

JUDGE HOLDS RAILROAD HAS FORFEITED LAND

WOLVERTON DECIDES ESPREE DID NOT MEET TERMS

Decision of Federal Judge Today Affects the Title to Over Two Million Acres of Land Granted to the Oregon & California Railroad by the Government in the Early Part of 1860 and in 1870

United Press Service
PORTLAND, April 29.—Holding that the railroad company has not complied with the terms stipulated at the time the grant was made by the government, Federal Judge Wolvertton today decided that the Oregon & California Railroad company, now a part of the Southern Pacific system, has forfeited its title to the Oregon land grant.

This decision affects the ownership of 2,300,000 acres of land. The acreage was granted to the railroad by the government in 1866 and 1877, to permit the construction of the Oregon & California railroad.

The grant gave as a bonus for construction every alternate section of public land not mineral up to twenty miles on each side of the railroad right of way.

UNDERWOOD NOT AFTER GAG RULE

GENERAL TARIFF DEBATE IS CLOSED AND HOUSE BEGINS CONSIDERATION OF SCHED- ULES FOR AMENDMENT

United Press Service
WASHINGTON, D. C., April 29.—The general debate on the tariff has closed, and the house today began the consideration of the various schedules of the tariff for amendment purposes.

Majority Leader Underwood insists that he don't intend to allow the "gag rule." He proposes to try the policy of allowing a five minute debate to "run open" unless the minority attempts dilatory tactics.

It was announced that President Wilson has arranged to meet the Western and Southern senators who are opposed to free wool and sugar. This meeting will be held Thursday.

Dancing and Card

Cards and dancing will be the features of a social evening to be given in the West Hall of the I. O. O. F. building this evening by Ewauna Circle. Women of Woodcraft, to which the public is invited. Tindall's orchestra will furnish the music.

Alex Shive left today for Chiloquin, where he has accepted a position as bookkeeper for the Barnes Lumber company.

WILSON STANDS PAT ON VIEWS OF SITUATION

BYRAN RECEIVES LENGTHY TEL- EGRAMS TODAY

President in Conference With John Bassett Moore, International Law Expert—Works Makes a Statement.

Secretary Bryan Goes to San Francisco Tonight—Cabinet Holds a Lengthy Session to Consider Anti-Alien Matter.

United Press Service
WASHINGTON, D. C., April 29.—"Every state has a right to provide by law who will own its lands, and to except aliens from this right," said Senator Works of California, discussing the situation.

"The national government has not any right to enact any law or make any treaty denying or impairing that right."

United Press Service
SACRAMENTO, April 29.—Late this afternoon, indications were that Secretary Bryan would request no further conferences with the legislature before night. He spent the greater part of the day as the guest of the senate chamber.

He will go to San Francisco this evening, but will return tomorrow night.

"I am uncertain as to when I will return East," said Bryan. "I can not state at this time what future action will be taken by the president, or whether I will have a statement to make before leaving for Washington."

WASHINGTON, D. C., April 29.—President Wilson is standing pat on his views regarding the California situation. He insists that the words

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SUFFRAGETTE'S LEAVE EXTENDED

UPON ADVICE OF PHYSICIAN, HER PAROLE FROM PRISON IS INDEFINITE — SUFFRAGETTE SURROUND HOUSE

United Press Service
LONDON, April 29.—The ticket of leave of Mrs. Emmeline Pankhurst, militant suffragette sentenced to three years penal servitude, has been extended indefinitely. This is on account of the condition of her health. Superintendent Quinn of Scotland Yard and a physician from Holloway prison visited Mrs. Pankhurst at her apartments today. They officially reported her too ill to return to prison. Hundreds of suffragettes crowded the streets around the apartment. No violence was offered by them.

FIRE DESTROYS A RANCH HOUSE

BUILDING ON SEVEN MILE RANCH IS A TOTAL LOSS—ONLY \$500 INSURANCE—TENTS, ETC., ARE DESTROYED

(Special Correspondence)
FORT KLAMATH, April 29.—Fire Saturday destroyed the ranch house of Albright & Ellis' Seven Mile ranch on Seven Mile Creek. The building was a total loss.

A defective fuse is supposedly the cause of the conflagration. When the fire was discovered it had made good headway, and on account of the lack of fire fighting facilities, it soon burned to the ground. The loss is estimated at \$1,500, including a number of tents, etc., stored there in readiness for the spring work. The insurance carried is \$500.

COMMITMENT OUT FOR COUNSELLOR

SHERIFF'S OFFICE INSTRUCTED TO PLACE J. H. CARNAHAN IN JAIL UNLESS HE TENDERS A TEN SPOT

An echo of the fining of J. H. Carnahan on a contempt charge by Justice of the Peace Gowen came up today, when the sheriff's office was served with a commitment, ordering the arrest of Carnahan and his imprisonment for five days, in default of payment of a \$10 fine.

It is understood that the attorney fined will fight the commitment. The matter will probably be taken up late this afternoon.

The fining of Carnahan followed a series of disputes between Carnahan, who conducted the defense of Cris Conley, and District Attorney John Irwin, during the trial of the case. The commitment sets forth that Carnahan:

"Did publish, utter and say aloud, and in the hearing of the court and others, that the court and the prosecuting attorney were then and there railroading the said Cris Conley in the case pending; that the said Cris Conley could not get a fair and impartial trial in said court wherein said E. W. Gowen was justice of the peace; that said defendant charged said court and district attorney with running a steam roller over said Cris Conley; that it was a notorious fact and general street talk in Klamath Falls that the court and district attorney had and were combined together for the purpose of railroading Cris Conley and convicting him of the offense of which he then stood charged . . . with the view on the part of the said J. H. Carnahan to bring this court and its proceedings in said action into contempt, and that such misconduct did, in fact, impair, hinder and prejudice the rights and remedies of the State of Oregon, plain-

Rose O'Neill, the Artist, Wins Over American Doll Makers



Rose O'Neill, the artist, whose creations for the comic papers have been one of the features for years, has just won a victory which will make her independently wealthy, if that is not already her condition.

When the Cubist agitation came along Miss O'Neill looked on it with amusement, and she reached the conclusion that if she could turn out a Cubist doll she might find a niche

like that which came to the makers of the Teddy Bear. American dollmakers told her that there was nothing in her plan, that a Cubist doll would not sell.

She was disgusted with their lack of enterprise, and she hurried to Germany. There she presented her idea to the greatest doll makers in the world. They grasped it at once, and now the returns have begun.

Returns From Lakeview
Sam Evans, owner of the Northwestern, returned to Klamath Falls last night from an automobile trip to Lakeview. The machine met with a mishap at Bly, and Mr. Evans came in from there on one of the Southern Oregon machines.

Miss Hazel Little has returned to Dorris after a short visit here. Miss Little and her mother conduct a motion picture show in the Butte Valley metropolis.

Mr. and Mrs. Marie Kilgore and son are here from Bonanza for a short visit.

Charles W. Sherman Jr. was here Monday from his ranch in Youna Valley. He has a large traction plow this year, and is plowing many ranches.

Will W. Baldwin left this morning for a business trip to Merrill and Bonanza.

J. Frank Adams is a county seat visitor.

George J. Walton, manager of the Klamath division of the California-Oregon Power company, has gone to Merrill to attend to business matters.

D. M. McLemore returned to Klamath Falls Monday from Monterey county, California, where he purchased cattle for shipment here.

Frank Bloomingcamp of Merrill is here for a visit of several days.

WORK RESUMED ON THE COURT HOUSE BUILDING

BRICK WORK WILL BE STARTED TOMORROW

Steel Workers Now at Work Putting Up Girders and Supports—M. J. MacDonough, Who Has Been Awarded the Contract for the Steel Work, Will Begin Operations Within Several Brief Hours.

Following the decision of Circuit Judge Benson in the suits of M. M. Obenchain and Charles Graves, attacking the legality of the court house levy, block 10 of Hot Springs addition is again the scene of activity. Workmen this morning commenced again the handling of steel. The greater part of the steel work was put in place before the work was halted several weeks ago.

The brick work will commence in the morning. M. J. MacDonough, who has the contract, will put several bricklayers to work at once.

In a short time, work of leveling the grounds and improving the approaches to the new court house will be taken up. This will in all probability be in charge of Gen. Murphy, who superintended all the construction

HANGING STILL PART OF CODE

CALIFORNIA LEGISLATURE RE- FRAYS MEASURE SEEKING TO ABOLISH CAPITAL PUNISH- MENT IN THAT STATE

United Press Service
SACRAMENTO, April 29.—The measure providing for abolishing capital punishment in the state was defeated in the senate this afternoon. The vote was 25 to 15.

The action of the senate means that this form of punishment for convicted murderers will not be abolished by the present legislature.

J. R. McBride has gone to Sacramento to attend to business matters.

Court House Levy to Go to Supreme Court

Notice of Appeal is Filed by Kuykendall & Ferguson. Brief of Twenty One Pages is Prepared

Taking the stand that the county court is not authorized by law to levy a special court house tax, and that in order for them to show their statutory authority, Kuykendall & Ferguson, attorneys for M. M. Obenchain and Charles Graves in their suits attacking the court house levy, have filed notice of appeal to the supreme court and prepared their brief.

The appeal is from the decision rendered Saturday by Circuit Judge Benson, in which a demurrer to the Obenchain complaint was upheld. An attack is made on the county court's policy of segregating the general fund levy into separate funds, which is the basis of Obenchain's action.

"The whole plan on its face is and is intended to be a subterfuge to avoid the constitutional limit of indebtedness," says the brief. "And to impair the contract of the county with the holders of outstanding warrants by paying 'county expenses' (1862) incurred at a later date before those of an earlier date."

By segregating the general fund, the appellants in their brief contend that the county court is making pro-

ferred creditors out of certain warrant holders.

"To put these various levies together for the purpose of validating them," says the brief, "and then immediately, having thus apparently validated them, and given them an instantaneous 'immunity bath,' take them apart again and proceed with them separately in contempt with neither logic, reason or justice, and opens the way for even greater frauds than have been here attempted. It is not more logical, reasonable and just, having corrected the error of the county court, to proceed with the corrected result, rather than to go back and again repeat the mistaken, erroneous separation immediately thereafter."

"To allow levies to be paid and then to validate them and to be allowed in order to derive a benefit from the county of their just dues is to trifling with the law of the state and the interests of the public, and adopting a course which is clearly and obviously an attempt to evade the law."

Russian Colony Will Locate in Klamath Co.

Choice is Made After a Careful In- spection of Numerous Sections in West and Middle West

Another addition is to be made to the population of Klamath county by the arrival of a large colony of Russian farmers. Announcement of the selection of Klamath county as the future home of these thrifty tillers of the soil was made last night by members of their committee.

The committee sent out by the colony to visit various farming districts on the Pacific coast was here several weeks ago, and they were taken through the county by W. Paul Johnson of the S. S. Johnson company. Several days were spent here, during which time Malin, Langell and Poe Valleys and other parts of the county were visited.

The visitors at that time expressed themselves as highly pleased with the prospects in Klamath county, but

as they had a number of other parts of the coast to visit, they declined to commit themselves.

A few days ago the committee returned with S. O. Johnson of the Klamath Development company, have been taken to other parts of the county not previously visited, and they have decided that the best opportunities for success await their countrymen here. Their report will be to that effect, they say.

Nothing definite has been given out as to what land the colonists expect to purchase. It is understood, however, that deals are now under way.

The interest of the Klamath Development company in the coming of the colony is a wholly unselfish one, this concern being interested, with every public spirited citizen, in getting the farm lands settled.

Knights of Columbus Will Visit Klamath

Catholic Fraternal Organization at San Francisco Plans to Spend a Week Here. May Install Local

The first big pleasure seeking party to visit the Klamath summer play ground this year will in all probability be members of the San Francisco and Oakland Councils of the Knights of Columbus. R. A. Johnston, resident vice president of the Klamath Development company, has been in correspondence with the organization for some time, and the committee named to select the locality for the excursion believe Klamath Falls and vicinity is the proper place.

The matter will be definitely settled within a few days, as soon as the committee tenders its report to the council for its adoption.

According to the plans outlined to Mr. Johnston, there will be in the neighborhood of 150 members of the order on the excursion. This will arrive here on or about May 15, and the visitors will remain a week, spending the greater part of the time fishing, rusticated around Klamath Falls, and enjoying nature in general.

A great part of the time, according to the committee, will be spent at Harriman Lodge, the summer resort on Pelican Bay, which has become famous throughout California on account of its splendid boating, fishing and other sources of recreation. Mr. Johnston is at Harriman Lodge this afternoon.

In addition to getting "next to Nature," the lodgemen may also be

AUSTRIA AFTER MONTENEGRINS

FORMAL ANNOUNCEMENT MADE THAT COUNTRY WILL MAKE IN- DEPENDENT ACTION FOR SCU- TARI'S EVACUATION

United Press Service
LONDON, April 29.—Austria plans to commence action against Montenegro to compel that nation to evacuate Scutari, recently captured from the Turks, according to Vienna dispatches to the Daily Mail.

Unwilling to wait longer for the powers to act in the matter, it was announced in the Austrian capital that the nation will shortly commence an independent action against Montenegro.

HARPOLD CASE IS DISMISSED

JUDGE BENSON HOLDS THAT CITY OFFICIALS ERRED IN PROCEEDINGS WHEN THEY AR- RESTED BELLIGERENT

Holding that the city officials had no jurisdiction to try A. D. Harpold on an assault and battery charge without a complaint being made, Circuit Judge Benson this morning dismissed the action of the City of Bonanza against Harpold, appealed to the circuit court from the Bonanza court by Harpold.

Harpold and Walter Broadword engaged in a fist encounter at Bonanza some time ago, and Harpold was arrested and a fine imposed. He appealed to the higher court.

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