to satisfy the majority of the people Oregon City Enterprise to satisfy the majority of the people with a law understood by only a few Published Every Friday

E. E. BRODIE, Editor and Publisher, Entered at Orogon City, Or., Post

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OUR LEGISLATURE

detection. Their stories are told by Since the initiative and referendum the daily press. Some go to prison; passed and our people are rated as others miss the searching of the grand capable law makers the majority to jury. Their sins hurt them, but in rule, our Legislature is a sort of sec- their mad rush for money they wil- the to the office, Circuit Judge Eakin had been passed?" ond handed affair or an organization lingly do anything to cover them up.

after forty days and forty nights of lars of some church, but evil will out. Burns, appointed Chief of Police by reign and a flood of laws are handed Their life work is the talk of the Mayor Dimick, against the city. The down for the public to obey, some of neighborhood-finally the daily press us think that we don't like the way views the situation and airs it. the Legislature treated us we sit Conclusion: there is one way to cor down and draw up a referendum peti- rect the injury that evil doings have retention of E. L. Shaw. Burns act-

tion, secure the necessary number of brought upon him; if he can only sosignatures and then pass it up to the cure money the people will see that voter to say "I don't like it either." he is wronged. Money, money, taint-We place a good "knocking" heading ed money, how the world loves thee, on our bill and the majority of the people vote "yes."

What is the use of the Legislature

if we are to undo their work? If we cannot do away with one method of and it will only be a short while belaw making in its entirety, why tie fore our Molalla road is in operation its hands and feet and allow it to die The contract covers the work to Silin agony? The Legislature is a ne- verton but can be cancelled at Molaicessity, and the best men in the var- in if desired: Now that work is beious communities should be encourag- gun in carnest it will be an easy task ed to give their time and minds to to get subscriptions to carry the road the important work demanded of that the rest of the distance, and when the body. But, as long as we hinder them matter to get the best men into the boosters for the road which taps the game. Meantime, we continue to best part of the Molalia valley. bring up and pass matters through two sources to the detriment of the state at large.

OREGON CITY BEAUTIFUL

A stranger in Oregon City on Saturday remarked that he never saw greater signs of prosperity anywhere than here. The stores were all full; the streets showed men, women and children in large numbers; new homes are going up in all directions; new streets being laid out and graded; automobiles on every corner. He was amazed at the spirit shown, and asked. "How do you do it !" We could only answer that our large pay roll the performance by taking the bables stands behind our motto "In unity there is strength."

Very few of us consider the great value of our industrial plants. Just a week ago Salem paid a bonus of \$5000 for a small factory just to get more pay roll. We don't need to pay bonuses, we have the best industrial pay rolls in the state and with a ittle encouragement it would probably be an easy matter to induce further ere, all of which means

seems an impossibility. These difficulties will always come up with the present system of law making by the people. If we all were lawyers and had the time to study out the niggers in the various proposed bills all well and good, but we are not all lawyers

JUDGE EAKIN HOLDS THAT and very few of us would take the PLAINTIFF MUST PROVE time if we could study the propostions HE IS CHIEF presented.

MONEY

THE MOLALLA RAILROAD

Day by day the good work goes on

JOYOUS JOY RIDING

A thought for consideration at the

next meeting of the Automobile Club,

There is an Orphanage at Oswego-

with 40 machines and take them all

for a "joy ride" for such it most cer-

tainly would be-then why not repeat

from the baby home at Parkplace?

THE ELKS ARE COMING

Rose Shows are now past history.

Booster and Bargain Days are paying

What better work could be done?

amunity

SHAW'S STATUS IS NOT AFFECTED In this life we learn among out first lessons that we can buy things with money. As we grow up, we find Court Decides Former Police that some people will do most any-- steal, kill and thing for moneyeven sell thomselves. Very few succeed in their money mad work without

For Over-Payment Of Salary Holding that in order to obtain his

Wednesday decided in favor of the under the rule of thumb methods. If They try to hide them behind the pil- defendant in the case of Charles E. council by a vote of eight to one re-Burns, and has made a fight for the did it. ed as chief for four months, and Shaw

Head Does Not Owe City

is still acting, but neither has received any salary. Friends of Shaw say the decision is a victory for him while friends of Burns declare that nothing is settled except that he cannot obtain his salary until he proves through some other legal action than the suit for salary that he is the chief. Under the decision Burns must pay costs. The plaintiff was represent-ed by Cross & Hammond and the de-

fendant by J. E. Hedges. Judge Eakin dismissed the counter \$795 said to have been over-payment of salary when Burns was chief several years ago. The opinion in part follows

The charter of the city provides: people see the Canby-Molalla road fall Sec. 45. The mayor has power in their work, it will be a difficult by the way side there will be more and it is his duty to organize, govern and conduct the police force within the limits aforesaid and shall to that end: We have the real thing taken into Appoint a Chief of Police and a 10

camp and by winter everybody will suitable force of regular policemen, be a Clackamas Southern booster, such appointees to be confirmed by a majority of the Council." Those promoting this road deserve

While Section 57 of the charter probetter than can be given them by this vides: "Sec. 57. The Chief of Police and

his sureties shall be responsible to the city or any person aggrieved the same as sheriffs and their sureties now are. Before entering upon the duties of his office, he shall file a

bond in such sum as the Council may fix by ordinance, which bond shall be approved by the Mayor, and subscribe 100 or more girls who have never had and take an oath that he will faithfulan automobile ride. Why not, go ly perform the duties of Chief of Police during his continuance in office. Every regular policeman, shall etc. Ordinance No. 122 provides as follws; "Sec. 1. 'The amount of the official bond to be required by the Chief of Police shall be and hereby is fixed at Two Thousand Dollars (\$2000.00.)"

It will be seen from these provi-sions of the charter and ordinances of the city, and from the evidence adduced at the trial, that the plaintiff was not, at the times alleged in the complaint, the regularly qualified Chief of Police of the defendant city and if he was acting in the capacity investments and now we look forward of Chief at all, he was only acting as to the big time during the Elks' con- an officer de facto and not as one de

vention. If Oregon City gets 10,000 jure. visitors during that week, what will for the salary of Chief But this is an action against the city

ROOSEVELT MEN BOLT SUIT FOR SALARY LOST BY BURNS CREDENTIAL COMMITTEE

> doorkeeper to admit no one. Roosevelt forces again called for everyone to come in. Mr. Thayer called for policemen, who pushed their way through and kept the crowd from getting in.

The Roosevelt men poured out acting under orders of Colonel Roosevelt

shouled one man. They rushed out, followed by Since the last general election, the of the old charter, except that the city the crowd and outside of the Col-iseum they were overtaken by a contest between the Mayor and iseum they were overtaken by

Secretary William Hayward. Why did you act that way Why he demanded of Heney. salary he must first establish his ti- didn't you wait until some rules

> "We are acting under the direct orders of Colonel Roosevelt," retorted Heney. We are obeying a better gen-

eral than you," shouted George L. Record, of New Jersey. "He fused to approve the appointment of told us to leave that room, and we

Hugh T. Halbert said the break came as the result of the refusal of the majority in the committee o open up all evidence in the ases, Mr. Halbert presented resolutions asking that the temporary roll of the convention be considered only as prima facie evidence of the right of delegates to sit; and that all evidence, testimony and the like be gone into.

COLISEUM, Chicago, Ill., June 19. Cries of "Hadley for President" laim of the city against Burns for kept the Republican national convention in an uproar for more than 40

Cheers greeted the Missouri governes took it up. Then the different delgations began marching around the hall

woman in one the galleries un- seats, will elect a chairman from one furled a large lithograph of Theodore Roosevelt. Immediately the clamor increased. She was escorted to the ed to the press box. The din became terrific. Finally the police requested

her to return to her seat in the gallery. She obeyed, still carrying remnants of the picture. After the short recess Judge Rob-

ert E. Morris declared that the charges of fraud in Arizona were baseless and defended the action of the Arizona state committee in calling the regular state convention which elected the Taft delegates.

cord with the exact procedure of the party," he declared. "The Roosevelt much ime hearing the evidence appendix of the sectors and the sectors are vention by flimsy, fictitious contests to keep the representation below the legal figure. We took steps to pre-

vent this, and when hese sharp tricks failed they begun to shout fraud. by my friend, Governor Hadley, to "I deny that the central committee was controlled by federal office hold-

ers. 15 15. And the charge circulated here is absolutely false and without foundation.

"They say there was fraud," yelled Morris. "I throw the charge into their Morris. "I throw the charge into their 100 voices, and Watson turned and teeth. All that was used by Taft brought Hadley forward, was parilamentary tactics. The The Missouri

REASONS WHY REVISED CHARTER SHOULD BE ADOPTED

posed charter.)

A council of nine members has dem-onstrated that it is difficult to get so

many together when prompt action of the room, declaring they were is required in any matter, besides the diversity of opinion, as to detail and sometimes as to non-essentials, rend-

ers it almost impossible to get them "Everybody go to the Floren-tine room at the Congress." to agree on matters of vital necessing the chief of police, are appoint-sity to the city, and the best interests ed by the council in practically the of the city suffer in the meantime,

> Council which has been undignified, unbusiness like and such as to attract the attention unfavorably of people

all over the state of Oregon, and to put Oregon City in a very unenviable position. Without attemptiong to pass upon the merits of the controversy between the Mayor and he City Council, we wish to call attention of the people of Oregon City to these matters only for the purpose of emphasizing some of the proposed changes in the c'ty charter, as such conditions could not exist under it.

cil will not pay \$2500 per year, but smaller salary as shall be agreed up-In view of the foregoing facts the ommittee, in section 5 of the proposi-pleasure of the council. The busied charter, made and provided for the election of five councilmen instead of the council, nor any other office unnine. In order that each section of der this charter. He must give all the city would be insured representation in the city council, the new char-ter provides that one councilman should be elected from each ward, and entirely with the present office of that two councilmen should be elect- street commissioner or superintended at large; that the councilmen from the wards should be elected for three years, and the councilman at large or and leaves the employment of such should be elected for two years, and persons to the business manager, so arranged the election that after They can be hired when needed and

brought forth a demonstration that the general election in 1912, two counto do specific things, and discharged tept the Republican national conven- climen only would be elected each when unsatisfactory or when their year. The recall is still retained so that any, or all, of the councilmen The chief of police will be app The chief of police will be appoint may be recalled at the pleasure of the ed by the mayor as provided in the

when he was led to the front of voters, subject only to the provisions present charter, but must be confirm-e stage during argument on his mothe stage during argument on his mo- of the State constitution. Under these tion to purge the roll of contested provisions, unless recalled, there will oath of office. The other policemen delegates. Someone cried 'Hadley always be three councilmen in office are to be appointed by the chief of police subject to confirmation by the police subject to confirmation by the council (Section 46.) This insures The proposed charter does away with electing a Mayor. The councileach year after taking their

misunderstanding ,and such unpleasantness as exists in the force at the present time.

increased. She was escorted to the entire harmony between the majority In addition to the foregoing there time between the mayor, front of the convention hall and hifts of the council and the presiding of- are only two changes which merit any other officers of the city

diana closed the debate for the Taft woman, whose enthusiastic spirit had forces. He was warmly cheered as been contagious enough to inoculate

booing.

made up the temporary roll. "I don't believe in mob law. You

can say, "Throw them out," but that is

by my friend, Governor Hadley, say that he himself is willing, with controlled by federal office hold certain modifications, to send these There were three officials among contests where they belong-to the ommittee on credentials.

A wild yell went up from the Roose velt forces at this announcement, "Let him speak for himself!" should

R. Libby, and the West Side Midgets governor of Glad ing while the delegates cheered. It baseball game at Chautauqua Park was the first real, spontaneous enthus-iasm of the convention. More than Sunday afternoon. The game was fas

In proposing a new charter for Ore son City the committee had in mind and have attempted to present some thing which would simplify the city government and reduce the number of officers and at the same time pre-serve the representation from the dif. A council of nine members has dem

non-residents

At the present time there are under promises of appointments, or other promises in favor of certain great many sewer liens and liens for persons or classes, and detrimental to street improvement especially upon the city at large. (These provisions property owned by are contained in section 6 of the pro- which have not been paid or bonded Some of these have stood eight or ten years. The failure of these people to pay their assessments has worked a hardahip upon all the other inhabi-tants of Oregon City. The improve-The other officers of the city, ex-cept the chief of police, are appoint-

same manner as under the provision ments help their property as much as it does the property of people who live within the city and who pay their treasurer is now elected by the voters. Under the proposed change will be appointed by the council. he assesaments, and yet they practical-ly defy the city authorities to collect All their assessments, refuse to sell when offered a reasonable price and hold the appointees hold their office at the pleasure of the council. The next change of importance is the provision for the appointment of back the improvement and advancement of the city, because the title to a business manager. His salary is to be fixed by the council, but is not to

property sold under the present charter is doubtful and the city itself is unable to attend public sales and take exceed \$2500 per year. Of course the title at all. Under the proposed char-ter (Soctions 127-128-129-130-131-132) a council will pay only such salary as necessary to procure the services of a competent person, and if one can be had at a smaller salary the counmethod is provided for foreclosing in a manner that will insure a good title to the property at the end of the foreclosure proceeding. Besides it gives the authorities of the city a better chance to see that the city is kept clean of rubbish, nuisances more easness manager cannot hold an office in ily abated and the health and cleanas of the city better preserved.

The present general bond indebt-ness of the city is \$50,000. This is the limit allowed in our present charter. A number of improvements have been proposed, among others a public elevator up the bluff, a public dock somewhere on the river and public grounds for city uses. In order to set these at once or within a reason-able time it will be necessary to allow an increased bond issue, R 18 provided in the proposed charter raise the limit so that the necessary lasue of bonds may be had.

The foregoing constitutes all the changes proposed and while they are not extremely radical they are such as the committee believes will advance the interests of Oregon City, provide a more systematic and effic-tent city government, cause more entire harmony in the police force and careful expenditure of the city's monwill effectually prevent any trouble, ey and give better results. They are sure that it will provent the disagreements, and general unsatisfactory onditions which exist at the presen In addition to the foregoing there time between the mayor, council and

CLACKAMAS LOSES **CLOSE GAME TO LOGAN**

An exciting game of ball was played on the Logan diamond Sunday when Logan beat Clackamas by the score of 7 to 6. Everything was going Logan's way at first but finally Clackamas located the ball and the score was tied in the ninth inning 6 to 6. In the tenth and eleventh no scores were made but in the twelfth inning Logan brought in the winning run. Donglass pitched for the first ten frames for Logan when he was relieved by "Lefty" Gerber, Clackamas boasted of only being beaten once before this year. The weather was fine for playing and the attendance was large. Logan plays Springwater

NOLALLA STADS HAVE

enthusiasts to greet the woman that it was necessary for the police to form a guard about her, and when in an effort to quiet things the police asked

her to withdraw temporarily, the action was met by a chorus of hisses and

It was 41 minutes after the demonstration began before Hadley was able to make himself beard.

GLADSTONE MIDGETS BEAT PORTLAND NINE

The Portland Stars, managed by R. Springwater Sunday,

he came forward but a Pennsylvania delegate caused a laugh by piping "He's the man that made Indiana So eager were delegates and other Democratic.' "What I want you delegates to renember in voting on this question,"

tinued and the froces were

"Look like they might try to stma-

he said, "is that this convention has no right to judge of the merits of

"More pay roll." Shall we aid? LOVERS OF LABOR

A man high up in political and legal life some two years ago sold a farm to a hard working man with a large family to support; the note given in part payment became due about a month ago; the man meantime had greatly improved the place, had cleared many acres and expected this seasufficient to make the payment due. County Superintendent Gary in the On demand he asked for time; the case of the dismissal by the directors man's wife begged for time but mon- of Thmas B. Lovelace, teacher of the ey mad men cannot give time; they Viola District. Mr. Gary held that the must have money. The poor man lost evidence was not sufficient to justify his farm; he was driven off. The thought that Lovelace will make an original owner had a perfect right to effort to collect his salary for the full do as he did; he had the law on his term. The controversy started over or, at page 243. aide. The records of Clackamas Coun-a complaint that the janitor of the school did not keep the building clean. It is therefore clear that the title to the office cannot be determined in ty show the transaction. Does this As a result the directors waited upon his action. And it seems to me, as show love for labor? Does this ac- Lovelace, and a fisticulf occurred betion show the original owner trying tween him and Thomas Cockerline, in to aid the poor laborer to better him- which the teacher was severely to aid the poor laborer to better aim-self? But such is the work of the later by the directors, and appealed money mad. to Superintendent Gary.

AUTOMOBILE CLUB

requires any internal treatment what-ever. All that is needed is a free ap-What will the automobile club do about the many good roads bills to plication of Chamberlain's Liniment be voted on at the next general elec-tion? There are so many propositions to be considered that it will take a Philadelphia lawyer to study out Oregon City, Hubbard, Molalla and which will be the best legally, while Canby.

To the Man or Woman

with money in the bank, there is no uncertainty or dread of the morrow, for a bank account means safety. It means protection and what's more it is all easy to acquire if the proper effort is made. You don't have to start big, start little--One Dollar is enough to start a Savings Account with this bank. Why not do it?

The Bank of Oregon City THE OLDEST BANK IN CLACKAMAS COUNTY

we do with them? We are generally which capacity, plaintiff alleges he sood providers-help the committee was duly qualified and acting, which in its work.



State Superintendent of Schools pear for him, any more than it is authson to get large returns, more than Alderman has upheld the decision of orized to appear for plaintiff. Consequently, no judgment which this Court could make in this case could determine the right to the office as between the plaintiff and E. L. Shaw, the actual incumbent of the ofthe dismissal of the teacher. It is

This question was fully discussed and decided in the case of Selby va. City of Portland, reported in the 14

office.

clearly, to follow, that the plaintiff cannot maintain an action for the salbeatary of the office until title thereto has first been determined. If plaintiff is occupying the office

merely de facto he is not entitled to the salary, even though there be a vacancy in the office. His incumbency It is now well known that not more

than one case of rheumatism in ten vould be wrongful, and he cannot make advantage to himself by his wn wrong, consequently his right to maintain an action for the salary pertaining to the office must depend upon



the Taft men."

which never held a Republican con-vention," shouted Devine. "They are mostly peopled by prairie dogs and Democrats. But Colonel Lyon sends out to his friends a list of what he wants done and he gets it done." Hadley then celled on C C Middle

as case for the Roosevelt men. Middleton began by saying that he

The corpse of Frank Starvasnik, an expected to cast his vote in the in-Austrian, forty-five year old, who left terst of President Taft, but that he wanted to deny Devine's charges and president! his "damnable assaults on the char- It started here about two weeks ago for Colo-rado, has been recovered from the river in Chicago. The Chicago police acter of the Republican party in Tex. Thursday telegraphed this information as and on Colonel Lyon. and the convention was again beyond control when Sergeant at Arms to the Chief of Police here, without suggresting what led to the man's death death "I am for President Taft," shouted Stone led Coleman off the stage. Hem-out Cecil Lyon is unfair. He has men were intact despite the demonsto the Chief of Police here, without

death Starvasnik, who had a wife and built up an organization in Texas in tration. which the gates of hell will not preeight children in Austria, came here about three years ago, and worked in vall." the paper mills He was industrious John Mackey of Detroit spoke

and saving, and sent much of his earnings to his family abroad. A fortnight ago he departed with Frang Laben to the Roosevelt forces. seek work in the Colorado mines,

where, it said, he had been employed before. Since then nothing had been heard from him until the news of his denth No reason to suspect foul play is known nor is any cause for suicide known The telegram from Chicago was mensely.

turned over to Starvasnik's friends Maurice L. Gavin of Kentucky atin the Austrain colony, who tried to get in touch with a Colorado lodge to them as 'unfair and without meri t or foundation." By this time much of the original enthusiasm for Hadley had been conwhich it is believed Starvasnik belonged A brother lives in Pennsyl-

fact of the matter was that he Republicans whether they were Democrats-

facts are denied by the defindant, but whether or not he is the qualified Thomas H. Devine, of Colorado, who is slated for chairman of the Chief of Police of this city cannot be credentials committee, should the Taft determined in this action, to do so people control, spoke against the Hadcould be to adjudicate the right of E. L. Shaw (the other claimant to the office) to said office, but he is not a prise over the Hadley amendment. and Watson, representing the two E. L. Shaw (the other claimant to the party to this action and judgment in saying the governor had endorsed the this action would be of no effect committee when it had ruled in his ing side by side. committee when it had ruled in his against him. Before he could be ad- favor in the Missouri cases. Devine ludged to be acting without authorisaid Hadley 'only stood by agree ments when it was to his interest to ty, he would have a right to be heard, do so," and the assertion was hissed, booed and jeared by the Roosevelt talking among themselves. and the city is not authorized to ap-

pede the convention for Hadley.' delegates. whispered he veteran Chauncey Devine, who is a member of the na-Depew to William Berry, who stood alongside of him. As this word was tional committee characterized the action of the Roosevelt forces in stirring up the contests in the south as "the most damnable in the history of the Republican party."

"The evidence before the commit-e," Devine said "showed that an tee. emissary from the north, whether loded or unloaded I don't know went

down into the south from 30 to 60 days after the regular delegates had ana and Ohio were the only states been honestly elected, and stirred up whose standards remained in place, certain contests and engineered rump although some of the others had on conventions." Iy moved to the aisles.

Every statement by Devine was reeived with cheers from the Taft men chairs and there was a wide smile on

"Let me tell you something," shout-ed Devine. "Out of the 107 contests from the south filed before the com-mittee 101 of the names placed on the temporary roll were put there by the unanimous vote of the national com-want Teddy." The Hadley shouters the Roosevelt men voting with aft men." want leddy. The ter of it and the California delegates started a rival

Hadley then called on C. C. Middle-

Indiana joined in the demonstration, headed by Jim Hemenway. At this time Kentucky, Texas, New York, Mississippi, Illinois and Louisi-

For five minutes the demonstration Dann.

being

New York and Indiana were on their

and with wild jeers and hisses from the faces of the leaders. They op-the Roosevelt forces.

the stable door was open and that the "dark horse" was being saddled. The remainder of the California, Kansas and Maryland delegations were chant-

There are 107 counties in Texas demonstration. William Barnes, Jr., ich never held a Republican con-leader of the Taft forces, was asked

going to do with these contests. I am not discussing any compromise Hadley then called on C. C. Middle-ton of Texns, who, he said, was a Taft instructed delegate, to argue the Tex-as case for the Roosevelt men. many of these men who are cheering know what they are cheering about." "Hadley for president; Hadley for

> It started the cheering all over again control when Sergeant at Arms

Mrs. W. A. Davis, wife of a Chicago lumberman, who was seated in the center of the right hand gallery, start against the Hadley amendment and immediately attacked the fairness of stration by unrolling a huge lith litho the Roosevelt forces. The mention of President Taft's ful woman, stunningly gowned, enter-The mention of President Tail's ful woman, stunningly gowned name was marked by a brief cheer-ing demonstration during which the Tait men climbed on their chairs. Charles P. Taft, the president's brother, led the cheering from his seat with the Ohio delegation and ap peared to be enjoying himself im-mensels. ed into the spirit of the moment, and length threw kisses to the crowd, the dele gates and spectators alike went wild Mrs. Davis held the picture in her hand for a few moments ,and when the bear mounted standard of Callfornia was passed up to her in the galleries she kissed it and alternately tacked the Roosevelt contests from kissed the Roosevelt picture.

Former Congressman Watson of In- verted into a demonstration for the

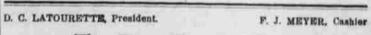
FIRST DEFEAT OF YEAR

half the delegates were on their and snappy to the last inning and not chairs. Hats were swinging and hand- until the last man was out did the The Molalla Stars met their first defeat Saturday at the hands of the Canby base ball team. Batteries, kerchiefs were waving while Hadley Portland men admit the defeat. The Stars, Steininger and Adams; Canby, great factions in the party stood smil-The umpires were Schooley and Stars 2; Canby 6.

Sunday at McFadden's Park the The features of the game were the second time this season. Batteraugmented every second. Already heaving hitting of the Midgets and the Taft men from New York were the twirling of Donnellie, of Portland. ies Stars, Vick and Adams; Clarkes, Dolbon, Baker and Haag. Score Mo-Portland owes its defeat to the non-support of its pitcher. The batteries lalla Stars 10; Clarkes 4.

Sunday on the Molalla Greys' grounds, the Greys played a fast for Libby's Sars were Donnellie and Rhulane, and for the Midgets were game with Timms Crest team of Port-Matrau and Victor Gault. land. Score, Molalia Greys 1, Timms

The Midgets are preparing for the Crest 4. passed, James W. Wardsworth waved game the Fourth of July, when Glad-to his delegates and the members stone will have a home-coming, and jumped to their chairs yelling, cheer-ings and adding to the din. Part of Glants, of Gladstone. The Molalla Greys meet the Stars





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