

Eighteenth Year—Number 5695

KLAMATH FALLS, OREGON, FRIDAY, DECEMBER 4, 1925

PRICE FIVE CENTS

**DREAD DISEASE
BREAKS OUT IN
PUBLIC SCHOOL****One Case of Spinal Meningitis Reported This Morning to Health Office****PUPILS ARE DISMISSED****Every Precaution Taken to Prevent Spread of Infectious Sickness**

Spinal meningitis, dreaded child's disease, has broken out in Pelican City public school. One case was reported this morning to Klamath County Health Unit office. The school was immediately closed by order of Dr. G. S. Newsom, medical director of the unit, and fumigation of school rooms started today.

The child, suffering from the disease, became sick yesterday afternoon while in class. He was sent home. A diagnosis by a private physician disclosed that the boy was suffering from spinal meningitis.

"No stone will be left unturned to prevent the spread of the disease in the school," Dr. Newsom said today. "The school will re-open next Monday morning, but the pupils can not attend any public gathering or mingle with children outside the school for 14 days. They may go to and from school but must remain at home out of school hours."

The health officer stressed the seriousness of the situation.

"There is no infectious disease which is more dreaded," he said. "It is confined mostly to children and the average mortality is 50 per cent. Children that recover are often terribly deformed in body or mind."

Monday morning, the entire health office force will administer proper prophylaxes to the children of the school before they resume classes. The pupils will be sprayed through the nostrils and other preventive measures taken.

**Robbers Open
College Safe****Students of Willamette Are Victims of Bandits**

SALEM, Ore., Dec. 4. (AP)—About \$150 in cash and checks amounting to several hundred dollars more were stolen from the Willamette University vault in the secretary's office last night. The door of the vault was forced with a crowbar that was found in the building this morning.

Of the money taken \$48 belonged to a student. After opening the safe the strongbox was smashed open, apparently with a heavy instrument. Officers believe experts committed the burglary.

**WINDSTORM DOES
SERIOUS DAMAGE**

KUTTAWA, Ky., Dec. 4. (AP)—A windstorm of tornado proportions struck Lyons county this morning blowing down several homes, unroofing numerous buildings and uprooting trees and telephone and telegraph lines. No one was injured insofar as is known. Damage amounted to several thousand dollars.

**Distillers Of
Whiskey Sent
To State Pen****Davis And O'Connor Must Serve Two Years**

Tom O'Connor and Harry Davis were each sentenced this morning at 10 o'clock by Judge A. L. Leavitt to serve two years in the state penitentiary for operating a moonshine whiskey still in Klamath county. The two men were convicted by a circuit court jury late Wednesday afternoon.

O'Connor and Davis were arrested in the Miller Hill district, south of Klamath Falls by prohibition officers. They were operating the still together and their produce of whiskey was held to constitute a large supply of the liquor sold in Klamath Falls.

Judge Leavitt made little comment in pronouncing sentence. He recited the law governing the crime for which they had been convicted and then sentenced each of them to terms in the penitentiary.

Both men presented a stoical demeanor when receiving sentence. When asked if they had anything to say before receiving sentence each answered no.

O'Connor and Davis will probably be taken to Salem tomorrow or Monday, along with other prisoners convicted and sentenced to prison terms in the past two weeks.

**Congress Now
All Keyed Up
Over Session****Republicanism Of
Young La Follette
Is Issue**

WASHINGTON, Dec. 4. (AP)—With the senate republican conference called for tomorrow and the La Follette issue still troubling party leaders, the pre-congress atmosphere of the new congress today was keyed up for the gavel fall on Monday.

Republican leaders in the senate still faced an uncertain situation in their efforts to have the party conference tomorrow recognize without issue the republicanism of Senator-Elect La Follette of Wisconsin; Senator Butler of Massachusetts, chairman of the republican national committee, is one of a number of senators apparently not yet convinced that the plan to treat the Wisconsin senator as a party regular is warranted by his speeches in his recent campaign.

The first political gun of the season has been fired by Senator Harrison, democrat, Mississippi, who declares in a formal statement that the "long vacation in which the president has permitted to exploit himself and the misdeeds of the administration is now at an end."

"In the coming congress," he said, "an accounting will be demanded and the people shall know the hypocritical manner in which the government has been administered during the year."

**TO INVESTIGATE
UNKNOWN MALADY****SALEM, Ore., Dec. 4.**

Governor Pierce yesterday telegraphed Dr. W. H. Lytle, state veterinarian, to make an investigation of a strange malady that is said to be killing many horses in some parts of eastern Oregon.

**FORMER VERMONT
SENATOR PASSES****HYDE PARK, Vt., Dec. 4.**

Former United States Senator Carroll S. Page, a prominent figure in Vermont's political history, is dead at his home here, in his 82nd year. He was stricken with paralysis on November 24, and the end came last night.

**Rudyard Kipling
Reported Better****BURWASH, Sussex, Eng., Dec. 4.****ANNULMENT SUIT
OF RHINELANDER
IS WITH JURORS****Decision Due Soon in Case of Wealthy Heir Against Negro Bride****ARGUMENTS FINISHED****Many Important Points to be Decided by Men Who Will Reach Verdict**

WHITE PLAINS, N. Y., Dec. 4. (AP)—The suit for annulment of marriage brought by the wealthy young Leonard Kip Rhinelander against his part-negro wife, Alice Beatrice Jones, went to the jury shortly before noon today.

Out of the mass of testimony, much of it conflicting, taken during the three weeks of trial, the jury members were charged by Justice Morchauser to find answers to seven questions propounded to it. On the jury findings on these questions will be based the justice's decision whether or not annulment shall be granted. If granted, his decision will act merely as an interlocutory decree, to be finally reviewed and passed upon by the next regular special term of Westchester county supreme court.

Both Sides Confident

Opposing counsel both expressed confidence as to the outcome.

The jury's decision on the seventh point upon which it must pass is of the greatest importance to the outcome of the case. This point is: "Did the plaintiff cohabit with the defendant after he had obtained full knowledge that the defendant was of colored blood?" If the jury "takes answer" in favor of Rhinelander on the first six points, but answers "yes" to the seventh question, the whole case will be upset.

Other Questions

The other six questions were: "At the time of the marriage of the parties was the defendant colored or of colored blood?"

"Did the defendant before the marriage by silence conceal from the plaintiff the fact that she was of colored blood?"

"Did the defendant before the marriage represent to the plaintiff that she was not of colored blood?"

"Did the defendant practice said concealment or make said representation with the intent thereby to induce the plaintiff to marry her?"

"Was the plaintiff by said concealment or by said representation or by both induced to marry the defendant?"

"If the plaintiff had known that defendant was of colored blood, would he have married her?"

**Two Killed By
Small Tornado****Yazoo City, Miss., Suffers Heavy Damages****JACKSON, Miss., Dec. 4.**

Two persons were killed, more than a score injured and from 50 to 100 families were made homeless by a tornado at Yazoo City today, according to a message received by state headquarters of the Red Cross from Mrs. R. G. Thornton, representative at Yazoo City. The tornado swept into the city from the northwest, and blew down houses and buildings.

TO OUR SUBSCRIBERS

Your carrier boy will call on you tomorrow for your subscription. Please have the money ready for him. Christmas is approaching and the boys are anxious to gather in every cent they can for their holiday gifts and as they are paid a commission for collecting we feel certain that every subscriber will add to their fund by promptly paying what they owe for the paper. Place the money, now, where you can get it in the morning and thus speed the boy in his work and make it so that he will not have to return to your home again.

**Brick Office
Building Will
Be Built Soon****Melhase to Erect Structure; Graham Gets Contract**

A two story office building, to cost approximately \$20,000, will be built on Main street, between Fourth and Fifth streets by Richard Melhase, local capitalist. It was announced today. Contract for the building has been let to the Al Graham Construction company and ground will be broken April 1, 1926.

The new building, which will be of brick material, will occupy property directly across from the Klamath county court house. The property is now occupied by the Home restaurant and the Peadar's photographic shop. These two buildings will be either razed or moved from the land, to make room for the new building.

The occupants of the two buildings which will be removed from the property, will occupy the two store rooms on the ground floor of the new building. The second floor will be utilized for offices. Plans call for 14 office rooms. The building will have a concrete basement.

Mr. Melhase is a pioneer resident of Klamath Falls. For many years he has been identified with Main street buildings. He is the owner of considerable property in this city.

It is hoped that the building will be completed and ready for occupancy by June 1.

**Albany Youth
Who Murdered
Dad Released****Grand Jury Refuses to Indict Farmer Boy**

ALBANY, Ore., Dec. 4. — John Schwindt, 15 year old Jordan boy who fatally wounded his father early in November in a family fracas at the Jordan farm, was freed last night by the Linn county grand jury in session here. A not true bill was presented by the jury after investigating the charge of first degree murder filed against the lad.

John Schwindt inflicted the fatal wound while his father was severely beating Joe Schwindt, Jr., November 4.

Evidence gathered from the Jordan district showed that the elder Schwindt was a man of violent temper and frequently beat his children. At one time he was haled into court for beating his wife.

**More Wild Turkeys
Brought to Oregon**

PORTLAND, Ore., Dec. 4. (AP)—Fifteen wild turkeys, five from Maryland and ten from Arizona, were received in November by the Oregon game commission, says the monthly report of State Game Warden E. F. Averill.

With these birds as a nucleus the commission plans to rear turkeys for release in eastern Oregon. The commission traded two deer for the Maryland shipment and six hundred pheasant eggs for those from Arizona and fifty Gambel Quail yet to come.

**Serious Charge
Placed Against
Klamath Indian**

Formal complaint, charging Ted Jackson, Klamath Indian with manslaughter, was filed this afternoon by District Attorney E. L. Elliott. Jackson is held responsible for the tragic death of Mabel Lawver in an automobile accident on the Merrill highway two weeks ago. Jackson at the time of the arrest was declared by officers to be under the influence of intoxicating liquor.

MRS. BISSETT RETURNS

Mrs. Gladys Bissett returned last evening from southern California where she has been visiting for some time with friends and will take a position with The Falls Mercantile tomorrow. Mrs. Bissett formerly worked for the local store.

**POWELL FIGHTS
STRONG AGAINST
NEW ORDINANCE****New Councilman Lines up Against Rest of Members on Garbage Contract****HOT WORDS PASSED****City Law is Stopped, Temporarily at Least, by 2nd Ward Representative**

Z. J. "Doc" Powell, Klamath Falls city councilman, entered the squared circle last night and fought a battle of one hour against the proposal to let a new contract for city garbage disposal.

When the smoke of battle had cleared, the ordinance authorizing the garbage contract had not moved one inch farther toward passage than when the council session began. In other words it still remains at "passed to second reading."

"I'm against it," Councilman Powell curtly announced. "You fellows may do what you want, but I'll vote no."

"Well, what are your objections," Councilman Stuckey wanted to know. "Maybe we can iron them out."

Powell Tells Why

"All right," Powell spoke up. "These are my objections: You propose to pass an ordinance authorizing the letting of a new garbage contract. In this contract a maximum rate, per can of garbage, is mentioned. This rate which can be legally charged by the successful bidder for the contract, is two or three times more than what is paid now by restaurant men. Why not consult the restaurant men about this matter? Why not consult the people in general before taking any action?"

"Here is another reason: C. R. Grove has invested money in garbage equipment. I think his investment should be protected. Why should we leave him out in the cold?"

Stuckey Retaliates

"Listen!" Councilman Stuckey blazed forth. "Listen to me, Powell. Every day I bid for contracts and every day I win or lose. And I have my equipment to consider, also. And what's more, I don't come around crawling about it, either."

"You've suddenly switched, Stuckey, and why?" Powell cut in. "Last Monday night at this very table you took the position that Grove should be protected and asked Bill Lee if he would purchase all of Grove's garbage equipment."

"I didn't say any such thing," Stuckey retorted. "I merely asked (Continued on Page Seven)"

**Will Surface
Midland Road****Seventy Thousand Dollars to be Expended On Two Projects**

Seventy thousand dollars will be spent next year on the Midland Market road, it was announced this afternoon by County Judge R. H. Bunnell.

At a cost of approximately \$53,000, which is the preliminary estimate of County Road Engineer Frank Z. Howard, the Midland Market road from Klamath Falls to Midland, will be surfaced, Judge Bunnell said. In addition, the Spring Lake section of the market road which connects with the Merrill highways, will be graded at a cost of approximately \$17,500.

The work will be undertaken early in the year, as soon as weather conditions permit. The cost of these two projects will, it is said, exhaust the market road fund for 1926.

**Washington Lawyer
Dies in New York**

NEW YORK, Dec. 4. (AP)—Judge Thomas Burke, former justice of the supreme court of the state of Washington, dropped dead today of apoplexy while he was speaking at a meeting of the Carnegie endowment for international peace to which he had come from his home in Seattle.

**Long Term In
Prison Faces
C. K. McCarthy****Two Years, Is Sentence Pronounced by Judge Leavitt**

The state penitentiary will be the home and the grey walls of the prison boundaries of the world for C. K. McCarthy for the next two years. McCarthy was sentenced this morning at 10 o'clock by Judge A. L. Leavitt to serve two years in prison. He was convicted Tuesday afternoon on a charge of stealing a roll of currency from Larry Robinson of this city, as the latter lay sleeping in a room of a local hotel.

"Have you anything to say before the court pronounces your sentence?" Judge Leavitt asked McCarthy as he stood before him.

"Yes sir, I have," McCarthy answered in a clear and steady voice. "I have this to say: that I am innocent of this crime of which I am accused and that I did not get any of the money taken from Larry Robinson."

Judge Leavitt heard him to the end and then proceeded to pass sentence.

McCarthy will be taken to Salem either tomorrow or Monday to begin serving his long sentence. Arthur Ames, who is charged with having been his accomplice in the robbing of Robinson, will go on trial in circuit court next Monday morning.

**40 Men Trapped
In Mine Shaft****Crews Seeking Rescue Of Colorado Mine Workers**

BOULDER, Colo., Dec. 4. (AP)—Between forty and forty-five men were imprisoned in the Cardinal tunnel, a property worked by a Fairview mining company, by a fire that broke out in the workings early today. The mine is located 20 miles west of here.

Six rescue crews, equipped with pulmotors and other equipment, left here for the scene.

Mine officials said they feared the imprisoned men were unconscious from the heavy smoke that is pouring from the mouth of the tunnel and that has prevented workers, who were not equipped with masks, from entering the workings.

**BUTTER THIEVES
STAGE ROBBERY**

SANDY, Ore., Dec. 4. (AP)—Robbers last night took 2000 pounds of butter, valued at more than \$1000, from the local creamery, according to Sheriff E. T. Mass. A lock was broken on the rear door, a truck backed to the door and the butter loaded aboard.

**Two Recommended
For Haney's Post**

PORTLAND, Ore., Dec. 4. (AP)—Frank L. Schull, republican, and Marshall N. Dana, democrat, were today recommended by the Portland chamber of commerce to Senator McNary for submission to President Coolidge, who is considering a selection of a successor to Bert Haney, as member of the shipping board.

**Heavy Liquor
Haul Is Made**

PORTLAND, Ore., Dec. 4. (AP)—Fifteen hundred gallons of moonshine—approximately eight or nine truck loads—a scow boat, two motor boats and a service boat were seized and three men were arrested by customs officers here last night.

The seizure is the biggest ever made on the river, customs officials say.

The men arrested gave their names as Harold Hartness, Frank Carson and Ed McCoy.

READING, Pa.—Informed he had but a short time to live the Rev. Dr. R. J. Lan, professor of theology at Schuykill college, summoned 30 students to his hospital bedside and preached a farewell sermon to them for half an hour.

**Tule Lake
Project Is
Postponed****Commissioner Mead Forbids Settlement of 8000 Acres**

WASHINGTON, Dec. 4. (AP)—Plans for the settlement of 8,000 acres of the Tule Lake division of the Klamath reclamation and irrigation project in Oregon and California have been deferred, Dr. Elwood Mead, commissioner of reclamation, declared in his annual report, made public today, owing to a protest by the water users on the settled part over the construction charge.

This charge has been fixed at \$90 an acre, he said, which is the amount needed to repay construction costs based on present location of costs to the 24,200 acres in the division. He proposed that 8000 acres for which construction has been completed be opened to settlement and further construction on the area be suspended until the land is occupied and the construction cost controversy is decided.

"The lands in lower Klamath lake have been unwatered, and the part of the bed of the old lake located in Oregon is being developed by the Klamath drainage district," says the report.

"The disposition of the 30,000 acres of the lake bed in California is a problem which awaits action. There is danger of the dry pest catching fire. If reforested this danger would be removed, but this is opposed by the Klamath drainage district. A board of experts is to make a study of the problem, report whether the land is suitable for cultivation, and recommend what should be done with it."

Good Financial Showing

The report also says: "The Klamath project has made a fine financial showing in the payment of its debt to the United States. Eighty eight percent of operation and maintenance and nearly ninety nine percent of accrued construction assessments have been paid. This condition was largely brought about by a credit to the district of \$20,000, on account of an adjustment of the matter of carrying water to the Van Brimmer ditch and the yearly additions made to the assessment rolls amounting to 10 per cent, to cover probable delinquencies. The fact is that a considerable number of water users are delinquent to the district for their irrigation taxes. Four large holdings comprising 1,370 acres are delinquent in their state, county and irrigation taxes, including penalties for a total of \$28,884. If this sum and other delinquencies of lesser amounts were collected and the portion of these representing irrigation taxes turned over to the district it would be in a very solvent condition. The enforcing of the district's tax liens in such cases will accomplish this result."

**Murray Wants
Lease On Life**

SALEM, Ore., Dec. 4.—The right of the state of Oregon to execute the sentence of death imposed upon Tom Murray, convicted slayer of Guard John Sweeney in the prison break of August 12, until Murray has served out his 30 year sentence he was serving in the penitentiary at the time of the break, is attacked by Will R. King, counsel for Murray, in his bill of exceptions on appeal filed in the circuit court here today.