

SWITCHING FEES AT TERMINAL ARE HELD AS INVALID

SUPREME COURT DECIDES FOR THE SHIPPERS

Ruling by Commerce Court Is Reversed by the United States Supreme Court—Railroad Charged \$2.50 for Delivering Freight Cars on Long Spurs, and the Shippers Held That This Was Not Legal

United Press Service

WASHINGTON, D. C., June 8.—San Francisco and Los Angeles shippers won out in their "industrial shipping charge" against the Southern Pacific and Santa Fe railroads by the decision of the supreme court today. The highest tribunal reversed the commerce court.

Right of railroads to make special charges in San Francisco and Los Angeles for special switching service at terminals was involved in the case decided today. It may prove an important precedent affecting other cities.

The \$2.50 charge assessed by railroads in Los Angeles was for switching cars on long spurs, some five miles from main freight terminals. Los Angeles merchants originally paid all cartage.

The railroads afterward built spurs at the shippers' expense—but retained the legal title. That the switching was illegal was held by the Interstate Commerce Commission. It said the service was that ordinarily performed in switching to ordinary team tracks.

The commerce court enjoined the commission's order, declaring the "industrial track" service was a special service, and should be paid by the shippers.

Grape Juice for Sacramento

After a lively discussion the general assembly of the Presbyterian church of the United States (Southern Presbyterian church) voted that the congregation might substitute grape juice for wine in the sacrament. Rev. E. C. Gordon of St. Louis, entered a strong protest. He declared that no church has a right to mutilate the Lord's Supper. When you change the communion, he said, you yield to a popular clamor and not to your proper judgment.

Georgia, South Carolina and Mississippi have age limits below 14 for factory work.

Kaiser's Son Who Is to Marry for Love



On the urgent pleading of the empress, the emperor has consented to the marriage of his "quiet" son, Prince Oskar, to the Countess Ina Marie von Bassewitz-Levetzow, formerly a maid of honor to the empress, and heiress to one of the huge feudal estates of Mecklenburg-Schwerin. It will be a morganatic, or "left-handed" union.

"Their majesties have recognized the fact that their son's happiness is more important than maintenance of the strict family tradition," says a semi-official statement.

Prince Oskar, commonly called the "quiet" son, because, unlike his brothers, is a keen soldier and a connoisseur of pictures.

His bride cannot take the title of princess, and his children cannot rank with the Hohenzollerns, but it is understood that the kaiser will raise her to the rank of duchess, though it will probably be some time before she appears again at court functions.

HENNY IS ACTING CHIEF ENGINEER

MAN RECENTLY HERE AS A MEMBER OF THE DRAINAGE BOARD IS PUT IN DAVIS' PLACE WHILE LATTER IS AWAY

WASHINGTON, D. C., June 8.—D. C. Henny, consulting engineer of the reclamation service at Portland, has been designated acting chief engineer during the absence of Chief Engineer Davis, granted a four month leave of absence to make an investigation of the feasibility of controlling the floods of China.

CRYSTAL FEUD IS TAKEN TO COURT AS CIVIL ACTION

MRS. WYLAND ASKS FOR AN INJUNCTION

Charging That the Browns Have Tried to Run Her From Homestead, Woman Goes to Circuit Court for Restraining Order—Several Criminal Complaints Have Been Made by Both Parties.

A new tack was taken in the Wyland-Brown feud this morning, when Herbert D. Gale, attorney for Mrs. Cora M. Wyland, filed an action in the circuit court, seeking to enjoin Mr. and Mrs. D. G. Brown, S. A. Brown, F. G. Brown and C. O. Brown from going on her premises or molesting them in any way.

According to the complaint, the Browns have conspired to drive the Wylands from the homestead. It is alleged in the instrument that they have told people that they have money and have prosecuting attorney Irwin, and that they will continue to file criminal complaints against the Wylands and destroy their fences and crops until Mrs. Wyland gets tired of the game and quits the land.

In her complaint, Mrs. Wyland says that her former husband, Frank Dodge, filed on the homestead in the vicinity of Crystal Creek in 1908, the family taking up residence there. In 1910, she says, Dodge died, and she has since resided there, in November last being issued a certificate of acceptance of proofs and a receipt for final payment of the claim from the land office.

Mrs. Wyland holds that the defendants lay claim to the land, and that they have driven on there with wagons, pastured cattle there, destroyed crops and irrigation ditches, torn down fences and discharged revolvers near the house.

On May 18, according to the complaint, they entered the land and assaulted her and her daughters, striking them down. On June 2, it is further alleged, they tore down the fences and destroyed a grain crop and garden.

The Browns and Wylands have figured prominently in the justice court of late, and several criminal charges have been filed against the individual members of the two factions. Both factions are under bond to appear before the grand jury. A charge against W. P. Wyland and Clarence Hunt, that of obstructing a highway, was tried before Justice of the Peace Gowen last week, and dismissed.

PRISONERS ARE ON WAY NORTH

INDIANS WHO REFUSED TO ESCAPE FROM JAIL SATURDAY NIGHT GO TO FEDERAL PRISON TODAY

Deputy United States Marshal Jackson and United States Commissioner Charles J. Ferguson left this morning for Portland, in charge of Jason Howard and Thomas Smith, two Indians who have been bound over to the federal grand jury.

Howard was arrested late Saturday at Klamath Marsh by Jackson. He is charged with illicit liquor selling.

Smith is charged with the murder of Link River Deal, the aged Klamath, who died several days after being struck on the head with a horse-shoe wielded by Smith.

TELEPHONE CO. IS HELD EXEMPT

RULING OF THE RAILROAD COMMISSION REGARDING DEPOSIT FEES DOES NOT AFFECT THE EXCHANGES

SALEM, June 8.—The State Railroad Commission stated that its rules regulating certain public utilities do not apply to telephone companies. They apply to water, gas and electric light and power companies.

One of the rules regulates the amount of deposit a company may require of a prospective customer, and it is pointed out that this does not apply to telephone companies.

DEBATING FRAT AT UNIVERSITY

VERNON MOTSCHENBACHER, A LOCAL BOY, IS ONE OF THE MEMBERS OF THE NEWLY INSTALLED FRATERNITY

EUGENE, June 8.—Tau Kappa Alpha, national honorary debating fraternity, was formerly installed at the University of Oregon. Leon Ray, a former debater at Oregon and now a law student at the University of Indiana, installed the new chapter.

Those initiated were: Professor Bert Prescott, debate coach; Vernon Motschenbacher, Dal King, Fred Hardesty, Bert Lombard, Anthony Jauregui and James Donald.

Laurence Irving and Mabel Hackney, Lost in the Wreck



Laurence Irving, son of Sir Henry Irving, and his wife, Mabel Hackney, well known British actors, were among the victims of the Empress of Ireland disaster.

BENSON RECOUNTS MULTNOMAH VOTE; JUDGE KELLY HERE

ALBANY JURIST TO FINISH LAKE COUNTY TERM

While Kelly Weighs on Legal Questions at Lakeview, Benson is Holding a Term at Salem—This Allows Him to Be Close to the State House, and to Make a Contest Should He Find It Necessary.

United Press Service

PORTLAND, June 8.—Circuit Judge Henry L. Benson, who lost by thirteen votes to Justice McNary the fourth republican nomination as supreme justice, today put public accountants to work recounting the returns from Multnomah county. He may also check over again the vote from Washington county.

In a letter to County Clerk Coffey, Benson said he is making the recount merely to satisfy himself. Should an error be discovered, he will be in a position to demand a recount.

"Just one majority is enough to make me lie down and acknowledge that I have been defeated," said Judge Benson. "All that I want to know is that there has been no blunder in the findings of the canvassing boards of these two counties. I have been urged to start a legal contest against Justice McNary by demanding a recount of ballots in Multnomah county, but I shall not do so, at least according to present appearances.

"There may have been some errors in counting the ballots in certain precincts, but I am depending only on learning whether any errors occurred in the canvass and announcement of the returns.

"For a long time before election I was holding court in Lake county, and made no campaign at all, and I am pleased that so many votes were cast for me. The finish of the race is very close, and I want to know whether or not I have been defeated.

"If I have been beaten by Justice McNary I shall work for his election, just as I shall expect him to work for mine if I have won the nomination. If I have lost I shall be a cheerful loser."

Judge Benson is now in Salem, and will remain there all week, holding court in place of Circuit Judge Percy R. Kelly of Albany. Judge Kelly, who, after visiting his sister, Mrs. C. C. Hogue, left this morning for Lakeview to finish Benson's term of court there.

New Soda Fountain. The Eagle pool room has installed a brand new sanitary soda fountain, in preparation of caring for a thirsty public when the hot weather comes.

MEDFORD ASKS A LOWER RATE KUYKENDALL HAS A BROKEN WRIST

APPLICATION IS MADE FOR A 35 PER CENT REDUCTION IN THE CHARGES OF THE CALIFORNIA-OREGON COMPANY

SALEM, June 8.—Application for a reduction of 35 per cent in the rates charged for electric light and power by the California-Oregon Power company has been filed with the State Railroad Commission by the city of Medford.

The application states that if this reduction is made the company will still earn a fair return on its investment. The matter will be set for a hearing.

EAGLES FLY TO DAIRY SUNDAY

KID BALL TOSSERS WILL PLAY THE COWBOYS ON THEIR OWN RANGE—ARE PRACTICING FOR THE CONTEST

Daily practice is the order of the day with the Eagles, a local kid baseball aggregation, as the team has its work outlined for next Sunday. On that day the lads will go to Dairy and play the Dairy Cowboys.

The Dairy aggregation is composed of Lake, and is said to be a pretty fast organization.

Free Stoves.

C. B. Coon's electrical stove is attracting much attention today, owing to the distribution of free electric stoves there. These gifts by Coon have absolutely no string on them. It is said they are in honor of Coon Junior, for whom "Rac" has been suggested as a front name.

Timber Owner Visits.

C. L. Gilham, a prominent timber owner and president of the Klamath-Lake Counties Forest Fire Association, is here from Portland to consult with J. F. Kimball, secretary of the association, relative to plans for fire protection during the coming summer.

FIRE WARDENS ARE IN DEMAND

STATE FORESTER ELLIOTT EXPECTS TO SEE 350 ROAD SUPERVISORS NAMED FOR THESE PLACES SOON

SALEM, June 8.—State Forester F. A. Elliott is sending letters to all his supervising wardens out over the state, requesting them to immediately submit a list of road supervisors or other persons interested in the protection of the timber of the state for appointment as fire wardens, to serve during the closed fire season, which began June 1.

One of the chief duties of such wardens is to issue burning permits for burning slashings and to keep an eye on such fires. Last year 275 road supervisors were appointed wardens, and this year it is expected to appoint 350, besides 75 to 100 volunteers.

Home From O. A. C.

Miss Elsie Orem, Miss Maysel Sanderson and Miss Ruth Avery, who are attending the Oregon Agricultural College, are home from Corvallis for the summer.

ELKS WILL VISIT MEDFORD BILLS

AUTOMOBILE INVASION OF THE ROGUE RIVER VALLEY IS PLANNED TO BOOST FOR THE COMING RODEO

A number of the local Elks are planning an automobile excursion to Medford on Saturday for the purpose of advertising and boosting the Rodeo to be held here July 3, 4 and 5. It is probable that a delegation of business men and representatives of the Chamber of Commerce will also go along.

The plan at present is to leave here Saturday morning and return Sunday, but this schedule may be changed to leave here Sunday, so as to be in Medford Monday morning, when the state bankers will gather for their convention.

Among those who have already stated they were going are: Leslie Rogers, Chas. J. Martin, C. H. Daggett, Erney Hosley, J. E. Bodge and O. W. Robertson.

Two Escape From Jail

Other Prisoners Refuse to Make the Attempt

Chiseling out the mortar around one of the stones in the wall of the county jail, Ja Groom and Charles Spencer, two prisoners, made their escape from custody early Sunday morning, after shoving the stone out of place. Thus far they have not been recaptured.

Groom was awaiting the action of the grand jury on charge of burglarizing the Dixon store at Fort Klamath. Spencer had been bound to the federal grand jury on a charge of bootlegging.

It has been the habit of the prisoners in the county jail to sit up late at night, playing cards, or reading, and then sleep late the following day. All were given the liberty of the corridor Saturday night by Sheriff Low, after a search had been made in the jail for weapons, tools, etc.

Between 11 and 12 Saturday night the prisoners retired. Harry Banta, also held to the grand jury, says that he was awakened by the sound of blows on the wall, and turned on the light. Groom and Spencer ordered him to shut it off, and fearing physical injury, he did so.

According to Banta, the men finished their work and were gone by 2 o'clock. They invited him to escape, but he refused, saying he had nothing to run away from. Jason Howard, charged with bootlegging, and Thos. G. Smith, charged with the Beal murder, two Indians, were also in jail at the time, but did not attempt to escape.

The jailbreak was not discovered until late Sunday morning. Search was at once started, and a reward has been offered for the men.

It is believed that the implement used in tearing through the mortar was furnished by some friend of Spencer late that evening, as the quickness with which the men worked through the wall shows that there must have been some especially designed device used.

Another strange thing in connection with the affair is the fact that the aperture through which escape was made is 10 1/2 x 12 1/4 inches. Groom is over six feet high, and has broad shoulders, and the authorities are puzzled over how he managed to get through such a small opening.