

Fifth Year—No. 1,078

KLAMATH FALLS, OREGON, TUESDAY, FEBRUARY 28, 1911

Price, Five Cents

DIRECT ELECTION DEFEATED, 24-33

TWO-THIRDS VOTE WAS NOT RECEIVED IN FAVOR

OTHER SOUTHERN AMENDMENT

United Press Service.

WASHINGTON, Feb. 28.—The senate this morning defeated the resolution for the direct election of United States senators. The vote stood 54 in favor and 33 opposed, and as a two-thirds vote is necessary for passage the measure lost.

Senators Aldrich, Crawford, Prader and Terrill did not vote on the measure. Senators Bourne and Chamberlain were among the heartiest supporters of the resolution.

One reason given for the non-passage of the resolution is the fact that it carried the Sutherland amendment, which gives to congress the right to control senatorial elections. This amendment was particularly objectionable to the southern members of the senate, and they used their influence against the passage of the measure for that reason.

Howard Acton arrived in this city last night with his brother, A. E. Acton, who has been in Seattle on a business trip. Mr. Acton, who is a contracting carpenter, may locate here.

Local Man Strikes Fire

Flow of Depth of Four Feet

The Only Trouble, However, Was Trying to Heat the Town From Being Flooded

own trade, in the days of one man and his wife, and his wife was talking to him. He does not know many others, but in Klamath Falls, like many other places, he was yesterday morning and like many others here, a line was found that the water pipe was broken.

W. her, is where this man showed himself to be a little unlike some other men we know. He did not and ran at fate and the weather punctuating his remarks with "sitting cuss words." Not by a long way, he carried the frozen water and then received a little of a little. He so that they never thought of saying he hunted up a brace and hit, unceremoniously

fair and started to go through the ice.

Was the experiment a success? Oh, yes, largely so, and he hadn't drilled very long before he struck a flow of water that exceeded all his calculations. Like a mountain torrent carrying everything before it the hydrant suddenly gushed forth a strong flow of aqua sending the brace and bit across the room and deluging the experimenter. In a very few seconds it was a case of "water, water everywhere."

Once the flow of water was checked the next matter was to shut it off before it flooded the entire house, so out rushed the man to shut off the connector with the main. He found then, to his dismay, that the atmosphere outside had been just as cold as in the house, and that the shut-off was enveloped in a cake of ice.

Rushing back into the house, he left ought of the only feasible plan to stop the flood—that of sawing the faucet on again, and this he finally accomplished, but as he had left the faucet turned on when he took it off, the first couple of twists sent water in a generous stream to both sides of the room and to the ceiling.

ELKS' SMOKER ON THURSDAY

ANTLERS CLUB WILL ENTERTAIN FELLOW LODGEMEN

Exalted Ruler Livingstone and Other Prominent Ashland Elks Will Be in Attendance

The members of the antlered herd in this vicinity are receiving the following invitation: "Just a Smoker at the Antler's Club, Thursday evening, to members and all Elks who happen to be feeding in this neck of the woods at that time. Exalted Ruler A. G. Livingstone of Ashland No. 944 will be the guest of honor. Fun will be the order of the evening."

The invitation is fully explanatory of the good time in store for the "Bills" Thursday night. Mr. Livingstone will arrive tomorrow night, accompanied by other prominent members of the Ashland lodge, and he will visit the local lodgemen in their club.

While this smoker will be largely in the order of a jollification, it will also be the opening gun to be fired by the members of the lodge in this city toward organizing a lodge here. There are over one hundred members of the order in this city, and of these about eighty members belong to the Ashland lodge. As it is necessary for a town to have a population of at least 5,000 before an Elks lodge can be organized, a special census will be taken this spring, and the lodge will not doubt be fully organized by the close of summer.

President E. B. Hall of the Antlers Club and Secretary Will Baldwin are in charge of arrangements for Thursday night's arrangement.

Henry Bolvin, the well-known local plumber, has returned to Klamath Falls, after a visit of a fortnight's duration in San Francisco.

JUSTICE ROW NOW UP IN COURT

GRAVES FILES PETITION FOR A MANDAMUS

CASE WILL COME UP MARCH 10

Judge Benson Will Endeavor to Settle the Matter of Justice of Peace for Linkville Precinct

Just who is to be the justice of the peace for the Linkville district, which was created last July by the county court, seems to be a question that Circuit Judge H. L. Benson will have to settle. A petition was filed late yesterday afternoon in the county clerk's office by Charles Graves, stating that last November he was elected by the voters of the new precinct, which includes East Klamath Falls, Pine Grove and Midland, to the office of justice of the peace, and that he filed his oath of office and undertaking with County Clerk DeFap. Graves charges that A. P. Miller, justice of the peace for the precinct, has refused and neglected to turn over the books, papers, documents and files of the office to him, and that Miller is acting as justice of the peace in his stead. In the petition filed Graves asks Judge Benson to issue a writ compelling Miller to turn over the office of justice of the peace and the books and documents to him, or to cause him to show cause why he should not. The case is represented by Noland & Co.

In accordance with the petition, a mandamus was issued by the circuit judge. Miller has been ordered to appear in court on March 10 to show why he still holds the office.

When introduced by a Herald representative this morning Mr. Miller stated that the outcome of the suit was the least of his troubles, as his opponent he declares was not lawfully elected. According to Mr. Miller, Graves' name appeared on the ballot in Klamath Falls precinct as candidate for justice of Klamath Falls; in Midland as justice for Midland precinct, and so in the other two precincts, instead of being a candidate for Linkville district. Graves carried every precinct but Midland, and Miller contends that as Graves was elected justice of the peace for three separate precincts his election is illegal, as he is holding more than one county office at the same time. John Irwin has been retained as counsel by Miller.

FRUITGROWERS GIVEN BOOM

WESTERN ORCHARDISTS HAVE CAUSE TO REJOICE

Commerce Commission's Refrigerator Car Rating Will Benefit Orchardists

WASHINGTON, Feb. 28.—By the decision of the Interstate Commerce Commission in ruling that Western shippers should receive the use of refrigerator cars whenever asked without additional cost, thousands of dollars will be saved annually to the fruit growers of the Pacific coast.

The commission sustained every contention made by the fruitgrowers and denounced the extra charges made by the railroads for precooling facilities as unreasonable and unjust. The decision renders practically useless the pre-cooling plant of the Santa Fe and Southern Pacific, costing more than \$500,000 each.

NO, THERE IS NOTHING TO IT

"MAGN OF ST. CLOUD" DENIES HIS REPORTED ENGAGEMENT

Says That He Has So Far Failed to Discern the Tinkle of Wedding Bells

"No sweetly shines through azure skies The lamp of Heaven on Love's shrine." For the third time in ten months,

the suburban gossip tell us that we are to voyage on the sea of matrimony. They fail, however, to tell us—whether the fair lady is a native of the Klamath Reservation, Japan or Africa, or is one of the queens of the earth. This will probably be left to our choice.

Perhaps the unfortunate lady in the case is in the same boat, with no choice but to come to St. Cloud and sweep up after a hundred and fifty rollicking dancers and pluckers twice a month—but such is life in the suburbs. Oh, Lord, to think that for the third time in one year, Cupid's barbed arrow must lay us low in "Dark Gleaner's" vale," but then, we must harken unto the gossip, submit to the inevitable and bow to the lady fair as a knight on bended knee.

RUSSIA KEEPS TROOPS COMING

CHINA'S ACQUIESCENCE HAS BUT SMALL EFFECT

CHINA THINKS JAPAN IS IN PLOT

Strong Belief Prevails in Peking That Cao and Miado Plan Invasion of Manchuria

PEKIN, China, Feb. 28.—Although China has yielded to Russia in the international controversy over violations of the commercial and territorial treaty of 1851, war clouds still hang over the orient. Both Russia and Japan are moving troops on the Manchurian frontiers. They are carrying out a plan, arranged through an exchange of notes between Tokio and St. Petersburg, it is charged here. Both advance the argument that more soldiers are needed to combat the bubonic plague in Manchuria. It was this which aroused China to the greatest activity yet shown in combating the plague. The government seeks to remove as quickly as possible the grounds for the contention for more soldiers in Manchuria. The Chinese viceroy to Manchuria has been given greater power than he has yet had in stamping out the scourge.

While Japanese troops are being transported westward from Korea over Japanese railroads, the Russian soldiers, en route eastward from Russian Turkestan are making slow progress. Some are being sent roundabout ways by rail. Chinese soldiers are being mobilized in Manchuria, but this is not expected to presage anything further than perhaps a demonstration. Gen. Tuan Chinjui, the new Chinese military governor of Ill, has been summoned to Peking for confidential instructions.

GARDNER BOUND OVER TO AWAIT GRAND JURY

C. V. Gardner, who was arrested yesterday for attempting to pass a worthless check on Virgil & Son, was given a hearing before Justice of the Peace Miller yesterday afternoon and was bound over to await the action of the grand jury.

TO BUILD APARTMENT HOUSE

COL. WILKINS WILL ERECT A MODERN STRUCTURE

Building 70x100 Will Be Located on Klamath Avenue Between First and Second

Col. M. G. Wilkins is planning to erect a modern apartment house on Klamath avenue between First and Second streets and several local contractors are figuring on the job. The structure will have a frontage of one hundred feet on Klamath avenue and will have a depth of seventy feet from the sidewalk. It will be strictly modern throughout, and when completed will be among the best of the kind in the city.

Quilt Meets Friday The ladies of the Episcopal Guild will meet Friday afternoon at the home of Mrs. George T. Baldwin at her residence on the West Side. As there are several important matters coming up a full attendance is desired by the officers.

FILIBUSTER IS STILL IN SESSION

MANY SENATORS ARE WILTING UNDER STRAIN

PROGRESSIVES REFUSE COMPROMISE

Are Speaking Continually to Prevent Sherman From Calling the Roll on Matter

WASHINGTON, Feb. 28.—Indications are that the senate filibuster will prevent a vote on the Lorimer case, break a record and continue the matter until the adjournment at noon on Saturday. Senators Cummins, Crawford, Bristow, Owen, Stone, La Follette and Beveridge are heading the filibusters.

The senators show the effect of the strain of the filibuster, which started at noon yesterday. Many were sleeping on their upholstered seats, but their naps were frequently interrupted by Crawford's crashing periods. Dixon and Warren sought lounges while others slept sitting up. Several appeared to enjoy the experience and never even yawned. Stephenson, of Wisconsin, chewed tobacco and grew more sociable as the night advanced. A very sleepy quorum appeared at eleven.

At 8:07 this morning when the senate had been in continuous session for twenty hours on Bailey's appeal, a recess was taken until eleven o'clock.

Crawford spoke nearly all night. Bristow relieved him at 6:50 this morning, and held the floor until the recess. Crawford spoke two hours yesterday and eight hours last night.

When the session was at noon, Stone started a lengthy attack on Lorimer. The parliamentary situation is such that if the filibusters should leave the floor unoccupied for ten seconds, Vice-President Sherman could start the roll call on the Lorimer matter, so Owen and Bristow are ready to follow Stone.

Negotiations for an agreement vote on Lorimer, the tariff board and reciprocity have failed. The Washington regulars and progressive democrats will meet at four this afternoon to consider a compromise to check the filibuster.

Mr. and Mrs. L. J. Rinehart have returned to this city from Oakland, Ore., where Mrs. Rinehart was called some time ago by the death of her brother.

DECIDE ON ROOMS TONIGHT

BOOMER CLUB INTENDS TO SETTLE THE BIG QUESTION

Several Suitable Places Will Be Suggested and Discussed at Tonight's Meeting

It is more than probable that at tonight's meeting of the Young Men's Boomer Club, the problem of securing suitable rooms for the club will be definitely decided. This has been a hard nut for the club members who are anxious to get established as soon as possible, so that the work of the club can be taken up in earnest.

The committee appointed to find rooms, and several members of the club as individuals, have been searching the town this week in search of a suitable location, so some action can no doubt be taken tonight.

During the past week several honorary members have been added to the club.

"NOT YET, BUT SOON"—TUCK

SAYS HE'LL TAKE LINKENBACH ON A LITTLE LATER

Leaves Thursday to Get in Shape for Match at Kennet with "Kid" McElellan on the 16th

agreed to meet Frankie Edwards here on the 30th," said C. F. Tucker, who asked about the challenge issued by Linkenbach.

Tucker leaves Thursday for Leedix, where he will train for his bout with "Kid" McElellan, which takes place at Kennet on the 16th. Following that bout he will return to Klamath Falls to get in shape for Edwards. "Ever since he won from McElellan," said Tucker, "Frankie has been after me to meet him. As I can easily make 135, I believe I should meet Edwards before I arrange a second mix with Linkenbach."

MAN GIVES CONSENT TO HAVE TONGUE CUT OUT

United Press Service. ST. LOUIS, Feb. 28.—In order to save the life of Fred Mauss, aged 52, a victim of cancer, the attending physicians told the patient that it would be necessary to remove his tongue. The patient, without any hesitation wrote on a paper, "Go ahead. The tongue is not worth anything any way." The tongue was burned out yesterday, and despite the terrible ordeal, the patient is already showing signs of recovery.

NEW RESTAURANT OPENED

PALACE GRILL HAS ALREADY BECOME VERY POPULAR

Klamath Falls' Fine New Restaurant Is Complete With Every Modern Convenience

In the Palace Grill, which opened for business last night in the Bristol building, near the postoffice, Klamath Falls has one of the most up-to-date and best equipped high class restaurants in Southern Oregon, and the fact that this is appreciated is shown by the large patronage the house has already received.

George Costello, the proprietor, has went to great expense to fit up the place. The main room is tastefully finished in cherry and green, while a French plate glass mirror extends the full length of the room. This room contains the lunch counter, which is nicely finished, and high revolving chairs are used.

Partitioned off from the main dining room is the room for ladies and dinner parties. Here also the furnishings are of the nicest design obtainable. Mr. Costello has been in the restaurant business for a number of years, and the way he has started in Klamath Falls shows that he knows just what is necessary to conduct a first class place.

TAFT, IN WASHINGTON, TO OPEN FAIR IN HONOLULU

WASHINGTON, Feb. 28.—President Taft will press a button at White House tomorrow and formally open the Elks' carnival at Honolulu. The Postal Telegraph-Cable company will cooperate with the Commercial-Pacific Cable Company in making up the circuit that will carry the electrical signal.

JURY SELECTED IN CARROLL CASE

TESTIMONY OF WITNESSES COMMENCED THIS AFTERNOON

A LARGE CROWD IN ATTENDANCE

With O'Neill Representing Carroll and Keyboldall the State the Case Begins

The jurors who are to decide the Carroll case have been selected and sworn in, the lawyers have made their introductory arguments, and this afternoon the examination of the witnesses commenced. The following is the jury selected:

Dan Griffiths, C. N. Snow, William Bennett, H. N. Whitlock, Fred Stevenson, A. E. Cranes, Tom Stephens, H. D. Stout, R. I. Sloan, J. C. Smith and Fred Strahlman. J. D. Carroll, the defendant, is accused by J. Frank Adams of taking a hand of sheep entrusted to him by Adams and he was charged by the grand jury in this matter on a charge of larceny by helms. The prominence of both parties in the case has given it much publicity and a large crowd is in attendance at the courtroom today.

Carroll is represented by C. M. O'Neill, and District Attorney Keyboldall appears for the state. J. Frank Adams, the principal witness for the state, whose sheep Carroll is charged with disposing of, was the first to take the stand, and his testimony and cross-examination took up nearly the entire afternoon session.

Put the Matter Squarely Up To President Taft

United Press Service. WASHINGTON, Feb. 28.—Republican and democratic leaders of the senate have told Taft that an extension of congress is inevitable if he is determined to get a vote on the reciprocity treaty. Senator Bailey declared that he would prevent a vote on any other important matter until the Lorimer case was settled.

United Press Service. WASHINGTON, Feb. 28.—Secretary Knox has officially announced that John Hayes Hammond would represent America as special ambassador to King George's coronation.

First-class meals at the Grandeur hotel. 25-w

The House of Kuppenheimer

and

Stein-Bloch Smart Clothes

Are as good as Clothes can be. We invite your inspection of the Spring line

KKK STORE LEADING CLOTHIERS

TO BUILD APARTMENT HOUSE

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Free Trial Of An Edison or Victor Phonograph in your own home. Then if it pleases, you may buy same at \$1 per week



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