

OREGON CITY COURIER

34th Year

OREGON CITY, OREGON, THURSDAY, APRIL 27, 1916

Number 6

EXTORTION MADE BASIS OF CHARGE

SHOCKLEY AFFIDAVIT STARTS ROYAL BATTLE IN CITY COUNCIL MEETING

VAN AUKEN INCRIMINATED

Seriously Accused, Councilman Retires from Meeting, Strongly Affirming Innocence

Modern tactical warfare must travel a faster pace if it is to keep up with the municipal war that was started at the meeting of the city council, called on Tuesday evening by Mayor Hackett, and into which Councilman Albright hurled a huge bomb when he distributed and had the recorder read an affidavit sworn to by I. Shockley, former operator of the city elevator, in which Councilman E. D. Van Auker is accused of attempted extortion. The affidavit tells its own story, and is strongly denied by the accused councilman, who voluntarily retired from the meeting after much discussion of the charge:

"I, I. Shockley, being first duly sworn, depose and say that about two weeks after the trouble concerning operating the city elevator, and after I was reinstated as operator, and about the first day of February, 1916, Mr. E. D. Van Auker, one of the Councilmen of Oregon City, told me that if I would donate about five dollars he would fix it so I could stay as operator of the elevator; that he could do more with Mayor Hackett than all the city council could. I told him the best thing he could do was to get off the elevator and stay off; that I had lived so far without doing anything of that kind, and was too old now to begin."

(Signed) I. SHOCKLEY.
Subscribed and sworn to before me this 17th day of April, 1916.

LIVY STIPP,
Notary Public for Oregon.
(My commission expires Jan. 9, 1917.)

The regular order of business had just been called for when Councilman Albright took the floor to say that he had no idea that such things existed within the council, and after distributing copies of the Shockley affidavit, suggested that a rigid investigation be made. Councilman Metzner immediately arose and refused to have anything further to do with the city administration until the accused member had "cleared his skirts," of the charge that had so suddenly appeared against him.

"This is a very serious and unpleasant duty," said Councilman Metzner, "but looking into the past I think Van Auker should prove his innocence, and until he does so he should take no part in the business of the council. He should withdraw or should be suspended by the mayor." At this point Van Auker had his first chance to put in a word in his own defense and said that he could not understand why Metzner, Albright and Templeton had taken such an action against him. "It looks to me like three men were trying to throw me out of the council," he said. Councilman Albright defended the affidavit by saying that the story of Van Auker's talk with Shockley had been in the air for a long time, and that it had been brought to his attention before Shockley had been discharged from the elevator. Van Auker stated that he had talked to the former operator only once, and then at the instruction of Mayor Hackett. He expressed his willingness to do anything, according to any law or otherwise, to clear himself of the charge made by Shockley.

"I was with Van Auker when the mayor authorized the suspension of Shockley and also when Van Auker did as he was instructed in the matter," said Councilman Moore. "I heard no such talk as Shockley charges, and do not believe that there was any such talk." To this statement Templeton replied: "I want to say that I do believe such a talk was had." Metzner took the floor again to hurry the matter to a conclusion. "The law is clear," he said, "and Van Auker cannot sit on the council. I move that Van Auker be suspended until his skirts are clear." The motion was lost in discussion when Van Auker reiterated his statement of willingness to do anything to disprove the charge.

"I don't care to sit on the council, but I was elected by the people. I am aware that council members are against me and are trying to overthrow me," Van Auker interposed. Metzner, who with Templeton, took most active part in pressing the charge against Van Auker, here remarked that the accused member could not convince the voters of his own ward of his innocence until he had proved it to the council. Albright seconded the remark by the statement that to him the affidavit seemed to contain a great deal of truth.

Mayor Hackett reminded the council that action was in the hands of the members and not to be decided

SCHOOL BOARD IS DEFENDANT IN SUIT

A. L. BEATIE, FORMER BOARD MEMBER, WOULD OUST SUPERINTENDENT TOOZE

In employing F. J. Tooze as city superintendent of schools the Oregon City school board is entirely within the law, and statutes were found by Circuit Judge J. U. Campbell on Tuesday morning which attested the qualifications of Mr. Tooze and made it possible for the judge to sustain a demurrer to the complaint filed against Mr. Tooze by Dr. A. L. Beatie. The decision handed down by Judge Campbell vindicated the school board in employing Mr. Tooze even though he does not possess the state teacher's certificate that has been made a requisite for such positions since Mr. Tooze was first elected to the office he holds at present.

The case for the school board was presented by C. Schaebl and arguments prepared by Judge G. B. Dimick and C. D. Latourette were not required by Judge Campbell. Other attorneys who offered their services to the board were O. W. Eastham, O. D. Eby and J. E. Hedges, although they took no active part in presenting the case to the court. The prosecution was represented by L. Stipp.

In his decision Judge Campbell said: "It is not for me to determine who the school board shall employ as city superintendent, but only to ascertain that the board is acting within its power in employing Mr. Tooze. If the board's policy is not satisfactory the voters may oust the board members and correct the policy."

The contention that F. J. Tooze, city school superintendent, is unqualified for the office he holds in view of the fact that he does not hold a state teacher's certificate nor a diploma that would indicate his fitness, was the basis for an action started in the circuit court late Thursday by A. L. Beatie, former member of the school board. Mr. Beatie, tried, through Circuit Judge J. U. Campbell.

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DOCTOR ASKS AID IN SWATTING THE FLIES

WOULD DESTROY THE BREEDING PLACE OF PESTS, AND AVOID USUAL METHOD.

Dr. Orel A. Welsh, county health officer, has set that familiar old song, "Swat the Fly," to different music this year and advocates its rendition without the usual accompaniment of swatters of every conceivable shape, as is customary in "swat the fly" campaigns. Dr. Welsh has a new idea and because of that, perhaps, he has also slightly changed the name of the annual campaign song to "Swat the Fly before it is hatched." With this as the popular marching song of the campaign the doctor believes that this can be made as nearly a flyless city as it is possible to make it. Cooperation, however, must be the keynote of the campaign, for if it is to be successful every agency must combine powers under the health officer's direction.

It will be the doctor's ambition to rid the county and city of the sources of flies and thus make the usual method of procedure unnecessary. The breeding places will be destroyed to prevent the hatching of the millions of flies that pester living things every year, and when summer comes the troublesome pests will be so very scarce that to combat them will be simple and effective. Dr. Welsh asks for assistance from every source, saying that upon the early work of the housewife, storekeeper and farmer depends the success of the fight against the fly pest.

Dr. Welsh points out the simplicity of such a battle against disease and against the fly pest itself. The work of ridding one's premises of breeding places is much less effort than the work of attempting to keep flies out of the house or store after they are hatched. The doctor's plan is along the same lines as a recent experiment conducted by the federal department of agriculture, which has demonstrated the value of ordinary powdered borax in preventing the hatching of fly eggs. If this powder is spread where breeding is apt to take place, says Dr. Welsh, there will be no flies from that source.

Mrs. Foster Loses Case

Mrs. Minnie Foster failed to show Justice of the Peace John N. Sievers that Frank Beck and Mary Beck, his wife, were violating the terms of their lease on the Portland house, owned by Mrs. Foster, and Judge Sievers decided the case in favor of the lessee on Tuesday morning. The case was argued in the justice court on Monday and was taken under advisement by the justice of the peace. Mrs. Foster sought to eject Beck and declare the lease on the property void because of the fact that Beck had undertaken certain improvements about the place which did not meet with the approval of the owner.

PARTISAN ORGAN MUST GUESS AGAIN

ELEVENTH HOUR CANDIDATE WILL NOT SERIOUSLY EFFECT PRIMARY RACE

FRIENDS OF MASS ARE MANY

Charges Made by Enterprise Are Considered Guesswork by Democratic Party Leaders

Just how Maxwell Vietor's candidacy for nomination to the sheriff's office is so terrible a catastrophe to the democratic party is not as readily apparent to the good democrats of the county as it is to the republicans—that part of the party which finds expression through the columns of The Enterprise. Luckily that part of the republican party will not have as much to say at the democratic primary election next month as it has to say through our contemporary—and, therefore, its "thorny" opinions will bear little weight in the casting of democratic votes.

The eleventh hour filing of Vietor was unexpected, but is to be taken rather as a matter of course than as a thorn in the side of the democratic party. E. T. Mass, if his friends choose to write his name in on the primary ballot, can as easily gain the nomination as can the candidate whose typed name adorns the election sheet. The nomination will not be conceded to Vietor until the ballots are counted, nor will Mass' nomination be affirmed before that time. It is to be hoped that the contest may take an honest and open course, no matter who the candidates may be, and in the present light of political activity, as it concerns the sheriff's office, there will be no reason whatsoever for the democratic partisans to "eat their hats." As a matter of fact the great majority of these same democratic partisans are strongly of the opinion that the republican organ is talking through its hat regarding the entire affair. Its statements are mere guesswork, and are considered in that light by democratic partisans.

In the meantime there appears to be a merry and interesting course ahead of those in the race for sheriff's berth. E. T. Mass, for two terms sheriff of Clackamas county, and during that time an official to whom the honest transaction of every duty of his office and absolute fealty to his oath of office where his beacon lights, is known throughout the county. His friends are legion and if they should attempt to write his name in on the primary ballot the predictions of The Enterprise would probably amount to considerably less than the paper they are printed upon.

It is true, as the republican mouthpiece says, that the voters of the county will watch the contest with great interest. In fact, this interest will be so keen that the good democratic voters of the county will take the proper course in casting their votes after first making a careful study of the qualifications and the desirability of the party candidates, regardless of the office sought. Following this course, the sheriff's office will be included and, if by writing in the name of E. T. Mass the party can more reasonably expect the election of its candidate, then Mass will be nominated by an overwhelming majority.

A friendship between Vietor and John F. Albright would likely have little to do with the candidacy of the former. Both men are out for the office, although on opposite sides of the fence, and the latter's success depends to a great extent upon how many of Mass's friends and supporters find it consistent to write in his name.

WILL DISCUSS RESORT Woman's Club Enlists Speakers for Meeting Today

The proposal to establish a men's resort in Oregon City will be an important topic of discussion at the regular meeting of the Oregon City Woman's club, which is being held in the library this afternoon. Speakers who will discuss the subject are Thomas A. Burke, representing the Commercial club; E. G. Caulfield, of the Bank of Oregon City, and Adolph Jacobs of the Oregon City Manufacturing company. Owing to the stress of other matters W. P. Hawley has been forced to decline the club's invitation to participate in the meeting. The latter has expressed his moral and financial support of the venture, however.

"The Iron Woman," will be the novel reviewed by Mrs. J. R. Landsborough, Mrs. S. P. Davis and Mrs. John W. Draper. A reading will be given by Miss Evadne Harrison.

Several counties of the valley are forecasting the election of their candidates as Queen of the Rose Festival. The forecasts will prove as erratic as the weather man's sometimes are, for Miss Rose Uptegrove is most apt to be elected.

LIVE WIRES HEAR MR. BAKER'S TALK

QUARTERLY ELECTION OF CIVIC ORGANIZATION PROVES TO BE INTERESTING

Dealing with the problems that confront municipal administrative boards, George L. Baker instructively entertained the Live Wires at the meeting of that organization on Tuesday. Mr. Baker, who is one of the city commissioners of Portland, has had many years of experience in active connection with municipal affairs, and his exposition of the methods of solving the multitude of intricate problems that are presented was very interesting. Mr. Baker spoke briefly on the work of community organizations such as the Live Wires and commended the local club for its interest in the affairs of the city.

The principal business of the meeting on Tuesday was the quarterly election of officers, nominations in each case resulting in the unanimous approval of the club. For the next three months A. C. Howland will act as main trunk of the Live Wires and in his administration of club affairs will be assisted by Christian Schuebel as sub trunk, H. A. Swafford as transmission wire and Leighton Kelly as guy wire. The retiring officers are T. A. Burke, main trunk, Rev. J. K. Hawkins, sub trunk, A. C. Howland, transmission wire and R. L. Shepherd, guy wire. The newly elected officers have already assumed control of the affairs of the Live Wires.

Electric sparks of a high voltage were injected into the meeting at the conclusion of the luncheon by Leighton Kelly, manager of the campaign of Miss Rose Uptegrove, candidate for Rose Festival queen. Mr. Kelly strongly criticized those who had elected him for their slowness in aiding him in carrying on the campaign, and stirred the Live Wires to greater life. He indicated renewed efforts on behalf of the Clackamas county candidate and asked for more general aid in carrying out campaign plans. Other business of the organization was postponed until the next regular meeting.

The committee workers appointed by the new main trunk are Dr. Clyde Mount, whose duties will be those of feed wire, and the Rev. J. K. Hawkins, who is to arrange for programs for the weekly meetings.

ARSON TRIAL IS ON Elderly Oswego Woman Subjected to Stiff Examination

Today is the fourth day of the trial in Judge Campbell's court of Mrs. Mary C. Wells, the elderly Oswego woman, who is charged with attempting to defraud an insurance company, and, according to the district attorney, the jury may not retire before tomorrow.

Mrs. Wells testified in her own behalf throughout most of Wednesday, and attempted to show that the insurance on the three houses owned by her, which were destroyed by fire, did not cover their value. A large number of witnesses have been called in the case and a great volume of testimony has been taken. The court room has held a good audience during each day of the trial and the assemblage has been respectively amused and saddened by the testimony which in some cases has been peculiarly conflicting.

Mrs. Wells, testifying for herself, named six different losses by fire that she has suffered during her life in Oregon. Two of these were at Oswego, one at Yoncalla, two at Portland and one at Perrydale.

The jury may take the Wells case late today, although it is more than probable that testimony will not all be in before early tomorrow.

FISHERMEN ARRESTED Deputy Wardens Spend Night and Day Waiting for Culprits

George Brown and Jack Douthit, who were arrested late Monday night by Bert Jewell and Herman Rakei, deputy fish wardens, on the bank of the river near Magone's park, are puzzles that will probably be turned over to the circuit court for solution.

Brown and Douthit were charged with net fishing, but because of the fact that the former escaped punishment on a similar charge brought in justice court early in the year, District Attorney Hedges has suggested that he may hail the culprits before Judge Campbell. In spite of the evidence against Brown, conviction at the state is not anxious to take another chance in such a case with an Oregon City jury.

The deputy wardens arrested the two men after waiting on the river bank throughout most of Monday and Monday night. Brown and Douthit appeared late that evening, and when their piscatorial efforts had profited the pair to the extent of nine salmon, the wardens swooped down upon them. Jewell and Rakei went to great pains to secure the net fishermen, and were without sleep during the time of their watch, which lasted nearly twenty-four hours.

Remember to do your share in helping to elect the Clackamas county candidate for Rose Queen.

TO MOVE COUNTY PAVING PLANT

COUNTY COURT STOPS CONTENTION OVER LOCATION AND GETS NEW SITE

INJUNCTION IS GRANTED

Paving Plant Will Operate Near Parkplace Station. Work Starts at Once

When Frank Busch sued the Clackamas county court last week to enjoin that body from trespassing on his land, and from erecting nearby the proposed county paving plant, he practically settled the matter, so far as the court is concerned. To test the validity of Mr. Busch's complaint the county court filed a demurrer, which was given an airing in Circuit Judge J. U. Campbell's court on Saturday afternoon and was promptly over-ruled by the jurist. Judge Campbell granted the county until Monday to show cause why an injunction should not be granted to Mr. Busch, but this action was considered unnecessary by the county court and no further attempt was made to restrain the injunction.

As a result of the injunction against the county the court has completed negotiations with Dr. H. S. Nichols of Portland for the use of his property near the Parkplace station and immediate preparations will be made for the erection of the paving plant at that place. On Saturday afternoon attorneys for Mr. Busch held a conference with County Judge Anderson and expressed the willingness of their client to arbitrate the matter with the court. It is understood that Mr. Busch placed his property at the disposal of the county provided they would consider certain restrictions which he would place upon its use.

"These restrictions were so many," said County Judge Anderson to The Courier, "that the court decided to give up the idea altogether of erecting the plant on the site originally selected, and we have made the necessary arrangements for transferring the scene of activity to Parkplace, where we have been able to secure a very satisfactory location for the plant. Mr. Busch asked, through his attorneys, that the paving plant not be operated at night, if its erection near his property were permitted; he requested the use of screens to prevent dust from escaping the rollers and he asked other concessions which might seriously effect the successful operation of the plant. It is too late to spend much time in the arbitration of these details so we have been forced to choose the next best available location for the plant."

In his complaint to enjoin the county court and the roadmaster from erecting the paving plant Mr. Busch contended that the operation of the plant would injure his property by smoke and noise, and alleged that the plant would obstruct the use of the river front adjoining his property. These facts were taken into consideration by Judge Campbell on Saturday afternoon when he overruled the demurrer filed by the county court. Certain of the tenants of the Busch property were in the court room, but were not called upon for testimony.

In the conference held later between O. D. Eby, attorney for Mr. Busch, and County Judge Anderson, the Commercial club was represented by M. D. Latourette and others present were Commissioner Adam Knight, Roadmaster T. A. Roots and Harry Worswick, who will superintend the working of the new plant. As a result of this conference the county court has decided that to live up to the restrictions placed upon it by Mr. Busch would be an unwarranted handicap to the proper operation of the plant, and contracts have been signed by Dr. Nichols and the court, which gives the county the use of the former's land near Parkplace.

The new site of the paving plant is so situated that the cost of manufacture of asphalt paving materials will be increased somewhat, according to authorities, but, in view of the fact that the location in the city cannot be secured, this is the best that the court could do and still keep the plant reasonably close to the county seat. The erection of the plant at Parkplace will necessitate crossing cultivated land and will make it necessary for the construction crew to demolish a portion of fence surrounding the property. In addition to this it will be necessary to haul gravel for use at the plant, and the charges for this will add a burden of considerable weight to the product of the plant. The court will arrange suitable remuneration for Dr. Nichols for the damage done to his property.

Several property owners, including Roadmaster Roots, Commissioner Knight, and H. E. Cross of Gladstone, offered the court sites in different parts of the county for the erection of the plant, showing that there is a keen interest generally throughout

PUBLISH FAIR DATES AND RACING PROGRAM

SEPTEMBER 18-21 SELECTED FOR ANNUAL COUNTY EVENT AT CANBY GROUNDS

Horse racing will be a prominent feature of the four-day program of the annual Clackamas county fair to be held at Canby September 18 to 21, inclusive, announcement of which was made last week by the fair management and Ed Fortune, superintendent and starter for the races. The race events are to be even more prominent than they have been in the past, says Mr. Fortune, and this is perhaps due to the fact that there will be more entries and better animals. Judges of the races are to be Noah Stangler, Eagle Creek, W. H. Vaughn, Molalla, and Gordon E. Hayes, Stafford. The starters are to be Ed Johnson, Oregon City; A. Gribble, Canby, and the clerk will be Tony Murrato of Gladstone.

The racing program is to begin on Monday, September 18, and additional entries are being received by the superintendent, who also had charge of the same affairs last year. This fall, as a result of Mr. Fortune's work in connection with the county fair, he will have charge of the racing program at the state fair.

The following program has been prepared by Mr. Fortune: September 18, first day, 2:30 trot, mile heats, two in three, purse \$150; half mile run, purse, \$75.

September 19, second day: 2:15 pace, mile heat, two in three, purse, \$200; free-for-all trot, mile heat, two in three, purse \$200; one mile run, purse \$100.

September 20, third day: 2:18 trot mile heat, two in three, purse \$200; free-for-all pace, mile heat, two in three, purse \$200; 3/4-mile run, purse \$100.

September 21, fourth day: Free-for-all, mile heat, two in three, first and second money, winner from previous days barred, purse \$150; 3/4-mile run, handicap, purse \$100; one-half mile run, beaten horses, purse \$50.

RESULTS WANTED BY MR. KELLY

MISS UPTEGROVE TAKES FIRST PLACE IN CONTEST AND VOTES LAG

VOTES MUST COME QUICKLY

Rose Festival Queen Contest Must Take a More Active Turn Right Away

All in a flash, just like that, Miss Rose Uptegrove, Clackamas county's candidate for imperial honors in connection with the 1916 Rose Festival, jumped from way down the list to the top line, where her name rested securely, as a tribute to the interest that was taken in the race by a few loyal workers, with a majority of approximately 4,000 votes in her favor. This happened late last week and served as a friction to the wheels of progress, at least for the time being, for when the clouds had covered up the sun of hope in the horizon of the royal campaign a few days later, the local candidate had resumed a neutral position, 3,000 votes below the campaign leader.

Taken at their face value these facts were the inspiration of a heated lecture delivered at the Live Wire luncheon on Tuesday by Campaign Manager Kelly. With honors thrust upon him rather than solicited, Mr. Kelly has served the community valiantly in mounting up votes for the Clackamas county candidate and the results of his work are decidedly to his credit, for he has been practically unassisted in the work that has been done to place Miss Uptegrove in the position she holds in the Queen contest at present. With a total of close to 65,000 votes, Miss Uptegrove seems assured of honors at Rose Festival time, but the assurance is not sufficient even for a momentary relax from the campaign.

WORK ON CANAL WALL PROCEEDS FAVORABLY

MATHLOMA ARRIVES HERE AND CREW IS AT WORK ON NEW COFFERDAMS

The first cofferdam has been completed for the new wall in the Oregon City canal and everything is in readiness for the forms to be set during the low water months of the summer. It is believed that work will proceed without further interruption on the entire upper section of the lock when the forms are made ready during low water stage. The first cofferdam has been the hardest to construct and its completion has been anticipated for several weeks. However, the trouble has been overcome and, according to Major Swett, commanding the U. S. Engineer corps for the Second Oregon district, construction of the first section will be rushed. That the first section of the wall will be completed by July 1, is the opinion of the engineers. With the completion of the first section navigation through the locks will be held up for perhaps a week, during which time the cofferdam for the upper section will be put in place and work hurried.

The steamer Mathloma has arrived at the locks and her crew is at work. This boat will be kept here and when she is not needed her crew will work on the wall. When the boat is in use the crew will return to its usual duties. The Mathloma will be used to good advantage here as she is prepared for use either in digging gravel for the concrete work at the locks or for work in the upper Willamette and Yamhill rivers.

School Girls Make Money

Good Friday was commemorated profitably by the girls of the domestic science classes in the Oregon City high school who made and sold forty-nine dozen hot cross buns. As a result the fund that is being accumulated for the purpose of tinting the dining room in the school building was increased to the extent of \$9.80. Thirty-four of the young ladies of the school took active part in the work of the day.

Scandinavian Day at State Fair

At the Oregon State Fair, September 25 to 30, 1916, Scandinavian Day has been set for Friday, September 29th. Rev. John Ovall, who was in charge of the Scandinavian celebration last year, has been appointed again this year, and will, with the use of the plant, and the charges for this will add a burden of considerable weight to the product of the plant. The court will arrange suitable remuneration for Dr. Nichols for the damage done to his property.

Horse Injured in Runaway

A horse and the buggy it was drawing were injured Saturday morning as a result of a runaway which started near the Mountain View cemetery, where the owner, Mrs. Frank Forsberg of Beaver Creek, had left it momentarily. The animal, dragging the badly damaged vehicle, was stopped near the Shively opera house.

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The Courier is \$1 a year if paid in advance.