

VALIDITY OF WARRANTS ATTACKED

More Than Quarter of a Million Affected by Suit Filed Today

HENRY RABBES IS PLAINTIFF IN AN ACTION COMMENCED IN CIRCUIT COURT BY ATTORNEY JOS. L. KENT

NEARLY FORTY ARE MENTIONED AS DEFENDANTS IN THE COMPLAINT FILED

Action Is Based Upon the Ground That in Issuing These Warrants the County Voluntarily Increased the Indebtedness of the County, Which It Is Held, Is in Excess of Amount Allowed by Law.

Alleging that the warrants were issued to pay for indebtedness voluntarily incurred by the county court in excess of the limitation prescribed by the state laws, an action to repudiate warrants worth more than a quarter of a million was commenced in the circuit court today.

The plaintiff is Henry Rabbes. The warrants he would have cancelled are worth a total of \$250,223.97.

Today's action was filed by Attorney Joseph L. Kent. The following are named as defendants:

C. C. Low, sheriff; J. W. Siemens, county treasurer; Anglo & London, Paris National bank, First National bank of Wood, Big Basin Lumber company, Merchants' National bank, First National bank of Klamath Falls, First National bank of Merrill, First Trust and Savings bank, Northwestern National bank of Portland, Heall Co., Coast Bridge company, Williams Tent and Awning company, the Southern Pacific company, Martin Brothers, Coast Culvert and Plume company, Star Drilling and Machinery company, American Bank and Trust company, Warren Construction company, Harris & Co., Maddox & Harris, Coter Brothers, J. F. Goeller & Son, C. F. Stone, attorney in fact for Heall & Co., C. F. Stone, attorney in fact for Coast Bridge company; Charles E. Worden, H. L. Anderson, Alex. Martin Sr., Ed. Bloomington, Robert A. Emmitt, H. F. Tuttle, Mrs. E. E. Sawtelle, D. E. Hurrell, J. C. Harrow, J. E. O'Mara, Paul Breitenstein, Sam T. Summers, C. J. Swingle, Thomas Hampton.

The general allegation as set forth

in the complaint follows:

That on the 31st day of January, 1911, the outstanding indebtedness of Klamath county exceeded in the aggregate the sum of \$5,000, and at all times since the said 31st day of January, 1911, the said county has had, and now has, outstanding liabilities then existing, the sum of \$5,000.

That said debts and liabilities were not incurred prior to the adoption of the constitution of the state of Oregon, and were not created to suppress insurrection or repel invasion or to build permanent roads within said county in pursuance of Section ten of Article eleven of the constitution of the state of Oregon, but that said indebtedness was voluntarily incurred for the construction of bridges and in the purchase of material for the same, and in the construction of county roads, and in the purchase of the county poor farm, and in the payment of bounty on scalps, and in the payment of services of timber cruisers, and for other indebtedness wholly voluntary, and that such indebtedness was, and is beyond the constitutional limit of \$5,000 already existing as hereinbefore alleged at the time such debts and liabilities were incurred, and that such debts and such and every thereof, and the warrants issued therefor, were and are unconstitutional and void.

Wherefore plaintiff prays the court for an order declaring the said warrants, and the indebtedness upon which same are based, to be illegal and invalid, and for an order permanently enjoining and restraining the said defendants and each thereof from securing, or attempting to secure payment of said warrants from said county of Klamath.

Goes to Red Bluff.

Mr. and Mrs. Carl McCleary left Sunday for Red Bluff, Calif., where Mr. McCleary will be a railroad telegrapher. The McClearys have resided here two years, Mr. McCleary being connected with the local office of the Southern Pacific.

Visitors From Bonanza.

Mr. and Mrs. Levi McDonald and Mr. Hold are among the county seat visitors from Bonanza today.

Democrats Elected Governors of the Republican States



Governor Fielder of New Jersey and Governor-Elect David J. Walsh of Massachusetts.

Governor Fielder of New Jersey, whom President Wilson made his political heir in that state, won in the recent election by a large plurality. A republican and a progressive candidate fought him, and the republican vote being split, the governor was elected. He first became the executive head of the state when President Wilson stepped out for the presidency.

There were seven candidates in the field in Massachusetts, among them Governor Foss, who at the last moment sought re-election. A strong republican candidate in Representative Gardner and a substantial progressive candidate in Charles Sumner Bird made it possible for Mr. Walsh to win.

RODEO MEETING HELD TONIGHT

OFFICERS WILL BE ELECTED, AND PLANS LAID FOR A BIGGER AND BETTER SHOW HERE NEXT JULY.

The adjourned meeting of the Rodeo Amusement Association will be held this evening at the Elks Club rooms. The committee appointed to secure subscriptions for the stock among the members of the Elks lodge will report, and it is expected that it will show enough stock disposed of to enable the trustees to turn over to the association the stock held by the lodge.

If sufficient stock has been sold election of officers will be held and plans made for the 1914 Rodeo.

WEATHER BUREAU WILL GET RAKED

FAILURE OF STATIONS TO REPORT FORMS IS BLAMED FOR HOLOCAUST ON THE GREAT LAKES

United Press Service

CLEVELAND, O., Nov. 17.—Congressman Gordon today wired President Wilson, requesting a sweeping investigation of the weather bureau service in the Great Lakes district as a result of the recent disastrous storm.

It is charged that the bureau did not give out sufficient warning of the storm, and is responsible indirectly for the losses.

TOMORROW APPLE DAY; EAT THEM

LOCAL HOUSEKEEPERS PREPARING SPECIAL DISHES AND RESTAURANTS WILL ALSO FEATURE FRUIT IN MENUS

Following is the Apple Day proclamation issued by Governor West:

"Whereas, it appears that there is a movement on foot throughout the United States to have the 15th day of November proclaimed 'Apple Day,' with a view to bringing about an increased distribution and consumption of apples, that our markets may be enlarged and the industry made to enjoy further prosperity; and,

"Whereas, All Oregonians should be vitally interested in the success of such a movement:

"Now, therefore, in view of the foregoing premises and by virtue of the authority in me vested, I, Oswald West, governor of the state of Oregon, do hereby proclaim the 15th day of November as 'Apple Day,' and earnestly request all our citizens to devote on this date a little thought to the apple, whether it be in regard to its production, its distribution or its consumption, with a view of raising the standard of our product, securing additional markets and making possible its enjoyment, at reasonable prices, by the many throughout the Union, who often hunger while thousands of bushels lie rotting underneath the trees of our productive orchards."

WILL HOLD BIG REVIVAL SERVICE

ALBANY MINISTER WILL ARRIVE LATER IN THE WEEK TO COMMENCE A SERIES OF DAILY MEETINGS

A big revival service is planned by the members of the local Baptist church, commencing next week. Rev. E. E. Hicks of Albany will be here to conduct these meetings, which will be held nightly.

The man who will be in charge is a forceful speaker, well experienced in this work.

J. Gleason Chicago's New Police Chief



Captain James Gleason of the Shakespeare avenue station, Chicago, has grown from the ranks under place of John McWeeny, resigned. He has grown up from the ranks under civil service rules. The courage of the new chief has been tried. His capture of the car barn robbers after an all day fight at Millers, Ind., several years ago, convinced Chicagoans. By the appointment the report that Mayor Harrison favored naming a woman for the place is disposed of. If the mayor ever had such a thought he reconsidered it.

COMPENSATION ACT IS IN COURT

FRIENDLY SUIT STARTED BEFORE SUPREME JUDGES TO DECIDE WHETHER THE BILL IS IN FULL EFFECT

SALEM, Nov. 17.—The question of whether the workmen's compensation law is in full effect, including the insurance features, will be tested in the supreme court immediately by means of a mandamus suit which was started Saturday to compel Secretary of State Olcott to audit a claim presented by the Salem hospital. The suit is a friendly action of all concerned, and arrangements have been made with the supreme court to hear the arguments in the case immediately. It is expected a decision will be handed down by the court tomorrow.

Since Attorney General Crawford rendered an opinion to the effect that the law, while in effect, could not become fully operative until next June, on the ground that employers and employees have until that time in which to elect not to come under the law if they so desire, the compensation commission has desired to

WITH THE DEPLETION OF THE HUERTA TREASURY, DESERTION OF COHORTS IS LOOKED FOR; WILSON TALKING

the law tested as soon as possible.

The commission entered into a contract with the Salem hospital for accommodations during the month of December for the first aid to workmen coming under the law who might be injured. A deposit of \$25 was paid on the contract. The hospital presented the claim to the secretary of state's office, which, in order to make a basis for a friendly suit, refused to audit it.

This transaction deals with the insurance feature of the law, and will bring the question of whether it is now operative directly before the supreme court.

PETE ALBERTSON TO BE BENEDICT

WEDDING BELLS WILL RING THIS EVENING—GROOM IS A WELL-KNOWN YOUNG LUMBERMAN. WILL RESIDE HERE

Peter A. Albertson was a passenger on the Weed bound train Sunday. Also he returned from Weed in the evening.

Incidentally, it might be stated that he was accompanied by Miss Louise V. Simpson, who reached Weed Sunday from New York city. This afternoon Albertson secured a marriage license.

The groom has resided in Klamath county for the past two years, and during that time he has worked up to a responsible position with the Pelican Bay Lumber company. As a testimonial of their regard for the young man the employees of the plant purchased him a complete dining room set as a wedding present.

Miss Simpson visited Klamath Falls last summer in company with Mr. Albertson's sister. While here she made many friends.

Dr. Fred Westerfeld has moved his dental offices from the Loomis building to a suite of rooms in the White-Maddox building.

CARRANZA MAY BE ENCOURAGED IN HIS PLAN TO TAKE THE CAPITAL

Refugees Arrive From Torreon, Telling Harrowing Tales—In Conversation With Newspaper Men, President Tells Them Stories About Wilson and O'Shaughnessy Leaving Are Without Any Foundation.

United Press Service

WASHINGTON, D. C., Nov. 17.—John Lind is not fleeing Mexico, and neither is Nelson O'Shaughnessy abandoning the embassy at Mexico City.

President Wilson made this plain at his conference with the newspaper men this morning. He is still very confident that he is making progress toward peace in Mexico, and so told the reporters. Huerta's supplies for cash have been severed. He is maintaining his government on forced internal loans. It is admitted that this will soon be exhausted. When this happens it is expected that Huerta will be deserted by his lieutenants.

If it develops that Huerta is being financed through underground channels, Carranza will be encouraged in his plan to capture Mexico City, but raising the embargo on arms will be the very last step.

United Press Service

LAREDO, Texas, Nov. 17.—Three hundred American refugees from Torreon reached Monterey yesterday, en route here. The United States is paying half their expenses.

The party suffered great hardships in their journey to Monterey. One child died on the trip and one was born.

United Press Service

EL PASO, Texas, Nov. 17.—The remainder of General Villa's army reached Juarez today. He expects to attack Chihuahua City later in the week.

Tailless Pups Are Born

Freaks Are Cross Between Collie and Bull Dog

(Staff Correspondent)

MIDLAND, Nov. 17.—A litter of pups, six in all, as devoid of tails as half a dozen guinea pigs, is an attraction at the Smithfield ranch on the Midland road, that is baffling all theories.

The pups are a cross between a bulldog and a collie. Neither of the parents has suffered a loss of caudal appendage, and this makes the tale of the tail-less pups even more interesting.

Victor Groffle and John Baza are

sending potatoes to the California markets, and they have already shipped out nine cars to Sacramento. They sent eight cars of white and one car of red potatoes. For these they received 75 cents a hundred pounds.

W. B. Walker moved to his place on the Midland road so late in the summer that he was not able to work the farm to any extent. He has devoted much time to getting everything in shape for the coming year, when he expects to harvest a banner crop.

List of Trial Jurors Drawn

Veniremen Ordered to Report First of December

The members for the jury for the December term of the circuit court have been drawn and ordered to appear in court on the morning of December 1st, at which time the grand jury will be chosen.

The names of the citizens who have been drawn for this duty are as follows: John Driscoll, F. C. Beckdolt, Levi McDonald, F. J. Bowne, Bonanza; R. C. Shipley, John Matney, Wm. Green, J. L. Cunningham, George Grizzle, S. C. Icenbice, Frank Bryant, J. A. Gordon, George W. Ager, Frank Ankeny, J. D. Grimes and J. J. Kel-

ler, Klamath Falls; C. Kirkpatrick, Joe Halousek, Malin; J. W. Jory, J. W. Dupuy, Midland; George Ehlhart, H. E. Turner, Hans Nylander, Pierce Combs, C. J. Anderson, G. W. O'Neil, E. R. Cardwell, J. W. Haskins, Merrill; C. H. Pluckus, Dairy; J. L. Beckley, Fort Klamath, W. W. Finley, Hy-

Mrs. J. E. Taylor left on Saturday's train for Trinity county, California, being called there on account of the serious illness of a member of her sister's family. She will probably not return to Klamath Falls.