

U. S. Supreme Court Holds Settlers Must Pay the Operation and Maintenance Charges as Assessed

BELIEVE FORTY PERISHED WHEN BUILDING FELL

DEATH LIST IN STRAIGHTLY GETTING LARGER

City Council at Long Beach Plans a Special Tax to Relieve the Sufferings of Injured, and to Assist the Families Injured by the Deaths of Fathers and Brothers—Authorities to Fix the Blame

LONG BEACH, Cal., May 26.—The list of people killed in the collapse of the municipal auditorium Saturday is steadily growing, as the debris is removed.

It is believed that the list will reach 40 before night. Three more bodies were recovered today, as follows:

(Continued on Page 4)

GREEDY PELICAN DOWNS BOTTLE

Quite a funny old bird is the pelican. Whose beak will hold more than his bellican; He stores food in his beak To last him a week— But I'm hanged is I see how the belican.

NEWPORT BEACH, Cal., May 24.

A large gray pelican was picked up dead here today, with a beer bottle tightly wedged in its throat. The bird, from its manner of flight, evidently was in distress. It was seen to plunge into the surf, and when it did not rise again, R. J. Shafer, a fisherman, waded in and brought the bird ashore. It was dead, and the bottle was so tightly stuck in its throat that it was dislodged with difficulty.

Mrs. J. H. Garrett & Sons, Glenn and Sturien, have returned from Seattle, where they spent the year. The Garretts have leased the Ewana House, and will conduct it as a boarding and rooming establishment.

George T. Baldwin has returned from a business trip to Portland.

N. Haggood Has Busy Year Ahead



Norman Haggood, former editor of Collier's Weekly, has assumed a big job for the year. It has just been announced that, with some friends, he has bought Harper's Weekly, and will become the editor. In addition, he must conduct the preliminaries of the anti-Tammany municipal campaign in New York city. Some weeks ago he was chosen head of the fusion committee organized by Progressives, Republicans and Independents, to fight Tammany Hall.

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Shanniker Is Back

Carl Shanniker and wife arrived last night from Portland, and Shanniker will operate the motion picture machine at the Star theater in place of John Hubbard, who has resigned. Shanniker formerly resided here.

WILSON SAYS BIG INTERESTS HAVE LOBBY AT WORK

PRESIDENT SAYS EVEN PRESS IS SUBSIDIZED

In Interview Today, Executive Declares Undue Influence Are Being Brought to Bear on Legislators in Order to Bring About a Number of Changes in the Tariff Revision Measure, Now in the Senate

WASHINGTON, May 26.—The following statement was given the United Press today by President Wilson:

"I think the public ought to know that extraordinary exertions are being made by a lobby in Washington to gain recognition for certain alterations to the tariff bill. Washington has seldom seen so numerous, so industrious, so insidious a lobby as this one.

"The newspapers, too, are being kept filled with paid advertisements, in the hope of affecting the votes of the senate.

"There is every evidence that money is being spent without limit to sustain this lobby, and to create an impression of public opinion antagonistic to some of the chief items of the tariff bill."

"In both houses," concluded the president, "there are members who would rejoice as much as I would be relieved from such an unbearable situation."

Brower Returns

Attorney C. C. Brower returned last night from Portland and Astoria, where he has been attending to legal and other business. He has been away nearly seven weeks.

Decision Given Today Ends Question on Every Project

SEVEN FINISH MERRILL HIGH

COMMENCEMENT EXERCISES TO BE HELD THURSDAY NIGHT AT THE OPERA HOUSE IN THAT CITY

The graduation exercises of the Merrill high school will be held Thursday evening at the Merrill opera house. The class of Seniors is composed of Hazel Howell, Alma Wilson, Loren Wolfe, Jeanette Harter, Marjorie Leigh Terwilliger, Lloyd McKay and Clyde Grubaugh. The class colors are pink and green. "Not Up, but Climbing" is the class motto.

The following program has been arranged for commencement:

Invocation—Rev. Acheson.
 Graduation Song—Class.
 Valedictory—Hazel Howell.
 Instrumental Solo—Marjorie Leigh Terwilliger.
 Class Prophecy—Clyde Grubaugh.
 Presentation of Diplomas—George W. Offield.
 Address—Superintendent Fred Peterson.

Water Users Have Ten Days in Which to Pay

EXPO. WORK IS WELL STARTED

REPORT OF DIRECTOR OF WORKS SHOWS THAT MANY CONTRACTS ARE FINISHED OR ARE UNDER WAY

SAN FRANCISCO, May 26.—Director of Works Harris D. H. Connick, in a report just submitted to the president of the exposition shows that the following contracts have been completed on the exposition site.

Filling in of lands at Harbor View, February 22, 1912.
 Construction of rock sea wall, January 25, 1912.
 Filling in of Presidio lands, January 27, 1912.
 Construction of fence around site, March 1, 1912.
 Construction of three greenhouses and a potting house in the Presidio for landscape gardeners, November 21, 1912.
 Service building, which is now being used by 250 architects and engineers, was completed on January 15, 1912.
 Construction of a roadway through Ft. Mason, completed on February 7, 1912.
 North service road sewer, completed December 2, 1912.
 The grading of the site for the machinery palace and railway yard was completed on March 19, 1912.
 Sewer in the main roadway of the concession district section was completed on April 8.
 Roadways adjacent to the service building were completed on March 11.
 Director of Works Connick also gives some very interesting information as to the progress of contracts that have been let on the exposition.

(Continued on Page 4)

HIGHEST TRIBUNAL HOLDS SETTLERS MUST PAY CHARGES

Case is One That Affects Greatly the Work of the Reclamation Service Throughout the West—Was Taken to the Supreme Court From the Yakima Project—Many All Payments Held Up Pending Decision

WASHINGTON, May 26.—The cost of the operation and maintenance on all of the United States reclamation projects must be paid for in full by the water users themselves, according to the decision rendered this afternoon by the United States supreme court in the test case brought into court by a water user under the Yakima project in Washington.

The decision is one of the most important that has been rendered this year. It affects the payment of millions of dollars into the treasury of the department of the interior within the next few days.

The decision holds that the water user is obliged to pay the annual operation and maintenance charge assessed until such time as the project is fully paid for by the water user, and is transferred to the Water Users' association by the government.

Enormous expense by the reclamation service in maintenance of the great federal irrigation projects hinged upon today's decision. The federal courts of the northwest decided Uncle Sam must pay the cost, and could not levy assessments upon the water users until their contracts to purchase the arid land and water rights was completely paid up and the projects themselves turned over to the homesteaders.

D. P. Baker, a settler on land in the Sunnyside reclamation project in the Yakima valley of Washington, brought the test case.

(Continued on Page 4)

Citizens of Calgary Burn Fatal Arena

Family Sleeping in Building Where McCarty-Pelkey Fight Was Held, Barely Escape With Lives

CALGARY, May 26.—The arena where Arthur Pelkey delivered the blow that caused the death of Luther McCarty, Saturday afternoon, will be the scene of no more fights. Fire last night destroyed the structure.

Wesley Benson, his wife and two children, were asleep in the frame building at the time. They narrowly escaped death.

The fire is believed to have been started by citizens of the city, enraged by the tragedy Saturday.

There was a great deal of protest against the staging of the bout between the two heavyweights here.

The fatal outcome of the bout will probably put the ban forever on the boxing game here.

The coroner's inquest is being held today. Arthur Pelkey, whose blow resulted in McCarty's death, is held on a charge of manslaughter. His preliminary hearing will be held after the inquest.

Warrants have also been issued for Burns, McCarty and Smith, trainers and attendants. Under the Canadian law, even the spectators can be held in a case of this kind.

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PERSHIN HADN'T LEFT THE CITY

Instead of skipping, as was charged in LYLE'S COMPLAINT, PHOTOGRAPHER WAS WORKING IN THE COUNTRY

Instead of fleeing the town, as charged by J. A. Lyle, who swore out a complaint for his arrest on a charge of larceny by bailor, E. E. Pershin was out in the country a few miles from town, Saturday, attending to some work. He returned to town, ignorant of the fact that he was supposed to have left.

"I had no intention at all of leaving town," said Pershin. "I can prove that I did not leave the hotel at 1 o'clock in the morning, and have witnesses to prove where I was every minute of the day."

The case will come up in the justice court tomorrow morning.

COUPLE HAVE A NARROW ESCAPE

Mr. and Mrs. Sam King of Ft. Klamath came very near losing their lives Saturday while attempting to ford Wood river, near the Hill place.

The water was deeper than expected, and the wagon sank to the bottom, while the wagon box, containing Mr. King and wife, was swept down the river.

It floated in close enough to the shore to enable Mr. King to get a hold on some overhanging willows, by which he pulled himself and wife to safety.

The team was then cut loose from the wagon, which was left in the river.

State Fish and Game Board Wants Lower River Hunting

Resolution Passed at Meeting, After Talk by L. R. Robertson. Agent L. Alva Lewis of the Biological Survey Will be Here This Evening From Portland

Another bright and shining example of the adage that it pays to make a holler when there is one coming, is brought to light through the recent developments in connection with the hunting within the limits of the Lower Klamath lake bird preserve. The state fish and game commission, at a meeting last week, endorsed the resolution of the Klamath Chamber of Commerce asking that the boundaries of the preserve be changed, and L. Alva Lewis, agent of the Biological survey, will be here to confer with sportsmen regarding the matter, and see what can be done toward bringing about the desired changes.

The agitation comes as a result of an announcement sent out by Lewis, stating that there could be no hunting on any lands within the limits of the Klamath preserve, which begins a few miles from this city, and

takes in the whole Lower lake territory and the Lower Klamath river. There is much private land in this, and this order, it was held, was unconstitutional, as, in addition to cutting off the best hunting in the Klamath country, it prohibited a man from hunting on his own land.

The reserve, as originally constituted, took in only government lands, which allowed shooting on land privately owned within its limits. The game law passed by the last session of the Oregon legislature was construed by L. Alva Lewis of the United States biological survey in Portland, to mean that no shooting should be done on any land within the reserve.

Local sportsmen, acting through the Klamath Falls Chamber of Commerce, took up the matter, and sent L. R. Robertson to appear before the state game and fish commission in their behalf. The arguments before

the commission resulted in the passage of the resolution recommending the opening of the northern portion of the reserve.

The following letter in connection with the matter has been sent to the Chamber of Commerce committee by the fish and game commission:

"Your proposal of May 19 for the elimination of a portion of the Klamath reservation for protection of native birds, as created by executive act of August 8, 1908, as therein described, was presented to the board at its meeting in this city yesterday; and, after due deliberation, a resolution was adopted endorsing your organization in the movement requesting the biological survey of the United States to have the territory prayed for eliminated from the above reserve.

"The matter has already been taken up with the department of the interior.

(Continued on Page 4)

WILL INSTALL A NEW CALL SYSTEM

INCLUDES TELEPHONE, IN ADDITION TO CALL AND FIRE ALARM SERVICE

Workmen will soon commence the installation of an automatic call system in the Hotel Hall.

The system to be installed is more improved than formerly used here. The former system provided for automatic calls in each room at any station time, and a general fire alarm, while the system to be installed also has, as a part, a telephone for each guest room.

Leland Mosler, and S. Veerhulst are Ft. Klamath visitors today.

Memorial Service is Held At M. E. Church

Veterans and Women's Relief Corps Hear a Most Impressive Sermon Given By Rev. G. H. Fesse

The annual Memorial service of the Grand Army of the Republic and the Women's Relief corps was held yesterday forenoon at Grace M. E. church. Good-sized delegations from both these patriotic orders were in attendance.

"Memorial Days" was the sermon theme of Rev. George H. Fesse, and upon this he delivered a sermon that was filled with patriotic fervor, and an inspiration to the young and to the old.

"They have been here from the rugged experience of our national life," said the pastor, speaking of the subject. "They have been subjected and polished by the grinding and grinding forces of our national life."

They have been cemented together by the sacred blood flowing from the patriot's sacrifice; they have been lifted toward the stars of heaven's eminence by the noble impulses of noble impulses; they have been preserved to the succeeding generations by the sway of their patriotic hearts. They have been the noblest of our nation's heroes."

Memorial Day was declared a national holiday by President Woodrow Wilson in 1911. It is now a national holiday.