

COSTS MONEY TO GO TO LAW FIGURES SHOW

When the Yankee farmer, exhausting all other possibilities of argument, finally yelled in the last throes of angry exasperation—"Con-sarn ye, I'll have the law on ye," he realized that he was resorting to his most potent threat. The disputatious neighbor might brave pitchforks and wave aside a menacing shot gun but when threatened with the unreckoned possibilities of litigation the most hardy and headstrong came to a considering halt.

Uncertainty in all respects, one yawned then at the feet of the threatened one. If his antagonist invoked the law, he could be sure of one thing alone—that he was in for a long and costly experience in the courts. He might or he might not win, but he knew that he would pay for the luxury of settling his quarrel in the courts.

Even the common or factory run of lawsuits are produced at prices that put them in the luxury class. Occasionally crops out an extraordinary piece of litigation, like the case of Jarndyce against Jarndyce, or Dougan against Klamath county, that sets a high water mark in dragging delay and costliness.

In the past two years, the Herald showed in a recent article, attorney's bills in the Klamath county courthouse case, have in claims, paid and pending, have totalled upwards of \$15,000. Lest unthinking persons believe that this represents the sum total of cost to date, it may be well to call attention to a few more of the largest items of expense growing out of the suit. (And let it be remembered that Dougan's proceeding in equity now before the courts does not exhaust his legal possibilities. If he loses here he can resort forthwith to a law action. Hamilton's decision indicated that the court believed if Dougan had any standing at all, it was in law instead of equity.)

For instance the cost bill rendered after the circuit court hearing of the Dougan suit was \$1792, of which \$703.52 have been paid. Attorneys for Dougan have filed protest against the bill as a whole and especially as regards the large fees claimed by expert witnesses. Nevertheless most of the expert architects and other expert witnesses have received their money.

Two of the bills allowed and paid on the trial cost bill were Robinson, Bours & Nowell's claim for expert accounting, \$329.85, and William S. Worden, former county judge, who drew \$212 as an expert witness, showing that others besides architects and attorneys are high priced help in a legal action.

Mrs. L. B. Hague, stenographer, during the past two years has collected \$937.55 for services to the county court and district attorney. It does not appear from the record what part of this amount has a direct connection with the litigation, but it is believed that most of it may be attached to the courthouse controversy.

Mileage for trips by the county court in connection with the suit total \$327.20. The bills have been paid from the current expense fund, an unauthorized diversion of that particular fund according to critics of the present county court.

Architects are almost as high priced as attorneys, as shown by the record, A. F. Heide in the last two years having received \$4258.54 for plans for finishing the Hot Springs courthouse, despite the fact that while this bill was being incurred the original plans drawn by E. E. McLeran of Portland, drawn at the instance of a former county court, were in existence.

While the Main street courthouse was in course of construction a guard was maintained over the Hot Springs courthouse. P. J. Dowling drew a total of \$528 for guard duty.

The foregoing items make a total of close to \$7000 more growing directly out of the courthouse litigation, and added to attorney's fees previously discussed, put the grand total for two years close to \$25,000, with minor expenses not taken into consideration.

Dickens often acted in private theatricals.

COPPERFIELD FREED ON ARSON CHARGE

David Copperfield was acquitted in the United States district court at Medford Saturday of a charge of arson, arising from the burning of a house owned by Mrs. Corball on the Klamath reservation in Aug. 1918. Copperfield was accused of having set fire to the house from spiteful motives.

Copperfield was defended by H. M. Manning, and his acquittal was the third secured by the local attorney during last week, with no convictions. Copperfield's case was the last local case before the Medford session.

Archie Chipp and Frank Hoover pleaded guilty to introducing liquor into the reservation and distributing it to Indians and were fined \$100 each and sentenced to serve six months in the Multnomah county jail.

Toy Brown, who drank some of the liquor, pleaded guilty to assaulting his brother, Floyd, with a shotgun and was sentenced to six months in the Multnomah jail. Floyd was slightly wounded in the back.

COUNTY COURT ENJOINED AGAIN

The injunction is beginning to be a choice weapon in local court procedure, its latest use being to restrain the county court, in a suit brought by C. R. De Lap, county clerk, against R. H. Bunnell, judge, and Burrell Short and Asa Fordyce, commissioners, from interfering with the clerk in awarding the printing of the ballots for the November election.

The county clerk claims that he is designated by act of legislature to award the ballot printing and his office alone is empowered to let this printing. Acting on this interpretation of the law he let this year's ballot printing to the W. O. Smith company. The printers went ahead and ordered supplies and are ready to start work this week.

At Saturday's meeting the county court awarded the contract for printing the ballots to W. H. Mason, of the Klamath Record, and, it is said, threatened to have the county clerk cited for contempt if he did not change his position to conform with the order.

Saturday evening Judge D. V. Kuykendall, on petition of Mr. De Lap, issued a temporary order restraining the defendants from interfering in any manner with the execution of the contract entered into by Mr. De Lap with the W. O. Smith Printing company, or attempting to enforce the order giving the printing to W. H. Mason.

Because the defendants are in Salem, where arguments in the appeal from Judge Hamilton's decision in the court house case will be heard in the supreme court tomorrow, the injunction order has not yet been served on any of them.

BROWN EXPLAINS FAILURE TO FIGHT

Kid Brown, the dusky bantam who was billed to box Jimmy Duffy at the Athletic club smoker Friday night, explains that it was no fear of Duffy's reputation that kept him out of war, but the failure of Promoter Smith to come across with what Brown considered adequate compensation. Brown said Smith offered him \$10 for the bout and holds that his failure to box for such a paltry sum is no proof of a saffron streak but rather shows that he possesses sound judgment. In his own language he sums the matter up thusly: "If Mr. Smith, the fight promoter, would have donated the said jack, Kid Brown wouldn't have backed down. Klamath affords a bunch of dead game sports and I'm not a ham sandwich fighter and not hungry. Mr. Duffy don't have to powder and blow the burg on account he couldn't get a fight. Get some jack behind him and the fight is on."

DIVORCES GRANTED

Divorces were granted in the circuit court Saturday to Wilma F. McCollum from Ernest McCollum, and to Joseph I. Beard from Katy Beard.

STATEMENT OF WILSON'S SIDE OF CONTROVERSY

WASHINGTON, Oct. 11.—The white house made public today an official version of the president's address at the 8th plenary session of the Paris peace conference. The exact wording directed to the representatives of Roumania, Serbia and Czechoslovakia has been subject to controversy between the president and Senator Spencer, republican of Missouri. The senator had declared the president had promised Roumania and Serbia that "if any nation ever invaded their territory he would send an American army across the seas to defend their boundaries."

President Wilson in a telegram to the senator, October 5th, said this statement was "raise." In reply Senator Spencer called for the official record.

The statement issued today is based on the text of the official stenographer who quoted the president as saying: "Take the rights of the minorities. Nothing, I venture to say, is more likely to disturb the peace of the world than the treatment which might, in certain circumstances, be meted out to the minorities and therefore, if the great powers are to guarantee peace world in any sense, is it unjust that they should be satisfied that proper and necessary guarantees be given?"

"How can a power like the United States, for example,—I can speak for no other—after signing this treaty, if it contains elements which they do not believe permanent, go 3000 miles away across seas and report to its people that it has made a settlement of the peace of the world? It cannot do so, and yet there underlies all of these transactions, the expectation on the part of, for example Roumania, Czechoslovakia and Serbia, that if any covenants of this settlement are broken, the United States will send her armies and her navy to see they are observed. In these circumstances, is it unreasonable that the United States should insist upon being satisfied that the settlements are correct?"

CLEVELAND WINS CLOSE GAME

CLEVELAND, Oct. 11.—Cleveland shut out Brooklyn today with a score of 1 to 0 and have the world series championship almost with their grasp. The game was a pitching duel between two left-handers, "Duster" Mails for the Indians and Sherrod Smith for the Dodgers.

The tide turned in favor of the home folks in the sixth, the lonely run being made when Speaker singled and Burns smashed a double to the fence.

The score was:
R. H. E.
Brooklyn 0 3 0
Cleveland 1 7 3

The Line-Ups
Cleveland
Olsen ss Sewell
Sheehan 3b Gardner
Nels rf Wood
Wheat lf Evans
Myer cf Speaker
Konetchy 1b Burns
Kilduff 2b Wambagans
Smith p Mails
Miller c O'Neill

CALIFORNIA RANCHER CLAIMS BRIDE HERE

A very pretty wedding yesterday afternoon at 3 o'clock was that of Miss Emma C. Stoops of this city and William Herrington King, a Siskiyou county farmer, at the home of the bride at 420 Walnut street. The house was attractive in autumn flowers and vines and the bride was beautiful in a lovely wedding gown. Many friends and relatives of the couple witnessed the ceremony, which was read by the Rev. E. P. Lawrence of the Presbyterian church, and an elaborate dinner was served.

The young people left for San Diego and Los Angeles, where they will spend the winter. At the close of their honeymoon they will return north and make their home on Mr. King's ranch.

KLAMATH LOST GRID BATTLE; WILL PROTEST

The local high school lost the first football game of the season played on the home field, to Medford high with a score of 7 to 0, Saturday. It was a hard-fought game from the beginning and the Klamath fellows put up a particularly hard battle in the last quarter. In spite of the score handed down by the referee, there is a sentiment broadcast about town that Klamath didn't receive an exactly square deal.

When interviewed this morning Robert Goetz, principal of the Klamath county high, said that the score as well as the ages of at least four men on the Medford team would be protested. This means that the dispute will be brought before the Oregon High School Athletic association for settlement.

The rules laid down by the association say that boys over 21 years of age are not eligible for high school football or other athletic contests, and that schools disregarding this rule are liable to expulsion from the league for one year.

The Medford boys had affidavits from their parents declaring them to be under 21, but the army records show that six of the players are over 21. A telegram from the Jackson county school superintendent states that the school census which has been kept since Jeff Gentry and Winston Vance were four years old, show these boys are 23 and 22 years old, respectively.

There will be a game with Ashland next Saturday, on the home field. October 23rd Klamath Falls will play Medford in that city if the dispute is settled and on October 30th they will play in Lakeview.

Saturday's line-up follows:
Klamath Falls
Captain Ted Montgomery Q.
Russell McCullum R. M.
Robert Flackus L. H.
Frank Peyton Full
Rudolph Singler C.
Robert Milan L. G.
Pat Montgomery R. G.
Forrest Cooper R. T.
Kenneth Case L. T.
Ernest Miller L. E.
Norman Mann R. E.

Medford
Russell Sherwood Q.
Lee Watson R. M.
Jeff Gentry L. H.
Winston Vance Full
Everett Rowling C.
George Mansfield L. O.
Will Stochan R. G.
Merle Merriman R. T.
Hugh Brown L. T.
Phillip Young L. E.
Captain Elbert Coleman R. E.

WOMAN PHYSICIAN CALLED BY DEATH

Dr. Jessie Simpson, daughter of W. B. Simpson, a former resident of Klamath county, died recently at Banning, California. She was widely known as a successful physician and surgeon and was for 12 years on the staff of the Southern California state hospital at Patton. She was second assistant physician at the time of her death. Pneumonia, following several months of illness was the cause of her passing.

Her father was with Dr. Simpson when the end came. The family will be remembered by many local residents, having lived for years on their ranch a mile or so above Alzona. Mr. Simpson sold the ranch and moved to Southern California about four years ago.

Besides being successful in her profession, Dr. Simpson took a keen interest in civic affairs and was well-known in many California cities.

WILL SHIP SIXTY CARS OF BEEF FROM CHILOQUIN

Livestock shipments continue to be heavy, the Southern Pacific station reports. Sixty cars of beef cattle will be shipped from Chiloquin tomorrow by local buyers for San Francisco packers. George Watt, E. M. McLeone and J. F. Mitchell will each have cars in the train.

SEVEN PETITIONS FOR CITY OFFICE FILED

Petitions for city offices were industriously circulated Saturday afternoon and it is expected at the city hall that a number of office seekers will have filed their nomination papers with the police judge before night. Wednesday is the last day for filing petitions.

At noon today the following petitions were on file: For mayor, Wilson S. Wiley; police judge, A. L. Leavitt; first ward councilman, Paul Bogardus and W. S. Conkling; second ward, Frank Miles and M. S. West; fourth ward, Charles Colvin, incumbent, and fifth ward, J. B. Vollmer.

W. T. Lee and his friends were busily circulating Mr. Lee's petition for the majority nomination today. Mayor I. R. Struble also has petitions in circulation for the office.

RATE HIGH IN COLLEGE WORK

UNIVERSITY OF OREGON, EUGENE, Oct. 11.—List not graded made by the students of the university in the spring term of 1920 indicate a continuance of the high grade of scholarship maintained in the fall and winter terms. Under the new system of grading, the highest ranking students in each course are:

In class I, corresponding to the former grade of H. From that grade the ratings are graded down to class V, the lowest passing grade, with the university's classes had no student making higher than a 11 grade, corresponding to the former grade of B. Among those making the grade of I are students from nearly every community of any size in Oregon and many from outside the state.

Klamath county students rated in class I and their subjects are: Accounting principles, Virgil De Lap, Klamath Falls; advanced algebra, George D. Riggs, Klamath Falls; elements of musical science, scientific music reading, public school music, orchestral organization and ensemble (each a separate subject,) Marie Obenchain of Bly; gymnasium work, George D. Riggs of Klamath Falls.

STANFIELD WILL BE HERE THIS WEEK-END

Robert Stanfield, Republican candidate for United States senator, will be in Klamath Falls next Saturday and Sunday, according to a telegram received today from Republican headquarters at Portland by Judge A. L. Leavitt.

Arrangements will doubtless be made, said Judge Leavitt, for a public address by Mr. Stanfield Saturday evening.

COURTHOUSE APPEAL TO BE HEARD TOMORROW

Members of the county court and their attorneys and C. F. Stone, attorney for plaintiff in the suit of J. M. Dougan, contractor, against Klamath county, county court and others, are en route to Salem, where argument will be heard tomorrow in the appeal from Judge Hamilton's decision in the courthouse case. The case was appealed by plaintiff.

The latest development in the case is the filing of a motion by the plaintiff asking the supreme court to remand the entire matter to the circuit court for retrial.

DAUGHTER OF U. S. CENSUS DIRECTOR MAY BE SUICIDE

PHILADELPHIA, Oct. 11.—Miss Esther Rogers, daughter of Sam L. Rogers, director of census for the United States, died today at a local hospital under circumstances that indicated she had ended her life with poison.

ROAD BEAUTIFICATION

SACRAMENTO, Oct. 11.—Plans for a state-wide tree-planting survey to be undertaken in the near future for the beautification of the California road system, were announced here by George C. Mansfield, a member of the state highway commission. The state board of forestry is to be asked to assist in the work.

STATE ENGINEER OPPOSES BIRD PRESERVE BILL

BY PERCY A. CUPPER
State Engineer
E. W. Nelson of the United States biological survey, according to statements credited to him, desires to maintain Malheur lake as a bird refuge, among other reasons because it produces 7,000 tons of marsh hay in its present condition.

At the recent state fair, grain was exhibited which had been grown within the meander line of Halheur lake. This grain attracted considerable attention and served to effectively discredit the oft-made assertion that this land was valueless from an agricultural standpoint. If it is of value for the production of marsh grass it must certainly be of much more value for the production of grain to which it is well adapted, as shown by the state fair exhibits.

If the Malheur bird refuge measure passes, this land will be deeded to the federal government and removed forever from the possibility of taxation. It has been estimated that at least 30,000 acres of the 47,000 acres in the bed of Malheur lake are well adapted to agricultural purposes. This land, if disposed of at \$10 per acre, would net the state school fund some \$300,000. The fact that 7,000 tons of marsh hay are now cut from this area would seem conclusively to prove that the Malheur bird refuge measure seeks to give the federal government a valuable asset of the state, which properly should enhance the public school fund.

According to information received from the engineer of the Harney basin irrigation district, which includes some 52,000 acres of land in Harney valley irrigationists of that section are a unit against the measure. The engineer advises that he recently visited portions of Malheur lake and found excellent crops growing within the meander line.

It would seem to be a serious mistake on the part of the state of Oregon to give this body of valuable land to the Federal government, particularly when we take into consideration the fact that any plan which has so far been considered for the reclamation of the bed of Malheur lake would provide for the diking off of a large area which could and should be maintained as a bird reserve. I believe those who desire to see the measure defeated are almost to a man favorable to the maintenance of a part of Malheur lake as a bird refuge.

The state land board, composed of the governor, secretary of state, and the state treasurer, has full jurisdiction over the state lands and has gone on record in opposition to giving Malheur lake to the federal government.

WILL FORM WOMAN'S AUXILIARY OF LEGION

The charter for a woman's auxiliary of the American Legion has been received and a meeting called for Tuesday evening at 8 o'clock, October 12th, in the west hall of the Odd Fellows building, to organize.

Mothers, wives, daughters and sisters of all men and women who were in the military or naval service during the late war are eligible and are requested to attend this meeting and make the auxiliary one of the largest in the state. Refreshments will be served. All interested persons are urged to attend.

SUPREME COURT REFUSES TO RECONSIDER RULING

WASHINGTON, Oct. 11.—The United States supreme court today refused to reconsider its decision sustaining the validity of the prohibition amendment.

ARMISTICE DAY DECLARED HOLIDAY BY GOVERNOR

SALEM, Oct. 11.—November 11, Armistice Day, was today proclaimed a legal holiday in Oregon by Governor Olcott.

One per cent of the atmosphere is argon.