

INDIAN FREED ON COUNT OF MURDER

PUEBLO, Colo., Nov. 16.—Plat H. May, Ute Indian, was acquitted of the murder of his 17-day-old papoose in federal court here late Monday, when Judge J. Foster Symes upheld a motion by defense counsel that the state had failed to produce corpus delicti and there was no evidence other than the redman's confession that the baby had not died of pneumonia.

The court held that the confession could not be introduced until the prosecution had proved a crime had been committed.

Plat May's wife died of pneumonia on February 17, 1925. Under threats of death at the hands of Mormon Joe, medicine man of the Utes, and his father-in-law, Plat May wrapped the baby in a blanket and placed it in the arms of the dead mother whose body lay in a tepee, according to the confession obtained by police.

The next day both bodies were buried. The papoose, the state contended, still was alive when lowered into the grave.

Dr. J. E. Johnson, coroner of Montezuma county, testified he had exhumed the body of the child and found evidence of congestion in its lungs, caused from pneumonia.

Susan Cathair, mother-in-law of May, testified through an interpreter that the child had died because there was no one to nurse it and denied that it had been buried alive.

PUEBLO, Colo., Nov. 16.—(United News)—In a tiny federal court room here the red man is making his last stand.

The ancient teachings of the medicine man, who alone was supposed to have been vested with the power to annihilate the "evil spirit" will come before the scornful eye of the white man's law, as the trial of Plat May, 25-year-old Ute brave, accused of the murder of his 17-day-old papoose, progresses.

Crazed with grief over the loss of his squaw, and cowed by the threats of death at the hands of Mormon Joe, medicine man of the Utes, and his father-in-law, Plat May took his papoose and placed it in the arms of its dead mother and the two were lowered into the grave.

This will be the contention of attorneys who were chosen to defend Plat May.

Injected into the strange hearing also will be the legend upon which the medicine man based his logic that the child should be killed.

A Ute squaw died at childbirth and her son on growing to manhood, deserted the tribe and later returned and obliterated it, the old story goes. Since that time it has been the custom to bury an infant with its mother if death comes to her at childbirth, in order that the "evil spirit" also may die.

Mormon Joe, who despite the objection of the Indian commissioners, has insisted on the privilege of conducting the weird, maddening chants accompanying an Indian burial, presented a strange figure as he was led into the court room between two prison guards.

Arrested in connection with the crime, he was placed in jail awaiting a hearing, and while there beat a Mexican cell mate to death, with the leg of a table. For this crime he was sentenced to from 20 to 30 years in prison.

Months of close confinement have transformed him into a mad-man, crazed with a desire to kill, according to the two officers, who guarded him.

Plat May, on the other hand, appears docile and indifferent as to his fate. He strolled out of the court room Monday morning to "get a bit of fresh air," and the selection jury was held up pending his return.

Presentation of evidence is expected to begin Tuesday.

Stephenson Claims Trial Was Unfair

NOBLESVILLE, Ind., Nov. 16.—(United News)—Summoning to his aid those oratorical powers that enabled him to become the ruler of 400,000 Ku Klux Klansmen of Indiana, D. C. Stephenson Monday afternoon told the judge, who was about to sentence him to life imprisonment for murdering pretty Midge Oberholtzer, that he was innocent, and that he had been persecuted in an unfair trial.

Stephenson, former grand dragon of the Indiana Klan, was brought into court to hear sentence passed upon him. Before imposing the sentence, Judge Will Sparks, who heard the sensational case, asked

the former klan leader if he had anything to say for himself.

Without commenting on what Stephenson had said, Judge Will Sparks then sentenced him to life imprisonment for manslaughter. Defense attorneys announced they will appeal to the supreme court for a new hearing.

The verdict of conviction was returned Saturday after a trial lasting five weeks. Earl Kienck and Earl Gentry, co-defendants, were acquitted of the charge of murder, and through a misunderstanding they were set free. Monday, however, they surrendered to the sheriff, and will stand trial for arson in connection with the burning of Stephenson's Indianapolis mansion, shortly after Miss Oberholtzer was assaulted and killed last spring.

YOUTHFUL KILLER TO FACE CHARGE ON MURDER COUNT

ALBANY, Ore., Nov. 16.—(United News)—John Schwindt, 15, whose father, Joe Schwindt, 56, died Sunday, a victim of a bullet wound inflicted by the son, faces a charge of first degree murder, filed in the circuit court here Monday by L. G. Lewelling, district attorney. The prosecutor expects the boy to be sent first to the juvenile court, and probably remanded to the higher court.

No special session of the grand jury will be called, the district attorney said, inasmuch as this body will meet in regular session soon.

The boy has said that he shot his father while the elder Schwindt on November 4 was unmercifully beating Joe, Jr., 16, a brother of John. After the father had threatened to break the screaming boy's arm, John ran into an adjoining room, seized his brother's gun, and returning, fired blindly, he declared.

Yale Men Blue Over Loss of Tiger Game

NEW HAVEN, Nov. 16.—In an indigo atmosphere of indissoluble gloom, Yale's weary warriors put their bruised heads and long faces together Monday and listened while the coaches "moaned the blues" about the coming contest with Harvard.

So worn and dejected were the players, the coaches decided to spare the scrimmage and work on morale and mental alertness. Yale, instead of looking forward to a romp over Harvard, now is being told that the team must brace if it expected to win at Cambridge next Saturday.

The Eli team came through the Princeton game without serious injury, the only player hurt being the unlucky guard, Richards, who sustained a bruised shoulder.

JONES ESTATE PAPERS FILED

Estate of Clarence Jones, deceased, who died on October 31, was filed in probate yesterday by County Clerk DeLap.

Walter West was appointed administrator of the estate by County Judge Bunnell. The estate was valued at \$1,000, personal property.

VOLUNTEERS WANTED

The Klamath Sportsmen's association want volunteers to report to Game Warden Marlon Barnes before Friday morning to investigate conditions in the Tule lake district, with a view to ascertain steps necessary to dispose of the carcasses of ducks in that place. If you can go Friday morning for a three or four day stay phone 584. All arrangements will be made for your supplies.

Since They've Broken the Mule Bulldogs Are Set to Meet Tiger



Capt. Johnny Jess, Yale captain and left tackle, is grooming his "Bulldogs" to lick the Princeton "Tiger" when they meet Nov. 15. Sturbahn, the husky center, is expected to be at his best in the Princeton fray.

MOSIER ELECTED AS SCOUT LEADER

Frank Mosier was elected president and William Mueller vice-president of the Scout Leaders' association of the Klamath county, that of secretary, to which Percy Murray was elected.

Others present during the evening were L. F. Crawford, Dr. Phillip Cole, Walter Hannan of Algoma, C. A. Kleier of Bonanza, Dr. Paul Sharp, Rev. A. L. Rice, C. A. Marino, L. F. Banker, James Scoggins of Merrill, Milton L. Borland, Edward Livingston, Julius Maeller, Arthur Grubb and James Laekbke of Bonanza, Everett O. Nord, ex-officio member of the association by virtue of his position as scout executive of Klamath county was also present and conducted the early part of the meeting.

MAYOR TO CHOOSE LIBRARY CONTROL

The Klamath Falls city council is not too anxious to involve itself in a library fight.

At its regular meeting last night the mayor was authorized to appoint a library board, upon which duties heretofore worrying the aldermen, will devolve.

A number of persons who worked hard for the new library are dissatisfied with the proposed plans and specifications, it was said, and the council, along with the mayor, feel that these persons should be consulted.

"I think the women should be considered," Mayor Fred Goddard said, "and that their wishes should be followed, even if we find it necessary to change our prepared plans."

Mayor Goddard last night failed to name the new library board, in whose hands the problem will be placed. He said, following the meeting, that he wishes to choose those persons who will be most capable and interested. The appointments, he said, probably will be made next Monday night.

There will be no further blasting within the city limits, unless the council issues a formal permit to the persons deciding to use powder, it was decided last night. Several complaints had been received and the council passed the bill which was provided with an emergency clause, making it effective immediately after it has received the mayor's signature.

A suggestion of Mayor Goddard's, that signs, explaining that there is to be no shooting within the city limits, failed to receive any enthusiasm from the council. The mayor referred to some shooting which had been reported near Link river. Small boys, it was said, were guilty of the misdemeanor.

At the Hall Hotel—R. M. Hagen of the California Cattle Growers association, is in Klamath Falls for several days from his home in San Francisco. Tonight he will speak to cattlemen of the Fort Klamath country in the community hall in Fort Klamath. At present, during his visit in Klamath he is a guest in the Hall hotel.

With Oil Company—F. W. Barrotte, lubrication engineer with the Associated Oil company, is among the business visitors in the city from his home in Medford.

Langell Valley Residents—Mr. and Mrs. E. W. Wilkerson and W. L. Wilkerson are Langell valley residents spending some time in Klamath Falls visiting with their many friends and transacting business.

Local Briefs

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TRAMBITAS HITS PACE IN GETTING READY FOR FIGHT

Kid Starkey Returns to City From Medford Looking In Fine Fettle

All boxers scheduled to go on tomorrow night at the Scandia hall continued their strenuous workouts both Sunday and Monday. Starkey, who is to meet Johnny Trambitas in the main event Wednesday night, arrived in the city yesterday afternoon. He did no working out stunts yesterday, after his trip from Medford, where he has been since his last fight, visiting relatives.

Starkey is said to be in fine shape. Trambitas certainly looks better than he did when he fought Starkey here Nov. 3. It sure looks like these two are going to start something when their ten round scheduled bout is on tomorrow night.

Sunday Trambitas went after the road work, while in the afternoon he went six rounds with three different sparring partners.

That interest in the bout is keen was evidenced Sunday, when a crowd of almost 200 visited the hall to watch the boys train in the late hours of the afternoon.

Yesterday Trambitas went through the same performance. He was a busy man, too, and had his sparring partners flying to all points of the compass. Once he hit Bobby Allen harder than he intended, opening a cut over the latter's eye, which may prevent Allen from appearing, according to the promoters last night, but it may heal enough in a couple of days to allow him to go on.

Seats are going good, say reports from The Smoke, Mecca, Waldorf cigar stores, and the Rex pool hall, where they are on sale. Owing to the high cost of this card, the price of admission has been raised 35 cents, or what amounts to that. General admission is now \$1.50, instead of \$1.10, but the price includes war tax. Prices for the ring-side are \$3.50, reserved \$2.20, war tax included.

An interesting announcement to Jack Grim and Wilbur Harrington came yesterday when Ashland wired that there was a match waiting the winner of that event. Not that either need much incentive to go, but this means their work has attracted outside attention.

Vernon also wired yesterday for a match for Trambitas on Nov. 24 with Jack Doyle, Ray Ackles, manager of Trambitas, however, says he

cannot make it as Trambitas is booked for Butte, Montana, on November 26, with either Rusty Letroy or Johnnie Showers, fast St. Paul lightweight.

This is another reason why Trambitas is looking a lot better now than he did the last time.

Sports Done Brown

There comes from Cleveland, the home of Benny Friedman, an interesting "inside" story regarding Benny's meteoric rise to stardom in the football world.

It will be recalled by most close followers of the grid game that Friedman was a substitute on the Michigan squad last season until Red Grange and his fellow Illini annihilated the Michigan outfit.

Realizing that the Wolverine team, as it stood, lacked the stuff to cope with the Big Ten rivals, Hurry Up Yost decided on a drastic measure. He turned the team over to George Little, then his chief aide, with instruction to revamp it completely.

Now it so happens, according to the story told, that when Friedman reported for practice at the beginning of his sophomore year in the fall of 1924, Little, knowing his work on the freshman team, believed he had the makings of a varsity man. Yost, however, looked Benny over and relegated him to the hopeless squad, or thereabouts.

Benny stuck to his guns and the game. When Little was ordered to do his darndest with the team after the Illinois debacle one of his first moves was to place Friedman in the back field. Almost over night the Clevelander became a star. His forward passing, his field generalship, his broken field running and kicking turned Michigan into a formidable team.

This year the Michigan team is built around Friedman. He is a made star. His name must be considered in the selection of All-Western and even All-American teams.

Little left Michigan last fall to coach Wisconsin. He had hopes of marking his debut there with a victory over Michigan, but was foiled by Benny Friedman. The Clevelander had directed his team with consummate skill and scored one touchdown on a run of 85 yards.

The defeat was a blow to Little, but there must have been some satisfaction in the knowledge that the player in whom he had had faith was the one to deliver a victory to Michigan.

Zakewski Is Back on Fordham Eleven," says headline in eastern paper. And another day is ruined for the printers.

Pennsylvania, still thrilled by its team's victory over Brown, Yale and Chicago, now hopes to add Not-

re Dame to a rather adu- dropping Pennsylvania edule gives the better Is this another home one of the Big Three Johnny McGovern, ball star of University and hockey expert, has the "Judge Landis" of central group of the league. Mr. McGovern been interviewed as to like rainy weather as judge or whether he privileges of the manna pires.

Discussing Harry what recent fight will to (simply easy picking an eastern writer- "Better fights have by New York lounge nothing." Quite right. shoremen lack are good and clever managers.

WOMAN ARRAYS ON LIQUOR

May Kostakis, acco- hibition officers, made that she was receiving from them. In other her "place" said to be of the Arcade hotel, v- bothered by men wear-

The officers didn't ap- statement, they said, morning. Prohibitio- and Boyd made a raid on eating liquor and, as a woman was charged with ful possession of whiske-

Mrs. Kostakis was a justice court yesterday ed the \$250 bail deman- release.

Scouts Want Going to Po

Wanted! Two or the carry the patrol leader interested in scout wa- land, to attend the coun- leaders to be held dra- giving week-end.

Scout Executive Even had planned on six 600 Klamath county, one a- each of his troops. The promised to be so in- scoutmasters and vau- masters have asked that be included in the trip a demand for transpor-

If there are any re- residents who are p- Thanksgiving holiday on- day or Thursday last- of the week in Port- have space for a f- extra persons, the ma- preclude it very mu-



BILLY'S UNCLE

