

OREGON CITY ENTERPRISE

ORE HISTORICAL SOCIETY
Public Auditorium
Portland, Ore.

FIFTY-SIXTH YEAR, NO. 42.

OREGON CITY, OREGON, FRIDAY, OCTOBER 20, 1922.

ESTABLISHED 1866

CHECK IS STARTED UPON H. E. CROSS RECALL PETITIONS

Documents Containing 1700 Of 1984 Necessary Names In Hands of Clerk; Final Filing Is Expected Soon.

PERCY T. SHELLEY IS NAMED TO HEAD DRIVE

Statement On Charges Issued By H. S. Gibson; Claims Of County Judge Denied.

Petitions for the recall of County Judge H. E. Cross, containing 1700 signatures, were placed in the hands of the county clerk Tuesday to be checked over. A total of 1984 signatures are needed to put the recall on the ballot.

At a meeting of the recall committee held Tuesday Percy T. Shelly, Sandy attorney, was elected manager to conduct the remainder of the campaign. The petitions which are now in the hands of the clerk, Shelly states, do not represent all that are in circulation.

Sufficient are still to be collected from the circulators to take care of the usual shrinkage and still have the required number, he says. The petitions must be filed by the end of the present week.

A statement concerning the recall movement in regard to the charges of the county judge, was framed yesterday by H. S. Gibson, of Barton. It follows:

EAGLE CREEK, Or., Oct. 17.—(Editor of The Enterprise.)—In refuting some of Judge Cross' statements as published in the Banner-Courier of last week in regard to H. S. Gibson being chairman of the recall committee, I want to say that I have not been chairman of any recall committee, nor have I attended any meeting of the recall.

Judge Cross in his letter asks the question, "What is my trouble?" The most trouble that I had was to donate fifty dollars to the damage fund, after the petitioners were informed by the judge, that the court would not allow the appeal of the three property owners for more damages than had already been given them by the board of viewers; and the judge further stated, that if the property owners appealed from the report of the board of viewers, that he would be in favor of rejecting the report and take the \$600.00 therefore allotted to Market Road No. 3, by the county court under Judge Anderson, and give it to some other locality. The facts are, that Judge Cross at the final hearing, voted to kill the road by rejecting the report of the Board of Viewers; Commissioners Proctor and Harris voted for the adoption of the report. Harvey Gibson one of the property owners, damaged by reason of the establishment of the road, received \$300 as allowed by the viewers from the county, and \$500 additional raised by private subscription. In my opinion, Harvey Gibson's place instead of being benefited by the establishment of the road, is practically ruined by it.

One neighbor interested in the establishment of the road, came to me, and asked if I would give the same as he, and make up enough to pay the difference between the \$1000.00 allowed as damages by the viewers and what the three land owners whose land was cut up by reason of the establishment of the road would settle for, and withdraw their objections to the road. The sum of \$870.00 was raised by subscription among the citizens of Eagle Creek (Douglas Settlement) and Estacada, and divided a mitch among the three parties damaged by the establishment of the road, in addition to what the viewers had allowed them, making a total of \$1875.00. And then Judge Cross refused to allow one dollar, and said he would go on record as being against the allowance. Both commissioners voted for the allowance.

Now there is one thing I would like for Judge Cross to explain; Why did he tell W. H. Douglass in a private conversation in his office a short time after that, "While I am in office, the Gibson's will get nothing; Oh, they will get justice, but they will get no favors."

H. S. GIBSON.

\$40,000 CALL ISSUED BY COUNTY TREASURER

A call for \$40,174.37 in outstanding road warrants has been issued by W. W. Everhart, county treasurer. The amount of the call represents part of the payments made on the last half of the present year's taxes. A call which will total about \$60,000 will be made by the treasurer next month after additional tax receipts are turned over to him. During the summer period much of the road work is carried on warrant indebtedness while the collection of taxes is still pending.

LOWER COURT SENTENCE DOUBLED BY CAMPBELL

Elmer Eliot Fined \$100 And Given One Year Jail Term; Anderson Guilty of Assault.

More than doubling the sentence given in the justice court from which an appeal was taken, Judge J. U. Campbell Friday sentenced Elmer Eliot, convicted in the circuit court of stealing wood for commercial use, to pay \$100 fine and serve a year in the county jail. The sentence to jail was suspended temporarily contingent upon the payment of the fine and the man instructed to report personally to the judge every two weeks during the period of the parole. Eliot had been sentenced three months in jail and a \$50 fine by Justice E. J. Noble.

Andrew William Anderson, indicted for the assault and battery of Sarah Baldwin on May 30 last, was convicted in the circuit court Friday. The jury embodied in their verdict a recommendation to the court for extreme leniency.

The suit of Thomas Burrows against the Portland and Oregon City Railway did not come for trial, having been settled out of court. Burrows sued for \$150 damages for right of way infringements upon his property, consisting of lots 3 to 17, block 94, Minthorn addition to Portland. The settlement is understood to cover the amount of the judgement asked.

EXPRESS TRAIN ROBBED BY LONE NEGRO BANDIT

CHICAGO, Ill., Oct. 12.—Sixty-eight Chicago-bound passengers in sleeping cars were robbed of their jewelry and money by a negro bandit who boarded the Santa Fe California limited train out of Kansas City, Mo., late last night.

The bandit, his face covered by a handkerchief mask, boarded one of the sleeping cars as the train pulled out of Kansas City station, the reports said. He went through two cars, ordered the passengers out of their berths and seats, robbing all of them. Rings and necklaces were torn from women. The negro swung off the train ten blocks from the station and disappeared in the darkness of the railroad yards before any of the train crew except two frightened porters were aware of the holdup.

The train was not stopped until it reached its next regular stop at Lexington Junction, Mo. The train arrived at Marceline, Mo., twenty minutes late. Here two members of the crew were dropped off on orders of the chief special agent of the Santa Fe to aid posses.

The California Limited, crack train of the Santa Fe, left San Francisco Monday night at 8 o'clock. Several women were subjected to indignities as the holdup man tore off their necklaces and snatched their purses. Clothing of passengers who had retired to their berths was appropriated by the bandit.

The robbery occupied only a few minutes.

EVACUATION OF THRACE CONTINUED BY GREEKS

CONSTANTINOPLE, Oct. 12.—Evacuation of Eastern Thrace by Greek civilians, as provided by the Mudania armistice, was under way today.

The first little bands of Hellenic nationalists, realizing that it is useless to await until Saturday midnight, when the terms of the armistice actually go into effect, were moving their belongings out of the last province.

The Greeks have two weeks to leave the territory awarded at the end of the World war and lost because of the stinging defeat of their armies at the hands of Mustafa Kemal's Turkish nationalists.

On the heels of the Greeks the allies will enter, and then turn Thrace over to 8000 members of the Turkish gendarmerie.

It was believed here that the place and date for the permanent peace parity would be announced soon. After this conference is held there probably will be a meeting of the League of Nations and steps will be taken for the guarantee of internationalization of the Straits of the Dardanelles.

Alba-Julla, Rumania, Oct. 16.—King Ferdinand and Queen Marie were crowned at this ancient Rumanian town Sunday morning. The coronation, which was delayed because of the World war, was witnessed by representatives of the great powers.

SANDY ATTORNEY EMPLOYED TO AID DRIVE FOR RECALL

Percy T. Shelly Is To Direct Campaign To Oust County Judge Harvey E. Cross; Records Will Be Surveyed.

PLACING OF ISSUE ON BALLOT SAID CERTAIN

Petitions Will Be Filed By October 18, Expectation; New Charges Now Hinted.

Percy T. Shelly, an attorney at Sandy, has been employed by the committee sponsoring the recall of County Judge Harvey E. Cross, to direct the remainder of the campaign which is being waged against the judge. Shelly is expected to make his headquarters in Oregon City next week and will remain here until the date of the election.

Members of the committee state that practically sufficient names have been secured to assure the placing of the recall measure upon the ballot. The petitions, according to L. A. Rall, one of the committee, will be filed together, and no attempt made before hand to check over the names, before the documents are placed in the hands of the clerk.

It is understood that Shelly is to make further research into the county records than has been done by the committee so far, though no indication of the type of data sought is given. The only charges concerning county records made by the recall committee so far involved the amount of the warrant indebtedness which they claim has been increased considerably due to the Cross administration.

The committee indicates that an intensive campaign is to be waged during the period between the actual filing of the recall and the date of election. October 18 is the last date at which the petitions can file so that the special recall election can be called on November 7. A total of 1984 signatures are required.

New Prohibition Ruling Held Up By Injunctions

NEW YORK, Oct. 12.—On the eve of the date set for enforcement of the federal prohibition ruling prohibiting passenger vessels, both American and foreign, from bringing liquor under seal into American ports, enforcement authorities today were faced with two important test cases. One was a temporary restraining order, granted today by Federal Judge Hand, enjoining local enforcement authorities from molesting liquor on board the American steamers Finland and St. Paul.

The other was an order directing the government agents to show cause why an injunction should not be issued restraining them from interference with ships of the British-owned Cunard and Anchor lines. This was issued by Judge Hand last night.

The injunction granted today was hailed as an important victory for the steamship companies, who claim they would lose millions by the enforcement of the Daugherty prohibition decision. It was issued upon application of the International Mercantile Marine corporation, which controls the American line operating the Finland and St. Paul.

\$105,900 Payment Covers Last Half Of P. R. L. & P. Taxes

The largest payment of taxes, made on the second half of the Clackamas county roll, was recorded by I. D. Taylor, head of the tax department Friday. It amounted to \$105,912.84, exactly one half of the taxes against the Portland Railway Light and Power company.

The new Mount Angel-Woodburn paved highway, which the county is a considerable margin, according to Mr. Taylor. The payment was made before the period of delinquency, but owing to the rush during the last days of collection, the amount was not entered on the books until Friday.

New Road Is Asked In Monitor Country

SALEM, Ore., Oct. 13.—Forty members of the Monitor Community club appeared before the Marion county court Wednesday and petitioned for a paved road from Monitor to join the new Mount Angel-Woodburn paved highway. The county market road bond issue provides for grading of the road, but not its pavement. It is possible that the county may find means to grant the request next summer.

FEDERAL COURT REVIEWS HIGH SEAS PROHIBITION

Trans-Oceanic Business Said Dependent On Keeping Of Bars Aboard All Vessels.

NEW YORK, Oct. 17.—Owners of trans-Atlantic liners were characterized as "saloonkeepers" by United States District Attorney William Hayward, who defended the "dry seas" order of Attorney General Daugherty in federal court here today.

Hayward spoke to Judge Learned Hand against the application of the White Star and other lines for a permanent injunction restraining enforcement of the order which would forbid ships carrying liquor to enter American ports after Saturday.

"The reason that the liquor is being attacked here," stated Hayward, "is that it will spoil very profitable business of the trans-Atlantic saloonkeepers."

"Owners of foreign vessels have been treated very fairly by the United States government, especially the British."

"This ruling is less severe than some of those put in force by Great Britain. For instance, the British government prohibits American ships to carry liquor between its ports."

The district attorney stated that if the court invalidates the order the Bahamas islands will become a veritable bootleggers' nest.

"If this order becomes effective, the trade between the United States and European countries will become paralyzed," Van Vechten Veeder, attorney for the White Star line and other companies said.

Fire Regulation Is Gordian Knot To City Council

To the state fire marshal's office, is to be referred the perplexing question of whether or not the city can override its own ordinance and allow the construction of buildings in violation of the building code adopted in 1913.

The city council in special session last evening was confronted with a knotty problem brought by the petition of J. A. Roake for permission to continue construction on his foundry at 5th and Water streets, which was begun in violation of the code.

The code has never been enforced and the council is not loathe to begin its enforcement with buildings constructed on all sides in violation of its terms. The concession asked by Roake is considered by many of the council to be only a technical violation and present no real fire menace, so the state marshal's office is to be asked whether or not it is safe. If it is, consensus of opinion in the council is to once more lift the rules.

City Attorney Eby pointed out that there was no legal method for the council to override the ordinance. Henry Tensleton made a plea for the enforcement of the fire law to the letter. Councilman Cross called for the general enforcement of the law but stated that the arrangement made by Roake appeared to be satisfactory for all practical purposes and urged an exception. This sentiment was echoed by Bridges and Krassig.

City Engineer Stafford pointed out that the ordinance is being flagrantly violated and that there were numerous cases on Main street where its provisions were being scorned. Presenting the situation to the council he urged either the enforcement of the law or its removal from the charter.

The budget committee which will frame the expenditures of the municipality for the year of 1923, was appointed last night by Mayor James Shannon. The committee is composed of: William Anderson, L. E. Jones, Al Price, W. B. Canfield, C. Schuebel, J. H. Cameron, Carl Green, R. Grieve and L. H. Henderson.

The committee with the city council will outline the departmental expenses and the apportionment of funds. Their first meeting is to be held in December.

2 Are Arrested For Driving While Drunk

R. C. McMurrin and A. C. Buckley, both of Oregon City, were arrested by Night Officer George F. Titus early Sunday morning, charged with driving a car while intoxicated.

In municipal court Monday Judge Kelly fined McMurrin \$100 on charges of driving a car while intoxicated and \$50 additional on the separate charge of being drunk. He is serving time in default of payment. Buckley was fined \$20 and sentenced to ten days in jail the jail term was suspended.

HAGEMANN FILES AS INDEPENDENT FOR COUNTY JOB

Petitions of Logan Man For Commissionership Placed In Clerk's Hands; Check Of Signatures Is Begun.

PRESENT INCUMBENT AIDS NEW CANDIDATE

W. F. Harris and Fred Proctor Listed Among Circulators; 208 Names Are Necessary.

Petitions for the candidacy of H. W. Hagemann, of Logan, for county commissioner, were filed Thursday afternoon with county clerk Fred A. Miller. The petitions have not yet been checked but if sufficient legal names are found on them, Hagemann will become the independent candidate against C. W. Kruse, republican and Roscoe Gard, democrat.

There are 229 signatures on the petition. A total of 208 are required.

Some of the petitions were circulated by W. F. Harris, who was defeated for the republican nomination to succeed himself.

Petitions were also circulated by Fred L. Proctor, son of W. A. Proctor, the other county commissioner whose term holds over. Other circulators whose names appear on the petitions are: Wm. B. Donely, G. E. Hobbs, F. H. King, Marion Smith, Gush Leach, Hermann Brunner, T. C. Thomas, Billy McCady, and Hagemann himself.

Work of checking the signatures was started last night by deputies in the clerk's office.

Five o'clock Thursday afternoon under the law was the last date at which independent candidates could file for county positions. Hagemann's petitions were presented before four o'clock.

The independent candidacy of Hagemann is regarded as another move in the fight to gain control of the county court. Opposition to the county judge has led to the inauguration of a recall, petitions for which are at present in circulation. Hagemann's candidacy is expected by some to split the vote for Kruse, who lines with the faction of the county judge and place Gard, the democratic candidate in the position.

Confessions In Rector Murder Are Retracted

SOMERVILLE, N. J., Oct. 12.—Raymond Schneider today retracted his confession accusing Clifford Hayes of the murder of Dr. Hall and Mrs. Mills.

NEW BRUNSWICK, N. J., Oct. 12.—Discovery of a knife with which Mrs. Eleanor Mills' throat may have been cut, and a severe grilling of Nick Bahmer, proprietor of "Nick's Place"—a dive—marked today's investigation of the Hall-Mills murder mystery.

Coupled with these developments came a strengthening of the popular movement to free Clifford Hayes, the suspect now under arrest. Even authorities responsible for his detention now doubt he had any part in the tragedy at Phillips' farm. Charlotte Mills, bereaved of her mother by the tragedy, declared her complete faith in Hayes in an interview with the United Press, in which she cried passionately for arrest of the real slayer.

A little child furnished investigators with their first tangible clue. John Lyons, 8, ran to his mother one afternoon following the discovery of the crime, carrying a blood-stained potato knife he had picked up 125 feet from the scene of the killing of the Rev. Edward W. Hall and Mrs. Eleanor Mills, choir singer.

"Look, ma, I've got the knife that killed the lady," he cried.

Mrs. Lyons, according to the story she told the police, did not wish to be drawn into the affair and at first planned to throw the knife away. Later she decided to keep it and last night it was placed in the hands of the prosecutor. It may serve to identify the slayer.

Grilling of Bahmer resulted from statements made by his daughter, Pearl Bahmer, who is locked up in the same jail with him, on a charge of incoercibility.

She asserted her father had often threatened to cut her throat, and that "nobody knows what might have happened" had he come upon any couple on the Phillips farm the night of the murder when he was drunk and searching for Raymond Schneider, whom he accused of "going with" his daughter.

CAR SKIDS AND LANDS IN RIVER UPSIDE DOWN

Driver, Blinded by Fog Runs Off Road Into Clackamas; Five Occupants Uninjured.

Two automobiles turned turtle, the occupants of each miraculously escaping serious injury was the toll of the week-end on the Clackamas county highways.

Bewildered by the heavy fog Saturday night, a car driven by James Mooney of Canby plunged into the Clackamas. The accident occurred on the sharp curve just south of the Ryan farm on the river road. The five occupants of the machine were thrown out of the car which lit bottom side up in four feet of water after jumping the 30 foot bank.

The occupants, Bill Wangren, Earl Stevenson, John Knox, and Robert McClure, all of Woodburn and the driver walked to Oregon City. Officer Hemmingway took them to the city jail where they dried their clothes and remained over night.

How they extricated themselves from the wreck the boys do not know. A Ford coupe was somewhat damaged Sunday morning when it skidded on the wet pavement near the Wenger hophouses on the Parkplace road and left the road, landing in the ditch about five feet below.

The car was driven by Charles Wakefield of Woodburn and had just met and passed another car. The Wakefield car was going north and it skidded across the road and left the pavement at the left side.

The car lit bottom side up in the ditch, after hurtling over a six foot bank on the top was caved in and the windshield and glass in one of the doors was broken. The radiator was also slightly damaged. The car was brought to a local garage for repairs.

No one was hurt.

WORK OF CONGRESS IS PRAISED BY PRESIDENT

WASHINGTON, Oct. 16.—President Harding has come forward on an appeal for popular approval of the work of the 67th congress.

In a letter to House Leader Monrö, made public Sunday night, Harding declared: "I doubt if any congress in our history has accomplished so impressive a volume of work, touching so wide a range of national interest. Without attempting to suggest an enumeration of the accomplishments of which the country is indebted on the 67th congress, and its immediate predecessor, it is befitting to appraise the general results which have been so helpful to American welfare that they will not fail to appeal to the approval of the American people."

The president further commended the work of congress in comparing the reconstruction period following the Civil war and that following the World War, with the respect to the work of the respective congresses.

"So, whether the comparison is made with our own experience in after-war reconstruction a generation ago," Harding wrote, "or with the experience of other nations in the years since the world was, it is clear that we have been most fortunate."

BRITAIN WILL PROHIBIT U. S. RAIDS FOR LIQUOR

WASHINGTON, D. C., Oct. 16.—British rejection of the American proposal for a treaty to extend the right of search of vessels up to 12 miles offshore was contained in a note handed to Secretary Hughes today by Ambassador Geddes. The communication is in reply to Mr. Hughes' note of June 26, setting out difficulties encountered by American prohibition enforcement officers in checking the illicit flow of intoxicants into the United States.

Secretary Hughes made public his correspondence with the ambassador without comment. There was nothing to indicate that any further step to extend the right of search for American prohibition officers beyond the three-mile limit was in prospect.

Action of the cabinet recently in approving the abandonment of such search presumably because of possible international difficulties, coupled with the British reply of today, appeared to indicate that operations would continue to be confined within recognized territorial waters.

The American note dealt particularly with smuggling operations from British possessions in waters adjacent to the American coast and suggested "methods by which the existing extremely unfortunate conditions might be remedied."

Marriage Licenses Given Two Couples

Marriage licenses were issued Saturday to two couples. They were Gilbert Miller, 44 and Emma Carlens, 33, both of Oregon City and Adolph Alt, 28 Portland and Berdeen Rankin, 21, Oregon City.

DEBATE IS HELD ON COMPULSORY EDUCATION BILL

J. E. Hedges and C. Schuebel Argue Leading Measure At Pre-Election Session Of Live Wires; 150 Attend.

NEW TAX MEASURES UP FOR DISCUSSION

W W Woodbeck, G B Dimick Livy Stipp and O. D. Eby Explain Proposed Imposts.

The Schuebel-Hedges debate on the compulsory school bill, will be repeated Saturday, at 8 p. m. at the library for the benefit of those who were unable to attend the meeting last evening. The session is open to the public.

That the compulsory school bill will be the cementing influence to make of the diverse peoples in America one homogeneous, Americanized body or that it will be the entering wedge of an era of religious prejudice with such terrible potentialities that the said cannot be forecast; these were the two divergent views taken upon the proposed measure in its discussion before the Live Wire pre-election political meeting last evening.

Chris Schuebel spoke for the adoption of the measure. He was opposed by J. E. Hedges. The debate followed a banquet attended by members of the club. The session in the club parlors at which the leading measures to be voted on in November were discussed, as attended by more than 150 people.

History Is Traced.

Urging the adoption of the bill, Schuebel characterized as regrettable the fact that a sectarian issue had been injected into it. He viewed it as primarily a regulation touching education only and as a move to put in the background all religious prejudices. Tracing the history of education from the Athenian period, he stated that the heritage of dual control of state and education through linking with the church of all demagogues, had not rotered the best education, citing the extent of illiteracy in European and Asiatic countries where this condition obtained.

Persecution on religious matters continued in America until the revolution, he pointed out, but the tendency of the present measure would be to educate in one school, teaching Americanism, all the children of whatever creed, building a unified country and breaking down the caste and religious prejudices which he claimed sprung from the maintenance of private and parochial schools. If the system of education is not good enough to care for all of the children, it should be improved so that it attained this standard, the speaker claimed.

Present Law Cited.

Attacking the measure, Hedges cited the law at present on the statutes as sufficient to provide for compulsory education, pointing out that it allowed private and parochial schools to function, and branded as insincere the statements of the sponsors to the bill that it was primarily of educational value. He held that the issue was based upon religion, and the result of a religious prejudice which would bar certain convictions from being taught to the children of those people, who held these particular beliefs. From this he declared, would spring a race and religious prejudice which would threaten the democracy of the nation and lay it open to hopeless paternalism.

The private schools, not necessarily of a parochial nature, were characterized as an efficient addition to the public school system in their provision for good instruction supervised by the same boards which handled public schools in provision for research.

(Continued on page four.)

LONGSHOREMEN STRIKE AT DOCKS IN PORTLAND

PORTLAND, Oct. 13.—The second strike of longshoremen this year, branded as an I. W. W. walkout, was launched tonight along the waterfront but was only partially successful.

Men engaged on some vessels refused to pay heed to the insistence of delegates to leave their employment. Employers said they were convinced sufficient men would refuse to participate in the strike to insure cargo being handled with experienced workers.

"No demands have been made as to wages or working conditions and no notice was given of the strike," said H. S. Eaton, manager of the Waterfront Employers' union, which conducts a neutral hall for the employment of longshoremen.