

12-4-1916

## Board of Trustees Minutes, December 4, 1916

Cheney Normal School

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STATE NORMAL SCHOOL

N. D. SHOWALTER, PRESIDENT

CHENEY, WASHINGTON, December 4, '16.

A Meeting of the Board of Trustees was called to meet at Hotel Davenport at 12:15 P.M. Those present, Mrs. Monroe, Chairman, Mr. Tustin, and Mr. McLean. Mr. Zittel and Mr. Showalter were also present at this meeting.

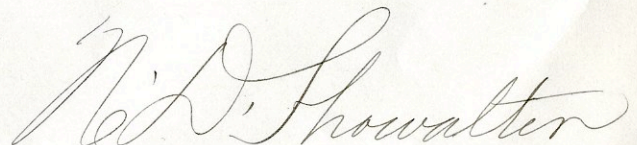
A letter was presented by Mr. Tustin from Mr. Fred S. Duggan, who is the regular attorney for John T. Huetter & Company, requesting the Trustees to return the certified check which had been held as a guarantee of the payment of certain bills and insurance against certain defects. Mr. Zittel reported to the Board that all defects for which Huetter & Company were responsible had been made good in every particular and further stated that all bills had been handled by court proceedings and therefore there was no reason for the Board not complying with the request made.

A motion was made by Mr. Tustin and seconded by Mr. McLean, voted upon unanimously, that Mr. Zittel be instructed to return the certified check to John T. Huetter according to former agreement.

Mr. Showalter presented the matter concerning the purchase of more tablet arm chairs and the Board of Trustees authorized him to order in advance such supplies as were needed the same to be charged and payment made after the beginning of the new biennium, about April 1st.

Mrs. Monroe reported a letter received from Mrs. Myra Wylie Forshaw making inquiry concerning the salary for the month of August. Since the Attorney General had already notified Mr. Showalter that such a claim was illegal, it was agreed by the Trustees that Mrs. Monroe write a letter to Mrs. Forshaw giving her this information.

There was some general discussion about the improvement of the present heating plant and building necessary to house it properly. This matter was referred to Mr. Zittel and Mr. Showalter with the request that they make tentative plans for the same. Meeting adjourned at 1:40 P.M.



Acting Secretary.

President Board of Trustees.

FRED S. DUGGAN  
ATTORNEY AT LAW  
305 HYDE BUILDING  
SPOKANE, WASHINGTON

Nov. 29, 1916.

Mr. V.T. Tustin,  
Trustee of Cheney Normal School,  
Spokane, Wash.,

Dear sir :-

At your request I am giving you herewith a statement of the situation regarding the claims of creditors of N.W. Quarring subcontractor, made against John T. Huetter, general contractor on the Normal School building, on account of Quarring's failure to pay his debts incurred on this job. As you know, I have acted as attorney for Mr. Huetter throughout this matter.

We first endeavored for a long time to have these various claimants obtain from Quarring orders on Huetter fixing the amounts they were entitled to, but only two of the claimants were successful in arriving at a settlement with Quarring as to the amounts he owed them, and getting his orders for the amounts. These orders, held by Plunkett and Mescher, we promptly paid.

All the other claimants then started suits against Quarring for their money, and made Huetter also a defendant in the suits. ~~There~~ There were four such suits; one by Joseph Mulherin; another by William Gannon; another by Maxwell & Minnie; and a fourth by L.H. Houch for himself and fifteen other claimants. These suits were all tried and judgments entered in each of them against Quarring and Huetter. Quarring did not defend any of them, but defaulted and left Huetter to defend the cases without any means of ascertaining the correctness of the claims except by questioning of the claimants themselves. Mr. Huetter has paid all of the judgments rendered against him in all of these suits.

In view of Quarring's default all of the claimants got judgment against him for all they asked, but not all were <sup>able to</sup> establish their claims against Huetter, and some of the claimants still have judgments against Quarring. However, all of the claims have been threshed out in court, and the court has in each case made its findings as to the liabilities of Huetter on these claims, and Mr. Huetter has paid in full, with costs, all of the claims that the court has held were enforceable against him, and this litigation is ended.

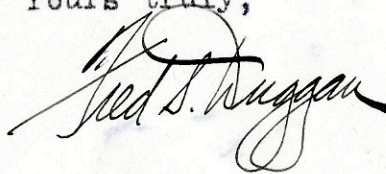
I would say that the court in one suit found the amount that Quarring was entitled to for work done, and Mr. Huetter has since paid out on these claims more than the entire amount that the court found Quarring and his men had earned, and now has a claim pending against Mr. Quarring and his bond for the sum of \$295.05 which Mr. Huetter has paid out over and above what was earned on the work by Quarring and his men.

FRED S. DUGGAN  
ATTORNEY AT LAW  
305 HYDE BUILDING  
SPOKANE, WASHINGTON

In short, all claims of every nature that are legally good against Mr. Huetter have been paid in full by him, and all other claims not paid by him have been held void by the court. The litigation has been over for some time. Mr. Huetter has paid all claims that the court found he should pay, and in so doing he has paid out \$295.05 out of his own pocket, being that much more than Mr. Quarring and his men earned.

I trust that this report of the matter will convince your Board that there is no further justification for holding the deposit made with you some time ago by Mr. Huetter for the purpose of assuring you that he would pay all legal claims.

Yours truly,

A handwritten signature in cursive script, appearing to read "Fred S. Duggan". The signature is written in dark ink and is positioned below the typed name "Fred S. Duggan".