

STATE'S REBUTTAL IN FAULDER TRIAL

CARRUTH EXAMINED

CHARTS OF FAULDER'S CONDITION IN HOSPITAL SECURED BY STATE'S ATTORNEY UNDER SHERIFF'S GUARD

Copies of charts showing Nobel Faulder's physical condition during his stay in the Samaritan hospital are expected to be introduced by District Attorney Dell V. Kuykendall today.

When Miss Mamie Brandon, who nursed Faulder in the hospital after he was shot by Louis Gebbert and tried to kill himself, testified, she said she made such charts, but supposed they were still at the hospital. The state attorney was anxious to get them to use for rebuttal evidence introduced by the defendant. It seems that while Fred Hurley, representing Sheriff William B. Barnes, was a guard over Faulder, he made copies of the charts. When called by the state this morning and asked if he had made copies of the charts he said that he had.

"Are they still in existence?" asked the district attorney.

"Yes, sir."

"Can you get them and produce them in the court room so that we can see them?"

"Yes, it will take about five minutes to go to the house and get them. Shall I go after them?"

It was decided that he should go, and while he was gone Dr. Howard E. Carruth was called to the stand.

While the doctor was testifying Mr. Hurley walked in with the papers and handed them to the district attorney.

Dr. Carruth was first asked by the district attorney if he had not previously testified that he was a licensed physician. Attorney C. M. Onnell, for the defense, objected to the question, and in the ensuing argument for both sides the answer, if any was made, was lost.

"Are you familiar with nervous diseases and forms of insanity?" was next asked the witness.

"I am not a specialist, but have some knowledge of such matters in a general way from medical practice."

Here Attorney Onnell entered another objection on the basis that no foundation had been laid for such questions, and that the witness had not qualified to testify as an expert to the forms of insanity.

The objection was overruled by Judge Henry L. Benson.

The witness answered that the legal distinction between forms of insanity in Pennsylvania was familiar to him, but that he was unaware of the Oregon status of the matter. He said that in Pennsylvania the three forms were imbecility, idiocy and insanity, imbecility being a man without a mind, an idiot being a man with the mind of a child, while an insane man was one who once had a mind but had lost it.

"What kind of loss may be suf-

fered by the mind?" was the next question.

"It can be quantitative or qualitative, the former being as to loss of memory and the latter applying to the loss of reasoning power."

"What is epilepsy?"

"Most authorities class it as a nervous disease and not mental, as affecting the nervous system and not the brain. It involves loss of consciousness. There are four kinds, petit mal, grand mal, pychic and Jacksonian."

"What is the psychic form?"

"I object that the witness is testifying without qualification," urged Attorney Onnell, of the defense. The objection was overruled.

The witness answered that it was the form involving loss of consciousness from momentary causes, and that the sufferer would stop, not fall, however. He said that Oler gave the periods of stoppage from three to four seconds. The attacks might be frequent, but of very short duration.

The next question brought the objection from the defense that a lot of questions were being answered which were about symptoms, and not based on any evidence offered in the case.

"That's just what Dr. Parker did for the defense, declared the court, with considerable emphasis. "I think it fair for the state to go along the same line of testimony."

"If Dr. Parker did testify in any way that was out of order it was their business to object," insisted the attorney. The court stated that while he believed the objection was hardly well grounded, he was willing to remove all doubt in his own mind by giving the matter consideration, so he adjourned the case until 1:30 p. m.

DARROW'S TRANSCRIPT IS CAUSE OF LEGAL TANGLE

District Attorney Will Quash Indictments if Necessary, and Answer Former Attorney of McNamara on Criminal Information.

LOS ANGELES, March 7.—The office of District Attorney Fredericks is undecided as to its procedure in the Darrow case in the event that the legal tangle growing out of the alleged incomplete state of the transcript of evidence has a specific effect on the indictments under which the former attorney for the McNamaras is held.

Fredericks still is firm in his determination to quash the indictments if necessary and arrest Darrow on criminal informations. Under no conditions, he said, will the charges be finally dropped. The case is scheduled for March 9 to be set.

White Pelican orchestra at Houston's Saturday night. Dance 9:30.

WANTED—Will buy clean cotton rags. W. O. Smith Printing Co.

Daniels' War On Homesteaders Is Unabated In Federal Equity Court

Attorneys Fred H. Mills and J. H. Carnahan have returned from Portland, where they appeared in the federal court of equity in the issue involving several homesteads in 37-10, which are located a few miles east of the city.

During the visit to Portland, Attorney Mills argued a demurrer in the case of A. D. Daniels against Miss Jessie Wagner and Valantine Barnard, two of the claimants on land whose rights are disputed by Daniels, who is a well known timber operator, with his home in Rhinecland, Wis. His attorneys are Platt & West of Portland. The same plaintiffs were named against Mark Howard and other land claimant, whose interests are looked after by Lyle Conn, a Labeview lawyer, while Vestal H. Johnson, brother of Fire Chief Johnson of this city, and John C. Leonard, have been made defendants. J. H. Carnahan being their legal

Originally there were about a dozen homesteaders whose lands were involved, but it is probable that the real battle will prove to be between the defendants above named. It is believed that the decision in the case argued by Mr. Mills will act as a precedent for the other cases and that what is decided in that one will apply to the rest.

Originally the state had the lands about 1,000 acres, under indemnity scrip, when Mr. Daniels sought to have the land made exempt from this. The state finally lifted this claim from the land, and right after this the homesteaders filed on it, eventually taking patents. But meantime Daniels continued his efforts to get control of the land by using forest reserve scrip. He now asks the federal equity court to declare the homesteaders trustees of the legal title to the various pieces of land, he claiming that the legal title vests in him.

WATTS AND LUCAS PERFORM AGAIN

Watts and Lucas gave another performance at Houston's opera house last night before an interested and amused audience, which included the jury in the Nobel Faulder case, in charge of Bailiffs Clarence O. Morgan and Henry Stout. The entertainers are Australians, who not only do various vaudeville turns but are both excellent dancers. The steps executed by Mr. Watts in his individual turn were deftly done, and he showed an endurance that is unusual in dancers. Miss Lucas did a twirling act that shows she can control to a high degree, and no matter into what difficult knots she worms herself, continues to smile pleasantly. Let it be hoped she never contorts on a floor where there are splinters. Both people do burlesque work as a team.

Moving pictures filled out the bill last night, and the entertainers will appear again Saturday and Sunday nights.

GIRLS ADVISED BY DOCTOR'S TALK

MRS. EMMA DRAKE APPEARS BEFORE THEM IN DOMESTIC SCIENCE ROOM OF HIGH SCHOOL BUILDING

Some very interesting as well as helpful advice was given yesterday morning to girls only in the domestic science room of the high school by Dr. Emma Drake.

The doctor informed the girls that she wanted them to ask questions as freely as they wished, and not to feel in any way afraid to express their opinions on any subject. Bearing in mind the fact that some might be a little timid to say just what they wished, she requested them to state their questions on paper, and in this way refrain from subjecting any to embarrassment. The advice that was given by the doctor was good and wholesome, and pertained to the daily life of the average girl.

GOOD TIMES ARE THEIR PROSPECT

INDIAN RANCHERS IN VICINITY OF YAINAX ARE ENCOURAGED OVER OUTLOOK—FOURTH OF JULY PLANS

James Vann, senior member of the general merchandise firm of Woldord & Vann, at Yainax sub-agency, north-east of this city, has departed for his home. During his short stay in the city he transacted business matters with the local merchants.

Mr. Vann states that the many Indian ranchers in the Yainax vicinity who suffered from the scarcity of hay last winter, took ample precautions last fall that the same fate would not be repeated this year. From present prospects the Indians expect prosperous times this season. Already there is considerable talk about having one big, glorious Fourth of July celebration.

Last year this celebration proved almost a failure, owing to hard times that befell the tribe.

SOCIAL PURITY TOPIC TONIGHT

WHITE SLAVE TRAFFIC WILL BE SUBJECT OF LECTURE AT OPERA HOUSE BY DR. EMMA F. A. DRAKE

Dr. Emma F. A. Drake will lecture at Houston's opera house this evening on the white slave traffic. As she has been engaged in moral uplift work for some time, having formerly been attached to Judge Ben Lindsey's well known juvenile court in Denver, her talks are expected to be full of interest and instruction.

LOCAL MEN SEEK DELEGATE SEATS

COINCIDENT THAT ASPIRANTS FOR NATIONAL HONORS OF PARTIES ARE BOTH SOLDIERS AND EDITORS

In addition to the plenitude of candidates for county and city offices, Klamath Falls and vicinity are better equipped in candidates for national honors political than most communities. There are candidates from this county for delegate to the republican national convention at Chicago, June 18, and to the democratic national convention to be held in Baltimore shortly afterward.

Captain O. C. Applegate, who was a delegate to the national republican convention in Minneapolis in 1892, is the available local man for similar service this year and has asked Secretary of State Ben W. Olett to print after his name on the ballot. "Prompt development of natural resources; liberal aid for irrigation, and good roads."

Charles W. Sherman Sr., of Dairy, very well known throughout the county and adjoining country, has come out for delegate to the democratic national convention. He is 70 years of age, and for twenty years lived in Nebraska, where he was for a time secretary to William J. Bryan. He has lived in Klamath county nine years.

It is significant that both candidates are veteran warriors, and spent years in newspaper work.

Mrs. Reese is still in a serious condition at the Samaritan hospital.

WOMEN ARE SUED TO OBTAIN MONEY

JAMES RYAN, THROUGH ATTORNEY F. H. MILLS, FILES BILL AGAINST THEM, THEIR ATTORNEY DENYING ALLEGATIONS

James Ryan has, through Attorney Fred H. Mills, filed suit against Mrs. W. E. Francis and Julia C. Sharp for the recovery of money. He alleges that he gave them \$40 February 1, which they were to return, and that on December 27, 1911, defendants sold and agreed to deliver to him certain property, and that he paid them \$50, but that the property has never been delivered. He asserts that the \$50 was to be returned in the case the property was not delivered, and that they failed to return the money. He asks \$90 with interest at 6 per cent from February 24. Attorney Horace M. Manning, for the defendant, has filed a general denial.

SCHOOL BOYS PLAN GLEE CLUB

IF ONE CAN BE ORGANIZED SOON ENOUGH IT WILL ARRANGE TO APPEAR AT THE COMMENCE EXERCISES

This afternoon there was a meeting of the boys of the high school to organize a glee club. Up to the present time this year there has been no such organization. Many think that if a musical club were started they would have ample opportunity of getting themselves in shape for the commencement exercises at the close of this term.

Last year the glee club helped wonderfully in bringing up the standard of the entertainments. There is no doubt that plenty of singing material can be developed.

Band Practicing for Debate

The high school band is practicing hard in order to be prepared for the playing tomorrow night at the debate. Among the number of pieces and some very fine overtures and serena-

WEEKS COMPANY AS LYCEUM CARD

CHIEF MEMBER IS CHARACTER ACTOR AND SINGER—WIFE IS MUSICAL AND VIOLIN SOLOIST APPEARS ALSO

On March 19th the Edwin R. Weeks company will appear in the Klamath Lyceum course at the opera house of John V. Houston, and will afford a variety of enjoyment for the evening, which is expected to attract a crowd of house. Mr. Weeks heads the troupe and is an impersonator of both noted

MOROCCANS FOURPARLERS STILL DRAGGING ALONG

PARIS, March 7.—That Spain is in no position to take over, subjugate and hold in peace the portion of Morocco which an entente with France would give her, is the ardent belief of officials here.

For months negotiations have been dragging along and no progress has been made. France has made every possible concession, but Spain fails to respond.

The principal difference between France and Spain lies in the control of the proposed Tangiers-El-Fes railway, the French having the longest end of the road wish to be the strongest in control, Spain desiring each country to control its particular section, a third directorate, headed alternately by a Frenchman and a Spaniard, to supervise the whole. The question of duties is also mooted.

Mrs. Peterstener is convalescing very nicely at the Samaritan Hospital. She expects to be out in a few days if the improvement keeps up.

GIRLS' CULINARY ABILITY SHOWN

YOUNG WOMEN OF HIGH SCHOOL DOMESTIC SCIENCE CLASS SERVE TEMPTING DISHES TO THEIR GUESTS

The girls of the high school domestic science class had a chance to show their culinary ability yesterday at noon, when they served lunch to Dr. Emma Drake and the faculty and Superintendent R. H. Dunbar and Mrs. Dunbar. The luncheon was very neatly made up, and the different relishes which furnished a part of the repast proved to be exceedingly good. A new table added very much to the occasion, providing a place to eat.

This is the first time the girls have had a chance to manifest their ability in the cooking line.

SUIT FOR BOARD BEFORE JUSTICE

ATTORNEY RENNER WANTS COMPLAINT MADE MORE DEFINITE AND CERTAIN, IT NOT SAYING KIND OF BOARD

In the case of H. O. Burscough against James Hansbrough, an action in the court of Justice of the Peace Charles Graves, alleging \$37.70 to be due for board furnished to defendant when Burscough conducted a restaurant on Main street, the defendant has been given until March 11 to answer.

When the preliminary hearing was held before the justice, Attorney W. H. A. Renner, for the defendant, moved that the complaint, drawn by Attorney W. H. Shaw, not specifying what kind of board, whether of wood or some other material, be made more definite and certain. This facetious objection was strenuously opposed by Attorney Shaw, and the justice overruled it.

SHORT COURSE IS HIGH SCHOOL PLAN

PERSONS AND LEADING RACES OF UNUSUAL RESOURCES. HE HAS A VOICE THAT IS SAID TO TOUCH ALMOST EVERY NOTE IN THREE GAMUTS, RANGING FROM THE SUBTERRANEAN BASSO PROFUNDO TO THE ALTISSIMO SOPRANO COLORATURA. MRS. WEEKS IS ALSO A SKILLED MUSICIAN AND ACTRESS, WHILE MISS LULU SINCLEAR WILL APPEAR IN VIOLIN SOLOS.

This will prove the last attraction in what has proved to be an unusually meritorious group of attractions, and which have augured well for the future welfare of Klamath Falls in the way of entertainments, so long as the local lyceum movement cares to give them.

Meldrum Has La Grippe

Charles Meldrum, head electrician for the Siskiyou Light and Power company's plant on the West Side, has been confined to his bed for the past several days from a severe attack of la grippe. Mr. Meldrum contracted a bad cold while adjusting the headgates above the power plant. It was feared for a couple of days that Mr. Meldrum showed symptoms of pneumonia, but the alarm proved proved false.

E. E. Thompson, socialist organizer, has sent to Mayor Fred T. Sanderson, City Attorney Manning and the local daily newspapers an invitation to a meeting to be held Sunday evening. At the meeting will be considered the charter offered by the city council to perpetuate the present form of government. This charter will be voted on at the special election, April 23, 1912.

Don't forget the big dance at Houston's Saturday night.

ALDERMAN'S LETTER

PRINCIPAL W. E. FAUGHT, ANXIOUS FOR AGRICULTURE FEATURE, IS ENCOURAGED BY THE STATE OFFICIAL

It is suggested that a short course in scientific agriculture be had in the Klamath county high school next year, and the many who are interested are anxious to see it established. Principal W. E. Faught is anxious to see the course installed, and has a letter from Superintendent of Public Instruction L. R. Alderman which has greatly encouraged him in his work for the proposed feature of county education. The letter reads:

"I am very much delighted with your plan of having a short course open to all. It seems to me that each of our county high schools might well adopt similar courses."

"This department will try to be of service to you in the way of sending material from time to time, and suggesting experiments that could be worked out in such a course."

"There have lately been in this office two men who are expert potato growers. They have told me a number of things about cutting and planting which suggest some experiments I would like to have you try. If the potato is cut cross ways, will the part opposite the seed end do as well as the seed end? Will the growth be stronger if the potato is cut lengthwise? Should there be two or three eyes to the hill? Or, would it be better simply to split the potato lengthwise into halves? Will barnyard manure make the potatoes "scabby"? Will the potato yield more if a little land plaster is sprinkled on the vines when they are out of the ground about two or three weeks?"

"It seems to me that your school could test out these questions, and publish the results. Such information would be of value to the entire state."

"Of course in your short course these problems could not be worked out, but they could be presented for discussion and worked out by your regular class; also they could be brought up again next year, and serve as a connecting link for your short courses from year to year."

DAM MAKER IS SUED BY LABORER INJURED

JIM GURGEOTES FILES DAMAGE BILL FOR OVER \$10,000 AGAINST GEORGE C. CLARK, SAYING BAGS STRUCK HIM

Damages in the sum of \$10,000, besides \$300 for loss of time, are asked by Jim Gurgeotes from George C. Clark, who was the contractor on the Lost River diversion dam. Gurgeotes, who was recently in a hospital in Sacramento for treatment of his alleged injuries, asserts that he was injured September 23, while working under the name of Jim Davis at the dam. He claims that the defendant piled or caused to be piled at the work certain sacks of cement, and that the piling was done in a careless, reckless and negligent manner, leaving them tottering and unstable. While working near the pile of sacks in a bad light, he alleges that they fell on him, wounding, bruising, crushing and breaking his left leg below the knee, making him sick and helpless, so that he had to lie in bed for weeks. No answer to the suit has as yet been filed by the defendant.

NECKTIE PARTY SATURDAY, CHARTER MEETING SUNDAY, SOCIALIST'S PLAN

Ladies of Local Ewauna, socialist party, will hold a necktie social at the local headquarters on Fourth street (old Denver cafe), on Saturday evening, March 9. Everyone will be welcome, especially workmen and their families.

The ladies will take baskets of eatables, each basket containing also a gentleman's necktie of calico or other material. They will provide themselves with aprons to match, which they will don when the selling of the baskets commences. The gentlemen will then array themselves in their neckties and seek their partners for supper, who will wear the aprons corresponding to the material of the neckties.

The order of the evening will consist of a literary and musical program, refreshments and dancing.

MISS McCOLLUM MAKES APPEARANCE

Yesterday the stork visited the home of Mr. and Mrs. C. J. McCollum at Worden, and handed them an eight-pound girl.

Mr. and Mrs. E. Paddock, who formerly resided at Ninth and Pine streets, have moved to their new bungalow in the Hot Springs addition. The new house to which they have moved is up to date in every respect.

Best music in town at opera house Saturday night. Dance 9:30.

TWO MILLION FOR POOR IS GIVEN BY ROTHSCHILD

Money Left by Deceased Will Be Used to Build Cottages Near Paris to Be Rented to Working People at Practically Maintenance Cost

United Press Service

PARIS, March 7.—It has just been made known that the Baron Gustave de Rothschild, who died here a few weeks ago, left \$2,000,000 for the relief of poor tenants. The sum will be expended in the erection of cottages near Paris to be rented to working people for no more than upkeep and depreciation amount to.

Bad as are the American tenements the average is far above those in Paris. The latter are almost invariably in the old parts of the city, in buildings hundreds of years old, with no ventilation or light, thick damp walls and are unconnected with the sewage system. In addition the rents are rising rapidly.

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