

# OREGON CITY ENTERPRISE

FORTY-NINTH YEAR—No. 52.

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## LEGALITY OF TWO MILL ROAD LEVY NOW QUESTIONED

STATUTE GIVES COUNTY NO AUTHORITY TO FOLLOW TAXPAYERS' PLAN IS BELIEF.

## DISTRICT ATTORNEY HEDGES IS NOW AT WORK PREPARING OPINION

Eight Mill for General Road Levy as in Past Year is Highly Probable—County Judge Regrets Proposal Must Be Dropped.

Clackamas county next year will probably not have two mills of the road levy set aside for permanent highway construction, one mill for bridges and five mills for the general road fund, a plan which was favored by the committee of 15 taxpayers and at the budget meeting and, instead, will have a general eight mill road levy as during the last few years.

The legality of special road levies has been questioned and County Judge Anderson has asked for the written opinion of District Attorney Hedges. The county court favors the plan of setting aside one mill for bridges and two mills for permanent road construction, and if there is any chance of making the levy legally, Judge Anderson said that it would be made.

Opinion Expected in Few Days. District Attorney Hedges, owing to the press of other duties, has not had time to study the matter as thoroughly as he intends to do before presenting the county court with his written opinion, but said Saturday night that he seriously doubted if the special county-wide road levies could be made.

District Attorney Hedges will have his opinion complete early this week. The case against the special levies is that the state law gives the county court no right to set aside a special county levy for a particular road purpose, such as the construction of bridges or the laying of hard surface.

Another point is that the law gives each road district and town, which in the eyes of the law is a road district, 70 per cent of the road money collected within the boundaries of the district. The proposal is said to be in conflict with this statute as it was planned to spend all the special levies any place in the county the court should direct.

Two mills for permanent roads would raise \$60,000, or enough to lay about five miles of good quality hard surface and the one mill for bridges would create a fund of \$30,000.

The county court, if District Attorney Hedges hands in an opinion that the special road levies cannot be made, will probably make a general road levy of eight mills, which will raise \$240,000 as in former years.

## COUNTY JUDGE DISAPPOINTED

County Judge Anderson is disappointed with the probable inability of the court to levy two mills for permanent road work and one mill for bridges. He said Saturday that there would be little use in the county attempting to make a levy of this kind as the plan could be defeated in the courts, if his understanding of the law was correct.

It would be the cities which would fight the proposal the most, said Judge Anderson, and would be the first to take the matter into the courts if the plan urged by the taxpayers was adopted. He said that he would expect little trouble from the 60 road districts in the county.

## MOUNT HOOD HIGHWAY MEASURE UNDER WAY

M'ARTHUR AND SINNOTT COOPERATE IN MEASURE PROVIDING FOR FEDERAL AID.

WASHINGTON, Dec. 17.—Representatives McArthur and Sinnott are cooperating in preparing a bill authorizing the secretary of agriculture to expend \$225,000 from receipts of the forest reserves in Oregon for the current and coming fiscal years in constructing the Mount Hood road.

The bill will provide that the road shall be 24 feet wide and shall run from a point near Government Camp, in Clackamas county, to a point near Mount Hood Lodge in Upper Hood valley, with a branch road extending westward to Elk Meadow and branches extending eastward to Brookes Meadow and to the western terminus of the Lewis Klinger road from Dufur.

The main road not only will connect with the Barlow and Wapinitia roads at Government Camp and the Columbia river highway, via Hood River, but will afford outlets to The Dalles, Dufur and other points in eastern Oregon.

## WILLIAM MATTOON IS NOT CANDIDATE NOW

VETERAN COMMISSIONER SAYS HE WILL NOT ENTER RACE FOR REELECTION.

Although only a week ago he indicated that he would become a candidate for reelection, William Mattoon will not run for commissioner again in the spring, he has told his friends.

Mr. Mattoon was elected to the county court in 1908 and in 1912 was re-elected to the office. A week and a half ago he said that he would probably accept the promised support of his friends if he would become a candidate, but since then has changed his mind.

J. O. Staats, deputy under County Assessor Jack, said Friday that he would not be a candidate for assessor. His announcement leaves the Democratic field open to G. F. Johnson, another deputy under Assessor Jack, as only these two men have been mentioned for the Democratic nomination.

## EFFORT STARTED TO PRINT TEXTS BY STATE

STATE PRINTER A. W. LAWRENCE URGES ACTION BEFORE SALEM COMMERCIAL CLUB.

SALEM, Ore., Dec. 16.—Effort to bring about legislation for the printing by the state of all text books used in the schools of Oregon was set in motion last night when State Printer Arthur W. Lawrence launched the movement at a meeting of the Salem Commercial club.

This will be followed by submitting the proposal before other commerial bodies of the state with the hope of having their endorsement.

August Hockenstein, director of the industrial department of the local club, spoke in favor of the move. It was received with enthusiastic approval by the meeting and referred to the industrial department with instructions to report at the next meeting.

Leading arguments in favor of home printing of the text books were that the taxpayers would save approximately 50 per cent on the cost of the books, that it would give Oregon factories an opportunity to provide the material for the books and that a steady payroll of about \$5000 a month could be maintained in the office of the state printer.

Mr. Lawrence said that the payroll of the printer's office is about \$1200 a month during each biennium with the exception of the period of meeting of the state legislature when the payroll runs up to from \$3500 to \$4000 monthly.

"To print the text books for the state would require a payroll of about \$5000 a month," said Mr. Lawrence. "This would mean a steady payroll which would be of great benefit to Salem and the state."

"Practically every dollar of the money paid for text-books goes out of the state," he said. "Ten per cent is allowed local dealers for the cost of distribution. In 1914 the amount of money sent out of the state was about \$160,000."

Present contracts entered into by the text book commission expire in 1919. Mr. Lawrence said it was urgent that legislation be passed at the next session providing for the printing of the books by the state so that the state printing office might have two years in which to make preparation for printing the books.

It was pointed out that for some time there would be an expense in royalties to authors of the text books, but not enough to decrease materially from the saving to the taxpayers. To print the books in the state printing office, Mr. Lawrence said, would be an inducement to Oregon educators to write text books.

Mr. Lawrence stated that he had no authority to quote State School Superintendent Churchill, but said Mr. Churchill was of the opinion that the number of text books could be cut down if they were printed by the state.

## CLYDE HUGHES OUT FOR RECORDER'S JOB

BOLTON MAN WILL SEEK REPUBLICAN NOMINATION—BOYLES ANOTHER CANDIDATE.

Clyde Hughes, of Molalla, has entered the race for the Republican nomination for county recorder. He has been a resident of Clackamas county 23 years, is school clerk for the West Inn district and is employed by the Crown Willamette Paper company. He was educated in the public school of West Oregon City and at the Oregon Agricultural college. He is a nephew of M. A. Magone, a former representative in the state legislature from Clackamas county.

Dudley C. Boyles, of Molalla, now chief deputy in the office of County Recorder Deidman, will also be an active candidate for the Republican nomination for this position.

## RATE IN OREGON CITY IS \$34.50 ON A THOUSAND

REDUCTION THIS YEAR UNDER YEAR AGO IS ONLY 2 OF ONE MILL.

\$24,000 TUITION FUND WILL REQUIRE LEVY OF 1.2 MILLS

Outside of Tuition and Special Road and School Districts Funds, \$521,331 Will Be Collected in Taxes in 1916.

## COMPARISON OF LEVIES

	1916	1915
	Mills	Mills
Levy	10.5	10.5
Oregon City	6	5.7
School Dist. No. 62	3.5	3.2
General county	3.22	3.3
State	5	5
General road	3.28	3.4
County school	3.28	3.4
Total Oregon City	34.50	34.7
levy	34.50	34.7
*High school tuition	1.2	

\*This levy is new this year and is assessed against all property outside of standard high school districts.

The Oregon City taxpayers will pay \$34.50 on every thousand dollars of the assessed valuation of his property next year. This is a slight reduction under this year's rate of \$34.70.

County Judge Anderson and County Assessor Jack Tuesday announced the general county, state and road levies after working on the matter for several days. The total amount to be raised next year, outside of the tuition fund, the special road and the school district levies, is \$521,331 and the total expenditures, \$53,101. The estimated receipts in fees from the clerk's, recorder's and sheriff's offices and from the fines in the circuit and justice courts is \$17,700, or enough to make up the difference between what the levies will bring in and the budget.

The road tax has been set at 8 mills, the court having given up the hope of making special levies for permanent road work and for bridges owing to the state law. The eight mill road levy is the same as in previous years. It will raise about \$232,000.

The levy of 3.22 mills for state purposes will bring in \$33,929 and the 3.25-mill school levy will bring \$95,580. Both of these levies are lower than last year. The county levy of 3.5 mills is slightly over the levy of 3.2 mills made this year.

The county court by checking over the statements sent in by the standard high school districts, was able to cut the item for high school tuition fund from \$26,000 to \$24,000 and the levy will be 1.2 mills. This levy is made on all property outside of the standard high school districts.

## EVEN DEATH FAILS TO SEPARATE COUPLE

JENNINGS LODGE MAN DIES 14 HOURS AFTER HIS WIFE PASSES AWAY.

Mr. and Mrs. J. F. Byers of Jennings Lodge, whose deaths occurred within 14 hours of one another at Denver, had been residents of Oregon more than 40 years. Mr. Byers had engaged in the lumber and store business in Portland, but recently has been farming on a small scale.

Except that Mrs. Byers died one evening last week, and her husband the following morning, Mrs. C. O. Johns, of Portland, a sister of Mr. Byers, had no definite word from Denver.

The death of Mrs. Byers was not unexpected, as she had been ill for several years. The death of Mr. Byers was a shock to his Portland relatives, because he left here in the best of health in April with his wife to go to California in the hopes of helping her. Fred Byers, a son, accompanied his parents to California and went with them to Denver six weeks ago to visit Mrs. Charles Lathrop, a daughter of Mr. and Mrs. Byers.

Mr. Byers was 61 years old, and his wife 59. Besides the son, Fred, and daughter, Mrs. Lathrop, Mr. Byers left a sister, Mrs. C. O. Johns, of 490 East Thirty-seventh street, Portland, three brothers, Rev. F. A. Byers of South Omaha, Neb., A. J. Byers of San Francisco, and E. Byers of Elk City, and two other sisters, Mrs. E. Wilson of Centralia, Wash., and Mrs. E. J. Wood of Bayoccan, Ore. Mrs. Byers of Elk City is in Portland and Mrs. E. Wilson and Mrs. E. J. Wood are expected there.

Until word was received from Denver giving the time of the arrival of the bodies, no definite funeral arrangements can be made.

W. W. EVERHART



W. W. Everhart, who has announced his candidacy for the Republican nomination for county assessor, is a resident of Molalla. He is mayor of that town, having just been elected for a second term without opposition. He is master of Pomona Grange. Mr. Everhart is a staunch Republican and has many friends in the various sections of Clackamas county who urged him to become a candidate.

## \$100,000 FEDERAL BUILDING PLANNED; BILL IN CONGRESS

CONGRESSMAN HAWLEY INTRODUCES MEASURE WHICH IS NOW WITH COMMITTEE.

A bill appropriating \$100,000 for a postoffice in Oregon City has been introduced in congress and has been referred to the committee on public buildings and grounds. The bill was introduced by Congressman Hawley.

The first copy of the bill was received in Oregon City Tuesday. It follows: "Be it enacted by the senate and the house of representatives of the United States of America in congress assembled, that the secretary of the treasury be, and he is hereby, authorized and directed to acquire by purchase, condemnation or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus and approaches, for the use and accommodation of the United States postoffice, at Oregon City, in the state of Oregon, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$100,000.

"Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of large circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

"Proposals made in response to said advertisement shall be addressed and mailed to the secretary of the treasury, who will then cause the said proposed site, and such others as he may think proper to designate, to be examined in person by an agent of the treasury department, who shall make written report to said secretary of the result of said examination and of his recommendation thereon and the reasons therefor, which will be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

"If, upon consideration of said report and accompanying papers, the secretary shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the treasury department, which commission shall also examine the said proposed sites, and such others as the secretary of the treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after said examination, make to the secretary of the treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the treasury department; and the secretary of the treasury shall thereupon finally determine the location of the building to be erected.

"The compensation of said commissioners shall be fixed by the secretary of the treasury, but the same shall not exceed \$6 per day and actual traveling expenses: Provided, however, that the member of said commission appointed from the treasury department shall be paid only his actual traveling expenses.

"The building shall be unexpended to danger from fire by an open space of at least forty feet on each side, including streets and alleys."

## VILLA READY TO QUIT

EL PASO, Texas, Dec. 18.—General Francisco Villa has withdrawn from the Mexican revolution, according to authentic advices today from Chihuahua City, where a council of war has been in session. The retirement of General Villa, it is said, was effected through the persuasion of members of the council, among whom were Villa's staff and advisers.

## PRESIDENT AND MRS. GAULT WED AT BRIDE'S HOME

CEREMONY IS PERFORMED WITHOUT MUSIC AND FEW GUESTS ARE PRESENT.

HOURLY OF MARRIAGE IS KEPT SECRET UNTIL TWO ARE WEDDED

Couple Go on Special Train for Fort-night's Honeymoon at Hot Springs, Virginia—Crowd at Station is Fooled by Party.

WASHINGTON, Dec. 18.—President Wilson and Mrs. Edith Bolling Galt were married here at 8:30 o'clock tonight, with a simple ceremony spoken in the bride's home in the presence of fewer than 30 guests, virtually all of whom were relatives.

They left soon afterward for a two-weeks' honeymoon in the south, at Hot Springs, Va. Shortly after 10 o'clock the president and Mrs. Wilson entered a waiting White House automobile and motored to Alexandria, Va., across the Potomac, to take their private car there and avoid a crowd at the railway station in this city.

The President dined as usual at the White House at 7 o'clock with his daughters and afterward drove to his bride's home, about a mile from the executive mansion.

Because the wedding arrangements and the hour of the ceremony had been kept a close secret, there were few on the streets about the White House, but near the bride's home the crowd was held back by police lines spread during the afternoon.

Everything was in readiness for the ceremony when the president arrived and it proceeded without music. Neither the president nor Mrs. Galt had any attendants and there were no ushers or flower girls. Neither the army, the navy nor the diplomatic corps was represented and the occasion was essentially what both had wished it to be—a home wedding.

Rev. Herbert Scott Smith, rector of St. Margaret's Protestant Episcopal church, of which the bride is a communicant, was waiting beneath the canopy to perform the ceremony, and with him, to assist, was the president's pastor, Rev. James H. Taylor, of the Central Presbyterian church.

Mrs. William H. Bolling, the bride's mother, gave her away.

## SUES TO QUIET TITLE

Lucien M. Davidson Monday filed a suit in the circuit court against Albert F. Jones, Jane Jones, Laura Benjamin, S. B. Benjamin, William W. Jones, Carrie E. Jones, F. O. Jones, Sarah Jones and Edward L. Armstrong to quiet title to a tract of land.

## TALK OF ROOSEVELT RUNNING IS REVIVED

PRESIDENTIAL POSSIBILITIES FORM MUCH DISCUSSED SUBJECT AT WASHINGTON.

WASHINGTON, Dec. 20.—Anybody can have a guess as to what Colonel Roosevelt is going to do in the coming campaign. He is the best dope upsetter in politics and his attendance at the Gary dinner last Friday may have meant a powerful lot or may not.

Sumarized, this is the view of politicians here today concerning what the leader of the Bull Moose has in mind. Frankly they are up in the air. Senator Borah, himself a candidate in the presidential lists, was chary of advancing an opinion. Senator Clapp, an ardent Roosevelt man, declared "I see no political significance in the dinner. Roosevelt has had enough experience with those gentlemen to withstand their blandishments."

At the same time, Senator Poinsette, Progressive Republican, said: "Roosevelt has a right to attend a private dinner and it isn't for me to comment."

On the other hand, Representative Curry of California had this comment: "I do not think that any combination of rich can club the Republican party into nominating any man. I guess the diner was merely to hrow bouquets at the colonel. The Republican candidate will be nominated by the party, and I do not think that Roosevelt has a chance."

Those who have pove-powed with the colonel recently declared that he will not be smoked out concerning his probable candidacy. He told them that he would support a Republican like Hughes, Hadley, Johnson or Knox, but he tabooed Root.

## BOYSEN DONATES \$314 IN FINE AND COSTS

PROPRIETOR OF HOTEL BELLE ENTERS PLEA OF GUILTY IN CIRCUIT COURT.

Fritz Boyesen, proprietor of the Hotel Belle in Milwaukie, Saturday entered a plea of guilty to a charge of selling liquor to minors and was given a \$300 fine. With costs, he paid into the county Saturday \$214.26.

Judge Campbell ordered his license revoked, as the law requires, but the Milwaukie council has transferred the license for the place from Boyesen to one of his employes, since his indictment last October.

Boyesen has been arrested three times in the last year and a half on a liquor charge and has been fined twice, once following a conviction before a jury a year ago last November. The grand jury returned a not true bill last October to a charge of selling liquor on Sunday.

## DAIRY EXPERTS AT CORVALLIS IN JAN.

NOTED MEN IN INDUSTRY WILL BE AT O. A. C. AND DELIVER MANY ADDRESSES.

CORVALLIS, Dec. 20.—A. J. Glover, editor of Hoard's Dairymen, and one of the foremost authorities on dairying in the United States, has been secured to speak before the convention of the Oregon State Dairymen's association, scheduled for January 5 at the Oregon Agricultural college. This convention is one of the six dairy conferences arranged for by Professor R. R. Graves, head of the dairy department at O. A. C., for Farmers' and Homemakers' week, which will continue for six days at the college, January 3 to 8.

On January 4 the State Breeders' association, the Oregon Holstein-Friesian association, the Oregon Jersey Cattle club and the Oregon Guernsey Breeders' association will convene, each for a half day session. Some of the most prominent breeders of these different breeds of dairy cattle in the state will appear on the programs, and practical problems will be discussed from all angles. W. K. Newell, of Gresham; J. C. Pomeroy, of Scappoose, and Herbert Jones, of Amity, are fanciers of Holstein cows who will talk before the Holstein-Friesian association; H. Thieszen, of Milwaukie; Cummings Dickson, of Shedd; Guy Hewitt, of Monmouth, and George Withycombe of Gaston, are Jersey breeders who will be in attendance; and Mrs. J. I. Hughes, of Oregon City, and the Chase Brothers, of Independence, Guernsey owners, will give addresses.

The State Dairymen's association will hold a two and one-half-day session, and a program of interest to dairymen at large has been prepared by Professor Graves. In addition to Mr. Glover there will be other speakers from outside the state, notably Mrs. J. O. Howie, one of the leaders in the dairy industry of Wisconsin, and Judge Shields, of California. Representatives from the 13 cow testing associations of the state will report on the progress of that work in their community, and several members of the college staff will discuss various subjects relating to dairying. Governor Withycombe will be one of the principal speakers at this convention.

The city's right to this reservation will continue as long as the city has any use for the ground either for pumping or power purposes and in case the city wishes to abandon the use of the pumps it may do so at any time and still have the right to substitute any other machinery for the development of electrical or other power.

Councilman Hackett made a motion covering the point won by the city at a council meeting a week ago, but the motion failed to pass. The added restriction approved by Mr. Hawley Wednesday, it is believed, will insure the united support of the sale of every member of the council.

## LICENSE IS ISSUED

Mande E. Shields and Jessie LeRoy Morrow, of Estacada, secured a marriage license here Tuesday.

## 17 TAKE TEACHERS' EXAMINATIONS HERE

NEW LAW BELIEVED CAUSE OF SMALL NUMBER TAKING ANNUAL TESTS.

Instead of the usual 40 or 50 taking the annual winter state examinations for candidates for teachers' certificates, only 17 took the tests in Oregon City. The examinations were held the latter part of the week and were conducted by County School Superintendent Calavan.

Superintendent Calavan believes that the unusually small number took the examination because of the new state law, which went into effect September 1, and provided that tests could be taken only by those who had completed two years in a standard high school and had spent six weeks at the state normal, or those who had taken a full four-year high school course and had spent a year taking a teachers' training course.

The list of those who took the examination follows: John R. Boyland, of Oregon City; Mary Harvey, of Sandy; Otto V. Parcell, of Parkplace; Elizabeth K. Matthews, of Oak Grove; Ralph Harvey, of Molalla; Edna Guard, of Oregon City; Georgia Cross, of Gladstone; Laura E. Mack, of Boring; Mary Sunderland, of Oregon City; Bessie Mulderkey, of Oregon City; Norma Munderkey, of Parkplace; Howard H. Eccles, of Canby; Elva Watts, of Oregon City; Lulu Miller, of Oregon City; Colton Meek, of Milwaukie; Edna A. Woodward, of Molalla; John L. Askton, of

## HAWLEY COMPANY GRANTS ANOTHER POINT TO CITY

TOWN WILL RECEIVE PERMANENT LEASE TO SITE FOR PUMPS AND OTHER MACHINERY.

CITY OFFICIALS CONFER WITH HEAD OF MILL OVER NEW CLAUSE

Impossible Now for Company to Crowd Equipment Under Street—Objections of Those Who Opposed Sale Are Now Met.

A conference was held Wednesday between City Attorney Schuebel, Recorder Loder, Attorney Stipp and W. P. Hawley, president and general manager of the Hawley Pulp & Paper company, at which it was agreed that two pumps would remain at the present site with perpetual right to use sufficient ground space to accommodate two pumps of the present size and capacity together with all the necessary water connections to and from the same. If the company takes over the city property for a mill site,

Should the city develop further water rights it then shall have the right to additional basement room adjacent to the present site for a generator up to 5000 horsepower. The city officials asked Mr. Hawley for the rights and Mr. Hawley was willing to make such concessions. Mr. Hawley practically insisted that the city should maintain the pumps and that he be allowed to lower them below the main floor of his new mill building should he so desire. The rights which it is now enjoying with the additional right of installing a generator, if desired, and will have the perpetual right to the use of additional area of the present site sufficiently large to accommodate all the probable uses that the city may need up to the main floor of the new mill building; the under side of which floor will be two feet below the present sidewalk level.

Mr. Hawley stated that he was not only willing to have the pumps maintained where they are but practically insisted that they should be so maintained as they will afford fire protection for all of the mills in the south end of town as well as other parts of the city and he is willing to meet the city more than half way in the proposition.

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Councilman Hackett made a motion covering the point won by the city at a council meeting a week ago, but the motion failed to pass. The added restriction approved by Mr. Hawley Wednesday, it is believed, will insure the united support of the sale of every member of the council.

## ILL FEELING BETWEEN FISHERMEN DISCUSSED

MASTER WARDEN KELLY WOULD WELCOME INVESTIGATION OF MANY CHARGES.

PORTLAND, Ore., Dec. 20.—The only definite action regarding the Rogue river fishing feud taken at the annual meeting of the Oregon Sportsmen's league at the Imperial hotel today was the appointment of a committee of five members of the league to investigate and report on the charges against the commercial fishermen.

Gus Newbury, representing the anglers of the Rogue river district, made an impassioned plea against the commercial fishing on the river.

Master Fish Warden H. L. Kelly, of Oregon City, in an address declared that there was bad blood between the anglers and commercial fishermen and that he for one would welcome an investigation into the charges that the packers were allowing fish to die on the banks of the stream after taking them from the nets instead of throwing them back into the water.

"I think if such had been the case," he declared, "the anglers would have caused the arrest of the officials, for most factions were on the lookout for evidence that would convict the other side of law breaking."

At the election of officers, H. B. Van Duser, of Portland, was returned as president, as were W. N. Natlock, of Pendleton, first vice-president; Dr. J. G. Gill, of Lebanon, second vice-president; and S. C. Bartrum, of Roseburg, secretary and treasurer for the con-