

Timms' Suit for \$50,000 Still on

The \$50,000 damage suit which William Timms, negro proprietor of a boot blacking establishment on Main street, instituted against J. O. Swindler and C. H. Bennett, former deputy sheriffs, and L. O. Shirley, federal prohibition officer, opened in circuit court here Friday morning, only to be continued into today.

Circuit Judge J. U. Campbell is occupying the bench, affidavit of prejudice having been filed against Circuit Judge A. L. Leavitt in the case.

Timms charges he was incovenienced and his reputation impaired by a purported raid on his house last August, in which the defendants figured. The officers deny all allegations made by the negro.

W. H. Renner represents Timms, while the defense counsel is E. L. Elliott.

RESOLUTION OF INTENTION

The City Engineer, pursuant to resolution of the Common Council heretofore adopted, having on the 6th day of June, 1927, filed plans, specifications and estimates of the cost of improving Sixth street from the southeasterly line of Main street to the westerly line, extended, of Commercial street, the same being Improvement Unit No. 68, and the Council having taken the same under advisement and finding said plans, specifications and estimates satisfactory:

BE IT HEREBY RESOLVED that said plans, specifications and estimates for the improvement of the said portions of said streets, being the specifications and estimates attached to the plans and estimates filed herein on June 6th, 1927, be, and the same are hereby approved, and

BE IT FURTHER RESOLVED, that the Common Council hereby declares its intention to improve said portions of said street with a new warrentite-bitulithic wearing surface on old pavement at an estimated cost of \$34,263.50, or asphaltic concrete wearing surface on old pavement at an estimated cost of \$34,263.50, said improvement in either event to include grading the portions of street area not now covered by concrete walk or pavement, constructing new concrete curb where necessary; building new concrete walk as required to cover the full space between the curb and property lines; cleaning and preparing the old pavement for a new surfacing; putting in a full-depth pavement where holes and broken-up places require renewal of old pavement; laying a new warrentite-bitulithic or asphaltic concrete pavement on the roadway portions not now covered; constructing storm sewers and catch-basins as needed for complete drainage of the street, and building some short sections of new sanitary sewer in the easterly sidewalk space of the street. The roadway is to be maintained at its present width of 48 feet between faces of curbs. South of Klamath avenue, the plans provide for completion of the projected widening of the street to a total width of 68 feet, and the intersections are to be paved such width. Where buildings interfere or where deeds have not yet been obtained the sidewalks will be built only to the lines, as far as this unit is concerned. The pavement resurfacing will have an approximate average thickness of two inches across the roadway, except that in a 4 to 6 foot width next to each curb the thickness is to be reduced to one inch at the gutter line. Where there are holes or badly broken or deteriorated places in the old pavement, entirely new pavement with standard "A" type depth is to be substituted, for the full extent of such places. Portions of the roadway at stub ends of alleys and cross streets not now covered shall be fully paved with the type of pavement selected for the improvement.

The said proposed improvement to include an 18 inch sewer from the north corner of Walnut to the north corner of Oak avenues; thence to the south corner of Oak avenue; thence to the south westerly along the southerly parking of Oak avenue to Fourth street, and a 24 inch sewer along the southerly parking to a discharge into Ewauna Lake at a point about 200 feet westerly of Second street. The storm sewer construction will necessitate tearing out concrete walk for one block on Sixth street, the crossing of 6 or 7 sidewalk corners and the cutting of existing pavement at six intersections, so that reconstruction of the parts cut will be required. The plans provide for a complete improvement in every way, except that the sidewalk may not extend back to the ultimate lines, as before noted, all in accordance with the plans and specifications on file with the Police Judge.

BE IT FURTHER RESOLVED that the property lying and being within the boundaries hereinafter described shall be, and the same is hereby declared to be benefited, to-wit:

Beginning at a point on the south line of Main street in Klamath Falls, Oregon, at the center of block 37, original town of Klamath Falls, Oregon, thence southeasterly through the center of block 37, original town of Klamath Falls, Oregon, and blocks 76, 84, 93, 97, 104 and 106, Klamath Addition to the northerly line of Kinlock avenue; thence northeasterly along the northerly line of Kinlock avenue to Sixth street; thence northerly to a point on the west line of Commercial street at a point which is 130 feet northeasterly from Sixth street; measured at right angles thereto; thence northwesterly parallel to Sixth street and 130 feet from Sixth street through the center of

blocks 105, 96, 94, 83 and 77, Klamath Addition, and block 38, original town; to the southerly line of Main street; thence southwesterly along the southerly line of Main street to the place of beginning.

BE IT FURTHER RESOLVED that the property hereby declared to be benefited and assessed for the aforesaid improvement consists of:

Lots 1, 2, 7 and 8, block 37.

Lots 3, 4, 5 and 6, block 38 original town.

Lots 1, 2, 9 and 10 and the northerly one-half of 3 and 8 in block 75.

Lots 4, 5, 6, 7 and the southerly one-half of lots 3 and 8 in block 77.

Lots 4, 5, 6, 7 and the southerly one-half of lots 3 and 8 in block 83.

Lots 1, 2, 9, 10 and the northerly one-half of lots 3 and 8 in block 84.

Lots 1, 2, 9, 10 and the northerly one-half of lots 3 and 8 in block 93.

Lots 4, 5, 6, 7 and the southerly one-half of lots 3 and 8 in block 94.

Lots 4, 5, 6, 7 and the southerly one-half of lots 3 and 8 in block 96.

Lots 1, 2, 9, 10 and the northerly one-half of 3 and 8 in block 97.

Lots 1, 2, 9, 10 and the northerly one-half of lots 3 and 8 in block 104.

Lots 4, 5, 6, 7 and the southerly one-half of lots 3 and 8 in block 105.

Lots 1, 2, 9, 10 and the northerly one-half of lots 3 and 8 in block 106.

A tract of land beginning at the northeasterly corner of block 105 running thence southerly to the southeasterly corner of block 105, running thence along the northerly line of Sixth street 210.5 feet; thence north to the place of beginning, all in Klamath Addition to Klamath Falls, Oregon, lying within the boundaries heretofore described.

BE IT FURTHER RESOLVED that Monday, the 11th day of July, 1927, at the hour of eight o'clock P. M. at the Council Chambers in

DEATHS

ROBERT GRUNAU
Funeral services for the late Robert Grunau were held Friday afternoon at the Earl Whitlock funeral home, Pine avenue at Sixth, with Rev. J. Henry Thomas of the Episcopal church officiating. Two selections were rendered by Mrs. Ruth Holloway: "Jesus Saviour, Pilot Me," and "Rock of Ages." Interment was made in Linkville cemetery.

FRANK SMITH
The remains of the late Frank Smith of Dorris were forwarded Friday night to Coeur d'Alene, Idaho, where funeral services will be held and interment made. Mrs. Smith and daughter accompanied the body. Arrangements were under the direction of the Earl Whitlock funeral home.

The City Hall of Klamath Falls, Oregon, be fixed as the time and place for hearing of objections and remonstrances against said proposed improvement; and

BE IT FURTHER RESOLVED, that the Police Judge, and he is directed to cause notice of said hearing to be published as by charter provided.

STATE OF OREGON,
County of Klamath,
City of Klamath Falls, ss.
I, Lem L. Gaghagen, Police Judge of the City of Klamath Falls, Oregon, do hereby certify that the foregoing is a duly enrolled copy of a resolution adopted by the Common Council at its regular meeting held on Monday, June 13, 1927, and of the whole of said resolution.

LEM L. GAGHAGEN, Police Judge
Approved by the Mayor,
June 13, 1927.
T. B. WATTERS, Mayor.
J15-25inc.

STORY OF KILLING IS TOLD BY BROTHERS

(Continued From Page Five)

dry and either Hugh or I shot him again. The engineer was standing on the ground during this time and Hugh put him back up into the cab and told him to pull the mail car ahead, and he attempted to do so a number of times, but the engine wheels merely spun around and he failed to move. Hugh then put the engineer back on the ground beside the fireman while Roy and I looked the thing over to see what could be done with a view to uncoupling the mail car and engine, but we found conditions such that we knew we could not move either.

Smoke Too Thick
"Roy and I went back to the mail car and entered same through the front end but our flashlight would not cut the steam and smoke and we shortly thereafter left the mail car knowing that we were helpless in the matter, as the steam and smoke would not clear up for half an hour or more. When we got back on the ground, Hugh in the meantime having ordered the engineer back into the cab, we walked a few paces toward the front of the tunnel and met the fireman standing alongside the engine cab, with his arms in the air at which time Roy and I held a brief conversation as to what ought to be done.

FIREMAN MURKIN
"We decided to kill the fireman and Roy shot him twice with his .45 Colt. I climbed up on the engine step, and looked in the cab, where Hugh had the engineer cowered on the left side of the gangway and I shouted at him to bump him off and let's clear out of here immediately, after which Hugh shot the engineer in the head with his .45 Colt. We then fled to our

Interest Mounts In Vote Contest

Wanted—Four persons, men or women, to accept fine new motor cars, sedan models, well-known makes, in exchange for a few weeks' spare time, including friends to become regular readers of the Klamath News and Evening Herald. Address Campaign Department, The Klamath News and Evening Herald.

If you saw a want ad like that wouldn't you answer it quickly? Well, it's really true—and an answer is expected from you.

Virtually everyone in this section of the state has by this time heard of The News and Herald's stupendous \$6,000 prize offer, wherein 4 automobiles are to be given away, and a generous number of other valuable prizes.

Number Enrolled
Already a number of men and women have enrolled in the campaign. New ones are entering daily. Soon the first list of names

will be published in The News and Herald so that all may know who is aspiring to a share in this bountiful prize distribution event. And in case your name has not been sent in, better attend to it right away.

cache, which was located between two and three miles northwest of the south entrance of the tunnel.

(Signed)
"RAY DE ATTREMENT"

First Class PAINTING and Paper Hanging L. B. SHEHORN Phone 701 1125 Main

ANNOUNCING...

THAT

The Grey Goose Sandwich Shop

will henceforth be owned and operated by

A. Lot Beatie

Hours of operation will be from 7 A. M. to 8 P. M.

MEASURE NO. 302

On the ballot for the special election to be held June 28 is a constitutional amendment which provides that the 5% limitation provision of the Oregon Constitution may, apply to the Portland School District as it now applies to all other school districts throughout the state.

This measure affects no other district in Oregon than the Portland School District and Portland residents will appreciate your support.

VOTE 302 YES

Big 7-Day Sale

Kroehler Davenports and Furniture

Starting Saturday and continuing all next week we are offering our complete stock of Kroehler furniture at astounding reductions.

Note These Prices:

Three-piece Jacquard Suite, regular price, \$250. SALE PRICE	\$155.00	Two-piece Fibre Suite, regular price, \$64.75. SALE PRICE	\$45.00	Mohair Bed, regular price, \$134. SALE PRICE	\$107.50
Two-piece Tapestry Suite, regular price, \$171.50. SALE PRICE	\$137.25	Jacquard Bed Davenport, regular price, \$128.50. SALE PRICE	\$103.00	Two-piece Mohair Suite, regular price, \$290.75. SALE PRICE	\$195.00
Mohair Fireside Chair, regular price \$76.25. SALE PRICE	\$54.00	Bed Davenport, regular price, \$165. SALE PRICE	\$95.00	<i>Croxwell Chairs and Many Other Articles at Big Reductions</i>	
Seven-piece Fibre Suite, regular price, \$226.50. SALE PRICE	\$181.00				

Mordoff Furniture House