

## S. P. NEVER DID PLAN SHOPS IN KLAMATH FALLS

### Testimony of Pres. Sproule Indicates Attitude of His Company TO BUILD AT FUEGO

#### Blueprints Indicate that this City Will be Passed Up By Road

During all of the campaign against the Northern line, the friends of the Southern Pacific held out as a bait to the people of Klamath Falls the certainty of the location of the division point and shops in this city. Inferential denial was made that the company had made any arrangement for the location of the division point at Fuego and that no definite decision had been reached on this much-mooted question.

How well this lines up with the facts is indicated by a story that comes from Kirk. Within the past two weeks a representative of one of the large oil companies was in Kirk, and with him he carried a blue print of the contemplated improvements at Fuego. This blue print showed seven lines of side track and other railroad details, but the interesting feature was the fact that the Southern Pacific has set aside four sites, one each for the four large oil companies.

#### Report Confirmed

These facts are further confirmation of the story published in The Evening Herald some months ago to the effect that the Southern Pacific had selected Fuego as its division point and that Klamath Falls was not to be considered in this connection. The fact that Fuego is 153 miles from Dunsmuir and the same distance from Eugene, is further confirmation of the plan of the S. P. to make the divisions between Dunsmuir and Eugene 150 miles in length.

The "extensive plans for development for the City of Klamath Falls" as so blatantly announced by the advocates of the "Southern Pacific program" are indicated by the testimony given by President Sproule at the hearing in Portland. Following is a stenographic report of what the Southern Pacific president had to say about making Klamath Falls the second city in the state:

Q. (By Mr. Hart). "Well, then, if I have correctly sensed your policy, do you think it is preferable to have the lumber mills at different points in the timbered area, rather than concentrated in one place?"

#### Mills in Timber

A. (By Mr. Sproule). "Our policy has been to promote the building of mills in the timber, that communities might be built up and social life be promoted. We have never been in favor of putting in a logger's camp and simply tearing away the hillsides, leaving a wreck behind them, and no communities—the land and country returning to a wasteful condition."

Q. "So that you have been interested in the Strahorn line not just for the purpose of bringing logs into a central market, with a central manufacturing point, but for the purpose of mill development?"

A. "Sprague river being an excellent section for mill development; the Williamson river, also."

#### Slight to City

According to this line of reasoning, Mr. Sproule would use the power of his company and whatever influence it could exercise with the lumbermen, to place their mills away from Klamath Falls. Under that plan, Weyerhaeuser would have its mill in the timber, so would Shovel-Hixon if it came into this territory. This attitude of mind upon the part of the president of the Southern Pacific company explains the location of so many of the sawmills out in the timber instead of in this city, where the workers would enjoy the "social life" Mr. Sproule speaks of and where the city would get the full benefit of the development of the natural resources of the county. It is also indicative of the fact that the Southern Pacific will never do anything for Klamath Falls that will promote its growth beyond the limited extent that it is the desire of its officials to grant to it.

## COL. MITCHELL WINS FIRST BLOOD

### Accused Army Officer Succeeds in Disqualifying Two Court Members

WASHINGTON, Oct. 28. (AP)—Colonel William Mitchell began his defense at his court martial here today by driving from the bench two members of the court, including its president, Major General Charles R. Summerall.

General Summerall withdrew on his motion after he had been charged with perjury against the defendant and Brigadier A. J. Howley was disqualified by his colleagues on the court after a defense challenge had been lodged against him on similar grounds.

## GREEKS REFUSE TO HALT BATTLE

### Fighting Reported in Spite of Edict from League of Nations

SOFIA, Bulgaria, Oct. 28. (AP)—Despite the warnings of the league of nations council, Greek troops at daybreak continued to occupy Bulgarian territory and there were no signs that they intend to withdraw. Bulgarian officials, in making this announcement, said a number of villages were bombarded during the early morning hours.

LONDON, Oct. 28. (AP)—An exchange telegraph dispatch from Saloniki, Greece, declares that while the Greek troops were withdrawing from Bulgarian territory this morning they were attacked by Bulgarians. "It is believed the evacuation must have ceased," the dispatch adds.

ATHENS, Oct. 28. (AP)—The Greeks were attacked by Bulgarian forces this morning near Ramna. It is officially stated.

Ramna is 10 miles west of Demetris, near which the present Greco-Bulgarian trouble broke out, and about five miles south of the border, on Greek territory.

## Girl Takes Poison Through Accident; Is Now Near Death

ROSEBURG, Ore., Oct. 28.—Miss Jean Maddox, the popular young daughter of Mr. and Mrs. B. W. Maddox, and a junior in the Roseburg high school, is critically ill today as the result of taking bicarbonate of mercury tablets which she mistook for aspirin. Her condition although somewhat improved over the early hours of the morning, is very serious and her recovery will be a matter of doubt for several days.

## Nationalist Wins From Tom O'Brien

PORTLAND, Ore., Oct. 28. (AP)—Tommy O'Brien, sensational Portland bantamweight, lost the decision to young Nationalist, Los Angeles Filipino in a fast 10 round bout here last night.

O'Brien held the edge for the first five rounds on his aggressiveness, but the Filipino fought back in the sixth and in the seventh overwhelmed the Portland boy with lefts and rights. He opened a big cut over O'Brien's eye which bled profusely during the closing rounds. O'Brien was saved from a knockout by the bell. The last two frames were Nationalist's by a wide margin.

## Negroes Cheer Deposed Bishop

CHICAGO, Oct. 28. (AP)—A crowd of negroes and a few whites attending the American negro labor congress enthusiastically cheered declarations of William Montgomery Brown, deposed Protestant Episcopal bishop favoring communism and racial equality of negroes and whites last night.

"Long live communism," he shouted. "Long live the American negroes on an equal footing with American Caucasians."

## CONVICTS MAKE DARING ESCAPE FROM M'NEILL'S

### Bert McGillis of Portland and George Temple Flee in Small Boat

#### WATCHMAN IS ELUDED

### Reward Offered for Capture of Pair Who Break Away From Federal Pen

TACOMA, Wash., Oct. 28. (AP)—Bert A. McGillis, 29, convicted in Portland for violation of the national motor vehicle theft act, and George Temple, alias Louis Lawson, 24, sentenced from Pocatello, Ida., for forging post office money orders and violation of the motor vehicle theft act, escaped from the McNeill Island federal pen about 3 o'clock this morning. McGillis was serving a term of fifteen months begun last June, and Temple was under a sentence of two and one half years begun last November.

The two were assigned to some plumbing work outside the main prison building during the night and no one was guarding them except the night watchman who had his regular rounds to make. He made frequent checks to see that they were doing the work, but when he returned at 3 o'clock they were missing.

#### Boat Missing

Daylight revealed the fact that a rowboat belonging to Guard Nathan Mitchell was missing from its mooring near the machine shop and a search of the vicinity failed to discover it.

Prison guards were conducting the search for the men on the theory that they were able to get to the mainland or to one of the other islands in the stolen boat. Both were in prison garb—overalls, Warden Finch R. Archer authorized rewards for their capture.

Both the father of McGillis and the wife of Temple are living in Portland.

## Death List Is Placed At Ten Casualties in Train Wreck Less Than Thought

S. LOUIS, Oct. 28. (AP)—J. M. Kurn, president of the St. Louis-San Francisco railroad, issued a statement this afternoon placing the number of casualties in the wreck of train No. 103 near Victoria, Miss., at ten dead and 25 injured. This was based on information from General Manager J. H. Frazier at the scene of the accident.

The statement said nine bodies had been taken from the wreckage and one other was known to be under it. The injured were rushed to Memphis on a relief train. The extent of their injuries was not indicated.

A broken 90 pound rail was given as the cause for the derailment.

## Young Girl Is Found In Dive

SEATTLE, Wash., Oct. 28. (AP)—A 16 year old girl who disappeared from her home in Port Angeles 10 days ago was rescued here yesterday by detectives from a house operated by a half caste Japanese woman in Seattle's underworld, frequented by negroes. The woman and three men, one a negro, were arrested. The girl is held as a witness.

The raid on the house came as an aftermath to a sermon by Rev. Ambrose M. Bailey, of the First Baptist church before 2000 church-goers on Sunday night in which he declared bootlegging, gambling and the worst vices flourished in Seattle.

The girl was taken to the place, it was said, through circumstances hinted by Dr. Bailey when he declared that if the public knew the facts, "there would be a race riot, or the lid of the town blown off."

The girl said she left Port Angeles with Chester Foote, one of the men arrested, "for the fun of the adventure."

## Denies Ducks Being Killed From Cholera

### Tule Lake Report Dis- credited by Game Warden

SACRAMENTO, Calif., Oct. 28. (AP)—Reports originating from some unknown quarter that a form of bird cholera is responsible for the killing of thousands of wild ducks in the Tule Lake country, near the Oregon border, are discredited at the office of George Tonkin, United States game warden.

The case remains a mystery and Tonkin has gone to Tule Lake to continue his study of the situation. Representatives of the United States biological survey located here are still waiting for reports from headquarters in Washington with reference to water samples and specimens of ducks which were sent there for examination about a week ago.

## WIFE TO ADMIT NEGRO ANCESTRY SAY ATTORNEYS

### Mrs. Alice Beatrice Rhin- lander not to Fight Hus- band's Charge

#### FRAUD IS DISCLAIMED

### Defense in New York Div- orce Suit Does Not Try to Deny Accusation

WHITE PLAINS, N. Y., Oct. 28. (AP)—Mrs. Alice Beatrice Jones Rhinlander, house maid whose marriage last year to Leonard Krug Rhinlander, member of one of New York's oldest and most prominent families, caused a society sensation, apparently is not opposing the charging in his suit for annulment that she is of negro extraction. Instead she may be expected to base her defense on the contention that no fraud was perpetrated.

This disclosure, as well as the fact that young Rhinlander has been disinherited, was made yesterday in a hearing on motion of Mrs. Rhinlander's attorney, for \$15,000 additional attorney's fees, of which \$3,500 was granted.

Young Rhinlander's attorneys have spent \$20,000 in tracing the paternity of their client's father-in-law, they said, and found that birth certificates in the West Indies and England recorded all members of the family as negroes.

"Not a penny was spent by the defense to sustain its contention that the defendant is not of negro blood," said Isaac N. Mills, an attorney for the husband, "although \$3,000 was granted by the court for this purpose."

## BUT FEW VOTES ARE BEING CAST IN SECOND WARD

Streets of Klamath Falls hummed and buzzed today with election talk. For today is the day that the people of second ward select a councilman to represent them.

Here and there, dodging in and out like bird dogs on a good day's hunt, supporters of the three candidates, O. A. Smith, E. J. Powell and A. J. Lyle, could be seen attempting to corral votes for their respective charges at the last moment.

From little groups of curbstone street one gathered the following three gospel truths:

"It'll be a landslide for Smith!"

"Powell has won hands down. Nothing to it."

"Lyle's going to beat 'em both."

From what source this information was gleaned could not be learned.

Citizens are casting their votes in three precincts. Up to 1 p. m. 121 votes had been cast. The heaviest vote was in the polling booth in Davies' Furniture shop, where 54 votes had been cast by 1 p. m. The booth in the basement of the court house reported 45 votes cast; and the booth in Epperson's radio shop 22.

## FULL PARDON IS GRANTED SLAYER BY GOV. PIERCE

### A. J. Weston, Three Times Convicted of Brutal Mur- der, is Released

#### INNOCENCE IS CLAIMED

### Executive Says He is Con- vinced Convict Did not Kill Robert Krug

SALEM, Ore., Oct. 28.—A. J. Weston, twice convicted in Deschutes county and once in Wasco county of second degree murder in connection with the killing of Robert H. Krug, aged citizen of Slaters, Ore., will today leave the state penitentiary with a full pardon from the hands of the governor, Walter M. Pierce.

Weston has served a little more than a year of a life sentence. His first conviction was reversed by the state supreme court and the case remanded for a new trial. The second trial was had, Weston was again convicted of second degree murder and once more the supreme court reversed it on grounds that the lower court erred in admitting new testimony and again remanded the case. A change of venue to Wasco county was obtained for the third time, in which Weston was again convicted and sentenced to life.

#### Wife is Faithful

No appeal was taken after the third trial, but Weston's wife has constantly kept the case before Governor Pierce, declaring her husband was the victim of a "frame up" and asking for his pardon. The governor refuses to comment on the case other than to say that he became convinced that Weston was innocent. The crime was committed March 24, 1919.

The murder of Krug was one of the most revolting in the criminal annals of the state. The evidence indicated that the aged man had been beaten, then tortured until he died, after which fire was set to his cabin and the body burned. Weston was arrested for the crime 18 months after it was committed, when he was taken into custody on information furnished by Gen. Stillwell and Joe Wilson who were employed with Weston at a sawmill near Krug's home.

#### Strong Evidence

Stillwell declared that he was compelled by Weston to accompany him to Krug's cabin, but that he had no knowledge the aged man was to be killed. He testified that Weston struck Krug on the head and then tortured him in an effort to make him tell where his money was hidden, firing the cabin when Krug died. Joe Wilson's testimony was that Weston later confessed the crime to him. There was other testimony indicating that Weston, Stillwell and Wilson were engaged in bootlegging that Krug had knowledge of their operations and that this was one reason for their wishing to get him out of the way, though the prosecution contended that robbery was the primary motive.

The state, to prove robbery the motive, submitted testimony that a note for \$300 made out to Krug and signed by W. S. Fullerton, was found among Weston's effects after his arrest. Also there was testimony that Weston had borrowed a revolver and threatened Krug's life.

## Alleged Liquor Vendor Is Freed

MEDFORD, Ore., Oct. 28.—Jack Durando, on trial in the circuit court since Monday morning charged with "possession and sale of liquor," was acquitted by a jury late Tuesday after five hours deliberation.

It was the first case on the docket for the present term of the circuit court. Durando has been in the county jail several weeks awaiting trial.

## ANOTHER CUT IS MADE IN BUDGET

WASHINGTON, D. C., Oct. 28.—Budget Director Lord has cut the estimated appropriation for 1927 by \$190,000, Chairman Korner declared but a cut of \$54,000 in the deficiency appropriations asked for this year will force suspension early in the spring.

## DRY LAND GROWS LARGE POTATOES

### H. C. Lord Proudly Displays Two Fine Specimens of Produce from Tract

"Who says dry land in Klamath can't grow excellent potatoes?" This is the question put this morning by H. C. Lord, who gesticulated with two huge potatoes that he had just taken from his land. Together the potatoes weighed three pounds, eight and a half ounces.

"And I had some bigger than that," ejaculated Mr. Lord, "only I gave 'em away."

Mr. Lord is a dry farmer, who resides along The Dalles-California highway just a mile or so north of Pelican City. His potato acreage is on a slope and can not be irrigated except by pumping.

"That costs too much," he said, "so I am farming dry. I expect to harvest between 60 and 75 sacks of potatoes an acre from my ranch," Mr. Lord said.

## Slim And Fat Turned Loose By Magistrate

### J. C. James and R. W. Carlson Are Freed In Court

"Slim" and "Fat", otherwise known as J. C. James and R. W. Carlson, are free men today, as the result of being turned loose yesterday afternoon by a magistrate in justice court. They were charged with having looted Redfield's store on south Sixth street, on the night of October 18.

The magistrate could not see where there was enough evidence in the case to even warrant a further investigation by the grand jury.

## Painleve Will Not Take Post

### Ex-premier Urged to Form Another Cabinet

PARIS, Oct. 28. (AP)—President Doumergue today summoned Premier Painleve to ask him to form a new cabinet in succession to the one that resigned yesterday.

M. Painleve told President Doumergue he would consult with his friends and the party leaders before definitely accepting the task of forming a cabinet.

Considerable doubt is expressed that M. Painleve will accept. He is understood to have told friends he would recommend that the president choose former Premier Herriot in his place.

## Portland Legion Protests Action

### Ex-Service Men Up in Arms Over Proposal of Stores to Keep Open

PORTLAND, Ore., Oct. 28. (AP)—The American Legion here is up in arms protesting against plans of a civic committee in charge of Armistice Day celebration for a noon-day meeting at the auditorium and a night parade.

The executive committee of the legion has protested against plans of Portland commercial organizations to keep business houses open on November 11.

Commander Will H. Masters of the local post of the American Legion declared today: "If its membership follows the leadership of its commander and executive committee, the legion will either parade at 11 a. m. on November 11 or not at all."

## TO FIGHT FIRE

MEDFORD, Ore., Oct. 28.—P. B. Lowd, district state fire warden, left this morning with a pack train and force of men to fight a forest fire near Goolaway Gap on the Umpqua divide which is said to extend over a ten mile front. Local forest officials believe the fire burned for some time before it was discovered. Continued dry weather makes the forest fire situation in southern Oregon serious again, according to forest service officials.

## CONTRACTS FOR ROAD WORK LET BY STATE BOARD

### Much New Construction is Authorized for Klamath County Next Spring

#### TO BUILD WAREHOUSE

### The Dalles-California and Lakeview Highways Au- thorized by Body

PORTLAND, Ore., Oct. 28. (AP)—The state highway commission today awarded contracts for road work in eastern and central Oregon, including the last section of surfacing The Dalles-California highway. The awards follow:

Lena-Vinson section of the Oregon-Washington highway, in Morrow and Umatilla counties, 15.1 miles of grading; unit number 1 to John Hampshire, Grants Pass, \$84,450; unit number 2, Philbrick and Nicholson, Tacoma, \$31,809.40.

Herford Mill-Gulch section of the Baker-Unity highway in Baker county, 12.54 miles of grading, H. E. Cornell, Boise, \$126,689.50.

#### Big Surfacing Job

LaPine-Corral Springs section of The Dalles-California highway in Deschutes and Klamath counties, 28.2 miles of surfacing both units to Carl Nyberg, Spokane, \$203,000. This contract, however, is to be approved by the bureau of public roads.

East unit of the Beatty-Draws Valley section of the Klamath Falls-Lakeview highway in Klamath and Lake counties, 14.5 miles of clearing, I. J. Rosten, Portland, \$8500.

#### New Shop Ordered

Shop and service buildings at Coquille, for the Homorog coast highway, Olds Construction Company, Tacoma, \$12,895.21, and at Klamath Falls for The Dalles-California highway, Olds Construction Company \$11,554.71.

The highway commission late yesterday ordered a survey by the state of a proposed short route to Tillamook. After this section was taken promoters of a proposed toll road withdrew their application for a franchise for a toll road down the Wilson river.

## ONLY FOUR COME TO BAR MEETING

### Elliott, Wiest, Morris and One Other Are All Who Show Up Last Night

Interest in a Klamath bar association, at high tide several weeks ago, is beginning to wane.

Last night was the time set for Klamath lawyers to gather and discuss weighty problems of their profession. There was a gathering, true, a gathering of four lawyers. They were District Attorney E. L. Elliott, Deputy District Attorney W. A. Wiest, Fay Morris and another lawyer whose name could not be ascertained.

Naturally, the meeting was not held. It was postponed indefinitely, and that interest in the association will die the same natural death it expired from four years ago it is predicted.

## Grange Will File New Hydro Measure

SALEM, Ore., Oct. 28. (AP)—The state grange has withdrawn from the Secretary of state its petition for an initiative bill for state control of hydro-electric development, and has filed a new petition that will limit state bond issues under the proposed constitutional amendment. A new ballot will be necessary. The original measure as proposed allowed an unlimited bond issue. The new one will limit bond issues to 4 per cent of the assessed valuation of the state.

## SNOW PREDICTED

BEND, Ore., Oct. 28.—Rain was falling this morning on the Cascade divide with prospects that it might turn to snow, according to advices received by the Forestry officials. Any form of moisture was welcome because of the unusually dry condition of the forest.