sixth Year-No. 1,677

KLAMATH FALLS, OREGON, FRIDAY, FEBRUARY 9, 1912

Price, Five Cont.

FLOCK TO CAPITAL FOR PROTECTION

AMERICANS FEARFUL

MEXICAN REVOLT SPREADING. BUT TROOPS ARE NOT YET OR-DESCRIPTO SORDER, AWAINING WOOD'S SANCTION

United Press Service

WASHINGTON, D. C., Feb. 9 .orders are prepared and await Ger, report is to be made public. eral Wood's signature to become eftieneral Wilson telegraphs that the revolt is spreading. Amerscans from the interior are flocking to Mexico City for protection.

May Mean Fighting in El Paso

EL PASO, Tex. Peb. 9 .- Rurales teday reperced that mutineers have arrived at Justez with 150 horses and two cance. Simultaneously several hundred Mexican federals are en route to James from Eagle Pass over American territory. They will pass through El Paso, and it is feared rurales will resist their crossing the line, resulting in fighting in the streets of 10 Pages.

Demand Pederals' Surrender

PRESIDIO. Tex., Three hundred rebels appeared before Ojinama. across the river from here. They notifled the federal garrison that they will attack unless it surrenders at 6 e'clock tonight. American troops are doing patrol duty on the border.

Madero May Call Congress United Press Service

WASHINGTON, D. C., Peb. 9. Dispatches say that President Madero is considering an extraordinary secsion of the Mexican congress to quell the insurrection. It is reported that federals defeated Zapatistas in South Micheacan Hallways from Mexico City to Chillmahua are badly crippled

TONG WAR VERY SERIOUS, SO GRAND JURY WILL ACT

Session of Inquisitorial Body Regarded as Warranted by Possibility of Further Outbreak Following Indemnity Demand

United Press Service

SAN PRANCISCO, Feb. 9. So nerious has become the Chinese tong war here that the grand jury will consider the altuation at a session to be general outbreak following the de- instead. mand by the Sen Suey Ng tong that as indemnity for the life of a Sen Sucy IS EATING PART OF DUTY, op Ming tong pay them \$10,000 Ng man killed during the recent

SEDITION'S EDITOR GETS TWO MONTHS IN BASTILE

Radactor of Home Colony Agitator' Editorial on "Nudes and Prudes," Prompted by ban on Nude Bathing. Gives Him Enforced Rest

United Press Service

months in Jail for sedition.

LAY WRECKS TO ROLLING STOCK AND WILL PROBE

Federation of Shop Employes of Harriman Lines Assert Material to Be in Bad Condition, and Will Investigate Applegate Wreck

EAN FRANCISCO, Feb. 9 .- Cotvinced that the "bad condition of the engines and rolling stock of the Harriman lines is solely responsible for wrecks," investigation of the smashup the war department denies that the at Applegate, Calif., is today being state militia has been ordered to the made by the Federation of Shop Em-Mexican border. It is admitted that ployes of the Harriman lines. The

RANCHER GETS LONG TERM

Irouit Judge Sentences Him to 20 Years, and Puts Bail at Such Figure That the Man Cannot Furnish It. Pending Appeal.

OREGON CITY, Feb. 9 .- Circuit Judge Campbell imposed a penitentiary sentence of twenty years on Wil-Ham Hardin, a Bull Run rancher, who was convicted last month of a crimfnal attack on his stepdaughter, Eva Phelps, now Mrs. Eva Woods.

Judge Campbell fixed Hardin's batl at \$10,000, and he was unable to furnish the amount and is now in fall. The case will be appealed to the su-

sea Mexico. New revolts are on in TOWER SAYS TURNING OF SOIL strong words, but the law of Oregon pany of Redding. THAWED, BUT GROUND STILL their use in such a motion. DAMP

> R. W. Tower of Keno, a well knows rancher, is in the city today. He says there is a good deal of plowing being done in the vicinity of his home, and is all that was owing him originally, this attractive degree. that the ground when penetrated and that all of this but \$8 has been proves to be fully thawed out, but paid. The cross bill does not take up molat where turned.

Ople Read's lecture at the opera SKATING RINK STIRS UP held in Judge Graham's court today, house on Saturday night moved the This action will be taken in view of White Pelican orchestra dance up a the possibility of another attack or notch. It will be given Friday night,

Knotty Question as to Railroaders Under Orders, But Away From Train at Lamch, Before Federal Court in

SPOKANE, Washi, Feb. 9 .- "Is a Fox, editor of the Home Colony Agi-lator has been sentenced to serve two months in fall for wellfor. TACOMA. Wash., Feb. 5 .- Jay man under orders of the train crew, chief questions under consideration in He wrote a caustic editorial on the the case of officials of the Chicago, "Nodes and Prudes" last summer, Milwaukee and Puget Sound railway, when nude bathing was stopped at the who are charged with ciolations of the sixteen hour law. The road plead-

families Of Steel Laborers Live In Filthy Rooms Below The Standard

lithy court yards, where the sun seldom reaches. Bent, disease stricken women live in dirty, crowded, half- home this morning.

Miss M. Byington, a social survey ventilated. Three, four and five per- of Oregon. He is a graduate of the worker, was a Stanley committee wit- sons sleep in a room. Investigation law in the University of Nebraska. hess, and related experiences among showed it impossible to maintain a and came to Klamath Falls recently. steel laborers at Homestead, Penn., normal standard of living on less than during the winter of 1907-08. She | 115 weekly. Sixty-five per cent of the Homestead plant employes are day "Children are forced to play in laborers, and get \$10.56 weekly."

Levi McDonald left for his Bonanza

ed guilty to eighteen of the thirtythree counts contained in the indict-

Attorneys for the railroad mainsined that men eating meals while their trains were stading still and the men were away from them, were not on duty. Attorneys for the government argued that the men were on could not take a rest. He explained that the purpose of the law is to protect life and property by keeping the men in full possession of their senses,

and not incapacitated by lack of sleep. Federal Judge Frank Rudkin took the case under advisement, the jury having been waived.

FIGHTING MOTHER'S WILL

United Press Service

SAN DIEGO, Calif., Feb. 9 .- At

FOR ATTACKING RELATIVE CROSS COMPLAINT OFFERED BY ADY

IN CLAIMS ON WHICH KENT FILED LAW ACTION-LATTER'S ATTORNEY ALLEGES CROSS AC-TION IS SHAM

In circuit court a cross complain has been filed by Abel Ady against Joseph S. Kent. Some time since Kent. so assignee of the claims of Scott Taylor, R. E. Cantrall and August Liskey, entered a law action against Ady, who has, by his attorney, John Irwin, put in the cross bill in equity.

If the cross bill is allowed the is suce will become a part of the equity procedure of the court instead of be-REVEALS CONDITION AS PULLY stands behind 'em, and authorizes

In the claim of Ady, he asserts that for certain money loaned him by Can-

FOLKS LIVING IN RAINIER

ement Resort Gives Rise to Petition and Counter Petition as to Regulation of Place, and Council us Up Against It

RAINIER, Ore., Feb. 9 .- The city council considered at its regular meet-OR ARE MEN OFF SHIFT? ing a petition and counter petition to regulate the skating rink.

The opposition was represented by an attorney, while the owner of the rink pleaded his own cause.

appointed a committee of three to in- steader at Fort Rock Valley, formerly vestigate and report at the next reg. of Klamath Falls, was shot and fatal- It will touch every angle of the Me ular meeting of the council.

NEPREW OF LOCAL ATTORNEY FIRM WILL BE ELLIOTT & ceived \$50.

Earl B. Elliott. nephew of Attorney supreme court at salem a certificate opened fire. WASHINGTON, D. C., Feb. 9 .- | furnished rooms, windowless and not of his admission to the bar of the state

> The document testifying to his admission to practice law has been filed in the office of County Clerk C. R. De Lap. As a consequence of his admission he becomes junior partner with his uncle in the law firm to be titled Elliott & & Ellfott.

CANDIDATE-SMITH FOR THE in open revolt. LEGISLATURE

B. S. Grigsby today announces himself a candidate for the republican Klamath county. This announcement Emilo Chapa is leading the rebels. IN SOUTHERN CALIFORNIA had long been expected, and the suspicion is strong that he had been fixing things all the time, so that he would be ready to run. It is said that he United Press Service torneys for George L. Patterson of quietly fixed a large number of fences Newcastle, Penn., contesting the will and has plenty of voters already to sixty-two miners entombed for hours of his mother, rested their case yes, give him a good show in the race. It in the Bunker Hill mine, were rescued terday. The defense now has an inn- is believed that Chief of Police Samuel alive late yesterday. All were unin-I. Walker, democrat, will announce jured. soon for the same office.

Wesley O. Smith has announced himself as a candidate for one of the seats in the lower house of the legislature which are assigned to this dis-

Cards of both Mesers. Grigsby and Smith appear elsewhere in this issue of the Herald.

KLAMATH PALLS MAN SUED BY CLAIMS MONEY DUE HIM AND on the dam. TO GROCERY HOUSE

NEAR KENO ply to the cross bill Attorney J. C. ding, Calif., aga-ast Clyde Witter of Rutenic, representing Kent, who is this city. The piaintif claims \$274 ply to the cross bill Attorney J. C. ding, Calif., aga ast Clyde Witter of the company gets the money. his law partner, has filed a motion to for medical services, as well as \$27 TAKES SENTENCE FOR THE strike it, alleging that it is a sham, assigned to him as an indebtedness frivolous and irrelevant. These be due the Jacobson Bros. Grocery com

WORK IN FIRST DEGREE

At the regular meeting of Klamath trall, he and his wife, Leona C. Ady. Lodge No. 137, I. O. O. F., tonight gave what is referred to in the cross the first degree will be conferred on bill as a trust deed on property, as- two applicants for honor. The officers serting that the amount due Cantrall urge the mombers to be present and is \$3,372. Cantrall claims that \$512 witness the new degree team put on

the Taylor and Liskey parts of the SHAFFER FOUGH

BEFORE EX-KLAMATH FALLS MANWAS KILLED-HIS WOMAN SEQUEL TO MCNAMARA'S COMPANION WAS TRYING TO HAND HIM A RIPLE

SILVER LAKE, Ore., Feb. 9 .-- Af-The mayor after hearing both sides half an hour, C. E. Shaffer, a homely wounded.

One bullet struck just above the teart, the other through the abdomen. The deputies say they fired after Mrs. Wilson, a companion of Schaffer, had fred twice through a window at the officers. The woman was trying to hand a Winchester rifle to Schaffer when Reeder fired.

On Sunday Schaffer attacked Char W. Smith of Crawfordville, Ind. breaking two of Smith's ribs and mutilating his face. After the fight. says ADMITTED TO PRACTICE, AND Smith, Schaffer demanded and re-

Smith swore out a warrant for Schaffer, and his homestead was found barricaded. Surrender was demanded and refused. The deputies E. L. Elliott, has received from the and Schaffer argued until the woman

> Little is known here of Schaffer who has been in trouble twice before once standing the officers of for two

GOMEZ JUNTA IS OPENED BY GENERAL'S EX-SECRETARY

inited Press Service

EL PASO, Tex., Feb. 9 .- The Goez junta hag been opened here. Paslino Martinez, Gomez' ex-secretary is here, and other followers are arriving Bridges of the Mexican railroad beduty under those conditions, and WELL KNOWN CITIZEN FORMAL- low the Casa Grandes have been de-LY ANNOUNCES THAT HE IS A stroyed. All Chihuahua state and most of Coahulla are reported to be

The war department at Washington is watching Orozco to see if he hicle for the efforts of capable theatheads the rebellion. The situation is rical talent. The best evidence of its

Official advices may the rebels have nomination for the office of sheriff of captured six cities in Chihuahua state

ENTOMBED MINERS SAFE

AMADOR CITY, Feb. 9 .- All the

LAST COMPUTATION FOR THE SENT TO WASHINGTON

REDDING PHYSICIAN. WHO received their final payment for work they are aiding the enlargement of the

The fact is that the final estimate for the amount due them has been computed by the reciamation service Suit has been entered in the circuit and has been forwarded to Washingcourt by Attorney James C. Rutenic ton for official approval by the chiefs ing handled on the law side. In re- in behalf of Dr. C. E. Reed of Red- there. It will be some days before

Months in Prison That His Brother's Good Name and Job Might Not He Jeopardised.

United Press Service

LONDON, Feb. 9 .- Sacrificing himself on the altar of brotherly love, Robert G. Barker, a common day laborer, today began serving an eightmonths' sentence that his brother, suspected of arson, might not be im-

Although the testimony showed that Robert could not possibly have been guilty, he insisted on that plea, saying that he did not wish his brother to lose his good name or the position he held in another town. Pressed by the judges, the prisoner admitted his own innocence, but would not withdraw his plea.

CASE WILL BE THOROUGH

LOS ANGELES, Feb. 9 .- County probers yesterday quissed new witnesses relative to the conduct of the ter holding three deputies at bay for McNamara defense. According to Assistant District Attorney Ford the probe will continue about two weeks Namara affair.

SOUAW MAN" AT HOUSTON'S THOUGH NOT ALWAYS CALCU-LATED TO CHEER

A crowded house witnessed an ever and adequate performance of the "Squaw Man" last night at Houston's opera house, and demonstrated its pleasure by frequent applause. The years old, and claimed Ohio as his cheerful type. The fate of "Jim Car- for violation of his order in the Buck the day before Christmas. He had ston." for years resting unselfishly un- stove and range case. Friday night for luck. That is, crime, is not one calculated to uplift the laborities could avoid punishment when summoned the dance one's feelings, and the sad death of by an apology.

Gompers cried: "You break my protest, which Judge Wright ignored.

COMMISSION PLAN OFFERED UNLAWFUL

drama always more or less made. The ending is a happy one, and one may CITY ATTORNEY SAYS crowd back the thoughts of othe parts of the play. In any event, it is a well constructed and absorbing ve popularity is that it has been well sustained on the road for several years. A good feature about it is that it was written by a thorough American, Edwin Milton Royle, formerly a newspaper man of Cleveland. Ohio, later an actor in some of his opinion of City Attorney Horace M. own productions. He married Selena Manning on the legality of the char-Fetter, in her day a fine and popular

WORK BEGUN ON HIGH LINE CANAL FOR IRRIGATION

New Water Ditch Near Oregon City Will Furnish Aqua for 15,000 Acres at Start, and Is Planned to

OREGON CITY, Feb. 9.—The Canby Canal company has started work AMOUNT DUE ON WORK ON THE on the building of the high line canal LOST RIVER DIVERSION DAM from Mill Creek, which will irrigate 15,000 acres of land at the start.

It is planned to extend the work so as to water a large area. The low In yesterday's Herald appeared an line canal, completed some time ago, erroneous statement to the effect that furnishes water for 3,000 acres, and George C. Clark & Co., contractors the farmers who have profited are so for the Lost River diversion dam, had enthusiastic over the enterprise that

MOTHER OF MRS. GEORGE CHAS-BROTHERS IN SERIOUS CON-

Mrs. Mary J. Sutton, mother of Mrs. George Chastain, wife of the deputy county clerk, and of Ross Sutton, who has a milk ranch near the city, is seriously ill at the home of Mr. Chastain, on Third street.

Mrs. Sutton has been in failing health for a year or so, and of late has been much worse than usual. Her condition now is regarded as critical, and her life despaired of.

She is a sister of John, David and William Shook, the family being well known in the Klamath Basin.

BANDITS RAID MINE FOR

After Attacking Superintendent and Others, and Binding and Gagging that the city may ordain the measure

United Press Service

is received here that the Sierra Pinta Thomas F. Nicholas to submit it to mines in the state of Sonora, Mexico, the voters unless it is withdrawn by has been raided by bandits, who es- its promoters in more valid form. caped toward the American line with \$12,000 in gold bullion. The brigands that the petition be placed on file, attacked Superintendent Campbell Councilman Russell A. Alford second. and others, knocked them senseless. The motion prevailed, and the counand bound and gagged them.

COUNCIL HOLDS MEETING TO LIST TEN TO OPINION PREPARED IN RELATION TO PETITION SUB-

Last night a brief special meeting of the council was held to receive the ter amendment proposed to give the city the commission form of government, which was submitted to the council January 29, by Dr. William A. Leonard.

The opinion states that the petition. as filed, is vague, indefinite and not drafted in accordance with the form on page 399, section 2, chapter 226, 1907 Oregon laws. It says the proposed amendent is in the form of a new charter, and not in the form of an amendment to an existing charter, that it purports to be an amendment to the Klamath Falls charter, but does not describe the act to which it is to be an amendment. Further the city attorney says:

"If the proposed measure is con strued as an amendment to the existing charter, then the situation of the city at the present time is not alleviated in that it is amendatory of a charter under which we are unable to sell the city's bonds.

"The proposed measure is silent on this point, and the city would be compelled to issue its improvement bonds under our present charter, the legality of which has from time to time been called into question. If the pronew charter, we are in a still worse position, as it provides nothing on this

"The initiative and refere under which this petition and measure are filed, section 2, page 400, General Laws of Oregon, 1907, provides: TAIN AND SISTER OF SHOOK Every such sheet for petitioners' signature shall be attached to a full and correct copy of the title and text of the measure so proposed by the initiative petition.'

"Turning to the measure and petition you will find that the petition is attached to a full and correct copy of the measure, but you will also find that the measure is without a title, as is expressly required by the state law under which it was circulated There is a designation of the proposed measure as 'The Charter' of the city of Klamath Palls, Oregon, not as an amendment thereto; but in either case, such designation cannot be in any manner construed to be such a title as is contemplated under the law in conformity with which the title should be drafted. The measure under the initiative and referendum law neasure as it stands is not prepare RICH GOLD BULLION HAUL measure as it stands is not prepared in the manner required by the laws of Oregon, 1907, governing the preparation, circulation and filing of such measures and the petition therefore. Concluding, the attorney advised

and sublimt it as framed, or defer action until thirty days from Januar; 29, 1912. If the measure is rejecte or the council refuses to act upon it, PASADENA, Calif., Feb. 9 .- Word it becomes the duty of Police Judge

Councilman Marion Hanks moved cil immediately adjourned.

PROVES INTERESTING, AL GOMPERS Would Have Gone To Jail Rather Than Apologize To Court

WASHINGTON, D. C., Feb. 9.— heart, humiliate and insult me."

President Gombers was cross-examin- John Mitchell examined and company proved to be a very good ined. He indicated clearly by his as- sized Wright. days. He were two medals won at one, and the play one of unusual in- surance that he would go to jail rathrific tournaments. He was about 25 terest, though hardly of the most or than apologise to Justice Wright tencing him, Compers and Morris

John Mitchell examined and criti-He declared Wright insisted on sea-

his grip packed with toys ready to der the imputation of his brother's Judge Darlington intimated that leave New York homeward when sum-