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The Evening Herald

**Today's News
Today**

Member of the Associated Press.

Fifteenth Year—No. 5425

KLAMATH FALLS, OREGON, THURSDAY, MAY 19, 1921

PRICE FIVE CENTS

DEATH CLAIMS JUSTICE WHITE

Venerable Justice of The United States Supreme Court Dies Early This Morning.

WASHINGTON, May 19.—Edward Douglas White, veteran Chief Justice of the United States Supreme Court, died at 2:00 o'clock this morning. His death cast a shadow of sorrow over the capital. He was 76 years old and enjoyed regular health up to the time of a recent operation for bladder trouble.

Chief Justice Edward Douglas White was, strictly speaking, the lone representative of the South on the Supreme Bench for a number of years.

Coming from a family of judges, his father and his grandfather before him having been on the bench, Chief Justice White had had a judicial inheritance as well as legal training. His knowledge of the Civil Law was generally regarded as most profound of any man that ever sat on the bench of the Supreme Court of the United States. He developed a specialty for questions of interstate commerce, and his contribution to the law of the land probably will be a permanent one.

He was born in the parish of Lafourche, La., November 3, 1845. His parents were Catholics, and he was of that faith. His education was in Catholic institutions. In his early youth, he attended the school at Mount St. Mary's near Emmitsburg, Md.; later he entered the Jesuit College in New Orleans and finally he went to Georgetown College, of Washington, D. C.

Chief Justice White served in the Confederate army during the Civil war; practiced law among the people of Louisiana, and became a sugar planter on its lowlands. His ability and high character were recognized by the people in repeated commissions as a public official. In 1874, he was elected as senator in the Louisiana legislature. Four years later, he was appointed associate justice of the Supreme Court of the State.

In 1891 Mr. White became a national figure. A senatorial contest was waged in Louisiana, and he entered the race. He had managed the campaign of Governor Nichols for reelection and had been prominent in the reform element of Louisiana. He had fought vigorously in favor of the anti-lottery movement. The legislature finally chose him to succeed Senator Eustis.

Chief Justice White was in the Senate three years before he was elevated to the bench of the Supreme Court of the United States by President Cleveland, in 1894. During that period, he distinguished himself on two occasions. Once was in the debate on the Anti-Option Law, when Senator White made a profound legal argument against the constitutionality of the measure. The other occasion was during the struggle over the repeal of the Sherman Act, when he advocated the views that President Cleveland was known to entertain on the subject. His nomination for the bench ended a memorable contest in the Senate. Two New Yorkers had been nominated by President Cleveland, but both failed of confirmation. Throwing to the winds the custom which for eighty-eight years had kept a New York man on the bench, Mr. Cleveland named Senator White. He was confirmed within an hour.

Almost as unusual as his appointment as associate justice was his elevation to the chief justiceship. In 1910, when President Taft, besought by various factions of the Republican party to appoint first this man and then that, to succeed Chief Justice Fuller, the President boldly disregarded the custom regarding the selection of justices from his own party and that precedent frowning on the promotion of an associate justice to the chief justiceship, and sent to White. His nomination was confirmed by the Senate the nomination of Justice ed immediately.

WASHINGTON, May 19.—The funeral of Chief Justice White will be private from St. Matthews Catholic church Saturday.



EDWARD D. WHITE

Lane's Body Cremated And Ashes Scattered

CHICAGO, May 19.—The body of Franklin K. Lane was cremated here today. The ashes will be taken to the top of El Capitan Peak, Yosemite Valley, California, and scattered to the winds, in compliance with a request made by Mr. Lane before his death.

TRAINING CAMP FOR CIVILIANS

CAMP LEWIS, Wash., May 18.—Plans are being made by army officers here for two training camps scheduled for this summer. The first, an officers' training camp for college men, will open June 15, and the second, for civilians and members of the reserve officers' training corps, will probably start July 5. It is announced by Lieutenant Colonel W. H. Clendenin, in charge of the preliminary arrangements.

The work for college men will include a basic course and an advanced course, each continuing six weeks. Men who complete both courses will be eligible for examination for appointment as second lieutenants in the officers' reserve corps.

More than 200 college men are expected to take the courses, and applications have been received from the following institutions: University of Washington, 21; Washington State College, 22; Oregon Agricultural College, 37; University of Oregon, 21; Harvard Military School, Los Angeles, 41; University of California, 199; University of Idaho; Montana State College; University of Montana; University of Nevada; University of Wyoming and Agricultural College of Utah.

The exact date for the citizens' camp has not been set, but July 5 is the tentative opening. The course will last one month, and all reserve officers, all citizens between the ages of 18 and 35, are eligible. It is expected by army officers that next year the war department will make it compulsory for all reserve officers to attend the summer training camps, but this year attendance is optional.

Willamette And Columbia Are Up

PORTLAND, May 19.—The Columbia and Willamette rivers and other streams in the Columbia basin continued rising today, due to the rains and the melting snows in the foothills. The reports from La Grande say that 12,000 acres of hay, grain, alfalfa and pasture land are flooded near Union. Thousands of dollars damage has been done. The lower dock levels are flooded here, with the Willamette 17 feet. At the Dalles the Columbia is 35.5 today. The flood stage there is 40 feet. The reports from upper reaches indicate that the flood stage was probably reached Sunday. It was predicted that the Willamette will be 19.9 here Sunday.

Pair Get Life For Killing Son-in-Law

THOMPSON FALLS, Montana, May 19.—Mrs. Mena May McCully, convicted of murdering her son-in-law, Leon Richardson, and her husband, Fred McCully, who pleaded guilty last night to the charge of murdering Richardson, were sentenced today to life terms in the state penitentiary.

YEARLY REPORT OF THE C. OF C.

Wonderful Claims Are Made By President And Secretary of Civic Organization.

The annual meeting of the Chamber of Commerce was held last evening, the principal features of which being the report of the secretary and an entertainment by the children of the Central school. Following a "keynote speech" by the president, in which he pointed out what a wonderful organization the chamber was and what great things he and the secretary had accomplished, the children broke the monotony of the occasion by their entertainment. The children acquitted themselves very creditably. The next number on the program was the report of the secretary, in which the claims for accomplishing many things were set forth in detail. The epitomized accomplishments were:

According to the secretary the chamber is responsible for the Klamath County Automobile association, its road maps, road signs, promoted general travel improvement. It assisted the city in establishing the auto camp ground. Established a tourist bureau; is a member of the American Auto Association.

Collected a vast amount of information about freight rates; called a freight rate conference in this city, which was the most important on the coast, says the report.

Secured the free use of the plunge in the Hot Springs bath for the children of the city during vacation.

Recommended passage of the Market Commission bill; co-operated with its farm bureau work; gave prizes in calf club work; helped county fair work; co-operated in farm school week with the high school and farm bureau; working on financing dairy herds for farmers.

Investigated the telephone service and reported means of assisting to improve local conditions.

Aided in settling the controversy over Link river dam and securing the resumption of construction work thereon.

Secured larger and better quarters for the chamber, including a banquet and forum room, general offices, rest room, secretary's office and in all a small community center.

Placed Boy Scout movement on a solid basis, with five troops, five scoutmasters and summer camps planned.

Compiled data and made survey to find most suitable and workable form of city government. Report and form of charter not yet made.

Made survey of local conditions and recommended a Housing Corporation, resulting in formation of Home Builders company. Several homes already built or under construction.

Secured \$15,000 special appropriation from congress for Bureau (Continued to Page 5)

Stallion Recognizes Sound of Owner's Auto

SANTA BARBARA, Cal., May 18.—Uhlen, of the C. K. G. Billings stables, world's champion pacing stallion, is demonstrating here that at least one race horse has no hard feelings for the automobile.

The pacer, according to his keeper, can even differentiate between the sound of various motor cars, like an expert, and when he hears one machine passing by his stall Uhlan regularly begins a tattoo upon the walls around him until his gate is opened and he is released.

Mr. Billings admits he has "spoiled" his horse and cannot drive his car by the stables without this being "flagged." For in his car Billings invariably has a stock of sweets for the famous pacer and automobile spells candy for the horse.

Gold was discovered running 110 to the ton by a resident of Glendale, California, while he was excavating for a basement in a new residence.

SUIT WILL STOP RECLAMATION

States Attack Upon Title of the Marsters Tract to Be Productive of Serious Results.

If the State of Oregon maintains an arbitrary stand in its suit against A. C. Marsters, from whom it seeks to recover about 7,000 acres of marsh land near Fort Klamath, it will mean the suspension of reclamation operations on the Meadows drainage project this year. Steps have been taken to create a drainage district embracing about 30,000 acres, included in which is the land in question, the Weed tract and some other smaller parcels. All of the preliminary work had been done and the project is now in the hands of the state engineer to await his approval. If his approval is given, then the next step would be the issuance of bonds to pay for the reclamation work, and the project is such a good one that no difficulty was anticipated in disposing of the securities.

Now the state steps in and upsets all these calculations. When Doak and Brown purchased the land from Marsters he had been in undisputed possession of it for nearly eighteen years. His title seemed to be perfect, and their attorney, C. J. Ferguson, says the filing of the suit was the first intimation they had of any question as to the legality of the title. According to the complaint the state has had knowledge of the fraud since 1917 and has been working on the case since that time. The filing of the suit, the complaint states, was delayed on account of the difficulty experienced in locating those who, it alleges, purchased the land from the state under an agreement with Marsters to deed it over to him after they secured the patent.

Practically all of the main legal points involved in this suit have been passed upon by the United States Supreme Court in the Hyde-Benson suit, and if the state can prove its contention as to the agreement between Marsters and those taking up the land, the fact that he has been in undisputed possession for nearly two score years would not work against the state's right to the property.

Unless an agreement can be secured from the state whereby it will join in the formation of the Meadows drainage district in case it wins its suit, the completion of the district must wait the determination of the litigation or this land must be entirely eliminated from it and the money already spent towards its reclamation lost. Bonds cannot be issued until the acreage they cover is known.

Another question that will arise by reason of the suit is the validity of all state marsh land titles. Will it be necessary, in order to make marketable any bond issue, to prove there was no fraud from the inception of the process of acquiring title? Such a task would be a difficult one, if not entirely impossible.

American Legion Meeting Postponed

The meeting of the American Legion, scheduled for this evening, has been postponed on account of the inability of Edward J. Elvers, state adjutant, and the "flying squadron," of which he is head, to be here. The telegram received last evening from Mr. Elvers did not state when he would be here and no date can be set for a meeting until it is known he can be present.

Will Hold Luthern Services in Moose Hall

Rev. Mr. Mathias, pastor for the Lutheran church, announces that in future he will hold services at 10:30 each Sunday morning in the Moose Hall, instead of in the Eighth street Baptist church. By holding these services in the morning, he says, he will have the afternoon free to visit members who reside in the country and who are unable to come to the city for worship.

Taft Mentioned As White's Successor

WASHINGTON, May 19.—The choice of a successor to Chief Justice White was widely discussed here today. Although the speculation centered chiefly about the name of former President Taft, there were indications that President Harding was far from a decision and might find the selection difficult. Another name mentioned was that of Secretary of State Hughes, though his prominence in pending diplomatic exchange was suggested as a barrier. Some suggestions were made that Justice Day, of Ohio, or Justice Holmes, of Massachusetts, might be promoted.

URGE LIMITATION OF NAVAL ARMAMENT

CHICAGO, May 19.—Congress on the reduction of armaments, adopted a resolution urging President Harding to invite Great Britain and Japan to an immediate conference on the limitation of naval armaments.

ELKS OFFER FINE PRIZES

The Elks have gathered together a wonderful array of articles for the Western Night performance, the offering being greater than ever before given for any similar event. Following is a list with the name of the contributors:

- J. E. Bodge, \$20 pants pattern.
 - Houston & Phelps, \$10 grocery order.
 - Big Lakes Box Co., load of block wood.
 - O. Peyton & Co., load of block wood.
 - Standard Oil company, 50 gallon gas ticket, and one 10 gal. case gas.
 - Ewauna Box company, five loads
- (Continued to Page 5)

General Is Called a Dumb Guy By Rookie

CAMP LEWIS, Wash., May 18.—A "rookie" here called Maj. Gen. Charles H. Muir, commander of Camp Lewis, a "dumb guy" just before the general went to San Francisco to take temporary command of the Ninth Corps area, and got away with it. The circumstances have been revealed by officers here.

Gen. Muir was at work in his garden, garbed in overalls. "You in the army, too?" asked a John private, passing by and weighted down with the wisdom acquired from a month's service. The general nodded yes.

"You're pretty old to be in the army," continued the rookie. "Are you a sergeant?" "No," said the general. "Gee, if you have been in the army all this time and ain't even a sergeant, you must be some dumb guy," commanded the recruit.

Kerns Takes Agency For Moline Plow Co.

Announcement was made yesterday that J. W. Kerns has secured the distributing agency for Siskiyou county, California, and Klamath county, for the Moline Plow company and will carry a stock of implements and parts valued at \$25,000.

The securing of such an agency for this city means a great deal not only to the farmers but to the business development of the city. It means that instead of sending to Portland and San Francisco jobbers for Moline implements, they will be purchased here, saving much on freight due to local shipment. It means that it brings to the city another important factor to aid in the building here of a great jobbing center.

Mr. Kerns is known throughout the county as one of the progressive men of the community. With his brothers he built up the Keno power plant and distributed its power to a large section of the county and did much in bringing about the reclamation and irrigation of much valuable land. His entering the implement field as a jobber will prove equally advantageous to those interested.

BIG DEBT FACES PRESBYTERIANS

Many Problems Will Be Considered at 133rd Assembly Which Opened To- day.

WINONA LAKE, Ind., May 19.—The 133rd Conference of the Presbyterian General Assembly opened this morning.

Pacific coast Presbyteries criticize the Interchurch World Movement and this criticism finds expression in an overture presented to the Assembly today, calling for an investigation of all those Presbyterian board and agency secretaries who underwrite the Interchurch World Movement, to find out if they did so illegally, if it is found that their action was illegal, this overture asks that these secretaries be not further trusted with the administration of Presbyterian funds nor longer retained in their official positions, because of their effect on the confidence of the Presbyterian church.

Another overture affecting Presbyterian board secretaries calls upon General Assembly to instruct such secretaries and other paid officials of the Presbyterian church to turn into the board any honorariums they may have received for preaching or other outside work.

A Negro presbytery overture asks that the Presbyterian Board of Missions for Freedmen, Pittsburgh, Pa., which does work among the Negroes and operates some 400 schools for negroes, be given more funds with which to operate.

Another overture calls for a merger of the Presbyterian Board of Home Missions and the Presbyterian Board of Missions for Freedmen; while still another asks that the name of the Board of Missions for Freedmen be changed to one more in keeping with the work which it does.

The question of finances is expected to receive considerable attention, the General Assembly facing debts for the Presbyterian Church and its boards and agencies amounting to over \$1,500,000, most of which must be paid immediately. Plans are expected to be prepared at this assembly which will enable the Presbyterian Church to shortly be free of all financial obligations.

Nearly \$600,000 yet remains to be paid on the Underwriting of the Presbyterians on the Interchurch World Movement. The Presbyterian Church withdrew during its last General Assembly but without making adequate provision for meeting the \$1,000,000 indebtedness, the amount of its underwriting. No provision is made for this debt in the budget of \$12,000,000 prepared by the last Executive Commission of the Presbyterian Church.

The Presbyterian New Era Movement likewise has financial obligations amounting to \$500,000 and both the Presbyterian Board of Foreign Missions and the Presbyterian Board of Home Missions have large deficits incurred by advancing costs since pre-war days.

President Harding was cheered and the Commissioners from Presbyterian churches all over the country rose to their feet in homage to his office, when a message of greeting and inspiration from him was read by the Moderator, Dr. Samuel S. Palmer, of Columbus, O., at the opening session of the General Assembly of the Presbyterian Church in the U. S. A.

President Harding in his message said: "I am very glad, indeed, to express my interest in every such good work. Surely there is no intellectual and moral body in the country to which we may more confidently turn for wise assistance and sage guidance than to the Christian people who make up the body of our churches.

"Whatever may stimulate them to greater activity, and, I feel, to increasing recognition of the concern of Christian citizenship with the administration of our public affairs, must necessarily be of service to the Nation."

Seth Dixon, a Fort Klamath stockman, was in town yesterday on his way to Astoria.