Law Explained In Health Officer Case

OPINION GIVEN BY ATTORNEY GENERAL; WELSH STILL IN; APPOINTMENT SAID TO BE IN HANDS OF COUNTY COURT

Under the opinion of State Attorney | General Van Winkle, Dr. O. A. Welch mission such secretaries," says the atholds the position of Clackamas countorney general, "does not disqualify ty health officer. This epinion was them from holding office . . . Algiven today to Frederick D Stricker, though such secretaries would not be

The opinion further states the sehands of the county court, but despite the fact that the court appointed Dr W. E. Hempstead, Dr. Weish helds secretaries which power cannot be obthe position because he has never been removed.

The court recently made the appointment of Dr. Hempstead, while Welch was still in office. The only ofthe position.

It was contended that because of powers of a health officer. the fact that Dr. Welsh was appointed under the old law, when the new law became vacant, and therefore that the

Code is Explained

City last Monday to investigate the neen removed. affair, and asked the attorney general raply to the question of whether or the new law, the attorney general action has not been taken. says: "Under the Oregon laws, secretaries of the board of health of cities form the duties thereof.

ficer appointed prior to the enactment officer. fice without limitation of any time so abide by the opinion of the attorney of advance guard before the Homelong as he inthingly performed the general, which is purely advisory, but seeker's excursion this September.

than those of state board to give the health office police power | salary has not yet been rescinded

BERRY CENSUS SHOWS

CLACKAMAS COUNTY

"Failure of the state board of com secretary of the state board of health clothed with authority until commis sioned by the state board of health, lection of the health officer is in the legislature has given to the city and county health boards the power of selection and appointment of their structed by the state board of health in neglecting to perform a ministerial

Boards Sanction Not Needed

"From an examination of the health ficial county action taken was Hemp- code the only power of which such stead's appointment. Charges not have secretary would be deprived by the ing been filed against the present in- failure of the state board as above in cumbent, the state board of health re dicted, would be a power of constable fused to recognize the court's appoin | or other peace officer in matters per tee as the county health officer and a taining to public health. In other controversy started as to who held respects the secretary could substar tally perform his duties without the

Although this opinion places the burden of the matter in the hands o was passed the position automatically the county health board, it still leave the county health board, it sal! leave appointment of Dr. Hempetead was Welsh in the position here by virtue of the fact that when Hempstead was ap pointed the position was not vacant Secretary Stricker came to Oregon and furthermore that Welsh has never

Acording to the state code, Welsh tor un opinion to clear matters up. In can be removed if charges are filed against him and a hearing with the not Dr. Weish could hold over under state board of health held, but such

The controversy arose over the fact that the court merely appointed Dr. and countles were appointed for a two Hempstead, and gave no official noyear term. In the enactment of the tice to Dr. Welsh. Dr. Hempstead, be health code, it was expressely provid- lieving the position vacant and he ed that such secretaries shall hold of he was regularly constituted health fice so lang as they faithfully per- officer, laid claim to the job, and Dr. Weirh, believing that he was still "By reason of this provision an of- serving considered himself the health

of the 1919 code would continue in of The county court is not bound to guest of the Oregon realtors -- a sort the matter will be brought to a final The attorney general holds, how show down when the pay check is is country with its wealth of agriculturever, that the matter of the appoint sued at the end of the month. The al, scenic and commercial potentialiment is in the hands of the county salary of the health officer is \$1050 a ties is new, visited Clackamas county H. Brown, editor of the Jersey Bullet architecture. The accommodations are rear of health, altho commission by the of \$25 a month. The court order, cal realty board. The party included board of health is necessary to order naming Hempstead to receive the Mr and Mrs V. S Peet, H M. Wal-

LIST OF FORMER ALIEN **ENEMIES WHO MAY NOW** ASK PAPERS IS COMPILED PRODUCING HEAVILY

Loganberry and Strawberry War Time Citizenship Orders Acreage Rank High In State Totals

According to the 1926 census of berry acreage in Oregon, Clackamas ranks well with other counties of the state. In the loganberry acreage Clackamas ranks sixth, while in straw berries this county is fourth.

The figures on loganberries given by the quart gives Marion by far the largest with a total of 6,342,061. Yamhill county was second with 1,029,326 Washington county had 817,498; Lane, 472,756; Polk. 445,388; (Tackamas,

For production in strawberries Hood River is an easy first with 1,-212,429 quarts. Multnomah second with 712,724; Clackamas third with 419,992; Marion fourth with 460,538.

These figures are for 1920 and they are far from complete for the present Otto Schmeiser, Germany; John Kabyear. It is true in Clackamas as well as in most of the other counties that Ferlan, of Molalla, Austria; Fred many acres of new berries have been Steiner, of Hoff, Germany; Joseph

The berry crops this year have been exceptionally good and the markets have ben able to take care of the output to a good advantage Not only have large amounts of herries been brought to the local markets but many have been shipped and sold at the home of the grower.

Further census, to compute and classify the acreage in the county at present as a basis for a coperative marketing system is planned by the farm bureau. Details for the taking of this census were recently completed.

The figures given in the above centhe bureau of the census and are not recent enough to warrant their being system that the farmers are working ton, Sweden; Charles E. Shubert, of on. They show, however, from a com- Milwaukie, Germany. paritice standpoint, the rating of Clackamas county in comparison the other counties of the state, altho the actual acreage has been increased considerably here since these figures here today to Estella L. from Jacob The note was given September S, when this state will be the source of lodge and the Gribble plant near Harry C. Hill 32, and Margaret Ashen the state was among the most imwere taken.

Rescinded; Hearing Is Scheduled

Fifteen residents of Clackamas war, but whose applications were of the city. held up by a war-time order, will now be given a hearing as a recent order lifted the restrictions.

A number of these citizens have keen life long residents of the United States and have been citizens in every sense of the word with the exception of not having citizenship privileges.

The following is the list of applications that were held up and which will be given a hearing September 26: Jacob Enders, Germany Peter Enders, Germany; Henry Enders, Austria; William Buse, Germany; Louis Planton, Austria, all of West Linn; Leo H. Rogusloski, Germany; Jacob Kristan, Germany; Jake John Law. Germany; Carl Meiritz, Germany; lar, Austria, all of Oregon City; Frank planted since this census was taken. Adamosky, of Gladstone, Austria; Charles Klohe, of Canby, Germany. Others to make application for citienship and who will have a hearing

on the same date are as follows: George W Shepherd, Canada; Wil liam A. Reddaway, Canada, both of Oregon City: John Banks, England: Frank L. Woodard, Canada, both of Oswego: George Ofty, England: Wil liam F. D. Kramer Germany, both of Milwaukie: Edward J. Larson, Norway; Lars S. Landsen, Norway; Anton their homes the message of the ad-J. Moe, Norway, all of Mt. Angel; George H. Cattley, England; Simon R. Chilvik, Norway: Russia, all of Canby: Maurice Johnson, of Monitor, sus represent the official survey or Norway; Anton Herbst, of West Linn, Austria; Hans Westberg of Woodburn, Sweden; Joseph Kestmar, o used as a basis for the warketing Molalla, Austria; John Wall, of Col-

DIVORCE IS GRANTED

Foster

Cuts Coming And Going

One of the most destructive evils in this world is slanderous talk. It breaks human hearts and ruins reputations with a ruthlessness unknown of all other evils.

Slånder resembles a double-edged sword-it cuts going and coming. It not only undermines the one slandered, but, it comes back like a boomerang and gnaws at the reputation of the slanderer as well. The slanderer soon becomes accustomed to seeing only the petty sides of others. Little by little he bathes his own soul in foulness of his own thoughts and words until he cannot see the beauty in anything or anyone.

He measures everything by his own perverted standard. Take notice of those who slander or engage in any sort of suggestive evil speaking about others and you will see, as clearly as you can see the sun on a bright day, that their words are but a confession of their own heart secrets. The faults which we find in our neighbors most readily are usually but a reflection of our own weaknesses.

A man only begins to be a man when he ceases to whine and revile, and commences to search for the hidden justice which regulates his life. And as he adapts his mind to that regulating factor, he ceases to accuse others as the cause of his unhappy condition, and builds strong and noble thoughts. He ceases to kick against circumstances, stops finding fault with his neighbors, and begins to discover the hidden powers and possibilities within himself.

Here is a test that you can apply to yourself with profit: The next time the name of someone you dislike is mentioned in your presence see if you can either hold your tongue or speak no evil of that person. If you meet the test you have reason to be proud of yourself because you are vitalizing your personality with that peculiar brand of magnetism which will attract the best people of your neighborhood to you.

HOMESEEKER VANGUARD VISITS HERE

The possibilities of the state of Oregon for farms and homes were presented Monday to a party of midwesterners who came here as the

Seven visitors, to whom the Oregon The law establishes a minimum yesterday at the invitation of the lo lace, L. W. Lunsford, of Omaha. Neb., August Gosslin of Concordia, Canada, T. M. Wanberg and H. H Thatcher of

Trip Postponed When the Homesekers special, hich was to come west from Omaha his month with 600 visitors, was ostponed, a small party of those inersted in the trip, decided to come, nyway. The party which came to bregon numbered 15. They arrived in Portland Friday night, coming over the highway from the Dalles by auto. Monday morning the party was met by representatives of the local realty board, and those interested in Clackmas county brought here Monday

afternoon they visited the country adjacent to Oregon City, Molalla, Beaver Creek, Macksburg, Liberal and Canby. Today they are to visit other places of interest to those seeking agriculcounty who made application for tural locations, and others in the papers of citizenship just prior to the party will inspect the industrial plants

Dinner is Giver Monday evening, the guests were ndered dinner at the Electric hotel. The visitors described their impres sions of the western country and drew many comparisons with the sec ions from which they came.

Mr. Peet, who is the traveling super ntendent of agriculture for the Union Pacific Railroad, compared the Ore gon country to his home state, Penn sylvania. Altho similar in scenery, the west presents far anore fertility, he The people who are coming west, looking for homes, are trying to get away from some of the more set tled, active places to somewhere where it will be possible for them to rijoy life to a greater extent. Such a land, said the speaker, is to be found

The dinner was also attended by Gordon J. Taylor, special representative of the realtors who accompanied the party from Omaha, S. O. Dillman, who presided at the affair, T. F. Meads, secretary of the realty board. A. C. Howland, E E. Teeple, Jerry Heminway, C. A. Keopple, Mrs. E. C. Youngs, Mrs Maggie A. Johnson, Wallace F. Miller and W. W. Woodbeck.

Three members of the party have tated that they definitely intend to antages of Oregon

Temorrow, upon the conclusion of heir stay at Oregon City, the visitors will be escorted to Aurora, where they will be met and entertained by a delegation from Marion county.

SUIT FILED ON NOTE Fraenk M. Henriksen and Walter Johnon a note given by Henriksen to John-

1921.

CATTLEMEN GET CUP: HOLD CEREMONIAL

It was a galla day for Clackamas county Jersey breeders Saturday

at their picnic at the home of Anton Malar, near Sandy:

"The honor of winning the accomplishment cup by your association in 1920 is in tay opinion the greatest compliment that has ever been paid to a body of Jersey breeders in history. It is no small thing for a club to 'Do the most' for the Jersey. The results you obtained last year were marvelous and set a standard which will mean extremely hard work for other associations in the future. I congratulate you most heartily and wish you the same good results for years to come-Oregon and Jerseyswhat a great combination."

First Award Comes Here

Clackamas county Jersey folks have the honor to be the first to win this cup, which is given by the editor of the national breed paper each year biggest showing in promoting interfind that a county here in Oregon wire enthusiastic promotors of the

breed it represents. Aside from the celebration over the shade of the big apple trees was a from Clackamas, Multnomah, Wash ing the background for some very at. had visited. ractive views. These pictures will over the country.

Next Meeting Set During the business meeting it was

decided to hold the next meeting at the Seeley Jersey farm, near Wilsonville, on September 3.

Speakers on the program in the fternoon included O. M Plummer, manager of the Pacific International Livestock exposition, who presented Livestock Expert the loving cup; Henry Thessians, one of the older Jersey breeders of the locate in Oregon. All of those who state, on the need of boosting rather came on the excursion will bear to than knocking dairymen's organiza-

J. D. Mickle, former state dairy and food commissioner, spoke on "Dairy men of Yesterday, Today and Tomorrow," telling of the development of the dairy breeds and how some people still continue to foolishly think they two breeds of cattle. "There is one The Clackamas County Adjustment thing that God never made and that is company filed suit Saturday against the scrub cow," said Mickle. "The scrub cow was made by the scrub son to collect \$193.30 alleged to be due dairyman." He also told of how Oregon Jerseys are coming to the front the foundation stock of the East.

EDITORS FROLIC IN BIG FORESTS AROUND BEND AT ANNUAL MEETING Newspapermen Enjoy Outdoor

Life While Attending Convention Newspaper men attending the annual convention of the state editorial association at Bend on Friday, Satur-

day and Sunday were given a splendid opportunity to survey the vast excanse of pine forest which has made central Oregon one of the best known centers of standing timber in the United States. Following the business sessions on Friday and Saturday, the editors and tifeir families were taken for a 65 mile automobile ride through the

timber to Elk Lake, near the headwaters of the Deschutes River, where they spent the night. The wonderful setting of this lake, with Broken Top mountain rising abrubtly from its neaks within easy reach of the eye,

One of the features of the trip to Elk lake was the banquet served by the Pend commercial club on Saturday evening Huge tables had been constructed by men from town, aided by forest service men, and fishermen had been whipping the lakes for the great quantities of trout with which the hungry writers were fed. The task of transporting the material for the banquet through the mountains for such a distance was no small one and in addition to that they had pro idea sleeping accommodations for their hundred or so guests, Fishing, boating, and hiking were enjoyed, with the late camp fire the scene of stories of the newspaper world, impromptu programs of songs, stunts and story

Dinner is Serven The Cinner given Friday night by the Bend Commercial club to the viswhen they were presented with a fine iting newspaper men and their famsilver cup for accomplishing more at the unique Pilot Butte Inn This ilies was an enjoyable affair, served through their organization than any hostelry, located far from the great other county association in the United metropolis, would still be not out of Consolidation Election Wins Question of Raising Funds for place in any of the larger cities, ex-The following telegram from Royer has a novel, strictly western, style of in, was read to Clackamas breeders strictly modern and one of the most wonderful views of the mountains to be had in the state is featured by the installation of a huge "picture window" in the main dining hall This window ,one piece of plate glass, is

17 feet wide by 7 feet high. An automobile tour of the city, with a visit to the huge sawmills which constitute the industry was also among the entertainment provided by the Bend people for the envention delegates. Two mills, The Brooks-Scanlon, and the Shevlin-Hixon, operate at Bend, each with la; George E. Daugharty, Mt. Hope enermous capacity. The latter milt company controls a piece of timber six. covering 60 miles in length by 10 in width, which will furnish logs for 30 vears' running, while the Brooks-Scanlon properties have material for 20

'ears' operation Famous Author Speaks

The presence of Walter Pritchard to the county club which makes the Eaton, widely known author of boys books and a former newspaper reests of the breed. It is surprising to porter, added greatly to the success of the convention. In a talk at the dinthat has only had a breed organization ner at the Inn he urged the people for a few years now stands first in of Oregon to preserve the natural the nation in the way of being live beauties of their mountains and forests, and criticized severely the destruction of wild flowers and foliage by the sheep. He also remonstrated big silver cup, the pictic with its against the practice of logging comvonderful banquet under the cool panies which left no border of standing timber along the highways, say distinct success. About 200 people ing that to the tourists no greater appeal could be made than by leaving a ington and Columbia counties were semblyance of the great forest to represent. A representative from a film | main by the road side. When told of news service recorded everything the work being done along the lines from the filled plates to the presenta. of preserving this beauty in Oregov he tion of the cup upon the vards of stated that he had found the condition novia film, with Mount Hood furnish, here better than in other states he

In Bend, which has grown in the go out in a news service and travel all past decade from a village of 536 souls to a city of 5,416 inhabitants, the visiting editors enjoyed real western hospitality, rare entertainment and a successful convention. Every one has become a true booster for this section, said by all who visit it to be the "greatest outdoor country in the

Gives Exhibit Advice

L. J. Allen, of the livestock department of the Oregon Agricultural Col lege, will spend Wednesday, and Thursday in Clarkomas county, visiting the boys' and girls' livestock clubs and giving general instructions in roated over the east side route, and stock judging and fitting the animal can make improvements by crossing for exhibition purposes. The visit is made to asist the youngsters in preparing county and state fair exhibits. of the detour. Friday Mrs. H. C. Kleinschmidt will take her class in poultry on a visit to some of the commercial poultry plants of the county, including a visit to the A decree of divorce was granted son and consigned to the plaintiff, and how he looks forward to a time Russell Butter plan at J ennings

Cops to Decide Just Who's Which

SHERIFF PLACES DEPUTY STATE

UNDER ARREST; FIGHT STILL ON FOR TRAFFIC JOB

ceath the statue of Justice that end of the month dorns the court house, the bard of evon might well have marmured, "Oh man, clothed with a little brief author-

orces of the law was waged just before noon yesterday. Traffic officer C. J. Long, holding his position by erace of the sheriff, arrested R. E Wagy, holding the same position by grace of the county court,

Long arrested Wagy for carrying onceated weapons. He haled him be re Judge Noble, who, upon evidence showing Wagy had no authority to northern shore, and several snow clad carry a gun, fined him \$10. Then it de beloped that Wagy was in possesion made such an impression on the vis- of a perfectly good, newly granted itors that several declared their in- commission as special state agent. The tention of returning for extended va- commission was in the office of County Judge H. E. Cross. So Judge Noble had to reverse his own decision as Wagy, under the state commission. had the authority to carry the gun.

Court Takes Action Effective July 1, the county court sued an order appointing Wagy traffic officer The sheriff refused to remove Long, and appoint Wagy, The man with authority from the state, under a commission from the governor So now Clackamas county has two traffic officers, a deputy sheriff, and higher court.

Had Shakespeare been in Clacks a state agent. And the question is, mas county Tuesday, and stood be Who will get the pay check at the

The court order names Wagy. But Long has not been officially removed. Both are evidently on the job of making Clackamas county beliave. And For the conflict between the his honor, the couly judge, waxes iaconie upon the subject and refers inquisitors to the official records. which divulge as the proverbial oyster.

Change Is Opposed

The trouble all started when the curt decided to make, for reasons best known to themselves, a change in the heriff's personel. Believing that ne was in charge of the office and that his deputies were directly responsible to him. Sheriff Wilson refused to remove Long, whom he had appointed without charges being officially filed against him. He also refused to an point the man named by the court.

When asked by a representative, of the press for a statement explaining the status of the two men, and the reasons for the attempted change and the methods that were used. Judge Cross refused to discuss the matter.

Legally the question resolves itself into whether the county court or the court then got busy and clothed their sheriff has the authority to decide the detail of the sheriff's office. And the matter will probably not be settled definitely without a decision from a

DIRECTORS FOR NEW UNION HIGH DISTRICT AT MOLALLA NAMED

By 267 Majority;

Returns In

The official returns from the union district have been received by the ounty school superintendent's office nd show that the measure to conolidate carried by a vote of 365 to 98,

a majority of 267. Five directors elected to have charge of the administration of the district are George M. Christensen, Rural Dell; Herman Chindgren, Meadowbrook; W. W. Eberhart, Melaland Hubert Engle, district Number West Linn fire houses.

The election in the 18 districts in he vicinity of Molalla was held July set Avenue, and it will be necessary 8. Petitions for the elction were cir- to erect towers at the other fire culated a month before. The purpose of the consolidation is to secure the erection of such lowers, but as the qualization of taxation in the vicinity which under the old system, was kept up largely through the payment of

Although no improvements in the uilding at Molalla are contemplated mmediately, enlargement will be necessary soon. The increased finnancial resources due to the consolidation will make this possible.

The distric which are consolidated are: Glad Tidings, Rural Dett, will be even used to ring out the old Meadowbrook, Dickey Prairie, Molalia, Liberal, Teasel Creek, Russellville, Dryland, Mulino, Maple Grove, Yoder, South Oak Grove, Union Mills, Bear greater part of the Engle district.

Detour Put Around New Highway Work

A detour through Bolton is now ecessary upon the Pacific highway route, due to work which has been started there.

Acording to the announcement of F. T. Young, resident highway engineer, approximately two miles of pavement is yet to be laid to complete the road. Work was started from Bolton in order to speed up the construction, the crew on this side having about a mile to go to meet the pavement near Sucker creek.

The detour through Bolton is about 2,000 feet, and is through a private road. Only light traffic can go over it, and the limit set for weight is two tons This has been necessary be cause of the small bridges on this temporary route, Engineer Young requests that all traffic possible be only local traffic use the highway during the period of construction in order to eliminate unnecessary congestion George Randall, state Pemona, Rev.

LICENSE TO WED ISSUED

A marriage license was issued Thursday by County Clerk Miller to in its educational work throughout felter, 17, both of Oregon City

ELECTION TO VOTE ON \$25 000 BOND ISSUE

WEST LINN CALLS 2ND

School Gymnasium to Be Up July 29

Arrangements for the installation high school election in the Molalla of a fire ball system at Sueset Avenue, Bolton and Willamette streets of West Linn were made at a meeting of the council there Wednesday evening. At the time the Oregon City fire engine arrived here, West Linn purchasel the three 'fire bells from the three fire houses, and also the chemical engine from Oregon City. At the fire house on Sunset Avenue a belfry was ed, but none are on the Bolton and

Towers to be Built

A bell is to be hung at Sunhouses. Bids were advertised for the lowest was \$400, the city council came to the conclusion that such towers could be erected at less cost and Charles Shields, of West Linn, is to have charge of the construction and will perform the work by day labor.

These towers will have a base of concrete, and the remainder will be of wood structure, that will stand about 30 feet. There will be plenty of bells for West Linn, and the city treasurer, M. E. Clancey, says they

and ring in the new years Thistle , War Cn A war on Canadian Thistles was also started and warning is to be sent cut by the chief of police to all property owners, as well as corporations and companies to commence destroying such pests imediately before they are in seed and to prevent the seed from scattering. Those who do not follow instructions given out by the council, will be forced to pay for such work to be performed by a man employed by the council. In some sections of West Linn the pest has spread rapidly, and an endeavor is to be made by the council to exterminate the weed.

Grangers Hold Big Meet at Chautaugua

Saturday was grange day at Chautauqua. At a banquet at noon, more than 300 grangers were present. A number of the most prominent farmers from Oregon, identified with the state organization were present and made talks upon various subjects rel ative to farming and to grange work

C. E. Spence, master of the State Grange, B. G. Leedy, a member of the executive committee of state grange Mrs .Minnie Bond, state lecturer, Mrs. B. A. Sellwood, state Chaplain and Guy Emery, of the Chautauqua and his brother Alfred T. were in attendance. The work of the state grange, and the possibilities of aiding Chautauqua portant of the topics discussed.