

# MITCHELL DEFIES COURT OFFICIALS

## Colonel Walks Out Of Room Refusing Testimony On Shenandoah

WASHINGTON, Oct. 8.—(United News)—Col. William Mitchell defied the powers that be for a second time Thursday by refusing to testify before the Shenandoah naval court of inquiry and walking abruptly from the room where he was in readiness for his appearance.

His conduct left a group of high navy officials amazed, chagrined and angry. If anything, this second act of defiance of the fiery air colonel caused greater discomfiture at least in the navy branch of the service, than his sensational charges a few weeks ago, especially since some navy officials had welcomed this opportunity to grill their critics.

Mitchell's refusal left navy officials confused and the only concrete action taken during a day of much serious deliberation was the dispatching of a letter by Rear Admiral Hilary J. Jones, president of the court of inquiry to Acting Secretary of War Davis, describing in detail just what had happened at the morning session when Mitchell declined to talk. This letter went to the war department late in the afternoon.

Jones takes the position that it is up to the war department to act against the air colonel for his conduct. It is understood that he hinted as much in his communication to Davis, which was not made public.

This second challenge by Mitchell provoked a difference of opinion between the war and navy departments as to the course of procedure, similar to the dissimilarity of view which followed the air officer's first charges, when Davis favored a board of investigation and Wilbur opposed it.

## O. C. E. TO BUILD IF S. P. WINS ITS CASE

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D. Mahaffie of the interstate commerce commission to plead for authority to extend his lines.

### Strahorn On Stand

Strahorn's appearance came at the conclusion of the morning session, after the Northern lines had concluded their showing on their request to push a rail line from Bend to Klamath Falls and after Southern Pacific counsel had unsuccessfully attempted to force the Oregon public service commission into immediately revealing its hand.

The story of Strahorn's pioneer railroad development work in the Klamath basin was a gripping one of conflict and financial reverses.

He told of being invited to central Oregon to develop an interlocking rail system after completing the building of the Tillamook branch of the Southern Pacific and other lines for the Harriman interests.

At that time Strahorn said he was an enthusiast over the prospects of development of dry farming country of central Oregon, a dream of which he admitted disillusionment in recent years.

More of the romance of the Central Oregon railroad history was revealed by Strahorn. He said that after organizing a rail development company he conferred with chief officials of all railroad systems touching that territory and obtained pledges from all of them that they would not interfere with his plans.

### Fearful Parallel Lines

"I always feared parallel lines or a conflict from the big systems but they all pledged cooperation," said Strahorn. "But as soon as my work with the Klamath Falls people showed that the project might be a success violent opposition developed in Bend.

"Some of my very best friends were threatened with business reverses unless they dissuaded me from building, and notice was served on me that I would meet formidable opposition. Most of this originated with the Sherwin-Hixon lumber interests at Bend.

"But the citizens of Klamath Falls committed themselves to franchises and to raising funds as I proceeded. The funds fell short, so I personally made up the deficit. I'm not complaining about the people of Klamath Falls, because they just didn't know how big a program they were tackling. Another shortage of funds arose, so rather than give up all the money then invested, I mortgaged everything I had to push the line into terri-

tory that would provide traffic and an earning."

Strahorn went on to relate that with every cent of his personal resources invested and an obligation to discharge to the people of Klamath Falls, he now had capital to extend his line into paying territory so he would be able to realize on his investment.

### Shaughnessy Testifies

Another gun was fired for the Southern Pacific program following the conclusion of the Oregon Trunk case when J. F. Shaughnessy, chairman of the Nevada public service commission and representative of the Reno chamber of commerce entered an appearance favoring the Southern Pacific plans, particularly acquisition and broad-gauging of the Nevada, California, Oregon railroad line and construction of the Short Line connection from Klamath Falls to Alturas, Calif.

The Southern Pacific threw its case before the interstate commerce commission with reluctance after an attempt to "smoke out" the Oregon commission and force it before the commission for the next showing. The Oregon commission has been persistent in examining witnesses and building a preliminary structure supporting a cross state line.

"We know generally that the Oregon commission is in favor of the Oregon Trunk plans and opposed to anything and everything offered by the Southern Pacific," said Dey. "and it is logical for them to appear after the Oregon Trunk."

### Allegation Denied

J. M. Devers, attorney for the commission, denied this allegation, saying that the commission was present, as a party to the case to approve and support any plans contributing to the success of a cross state line. Director Mahaffie overruled Dey's request.

Included in central Oregon witnesses were R. H. Bunnell, county judge of Klamath county; M. E. Bixas, county judge of Crook county; W. V. Sanderson, livestock; Madras; A. R. Mohrkey, Portland, sheep; H. I. Stearns, Prineville, cattle; George Brewster, Redmond, irrigation engineer; Mrs. Alta McMickle, Redmond, produce; E. E. Agee, Redmond, dairymen, and G. W. Foster, Prineville, livestock.

These witnesses testified to the tremendous benefits they expected to accrue from the opening of new markets and more convenient shipping facilities as would result from the Oregon Trunk extension. Judge Bunnell said that the Klamath territory had the land and resources but that it needed people; that people could only be attracted by the opening of markets and that markets could be opened only by new railroads.

## R. E. STRAHORN'S OWN STORY TOLD HEARING

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It was fully understood that the city investment was made to get the line through to Sprague river, a basis for further financing, my conviction being that once at Sprague river our position and business would surely command legitimate and acceptable financing.

"No promise of completion to Bend was ever made, but that I would go to the utmost in effort and use of my own resources to continue the line northward. To insure the latter as far as possible, the city was to hold title to the constructed line to Diary until Sprague river was reached, when a conveyance of the Diary line would be made to our railroad company. Thus, without the promised terminals or rights of way, and only a deed in escrow to the Diary line, in which \$150,000 of my capital was tied up, and with investors doubting our ever reaching Sprague river, to make the bonds or loans good, it can be seen how almost impossible the financing became in the critical years succeeding 1917.

But this was not allowed to interfere with our locating the best line to Sprague river on 1 1/2 per cent maximum grades and 5 degree maximum curvature, and departing from it only to a limited extent in construction, which could be revised within limits of the right of way as business justified, at moderate cost. There are no expensive structures or maintenance conditions and with a maximum snow fall of only three to four feet on Sprague river divide, operating conditions are most favorable. The permanent 1 1/2 per cent maximum grade can be effected by a 3,400 foot trestle under the summit and a short section of the south side, which would reduce the mileage three miles. Our rails reached Orem, ten miles in 1915, and Diary, twenty miles, in 1919, also in the latter year we built two miles of the Swan lake branch, which brought us the business of two mills in Swan lake valley, where several hundred million feet of timber await a further extension. Then, owing to the critical war conditions, and breaking down of Klamath Falls right of way and terminal activities, which those assets so necessary to

further financing were only about half finished, I faced the alternative of parting with the money personally to complete these facilities and to save those already acquired, upon which only partial payments had been made, or to throw up the whole undertaking, meaning at that stage and as conditions were, its collapse, and to Klamath Falls the loss of its \$300,000. By staking my credit to the utmost, mortgaging every asset on heart-breaking terms, not even sparing my own home at Spokane, personally selling bonds from the Pacific to the Atlantic, under all sorts of personal and financial hardship and sacrifice, and exhausting every possible expedient to borrow from indulgent friends, I pushed the line to Hildebrand, 24 1/2 miles from Klamath Falls, in 1920, and to Horton, 4 miles further, in 1921. Fairly entering the timber at Hildebrand where mills were being established, with also important logging operations at Horton, these short steps greatly strengthened our position. Late in 1922, with the assurance from eastern sources of enough money to complete the remaining 12 miles to Sprague river, I let a contract for that grading. But here, with the settlement of the Southern Pacific, Union Pacific controversy, over the position of the Central Pacific, early in 1923, and resulting prompt resumption of the Naiton line construction, by the Southern Pacific, I was doomed to face the worst trouble in all these years, by the convention of they who were to furnish this money that such a new and high class short line to Portland, in connection with their growing lack of confidence in local resources between Silver Lake and Bend, should eliminate all through line considerations. So they failed me and that money had to be again raised elsewhere.

"About this time, with constantly increasing evidence that at least 75 percent of all traffic originally south of a line drawn east and west through Silver Lake would naturally and inevitably move south if afforded necessary facilities, I revised my plans and adopted the present proposed program of being the most economical, feasible and adequate to fairly serve Central Oregon.

"While conditions were most distressing almost from the first, and railroad financing even by good roads almost impossible, no year passed without substantial progress on the Oregon-California and Eastern. There has been a total outlay on all accounts of \$1,659,464.35 including substantial contributions of terminals, rights of way, etc. Actual cash outlay for construction and equipment has been approximately \$1,600,000 or \$24,571 per mile for our 65 miles.

"Upon reaching Sprague river, the city of Klamath Falls promptly delivered its deed to the twenty miles, which were built under its auspices to Diary, and received therefor the \$300,000, 35-year income bonds already referred to. We were now for the first time in position to seek assistance on anything like a business basis. To protect the position thus acquired and hold our rights, further on, we obtained an extension, from the interior department in 1924, and later for another year, for construction of our line, following same with new surveys and right of way work during 1925, particularly on the line for which we have this year asked permission to build.

This work includes the line to Silver Lake, 56 miles, from a convenient point on that line near the head of the Williamson river northward, down that river 15 miles, and between Sprague river and Lakeview, 28.7 miles, a total of 100.7 miles. This increase from the 143 miles which we asked permission to construct, arises from results obtained from surveys not then complete, and revision of others. The increased mileage accounts mainly for the increased cost, however. We have found it feasible to build all these lines, of a total of 159.7 miles on the regular, permanent, branch line standards adopted, for a total of \$4,541,000, as will appear in detail with other information in our chief engineer's

statement. Early in the present year I welcomed the opportunity to enter into a very satisfactory agreement with the Southern Pacific company for its assistance in carrying my present load, and in financing these extensions. And, all subject to the consent of the interstate commerce commission, to take over the Oregon California & Eastern within three years. We have also agreed that if we may be spared the destructive competition, we now seek to prevent, my line may at an earlier date be completed a part of the Southern Pacific system, for rate-making purposes, this means that everything that the region up to and including Silver Lake and Williamson river could reasonably hope for, and I believe it is generally satisfactory.

## ALTURAS IS LINK OF EAST-WEST LINE

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sent three per cent grade line over the White mountains between Oweysa and Mina will, we are informed, be reduced to a maximum grade line approximately 1.7 per cent, and the more direct route between western and central Nevada points and Portland via the Nevada-California-Oregon railroad and the Modoc Northern railroad or Alturas cut-off and the Naiton cut-off will reduce the present southbound grade of 3.3 per cent over the Shihyon range and the present 2.42 per cent grade line for a distance of 50 miles, reaching the summit of the Sierra Nevada range before entering Nevada, to a maximum approximating 1.75 per cent.

In the reverse direction covering the northbound movement from Nevada points to Portland it will reduce the present grade line of 2.35 per cent between Nevada and the summit of the Sierra Nevada range and the 3 per cent plus grade line over the Skisigo mountains, all of which will result in large operating economies by a lessening of distance and a lowering of grades and therefore make for very substantial reductions in freights and fares to the public.

## TWO DEATHS MAR AIRPLANE RACES

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patriot, Captain G. Pelletier d'Oisy, and 14 army and navy planes, d'Oisy was fourth.

Some experts saw in this an evidence of the superiority over American of the French air service, pointing out that the planes driven by the Frenchmen were newly developed for military service, while the Americans in the race, used older style machines. Still others said the victory revealed nothing more than the ability of Lemaitre and d'Oisy over their American competitors.

In the same race, supporters and opponents of Col. William Mitchell were given the opportunity to state confirmation of their beliefs. The American plane No. 70, which pressed LeMaitre most of the way, carried a motor built at the suggestion of the air service critic. But those who oppose Mitchell pointed out that it was forced to quit in the fifteenth lap.

Lieut. E. B. Bayley, army, in a Douglas XO-2, was the first American to cross the finish line. His speed was 128.3 miles an hour, as compared to LeMaitre's 129.1. Of the twelve starters in the second race, for civilians only, C. E. "Casey" Jones was the winner at 134.3 miles an hour. Frederick P.

## Is First Winner of Caruso Award



Miss Mildred Caroline Secha, of Jacksonville, Fla., soprano, first winner of the Caruso American Foundation Scholarship, is now in Italy, where she will study for a year, the scholarship giving her free transportation and \$1,200 in money.

Decker was second, and Hall L. Rowe third. Rowe took the race for planes of the two-crew type in a Thomas Morse S-4-E, with E. P. Lott second in a Thomas Morse S-4-B. The winner averaged 192.9 miles per hour. It was in this race that Burnell was killed.

The race continues Friday, with the main event for the Pulitzer prize Saturday.

## LEGION ELECTION ON CHIEF WARMS UP

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group and the faction which staged an enthusiastic demonstration when Maj. Gen. Legouis of the marine force, had told the convention that the present system was the only cor-

rect military division of air power. The resolution praised President Coolidge for his interest in wing such, manifest in his address before the legion here.

Other business transacted during the day included the voting of a hands off policy regarding the question of the United States entering the league of nations, and the adoption of a resolution of sympathy on the death of Christy Mathewson, baseball star, and World war veteran.

Florida was awarded the Lindsay trophy for having the greatest percentage of gain in membership during the past year.

Stanley J. Doyle of Glendive, Mont., was unanimously elected head of the "40 and 8" organization of war veterans.

The convention went on record as opposing all rowdiness and law violating by legionnaires at national conventions, following a clean-up of alleged bootleggers and gamblers, who were arrested by protest marshals appointed by the legion.

A resolution demanding that city officials arrest and prosecute violators of gambling and prohibition laws, was unanimously adopted by the convention. About 50 persons were arrested by the protest marshals, and United States Attorney J. C. Kistler has organized a grand jury investigation of alleged wholesale liquor selling by local persons during the convention.

## SCHOOL PROBLEMS ARE DISCUSSED BY PARENTS

Parents and teachers of the Main and Libby districts considered

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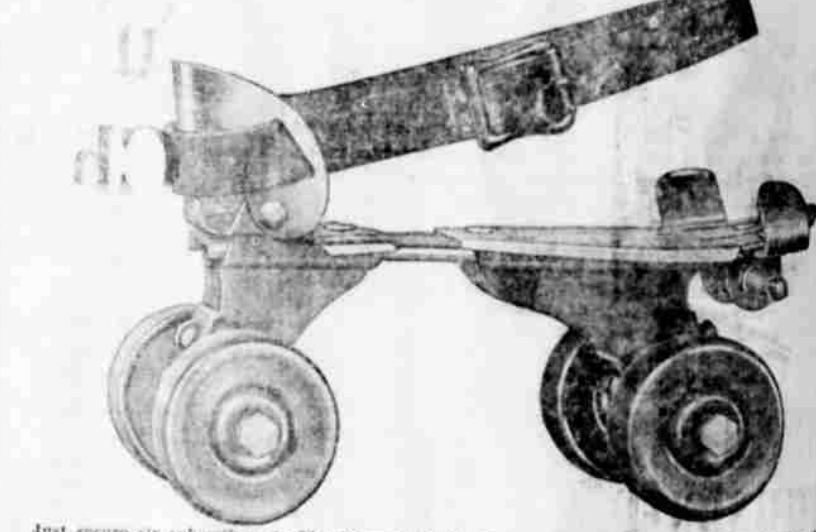
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