

The Evening Herald

E. J. MURRAY.....Editor
FRED SOULE.....City Editor

Published daily except Sunday, by The Herald Publishing Company of Klamath Falls, at 119 Eighth Street.

Entered at the postoffice at Klamath Falls, Ore., for transmission through the mails as second-class matter.

MEMBER OF THE ASSOCIATED PRESS.

The Associated Press is exclusively entitled to the use for republication of all news dispatches credited to it, or not otherwise credited in this paper, and also the local news publisher herein.

WEDNESDAY, MARCH 23, 1921.

DECISION OF SUPREME COURT IS LAST WORD

WASHINGTON, March 23.—The phrase "and it is so ordered with which so many decisions of the United States Supreme Court are concluded is accepted by the legal profession not only of the United States but of the world as the nearest approach there is to absolute finality.

Petitions for rehearing of cases are not infrequent occupying much the same position in practice before the Supreme Court the routine motion for a new trial does in the county or city courts, but occasions on which the Supreme Court has granted such petitions are so rare that the exceptions are historical.

Necessity of bringing a legal dispute to a close at some point is said to have influenced the policy of the court in this regard, a policy which has stood since the days of Chief Justice Marshall. A secondary consideration is the fact that the court is always from eighteen months to two years behind its calendar and, unless optimistic attorneys were curbed somewhere, the most trivial "cause" might be prolonged almost indefinitely.

Only two clear cut cases in which the court has agreed to reconsider its formal decision are recalled by veteran attaches. The most famous was the appearance of the late Gen. Benjamin F. Butler as a "friend of the court" to point out what he thought was a palpable error in the judgment given in American Emigrant Company vs Adams County. The story is told that Gen. Butler himself hesitated to take up the question of a rehearing especially since the formal motion had been denied but upon reading the record in the case he determined that the highest American court should not be permitted to rest under the false construction it had promulgated.

"If your honors will read my brief, I am certain you will be inclined to thank me," he is said to have replied when the bench called his attention to the violation of practice—if not of clear ethics—he was making.

The Court read the brief and voluntarily reversed itself.

The second outstanding incident was that of the original suits over the federal income tax, heard in 1895. The first judgment upheld the act partially, but declared it invalid in respect to certain important clauses of property. William D. Guthrie, of counsel for the interests fighting the statute, presented a petition for rehearing, although his associates are said to have argued strongly that "he let well enough alone."

To their surprise the court granted the rehearing and finally reversed itself in part by declaring the entire act unconstitutional. It was this decision which led directly to enactment of the Sixteenth Amendment giving Congress the power to levy a tax on all income no matter from what source derived. The Amendment did away with the constitutional restriction which forbade the imposition of a direct tax unless it was apportioned in each state according to population.

The rule of the court on rehearings, as stated by Chief Justice Tahey in 1852, is simple. No rehearing would be granted, he said "unless a justice who voted for the judgment, votes for the rehearing of it."

"When this court has made a decision," a prominent attorney said in the course of arguing a famous case of the past, "it is like a decree of Venice, irreversible; and like the laws of Medes and Persians which altereth not, neither do they change. The decision of this court is the end of the law."

Tell your troubles in the Furniture line to PERKINS "THE FURNISHER OF HAPPY HOMES." 174f

NEW TODAY

NOTICE

If those depositors of the First State and Savings who had their checks protested, will call at the bank and present their protest notices all protest fees paid by them at the time of protest will be refunded.

FIRST STATE & SAVINGS BANK. 22-26

WANTED TO RENT—By the month, piano for use in the Tabernacle. E. P. Lawrence. 22-23

FOR SALE—Day old chicks; will be in Thursday evening. Apply at the farm bureau office, Room 3, Swanson bldg. Phone 214J. 22-23

FOR RENT—Furnished cabin. Fremont & Delores. Hot Springs. 23-24*

FOR RENT—Heated room. 1017 High St. Phone 144W. 23-24*

FOR SALE—60 tons of A-1 timothy-alfalfa hay, 3 miles from town. See Stiles Bros. at Ezell Ranch. 23-25*

WANTED—Young lady wants room and board in private family. References exchanged. Address C. J. Herald office. 23-25*

FOR SALE—Furniture almost new. Must sell at once, am leaving the city. 1225 Pine St. opposite White Pelican Hotel. 23-25*

FOR RENT—Furnished cabin for housekeeping for bachelor. 2115 6th St. Mills Addition. 23-24*

FOR RENT—4 room furnished house on Sargent Ave. Inquire 512 N. 9th. 23

FOR SALE—One year old air-dale dog. Male. E. T. Ludden. 103 Pine St. 23*

FOR SALE—Columbia 6 sport model practically new. Henline Studio. 327 Main. 22-24

FOR SALE

Splendid modern home on 9th. St. 5 rooms, besides kitchen and dining room. Wood and stone-room in basement. Very convenient. \$6,500 terms. Also

Four room house with bath on west side near school. \$2,500. terms. Also

New three room modern house, large garage, close in. \$3,500. terms. Also

Four room house with bath, large lot, close in. \$4,000. terms. Also

Strictly modern 9 room two-story house, full basement, furnace heat, large lot. \$9,000. Terms.

Also Beautiful strictly modern rooming house on paved streets, furnace heat, completely furnished, for sale at \$20,000* half cash, balance easy terms.

Also Splendid lots in all parts of the city.

Also Ranches from 10 acre tracts, to 500 acres in one body. MRS. NATE OTTERBEIN Phone 530M. Cor. 9th & Lincoln. 23-24

At the Theaters

THE STAR

Shanghai, the "Paris of the East," is the scene of Ethel Clayton's new picture, "Crooked Streets," which will show at the Star tonight. It's entirely different from the domestic-

A GROUND HOG CASE

You've got the money; I've got the furniture. Let's swap. PERKINS FURNITURE HOUSE "The Furnisher of Happy Homes" 174f

dramas you've been seeing Miss Clayton in recently. This time she's the heroine in an exciting adventure-romance.

The pretty star has the role of a young, resourceful American girl, who goes to China as secretary to a collector of antiques and, after a hair-raising encounter in the native quarter of Shanghai, discovers that her employer is not quite what he pretends to be.

"Crooked Streets" fairly bristles with action and the color and mystery of the Orient. Samuel Merwin wrote the original story. The supporting cast includes Jack Holt and Clyde Fillmore. Paul Powell, who recently directed Mary Pickford in "Pollyanna," was the director of "Crooked Streets."

It's a Paramount Artercraft.

THE MONDALE

Violet Mallory & Co. (the & Co. part being a bull pup that for a funny walk has even the famous Charley cheated and a half starved man who tried to compete with the bull pup for unusual foot work) played to a crowded and well pleased audience at the Mondale last night. Miss or Mrs. Ted White didn't say which Mallory impersonated an Irish scrub woman in a style that well portrayed the art of mimicry. The & Co. part contented himself with making remarks from a gallery during the first part of the act but after he got rested up a little, hoisted himself onto the stage and "pulled" some clever dancing and stories. The act was concluded by the aforementioned bull pup doing a little dance all his own that called for much applause and laughter.

"Bill Hart" in "The Bandit and the Preacher" is one of the best western pictures that has ever been produced by this well-known star. The same bill will be presented again tonight—"Crit."

DOUGAN'S ATTORNEY IS HERE TO COLLECT

Harrison Allen, Portland attorney, arrived last night for a short business visit here. His chief errand is to arrange for the collection of the \$92,000 judgment secured by his client, J. M. Dougan, against Klamath county for building the Main street courthouse.

IF YOU ONLY KNEW

What pleasure can be derived from a nice pair of Glasses, accurately fitted, for mother, father, aunt, uncle, sister, brother, grandmother or grandfather, you would not wait for their birthday or Xmas. You would buy them a pair now. Nothing could be more acceptable for Easter.

We can easily explain how this can be accomplished and be a perfect surprise.

H. J. WINTERS
GRADUATE OPTICIAN
708 MAIN STREET

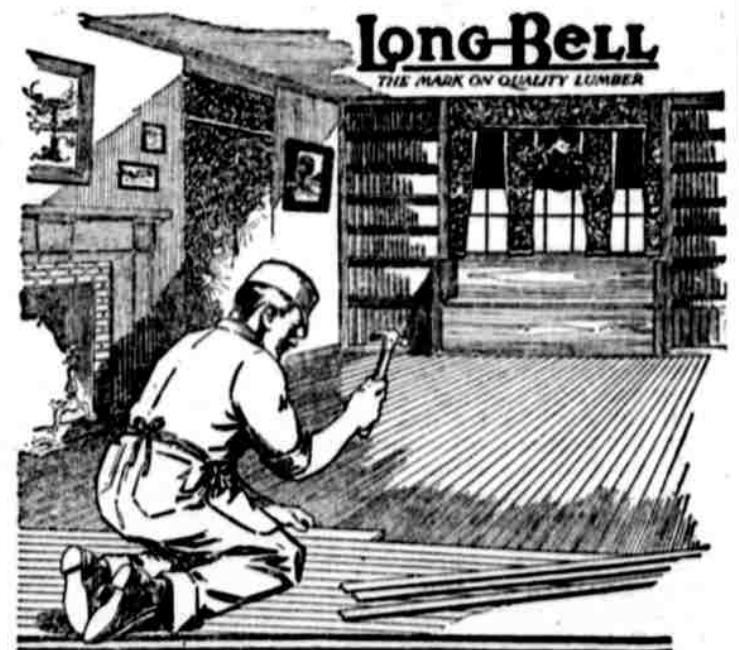
"Let George Do It!"

Repair Specialist

With Complete Line of **JEWELRY**

GEO. L. METZ

622 MAIN



OAK FLOORS OVER OLD FLOORS

Oak floors are often found in such costly surroundings that few imagine how little they cost. Very few people realize how much they can get for their money by laying 3/4-inch Oak floors over old floors.

The distinctive-modern and artistic appearance of a home, as well as its health and comfort, will be greatly increased by the use of Oak flooring. Oak flooring is rich and cheerful in color, and imparts an air of elegance and refinement to a home.

For permanently artistic floors we recommend Long-Bell Forked Leaf Oak Flooring. It is uniform as to color and texture, perfect as to manufacture and is of superior quality. Its remarkably smooth surface is unsurpassed, and it makes an ideal foundation for a beautiful interior.

Let us know the size of the rooms you wish to floor. You will be surprised and pleased at the figures we can quote you on 3/4-inch Long-Bell Forked Leaf Oak Flooring.

Big Basin Lumber Company

Telephone 107 Main and Spring Streets

Personal Mention

Miss Rose Reed of Oakland, who has been in the city for the past eight weeks visiting her sister, Mrs. A. L. Leavitt, returned to Oakland this morning. Miss Reed is a trained nurse and makes Oakland her home.

Mr. and Mrs. C. H. Robertson and children are moving to Klamath Falls to live. They went last week through Crescent, but had to return back when within five miles of the summit. They will go by way of Hempstead valley.—Bend Bulletin.

Some Ideas for Your New Spring Hat



If you haven't decided on your spring hats, you may get a suggestion from the above. The one at the top is of novelty straw in coral. It is colorful and charming with its feather fancy in streamer effect and reaching to the shoulder. The one in the lower corner is of Batavia cloth in tan. It is cut in semi-circular pieces, embroidered in green and fitted together to form a charming chapeau. Pendant scarlet cherries form the trimming.