses for farm work in exchange for your winter's keep. H. G. FAIRCLO, Merrill Route.

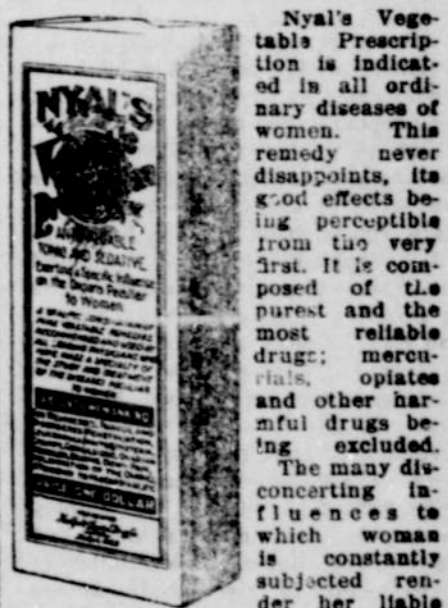
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