

## PARKER ELECTED CHAIRMAN FOLLOWING BITTER FIGHT

### MURDOCK CASE IS APPEALED

#### COURT HOUSE INJUNCTION CASE TO SUPREME COURT

Bateau Serves Notice of Appeal on Attorneys for County—Undertaking Will Be Filed Within Ten Days—An Effort Will Be Made to Have the Case Set for Hearing at the Earliest Possible Date

Notice of appeal was filed yesterday with the county clerk in the injunction suit of Hiram F. Murdock vs. the County Court of Klamath County, W. S. Worden, H. T. Summers and C. G. Merrill, from the decision of Judge John Coke. Service was made on Thos. Drake, Stone & Barrett and F. H. Mills, attorneys for the county.

J. C. Rutenic, attorney for Murdock, stated this morning that he had ten days in which to file an undertaking and bond. At the present time Attorney Rutenic is engaged in the defense in the trial of the Willis case, and he states that the undertaking will not be filed until he finishes this case, but that as soon as this is out of the way, his attention will be given to the Murdock case, and an effort made to have set for hearing in the supreme court just as early as possible.

Judge Worden, when seen this morning, said that the information given by the representative of the Herald, was the first that he had received that notice of appeal had been filed.

"I just returned home last evening," said the Judge, "and didn't know that an appeal had yet been taken. I presume that service has been made on our attorneys, but I haven't seen them yet this morning."

Judge Drake, chief counsel for the county court, said this evening:

"I hold a firm conviction that the decision of Judge Coke will be sustained in the supreme court. There is no conceivable reason why it should not be so."

Asked as to the current report that the fact that Judge Coke did not rule pro or con on the objections made on either side, Mr. Drake said:

"It is a rule of the statutes of this state that all equity cases which are to be tried de novo must contain the entire record. In this matter Judge Coke complied with the strict doctrine of our code and practices. The supreme court has everything before them. It will be remembered that Judge Coke said several times that since the case was to be tried de novo he would let everything into the records as offered, but that he would rule on what he himself considered to be valid and admissible testimony."

Attorney J. C. Rutenic, who was the attorney for Mr. Murdock opposing the removal of the court house

### DONATION REFUSED FOR CELEBRATION

The city council granted the petition of the Fourth of July committee to hold a celebration in Klamath Falls, and permitted them to collect the license for concessionaires to peddlers, street hawkers, bench stands, etc., during the celebration, and also agreed to light the streets. On motion of Metowen the council decided to rebuff the petition of the committee for a donation of \$250.

to the site in Hot Springs, said:

"There is little to be said with respect to the notice of appeal, except that it is founded on a difference of opinion as to the judgment of the court. My client and those associated with him, think that that decision can be reversed. It is merely a difference of opinion, and the issues involved are going to be put to a test."

The Eagles of this city, known as Crater Lake Aerie, have changed their night of meeting from Wednesday to Thursday, so as not to conflict with the performances of the band concerts given weekly.

### POTATOES AS A LUXURY

#### REPRESENTATIVE REDFIELD OF NEW YORK FURNISHES SOME INFORMATION REGARDING THE HUMBLE SPUD

United Press Service WASHINGTON, D. C., June 25.—Representative William C. Redfield of New York, who is constantly digging up all sorts of wild, odd, but interesting tariff data, went to a small banquet the other evening, and startled the host and other guests by remarking:

"I am highly honored to be invited to such a lavish feast. Why, you serve potatoes here and seem to think no more of it than if they were strawberries, or some other home grown product unaffected by tariff duties."

Thereupon he dug into one of his many pockets and withdrew a table of figures. Interpreted, they proved to be potato tariff "dope." The congressman then proceeded to tell the assembled banqueters that a big chunk of potato cost is caused by the tariff duty.

"If we raised enough potatoes in the United States to supply the demand," Redfield explained, "they might be within more easy reach of the most humble citizen. But, the duty on potatoes brought to our shores during the first three months of this year was more than \$18,700 a day. Tell this to the first man you meet and he will offer to bet you that there is no importation of potatoes into the United States."

### Council Authorizes the Purchase of a New 2000 Pound Fire Bell

The city council last evening passed a motion authorizing the police judge to purchase a 2,000-pound fire bell from A. G. Young & Co., of Portland, providing the same did not cost over 79 cents a pound, or a total of \$789.

A communication was read from the company quoting a price of 39 cents a pound for a 3,000-pound bell, and following 18 cents a pound for the old bell if it was of the same make, otherwise they were to allow 15 cents. There is a difference of opinion as to the weight of the old bell, the estimates ranging from 400 to 700 pounds.

Some of the councilmen stated that they believed that a 1,500-pound bell would be sufficient, while others wanted a 3,000-pound bell. Finally a motion was made to purchase a 2,000-pound bell, which was carried, with

McGowen and Doty of the Fifth ward, voting against.

The reason for purchasing a new bell at this time is because the old bell is cracked and practically worthless as a fire alarm.

John Shook is a Falls visitor from his stock ranch in the Dairy section. Ora Engle is down from the Fort country to spend a few days in the county seat.

## DIVISION ABOUT EQUAL TO THAT IN REPUBLICAN SPLIT

### BIG DEMOCRATIC FIGHT NOW ON

#### TEMPORARY ROLL OF DELEGATES UNDISPUTED

Bryan and Wilson Line Up Against Clark, Underwood, Harmon, Ryan, Murphy and Belmont—Roosevelts and La Follette Notify Bryan That They May Come to Baltimore—Kern Nominated.

United Press Service BALTIMORE, June 25.—With W. J. Bryan planning to make a supreme effort to name Kern instead of Parker for temporary chairman, the democratic convention opened with the rain pouring outside. Mack called the convention to order at 12:17 and Cardinal Gibbons offered up prayer.

Grey Wilson read the temporary roll, which was undisputed, and then the fight opened.

Bryan and Wilson were lined up against the Clarkites, Underwoodites, Harmonites, Ryan, Murphy and Belmont. Bryan is hourly looming large for the nomination.

Calhoun and "Big Steve" are here, representing the republican reactionaries, while Bristow and Works, Rooseveltites, and La Follette are reported to have telephoned Bryan that they may come to Baltimore.

In the center of Armory hall Taggart, Murphy and Roger Sullivan were grouped, heading their delegations so they can consult verbally.

The Nebraskaers were seated at the left of the speakers' platform. Bryan sat on the platform behind Cardinal Gibbons. There was little applause when he entered.

The Californians entered carrying a Clark picture on a banner bearing the words: "Special privileges, none; Equal rights, all."

When Parker's name was presented, Bryan rose, nominating Kern.

Bryan was pale, his face set and rigid. He was greeted with a will yell, and cheering swept the hall except the New York, Indiana and Illinois delegations, which sat silent.

Bryan spoke thirty-nine minutes, naming Kern as a steadfast democrat for sixteen years, and declared his motto to be the same as Jefferson's: "He never sold the truth; he served the hour."

He declared that Kern supported Parker when he was candidate for president, though dissatisfied with the ticket as made up at that time. He also declared that predatory forces were now being Parker. He said: "I appeal to you to show the people that you are untrifled by Ryan and unbought by Belmont."

Frequently interrupted by yells of "Parker" from the New York delegation and from the galleries, Bryan concluded his nominating speech.

Then Kern took the platform and offered to withdraw if Parker would agree to compromise on a man to be named.

### REPORT THAT TENTH SHOULD BE IMPROVED

The committee to whom was referred the petition for the improvement of Tenth street, from Main to Prospect, consisting of McGowen, Doty and Miles, made their report to the council last evening. The report stated that the committee found the street in almost an impassable condition, and they recommended that steps be taken at once for the improvement of the street, as asked for in the petition. The report was accepted and placed on file.

#### BALTIMORE BRIEFS

Mrs. Thomas Taggart of Indiana, who is here with her husband, the national committeeman from Indiana, celebrated with him this week in Baltimore the 36th anniversary of her marriage. "I'm a home body," said Mrs. Taggart, "and take only a passing interest in politics."

Senator Newlands of Nevada, who wants to disenfranchise all the negroes of the United States, and send them to Africa, has a long speech prepared, in which he says: "I have a lot of negroes working for me, and get along all right, but a superior and inferior race can not exist in the same country except to the ultimate disadvantage of the superior race. Therefore, I think the negroes and whites would be better off if the negroes were in Africa."

Dave Shook was in the City Sunday from his ranch in the Dairy country.

### FOUR BIG DAYS OF INSTITUTES

#### STATE AND AGRICULTURAL COLLEGE OFFICIALS WILL GIVE VALUABLE INFORMATION TO FARMERS OF COUNTY

Farmers' institutes to be held in Klamath county are to begin tomorrow. The first institute is scheduled to be held at Merrill, and on Thursday there is to be one at Bonanza. On Friday one will be held at Fort Klamath, and on Saturday the week will end with a big institute at Klamath Falls.

The institutes are being given under the auspices of the Klamath Chamber of Commerce, and speakers will be here from the Oregon Agricultural college at Corvallis and from Portland. The party of instructors consists of State Dairy and Food Commissioner J. W. Bailey of Portland and his chief deputy, E. T. Judd.

From the Agricultural college will be Paul M. Collins, secretary of the extension division; Prof. E. L. Potter, head of the department of animal husbandry, and Prof. G. R. Hyslop of the agronomy department. The party is expected to arrive here this evening and will go to Merrill in the morning.

### WILLIS TRIAL IS POSTPONEE

#### DELAY IS CAUSED FOR DAY BY SENDING OF WRONG INDICTMENT FROM LAKE COUNTY—RESUME TOMORROW

The jury which is to try the case of the State of Oregon vs. Willis, charged with perjury, was secured this morning when the court took an adjournment until 9 o'clock Wednesday morning. It was discovered late Tuesday afternoon that the clerk of Lake county had forwarded the wrong papers in the case, and the original indictment was not in court.

The clerk of Lake county was communicated with by telephone last evening, and the papers have been sent, and will arrive here this evening, so that the case can proceed in the morning. The jurors selected to try the case are: Chas. Mack, Harry Wilson, Frank Irish, Frank Courtado, Chas. Grey, C. H. Kester, W. S. Slough, Edgar Virgil, Jess Turner, L. F. Willis, J. Y. Johnson and Arlie Werrill.

### BRYAN LOSES IN PARKER FIGHT

#### KERN WITHDRAWS FROM THE RACE

Cry of "Gag Rule" is Squelched and Protest of Bryan is Unavailing—Texas Man Claims It is a Case of Bryan or Wall Street—Speakers Interrupted by Storms of Hisses and Cheers

United Press Service Parker, elected temporary chairman of the national democratic convention at 2 o'clock this afternoon.

BALTIMORE, June 25.—Kern declared that Bryan is the only man to lead the democrats to victory while the packed galleries caused the wildest disorder. Kern withdrew from the race because he was a personal friend of Parker, and did not want to hurt Marshall's chances.

Bryan resumed speaking at 1:52. He said that if Ollie James and Ogarman refused to lead the fight he was willing to stand.

Theodore Bell of California followed. He said he was sorry to disagree with Bryan and Mack, but that he did not believe that the naming of Parker as temporary chairman would result in any sinister politics. He spoke amid continual disorder.

Fitzgerald of New York tried to speak for Parker, but a chorus of "Cannon's man," boos and hoots produced pandemonium.

Mack ordered a vote taken. Lea entered a protest of "gag rule," but was squelched. Bryan protested unavailingly.

Johnson of Texas was recognized. He shouted: "Bryan on one side! Wall street on the other! That's all I want to know." A storm of cheers and hisses followed.

Then roll call began. It resulted in Parker being elected by 576 votes to Bryan 510; Kern 1, Ogarman 3, absent 2.

Parker then started his temporary chairman speech. After which adjournment was taken till 8 o'clock this evening.

FOR SALE—"Blue Dog" gelding, 3 years old, 1,150 pounds; sound as a dollar, gentle as a cow and pretty as a picture. Call at Oregon House or Mammoth stables. 24-1f

#### Sidewalk Recommended

Councilman Doty drew the attention of the council to the condition of the sidewalk on Pine street between Seventh and Eighth, which he stated was in very bad condition, and should be replaced with a new walk. The matter was referred to the street committee.

### WANTS EXHIBITS OF PRODUCTS OF OREGON

Special to The Herald PORTLAND, June 25.—Oregon will pay more attention this year than ever before to Eastern land shows, and Secretary C. C. Chapman of the Oregon Development League is determined that this state shall be well represented at the various expositions to be held next winter.

He has taken steps to collect a good showing of grains, grasses, fruits and vegetables from various parts of Oregon for exhibit later in the East. He asks the co-operation of the various districts in order to do this, and emphasizes the value of this sort of advertising will do every section that falls in with the plan.

### MILITARY BAND TO GIVE CONCERT

The Klamath Military Band will give its second free open air concert tomorrow evening in the court house square. These concerts are proving a big advertisement for the city with visitors and outside people, and are attracting a large attendance from the home people. The concert for tomorrow evening is as follows: March—"Chicago Tribune" Chambers Overture—"Orpheus" . . . Offenbach "Manana," Chilian Dance . . . Missud Selection—"King Dodo" (by request) . . . Luders Cornet Solo—"Serenade" . . . Schubert Mr. Newnam Rag—"Wild Cherries" . . . Snyder Vision, Morcean Characteristic, . . . Fon Blon Medley of Southern Plantation Songs . . . Contorno

### CASTEL ENTHUSIASTIC OVER PINE CREEK

Tony Castel, who returned a week ago today from New Pine Creek, is enthusiastic about the prospects of the place. His claim is next to the one J. Scott Taylor holds, and of this Mr. Castel says: "Mr. Taylor has one of the best claims in the whole region."

### THE SCULPTOR AND ARTISAN

#### CUSTOMS COURT MAKES A FINE-HAIRED DISTINCTION, AND EXPLAINS WHERE THE DIFFERENCE LIES

United Press Service WASHINGTON, D. C., June 25.—The sculptor is a real artist, but the decorator who chisels in stone objects of an artistic and esthetic character is only a skilled artisan, according to the decision of the United States customs court of appeals.

The court says that ordinarily the ornamentalist in stone imitates that which he actually sees, and his work goes no farther than to please the eye. The sculptor, on the other hand, reproduces that which is pictured by his imagination, and his production not only appeals to the eye, but to the emotions as well. In fine, one copies and the other, in a sense, creates and originates.

The court had to decide whether imported mantels which the importers desired to enter duty free on the ground that they were works of art, were really sculpture as provided for under the law.

The mantels were decorated with fluted columns, freizes and carved cupids. They were executed by artists who studied ornamental sculpture and obtained a diploma from an art school, but the court refused to consider him a real sculptor in an artistic sense.

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### FEDERATION OF WOMEN'S CLUBS

#### ONLY EIGHT MEN ON THE ENTIRE PROGRAM

Greatest Session of Women Ever Held Began Today in San Francisco—Representatives Present From Every Organization of Women From the Great Sorosis Club to the Small Town Club.

United Press Service SAN FRANCISCO, June 25.—With 6,000 men and women present, 3,000 of them delegates from every corner of this country and from overseas, the eleventh biennial convention of the General Federation of Women's Clubs opened here today.

The Federation held its first council meeting, prior to the formal opening this evening, at the Palace Hotel this afternoon, with Mrs. Philip North Moore, president of the National Federation, presiding.

From the great women's organizations, like the Sorosis of New York, to the remotest small-town club of the Middle West, there was not a woman's organization in this country that was not represented by its president at this council for the first discussion of campaign plans that are to stir the biennial, The Pennsylvania plan and general revision of by-laws, new resolutions to be introduced, endowment plans for the year whereby the women's clubs will educationally assist girls all over this country, and the discussion of the Federation flower and badge, all came up at this meeting for the approval of the women who represent the federated club women.

At a great meeting to formally open the convention this evening, and after the invocation by Dr. Luella Clay Carson, president of the Mills college, Mrs. Philip N. Moore of St. Louis, the national president, introduces Mrs. E. G. Denniston, president of the local biennial board as the presiding officer of the evening. Mayor Jas. Rolph welcomes the great delegation in the name of San Francisco. Then in the name of the whole West, the Pacific coast, North and South and Pacific Northwest, the brilliant assemblage will be welcomed over again. Mrs. Josiah Evan Cowles of Los Angeles, who gave up the certainty of being the next president that California might this year entertain the biennial (it being the custom that the entertaining state never names the president) speaks for California; Mrs. R. C. McCredie, state president of Washington, for Washington and the Pacific Northwest; Dr. Agnes McKee Wallace, state president of Arizona, for the Pacific Southwest, and Mrs. C. H. McMahon, state president of Utah for the Inter-Mountain states.

### City Physician Makes Report to Council With Recommendations

Dr. L. L. Truax, city health physician, filed a report with the city council last evening, making recommendations for the guarding and protection of the health of the city. The report in full is as follows:

"Having received several complaints in regard to the use of open toilets, commonly called privies, from various parts of the city, and realizing that fly time is due, and when your attention is directed to the fact that the common housefly was responsible for about 90 per cent of all cases of typhoid fever occurring in our city last season, and that the fly has its breeding grounds in the out-closets, cesspools, etc., you realize the necessity of putting the ban on this menace to health of our people. I would suggest that the council instruct some officer to make a canvass of the city and remedy this condition. Where it is not possible to connect to the sewer system, compel all those owning and using such buildings to properly screen same from flies and disinfect at least once a week with chloride of lime. "Also that manure from private and public stables be kept hauled away. "That dealers in fruits, vegetables and meats be required to keep their goods within closed doors and well screened from flies, and that delivery wagons carrying same be properly closed to exclude the dust and flies. "And I would also suggest that at your earliest opportunity inaugurate some system of garbage disposal. "These few recommendations are essential to the health and well being of the citizens of this community, and it is imperative that some action be taken if we would avoid the experience of last season."