

THE KLAMATH DAILY NEWS

United News and United Press Telegraph Service

No. 256. (Every Morning Except Monday)

KLAMATH FALLS, ORE., SATURDAY, SEPT. 12, 1925

Price Five Cents

INNOCENT" FRANK WAY IN JAIL BARS

Man Will Not Take Case Supreme Court; Has Exhausted His Funds

LAUGHTER VERDICT

Carries 1 to 15 Years; Leavitt To Set Date Of Sentence Today

Frank F. (Frank) Way will appeal his case to the court of Oregon.

Young sheepman, found of manslaughter in connection with the death of Tim T. Murphy, another man, declared last night he will allow the verdict Klamath county jury to stand without question.

"I am innocent," he said, "through the bars of the jail, and I would appeal my case if I thought I could afford it. But I cannot."

Judge Leavitt probably will decide today when he sentences Way. The term of imprisonment is from one year to 15 years.

Concerning his finances, Way requested that it be noted that, contrary to newspaper stories, his family is not wealthy. He declared he had worked hard at money he had managed to accumulate, and admitted it would be utterly impossible for him further to accumulate money.

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Prosecutor Satisfied

Prosecutor Manning, private prosecutor of the state's case, last night he was satisfied with the jury's verdict. No member of the group of attorneys appeared for the defense.

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French Troops Led by Petain Attack

Spanish Escadrille Continues Harass Rifflers; Offensive Started

Moraeb, Sept. 11.—(United News)—Sweeping forward under the leadership of Marshal Petain the Spanish offensive against the French is developing so extensively that it is only a matter of hours before the 200 mile front between the Douze and Kiffa will be broken.

Members of the American escadrille are continuing their dangerous work over the Riffian lines in Morocco. It is estimated that the bombardments of Chechaouen have resulted in the death of 100 soldiers among the French.

While their material and military stores and barracks were very large.

Liquor Still Is Found Operating In Ranch House

First Of "While Operating" Contraptions Under New Felony Law Taken

The first capture of a liquor still in the act of operating since the Oregon state law went into effect several months ago, making it a felony to operate a still, was made last night when Deputy Sheriffs Lon Burke and Moneymaker, together with Patrolman Jack Lewis entered the C. T. Darley ranch house without resistance and found several men in their shirt sleeves brewing some 120 proof corn liquor.

It was only a 12 gallon still, but was being worked at a capacity.

Henry Davis and Tom O'Conor, who were the garb of the Kentucky mountaineer, but who were by way of contrast of a genial nature were arrested.

"Oh, this still is nothing. Let us take you down to the river and show you a real one," said one of the pair. The deputies were willing to be deceived, but not ensnared. One officer was left in the house to guard the still. There was no second still in the river.

Davis and O'Conor were placed in the county jail last night. The Darley ranch is about six miles south of Klamath Falls near Midland.

HOMESTEAD ACT IS UNDER FIRE

640 Acres Grazing Land Is Not Productive Enough To Keep Sheep-Cattle Man Out Of Hole Says Well Known Sheepman

PENDLETON, Sept. 11.—(United News)—The 640-acre grazing homestead act was attacked Friday afternoon at the senate land hearing.

being conducted here under the chairmanship of Senator Robert N. Stanford, by Dan P. Smythe, one of the biggest sheep operators in the state. Smythe declared that while the original 160-acre homestead plan had been an excellent one, and had led to the populating of the west, "the idea of homesteading poorer land is not sufficiently productive to enable a man to provide for himself and family," declared the witness, "on what the land is capable of producing. The outcome of the law has been that the homesteader has sold out his land to some stockman as quietly as possible."

Wants Land Sold

Smythe declared himself in favor of the sale of the public domain where it is still held by the government in relatively small quantities, and declared that this would work to the advantage of both the government and the public.

Col. Greeley, chief United States forester, at the closing session of the hearing late Friday, replied to arguments on the grazing problems and the request of the city of Walla Walla for closing of Mill creek forest reserve land to protect the town water supply.

Stockmen Want Contracts

A group of Umatilla Indians requested return to the tribe of lands on Johnson creek, which were ceded to the federal government years ago.

Livestock men expressed their wish to have national forest grazing rights being presented in contract form. Sheep raisers protested that their industry would not allow any increase in grazing fees. Col. Greeley agreed with the request of the livestock men that grazing contracts should be issued, clearly defining rights and privileges.

ITALY BACKSLIDING

ROME, Sept. 11.—Italy is making the most of the indifference of the United States and other countries to Russian trade. Business relations of Italy and Russia have become intimate.

RAIL SECURITIES ASK EVEN HIGHER RATE OF FREIGHT

Bankers Will Demand 11 Per Cent Increase in Freight Rates of Western States

HINTS AT CONSPIRACY

Former President of Int'l and G. N. Railway Says Revenue Shrank \$64,000,000

CHICAGO, Sept. 11.—(United News)—Complications set in at the western freight rate hearing Friday, when the western security holders of the northwestern lines served notice upon the carriers and the interstate commerce commission that the proposed five per cent increase is not enough.

The news was conveyed to Chairman Clyde B. Aitchison by Grenville Clark, a New York attorney, who represents \$235,000,000 in securities.

What he said was that unless a concrete plan was submitted at once by the northwestern carriers for additional relief, the bankers would prepare their own plan.

Mr. Clark said he disliked to criticize the railroad officials. He pointed out that while they have all admitted that the five per cent raise is not enough for the needs for the northwestern lines, they have not presented any plan giving them enough money.

Want Bigger Increase

Mr. Clark and his associates have investigated the situation, he says, and have elicited the information during the last few days that all the northwestern railroads applied originally for an eleven per cent increase and later, all but the St. Paul modified this to five per cent. "We are not satisfied," he said, "with the answers to the question as to why this last minute change of front was made."

It is reported that a new plan is in progress. That it presents many intricacies is shown by the questioning of T. A. Hamilton, former president of the International and Great Northern railroad, by Chairman Aitchison.

Revenue Shrinkage Big

Mr. Hamilton, who appears for the bond holders, related how the St. Paul had broken down under inadequate freight rates. He said that in the four years since the termination of federal control the four main northwestern roads had saved \$28,000,000 by new economies and efficiency, but in this same period their gross revenue shrank \$64,000,000.

He asked for remedy, saying the proposed five per cent increase should be granted immediately as an emergency measure, and the northwestern lines be given special treatment over the five per cent period.

His suggestion was that a special rate making group be appointed or the depressed territory and submission of an additional tariff by the roads.

Illinois Klansmen Aid German Organ

BERLIN, Sept. 11.—Members of the Ku Klux Klan in Illinois sent funds to Gothard and Otto Strohschein under arrest for organizing the Klan in Germany, according to disclosures during the police examination of the two men.

Contrary to previous reports Gothard Strohschein is not an American citizen. He lived in the United States for 18 years, but never acquired citizenship. For that reason he will be tried for conspiracy as a result of his activities, while Otto, his son, probably will be deported.

Birton Gray, a third organizer of the Klan, who was born at Hillsboro, Ill., is still at liberty.

Blonde Girl From Oakland Is Picked As Nation's Beauty

ATLANTIC CITY, N. J., Sept. 11.—(United News)—Miss Fay Lanphier of Oakland, entered in the Atlantic City beauty pageant, as "Miss California," was chosen as "Miss America"—which gives her the titular honor of being the most beautiful girl in the United States—in the finals of the competition late Friday night.

Miss Lanphier is a tall girl of athletic type, with long hair. She is what is described as a golden blond. She was "Miss Santa Cruz" last year and recently was selected as "Miss California" when set up against beauties from other cities of the state.

WIRE FLASHES

Fighter Killed

GREAT FALLS, Mont.—Don Tipper, 21, featherweight boxer of Bingham, Utah, died today in a local hospital after failing to regain consciousness since he walked from the ring Monday, after losing a decision to Billy Defoe of New York.

Heroes Coming Home

SAN FRANCISCO—Commander John Rodgers and his fellow aviators of the PN-9-1, will return to the Pacific coast with the United States battle fleet, due here in the last few days of this month.

Jew Harper In Bad

NEW YORK—Murray Sabas-cowitz, 17, who was crowned harmonica champion of the world in a contest two years ago, is now under arrest, charged with burglary.

Theft Made Good

BUTTE—County commissioners today gave a clean bill of health to Howard A. McIntyre, who retired as county treasurer last March, leaving a shortage of \$23,649.39, covered by a personal check which was returned from the bank on which it was drawn and marked "no funds."

Asks—Receives

WHITE PLAINS—Ralph Mosoa, white haired and 63, told the court he would plead guilty to another burglary charge just entered on his long record, provided that he be sentenced at once. "That's one bargain on which I'll meet you" said the court as he sentenced Mosoa to five years at Sing Sing.

Population Gaining

WASHINGTON—The population in the United States September 1 was 114,340,000, according to figures completed today. It is a gain of 2,000,000 over last year.

Race Riot In Detroit

DETROIT—Eleven negroes are being held with murder warrants, one man is dead and another shot as the result of a race riot last night.

Short of Clothes

CLEVELAND—Betty King, who according to the local theatre censors played her part as artist's model too nude several days ago. She added a thin piece of chiffon. Tonight she was told she must add more than chiffon or quit.

FORMER MEMBER OF COMMISSION VISITS

Among the interesting visitors in Klamath Falls this week are A. E. Burghdoff and H. H. Crouse, both residents of Portland.

The name of Burghdoff is a familiar one to Klamath sportsmen as Burghdoff served for several years on the Oregon Game Commission.

Crouse is making a business visit to Klamath Falls accompanying Burghdoff. Both will spend the remainder of the week in the city.

DOPE SMUGGLER KILLED

SPOKANE, Sept. 11.—Sam Fujii, Japanese, was shot and killed by a federal narcotic officer here today. Narcotics worth \$23,000 were seized.

\$187,500 CATTLE DEAL COMPLETED AT FORT KLAMATH

Over Half of Cattle on Wood River Range Sold in One Big Late Season Sale

ARE SOLD AT TOP PRICE

San Francisco and Sacramento Buyers Say Wood River's Cattle Among Best

One of the biggest cattle deals in the Klamath country in late years was completed yesterday when more than half the cattle on the Fort Klamath range were sold to J. C. Mitchell, of the Western Meat Packing company of San Francisco and Robert Swanson, of the Swanston Packing company of Sacramento, for a consideration of 187,500.

The cattle brought seven cents a pound, a good price, considering the market trend of the past month in both San Francisco and Portland.

Nearly 3,000 head were sold by 20 to 30 owners in the Ft. Klamath country. All these cattle were fattened during the summer on the Wood River valley range.

To Be Shipped South

The cattle will be loaded at Chiloquin and the shipment will start about September 20.

In paying the seven cent price for top cattle, both Mitchell and Swanson declared that they had previously heard, and confirmed this report upon inspection of the Klamath cattle, that the Wood River valley cattle are among the very finest on the Pacific coast. "Wood River valley cattle always bring top prices," they declared.

SURVEY STARTS FOR NEW PLANT

Calif.-Oregon Power Co. To Establish Copco No. 3; Plant May Not Be Constructed For Two Years; Cost \$6,000,000

Preliminary surveys for a power plant of greater capacity than Copco No. 1 or Copco No. 2, on the upper Klamath river, are being made ten miles above Copco No. 1, by the California Oregon Power company engineers.

P. O. Crawford, chief engineer for the corporation at Medford here yesterday, admitted that the company had in view the construction of a third huge project, which, when completed, will be known as the Grant site plant.

While it may be several years before actual construction work will begin, the surveys are to be submitted to the federal water power survey made for approval as soon as possible.

With the recent completion of the Copco No. 2, the company tied in the 110,000 horsepower with the Pacific Gas and Electric company lines at Delta.

The present survey means that a huge power and light project is contemplated by the company and will be constructed just as the demand for it becomes sufficient.

If the new project is put through it will mean that more than \$6,000,000 will be expended in its construction and that it will generate more than 110,000 horsepower.

LAURA ROURKE IS MARRIED YESTERDAY

S. T. Harrell of Deschutes county and Miss Laura Margaret Rourke were married by the Rev. Yarnes at the Methodist parsonage yesterday morning at 11 o'clock. They expect to make their home at Weed.

Col. Mitchell Overjoyed That Fliers Are Safe

Fighting Colonel Who Said PN-9-1 Plunged To Bottom Of Sea Congratulates

SAN ANTONIO, Texas Sept. 11.—(United News)—Evinced frank surprise that any one should be even slightly interested in it, Col. "Billy" Mitchell, the "Peck's bad boy of the army" readily admitted Friday night that he had been in communication with the war department regarding his recent statements, denouncing the conduct of aviation by the war and navy departments.

"I merely filled out official papers, the usual routine followed in cases of this kind," Col. Mitchell declared. "It was obvious I would stand back of anything I had said and I saw no need to mention it."

If Col. Mitchell was the least bit worried about the fighting attitude of the navy department is taking toward him now that the PN-9-1 and its crew have been found, he failed to show it. He did not let it prevent him from going ahead with his plans for another week-end of sport, which calls for a wolf hunt in Benders hills, near here.

Congratulates Crew

Although surprised at reports that Col. George Nugent, of the inspector general's office, who had been designated by Maj. Gen. John L. Hines, chief of staff, to conduct an investigation into his charges, had been ordered to remain in Washington, Mitchell made no comment on it.

He appeared elated that the crew of the PN-9-1 had been rescued and were in good health, and congratulated Commander John Rodgers, navy commander of the plane, for his appointment as assistant chief of the bureau of aeronautics, which was announced Friday.

"The fliers had one chance in a hundred to be found and luck was with them," Mitchell declared. "I'm overjoyed, of course. We cannot too greatly rejoice with the country on the rescue and safety of so brave an officer as Commander John Rodgers and his men."

Klamath Kiddies To Aid Near East Fund This A. M.

Christmas day in the Near East will be rather cheerless for the boys and girls who, month after month, have been in want. But if the children of Klamath Falls respond to an appeal made to them yesterday and present bundles of clothes at the Liberty theatre today, the Yuletide season will find the needy youngsters happier than they otherwise would be.

At 10 o'clock this morning children with bundles of old clothing will be the guests of Harry Poole at the Pine Tree theatre, and they will witness a picture entitled, "Uncle America Sees It Through." Chief of Police Harry Loucks and Fire Chief Keith J. Ambrose will be on hand to see that the boys and girls are well taken care of.

Children, under school age, who go to the theatre with bundles will be watched carefully, and parents need have no fear as their safety, Mr. Poole said.

Eighty children from the Pelican City school are scheduled to see the picture.

The Boy Scouts of Klamath Falls will arrange the bundles for shipment, and the O. K. Transfer company has agreed to handle the packages free of charge, it was announced. They are expected to reach children of the Near East by Christmas day.

LINTNER OF O. T. HERE TO INSPECT

C. V. Lintner, assistant engineer of the Oregon Trunk railroad arrived last night on a regular trip of inspection, cleaning up the details of that railroad's surveys which were completed several days ago.

SKIPPER OF PN91 TELLS OWN STORY OF PLANE FLIGHT

Rodgers Refuses to Take Credit for Part in Event, But Crew Gives Praise

CAUGHT RAIN TO DRINK

Radio Operator Could Hear All Messages Calling Plane; Couldn't Answer

By Commander John Rodgers (Captain U. S. Plane PN-9-1) HONOLULU, Sept. 11.—(United News)—For the benefit of the interested public I desire to make at this time a definite statement of fact in regard to the voyage of the PN-9-1 from San Francisco to Nawiliwili.

The PN-9-1 and the PN-9-3 left San Francisco at approximately the same time on August 31, No. 3 leading by about 20 minutes. The PN-9-3 was not sighted by No. 1 after departure. Plane PN-9-1 proceeded according to instructions, sailing a straight course to Kasulwi.

The wind out of San Francisco was very light from the northwest, gradually hauling to the north. The navigation was done entirely by dead reckoning no attention being paid to radio bearings. We flew between 200 and 400 feet below the clouds during the night. The sky being chiefly overcast. All destroyers were picked up, as expected, at distances making them easily visible from the PN-9-1, while the plane also was visible from the destroyers.

Engines Perfect

The engines worked perfectly and there was no sign of leaks or other troubles. The wind changed to northwest, as expected, about 600 miles from San Francisco, but was much lighter than had been hoped for.

In the morning it became evident that the gasoline supply was running short and that it would be doubtful if we could reach Kahului, due to the fact that expected favorable winds were not encountered.

About noon we decided that our gasoline supply would carry us about midway between the Aroostook and the Tanager, the next to last and the last station ships. I decided therefore to land at the Aroostook, which is a fully equipped airplane tender.

We still had plenty of gas to land, refuel and take off again. This was in accordance with the prearranged plan to meet the situation, which we faced.

Made Pretty Landing

We received radio bearings from the ship, indicating that we were south of her. On reaching a point where I thought she would be visible and not being able to see her, we changed course to approach, using these bearings.

It became evident that we could not find her on this course. I started a message, which would give her a clue to our location but just then the gasoline gave out. Both engines went off immediately. We started to glide from about 200 feet in the air.

Lieut. Connell and I had the (Continued on Page Two)

S. P. TAKES OPTIONS ON EUGENE TERMINAL

EUGENE, Sept. 11.—(United News)—The Southern Pacific railroad company has taken up its options on the proposed site for the terminal and car shops near Eugene. In return the Southern Pacific deeded approximately 250 acres of their Springfield property to the city of Eugene.

Cash for the Eugene terminal bond issue was received here Thursday and deeds to the property were turned over to the railroad company, which in return transferred to the city of Eugene about 250 acres of their property at Springfield.