

AVERAGE SWORN NET PAID
CIRCULATION, APRIL
Daily 35,606
Sunday 38,901

TULSA DAILY WORLD

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TULSA, OKLAHOMA, TUESDAY, MAY 2, 1922

18 PAGES

PRICE 5 CENTS

**GAS CONSUMERS
PROTEST BILLS;
WANT RATE CUT**

Company's Audacity in
Charging 62 Cents
Astounds Them

BILLS ARRIVED EARLY

Consumers in District One
Received Statements
Last Week

MAY TAKE CASE INTO COURT

City Attorney's Advice to
Consumers Is to Pay
Only 42-Cent Rate

Gas consumers in district No. 1 were up in arms Monday when they received their gas bills for April figured at the rate of 62 cents a thousand cubic feet. They protested vehemently, declaring that in the face of the federal court's decision of last week they should not have been charged more than 42 cents, which is the old rate established by the corporation commission.

On December 19, 1921, the federal court granted the Oklahoma Natural Gas company a restraining order against the corporation commission prohibiting the commission from enforcing the 42-cent rate, and allowing the gas company a 20-cent increase, which brought the price of gas to 62 cents.

Last week the federal court dissolved this restraining order on the grounds that the Oklahoma Natural had not exhausted every effort toward obtaining an increase in the state courts. Local attorneys are of the opinion that this decision automatically restored the 42-cent rate and made it retroactive to December 19, 1921, since which date consumers are entitled to a 20-cent rebate.

Consumers in district No. 1 were puzzled over the gas bills for April, which bills for gas consumed during the month of April. Several explained they do not usually receive their bills until the third of the month, and that the bills arrived promptly on the first and in some instances before the first.

City Attorney Frank E. Duncan Monday stated that he would not pay the 62-cent rate for gas consumed in April.

"I am advising all those who call me to offer the gas company payment of the rate of 42 cents," he explained. "This is all that should be paid in the face of newspaper reports concerning the federal court's decision and a conversation I had with members of the supreme court commission. My opinion is that the 42-cent rate is now in force. If the gas company refuses to accept payment at the rate of 42 cents a thousand cubic feet, consumers should take their cases into court."

Not Yet Effective—Sharp. Gas bills sent out this month cover gas used prior to the federal court's decision. R. C. Sharp, vice president and general manager of the Oklahoma Natural Gas company, said Monday:

"Our opinion is that the 42-cent rate does not become effective until the federal court's written opinion is returned," he advised, "and until it is returned the federal court's decision will not continue our restraining order against the corporation commission. For there is a possibility that this order may be continued. The opinion probably will be handed down Wednesday or Thursday of this week, at which time we will know our exact status in the courts."

"However, consumers need have no reluctance in paying the bills sent out this month. We are required by law to cover a sufficient bond up to cover all rebates, which protects consumers from any loss," Sharp intimated. "We will pay the full amount of the April bills."

To Insist on Early Hearing. It is necessary to carry the case to the state supreme court, Sharp said the Oklahoma Natural will insist that the case be tried before the spring session adjourns. "It is impossible to obtain a hearing then, to ask that it be heard in October."

Should the gas company's request for the supreme court for a permanent injunction against the corporation commission be refused, the commission probably will insist that rebates be paid through that body, according to Sharp.

Consumers in district No. 1 have until the tenth of the month to pay their bills.

Garrett Case Postponed. ARDMORE, May 1.—Attorneys for Buck Garrett, indicted, sheriff, stated this afternoon that they have an idea when Judge E. D. Oldfield of Oklahoma county will come here to hear a new trial or a new trial of the indicted sheriff.

Ignore Dry Law Appeal. WASHINGTON, May 1.—Ignoring his appeal to the "conscience" of the supreme court today, denying the motion of Robert A. Widemann for review of the case he brought to challenge the constitutionality of the prohibition amendment.

**Chilean Turned
Down by Actress
Shoots Himself**

PARIS, May 1.—Guillermo Errazuriz, attaché of the Chilean legation in Brussels and a brother of the former Mrs. Jack DeSaules, who killed her husband at Westbury, Long Island, in 1917, proposed marriage to Peggy Hopkins Joyce, an American actress, before he shot himself in the head in his room in a hotel here Sunday, says Herald today.

The Herald quotes Miss Joyce as saying that Errazuriz had asked her to marry him as soon as he could arrange a divorce in Rome. Miss Joyce replied that she was too tired to talk to him then, but added that she might be married to him eventually.

Errazuriz then went into the same hotel where Miss Joyce was stopping and shot himself, dying later from the wound.

**COURT PROBES
ASSAULT UPON
LAWTON PASTOR**

Inquisitorial Body Gets
Testimony on Alleged
Kidnaping

HOLD SECRET SESSION

County Attorney Questions
Church Members as to
Knowledge of Affair

CHURCH OFFICIALS RESIGN
Believe Persecutors Attempting
to Run Irwin Out
of the City

By the Associated Press.
LAWTON, May 1.—A court of inquiry was convened here tonight by County Attorney Fletcher Riley in an effort to learn the identity of three men who the Rev. Thomas J. Irwin, pastor of the First Presbyterian church here, declares snatched him last Saturday night and carried him 12 miles from town where they threw him in a roadside ditch, bound and gagged in a semi-conscious condition.

The minister and Frank Davis, R. H. McQuinn and A. S. Young, members of the church session which tendered his resignation in a body today were summoned before the court and subjected to lengthy questioning by the county attorney. The inquiry was secret. After adjournment late tonight County Attorney Riley refused to comment on the testimony brought out.

The county attorney declared, however, that he intended to conduct a most thorough investigation of the case. "I intend to go to the bottom of this affair," he said. "The inquiry will be continued tomorrow, Mr. Riley said. He announced that subpoenas would be issued for suspended members of Mr. Irwin's church and that they would be called in groups of three and four."

It was understood that Sheriff Frampton was furnished with a list of about thirty individuals who have been suspended from the church with the sanction of the pastor. It was intimated the suspended members would be asked by the county attorney to identify the men who Irwin was abducted.

The pastor and the six members of the church session, who resigned and withdrew their families from the church, were among the first to enter the county attorney's office. In re-examining the executive board of the church adopted a resolution condemning the Irwin case, which has ordered the pastor tried by a church commission on May 9 on charges of "conduct unbecoming a minister."

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**Trotzky Warns
Red Army to Be
Ready for War**

MOSCOW, May 1.—Leon Trotzky, the soviet war minister, addressing the Moscow garrison at the May day review in Red square, at which the red oath was taken by all the soldiers, declared that allies at Genoa desired conditions to which Russia would never yield; therefore he asked the troops to be prepared.

"We offered to disarm," he said, "but the allies did not want that. We offered to bargain; we offered to pay the pre-war debts, but they agreed that they would recognize us if we abolished soviet Russia and restored capitalism. We answered no, and we will always answer no."

**U. S. DRAWN INTO
PARLEY AT GENOA**

Taft Will Name Chairman
of Mixed Board for
Claim Settlement

INTO RUSSIAN MESS
Tribunals to Be Established
to Arbitrate Debts of
European Nations

By the Associated Press.
GENOA, May 1.—Chief Justice Taft of the United States supreme court will be asked to name the chairman of the mixed arbitral commission to be established for settling the debts owed by the Russian government to foreign bondholders, according to the plan arranged today. The other members of this commission will represent all the bondholders and the Russian government respectively.

The commission will have power to remit interest and decide all questions affecting foreign bondholders and Russia's ability to meet her obligations; a time limit will be fixed in which bondholders may make their own arrangements with the Russian government if they desire.

Many New Courts. Mixed arbitral tribunals, one for every interested nation, will be set up to deal with the question of the property of foreigners which has been nationalized; the chairman of each will be named by the chairman of the mixed arbitral commission. In the plan adopted practically everything which savors of capitalism or infringement on Russia's sovereignty was waived. The French suggestion of a provisional administration, pending Russia's establishment of a new government, was not adopted.

May day was a real labor day for the Genoa conference. The subcommittee on Russian affairs rushed its consideration of the Russian reconstruction plans and came through late tonight with approval of the draft of the proposals. These will be considered again tomorrow for the purpose of final editing and will probably be sent immediately to the Russian delegation.

Belgium Holds Out. Belgium alone held out on the section relating to the treatment to be given to the property of foreigners nationalized by the soviet government. This is a vital point in the proposals and has been stubbornly contested. France finally subscribed to the project proposed by Great Britain, whereby the use of the property will be restored wherever possible and in other cases compensation will be arranged through mixed arbitral tribunals.

Belgium stood firmly for the principle of restitution and went on record as protesting, declaring that the vested interests of Belgians in property in Russia amount to 100,000,000 francs, and that Belgium will never again invest in Russia unless restitution is made.

In the discussion relating to the treatment of foreigners, the administration of justice and the general liberty of foreigners to trade and engage in enterprises in Russia, it was decided to abandon those sections of the London experts' report which referred to certain measures whereby the immediate restoration of the property of foreigners would be guaranteed.

The session which has supported Mr. Irwin throughout before resigning unanimously adopted a resolution declaring that the El Reno presbytery, which has jurisdiction over the local church, has been unfair, unchristian, un-presbyterian and irregular in all its proceedings against the pastor and the session.

The resolution further charged that the action of the presbytery constituted the "darkest chapter in the annals of Presbyterianism in the United States of America, more cruel than the Spanish Inquisition."

Mr. Irwin had recovered sufficiently from his experience of Sunday night to talk about that affair. He reiterated that he did not recognize any of his captors who bound and gagged him and took him in an automobile to a spot near Medicine park, an amusement resort near here, where he was thrown into a ditch. He lay there several hours before being picked up by passing motorists.

Wants Investigation. "The fullest investigation of this outrage, must be made," declared the minister. "Such tactics will not result in me deserting my post. There are higher authorities than the presbytery and to them I will take my case."

Mr. Irwin added that in his opinion the attack Sunday night had will be free at women of Tulsa and vicinity being cordially invited to attend every session. Don't forget the dates—May 8, 9, 10, 11, 12. Bring a pencil, notebook, spoon and saucer.

The various exhibits, which will be tastefully arranged and so placed that they may easily be inspected by everyone, are planned to include every article of equipment that makes for beauty and convenience in and around the home.

Detailed programs of all sessions of the exposition will be published by The World in advance. Admission to the exposition will be free. The exposition will be held in the defunct State National bank of Ardmore and the Wilson State bank of Tulsa. The county funds in the banks total \$244,793.

County Sues Defunct Bank. ARDMORE, May 1.—The county attorneys have been authorized by the board of commissioners to start suit against the defunct State National bank of Ardmore and the Wilson State bank of Tulsa. The county funds in the banks total \$244,793.

Flood Appropriation Approved. WASHINGTON, May 1.—President Harding today gave his approval to an appropriation of \$200,000 to aid various sections of the United States in preventing breaking of levees along the Mississippi river. The appropriation is to be used on levees not under government ownership. \$1,000,000 has already been set aside for the levees over which the commission has jurisdiction.

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**OKLAHOMA LOSER
IN BATTLE FOR
RED RIVER BED**

U. S. Supreme Court Says
Government Holds Title
to Property

ONE SMALL LOOPHOLE

Abutting State School Lands
Hold Interest to Center
of River Channel

ANOTHER POINT TO SETTLE

Fixing of South Boundary
For Stream Will Take
Land From Texas

Big Loss For State!

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By B. N. TIMMONS.
World Staff Correspondent.
WASHINGTON, May 1.—The United States owns the entire bed of the Red river. Texas has no proprietary interest in the bed of the river, or in the proceeds of oil and gas taken therefrom. For purposes of civil and criminal jurisdiction the entire river bed lies on Oklahoma. Placer mining claimants have no claim whatever and their cases are thrown out of court. The Red river in the disputed territory is not navigable. Riparian owners on the north bank are given the land to the middle of the stream. The state of Oklahoma is also given to share in the middle of the stream in riparian rights where it owns school land abutting the disputed territory.

These six questions were settled today in a decision by the U. S. supreme court read by Justice Vandever. It was the second important decision in the famous case. The court previously decided that the south bank is the boundary under the treaty between the United States and Spain in 1819.

The third and last opinion of the court will determine just where the south bank is. It is regarded as probable that the court will decide the third phase before it adjourns in June.

Case Cleared Up. The court's decision today covered 20 pages and cleared matters up to the point where the case can be regarded as certain that the court has gone into all questions and can quickly render the third decision.

The court explained in its decision today that at the beginning of the case Oklahoma claimed the entire river bed. Texas claimed half of it and the United States entered case claiming the entire river bed. Various other claims conflicted with one another making the case of the most complicated that has ever been docketed with the court. The court also set out that although Texas has no proprietary interest in the river bed and that the claimants of river bed property under Texas patents have no title, it is possible that when exact location of the boundary along the south bank is determined it may develop that the river is holding some land on the southern side of that boundary.

River Not Navigable. Dealing with its decision that a state of Oklahoma has no title to any part of the river bed except CONTINUED ON PAGE TWO.

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The British vessel, according to information in the Maritime Register, was en route from Sagua la Grande to the United Kingdom with cargo. She is a vessel of 4,438 gross tons, and is 465 feet long.

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At Mrs. Selzer's trial, the state introduced 73 letters and cards, alleged to have been written by Mrs. Selzer to Sullivan, showing their relation and her trips to meet him and details of their love affair. Some of the letters were addressed to him as "My dear hubby-to-be." The state likewise showed "trouble" between Mrs. Selzer and her husband and the fact that she had bought strychnine.

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