

# The Evening Herald

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The Evening Herald is the official paper of Klamath County and the City of Klamath Falls.

Thursday, October 15, 1925

## THE CASE AGAINST LOW, ET AL

The case wherein the publisher of The Evening Herald, individually, is suing L. L. Low, D. V. Kuykendall, C. C. Low, Burt Hawkins, W. A. Wiest, Earl Whitlock and Luke Walker for damages arising out of certain events occurring between December 13 and 22, 1921, because we refused to recognize what we considered an invalid writ of peremptory mandamus, has passed the first mile-post, having been tried in the United States district court in Medford. The decision was against our contention and from this decision we are going to take out a writ of error and carry it to a higher court.

We have said little about this case in The Evening Herald, for the reason we do not propose to try our case in the newspapers, but in the regular orderly course it must take through the courts. Our decision to carry this case higher is because we cannot lead ourselves, at this time, to believe that there is one law for officers exceeding their authority, and another for the plain citizen. While it is the general rule of law that "an officer is no wiser than his writ," we believe that he should at least be as wise as his writ, and we are going to ascertain what the law does provide on this point.

We feel that we owe it to our attorneys, O'Neill and Irwin, to state that they handled our case in a manner reflecting credit upon them and their profession. The argument upon the law of the case, made before Judge Wolverton, by Mr. O'Neill, was one of the most brilliant, scholarly and lucid legal statements ever heard in a court in this state and merited the close attention that was given it by the court, the many attorneys who were present and the large audience that crowded the court room. The general approval that it received among the lawyers demonstrated that he knew the law of the case and our confidence in his judgment is proven by our determination to appeal.

## BORING FROM WITHIN

One of the greatest handicaps under which this city has labored for two decades or more, is from an element among its citizens that bores from within. Time and again men who have been placed in positions of trust in the community, others who have one way or another won the confidence of the people, still others who, because of their business interests here have been accorded unusual consideration, concession and support, have betrayed those whose confidence they have won and sought to use their place in the affairs of the county to serve their own selfish ends.

One illustration of the point we have in mind is the case of The Klamath News. This newspaper, which was established through the confidence reposed in it at the beginning, was first placed under influences dominated by the California Oregon Power company, and, later, when the financial losses became so great as to be a burden, the benevolent influence of the Southern Pacific was enlisted and now we find that paper busily engaged in boring from within to turn this community over to the control and vassalage of these two companies. No baser work was ever done in any community of which we have knowledge and no more treacherous attempt was ever undertaken by a publication that claimed to stand for the advancement and development of the community it was supposed to serve.

The right of the California Oregon Power company and the Southern Pacific company to dominate the policies of the Klamath News is unquestioned, but they should be made to foot the bill. The people of the community should not be gold-bricked either by the newspaper, those back of it or those patronizing it. If these individuals want to support these corporations they have a right to do it, but they should not expect the people they are betraying to patronize them.

Klamath county is at the turning point. If we lose the Northern lines, and their loss is a possibility, no matter what anyone says, it will mean a death blow to Klamath Falls—a blow that will prevent this city from ever exceeding ten thousand population, if we even reach that figure. Anyone today working for such a catastrophe should not look now, or at any other time, to the people of this community for support. We are a believer in the doctrine of an "eye for an eye, and a tooth for a tooth," and we believe that the people of this county should take stock of those elements that are working against their interests today and retaliate. We should be through with those who are boring from within, so thoroughly through with them that they would soon be seeking other communities in which to work their nefarious practices.

## LOCAL KIWANIS CLUB TO ATTEND

Ashland Kiwanis Club to Be Hosts at Banquet and Dinner Festivities

On October 23, members of the Kiwanis club and their wives of Klamath Falls and Medford have been invited to attend a banquet and dance at the new Lithia Springs hotel in Ashland, when Ashland Kiwanians will be hosts.

It was largely through the Kiwanis club of Ashland that the new hotel, one of the finest in southern Oregon, was made a realization.

A large number of local Kiwanians with their wives are making plans to attend the affair, which will be a week from tomorrow night.

## Strive to Make U. S. Independent Rubber Producer

NEW YORK, Oct. 15.—(AP)—In order to make the United States independent of foreign rubber, Harvey S. Firestone, president of the Firestone Tire and Rubber company, is preparing to spend \$100,000,000 in remodeling a whole country.

A newly organized Firestone plant, Mr. Firestone announced, has obtained concessions for 1,000,000 acres of rubber plantations in Liberia, West Africa. Plans call for the building of harbors, roads, towns, hospitals, and possibly the organization of steamship lines.

A two thousand acre British rubber plantation has already been purchased to serve mainly as a nursery for the larger plantations to be located on the most suitable land. A harbor will be built at Monrovia, capital of the Negro republic.

Employment of 330,000 men is contemplated when the organization has reached its full stride.

The United States now controls three per cent of the world's rubber supply, but Mr. Firestone believes the Liberian plantations can produce enough to give this country control of fifty per cent.

## Knights Support Law Enforcement

EUGENE, Ore., Oct. 15.—Unrestricted observance of the laws of the state and nation was endorsed by the grand lodge session of the Knights of Pythias, domain of Oregon, at the closing meeting here yesterday afternoon. The resolution committing the lodge to law observance as a means of furthering the principles of Pythianism and patriotism, was passed unanimously.

Grand lodge officers of the order of Knights of Pythias and of the Pythian Sisters were installed at the closing session.

RICHMOND, Indiana.—Bryan's voice is immortal. Imperishable master records of the "Cross of Gold" speech and other masterpieces are to be kept in the national museum at Washington.

LONDON.—King George reads a chapter of the Bible every day.

## They Meet at Last



Here they are—Jack Dempsey and Gene Tunney in the same ring. Not to battle—at least not at present. The champion and challenger recently met in the ring at Dayton, O., where the titleholder staged an exhibition match. You guessed it—Dempsey's the one on the right.

## STEWART'S WASHINGTON LETTER

By CHARLES P. STEWART

NEA Service Writer

WASHINGTON.—National administrations will be damned if they do and damned if they don't. President Coolidge is due for trouble at the next session of Congress for not saving enough money and for saving too much.

His claim to credit for federal tax reduction will be disputed by administration opponents. His charge that state and local taxes are being unreasonably increased will be disputed, too.

The fact remains that federal taxes are being cut and that state and local taxes are increasing. So how are the national administration's critics going to make their story stick? They haven't been very clear about this. The president has been perfectly clear in all he said.

Governor "Al" Smith of New York finally has told the anti-administration side definitely. As a Democrat, he attacks the president's case.

As a state executive, he defends local government.

The president, he says, isn't economizing, but simply getting back from a war to a peace basis.

State and local governments, he adds, aren't wasting, but simply

catching up on necessary work which was delayed by the war.

Democrats, and maybe insurgent Republicans will amplify this theme in Congress. They deny the administration is even getting back on a peace basis fast enough. They declare its idea of a peace basis is extravagant in itself.

Pre-war and post-war expenses will be compared, to prove it.

Prices are higher than before the war, so of course the government spends more. The administration will point this out, but the critics will shut their eyes.

At the same time that plans are being laid to arrange the president for saving less money than he says he has, the air investigation makes it plain he'll be bitterly assailed for having saved too much on national defense.

"Poverty" is the army and navy staffs' whole explanation of their confessed neglect of the aviation arm. Before the investigators they not only have admitted, but asserted that both branches of the service—aviation and all—are crippled for lack of funds.

Heaven, to a small boy, must be a place where throwing rocks through windows is compulsory.

Soldiers of fortune often become captains of industry.

In a few more years the only way you will be able to see the country is by peeping over a billboard.

## Pacified, for the Time Being, at Least



## MOST IMPORTANT GAME OF SEASON HERE SATURDAY

Medford and Klamath Falls to Fight it Out for Grid-iron Supremacy

A supreme effort to wipe out the sting of its only defeat this season will be launched next Saturday by the Klamath County high school team when it meets its ancient rival, the Medford eleven.

That defeat, which was at the hands of Medford, 21 to 0, has been annoying the Klamath gridiron warriors for two weeks, and an opportunity to nullify it will be given them next Saturday.

Several things will be in the favor of the Klamath eleven. First, they are more finished and experienced team than when they met Medford; second, they have Ashland high school's scalp tucked under their belt, and third, they will play on their own field, always a decided advantage.

Bessler, star lineman, will again be in the line-up after being forced out of the game several weeks ago from a bad ankle. But whatever advantage gained by his playing is counteracted by the injury sustained by Klamath's star backfield man, Hall, in the Medford game.

Hall's side was badly hurt. Whether or not he will be able to start in the Medford game is still problematical.

That Medford regards this game as the crucial contest of the season was evidenced by the presence in the fair grounds stands last Saturday of the Medford coach and several of the players who closely watched the entire game.

The game starts at 2:30 a. m. Friday night high school students will stage a big rally in the city streets that will end up on the lower terrace of the high school grounds, with a big bonfire and talks from Klamath business men.

## Orem and Goeller Shoot First Birds of China Season

According to reports received up to 3 p. m. today City Treasurer Roy Orem and Harry Goeller, 125 Pine street, shot the first Chinese pheasants of the 1925 season.

The local men beat the main army of pheasant hunters to the shooting ground this morning and when the sudden eyed nimrods began to level their guns, Orem and Goeller were ready to return to Klamath Falls with four fat roosters.

All of the beautiful birds were brought down on the Orem ranch, near Mack's store, Merrill route. Scores of cars and hundreds of hunters were tramping the fields of Klamath farmers this morning. Some, who came early enough, were successful. Others didn't even see a bird.

We think most girls go without many clothes so they won't have to go without men.

## Rich Gridder



This is Alex Johnstone, University of Iowa tackle, who is expected to star on the football field this fall. Johnstone is a millionaire, but gets more enjoyment out of the gridiron pastime than anything else. He's especially capable on the defense.

## La Vogue Stores

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Ladies' Felt and Trimmed Hats, from \$1.95 to \$19.50  
A saving of from \$1.00 to \$5.00.

Now arriving every week. Before buying, don't fail to visit us in our new store.

EIGHTH and MAIN