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PRICE FIVE CENTS

FISH AND GAME SPONSORS URGE STATE CONTROL

Senators Told that Federal Interference not Wanted in Oregon

PRAISE DIAMOND LAKE Is Declared Greatest Egg Taking Station in State of Oregon

PORTLAND, Ore., Sept. 9.—Opposition to interference by the federal government with state control of fish and game was voiced before the United States senate public lands, sub-committee here at a conclusion of the use of public domain. Assertion was also made that Diamond Lake, which is in the Umpqua national forest, should be given to the state of Oregon and should not be made a part of Crater Lake National park.

H. H. Clifford of Canyon City, chairman of the state game commission, and A. E. Burgdoff, former state game warden, both expressed their views.

Clifford declared that "The people of Oregon are opposed to any further encroachment by the federal government on our game control."

Regarding Diamond Lake, which is in the Umpqua national forest, Clifford stated "The inclusion of this lake into a national park precludes the state from having any control over its fishing or game. Fourteen years ago there was not a fish in this lake, now it is the finest fishing lake in Oregon, made so solely through work of stocking it by the work of the Oregon fish and game commission.

Great Egg Station
"It is the greatest egg taking body of water in the state, and should be kept by the state for this purpose. Through eggs chiefly secured in this lake, Oregon now has more fish in its lake and streams than when the white man first came to this country."

"Oregon has the most effective fish and game laws of any western state. Our deer are on the increase—we have a very abundant supply. The game law violations in Oregon are down to a minimum, the people realizing that our wild animal life is one of our greatest assets for tourists and for our own sportsmen."

Burgdoff speaking, he said, for the sportsmen of the state, denounced the proposal to make Diamond Lake district a part of Crater Lake National park.

History of Lake
He detailed the history of fish planting in Diamond Lake for egg taking purposes and said that now some 20,000,000 rainbow trout eggs valued at about \$40,000 are taken from the lake annually. This summer, he said, was enough to keep stocked every lake and stream in the entire national forest groups in this state.

Burgdoff stated there are very few lakes in the Cascades that can be used for spawning purposes, and that Diamond Lake is the best one for trout on the coast. He told of the efforts made by Stephen A. Mather, director of national parks, to hinder the egg taking operations at the lake, in order to aid his plans in getting Diamond Lake into Crater Lake National forest, these efforts being made through the forestry service.

Mather Too Greedy
"Mr. Mather is not satisfied with having control of the national parks here, but wants the national forest control as well," remarked Senator Ralph H. Cameron of Arizona, one of the committee members.

The game warden said Diamond Lake draws more fishermen to Oregon than any other body of water in the state, and that each summer there are more foreign cars at the lake than Oregon ones.

HOLD PUGILIST AS BANK BANDIT

ASTORIA, Ore., Sept. 9.—Clyde (Whitney) Watson, ex-prize fighter and alleged deserter from the navy, was arrested at the Big Creek logging camp near here late yesterday by detectives, who stated that he had been positively identified as one of the four men who robbed the state bank of Aurora, at Aurora, Oregon, on October 29, 1924.

Vets' Bureau Shows Saving Of Large Sum

Director Hines Returns Nearly \$60,000,000 To Treasury

WASHINGTON, Sept. 9. (AP)—By cutting down expenses all along the line, the veterans' bureau, which has required nearly half a billion dollars to operate in the last few years, returned to the treasury \$59,701,000 of its appropriation of \$181,957,898 for the fiscal year ending June 30, last.

The saving, a detailed report of which has just been made to Director Lord of the budget, by Frank T. Hines, director of the bureau, was made despite an increase in compensation payments for disability, and death benefits from \$115,494,991 for the fiscal year 1924-25 to \$129,597,457 last year. The increase of more than \$14,000,000 was due largely to liberalization provisions of the world war veterans act of last year.

Many Parties Out To Shoot Deer In Morn

Opening Day of Hunting Season Is Tomorrow

Red capped and red shirted hunters with rifles tensely clutched may be seen stealthily making their way under the tall pines of Klamath tomorrow morning, for tomorrow marks the first day of the deer season.

Scores of Klamath hunters are on their way to the hunting grounds and this afternoon will establish headquarters camps from which they will venture into the hidden lairs of the deer.

From reports from different sections, it appears that most of the hunters will seek the black tail deer on the western slopes of the Cascade mountains. Until snow or cold weather, it is said that the mule deer in the eastern part of the county will range the mountain tops.

That there is an abundance of game is the general report from forest rangers and homesteaders who reside in the hunting sections.

Charge of Heresy Is Proven False

LANSING, Mich., Sept. 9. (AP)—Rev. William H. Phelps, editor of the Michigan Christian Advocate, was exonerated of the charges of heresy preferred against him by the Rev. Levi Bird, of Port Sanilac, Mich., by the investigating committee of the Michigan Methodist Episcopal church here today.

Shippers United for Higher Rates

CHICAGO, Sept. 9. (AP)—Shippers of the southwest today served notice through Judge S. H. Cowan, of Fort Worth, Texas, that they would act as a unit in the hearing on the western railroad petition for a five per cent increase in rates. Judge Cowan, in making the announcement to Chairman Clyde B. Atchison, of the Interstate commerce commission, who is hearing the testimony, asked the right for the shippers to do their own cross examining of witnesses.

Cowan said that the southwestern shippers were represented here by 30 of their number.

Big Liquor Cargo Seized by Police

PENDLETON, Ore., Sept. 9.—An auto load of liquor was seized late yesterday afternoon about 12 miles northwest of Pendleton and three persons who were with the booze car were arrested. The trio, Mr. and Mrs. Ray Morgan and Tom Allen, gave their home address as Soap Lake, Wash. The capture was effected by a deputy sheriff and a deputy state agent under the direction of State Agent Hopkins. Seventeen cases of beer, gin and whiskey were seized by the officers.

WORLD WAR VET ROBBED BY MAN HE BEFRIENDED

David G. Joyce, Feeble ex-Soldier, Loses His Cash and Motor Car

IS IN SERIOUS PLIGHT Enroute South in Search of Health, He is Now Without Finances

EUGENE, Ore., Sept. 9.—Because of the trust he placed in a buddy whom he believed to be a veteran of the world war, David G. Joyce, recently of the U. S. Veterans hospital at Boise, Idaho, is in Cottage Grove without money and with practically all his property stolen.

He had been in the hospital at Boise since the days of the war, taking treatment there. He failed to improve, however, and out of his compensation he saved enough to buy himself a second hand car. He started for California, hoping that a change in climate might prove beneficial.

Picks up Stranger
His trip was uneventful until 3 miles north of Eugene, when he picked up a hiker along the highway. In Eugene they ate and Joyce paid for both. He wanted to stay in Eugene for the night, but his companion, whose name Joyce never learned, insisted that they drive on.

South of Eugene the unknown "Buddy" jammed a revolver in Joyce's ribs and threatened to kill him unless he obeyed instructions. The man Joyce had befriended robbed him of his car, the \$27.50 in cash he had saved, and a gold watch valued at \$45. He then pitched Joyce out of the car on his head, and drove the car southward.

Seeks Highwayman
Joyce walked on into Cottage Grove and was practically exhausted when he reached there. He notified officers, who are seeking a trace of the highwayman.

The robbery occurred last evening, between 8:30 and 9 o'clock.

The robber is dressed in light wool trousers, a dark coat, a dark blue shirt and a light cap. He is about 5 feet 8 inches in height, and weighs about 160 pounds. The stolen car is a 1923 model Dodge coupe, with five new cord tires.

Drowning Mystery Is Near Solution

PORTLAND, Ore., Sept. 9. (AP)—The coroner's office announced today belief that it had solved the mystery of the finding of the body of a man in the Willamette river August 22, in partial identification of the body as that of O. M. Bliss of Bridal Veil, Ore. Officers expressed the belief that he had ended his life in despondence because he faced manslaughter charges growing out of the death of Mrs. Kate Garlinghouse, June 21. Police charged Bliss struck the woman on the street in Portland driving a car while under the influence of liquor.

Wool Growers to Offer Testimony

PENDLETON, Ore., Sept. 9.—The Oregon Wool Growers' association is meeting here today to determine what nature of testimony shall be submitted to the sub-committee of the United States senate that will conduct a public lands hearing here Thursday and Friday. The hearing will take the testimony of the association plus that of a number of individual cattle and sheep men who will be here for the hearing.

Hoof and Mouth Disease Spreads

HOUSTON, Tex., Sept. 9. (AP)—Officials of the hoof and mouth quarantine faced more work today as a result of a new outbreak of the disease yesterday on the Milk Dairy farm, near here, involving eighty head of cattle.

More than 80,000 cattle have been killed and burned in the fight on the hoof and mouth disease so far, and officers expect that from 200 to 400 more will be killed.

Lyle Favors Common User Within City

Councilman Candidate Sets Forth His Views

More railroads are needed in Klamath Falls, and the common user clause should be inserted in all franchises within the city limits as a means of encouraging new roads to this city.

This is the major plank in the platform of A. J. Lyle, whose formal statement to the second ward voters was announced today. Mr. Lyle is one of the avowed candidates for councilman at the special election to be called.

His statement to the second ward voters follows:

TO THE VOTERS IN THE SECOND WARD—
In making this statement I am giving you my views on the different departments of our City Government, and attempting, in a short space, to outline a platform for my candidacy.

Klamath Falls is destined to become the second city in Oregon and it is up to the citizens of this city to see that no hindrance is placed in the way of its future development.

The timber and agricultural resources must be marketed to the best advantage and the greatest development of a community comes from transportation and increased railroad facilities. I believe in encouraging any railroad development in Klamath county and, if common user will hasten this development or increase the facilities of transportation for Klamath Falls and surrounding community, it is proper to permit competing railroads to have common user terminals facilities, or, if necessary, rights of way over other railroads, within the corporate limits of the city.

Every person, whether an office holder, office seeker or citizen, should be interested in protecting the rights and interests of the city and it should be the duty of every city official to see that the inherent property interests of the city will not be sold or conveyed away without adequate protection and consideration for the rights of the people.

The city has voted bonds for a railroad that may become a part of a great system. It is now the duty of the city to get the return of that money.

The record of the Fire Department gives the citizens confidence in its efficiency and it is entitled to receive every encouragement from the city officials and general public.

Police Department
Klamath Falls is no longer a small town. We are growing and our Police Department should grow with it. When we were small and the children knew the police officers, I favored plain clothes, but today with the growth and the traffic that is coming into our city, it is essential that the officers should be uniformed.

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Senator Upton Says Too Much 'Buck' Passing

Too Many Knockers And Not Enough Boosters Here

"We are a generation of buck-passing knockers and crepe-hangers, who lack some of the faith and vision and optimism of our fathers, who started this great empire."

This was the way Jay Upton, state senator, explained Oregon's lack of substantial growth, in addressing the chamber of commerce forum today noon.

"We have room here for a million more homes," he continued. "What we need is to hang up the crepe, quit passing the buck, and everybody getting out and boosting for this great empire."

The individual, he said, leaves it to the local chamber of commerce to do the boosting, and that organization leaves it to the state chamber of commerce. There's a woeful lack of concerted effort and cooperation all along the line.

Miss Dorothy Elliott sang three delightful solos, accompanied by Mrs. Don J. Zumwalt, W. O. Smith president.

CITY BOUNDARY EXPANDED; MORE ACREAGE ADDED

Council Approves Dixon addition Number 2, in Eastern Section

PROPOSED BY K. D. Aldermen Oppose Resignation of Dr. E. D. Lamb as Health Officer

Klamath Falls, conceded to be the fastest growing municipality in Oregon, awoke this morning to the realization that it had added approximately 13 acres to its present boundaries.

Expansion of the eastern boundary was due to the passage by the city council last night of an ordinance creating a Dixon addition No. 2 and extending the boundary east of town to include the addition.

The new addition was proposed by the Klamath Development and was at first opposed. Effective arguments by the land company prevailed and the passage of the ordinance resulted.

Oppose Lamb Resignation
Dr. E. D. Lamb will not resign as deputy state dairy and food commissioner with the approval of the city council. This much became certain last night when the city fathers refused to accept Dr. Lamb's resignation.

"For some reason Dr. Lamb has failed to secure cooperation of the police department," Councilman Coffey advanced. "Under the old administration dairy inspections were conducted without trouble."

"It takes a man experienced in sanitary work," Mayor Goddard suggested. "Why not pay Dr. Lamb out of city funds, in order that he may conduct the dairy surveys personally?"

At all events the health and sanitation committee will wait upon Dr. Lamb in the near future and ask him to reconsider his resignation.

Want Sewer Extension
That they will extend the sewer system to a point where it will tap their lots in block 303 Darrow addition, was the proposition submitted to the city council last night, by the Realty firm of Chilcote and Smith. The council gladly approved of the move of the local firm.

Klamath Falls will soon be served by a larger and better fire station if the efforts of the council meet with success. Decision to investigate sites for a new station was made last night and Chief Ambrose was given instructions to report to the council on a new station. A piece of land in Nichols addition was suggested for the new station. Chief Ambrose this morning favored the Moose hall building which will soon be vacated by the Dodge garage.

Allow Spur Extension
If the Southern Pacific would want to build a spur along Ewauna lake, they would have to parallel the spur extension he is to build for lumber companies, F. Hill Hunter, owner of the Sawmill Engineering and Construction company, assured the city council last night. The council granted a resolution giving Hunter the right to construct the spur which will lead from the Ewauna Box company north along the shore of Lake Ewauna to Payne alley and Klamath avenue and which will serve lumber concerns.

Keith Ambrose, fire chief, was appropriated \$150 as expense money to the convention of Pacific Coast fire chiefs in Seattle.

CITY'S PROTEST ON RAIL GRANT REACHES SALEM

SALEM, Ore., Sept. 9.—The city of Klamath Falls, through its mayor, has protested to the public service commission against an application of the Oregon, California and Eastern Railway company, known as the Strahorn line, to cross Sixth street at grade in Klamath Falls. Should it be allowed, it is averred that the common user privilege should be allowed other lines and the crossing should be either overhead or underground, instead of at grade.

MEDFORD, Ore., Sept. 9.—Contracts have been awarded for the construction of a new high school building, at a cost of \$151,000.

Way Murder Trial Well Under Way; Issues Are Lucidly Outlined Today

Famous Black Sheep Case in the Devil's Garden Country To Be Fought To Finish Before Judge A. L. Leavitt; Jury is Chosen

Was the death of Timothy Murphy, sheep operator, caused by a fall in a fair fist fight over a black sheep, with George F. Way, in the Devil's Garden country, May 23, or by a blow from a pistol wielded by Way?

From opening statements in the Way murder trial this morning and from testimony elicited from the first four state witnesses, this is the question that the 12 men comprising the jury in the case must answer when they retire to the jury room at the end of the trial.

In his opening statement, Jay Upton, defense counsel, told the jury that the defense of the state hinged on the fist fight theory. Murphy and Way engaged in a fight over the ownership of a black sheep, the defense will attempt to prove, and in a fall incurred during the fight, Murphy sustained the skull fracture which caused his death some 30 hours later.

Court Rejects All Offers On Midland Road

Plan To Undertake Part of Work With Dredger

Because they believed the offers were too high and because they felt that use of the county dredger would bring a saving of approximately \$5000, members of the county court rejected all bids on the Midland market road grading project, which were opened last week.

Five bids, those of J. B. Reed, the lowest bidder, J. A. Maddox, H. F. Vicory, W. D. Miller and Stebbins and Rocco, were returned and today the county court authorized advertisement for new bids with revised specifications.

The saving that the court believes can be effected will be to use the county dredger on the low swamp ground. This work can be accomplished at a cost not exceeding 10 cents a yard, whereas the lowest bid by the contractors was 23 cents a yard.

The new specifications will call for grading of a shorter section of the Midland market road, than at first contemplated.

Miner Held In Stabbing Fray

BAKER, Ore., Sept. 9.—Charges of manslaughter have been filed against Dave Arthur, well known mining man, as the result of the death of G. C. Tucker, who, it is charged, was stabbed by Arthur at the Mother Lode mine.

Tucker was alleged to have attacked Arthur when Arthur discharged him. Arthur struck Tucker with the sharp point of a miner's lamp.

Fishing Boat Is Total Loss

SAN PEDRO, Calif., Sept. 9. (AP)—The motor fishing boat Cortez burned off the water's edge and sand three miles outside the breakwater here last night and its sole occupant escaped, severely burned, in a dory. The loss was estimated at \$1500.

No More Bodies Found in Debris

WENATCHEE, Wash., Sept. 9.—No more bodies have been found in the debris at the Great Northern Terminal at Appleyard, swept by a flood resulting from a cloud burst in the mountains on Saturday. It was announced today. Three steam shovels and a large crew of men are working night and day to clear up the wreckage. Four persons are known to be missing.

There was not any fist fight, the state will undertake to prove, and Murphy came to his death by a murderous assault by Way in which Way holding up Murphy with a gun, then proceeded to beat him into unconsciousness with a heavy revolver which he admitted he was carrying at the time of the fight.

Sheriff Burt Hawkins testified that the ground around the scene of the two alleged fist fights between Way and Murphy revealed practically no rocks which would cause a skull fracture in case of a fall. He admitted on cross examination, however, to seeing several rocks the size of hen's eggs.

Gives up Lueger
He arrested Way, he testified, on the night of May 25 in Paradise valley at Way's sheep camp. At that time Way willingly delivered to the sheriff his Lueger pistol. The butt of the gun was shipped, but Way had told the sheriff that the piece was broken off during shipment to him.

Way freely admitted at the time of his arrest that he was carrying the gun at the time of the altercation with Murphy, that morning. A small piece of the section clipped off the revolver which was confiscated by the sheriff, could not be located.

Didn't See Fists
C. F. Stone, one of the defense lawyers, attempted to bring out in cross-examination Hawkins, that Way had shown his fists which were marked by bruises and lacerations, indicating that he had been in a fist fight, but the sheriff steadfastly denied having observed any lacerations of the fist.

A final question from Horace Manning, special state prosecutor, revealed that when Hawkins had asked Way in the county jail to take off his ring, he had observed his left hand and had not perceived any bruises or lacerations.

Sheriff Hawkins reviewed the circumstances of Murphy's death in the famed Devil's Garden country, east of Bly. He told of how he had journeyed to the scene of the fight, of the arrest of Way, and of Way's statements to him the following morning.

Over Black Sheep
He recalled Way's story in which the Prineville sheep man had said that the fight arose over a black sheep and that on the morning of May 23, he had visited Murphy's camp to settle the dispute. Murphy and Way then entered into an argument which culminated in a fist fight at the camp. Sheriff Hawkins quoted Way as stating and which resulted in Murphy being knocked down twice near the camp and once again when the fight was renewed a quarter of a mile from the camp.

"Did he say that Murphy had struck him in the fight?" Mr. Manning queried.

"He said he couldn't remember," Sheriff Hawkins answered, "because he was so mad that if Murphy hit him he didn't feel it."

Mr. Stone on cross examination wanted to know if Way had not stated he helped Murphy onto his horse following the fight and if he had not helped him to wash his face.

"Why yes he had told me that," Sheriff Hawkins testified "and after—"
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