

## JUDGE BENSON GIVES DECISION

### DEMURRER IN THE MORSELEY IRRIGATION PROJECT IS OVERRULED—LAW IN QUESTION IS CLEAR

Judge Benson last Thursday overruled the demurrer in the case in which the legality of the Morseley irrigation project is being attacked, and the next step in the proceedings will be the filing of an answer.

The law relating to irrigation projects similar to the one in controversy is clear as to the powers of the circuit court. It is provided that the court may only consider the regularity of the proceedings creating the project, and may not enter into the question of the advisability of the plan.

## ARANT URGES BETTER ROADS TO CRATER

A system of good and adequate roads is the crying need of Crater Lake National Park, as shown by the annual report of W. F. Arant, the park superintendent, and until these roads are provided the park will not be the popular pleasure ground that its scenic beauties would otherwise make it.

Of course, a start has been made in the direction of providing a suitable road system, and \$5,000 was appropriated at the last session of congress, but much more liberal appropriations must be made hereafter, or else the development and popularizing of the park will be deferred many years.

Last year 5,235 persons visited the Crater Lake Park, most of them in automobiles, there having been issued a total of 430 auto licenses for the season, at one each for a single round trip. In view of the fact that the roads are notoriously bad, this charge was deemed excessive, but that is the price fixed, and the price will remain in effect until some future secretary of the interior orders a change.

In the event of Guy Merrill carrying out his determination to resign as county commissioner, his successor will be appointed by Judge Worden and County Commissioner Hagelstein.

Already several names have been mentioned in connection with the appointment, although Mr. Merrill has not publicly announced his intention of quitting.

It was stated today that Mr. Merrill had considered tendering his resignation for some time. He found that the work involved interfered greatly with his private business.

## HUNTER SAVIDGE IS PRESIDENT

Hunter Savidge was elected president, W. A. Delzell was tentatively named as secretary, and plans for the reorganization of the body were made at a meeting of the new directors of the Klamath Chamber of Commerce held Wednesday. Committees were named to solicit subscriptions to carry on the work of the body, and plans were laid for the removal of headquarters to a new location, one nearer to the central part of the town.

Mr. Delzell is in Oklahoma at present, and a telegram has been sent to ascertain whether or not he will accept the secretaryship.

Homer Smith was in from the Ankeny ranch Wednesday, attending to business matters.

Mr. and Mrs. George Costello left yesterday for San Francisco to reside. Mr. Costello has been in the restaurant business here for several years.

S. O. Johnson has returned to San Francisco after a visit of several days' duration.

A. D. Miller returned last night from a business trip to Medford and other Rogue River Valley points.

### Pictures to Attract

One of Oregon's attractions at the San Francisco fair in 1915 will be moving pictures taken in the vicinity of Crater Lake. Plans are already under way for the preparation of the pictures.

Orville Elliott is in from the Klamath Agency.

E. A. Binsinger returned to his Swan Lake ranch today after a two-day sojourn in Klamath Falls, attending to business matters.

William Brennen of Keno was a Wednesday visitor in Klamath Falls.

Louis Wampler is in from the Woodbine district for a short visit.

### Shields Elected

NASHVILLE, Tenn., Jan. 23.—Chief Justice John Shields was today elected United States senator for the long term.

## LYLE IS SUED BY DR. CHILTON

Suit to recover sums of money aggregating about \$400 was commenced in the circuit court Wednesday by Dr. L. W. Chilton against A. J. Lyle, manager of the Blackburn hospital. The amount is held to be due for money advanced, money loaned, and a percentage of the profits of the hospital. Kuykendall & Ferguson are attorneys for Chilton.

Z. Ellis came in today from his ranch on the Merrill road, to dispose of produce and purchase supplies.

## Would Become Citizen

Application for citizenship has been made by Peter Gormley, a resident of this city, and the matter will come up at the June term of the circuit court. Gormley is a native of Ireland.

## HOMESTEADERS IN TO FILE PROOFS

Two Klamath county homesteaders appeared before County Clerk DeLap this afternoon to make final proof on their homesteads.

Dorsey H. Johnson made proof on a tract of land near Tule Lake. His witnesses were W. H. Hadley and James Taylor.

The other homesteader to make final proof was Fred J. Beldin, whose holding is near White Lake. As witnesses he brought in Joe Dervan and Jim Cole.

## JUDGE WORDEN DEFENDS ACTIONS

In the third of a series of articles in reply to the charges recently made by the Klamath county grand jury, Judge Worden of the county court last night took up the particulars of the selection of the site in Hot Springs addition for the new county court house.

After calling attention to an open letter he had written previous to his election, and in which he asserted it to be his intention to carry out the apparent wishes of the majority of the people in selecting the Hot Springs addition site, Judge Worden calls attention to the litigation which came out of the matter.

Attention is called to the fact that D. V. Kuykendall, then district attorney, had been asked to act as the legal representative of the county court, but had declined. Then other counsel was secured in order to carry out what was considered to be the expressed desire of the majority of the taxpayers. Judge Worden cites numerous instances to show that the fees paid the attorneys for the county in the litigation were not exorbitant, but were, in fact, usual.

In conclusion Judge Worden advances another line of argument, which is as follows:

"Another view of the case is this: Let us look at the matter from an investment point of view. You, the citizens of Klamath county, secured by this legal action the title to five acres of ground located in the heart of what will be the city of Klamath Falls. These five acres of ground some time will be very valuable. I would not attempt to say what that valuation will be. We believe at the present time that it is worth at least the sum of \$50,000. We will be conservative, however, and say that it is worth \$30,000. The five acres divided into lots, making six lots to the acre, as was customary in the platting by the Hot Springs company, would mean thirty lots, which would easily bring a thousand dollars each. Coupled with this is sufficient hot water to heat the building forever. Now taking the transaction as a straight business transaction, and putting on the one side expenses as follows:

Stone & Barrett	\$2,000.00
F. H. Mills	2,000.00
Thomas Drake	2,000.00
Expense of trip to Salem by Judge Worden	75.00
Expense of judges to try the case	250.00
Printing	50.00
Total	\$6,375.00

"Now, on the other side as a credit, valuation of the site, \$30,000 and I not considering the hot water which will heat the building for years, and thus save a large expenditure for fuel, we have a clean balance to the county on the right side of the ledger of \$23,625.00. In other words, considering the low valuation placed on this property, a clean cut profit of \$23,625.00 in this one transaction. In addition to this will in time be added the amount which will be acquired from the sale of the present court house site.

"In conclusion, we have stated to you briefly and concisely the actual conditions leading up to the discussion in this case. We believe that you in conducting these matters, and will not condemn our action, for the reason that we made good and fulfilled our pledges, although perhaps we did not accomplish them as cheaply as some people may have desired."

## HATCHERY BILL COMES UP AGAIN

The Spring Creek hatchery bill, vetoed by the governor two years ago, and which was recently passed in the senate over the veto, will come up in the house in a few days. It is believed that the measure will be passed.

The bill follows: "Be it enacted by the People of the State of Oregon:

"Be it enacted by the Legislative Assembly of the State of Oregon:

"Section 1—That there be and hereby is appropriated and set aside from any money in the state treasury, in the game protection fund, not otherwise appropriated, the sum of eight thousand dollars, or so much thereof as may be necessary, for establishing, erecting, constructing, equipping and maintaining a suitable trout and salmon hatchery for the propagation of trout and salmon in the State of Oregon, when a suitable site shall have been granted for that purpose by the Federal Government on Spring Creek, Klamath county.

"Section 2—No part of said sum hereby appropriated and set aside shall be used or expended for any purpose whatever, otherwise than as specified in Section 1 of this Act; all vouchers covering expenses incurred in carrying out the provisions of this Act, shall be approved, audited and paid in accordance with the provisions of Section 2624 of Lord's Oregon Laws as amended by the Legislative Assembly of the State of Oregon for the year 1911.

"Passed by the Senate, February 3, 1911.

"(Signed) BEN SELLING, President of the Senate.

"Passed by the House February 17, 1911.

"(Signed) JOHN P. RUSK, Speaker of the House."

When shown the foregoing bill this afternoon State Fish and Game Commissioner Stone said:

"I am rather inclined to the opinion that this measure would seem to place Governor West in the attitude of opposing a trout hatchery at Spring Creek. Such is not the case. The governor explained at the time of vetoing the bill that a law had been enacted providing for a fish and game commission that had full power to establish the hatchery, and the only reason this has not been done is that the commission has been unable to get the title to the site from the federal government. The reenactment of this bill will not facilitate the purchase of the land. Every member of the commission is ready and willing to establish the hatchery just as soon as title to the site may be secured. We have the money to make the purchase, and the only matter in which this bill may help will be the appropriation that it carries. This will add the sum of \$8000 to the trout hatchery fund, and will give the commission that extra amount. For that reason I trust the governor will see his way clear to approve the bill, but I have grave doubts on this score."

G. S. Carleton of Merrill is attending to business matters in the county seat.

E. H. Reddon is here from Bly for a short visit.

L. D. Burk, a prominent Bonanza resident, returned home today after a short visit here.

## Suit for Divorce

Suit for divorce was filed today by George E. Turner, who seeks separation from Nina Mae Turner. Desertion is the charge, and W. H. A. Renner is attorney for the plaintiff.

## COYOTE HUNTS ARE PROFITABLE

The killing of jack rabbits and coyotes is proving profitable as well as entertaining for farmers in this section this winter. With a bounty of \$1.50 on each coyote and 10 cents on each jack rabbit head, farmers are able to make spending money during the dull season and at the same time amuse themselves.

Today J. C. Hilton of Bonanza brought to the city 13 coyote scalps besides 300 jack rabbit skins. Sy Poole of Hildebrand brought in 11 coyote scalps and L. G. Stiles of Swan Lake one coyote scalp. John Liskey brought in a couple of coyote scalps a few days ago, and J. W. Taylor brought in 73 jack rabbit skins.

V. G. Bradley, superintendent of power plants for the California-Oregon Power company, left this morning for Yreka after inspecting the local power houses belonging to the company.

Roy Taber, Dorris merchant, is in the city today. He reports business quiet in the little California city, but says that the residents there are having considerable sport in killing jack rabbits.

## PETERSON ARRANGES SCHOOL RULES

In order to increase the efficiency of the various schools in Klamath county, Superintendent Fred Peterson has just arranged a school standard, together with a list of requirements that must be met with in districts before they can be classed as standard.

"The school standard method has been tried with wonderful success in Polk, Marion and Jackson counties, and it has greatly improved the school conditions in those counties," said Mr. Peterson today. "It has had a wonderful effect in Polk county in particular, and the schools are nearly all up to standard, or even above the standard arranged.

"The districts here have heretofore worked under somewhat adverse conditions, and but few of them are up to standard, although their influence as educators cannot be questioned. There is no conformity as to school conditions, but I am sure that all will endeavor to become standardized, if their attention is called to it, and this method is a constant reminder."

A standard chart is being prepared by Mr. Peterson for the guidance of the teachers and directors of the different districts, and the purpose of the standardizing is explained as follows:

"Owing to the necessity of having some common standard for the schools of the county, we submit the following chart for the guidance of teachers, school boards and school communities.

"As soon as a district has fulfilled any requirement it will be checked off by the superintendent. When all the requirements are fulfilled a certificate to that effect will be issued by the superintendent. In schools of more than one room, any room may become standard, regardless of the other rooms. We ask the cooperation of all interested parties."

The requirements that must be met by a standard school are outlined below:

### School Building

- 1—Comfortable and in good repair.
- 2—Well lighted; no cross lights.
- 3—Window shades on rollers.
- 4—Well heated. If a stove is used it should be in one corner and enclosed in a jacket.
- 5—Separate room for hats and wraps.

### Condition of School Room

- 1—Blackboard, floor and furniture clean. All possible pencil marks and the like removed.
- 2—A reasonable amount of apparatus and supplies.
- 3—Two framed pictures, not less than 10x12 inches, and one added each year until five are secured.
- 4—Room well ventilated by some approved ventilating system.

### Grounds

- 1—Free from rubbish and brush.
- 2—Toilets clean and respectable—free from writing.
- 3—Fuel house in good repair.
- 4—Walks to outhouses and road, if necessary.
- 5—Flag flying, as required by law.

### Water Supply

- 1—Pure, fresh water.
- 2—Either fountain or tank and individual cups.

### Library

- 1—Library well kept, with approved system of records and loan cards.
- 2—Enclosed bookcase.

### Teacher and School

- 1—In school room by 8:30 on each school day.
- 2—Twelve months' teaching experience, or 32 weeks of professional training.
- 3—Must maintain a professional attitude towards school work.
- 4—Records well kept.
- 5—Monthly reports on time.
- 6—Monthly reports to parents.
- 7—Good order.
- 8—Program of recitations posted in room.

### Attendance

- 1—Per cent of attendance 93.
- 2—Tardiness not to exceed 1 per cent.

Joe Dervan came from his ranch Thursday to attend to business matters. He will return home today.

## McENERY GOES TO MARSHFIELD

P. H. McEnery, who is well known in this city, has just accepted the post of city editor of the Evening Record, published at Marshfield, and he left Portland Friday for the Coos Bay metropolis.

McEnery was formerly connected with the Morning Express and the Chronicle in this city, and his "Observations" were daily read with great interest. Before coming to Klamath Falls he was connected with metropolitan publications in California, and was city editor of the San Jose Mercury.

Since leaving here Mr. McEnery has been engaged in special work for the Portland papers. He is a bril-

liant newspaper man, and The Herald extends its best wishes for his success in the new field.

## BURK IS NOW DEPUTY SHERIFF

Sheriff Low has appointed Lon D. Burk to be deputy sheriff at Bonanza. Other appointments will be made in a few days.

With the cold weather and the increase in business in the sheriff's office, the original plan of making appointments later on was changed. So far, however, Sheriff Low has not yet appointed a deputy at Bly. He has announced that the appointment will go to the man who voted for him in that precinct at the last election.

Charles Humphrey is home from San Francisco, where he visited for several months.

Edmund Gowen has resumed his duties with Van Riper Bros., after a short sojourn in the Midland country.

A. J. Foster of Lakeview came in on last night's train. He left out for Lakeview this morning.

V. G. Beadley of Yreka was among the arrivals on last night's train.

## RAILROAD WORK IS CARRIED ON

### MANEY BROS. OF BOISE HAVE A CONTRACT ON CONSTRUCTION OF LINE HEADING IN DIRECTION OF THIS CITY

Maney Bros., who have the contract on the second unit lateral here of the Klamath irrigation project, also have a contract on the construction of the new line of the Southern Pacific which is heading toward this city.

L. Kirchner, local representative for Maney Bros., received word a few days ago that work on the railroad contract in spite of the weather, and will be completed in advance of the contract time.

The Maney Bros. outfit is working in the vicinity of Susanville. It has been announced that the railroad will be completed into that place by June 15th, when active construction will be started from this city southward and from Susanville north.

## SECOND GAME IS LOST BY LOCALS

Although they were able to break up the speedy form of attack used so successfully by the Ashland high school basketball team Thursday evening, the Klamath county high quintet was unable to score enough points to win, and the game Friday went to the visitors, 9 to 4. The showing of the locals against their heavier and taller opponents is commended by all who witnessed the game, and the high school rosters believe the two games here will greatly help the local team on its northward trip.

At the end of the first half last night the score was 3 to 1 in favor of Klamath. In the second Ashland scored three field goals and a foul, while only one point was gained in this period by the locals.

Harry Gallagher returned to the logging camp at Keno Friday, after a short sojourn in Klamath Falls.

The following tribute is paid to Robert Parker Miles, lecturer-traveler-journalist, who lectures here Tuesday evening, by Benjamin I. Salinger, Supreme Court reporter of Iowa: "Twenty-five years ago Robert Parker Miles passed the turnstile of Castle Garden, a penniless English lad. His ambition was without limit, because he had all to get. He strove under the lash which impels drowning men to attempt swimming. Yet in his thirties, he had wrested from life a fine academic training. He had been the co-worker of Moody and Booth Tucker, the visitor of Gladstone and Pope Leo XIII.—comrade of the leading American literati. As a star writer upon the New York Journal he has startled and moved a million readers into practical, religious thought, and forced New York into humanity toward its working girls and its fallen; and while still a boy preacher he outstripped the wheels of justice and moved the vilest murderers of this century to confession, with burning and pathetic words. A success while in the eye of the nation and while the simple pastor of a village flock—a marked man. A moralist, treating vice with that true sympathy which influences the vicious for good, a Bret Harte in sunny analysis of the good side of bad men and things. A natural dramatist, emotional, vivid, picturesque, he also tempers the sorrows of life with a good wit and consoling, quaint humor. Teachers are as much in demand as ever. But they must be able to impart with moving words the gleamings of a life of achievement. This striking individuality has that title to lecture."

## FOUR NEW VOTING PRECINCTS MADE

### COUNTY NOW HAS 23 POLLING PLACES

### New Districts Are Designated as Hildebrand, Worden, Algoma and Swan Lake—More Precincts May Be Added in the City—On Account of the Enfranchisement of Women Additions Are Necessary

Work of reforming the election precincts of the county is being attended to by the county court, and already four new country precincts have been arranged. These have been designated as the Hildebrand, Swan Lake, Worden and Algoma precincts.

The Hildebrand precinct is formed from a portion of the old Dairy precinct. The polling place is at the Hildebrand school, a few miles from Dairy.

Portions of the Dairy and East Klamath Falls precinct have been taken to form the Swan Lake precinct. The voters of that section have been compelled to go great distances heretofore before they could vote.

Instead of being compelled to go to Keno to vote, residents of Worden will cast their ballots in their home town. The new Worden precinct is a portion of last year's Plevna district.

The Algoma precinct is taken from the territory formerly included in East Klamath Falls. The polling place is at Algoma, ten miles north of here.

It is possible that additional precincts will be arranged in the city, owing to the increase in the vote here with the adoption of woman's suffrage. It is the intention of the county court to have the city precincts and polling places conform with the wards outlined by the city officials.

## LOCAL PLAYERS LOSE TO ASHLAND

Covering all portions of the floor, and excelling at "getting rid" of the ball, the Ashland high school basketball team took Klamath county high into camp last night, 18 to 6. Mills, forward of the visiting team, was largely responsible for the score.

Fourteen points were scored in the first half by the visitors, whose clever team work took the locals completely by surprise. A basket by Messner and a foul completed the local score for the same period.

In the second half the local lads took a brace, and although they did not slip any baskets over their larger opponents, they succeeded in breaking up to a certain degree their whirlwind attack.

Although defeated on their own floor, the Klamath students do not feel discouraged. "Just wait 'til tonight," is their watchword.

## FIVE-FOOT SHELF ADDED TO LIBRARY

The latest addition to the shelves of the public library are the Harvard Classics, which were received this week by Mrs. Talbot, the librarian.

This comprises the "five-foot shelf of books," selected by Charles W. Eliot, president emeritus of Harvard University. At the time he made his selection, Dr. Eliot announced his belief "that the faithful and considerate reading of these books will give any man a liberal education, even if he can devote to them but fifteen minutes a day."

## SAYS OFFICE WAS GIVEN FOR VOTE

WASHINGTON, D. C., Jan. 24.—"That's the result of an agreement made with Ralph Williams, republican national committeeman from Oregon, at the June convention in Chicago," was the comment of Congressman Lafferty when he heard of President Taft's nomination of Thos. McCusker to be postmaster at Portland. "On page 428 of the appendix of the Congressional Record for last session, you will find that in a speech of last August I quoted the remarks made July 26 in the Oregon progressive state convention by Bruce Dennis, in which he told of having been informed by Williams that Williams could be re-elected committeeman by McCusker's help, and that McCusker 'wanted a job.' McCusker was elected as a delegate instructed for Roosevelt, yet he stayed and voted for Williams and the Taft program."

Lafferty has wired to President-elect Wilson congratulations upon the latter's stand for active progressivism.

## Coldest Night

Last night was the coldest of the year. The thermometer registered 6 below zero during the night.

G. B. Tompkins and son Bert returned to their ranch on Lost River near Bonanza, after a short visit in the county seat.