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YOU BETTER BARGAINS

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PRICE FIVE CENTS

Survey Board Begins Hearings; Tule Lake Ranchers Are Heard

J. H. Carnahan, Attorney for Tule Lake Ranchers, Asks for Reduction in Exorbitant Government Charge of \$90 Per Acre

The farmers of the Klamath project are today taking their last stand in their fight for justice, for the restoration of their stolen property and for the adjudication of the cost of the irrigation works that has brought them to the brink of ruin. Seated in the circuit court room the Board of Survey and Adjustment this morning opened the hearing that will either clear up the various questions that have torn this county for the past fifteen years and more, or start them on their journey through the courts in an effort to secure the justice that the bureaucrats of the interior department have fought so strenuously to deny them.

The first question that came before the hearing this morning was the fight of the Tule lake homesteaders to secure a reduction of the charge of ninety dollars an acre against the Tule lake lands. J. H. Carnahan was there to carry on the fight that he has waged for these boys for so long and under such discouraging circumstances that it has been the wonder of many that he has continued it.

As the meeting was opened, Chairman Campbell briefly outlined the mode of procedure, stating that the entire hearing would be that there would be no oratory and strictly confined to the production of facts.

Attorney Carnahan immediately went straight to the point he has been contending for, that there have been too many charges allocated against the Tule lake lands. His first contention was that the charge of \$188,000, half the cost, for the construction of the Clear lake dam and reservoir should not be charged against the Tule lake lands.

It has been the contention of the Reclamation Service that this charge was necessary to guard against any cost that might be incurred by reason of an abnormal flow from Miller creek, the source of supply for Clear Lake. Carnahan submitted data showing the precipitation for the past twenty years and the rapidity with which the water in Tule lake receded. By this latter exhibit it was shown that no material recession occurred until after the construction of the Lost river drain. After the completion of the drain the process of reclamation was very rapid.

It was while this point was under discussion that there was a manifest disposition on the part of two members of the board to force Carnahan into a position where he would admit that the Clear Lake dam was a necessity and to pin him down to a concrete statement of what he believed the lands should pay.

It reached a point at one time when Chairman Campbell impatiently arose on the plea that he wished to smoke and left the room, when he was unable to get an admission from Carnahan that because the Tule Lake lands were reclaimed they should bear a like burden to the Langell Valley lands because they were irrigated.

Dadgered by both the chairman and Mr. Goodwin, the representative of the interior department, Carnahan clung tenaciously to his (Continued On Page Five)

RUM BLOCKADE HELD WASTE OF TREASURY FUND

Wets say 400 Ships Working to Stop One Per Cent of Supply

ERROR IS CHARGED

U. S. Would be Bankrupt if Law Enforced, Wet Adherents Declare

WASHINGTON, May 27. (A. P.)—The rum blockade is described in a statement published today by the association against the prohibition amendment as "a throwing away" of millions of dollars of the tax payers' money "to stop less than one per cent of the flow of liquor in the United States."

"Figures compiled by Dr. Rufus S. Tucker, special agent of the department of commerce, at the direction of the department, show that imported liquors to the value of \$40,000,000 were smuggled into the country in 1924," said the statement.

"He estimates that this value will be reduced by \$10,000,000 this year. Prohibition officials, basing their estimate on the report of William V. Linder, chemist of the prohibition unit, declares that the amount of illicit imported liquor in the country is less than one per cent of the total illicit booze supply."

"The recent much advertised rum blockade, resulting in the concentration of nearly 400 ships in a given area, convinces one that the dry officials are paying much more attention to the one per cent liquor source than the internal source, which supplies 99 per cent of the nation's thirst. It also would seem to prove that the cost of effective enforcement of prohibition throughout the country would undoubtedly bankrupt the United States treasury."

HANEY RE-APPOINTED

WASHINGTON, May 27.—(A. P.)—Bert E. Haney of Portland, Ore., was re-appointed a member of the shipping board today by President Coolidge.

Brooks-Scanlon Sawdust Pile At Bend Smothers Second Victim In Three Years; Dead When Found

BEND, Ore., May 27.—G. I. Stingle was smothered to death yesterday in the sawdust pile house of the Brooks-Scanlon Lumber company saw mill. He was the second man to lose his life within three years at the same place.

A third man was revived last winter after having been under the sawdust for 60 minutes. The job which Stingle held is considered one of the most dangerous in the mill, according to officials.

No one knew the man was under the sawdust and he was not missed for some time. When found phy-

sicians said he had been dead for an hour. He was 36 years old and a widower.

He is survived by two small children who are with their grandmother. He came to Bend from Westfall, Ore. An inquest will not be held.

SPOKANE, Wash., May 27.—While his brother, a fellow employee, stood by powerless to help, W. J. McDonald, 48, was smothered to death beneath 20 feet of sawdust in a bin at the Diamond Match company's plant here today.

WAY TO FACE GRAND JURY ON JUNE 15TH

Doctor's Opinion Murphy Was Struck With Blunt Instrument

Timothy Murphy, Klamath sheep operator, was buried this morning in St. Calvary cemetery following impressive funeral services held at Sacred Heart church at 9 a. m. The Rev. Father Williams delivered a stirring tribute honoring the dead man. The church was nearly filled.

And this morning, his alleged killer, Frank Way stands with a charge of first degree murder against him as the result of an inquest held at the county coroner's chamber yesterday afternoon.

Timothy Murphy came to his death from the blow of some instrument which fractured his skull, and that blow was delivered by Frank Way, was the verdict of the coroner's jury after deliberation of several minutes.

Way will be held in the county jail until the grand jury for the June term of court is chosen on June 15, when the jury will consider whether or not he should be indicted on the killing charge.

It was an instrument with a projection on the end of it that caused the fatal fracture on the left side of Murphy's skull, in the opinion of Dr. J. G. Patterson who testified at the inquest yesterday. The skull was not penetrated, it developed.

The fatal fracture was in a U shape with the legs of the U, one eighth of an inch long and with width of the U three eighths of an inch.

Severe Contusions
Dr. Patterson also testified that there was a contusion on the upper left forehead of Murphy, also a cut lip, a cut along the cheek and a severe abrasion one and one half inches from the crown of the head.

The physician recounted briefly the circumstances of the tragedy insofar as he was concerned and explained that the immediate cause of death was hemorrhage.

The most dramatic feature to the inquest was the testimony of Ben Murphy, brother of Timothy.

In a high pitched and almost hysterical voice, and in a broad Irish brogue, Ben Murphy told the coroner's jury what he knew of the circumstances which surrounded the death of his brother, Timothy.

Murphy's Story
He told of how he met his brother on his way from their sheep camp—The Arc—to Bly; of how his brother told of the fight with Way; and of his brother's subsequent collapse.

"About half past 10 that morning I see Tim coming riding a horse and leading another one," Murphy testified. "I see the blood on his face and I asked him what happened, and he says: 'Frank Way beat me up with a gun.' 'Why so did he beat you?' I says. He says 'It was all over that black sheep. He said the black sheep was his and I said he could not have her because she was ours.' I says, 'You ought to be man enough for Way.' 'How could I?' he says. 'He told me to hold my hands up and beat me over the head with a gun. I'm going to Bly for the sheriff and have him bound to the peace.' I say, 'There is no occasion for a sheriff on account of them few cuts.' 'Oh yes,' he says, 'I'm badly hurt.' I says, 'You ought to wash some of the blood off yourself.' So he went over to the lake and got off his horse and washed a little of the blood. He got on his horse and was riding towards Bly. He says to me, 'You had better take your rifle with you because Way is bringing the dry sheep and going to take a bunch of ewes and lambs instead. And,' he says, 'you had better cover him at a distance because if you leave him he'll pull that gun on you.' I says, 'Alright I'll watch out for him,' so I got my rifle out of the bed and I was walking along with him on the trail. He got off his horse and he sank to his knees and I went up to him and I says, 'Are you badly hurt?' and he says, 'Yes, I am.' So I says again, 'How did it happen?' He says, 'It was over that black sheep. He said she was his and I said he could not have her because she was ours, so he tells me to put my hands up and he beat me over the head with a gun.' 'Then he put his hands to his head and he says, 'God help us! God Almighty! I'm dying. He beat me (Continued on Page Two)

Memorial Day Program Given

Following is the Memorial day program, as announced this morning by Lion Nesmith and H. W. Batslany, in charge of arrangements:

- Order of march, Saturday, May 29, from Riverside avenue to the Pine Tree theater, beginning at 9:30 a. m. Immediately following exercises on the Link river bridge.
- 1. Marshall of the day (Captain O. C. Applegate).
- 2. Major Gail S. Newsome and Fred A. Baker, aides.
- 3. Flag carrier and color guards.
- 4. Grand Army of the Republic.
- 5. Spanish-American War Veterans.
- 6. Spanish-American War Veterans' auxiliary.
- 7. Klamath Falls Post No. 8, American Legion.
- 8. American Legion auxiliary.
- 9. Daughters of the American Revolution.
- 10. Boy Scouts.
- 11. Camp Fire Girls.
- 12. School Children.
- 13. Citizens in cars.

The order of the program in the theater is as follows:

- 1. Prayer, Arthur L. Rice.
- 2. Chamber of Commerce chorus.
- 3. Solo, Mrs. Marjorie McClure Olds.
- 4. Address, Senator Edward W. Miller.
- 5. Solo, E. E. Valente.

Mr. Knox, pipe organist of the Pine Tree theater, will render two selections, one at the beginning and one at the end of the exercises.

Harry Poole, manager, has donated the theater for this occasion. Fred A. Baker will preside. The entire arrangement is in the hands of Lion Nesmith and H. W. Batslany.

MINE BLAST TRAPS FIFTY IN CAROLINA

RALEIGH, N. C. May 27. (A. P.)—More than 50 men are entombed in the mine of the Carolina Coal company nine miles from Sanford, N. C., as the result of an explosion there today, an officer of the company told the Associated Press here this afternoon.

The fate of the men, he added, was undetermined and grave fears were felt for their safety. Most of the men are said to be white.

SANFORD, N. C. May 27.—None of the fifty or more men entombed by a gas explosion at the mine of the Carolina Coal company had been rescued at 3 o'clock. Howard Butler, surface foreman, with a group of aides, penetrated the shaft for a short distance. He reported that he saw six bodies. He could not, he said, tell whether the six men were dead or alive as he was driven back by a second explosion which sent out gas fumes that made further attempts to enter the shaft impossible.

GREENSBORO, N. C. May 27.—Messages received here this afternoon by the chief dispatcher of the Atlantic and Yadkin railroad company said six bodies had been recovered from the mine at Sanford.

ASSASSINS HANGED

SOFIA, Bulgaria, May 27.—Three of the leaders in the recent bombing of the Sveti Kral cathedral, in which 150 persons were killed, were hanged here today. The men executed were Zadgoriski, custodian of the cathedral, Friedman and Koef.

FALLS FIVE STORIES

SAN FRANCISCO, May 27.—Using a 15 foot plank for a parachute, Ralph Harth, a carpenter employed on a new building here, accidentally descended from the fifth story to the sidewalk today, unharmed, save for a slight shock.

Harth was pushing upward on the plank when he fell from the scaffolding. He held fast to the timber and the area it exposed to the wind broke his fall.

POLE FLIGHT FATE STILL IS MYSTERY

Sixth Day of Arctic Dash Brings no Word From Explorers

NEW YORK, May 27.—Today is the sixth since the Amundsen-Elsworth polar flying expedition hopped off for the North, and the whereabouts and welfare of the six adventurers remain as much of a mystery as ever.

As to what has befallen the party, there are several possibilities, but the truth can be for the present only a matter of conjecture.

Having reached the pole or its vicinity, the explorers may be spending some time in verifying their position and making the necessary records to prove their feat to the scientific world.

Again, they may have discovered a new land in the Arctic and be engaged at present in exploring it.

Another theory—and this is put forward by some who know the mettle of the discoverer of the south pole, is that he knew it would be impossible to fly back from the pole because of the damage likely to be suffered by the planes on landing; that the outward trip was made without mishap and that the members of the expedition, equipped with their hunting rifles, sleeping bags, folding boat and other aides, now are on their way back on foot across the ice which covers the northern seas.

The last possibility and one which admirers of the adventurous six hesitate to discuss, is that disaster has befallen the expedition—that one or both of the planes have crashed and few, or perhaps none of the explorers now survive.

There is much discussion about relief expeditions but Amundsen's friends in Norway declare this talk is premature. The explorer, they say, went prepared for all contingencies; he is fully capable of taking care of himself and his party, and he may be relied upon to turn up, sooner or later, at some outpost of civilization.

Statements made at the White House yesterday indicated that President Coolidge would sanction any plans formulated by the secretary of the navy for an American relief expedition.

Secretary Wilbur, questioning the use for that purpose the dirigibles Los Angeles and Shenandoah said the chances were remote.

Latest news from Oslo, Norway is that the weather at Kings Bay was more favorable last night than for some hours before.

LOS ANGELES, May 27. (AP)—Plans for a seaplane expedition to go to the relief of Roald Amundsen, polar explorer, which have been going forward here for several days under the direction of Haakon H. Hammer, who led the relief of Amundsen in 1913, have been halted on advice from Spitzbergen headquarters of the American-Norwegian expedition that such a program is premature. This announcement was made here today by Hammer.

Construction Of Iron Works Here To Begin Today

Authorization to commence construction immediately on the 44x100 plant of the Bend Iron Works on Spring street was received here today by the Concrete Pipe company, Jack Knowles, head of the concern announced. Unofficial announcement was carried in the Herald some time ago.

The plant will be located next to the new Associated Oil plant and will be of stone tile construction, the third such building in the block.

The Bend Iron Works does all blacksmithing for the Shelby-Hixon interests and decision to begin work at once is to point to activity on the part of that company in the near future.

LEE CRAFT ILL

Lee Craft, former city patrolman under Ex-Chief of Police George Humphrey, was operated on this afternoon at the Klamath General hospital. The operation was a major one, hospital authorities said, and Mr. Craft was severely ill.

Farcical "Expose" by Discharged Cops Is Held Dismal Failure

Hearing Does Little Except Establish Fact That Mayor and Chief Were Justified in Making Changes in Force

Ex-policeman Jack Argraves carried his suspension from the police force to the city council last night and after an amusing, if not illuminative hearing reminiscent of the Hotel Ray "kangaroo court," the council speedily adjourned without taking any action.

In explaining, under oath, the reasons for the dismissal of Argraves, Mayor Fred R. Goddard said he and Chief Loucks had switched the former policeman around several times in order to find, if possible his niche on the force. They had him first on the night shift, then on the day shift, finally on the motorcycle job, and in the end let him go because he didn't fit into the scheme of things.

STILL UNABLE TO PICK 12 MEN FOR SHEPHERD TRIAL

Robert White, Fugitive Witness, Believed Near Capture in New York

ANOTHER IS ARRESTED

J. J. Kelly Alleged to Have Forced White to Flee From Chicago Case

CHICAGO, Illinois, May 27.—Efforts today to raise twelve men willing to convict William Darling Shepherd on circumstantial evidence for the alleged murder of his millionaire foster son, William Nelson McClintock, continued to be the chief stumbling block in the selection of a jury.

The state's attorney expressed a belief that Robert White, sought as a witness against Shepherd, would be in custody in New York by night.

State's Attorney Crowe traced White to New York last night and expected his arrest there today. Meanwhile the formal arrest of James J. Kelly here last night turned the prosecutor's office into a buzzing hive of activity, around which Mr. Crowe threw a blanket of secrecy.

Kelly was named in a letter purported to have been written by White in Philadelphia last week which charged he had been forced to flee from Chicago.

Kelly admitted having been with White and Arthur E. Byrne, investigator for Shepherd, the night before White left the city.

"Kelly has told a lot," said Assistant States Attorney Joseph Savage after the sudden rush of activity had started, "but Mr. C. we has told me to say nothing."

Mr. Crowe's only announcement was that Kelly had made admissions that "implicated" White.

Amplification of this statement was refused. The prosecutor explained his reticence by saying the Shepherd defense had accused him of trying to "poison the public mind against them."

WASHINGTON, May 27.—(A. P.)—Former Vice President Thomas H. Marshall, who is ill here at the New Willard hotel, passed a good night and was described today as much improved.

Band Of Eight Robbers Besieges Town; Bank Safe Dynamited As Citizens Face Guns Of Party

KENTLAND, Ind., May 27.—Between eight and twelve robbers early today besieged the town of Brook near here, blew open the vault of the State Bank and escaped with \$2500. Kentland is the home of George Ade, humorist.

Telephone and telegraph wires leading out of the town were cut and the men proceeded in a leisurely manner to dynamite their way to the money. Frightened citizens were held at bay and were eye witnesses to the robbery.

Members of the band patrolled the various corners in the town, stopping at the point of weapons all citizens who ventured from the shops to investigate the five dynamite explosions that shook the place.