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## Evasion In Sale Of Power Rights Brought Out In Hearing Today

### J. H. Carnahan, Attorney for Farmers, Tells of Subterfuge Used to Mislead Members of District When Power Rights Sold

**Highlights in Today's Hearing**  
 District claims water users misled in ballot sent by directors concerning sale of Ankeney canal.  
 Carnahan admits notice of sale advertised.  
 District claims commission to investigate sale slipped in and out of Klamath Falls without allowing protesting parties knowledge of their presence.  
 District protests against local board selected to appraise cost of Ankeney canals.  
 District charges former board of directors with failing to act on initiative petition to consider purchase of canals.  
 District sets forth that appeal for delay in sale of canals disregarded by department of interior.  
 C. W. Eberlein reads telegrams sent to President Harding and Secretary Work protesting against confirmation of sale and asking for delay.

Voluminous testimony tending to set forth the contention of the Klamath Irrigation district that the sale of the Keno and Ankeney canals to the California Oregon Power company in the spring of 1923 was an injustice to the water users of the district, was introduced this morning before the board of Survey and Adjustment by J. H. Carnahan, attorney for the irrigation district.

The district, represented by its board of directors and attorney, as a background to its case, read last night a letter from Senator George Chamberlain to Secretary of the Interior Payne protesting against the ceding of power rights to any private interests. In the letter, Mr. Chamberlain stated that at the time the state legislature of 1906 ceded the Klamath lake and other lakes to the reclamation service, it was with the understanding that the water should be used for the use of the farmers in the irrigation districts and not for any private interests. At the time the state ceded the water rights to the government, Mr. Chamberlain was governor of Oregon.

He said that he knew positively that the legislature would not have ceded the rights to the reclamation service had they known that the government would sell out to a private individual. He also stated in the letter that he would have vetoed the bill, had he had any inkling that such was the case.

He urged the secretary of the interior to conduct a comprehensive investigation of the situation to see end that the contract with the California Oregon Power company be cancelled and justice be done to the water users of the government projects.

He expressed surprise at the attitude taken at that time by Herbert D. Newell, project manager of the Klamath project, toward the question—quoting Mr. Newell's attitude as being in favor of the sale of the canals to private interests.

Water users of the Klamath Irrigation district were not conversant with the stipulations of the sale, Mr. Carnahan claimed, and were misled by a straw ballot which was sent to them for the purported purpose of ascertaining whether or not the water users would be in favor of the Klamath Irrigation district, as an Oregon corporation, submitting a bid to the government for the Ankeney and Keno canals.

More particularly, Mr. Carnahan set forth that in the ballot it was

## Gold Hill Speed Trap Leads to Request City Be Isolated

PORTLAND, Ore., May 29.—Representatives of the Oregon state motor association yesterday afternoon asked the state highway commission to order a new highway built to cut Gold Hill off the Pacific highway so motorists may escape the speed trap which the association charged was maintained in that town. They said California motorists were threatening to boycott Southern Oregon because of the alleged speed trap.

William Doby, chairman of the commission, declared that if the action was demanded merely because of arrests for exceeding the speed limit he saw no reason for throwing away a bridge which cost \$20,000 and 2 3/5 miles of pavement which cost \$25,000 a mile.

The association promised to have its own engineer do some surveying and present data to the commission next month.

## DENIES TRY AT MILKING BANK FUND

### Ex-Governor Hart of Washington Fights Accusers

OLYMPIA, Wash., May 29.—Breaking the silence which he has rigidly maintained since it first became known that Forbes P. Haskell, Jr. and Guy E. Kelly had made affidavits charging him with an attempt at fee splitting in the liquidations of the Scandinavian-American Bank at Tacoma, former Governor Louis F. Hart made public a formal statement this morning.

The statement follows: "For several months I had been endeavoring to have the liquidation of the bank expedited.

"Sometime in October, 1924, I called on Mr. Kelly. He brought up the matter of fees. Mr. Kelly said he thought they ought to have six per cent of all the money handled, including several hundreds of thousands of dollars paid banks and bankers to release collateral security for money loaned the bank. This would be about \$210,000 to be divided between the liquidator and his lawyer. To this I protested and said 'My God, Kelly, with that a man could live for years and wouldn't have to hunt a job.' "He proceeded to tell me of the amount of work he had done and that another attorney had received nearly \$100,000 fees in other lines of litigation.

"Some days later Mr. Haskell and Mr. Kelly called at the governors office to have me change my attitude regarding their fee, and Mr. Haskell said: 'Mr. Kelly tells me that you want the bank's affairs closed up and that you desire a part of the fees.' To which I replied: 'I want the business closed up, but you can't pay me a damn cent.' "

PHILADELPHIA, May 29.—The second game today between New York and Philadelphia was called off on account of rain.

## Seven Dead in Rail Crash on Southern Road

### Two Trainmen, Five Negroes Die in Wreck

LONGVIEW, Texas, May 29.—Detachment of an International and Great Northern passenger train two miles southwest of here last night resulted fatally for the two engine-men and at least five negro passengers.

Nearly a score of persons were injured and some of them may die. Running late the train, known as the Sunshine Special, number 3, rounded a curve and left the rails. The engine and three coaches tumbled to the bottom of the steep embankment. The dead: Leo Tarbuton, 55, Palestine, engineer.

F. H. Griffith, 37, Palestine, fireman.  
 Four negro men.  
 One negro woman.  
 The negro coach being at the front of the train felt the worst effects of the crash.

### GETS APPOINTMENT

WASHINGTON, May 29. (A. P.)—Formal announcement that Chas. C. Hart of Washington state, correspondent for various newspapers in the northwest, had been appointed minister to Albania, was made today at the White House.

### ASK AMUNDSEN AID

SEATTLE, May 29.—Mayor Maynard of Nome, Alaska, radio-telegraphed the Associated Press here today suggesting that the United States send the veteran coast guard cutter Bear to answer the question "Did Rould Amundsen fly to Alaska?"

## Physician Gets 5 Years On Charge Of White Slavery

PORTLAND, Ore., May 29.—Dr. Frank C. Hart, Portland physician, was today sentenced to McNeil Island penitentiary for five years and fined \$5,000 by Federal Judge Bean, following Hart's recent conviction of violation of the Mann Act. Hart's attorney said he would appeal. Hart's conviction resulted from charges made by Miss Bertha Keller, a former patient.

### AID ASKED

WASHINGTON, May 29. (A. P.)—Telegrams requesting the support of governors of all the states and corps area commanders in "a second defense test on July 4, 1925," were sent out today by Acting Secretary of War Dwight Davis.

## PREJUDICE RULE WILL BE TESTED

### Supreme Court to Pass Upon Bramwell Case

SALEM, May 29.—In the contempt of court proceedings of the state against Frank C. Bramwell, state superintendent of banks, in which Bramwell, through his attorney, Sidney Graham of Portland, renewed his affidavit of prejudice against Judge L. H. McMahan, the judge today denied the motion for transfer of the case to another judge. Bramwell's attorney immediately filed a demurrer which was overruled by McMahan. The next step will be an answer from Bramwell, and without doubt an order of contempt by McMahan against Bramwell with imposition of penalty. From this Bramwell will appeal to the supreme court and in that manner the constitutionality of the law providing for affidavits of prejudice against judges will be tested.

## 40 WIDOWS RESULT OF HOLOCAUST

### 28 Bodies Recovered in North Carolina Disaster

COAL GLEN, N. C., May 29.—(A. P.)—The bodies of 28 victims today had been recovered from the Carolina Coal company mine in which a series of explosions entombed 52 miners early Wednesday. Four others were located, to be brought out later. As relief workers continued their work of bringing the bodies of their former friends to the surface relief agencies of the nation were making an effort to relieve the families of those who perished in the mine.

Unofficial estimates by mine officials placed the number of such victims at 40 widows and 75 orphans. For the most part, they said, these families were entirely dependent upon the earnings of their fathers, sons and brothers who died in the mine.

Those who survived the explosion, it was pointed out, died afterwards from after-damp. The majority of the bodies recovered bore evidence of its part in their death.

## Today's Scores

American at Philadelphia: first game.  
 New York ..... 4 10 1  
 Philadelphia ..... 6 10 0  
 Hoyt and Schang; Rbmmel and Cochran.

New York, May 29.—Philadelphia New York National, postponed; rain.

YESTERDAY'S RESULTS  
 At Portland-Los Angeles no game.  
 At Oakland 0, Sacramento 2.  
 At Vernon 9, Salt Lake 7.  
 At Seattle 3, San Francisco 6.

## Girls To Rival In Sale Here Of Memorial Poppies

Mingling with the Memorial through tomorrow will be girls who have volunteered to assist the American Legion buddies in the sale of the Memorial Poppies that will go toward the assistance of the disabled veterans in the hospitals throughout the United States.

Early in the month Bill Canton asked the girls of the Tri S club to assist in the dispensation of the poppies. The girls responded readily. Then John Glover of the First National bank speaks up in Legion meeting and announces that the Jinkers of the bank would like to show the Tri S girls how it is done. So in the morning hours the first group will sell the flowers to the throngs assembled for the program, while in the afternoon the Jinkers of the bank will hang the baskets around their shoulders and dispense the remainder of the 1500 flowers. According to Bill Canton, who with Fen Waite is in charge of the sale, it is the hope of the Legion to have all the poppies sold so that it will not be necessary to have the girls on the streets in the evening.

Girls of the Tri S club are Betty Ramsby, Evelyn Amicko, Addie Jenkins, Thirza Anderson, Ruth Christy, Alice Miller, Leatha Simmonds, Marjorie Prims, Honore Moore, Frances West, Marion West, Greta Madison, Joan Thompson, Violet Darling, Helen Anderson and Lois Bynon.

Members of the Jinkers club are Ruth Lindsey, Stella Setzer, Joe Upp, Kathryn Doty, Inez Jenkins, Constance Crystal, Sybil Hamber, Mrs. Gertrude Moore.

### NAVY HAS OIL PLAN

NEWPORT, R. I., May 29. (A. P.) The navy department already has made plans to administer the naval oil reserves in view of such decision as was rendered by the federal court in Los Angeles yesterday, declaring void the Elk Hills leases and contracts to the Doheny oil interests, secretary of the navy Willbur said today.

## UNDSSEN EXPECTED LONG STAY

### Find Now He Intended To Be Gone Two Weeks

BERLIN, May 29. (A. P.)—Dr. Fridtjof Nansen, the Arctic explorer who is visiting here, expressed his belief today that Amundsen would return safely from his flying expedition to the North Pole.

Dr. Nansen said it would be impossible for Amundsen to determine from the air whether he was at the pole. Therefore he believes Amundsen landed whenever he thought he was near the pole and then took observations, this would require some time and thereafter it would be necessary for the party to journey afoot to the pole, where Amundsen undoubtedly would take sufficient time for careful measurements and investigations. Therefore, Dr. Nansen there is no occasion for worry because Amundsen has not returned. Dr. Nansen will discuss with Dr. Hugo Eckener, head of the Zeppelin works the feasibility of exploring Arctic regions with the aid of rigid airships.

NEW YORK, May 29.—(A. P.)—Fear for the safety of Captain Rould Amundsen and his five fellow explorers has been somewhat allayed by the revelation that he allotted two weeks for completion of the expedition to the North Pole and return.

Today marks the beginning of the second week since the two airplanes, one commanded by Amundsen and the other by the American, Lincoln Ellsworth, left Kings Bay, Spitzbergen, for the north.

The Norwegian Aeronautic association, through its headquarters at Oslo, made known last night that Amundsen's final instructions to his supporting section aboard the steamers Farm and Hobby were that these ships should patrol the edge of the ice field in event the planes did not return within a fortnight.

The association has asked the Norwegian government to provide two naval planes to aid in the task of watching for the homecomers. It also requested permission for the government's loan of the Farm, which is a naval transport.

Donald B. MacMillan, head of the all-American expedition soon to leave for the Arctic, is being requested to be on the look-out around Cape Columbia, this being one of the points for which Amundsen and his comrades probably would head in the event their planes were disabled.

Gretfr Algarsson, who has been preparing in England for a polar flight in an airship, is so convinced that Amundsen is in difficulty that he is considering abandonment of his own plans. He announced at Liverpool last night he was negotiating for the purchase of an airplane to be used in a possible rescue attempt.

### 50 REBELS EXECUTED

PESHAWAR, British India, May 29. (AP)—Further details were received here today of the recent executions of 56 rebels near Kabul, Afghanistan, the Emir of the Khost district of Afghanistan, where the rebellion occurred held a full Durbar, or native celebration for the occasion. The condemned men were led out and shot in the presence of a great crowd gathered from all the district.

# COPCO INTERESTS GUARDED

## Efforts Made By Coffey to Find Loophole

### Bradbury, Carnahan Present Strong Case

The meeting of the Board of Survey and Adjustment, which is holding hearings in the circuit court room for the purpose of forming a basis of adjustment of the difficulties arising in the Klamath project, continued its hearings yesterday. R. E. Bradbury, president of the Klamath Irrigation district took up his formal statement and read it into the record, discussing various features of it as he proceeded.

### Power Company Guarded

One of the remarkable features of the hearing throughout yesterday was the remarkable facility with which the reclamation officials and attorneys sprang to the defense of the Power company. Were they on the highly paid staff of the corporation, they could not have watched with greater care and jealousy the welfare of this corporation.

If anyone appearing for the farmers became confused or at a loss to meet some of the intricate problems arising, the silence of the tomb enshrouded the men whose bread and butter are paid for by the sweat and labor of the unfortunate victims of reclamation mismanagement. But let one lota of suspicion be cast in the direction of the power company and there was a marshalling of forces and immediate defense.

This was noticeable during Bradbury's discussion of his statement when it appeared that he had the power company at a disadvantage over the Ankeny canal.

### Coffey Finds Loophole

Attorney Coffey, who is presumed to look after the legal welfare of the Klamath project, pointed out to the Board one of the many legal jokers the governmental tricksters have slipped into the various contracts that the farmers have been swindled into accepting, wherein the Ankeny canal was excepted from the provisions of the particular contract adopted in 1918.

Again was it noticeable when Attorney Holgate was galvanized into activity after days of laconic desuetude, when he sought to make it appear that the provision in the Power company's contract with the government, whereby it was especially reserved that it carried with it no water rights, was an act of protection of the people's rights especially exercised to prevent their being plundered by this particular corporation pet of the interior department.

### Holgate Attempt Failure

He failed, however, as Mr. Bradbury aptly pointed out that the reason the provision was inserted was an act of congress of February 25, 1920, which forbids such sale without the consent of the water users, that it shall not be sold if it should injure the project and the proceeds from the sale shall be turned into the project.

As matters now stand, there is no sale, just a free gift, for the power company is getting the full use of half of the available water supply without it costing it a cent and if the present policy of the interior department is continued it will enjoy the privilege ad infinitum.

Thus it is that the hand that feeds is bitten.

Bradbury Plea Forceful  
 Bradbury made a masterful presentation of the farmers claim that the sale of the power sites was wrongfully made. He also took up the allocation of costs, a question so involved that only close study and expert knowledge would enable a person to follow it closely. In

## Germany Said to Be Paying Her War Bill

### Reparations Commission Makes Favorable Report

PARIS, May 29.—The reparations commissions officially announced today that Germany is faithfully fulfilling her reparations engagements under the Dawes plan.

The meeting of the council of ambassadors tomorrow is expected to consider the note of the allies to Germany regarding the latter's disarmament under the Versailles peace treaty.

It is understood this note will inform Germany that inasmuch as all conditions of that treaty have not been faithfully executed, the ill-occupied of the Cologne zone must continue. Opinion here is that a note will be sent to Germany sometime next week.

The commission, after a short exchange of views among its members replied: "The answer is in the affirmative."

### THREE HURT

DECATUR, Ill., May 29.—Three persons were injured when a north bound Wabash passenger train hit a broken rail near Forest today and two Pullman coaches turned on their sides.

### POSTPONE BOATS

NEW YORK, May 29. (A. P.)—Promoters of the Milk Fund boats scheduled to be held in the Yankee Stadium today announced their postponement this afternoon until tomorrow night because of rain.

NEW YORK, May 29.—The actual condition of clearing house banks and trust companies for the week shows excess reserves of \$42,404,320.

## County Court Lets Contract for Cruising

### Commissioners Fail to Advertise for Bids for County Work

Twenty-five thousand more acres of timber, making 100,000 acres in all, will be cruised by the firm of Edgar & Cullison of Portland according to official announcement today.

Contract for the additional cruising has been let and the timber cruising firm will continue with the extra 25,000 acres as soon as the original 75,000 is completed, it was said.

The same price, 20 cents an acre, will be charged for the additional contract.

As was the case in the original contract, the county court did not advertise for bids on the job, it was learned.

PITTSBURGH, Pa., May 29.—(A. P.)—Rogers Hornsby, St. Louis slugger, hit his tenth home run of the season today.

## Conscientious Thief Steals 50 Chances on Punchboard

ROSEBURG, Ore., May 29.—The thief who last night entered the Neas restaurant at Oakland at least believed in taking a chance, even if he did assure himself of a sure thing.

The restaurant management made a large punch board, offering cigarettes, flashlights and knives as prizes, with a rifle as a grand prize. Last night some unknown person entered the restaura-

nt and proceeded to punch out 50 chances on the punch board, taking such prizes as corresponded to the number punched out.

When the grand prize was won, the beginner apparently satisfied, left the remainder of the awards untouched. A small car belonging to N. E. Moyer of Gold Hill was also stolen from Oakland, and officers believe the same party to be guilty of both crimes.