

SUPREME COURT GIVES DANIELS 37-10 VERDICT

FAMOUS CASE IS REVERSED IN WASHINGTON

Highest Tribunal Reverses Federal Circuit Court of Appeals by Overruling Demurrer Filed by Defense in the Federal District Court for Oregon, so Case is Now Back for the Taking of Evidence.

United Press Service
WASHINGTON, D. C., June 1.—The Supreme Court today made a ruling in the suit of A. D. Daniels against sixteen Klamath county homesteaders, reversing the federal circuit court of appeals.

While there is much surprise locally that the decision was not in favor of the homesteaders, attorneys interested in the case today announced that this does not mean that the title to the lands involved are transferred to Daniels.

"When the case was up in the federal district court for Oregon, all of the defendants filed demurrers," said J. H. Carnahan, one of the attorneys who has been fighting Daniels, and who appeared before the supreme court regarding it recently.

"These demurrers were all sustained, and when Daniels appealed to the United States circuit court of appeals, our demurrers were also sustained there. Daniels then took the case to the supreme court, and this decision today merely overrules our demurrer.

"Had the decision been adverse to Daniels today, the case would have ended, but it comes back to the Oregon district court, where we will file answers, and fight the case on real evidence, etc."

The case involves some sixteen people, including Jessie Wagner (nee Robertson), Mark Howard, Vestal Wakefield, John C. Leonard and Valentine Bernhard. These people took up homesteads in what is known as the "37-10" country, near Swan Lake.

Special Dinners Popular.
The weekly special dinners being served by the White Pelican Hotel for Klamath Falls people are proving popular, and each Wednesday evening many of the business and professional men of the city are getting into the habit of taking their families to dinner at this popular hostelry. A most delightful time is had at these little dinner parties, which are followed by visits among the guests in the big spacious lobby.

King and Queen of Italy Reviewing Their Troops



This is a rather interesting photograph of the king and queen of Italy, who have joined the remainder of the royal families of Europe in the war which they have been trying to keep out of for nine months.

RED CROSS ASKS AID FOR MEXICO

GOVERNORS OF ALL STATES RECEIVE TELEGRAMS ASKING ASSISTANCE IN THE WORK OF ALLEVIATING CONDITIONS

WASHINGTON, D. C., June 1.—Reports of hunger and suffering are poured into American Red Cross headquarters from all parts of Mexico.

Supplementing its appeal to the American people for aid, the Red Cross sent a telegram to the governor of every state, renewing its request for money or food.

A carload of corn and a carload of beans already are on the way to Monterey, and this will give that starving city three or four days' food supply.

Oregon has sixteen women dentists.

LUBKE SEVERS WRIST ARTERY

FOLLOWING QUARREL WITH HIS WIFE, HE HACKS BLOOD VESSEL, AND IS NOW AT THE BLACKBURN HOSPITAL

William Lubke is at the Blackburn hospital today, recovering from the loss of blood as the result of an attempt to end his life late yesterday afternoon. Lubke cut two deep gashes in his left wrist with a safety razor blade, and had been bleeding for about a quarter of an hour when James Leonard discovered him and summoned aid.

Lubke was taken to Blackburn hospital by Dr. Hamilton, and the injury attended to. He told Hamilton that he and his wife quarreled, and that he sought to end his life.

This is not the first time that Lubke has considered suicide. He has repeatedly threatened to end his life.

ORCHESTRA CONCERT AT THE STAR TONIGHT

The Peerless Orchestra of seven will be heard in concert at the Star theater tonight. The program is the best that the organization has introduced up to date. In addition to the following program, several of the very latest popular numbers will be heard for the first time.

- Overture
- "Hungarian Landler" . . . Keler-Bela
- Waltz
- "Passion Flower" . . . de Zulleita
- Excerpts from "Maritana" . . . Wallace
- From "Scenes Picturaesque" . . .
- "The Angelus" . . . Massenet
- Noveltette
- "Among the Lillies" . . . Frey
- Selections from the opera "Sari" . . .
- March
- "On the Firing Line" . . . Comstock

Here on Business.
A. A. Mitchell, a well known traveling salesman, is in from San Jose, making his usual call on the coffee trade.

ZEPPELINS RAID ENGLAND AGAIN; FOUR ARE DEAD

SEVERAL FIRES STARTED BY BOMBS

Both Russia and Italy claim to be besting the Teutons in the Eastern Theater, the Italians especially claiming to have just scored the most notable victory of the present war over Austria.

United Press Service
LONDON, June 1.—Zeppelins this morning raided London, and five people were killed as a result. Ninety incendiary bombs were dropped, starting three large fires.

British airmen drove off the invaders. It is reported Lieutenant Barnes of the Royal corps fell from his biplane and was killed.

United Press Service
PETROGRAD, June 1.—It is announced that the Austro-German offensive at Przemyśl has been definitely halted, and that the enemy is on the defensive.

United Press Service
BERLIN, June 1.—It is announced that the Bavarian troops have captured three of the Przemysl forts.

United Press Service
ROME, June 1.—In the bloodiest fight of the campaign, the Italian Tyrolean troops stormed and captured Montezugno, six miles south of Roverto, the objective of the Italian advance. This is called the most notable victory yet scored over Austria.

Italy is enthusiastic as a result.

15,000 Mile Motorcycle Trip

United Press Service
SLAYTON, Minn., June 1.—Mr. and Mrs. Dick Whitney plan to start today on the longest motorcycle trip ever contemplated. The journey will cover approximately 15,000 miles.

San Francisco will be their point of destination on the first lap of the trip and from there, after visiting the Fair, they will head for Oregon and then take a diagonal course clear across the continent to Florida. They will ride to New York City, from the South, and then back to their home town.

Los Angeles Municipal Campaign

United Press Service
LOS ANGELES, June 1.—The issues of one of the most exciting municipal campaigns in the recent history of Los Angeles were being decided today at the polls.

For Mayor, Chief of Police Charles E. Sebastian and Frederick J. Whiffen, a councilman, survived the primaries in May and were the candidates. Sebastian was nominated at the height of his trial on a charge of contributing to the dependency of a minor girl.

Kansas City Mo., Bond Issue

United Press Service
KANSAS CITY, Mo., June 1.—Kansas City is today voting on a \$4,560,000 bond issue covering 19 improvement items, among them \$700,000 for approaches for the new Union station; \$450,000 for the improvement of existing parks; \$900,000 for sewers; \$300,000 for a Twenty-Third street traffic way; and \$200,000 for a Twelfth street viaduct traffic level; \$300,000 for garbage disposal; and \$450,000 for bridges and viaducts.

Mrs. Mary Bohnefeld has been a police matron in Atlanta for thirteen years, and in all that time she has lived at police headquarters.

Over 2,000 Canadian women have applied for positions as war nurses.

Blames Captain and Crew of Lusitania



Dr. Carl E. Foss

Dr. Carl E. Foss of Harlem, Mont., one of the survivors of the Lusitania, who was on his way to enlist with the British Red Cross, and returned to the United States on the liner New York, condemned the officers and crew of the torpedoed vessel. He said he saw a submarine about 1:30 on May 7th, an hour before the ship was struck. It was on the port side, and was not the submarine which struck the vessel.

The Lusitania was going slowly, not more than seventeen or eighteen knots an hour," said he.

Speaking of the actions of the crew after the explosion of the torpedo, he said:

"On deck I found a number of members of the crew taking life preservers out of a box and putting them on. They paid no attention to the passengers, and seemed to be looking out entirely for themselves. I managed to get a lifebelt out of the box and put it on. Then I waited to see what would happen. The stewards on the Lusitania seemed new. They didn't seem to know how to handle a boat, and all they thought of was saving themselves. I was very much disappointed in them."

BONANZA LADY PASSES AWAY

AFTER SEVERAL WEEKS OF SUFFERING, MRS. ELIZABETH YAHR DIES THIS MORNING. FUNERAL NOT ARRANGED

(Herald Special Service)

BONANZA, June 1.—Mrs. Elizabeth Yahr, wife of John Yahr, died this morning. Death was due to Bright's disease, with which Mrs. Yahr has been critically ill for several weeks.

Mrs. Yahr was born in Wisconsin, and was 54 years of age last November. With her husband and family she came to Bonanza five years ago, and has since been an esteemed resident. Besides her husband, Mrs. Yahr is survived by two children, Warren J. Yahr and Martha A. Yahr. Both are grownups.

The funeral arrangements have not been made as yet, as a brother is on his way from Minnesota. Pending his arrival no positive arrangements will be made for interment.

The Eugene factory promotion committee is considering manufacturing boilers there.

TEXT OF U. S. REPLY IS NOT GIVEN PUBLIC

By CARL ACKERMAN (Staff Correspondent, United Press)

BERLIN, June 1.—Foreign Minister von Kagow gave the following interview to the United Press: "America can hardly expect us to give up any means at our disposal for fighting our enemies. It is our principle to defend ourselves in every way possible."

"I am sure that Americans will be reasonable enough to believe that our countries cannot discuss the Lusitania matter until both are on the same basis of facts."

"Germany is fighting for freedom. It is far from our intention to interfere with neutral rights or to become autocrats of the ocean. They run free, and every nation must have rights on the sea."

United Press Service

WASHINGTON, D. C., June 1.—President Wilson today suggested the withholding of comment regarding the German reply. He contends that it may be dangerous to make too wide conjectures regarding the text of his reply, because these rumors, cabled abroad, cause much trouble for the government.

This morning, Wilson says, the matter was discussed at cabinet meeting. He said the cabinet discussed all phases of the note.

Wilson told callers today that he hopes to be able to forward the complete answer to Germany by Thursday or Friday. It is understood that in this he hopes to secure German co-operation for the safeguarding of the Americans and other non-combatants in the war zone.

From every section of the nation the president has received wires urging him to maintain his original position, and that positive evidence that the Lusitania was unarmed be presented to Germany.

FORECLOSURE SUIT STAR PITCHER FILED HERE TODAY WEDDED TODAY

M. L. RUETENIK BRINGS ACTION AGAINST FARMERS IMPLEMENT AND SUPPLY HOUSE TO RECOVER OVER \$10,000.

Suit to secure a judgment for \$9,499.53 alleged due on a note, \$367.50 interest thereon and \$1,000 attorney fees has been started against the Farmers Implement and Supply House by M. L. Rutenik, J. W. Siemens, Leslie Rogers and S. T. Summers as trustees of Savidge Bros. Lumber company are made party defendants by reason of that concern having a lien on the property involved for building materials furnished.

The suit seeks a foreclosure of a mortgage given on lots 3 and 4, in block 38, which is the location of the defendant's store.

J. C. Rutenik and Joseph S. Kent are attorneys for plaintiff.

A resolution has been adopted by the regents of the Monmouth normal school that the new \$50,000 training school be built and equipped with Oregon material and manufacturers, and that trimmings be of Oregon stone.

Miss Mary L. Redd, daughter of Judge Redd of Atlanta, Ga., has invented a flag holder.

Arson Trial to Be a Hard Fought Case

Trial of Cody Warner, on charge of setting fire to the Peterstetter cafe last March was started in the circuit court today, and from the opening statements of the rival attorneys, the case will be most bitterly fought, and a hard problem for the jury to decide.

Prosecuting Attorney Irwin is assisted by W. M. Duncan, and O'Neill & Manning appear for the defense. All forenoon, and a part of the afternoon were taken up in selecting the jury, the following being chosen:

E. L. Hopkins, C. C. Lewis, L. H. Bath, D. L. Gordon, H. S. Oden, R. A. Alford, Emil Egert, Henry Woods, W. C. Townsend, W. E. Townsend, W. E. Folsom, Ross Sutton, W. D. Ginebach. The opening statement for the defense, made by H. M. Manning, indicates that the defense will lay special stress on proving that Warner is involved in the case because of animosity on the part of Isadore Maustilshahl, the state's principal witness. It was stated that Maustilshahl had made threats against Warner, and also stated that after the fire he told parties he believed it was caused by defective wiring, and that when the fire broke out he thought the county jail was burning.

Mr. Duncan, in opening for the state, outlined the case against Warner, whom Maustilshahl charges started the fire, and threatened to "get" Maustilshahl if he spoke of it. Duncan also cited the fact that just before the fire, Mrs. Peterstetter, who has since married Warner, took out additional insurance on the building.

Say Hill Will Be at La Pine on Saturday

The people of Fort Klamath, Crescent and Northern Klamath are invited to a big celebration at La Pine on Saturday, June 5th, when good roads, agriculture, immigration and railroad construction are to be the topics of discussion. On that date La Pine will entertain a big party of railroad agriculturists and immigration agents, which is making a tour of inspection through Eastern Oregon. It is reported that James J. Hill, head of the Hill lines, is to be one of the party of distinguished visitors, but this cannot be verified by the Herald. It is probable that a number of Klamath Falls people will join the delegation from Fort Klamath and attend the celebration. Professor Thomas Shaw, agricultural agent of the Great Northern system, will be head of the party, which is visiting all of the towns as far south as La Pine for the purpose of examining and demonstrating the soils and the cattle and diversified farming interests for the benefit of settlers. Accompanying Professor Shaw will be Professor H. T. French, head of the Oregon Agricultural college extension course; A. E. Lovett, agriculturalist for Crook county; Fred W. Graham, western industrial and immigration agent of the Great Northern; C. E. Arney, western industrial and immigration agent of the Northern Pacific; D. C. Freeman, publicity agent of the North Bank; J. T. Hardy, traveling freight and passenger agent of the Oregon Trunk, and W. C. Wilkes, assistant general freight and passenger agent.