

## OBJECT TO COST BILL IN SUIT ON COURTHOUSE

Objection to the cost bill filed by defendants, the prevailing party under the circuit court decision in the case of J. M. Dougan against Klamath county, et al., was filed last evening in the circuit court by attorneys for Dougan. Specific grounds for objection, directed mainly against the charges of varied expert witnesses, are set out in the objection.

### Items of Cost Bill

The following witnesses' claims were filed—many of which are not protested—the time varying from one to three days. In addition to a \$2 per diem, the law allows mileage of 20 cents a mile:

A. F. Graham, \$6.20; N. J. Chapman, \$6.20; Con Murphy, \$10; T. B. Watters, \$6.20; William Hagelstein, \$6.60; J. M. McCoy, \$2.20; C. W. Eberlein, \$6.20; L. B. Hague, \$2.20; Robert Emmett, \$4.20; W. B. Parker, \$4.20; T. M. Cunningham, \$5.60; Charles R. Miller, \$4.20; J. H. Garrett, \$2.20; W. F. Arrant, \$4.20; C. G. Merrill, \$8; C. T. Darley, \$4.20.

W. S. Worden, two days with \$70 miles from Portland and return, \$212; William Ganong, court reporter (half fee paid by defendants), three days, \$15; L. B. Hague, copying records in the clerk's office for exhibits, \$71.15; H. E. Nowell, expert accountant, investigation of special courthouse fund, two days' trial attendance, mileage from San Francisco and return, \$329.85; A. F. Heide, expert witness in architecture, three days' attendance, \$75, plus 20 cents mileage; Benjamin G. McDougall, three days' attendance at the trial, investigation of construction and condition of both courthouses, etc., \$127.50, plus mileage and expenses from San Francisco and return, \$78.14, total \$295.66; H. Fred Clausen, expert architect, trial attendance and investigations, nine days in all, \$675, traveling expenses from Portland and return, \$49.45, drawing for Jay Bowersman to be used in brief \$10, total \$725.45.

The total of the bill of costs submitted by defendants is \$1,721.22.

**Grounds for Objection**  
Objections are filed by plaintiffs regarding different claims itemized as follows:

W. S. Worden—On the ground that no affidavit was filed to show Worden's evidence was material; that his testimony was not material and could have been shown by the pleadings, being only to the effect that he was county judge of Klamath at the time the Hot Springs courthouse was partly constructed. Plaintiffs hold that if entitled to anything the witness is only entitled to two days' attendance fees \$4, and 20 cents mileage. (This witness was served with a special subpoena, requiring his presence as an expert, providing for double mileage.)

## PERMANENT OCCUPATION NOT INTENDED—JAPAN

TOKIO, Aug. 3.—There is no indication that Japan will refrain from carrying out the military arrangements she has made for dealing with Siberia. The government some time ago outlined the policy she intended to follow and it is understood the note to Washington will point out that the occupation of the Saghalin district, if it takes place, will be only temporary.

## MEXICAN GOV'T TALKS PEACE WITH CANTU

LOS ANGELES, Calif., Aug. 3.—A proclamation pronouncing vacant the Governorship of the northern district of Lower California was received today from Mexico City. This is according to announcement today by Eduardo Ruiz, representative in Los Angeles of the de facto Mexican government.

MEXICALI, Lower Cal., Aug. 3.—General Angel Flores and Senor Juan Pratt, representatives of the De La Huerta provisional government, early today were en route to Los Angeles where they expected to telegraph to Mexico City the results of the conference held here with Governor Cantu, of Lower California. Effort was made in the conference to compose the differences which caused Cantu to break off relations with the federal government.

The conference was the first step taken which indicated that an armed conflict might be avoided and, in fact, the negotiations actually held caused friends of both parties to hope there will be a peaceful settlement.

## WEATHER REPORT

OREGON—Tonight and Wednesday, fair; moderate westerly winds.

L. B. Hague—On the ground that the charges for copying records, etc., filed, are totally unauthorized by the law of Oregon.

H. E. Nowell—On the ground that no affidavit was filed as provided for in Lords Oregon laws, showing that his testimony was material or his oral examination important or desirable. On the record entitled only to three days' trial attendance at \$2 per day and mileage from the Oregon line to Klamath Falls and back, \$3, total \$9.

A. F. Heide—On the ground that the law of Oregon does not authorize fees for expert witnesses. If entitled to anything only to three days' attendance and two miles mileage, \$3.40, inasmuch as he was residing in Klamath Falls throughout the trial.

Benjamin McDougall—On the ground that the claim is unauthorized by law, as in the case of Heide. If entitled to anything for voluntary attendance at the trial it is three days, \$6, and mileage from the state line and back \$3.

H. F. Clausen—Same ground of objection as in two preceding cases. Deny authorization for either claim for expert testimony, \$675; travelling expenses \$40.46, or \$10 for drawing. If entitled to anything it is \$9 for attendance and single mileage from Portland and return, \$101.60, making a total of \$110.60.

**Deny Jurisdiction**  
Plaintiffs further deny jurisdiction of the trial court to tax costs, inasmuch as the bill of costs was filed by defendants July 31, 1920, at which time the case was in appeal to the supreme court, the appeal having been filed July 28.

**Three Claims Paid**  
The claims of W. S. Worden, \$312; L. B. Hague, \$71.15, and H. E. Nowell, \$329.85, have been allowed by the county court and warrants issued by the clerk.  
The claims of A. F. Heide, \$75.80, Ben McDougall, \$295.66, and H. F. Clausen, \$725.45, have not been presented.

## DICE AND CARDS SHALL REMAIN SAYS COUNCIL

With Councilmen Brandenburg and Upp voting "no" and Councilman Lavenik voting "yes" the anti-gambling ordinance which would have prohibited cards, dice and chips in pool rooms and other places reached a deadlock at last night's session. The mayor explained that he had no vote in the passage of ordinances and could not break the tie.

Immediately afterward on motion of Brandenburg the old anti-gambling ordinance, prohibiting playing cards and dice and barring all playing for stakes in public places, was read. Brandenburg moved that the city attorney be instructed to amend this ordinance, which if properly enforced, he said, was adequate remedy, to place an additional penalty of license revocation upon pool rooms or other places where gambling was tolerated. The motion carried, Councilman Colvin voting "no." This ordinance leaves the cards, dice and chips, its proponents basing their advocacy on the ground that to take away these things would deprive many men of the harmless relaxation of a social "game."

The debate on the ordinance was warm and covered wide latitude. Councilman Brandenburg and Upp were targets for attack, and both made defensive statements. Upp was on his feet twice. His second attempt to speak raised a storm of disapproving roars and hisses and calls of "sit down" but the councilman persisted and when quiet was restored made his speech.

The council chamber was well filled. While the majority of speakers were for the ordinance doing away entirely with dice and cards, the advocates of the less stringent measure were present and several addresses were made in its behalf, received with an amount of applause that showed considerable sentiment in its favor.

Threats of "recall" against the councilmen opposing the first ordinance were raised and the ability of the police force to enforce an anti-gambling law was questioned.

C. E. Bristow of the carpenter's union, expressed the matter thus: "We want a clean town in which to bring up our families," he said. "So far as I have seen the police have been unable to prevent gambling. The chief of police admits it. One of two things is true. Either the police force is inefficient or it is not large enough. I believe it is not large enough."

The licensing of the so called "Tules" was brought up. Councilman Upp reiterated that the women who are said to inhabit the place should not be deprived summarily of a living. They are entitled to a chance to make a decent living, he said. He placed his action on the ground of Christian charity and defied anyone to prove any ulterior motive.

Brandenburg, who voted for the licensing of "The Tules" as a rooming house reiterated his statement that he did so inadvertently. He didn't recognize the name of the applicant, he said, and thought it was some place "over there" motioning with his hand away from the site of the notorious house.

**Various Ordinances**  
Debate on the gambling ordinance lasted more than two hours. It was nearly midnight when the racket of debate on this question finally died away. The majority of the crowd left but the council continued to grind away at various matters until past two o'clock this morning.

**Assessment Ordinances on Conger and Klamath avenues, Pine and Washington street, were passed.**  
The auto traffic ordinance, a blanket affair covering all angles of traffic regulation passed by unanimous vote.  
**East Main street and Washington street improvement ordinances were passed to second reading.**  
**Permits Granted**  
The following permits were granted:  
Moving—W. S. and H. H. Hart, the old "Sanderson building" from the corner of Seventh and Main to

## NOBLE WOMAN IS CALLED TO FINAL REST

Never fell a blow with greater unexpectedness, or one that will cause more widespread sorrow in the community, than the death this morning of Mrs. Louise E. Ferguson, wife of Charles J. Ferguson, attorney.

Outside of her close circle of friends and relatives, there were many who knew and loved her who did not know she was ill, and many others, knowing, did not know that her illness was serious. Even among her family it was not realized that she was not to recover from the ailment which rendered an operation necessary in the Klamath General hospital two weeks ago. She seemed to grow better and it was believed that soon she would be well again. Last night complications developed and this morning at about 7 o'clock, one of the fairest spirits that the Creator ever endowed human form with for brief keeping, returned to Him as fair and unsmiling as on the morn'g He gave it.

Faithful, tender, loyal, true, generous—all these she was. She had keen insight, and her logical faculties and judgment were far beyond the ordinary. Added to these a courage that never wavered in defense of her convictions and there was a combination that might have, but for the greatness of her soul, created antagonism. But her even temper in maintaining the righteousness of her cause, her broad mindedness which found merit in the views of others, saved her from even the shadow of disagreement. Never was a woman more universally loved. It is not cheap eulogy, but the merest statement of truth, that not only did she lack a single enemy, but every one that knew her was a warm admirer. There could be no neutral, no lukewarm conception of such nobility of character.

Eulogistic words might be strung vainly, end to end, for pages, but the tribute, were it by the most gifted writer, would not compare in the millionth part to the heartfelt tribute of men and women passing on the street today, of all walks and conditions, who stop and ask each other "Is this true that Louise Ferguson is dead?" and learning that it is indeed sad truth sigh, drop their eyes and pass on.

Louise Sargent was born in Delta, Ohio. She first came to Klamath Falls about 1904 with her brother, Frank Sargent, who died in Seattle a year ago last October. She remained for a year or so, teaching the Chase school. She was a graduate of the Delta, Ohio, high school and had taught in Delta before coming west. After a year she returned to Ohio but came back in 1906 to reside permanently. For several years she was assistant secretary to the Klamath Development company. Leaving that position four or five years since she became court reporter, a position she held until a few months before her death. It was through connection with these quasi-public offices that such wide friendship was formed.

She was married four years ago last month to Charles J. Ferguson, and her wifehood developed all the tenderness and loyalty of which such a great nature was capable.

Other relatives who are left to mourn her are her mother, Mrs. Minnie Sargent, of Decatur, Ill., and lot 3, block 94, Klamath addition; J. F. Maguire, building from lot 1, block 12, to lots 5 and 6, block 13, original town.  
Building—George E. Turner, dwelling, lot 7, block 79, Klamath addition, \$1200; Annetta McCabe, dwelling, lot 10, block 208, Mills addition; Arthur Olson, dwelling, lot 5, block 3, Hot Springs addition, \$700; M. McAndrews, five room house, lot 5, block 50, Nichols addition, \$4000; Ben Mow, six room cottage, lot 23, block 7, Industrial addition; Klamath Iron and Steel works, one story frame addition to plant at Spring street and Elm avenue to be used to house shop, etc.  
The O. K. barber shop was granted a permit to place a revolving sign before their shop at 625 Main.

## POLISH PEACE WITH BOLSHEVIKI DELAYED

LONDON, Aug. 3.—Negotiations for an armistice between Poland and Soviet Russia have been delayed, according to a Moscow wireless dispatch, which says the Polish delegation left Baranovitchi for Warsaw Monday to present to its government the Soviet demand that the Polish delegates be given mandates for signing not only an armistice, but also a protocol setting forth the fundamental conditions of peace.

## LABOR OFFICIAL IS ARRESTED

W. F. Kay, secretary of the local labor council was taken into custody last evening by the police, who broke through the locked door of his office at labor council headquarters, after it is asserted a shot had been fired inside the room and Kay did not answer when C. F. Parker, president of the labor council, who was in an adjoining room asked for admittance. Parker called the police. No charge was filed against the prisoner last night.

This morning a charge of disturbing the peace was entered and Kay appeared before Police Judge Leavitt, pleading not guilty through his attorney, W. H. A. Renner. He was fined \$7.50 and on payment was released.

Mr. Wilson and Fred Chief Ambrose, chief of the police, the police chief had peered through the transom and saw Kay lying motionless in a chair. The officers alleged that Kay was violent and appeared to have been drinking. It was feared by the police that he might have shot himself but medical examination removed this possibility.

Mr. Kay's statement to a Herald representative this morning was that he had worked through the night Sunday night. He had a hard day yesterday, working in a hot and stuffy office and receiving callers throughout the day without an intermission or without stopping to eat.

He says that he remembers being weary and walking to a wicker chair with the intention of resting. All else is blank, he says, until the officers entered the room. He says he remembers firing no shot. He kept a revolver in the office, he says, it having been left with him by a union member named Erickson. Two or three days ago, he said, a fishing party came into the office to invite him to go on the trip with them. They had a flask of whiskey and took a drink all around. A couple of ounces of liquor remained in the bottom of the bottle and he took this shortly before his collapse, feeling the need of a stimulant, but he asserts this is the only liquor that he took and that it was not enough under ordinary conditions to cause intoxication.

## PARTNERSHIP DISSOLVED

The partnership between W. H. A. Renner and George Chastain, in the legal firm of Renner & Chastain, has been dissolved. Agreement to this effect was reached Saturday.

## TAX LIEN SUIT

A tax lien foreclosure has been filed with the clerk of the circuit court by H. S. Wilson against Estella Berry. Lot ten, block two, of Fairview addition is involved in the case.

brother, Thomas F. Sargent, of De Kalb, Ill., two aunts, Mrs. E. R. Conklin, of Decatur, and Mrs. F. R. Isabel of Toledo, Ohio, and an uncle, Fred Kelly, who lives in Illinois. Her nearest relatives on the Pacific coast are Mrs. Clarice Worden, of Oakland, Cal., a first cousin, and Robert Worden, son of Mrs. Worden.  
Mrs. Ferguson's illness first became apparent in Bend, Ore., four weeks ago while she was returning from a camping trip with her husband. She recovered somewhat after a few days and they came home, but two weeks ago she was forced to enter the hospital.  
Funeral arrangements await word from the mother and brother in Illinois.

## CAMPAIGN FOR CATHOLIC FUND ON TO MORROW

The intensive drive to raise \$100,000 for the purpose of building and equipping a new Sacred Heart Academy in this city will start Wednesday, August 4. At that time the flying squadrons of workers will take thefield and solicit 3,000 families in Klamath Falls. The outlying towns of the county will be canvassed as soon as the organization of workers in these territories have been completed.

The undertaking has the hearty endorsement of any local business men, labor organizations and public spirited men throughout the state.

As a result of the enthusiasm for the success of the drive, many people throughout the county who are anxious to have the campaign start right have already offered their subscriptions; while unsolicited donations have been sent in to start the ball rolling. In this spirit shown that has made the committees in charge feel they are going to meet with generous response, and the original quota will be collected in record time.

A meeting was held at the Sacred Heart parish on Monday evening, which was attended by the women volunteer workers who will take up the active canvass of the Klamath Falls territory.

In a talk to those present Mr. Sheehan, campaign manager, said: "Whatever any undertaking such as this is launched and the public is asked to support it, they have a perfect right to know if it is worthy, if it is practical and whether it will benefit humanity. This noble enterprise can qualify all these truths and, therefore, is wholly worthy to receive the substantial support of the public. Every citizen should give cheerfully. Obtaining subscriptions to such a constructive cause is not begging, when you are a purveyor of the supreme privilege of citizenship. You can, therefore, enter upon this work with a satisfied smile, your cause is just. You are asking nothing for yourself and nothing that a campaign for the Sacred Heart academy of Klamath Falls is not entitled to receive. It has no aim other than service for the public good and public welfare."

The meeting was most enthusiastic and gives promise of one of the most successful drives ever staged in Klamath. All the workers present expressed the intention to endeavor to lead the list with the largest amount of subscriptions obtained and already a friendly rivalry exists among them.

## TYPOS ORGANIZE, OFFICERS ELECTED

R. P. Coburn, district organizer for the International Typographical union directed the organization of a typographical local in the city Monday night. Nine printers, each of them affiliated with the printers' union either through active membership or withdrawal cards, signed the application for a charter. It will arrive from I. T. U. headquarters within a couple of weeks.

The officers elected are W. C. Kibbee, president; George L. Drummond, vice president; A. L. Fortson, secretary-treasurer, and J. F. Webber, sergeant-at-arms.

The addition of one more printer, who has signified his intention to join the local, will bring every active printer in town into the fold.

## INQUEST FOR DORIS

A coroner's inquest will be held this afternoon at 3 o'clock in Judge N. J. Chapman's court to determine the cause of the death to Jack Doris, who took lynch yesterday morning, and died almost instantly. Coroner Whitlock is busy and Judge Chapman will conduct the inquest.

**MICKIE SAYS**

WHEN BUSINESS IS GOOD, I DON'T NEED TO ADVERTISE

WELL, NOW ABOUT WHEN BUSINESS IS PUNK?

THEN I CAN'T AFFORD TO!

MICHOOSH! WADDVA YA THINK ADVERTISING IS? A LUXURY?!