

The End of a Lawsuit

A Lawyer Paved the Way; a Woman Did the Rest

By F. A. MITCHEL

My friend Jernegan came into my law office one morning and said to me: "Tom, my affairs have been in the hands of Turner & Swift ever since my dad died, and they have got them into a frightful snarl. They now tell me that I'm likely to lose everything. I've concluded to take the management of the estate out of their hands and put it in yours."

This seemed to me like a doctor called in to save a patient that had been given up by another doctor, but Jim Jernegan and I had long been chums, and I couldn't refuse him. A tin box full of papers arrived at my office, the box being marked in gilt letters "Estate of James R. Jernegan." Jim's father, and I proceeded to an investigation.

The deceased had made a fortune by a land speculation in which he had had a partner named Hausman. The two had quarreled, each claiming the lion's share of the property. This had started a lawsuit which had been inherited with the property by the heirs. The value of the land had increased, but the costs of the suit had increased proportionately. Hausman before his death had transferred his interest to a man named Starkweather, and Starkweather had died, leaving it to his only child, a daughter.

I found my client absolutely ignorant of the condition of his interests in the property. "Don't talk to me about it," he said. "I know nothing of law. That's what I hire you for." So I was obliged to work out the puzzle unaided. I found that there were just two interests in the property—Jim's and Starkweather's daughter's. The lawyers had been playing these two interests off the one against the other to make business for themselves. I would have brought about a settlement, but the rascals had got the matter so tangled that this was impossible. There was but one way to effect such a result, and that was by a union of the two opposing interests. Since one of the parties was a man and the other a woman this might be effected by marriage.

But I saw no hope in such a solution. The woman might be old; she might be homely; she might be a virago. And even though she were young and attractive I knew that Jim would never marry. When twenty-two or twenty-three years old he had been jilted by a girl he loved, and this had made him a confirmed woman hater. He was now thirty, frequented clubs and had no home. I think that he would have liked a home, but could not have one without a wife, and he had no confidence in any woman.

However, I determined to have a look at the person who was fighting Jim for the estate and ask her if she would accede to something of no real importance as an excuse to call upon her. I found a woman of about twenty-seven, handsome and apparently otherwise attractive, except that her disposition did not seem especially amiable. But whether this was natural to her or had been engendered by her fight for affluence in lieu of poverty or some other cause I was igno-

rant. Beyond this defect, which I was obliged to admit was serious, there was no reason why she should not make a husband happy.

I determined to broach my plan to her. Beginning with a statement of how her lawyer had played off her interests against those of her opponent, I entered into a detailed explanation of the tangle into which the two interests had been brought and finally ended by saying:

"There is but one way in which the property can be saved. The two interests should be united in one person."

"How can that be?" she asked in wonderment.

"By marriage."

"Then all I have to say is that the property will be sunk."

I made no rejoinder, but, gathering up some papers I had brought with me, took my leave. Any attempt to bring two such persons together would be evidently futile. The lady was as much in the hands of her lawyers as Jim had been in the hands of his. She knew nothing about the condition of affairs until I made my statement to her. She did not even know who was her opponent. Until I informed her she had no idea how she had been used by her lawyers or that she was in danger of poverty, for they had kept her supplied with an income taken from the principal.

I was not surprised, then, when in a few weeks I received a call from her at my office.

"Would a legal marriage," she asked, "with this man who is endeavoring to cheat me out of my property, without my living with him, bring about a settlement of this suit?"

After some thought I told her that it would help matters very much. I told her this not because I would approve such a marriage, for I would not and felt sure that it would bring about added difficulties, but I hoped by fostering the idea a union of hearts might be effected. I added, however, that I would think over what she had said and advise her more definitely.

I next tackled Jim. I went through the same explanations as with the lady, ending in the same way.

"Not on your life!" was the decided response.

Neither of my two clients asked a question as to the age or condition of the other. Miss Starkweather cared nothing about it because a marriage with her opponent was to be a mere legal function. Jim did not care because, having once been jilted, he would not marry any woman. However, besides my friendship for Jim, there was a big fee for me.

Months passed, during which there was no change in the situation except that the property was going from bad to worse. Miss Starkweather had meanwhile transferred her affairs to an honest lawyer who gave her a true view of the situation and refused to keep up his income on an expectation of securing a slice of the property for himself. He also confirmed what I had said about a settlement by marriage, though he pointed out grave consequences that might result from this plan. Nevertheless he showed her how it would render available funds for present use, and she determined to adopt it provided the party of the other part would consent. I broached the plan to Jim, who was also cramped for funds, and assured him that, besides releasing certain moneys, possibly it might end in a settlement of the suit. He took the matter under consideration and, when posted at his club for dues and supplies that he could not pay for, concluded to adopt the marriage plan. I tried to interest him in the lady by sounding her praises, but he wouldn't listen to me. "She may be a Medusa for all I care," he said.

I was obliged by the contracting parties to draw up a paper stating the con-

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ditions of the marriage, one of which was that when it became of no use financially to either party no opposition would be raised to an annulment or divorce. This was to be signed just before the marriage ceremony.

The day before the wedding Miss Starkweather's attorney came to my office to protest against what he called my method of settling the suit, averring that not only was it unprofessional, but he believed it would result in a worse tangle than ever. I denied that it was my plan, but had been suggested to me by Miss Starkweather. I had partly assented to it at first, hoping to make an amicable match, but since this plan had failed I declined to approve the plan. Jernegan had assented to it on account of an immediate pressure for funds.

The lawyer begged me to go to his client with him and dissuade him from making a marriage that was contracted in enmity. I consented to do so, and when we met her I confirmed what he said about the probable evil effects of such a marriage.

"I relieve you gentlemen," she said, "of all responsibility in this affair, and I beg that you will give yourselves no concern about it whatever. My mind is made up. Good morning."

That ended the matter so far as we lawyers were concerned. But I took the precaution to tell Jim that the woman had relieved me of all responsibility in the matter and asked him to do the same. He said that something must be done to procure funds, for he was on the border of disgrace. No matter what resulted from the marriage he would not blame me.

The marriage—it could scarcely be called a wedding—was appointed for 11 o'clock in the morning. I went with Jim to the house. He didn't wear different clothes from his usual daily apparel. On the way he seemed rather melancholy. I fancied that he was thinking of the girl who had jilted him. When we reached the house we were shown into the drawing room. In a few minutes a clergyman entered. It seemed more to me as if we were to

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take part in a funeral instead of a wedding. We three sat without speaking till a rear door was thrown open, and the bride, in ordinary apparel, attended by an elderly lady, entered. She was evidently much excited and kept her eyes on the floor.

The parson and I rose, but Jim sat still. Turning to look at him, I saw on his face an expression of astonishment and wonder mixed. He seemed glued to his chair. Then, suddenly starting up, he made several strides to the bride and stopped before her. She raised her eyes to his, but there was no surprise in them.

"Mildred," he cried passionately, "what means this? Why did you?"

"I didn't."

"Did you consent to this legal union knowing me to be the groom?"

There was no reply to this. Again she dropped her eyes to the floor. Jim looked at her steadily for a time without speaking, then, turning to the clergyman, motioned him to proceed with the ceremony.

All these months I had been working up the climax of a romance without knowing it. Had Jim permitted me to tell him anything about his legal opposer it would have come out that she was the girl who he considered had jilted him. Perhaps it is well he did not, for the unreasonableness of lovers is proverbial, and had he known the facts it is quite likely the climax might have been different.

After my visit to Miss Starkweather she had investigated her affairs and learned that her father had come into possession of the interest in land owned by Hausman, who had been part owner of the land bought by him and Jim's father. In this way she learned that her lover, with whom she had quarreled, was her opponent in the lawsuit. She had then taken her own peculiar way to effect a reconciliation.

I confess I was tickled to death at the result of my initiative, worked out by the marvelous method of a woman. Two estranged lovers were brought together, their estate was saved to them, and I pocketed a \$10,000 fee.