

THE KLAMATH DAILY NEWS

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LIFORNIA BODY PROPOSALS S. P. IN TRANSFERS

Membership Is Approved

RECORDED

On Need Of Advance Irrigation Projects

SAN FRANCISCO, Oct. 6.—The interstate commission has with the interstate commerce commission, sitting at Portland, a month ago, the application of a Southern Pacific company for authority to acquire control of the Oregon-Oregon railway, the membership, under paragraph two of section five of the interstate commerce act, and also application of the Central Pacific railway company, for permission to construct a new line of railroad from a point near Klamath Falls, Ore., to Cornell, in Modoc county, California, and also in favor of application by the Oregon-Texas & Eastern railway to extend its present lines from Sprague, Ore., to Lakeview, Ore., and from Sprague river to Silver Lake. The following is a portion of the report filed by the railroad commission through its attorney, Carl Hest:

The authority sought by Central Pacific railway company under file No. 4914 would result in the construction of approximately 45 miles of railroad from Lakeview, Ore., to Cornell, and from there through a level valley to development for agriculture, crops and truck raising; the raising of livestock for the establishment of dairies; bringing the territory tributary to proposed line of railroad into active production it is necessary drainage and irrigation projects be completed. The establishment of dependable rail transportation would hasten the development of irrigation and reclamation projects, there being some 50 acres now in the state department on Page Two)

2 Die, 1 Hurt As Fire Destroys Home of Family

Husband Dies Trying To Save Wife Overcome By Smoke In Burning House

ROUNDUP, Mont., Oct. 6.—Fire of undetermined origin this morning destroyed the home of W. A. Pennington, causing the death of Pennington and his wife. After safely escaping Mrs. Pennington, left the family group in the yard to dash back into the house. She was overcome by smoke and flames and Pennington tried to rescue her, but was driven back by a falling stair case, and slightly scorched, staggered across the yard to drop dead, a victim of heart failure. Miss Ada Pennington, 29, was seriously injured while escaping from the burning home. For the past 39 years Pennington had been one of Montana's most brilliant lawyers.

SHEVLIN-HIXON MAY BUILD MILL HERE EVENTUALLY

Lumber Company Held Ready To Erect Plant Without Oregon Trunk Line

PORTLAND, Oct. 6.—The Shevlin-Hixon Lumber company will no doubt build a mill in the Klamath country regardless of whether the Oregon Trunk comes or not. This was the testimony of J. P. Hennessy, manager of the Shevlin-Hixon Lumber company, under oath, today at the Klamath rail hearing. "Just two weeks ago we closed forever our mill at Bimidi, Minn. It is our plan to replace this mill at or near Klamath Falls," declared Mr. Hennessy. Whether the mill would be at Chiloquin or in Klamath Falls he could not say but he himself favors Klamath Falls. "No mill site has been purchased in the Klamath country. We are hoping the Northern lines will gain admittance and we want them to come in. But regardless of whether they come or not, eventually we will build in the Klamath country. I cannot set a date, however. "We plan a mill of a capacity of 100,000,000 feet annually. We will cater to a wide market. By that I mean box shooks, Klamath's chief lumber product will be only a small item in our production. Approximately 40 percent of our market is in S. P. territory and will be routed over their lines. The remainder will go via the Northern lines if they come. "Our Klamath timber holdings are in the northern part of the (Continued On Page Two)

Possession of Property Total \$200

Walt, observed Acting Justice of Peace Ed Kendall when, yesterday, he saw three youths file into the courtroom. "I know where Verne Burnett, Wilbur and Ed Luderman. Each of them with the possession of clothing and liquor. Their arrests are expected Saturday night. The three had testified only a moment ago they chorused: "Guilty!" Ed Kendall leaned back in his chair. Then he assessed the three and Burnett fines of \$50 each, and ordered Taylor to pay a fine of \$20.

Collinghead Case Is Dismissed by State

Sometimes it pays to step right to the Law and say how-do-it before The Law can step on you on the shoulder. The attitude assumed by Collinghead and Dean Hollinshead, charged with assault and battery on Fred Duke, yesterday by the district attorney's office. Dean heard they were in Klamath Falls. They were where they live, in vicinity of Crescent. Monday they waited for an officer to be sent. The sheriff said he'd like to tell their side of the story. They told it to Deputy District Attorney West, and they insisted they were innocent of the charges against them. Consequently the district attorney filed a motion that their case be dismissed, and his suggestion was acted on by Acting Justice of the Peace Kendall.

PIRATES-SOLONS WARMING UP FOR WORLD'S SERIES

Both Camps Paw Ground And Work Feverishly Around Big Ball Lots

WEATHER THREATENS

Walter Johnson and Lee Meadows To Face Each Other In First Game

PITTSBURGH, Oct. 6.—With rainy weather threatening to delay the start, both the Pirates and Senators are pawing the tiled floors of the hotel lobbies, awaiting the opening of the 1925 world series, scheduled to get under way at Forbes field Wednesday. Manager Bill McKechnie of the Pirates announced tonight that Lee Meadows will pitch against Walter Johnson in the first game, regardless of the day. His original plan was to switch to Ray Kremer, fast ball hurler, if the day was dull and unfavorable for a curve ball workman. Washington players are praying for favorable weather, though the forecast from the weather man says "more rain." The Senators are in great shape, and do not want a forced hesitation before action. They put in a two-hour practice session at noon, Bucky Harris leading his champs on the field and at bat. Their casualty list, which has caused the speculators to lean to the Pirates, has practically vanished. Manager Harris' finger is still swollen, although he was fielding and throwing in form during the drill. Occasionally he shook his fingers after taking a healthy rap at the ball, indicating that the injury still gave him a little pain. Czevalskie in Shape Stanley Czevalskie is so sure of (Continued On Page Two)

RAIL ESTIMATES OF NEW BUSINESS KEENLY DISPUTED

Northern Officials and Dey Lock Horns on Question of Traffic Tactics

PORTLAND, Oct. 6.—Forecasts of new business to be developed in the Klamath basin by construction of the Oregon Trunk southward from Bend were disputed vigorously today by the Southern Pacific at the resumption of the Central Oregon railroad hearing before Charles D. Mahaffie, director of finance for the U. S. C. C. The Northern lines dug into the "meat" of the situation when they adduced traffic studies showing the prospective amount of tonnage and revenue the Oregon Trunk could be expected to develop. R. W. Pickard head of the traffic department of the S. P. and S. and Oregon Trunk testified that it had been necessary to change his estimates on log revenues because the Southern Pacific had made drastic reductions in September. "Do you mean to infer that the Southern Pacific made this reduction to gain the favor of millmen at Klamath Falls?" queried Ben Dey, Southern Pacific counsel. "I have no notions as to the purpose, but can see the effect," Pickard said. W. P. Kenney, vice president of the Northern Pacific locked horns with Dey, when the latter insisted that Kenney expressed an erroneous attitude when he declared the Southern Pacific brought pressure to bear on shippers to prevent them using the Portland gateway and that Klamath Falls producers would have the Portland gateway open to them for movements to the northern tier of states. On cross examination by Attorney Devers of the Oregon Public Service commission, Mr. Kenney testified: Q. Are you familiar with the route proposed in the Kephart report from Bend south by way of Odell, and then Summer Lake and (Continued On Page Two)

MURRAY CASE IS READY FOR TRIAL

Federal Court at Medford to Be Scene of Legal Controversy

The sensational case of E. J. Murray, publisher of the Evening Herald, the outgrowth of a 1921 legal battle, in the course of which Murray was alleged to have drawn a revolver on Burt Hawkins, then deputy sheriff, and charging seven well-known residents of Klamath county with "conspiring" against him, is to be heard in federal court at Medford within the next few days. The defendants, from whom Murray asks \$52,000, include D. V. Kuykendall, prominent local attorney, who, at the time, was circuit judge; L. L. Low, then sheriff; Luke Walker, Charles Low and Burt Hawkins then deputy sheriffs; W. A. West, deputy district attorney, and Earl Whitlock, county coroner. Specifically, Murray accuses the defendants with malicious prosecution and with personal assault. He took separate action against J. W. Siemans, Ed Bloomingcamp and George Bloomingcamp, bondsmen, and their cases are at present in the San Francisco court of appeals. Extremely involved is the case of Murray against the seven defendants, and the papers in the case are replete with legal verbosity. A score of legal moves were necessary before the case reached its present status. Out of the prolix complaints, demurrers, replies and mandamuses, may be found the fact that, on December 8, 1921, the Evening Herald sued the Morning Record, of Klamath Falls and attached certain printing materials. Promptly the Record furnished a re-delivery bond, but Murray, according to the records, refused to surrender the Record's property, and drew a gun on Deputy Burt Hawkins. Hawkins promptly placed him under arrest, and Murray was released under (Continued On Page Eight)

Germany Holds Whip Hand Over Allied Confab

Conference Of Powers Admit Teutons Hold Peace Wand Over Europe

LOCARNO, Switzerland, Oct. 6.—(United News)—Germany admittedly holds the whip hand as the conference to secure the peace of Europe gets down to business. The conference lasted but half an hour Tuesday afternoon owing to the illness of Foreign Minister Stresemann, of Germany. During that short period the discussion centered upon the two disputed points which are: 1—Germany's entrance into the league of nations. 2—German arbitration treaties with Poland and Czechoslovakia. 3—The sessions will be resumed Wednesday afternoon the delegates meanwhile negotiating privately to find a basis of agreement. The impression in conference circles is that both England and France are disposed to go as far as possible to obtain German agreement to the Rhine pact, which would guarantee France from future German invasion.

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DR. NEWSOM AND FIRE CHIEF WILL ADDRESS FORUM

DR. G. S. Newsom, county health officer and Fire Chief Keith Ambrose will be chief speakers at the Commercial club forum luncheon this noon. Dr. Newsom will speak on City Sanitation and its urgent needs. Fire Chief Ambrose will take as his subject "Fire Prevention." Both have some exceptionally interesting facts to give to their hearers.

KLAMATH JUDGE IS ASSAILED BY PUZZLING MALADY

Foreign Specialists Are Interested

RECOVERY DOUBTFUL

Well Known Medicos View Symptoms Of Patient As Rare World Case

With both legs broken as he lay helpless in bed, Robert Hunsaker, pioneer resident of Klamath Falls, is in a San Francisco hospital, the victim of a disease which has attracted international attention, and which has drawn to the California city many of the most eminent physicians and surgeons in the world. Distinguished medical men, arriving daily in San Francisco to study the strange case, declare there have been but 30 of the kind in the world's history, according to Ray Hunsaker, 634 East Main street, son of the sick man, who last weekend returned from his father's bedside. The great doctors who are studying the case, according to Ray Hunsaker, are frank in saying that the patient has but slight chance to recover. Robert Hunsaker is 62 years of age. Mr. Hunsaker first began to suffer from the strange disease after he had suffered a fracture of the collar bone about two years ago. The broken bone was sustained when he fell while carrying a deer he had shot in the vicinity of Klamath Falls. At first physicians diagnosed Mr. Hunsaker's case as that of cancer, and, for a time it was treated as such. Later, it was believed that the diagnosis had been incorrect. Even physicians and surgeons of the old world are watching the case. It is reported, and daily the Lane hospital finds new specialists at the (Continued On Page Two)

GUN BATTLE DUO MUST FACE JURY

Men Charged with Wounding Justice to Appear for Trial on Oct. 19

The two men who are alleged to have wounded seriously Acting Justice of the Peace Kendall in a gun battle several months ago, must face a jury in circuit court here October 19, it was decided yesterday by Circuit Judge A. L. Leavitt. The pair, Fuller and Burke, have been in jail for some time. Kendall, following the shooting, was confined in the hospital for 32 days. He was then serving as a deputy sheriff. Other cases set for trial yesterday by Judge Leavitt are as follows: State versus Purcell and Moore, charged with killing elk, October 22. State versus T. M. Owens, charged with a statutory offense, October 26. State versus Adams and Christy, charged with unlawfully operating a moonshine still, to follow immediately the Owens case. There were no other cases arranged yesterday by Judge Leavitt.

Former Comedy Star Carried Into Court

SAN FRANCISCO, Oct. 6.—(United News)—Ruby Adams, once a favorite musical comedy dancer, was carried into court on a stretcher Tuesday to tell of the accident that ended her stage career. Miss Adams is suing the New York and San Francisco Amusement company for \$100,000. She maintains that she was made a cripple for life when a heavy sand bag dropped on her while she was in the wings, waiting for her cue, during the show in which she was appearing last January. The actress, her eyes staring at the ceiling, told how she was stooping to lace a shoe when the bag crashed down upon her. She fainted once during her testimony, being revived by the nurse, who attended her during the hearing.

Baby Is Stolen Under Nose Of Town Marshal

Mother Of Child Held Member Of Party In Kidnapping Case

GIBBSLAND, La., Oct. 6.—(United News)—Eleven armed men and a woman, who is believed to have been the child's mother snatched the five year old grand daughter of E. E. Howell, the town marshal, from the arms of an aunt and escaped in two automobiles here Tuesday. The kidnaping occurred early in the afternoon but no trace of the abductors had been found at a late hour Tuesday night. Relatives of the child are said to have identified Mrs. O. E. Howell, mother of the tot as the woman who leaped into an automobile carrying her baby in her arms.

MAIN STREET TO HAVE NEW BLOCK TO COST \$30,000

G. D. Grizzle To Erect 2-Story Block at 11th for Business and Dwelling Space

Main street, Klamath Falls, is soon to have another fine new two-story business building at the corner of that thoroughfare and 11th street. Bids for the erection of the structure are to be opened on Monday night in the office of H. P. Perrin, acting for G. D. Grizzle, who is to erect the building. The new building will be occupied by stores on the ground floor and rooms for dwellers on the second floor. According to Architect Perrin, the building will have a frontage of 52 feet on Main street and 107 feet on 11th. It will be faced with constructed face brick, offset with marble trimming. Specifications call for clay tile, storm tile or reinforced concrete. The cost of the building will be somewhere in the neighborhood of \$30,000. Space will be occupied by R. G. Grizzle with a show room for his monumental exhibits. Other store space will average about 90 feet deep by 20 feet wide on Main street.

Deputy Sheriff Is Defendant in Case

Charging that an unwarranted search was conducted in his home, Vincent Zurr yesterday filed a damage suit against L. D. Burke, deputy sheriff for Klamath county. The raid, according to the complaint, was staged on September 19, and Zurr declares he was outraged by the officers' procedure. By default, A. L. Wishard and Erma Wishard yesterday lost a case in which George G. Fry was the plaintiff. The plaintiff was awarded a decree in a mortgage foreclosure to the extent of \$475. Fifty dollars attorneys' fees also were allowed.

Legion Men Raise Portion of Money for New Building During Meeting

With the realization that they and their children will, undoubtedly, realize more benefits from the legion memorial building than will the legion itself, will Klamath Falls residents, unsolicited, manifest the unselfish spirit in giving that was shown by legionnaires who held their regular meeting last night? Unaware that a collection, to be used in erecting the building, was to be taken up last night, 45 members of the order, who gathered at the courthouse, showed a liberality which surprised even the most optimistic booster. From the 45 men—of 253 in the post—\$830 in cash was received, and a total of \$1410 was pledged. More money—much more money—is needed, however, and it is from the general public that the additional funds are expected to come. "We might feel a little differently," one legion man said last night. "If we were selfish in erecting the building. But it is to be the legion's in name only—it will be used by the public about 90 percent of the time." It was pointed out that there will be a gymnasium in the building, which is badly needed here. High school students, now handicapped, would have access to the floor, and the auditorium might be used for the various hearings and meetings which will occur in the future. The cost of the building—to be built on county property at the corner of Fourth and Klamath—is to be \$23,406. The bid, \$1600 lower than the nearest competitor, was submitted by Louis Porter, himself a legion man, who had agreed to build the structure at cost. Howard Perrin has been engaged as designer. At the present time, legionnaires (Continued On Page Two)

TIMBER BRIGADE TAKES STAND IN RAILWAY HEARING

Weyerhaeuser Chief Put on Stand

MILL PROMISED CITY

Northern Interests Closely Questioned Under Oath As To Future Intentions

(By J. W. McDONALD) Staff Correspondent, Klamath News PORTLAND, Ore., Oct. 6.—Entrenched in the land they claim by right of possession and proposed railroad extensions, and fighting under the cry of "they shall not pass," the Southern Pacific in a long, hot session today flinched under a terrific blow dealt by the Weyerhaeuser brigade of the Northern rail line allies, and went down to a graceful, but decisive defeat. What ground the Southern Pacific won yesterday, due to the brilliant and searching cross-examination of Ben C. Dey, Southern Pacific chief counsel, coupled with actual facts in the case, was lost today, when George S. Long, general manager and vice president of the Weyerhaeuser Timber company, matched his wits against the clever attorney, and backed this with convincing arguments. That the Southern Pacific lost ground and prestige under the fierce onslaught of advancing, never-ending columns of four and one-half billion feet of timber owned by the Weyerhaeuser people, which is ready to be milled in Klamath Falls, the very day the Northern lines come to that city, is an accurate, unbiased opinion of today's proceeding in the legal battle for possession of the Klamath basin. Mills Are Promised After a long silence, which some newspapers attempted to break by (Continued On Page Two)

POST STARTS OFF WITH \$830 FUND

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