

As Result of Supreme Court's Rule, Saloon Problem May Go on Ballot

SUPREME COURT'S DECISION GIVES CITY BIG POWER

LOCAL OPTION LAW IS NOT GIVEN MUCH WEIGHT

Justice Eakin Holds That All Municipalities Have the Right to Refuse to Grant Saloon Licenses, and That the Officials Have the Right to Absolutely Ignore Local Option Law and Have "Dry" Ordinances.

A new twist has been given the liquor question all over the state by a decision handed down by the supreme court. This contends that the cities have the right to go "dry" either by a charter amendment or by a vote of the council to refuse to grant any saloon licenses.

According to the decision, the city can absolutely ignore the local option law, and the sentiment expressed at a vote under it. The decision, which practically invalidates the local option law, was given in upholding the right of Salem to amend its charter so as to forbid the licensing of saloons.

Heretofore the theory proceeded upon to vote a city "dry" was to hold an election under the local option law in November. If a city was "wet" such an election might be held each year, but if "dry," only every two years. Under the decision rendered, however, a city can be voted "dry" at any time by its residents amending its charter forbidding the licensing of saloons.

By the home rule amendment to the constitution a municipality has the exclusive power to license, control and prohibit the sale of intoxicating liquors, except it shall be a subject to the provisions of the local option law," says Judge Eakin, in the decision. "This does not mean that, by the local option election the people have power to compel a city to license the sale of liquors. Such an election determines only whether or not it shall be prohibited from licensing the business; but, if the vote results against prohibition, no order shall be issued by the county court either as to the sale or prohibition of the sale of liquors; that is, as to

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JURY FINDS HANS SCHMIDT GUILTY

PSEUDO PRIEST MUST PAY THE DEATH PENALTY FOR THE KILLING AND DISMEMBERING OF YOUNG WOMAN

United Press Service. NEW YORK, Feb. 6.—The jury empaneled in the trial of Hans Schmidt returned yesterday afternoon with a verdict of guilty of murdering Anna



Hans Schmidt as He Appears in Jail

Aumeuller, and after hacking her body to pieces, throwing the pieces in the Hudson River.

The verdict was for first degree murder. This means death in the electric chair. Schmidt's crime was one of the most horrible ever committed in New York. He was posing as a Catholic priest, and when arrested feigned insanity, saying St. Elizabeth commanded him to make a human sacrifice.

City Physician Back. Dr. L. L. Truax has returned from a sojourn of several weeks in the Middle West. Klamath still looks best to him. Its appearance in the Herald is a voucher for its reliability.

REBELS CREEPING CLOSER TO GOAL; QUIET IN CITIES

AMERICAN MARINES ARE IN READINESS

Battle at Torreon Will Start This Evening, It Is Believed—Federal Troops, Have Main Streets Barricaded, and Ships Sent to New Orleans for More Ammunition—Federalists Strengthened by Conscription.

United Press Service. WASHINGTON, D. C., Feb. 6.—Secretary Nelson O'Shaughnessy has wired President Wilson that the anti-conscription feeling is all quiet in Mexico. He states that there is apparently no ill feeling as a result of the removal of the embargo.

Huerta, according to O'Shaughnessy, is preparing to take the aggressive. The strength of his army in the field has been strengthened by conscription.

United Press Service. WASHINGTON, D. C., Feb. 6.—President Wilson today denies any intention of intervention. "The warring factions will be permitted to fight it out without interruption," say high officials.

United Press Service. VERA CRUZ, Feb. 6.—It is reported that Ambassador Lind has told friends that President Wilson raised the embargo to give both sides a chance to fight it out. This will demonstrate which is the stronger. The federal gunboat Zaragoza has steam up, and will sail to New Orleans for arms and ammunition.

United Press Service. CHIHUAHUA, Feb. 6.—The rebels today occupy Hermosillo, forty miles north of Torreon, where the federal outpost was garrisoned until a week ago. Villa intends to occupy Mapina. Colonel Urbina is in charge of the force sent to make the attack.

United Press Service. MEXICO CITY, Feb. 6.—The rebels are closing in on Tampico. The decisive battle is expected this evening. The federalists have barricaded the principal streets, to help the defense. Marines from four American warships are held in readiness to rescue the foreigners.

Guy Biddinger Suggested as New Chief of Detectives for New York



NEW YORK, Feb. 6.—Guy Biddinger, now assistant general manager of the Burns detective agency and head of the bureau of criminal investigation, was slated by Mayor Mitchell for second deputy police commissioner and chief of the detective bureau, according to report. If Mr. Biddinger is appointed to this place he will head the largest detective force in the world except that at Scotland Yard. Since the detective force has been utterly demoralized for the past two years, he will have the work of reconstructing it.

Mr. Biddinger has been one of William J. Burns' most valued men, having figured importantly in the McNamara case. He and Raymond J. Burns, the detective's son, worked on it together. In Detroit he arrested J. J. McNamara, and it was Biddinger who was in charge of the trip of J. B. McNamara to Los Angeles, when the Burns men were accused of having kidnapped the labor leader.

He was born in Cincinnati in 1875, and was appointed to the Chicago police force by Mayor Harrison after a civil service examination. On his fourth day in uniform he arrested a bunch of dangerous negro hold-up men, and was made a detective at once. Later he took three dangerous bank sneaks, and for that he was made a detective sergeant. Eight years ago he was made a civil service detective sergeant, and in that position he had many exciting experiences in Chicago.

Four years ago he went to the Burns agency. He had more to do with the McNamara case than to run down the McNamaras, for he it was who supplied the strongest evidence against Clarence S. Darrow, the labor lawyer, who was tried for bribery. Another famous case was that of the seven members of the West Virginia legislature who were trapped in bribery in the contest which resulted in the election of Judge Goff to the United States senate. He worked with

Burns in the trapping of the swindlers of Atlantic City who accepted bribes. Biddinger is a large, keen man of tireless energy. He knows the detective business as well as any man on the New York force. If he becomes chief of the detectives will have to work, and in the way that has made William J. Burns successful.

EAST SWEEP BY A CHILL WAVE; UNDERMINE ZERO

SIX BELOW AT OMAHA AT NOON TODAY

Grave Fear Is Felt for the Cattle All Over the Middle West—At Denver the Mercury Registered Sixteen Below Zero—Nebraska, the Dakotas and Wyoming Are Hit, and in Some Places, Twenty-Two Below.

United Press Service. CHICAGO, Feb. 6.—A cold wave and blizzard is sweeping the Middle West. In nearly every instance the thermometer is far below zero. The storm and cold wave is accompanied by snow. Trains are delayed, and much suffering is feared.

United Press Service. OMAHA, Feb. 6.—At noon the thermometers registered six below zero. This evening, it is predicted, it will drop to ten below.

The poor of the city are in a pitiable condition, and there is clamoring for aid. A northwest wind prevails, and there is much snow.

The cold wave is general all over Nebraska, the Dakotas and lower Wyoming. In Wyoming, near the mountains the mercury is 22 below. It is feared that much stock will be lost. Trains are delayed. Some of the Nebraska temperatures below zero follow: Chadron 29, Scotts Bluff 20, Long Pine 15, Valentine 18, O'Neill 16.

United Press Service. DENVER, Feb. 6.—This morning the thermometer registered 16 below zero. This is the coldest wave of the winter.

Going to Arizona. C. W. Hodge, who has been doing stenographic work here for several months past, is planning to go to Arizona or Texas. He will leave in a few days.

Real estate untaxed and owned by religious and charitable bodies in Philadelphia is valued at about \$230,000,000.

COUNCIL MAY BE ASKED TO PLACE ISSUE ON BALLOT

DATE FOR INITIATIVE FILING HAS EXPIRED

News of the Ruling by the State's Highest Court Has Caused Prohibitors to Take Renewed Interest in the Question of Submitting the Matter to the Voters of Klamath Falls for Their Decision.

There is still some chance of the saloon question being injected into the municipal campaign in May, as a result of the ruling of the supreme court. It is more than possible that the city council will be asked to submit to the people at the election a proposed amendment to the charter, forbidding the issuance of saloon licenses. This will receive consideration at once from those who seek to have the city join the "dry" ranks.

A short time ago a proposed city ordinance, prohibiting the sale of liquor in Klamath Falls was drawn up and an initiative petition was circulated, to have the ordinance submitted to the people at the May election for their approval or rejection. Arthur Wilson and Edmund M. Chilcote were at the city hall Monday night to file the petitions with the council, but as six members of the council were not present, there was not a quorum, and no meeting was held. Instead of insisting on a filing being made then, the committee withdrew the petition, under the ruling of the local option law that the matter be voted on at November elections, and an announcement was made that this would not be placed before the voters.

Since the ruling of the supreme court has become known, those favoring the "dry" movement are reconsidering. The withdrawal of the initiative petition has removed this source of getting the question on the ballot, as the law provides that petitions of this kind must be filed ninety days before the date of the election. Instead, it is understood, the question of asking the council to place the question on the ballot in the form of a charter amendment is being considered.

Fraud Is Charged in Suit

Argaves Says Deed Was Falsely Secured by Dyar

Alleging that the deed by which he transferred the "Jap Bennett" ranch to Alexander F. Dyar was secured and executed by fraud and through misrepresentations, E. G. Argaves today commenced suit to have the instrument set aside. Argaves is represented by W. H. Shaw and Arthur D. Hay.

Argaves last year secured the Bennett ranch on the Midland road on a trade, whereby he deeded Bennett the Argaves rooming house. According to the complaint, while in Oakland last fall he negotiated with Alexander F. Dyar, and the two agreed to make a trade, Dyar to give Argaves a deed to a 17-acre summer resort in the Santa Cruz mountains, in return for a deed to the Bennett ranch. It was mutually agreed, according to the complaint, that the two should consummate the deal inside of a stipulated fourteen days, and that each should sign a warranty deed, giving his property to the other, which deeds were to be placed in escrow, an Oakland real estate man to act as custodian. Argaves alleges that he carried out his part of the agreement, but that at the end of the fourteen days he was told that Dyar refused to close the deal. Argaves alleges that his deed was not returned to him, despite demands. The deed was afterwards recorded here, and a short time ago, Dyar, by a bargain and sale deed, transferred the title to the property to Mamie M. Somers. He seeks to have these deeds set aside.

SAYS A. CASTEL IS NOT DEAD

SISTER OF HIS FIRST WIFE SAYS REPORT OF HIS SUICIDE IS UNFOUNDED, AND THAT FORMER RESIDENT IS ALIVE

That Antone Castel, former county surveyor, postmaster, councilman and brewer in this city, is not dead, but is alive, and she knows his whereabouts, is the announcement made by Mrs. Stella Lippert of this city. Mrs. Lippert is the sister of Mr. Castel's first wife. It was reported here, through a letter from California, that Castel had ended his life with a pistol. Mrs. Lippert says that this is wrong, but insists she is not at liberty to tell of his whereabouts.

CIVIC CENTER TO COST MILLIONS

PHILADELPHIA WILL DISBURSE FOURTEEN MILLION DOLLARS IN MUNICIPAL BUILDINGS JUST PANNED

United Press Service. PHILADELPHIA, Feb. 6.—Fourteen millions of dollars will be spent by Philadelphia in the erection of public buildings, to comprise what is claimed will be the most notable group of municipal structures in the world, according to plans nearing completion today. Starting at the city hall, the buildings will be erected along a broad parkway, with the municipal art gallery at one end and a temple of justice at the other.

Other structures will be a central library, central manual training school, Franklin institute, American Philosophical Society building, and a school of industrial art. The municipal art gallery and the temple of justice will cost \$3,000,000 each, and the central library \$3,500,000. The school of industrial art is to cost \$1,000,000.

Can Perpetuate Range

Government Has Plan to Restore Grazing Areas

That a serious decline in the carrying capacity of vast areas of Western grazing lands, due largely to the fact that stockmen fail to give the range plants a chance to keep growing, can be remedied without closing these areas to cattle and sheep, is the statement made by the department of agriculture in a bulletin recently issued on range improvement. Excessive grazing in the spring before the forage crop is mature, and such grazing continued year after year, says the department, are the main causes of range deterioration. On the national forests, the department points out, where the government is doing away with these evils, and stock is handled under government regulation, the range lands have improved to a point where it is again possible to market large numbers of beef and mutton animals directly from the range. In the "free-for-all" period of early days, the department goes on to say, the most palatable forage plants were so closely cropped that they were unable to develop the necessary plant food, and so literally starved. In addition, the roots were frequently injured by trampling or killed from exposure. As a result the best kinds of vegetation grew weaker from season to season, and where the practice of early and close grazing was continued, the range at last became practically denuded. The vegetation which furnishes the grazing crop has much the same growth requirements as a farm crop. No farmer who hopes to realize the (Continued on page 3)