

THE WEATHER.
Oregon City—Fair; easterly winds.
Oregon—Fair today; northeasterly winds.

MORNING ENTERPRISE

WEEKLY ENTERPRISE ESTABLISHED 1866

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OREGON CITY, OREGON, THURSDAY, SEPTEMBER 5, 1912

PER WEEK, 10 CENTS

'SCHUEBEL OFFERED ME VOTES'—SCHNOERR

SIGNATURE IS ASKED TO PAPER

GERMAN LEADER IS FINE WITNESS

JUDGE EAKIN TO DECIDE TODAY

WHETHER DEFENDANT CAN TELL WHAT HE MEANT BY "BOUGHT AND SOLD"

Declaring that the defendant had no right to tell what he intended to convey when he accused Chris Schuebel of having been "bought and sold," District Attorney Tongue Wednesday afternoon halted the trial of Gustav Schnoerr, President of the Deutsche Verein in Clackamas County and Vice President of the German Societies in Oregon. Mr. Schnoerr had been placed on the witness stand to testify in his own behalf on a charge of criminal libel proffered by Mr. Schuebel. What testimony he gave indicated that he would say he intended to convey the idea that Mr. Schuebel was bought and sold as any other lawyer—that is he obtained fees like any lawyer for his work. Circuit Judge Eakin, after hearing arguments by George C. Brownell, J. E. Hedges and Gordon E. Hayes for the defendant, and the District Attorney announced that he would render a decision at 9 o'clock this morning.

Messrs. Brownell, Hayes, and Hedges contended that inasmuch as Schuebel was a private citizen when the charge, which was contained in an advertisement in the Morning Enterprise, was made, it could not be considered in the sense of a similar charge made against a public official. They argued that all private citizens were bought and sold in that they gave their labor for a remuneration. Dictionaries were consulted to determine the exact meaning of the words, which Schuebel contended was a reflection upon him. When the advertisement was published Schnoerr and Schuebel were candidates for Republican nominations for state representatives, both being nominated.

District Attorney Tongue, in his argument, declared that the court must consider the words in the advertisement under the ordinary acceptance of meaning. He said that in political campaigns when a candidate was accused of being "bought and sold" that the meaning conveyed was he had agreed to do for money something that was wrong. Mr. Brownell called attention to Schnoerr's testimony that Schuebel had called at his home and asked that he sign a paper, adding that if he did it would mean 500 additional votes for him. He argued that a man could sell himself for something besides money. Messrs. Hedges and Hayes, who made strong arguments, declared that the evidence itself showed Mr. Schuebel did not mean to convey that Mr. Schuebel had offered him money to sign the paper.

The first twelve men to be seated in the jury box were accepted, contrary to expectation in they were passed for cause, and then Attorney Brownell walked over to District Attorney Tongue and after a whispered conference, both attorneys announced their willingness to take the jury, and declined to use a single challenge. Mr. Tongue asked for an opinion from F. E. Mueller, who has known Schuebel thirty years and Schnoerr about twenty years. Jurors McCabe, Bartlemay and Eden were not acquainted with either Schuebel or Schnoerr, while Mueller, Bremer, Heft, Lewis and Stafford knew both men. The other jurors said they knew Mr. Schuebel, but not Mr. Schnoerr, and George W. Judd was the only juror who had heard Schuebel make a speech during the campaign preceding

the Primary Election. The district attorney enjoyed a little pleasantries with Juror Stafford, when he brought out the fact that Mr. Stafford had received some votes for Representative on the Democratic ticket, and he asked Stafford, very jokingly, if he would take advantage of the opportunity to eliminate a political opponent, in the event he was accepted as a juror.

Deputy District Attorney Stipp made the opening speech to the jury. His presentation was very brief, and he contented himself with a simple statement of the case, based upon the indictment.

Attorney Brownell presented the case for the defense. He urged the jurors to look upon the question of liberty, aside from the question of right or wrong.

"The liberty of a citizen is involved in this case," he said, "and you should give this case study and meditation. You must not allow your political beliefs, prejudices or feelings to enter into this case. We will show that people went to Mr. Schnoerr and told him that Schuebel had been making campaign speeches, in which he charged Mr. Schnoerr with being a candidate of the corporations. Mr. Schnoerr was not familiar with the law and naturally he wanted to connect the statement of his political opponent, and he therefore published an article because he believed he was justified. He acted honestly and fairly. We will show that Schuebel told Schnoerr to sign a certain paper and it would bring him 500 votes. Mr. Schnoerr no doubt meant this when he said Schuebel tried to buy him. He never said Schuebel tried to buy him with money. Now as to the expression in the advertisement that Schuebel is used to 'being bought and sold.' We all know that Mr. Schuebel and Mr. U'Ren are law partners, and are engaged in promoting a measure known as Single Tax, and they are under pay from Joseph Fels, a rich soap man, who lives in the East. It has been admitted that U'Ren is receiving a salary from Fels, and Mr. Schnoerr naturally supposed that, being U'Ren's partner, Schuebel received a share of this Single Tax money. It is no crime for a man to sell his services, nor to be bought, unless he is holding a public office."

Thomas McCabe, Franke Haberlach, F. E. Mueller, Charles Bartlemay, W. H. Bremer, John Heft, A. J. Lewis, A. J. Monk, John McGeechie, Geo. W. Judd, W. B. Stafford, and Thomas Eden were sworn in as the jury.

Mr. Hedges objected to the introduction of testimony contending that no crime was charged in the indictment. He also declared that Section 3519, Lord's Oregon Laws, under which the indictment was drawn, was unconstitutional because it stipulated that any charge made against a candidate must be shown to the man accused fifteen days before the primary. Under that section, said the lawyer, a candidate had no way to defend himself fifteen days before an election. Judge Eakin overruled the objection, and E. E. Brodie, publisher of the Morning Enterprise was called to the witness stand. Mr. Brodie said the advertisement was brought to the office of the Morning Enterprise by Mr. Schnoerr April 17. He identified the original copy.

Schnoerr, after testifying that the advertisement referred to him, said he had been deputy district attorney, justice of the peace and a member of the city council of Oregon City. He said the copy for the advertisement had not been served on him. He denied there was any truth in the accusation made by Schnoerr. Mr. Hedges drew from the witness that in a public address at Molalla and possibly one at Macksburg, he said that Schnoerr had informed him B. T. McBain and William Sheahan, of the Willamette Pulp & Paper Company, had asked him (Schnoerr) to become a candidate for the Republican nomination for representative.

"I said on several occasions," said the witness, "that I considered Mr. Schnoerr one of the best men in the county and that no corporation could handle him if sent to the legislature. I did say that lawyers and millmen had gone to Schnoerr's house, and saying they were representatives of the Commercial Club, asked him to become a candidate. Gordon E. Hayes in a speech at Molalla announced that I, who was to follow him, would talk about Schnoerr and say that he was a corporation candidate. Hayes tried to create the impression that I and not Schnoerr was the candidate of the Willamette Pulp & Paper Company. He declared in his speech that I had gone to Schnoerr's home to try to get the candidate to sign a paper."

"What did you do at Schnoerr's house when you went there on the morning of March 31?" asked Mr. Hedges.

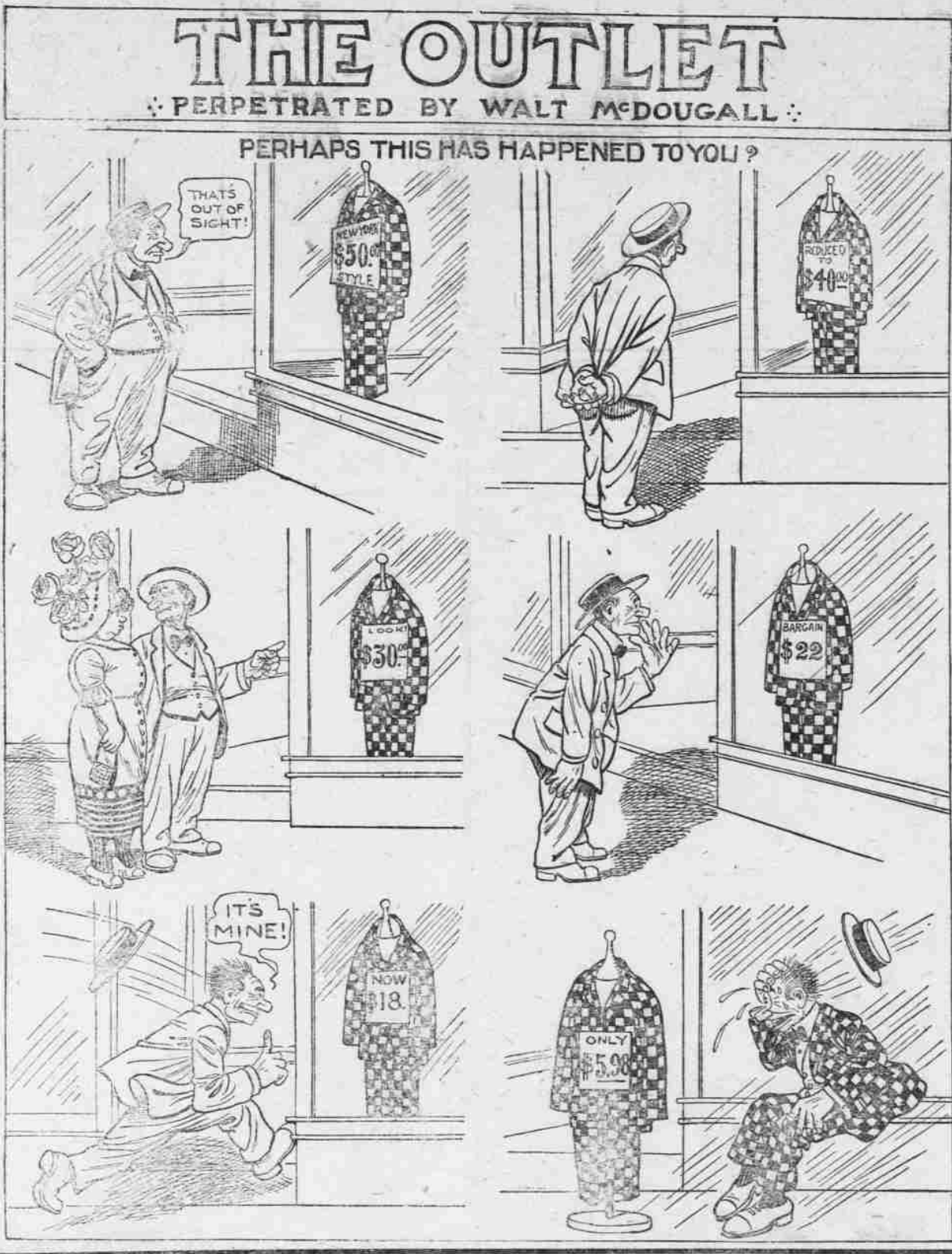
"I had a conversation with him, but nothing that would in the slightest way influence him so far as the election was concerned. I was there for an hour and a half. My brother was with me. I told Schnoerr that statements had been made to me that McBain, Sheahan and Hayes had visited him and that many of his friends looked upon him as a corporation candidate. I informed him friends of his had asked me to see him and urge him to break away from the corporation man. I advised him to get out from under, after he admitted to me that he had told several persons of the visit to him by McBain, Sheahan and Hayes. Then Mr. Schnoerr dictated a paper which I wrote. I took a copy of the paper and he said he would discuss the matter with his wife."

"Did you not at that time say to Schnoerr, 'if you will sign this article it will get you 500 votes?'"

"I did not."

The state rested after Mr. Schuebel finished his testimony.

Mr. Hedges moved to dismiss the indictment on the ground that the evidence was insufficient, the statute under which the indictment was drawn unconstitutional and that no crime



Royal E. Cabell, Commissioner of Internal Revenue, who says that his relations with MacVeagh are all that he could wish.

BOOM! DID YOU HEAR SOMETHING GO OFF?

Did you hear the report of the biggest blast Oregon City has ever experienced? If you didn't you must be deaf for it was some explosion. The report was echoed and re-echoed from the hills on both sides of the river and windows were rattled violently. The blast was at the quarry of the Oregon Engineering & Construction Company at First and Madison streets. About one and one-half tons of powder was exploded, and at least 10,000 yards of rock was loosened from mother earth. J. W. Moffatt and Charles Parker, of the Oregon Engineering & Construction Company notified the residents of that section of the city near the quarry that the big explosion was to take place about 3:30 o'clock Wednesday afternoon and many of them vacated their homes. Hundreds had their eyes riveted on the quarry when the explosion took place. No houses were damaged but the machinery of the company near the blast was damaged and it will take several days to repair it. The powder was placed in a tunnel which was forty-five feet long.



Hiram W. Johnson, of California, nominee of Progressive Party for Vice-President.

M'LOUGHLIN SCHOOL TO START MONDAY

JACOB BAKER, 84, DIES IN CANEMAH

The McLoughlin Institute will open Monday with what promises to be the largest attendance in the history of the school. The school is connected with St. John's Parish, and has eight grammar grades and two high school grades. Rev. A. Hillebrand, pastor of the church, announced Wednesday evening that many applications had been received, and he believes the institution will have its most successful year. The school is for all pupils irrespective of their religious beliefs the tuition being \$1 a month. German is taught in the lower grades and Latin and German in the high school grades. Persons wishing to enter their children should apply to the Mother Superior at the parish.

MILWAUKIE HAS \$50,000 BLAZE

Fire believed to have started in the rear of the Milwaukee Appraisal print shop at 1 o'clock Tuesday morning swept over a block on Main street between Washington and Jefferson streets, doing damage estimated at \$50,000. The fire raged the entire block, including the postoffice. Only the Salloway fire apparatus from Portland was able to reach the scene. Water was pumped from the river to quench the flames.

Wires from all parts of the town, except the Milwaukee or Bobby Burns tavern and the O. W. P. repair shops, were down and aid was summoned with difficulty.

The flames ate one entire block, comprising five frame buildings, two store buildings and damaged property adjoining on the opposite sides of the streets.

The principal losses in buildings and property furnishings are:

O. Wissinger, two-story frame grocery and merchandise store, \$5000; furnishings, \$5000. Another frame building owned by Wissinger and used as a hay and feed store, \$2000.

Oddfellow and Woodmen of the World Hall, two-story frame building, built in 1892, loss \$5000.

Postoffice building, owned by John Wetzlar, two-story frame, loss \$10,000. The postoffice furnishings were lost, valued at \$2000.

Tailor shop owned by Lautan Schlager, loss \$500.

Print shop, Milwaukee Appeal, with presses and stock, loss \$5000. Building completely destroyed.

Two-story frame building owned by Lew Albee, furniture loss \$500.

H. M. Van Horn, trouble man at the telephone exchange, was burned about the hands in fighting the fire at the telephone building, which was burned but not put out of commission.

RELIEF CORPS GIVES MEADE POST FLAG

At the regular meeting of Meade Post No. 2, Department Oregon Grand Army of the Republic, the Relief Corps presented the post with a beautiful flag. The corps were given three cheers by the veterans and a vote of thanks. The adjutant reported that the patriotic citizens of Oregon City had donated \$75 to the Drum Corps to assist them to attend the Los Angeles National Encampment September 9 to 14, and a committee on resolution on the death of D. K. Bill was appointed, consisting of George A. Harding, H. S. Clyde and L. Hull.

WILSON IS NOW FOR IMMIGRATION

CANDIDATE CHANGES ATTITUDE AT NEW YORK CITY DINNER

AMERICAN STANDARD IS WANTED

Two Score Editors Of Foreign Language Papers Talk Over Proposition With Former College Head

NEW YORK, Sept. 4.—Governor Wilson spoke for the first time tonight in New York City as the Democratic nominee for the Presidency. One of the addresses was delivered at the dollar dinner of the Woodrow Wilson Workingmen's League.

Before going to dinner he met two score editors of foreign language newspapers at the National Arts Club and talked immigration with them.

"If we can hit upon a standard which admits every voluntary immigrant," he said, "and exclude those who have not come of their own volition with their own purpose of making a home and a career for themselves, but have been induced by steamship companies or others to come in order to pay the passage money, then we will have what we will all agree upon as Americans. For I am not speaking to you in a foreign country."

"I am speaking to you as Americans with myself and just as much American as myself and if we all take the American point of view, namely, that we want American life kept to its standards and that the only standards of American life shall be the standards of restriction, then we are all upon a common ground, not of those who criticize immigration but of those who declare themselves Americans."

"I am not saying that I am wise enough of hand to frame the legislation that will meet this ideal. I am only saying that that is the ideal and that is what we ought to hold ourselves to."

"Now, strange as it may seem to some gentlemen who have criticized me, the only blunder I have made, the only practical blunder I have made in my interest in a liberal policy with regard to immigration, is that I got into the wrong society to encourage it. So that it was an indiscretion of judgment and not an indiscretion of purpose, for my interest in immigration is to see that the immigrant is properly informed, is properly safeguarded against imposition of every kind, whether by government or anybody else, and is directed to the place where he can attain the objects he has come for with the greatest advantage to himself. That, to my mind, is the solution of the immigration question."

COUNCIL HALTS WORK ON STREETS

BOARD DECIDES NOT TO LET ANY MORE CONTRACTS UNTIL SPRING

PETITIONS ARE WELCOMED, HOWEVER

Committee Reports Favorably Upon Proposed Canemah Wall To Be Built By Railway

At a meeting of the City Council Wednesday evening it was decided that no contracts for street improvement would be let until next spring. Petitions from property owners for street improvement will be accepted and the Council will prepare to let contracts for the work in the early spring. C. D. Latourette, representing the Hawley Pulp & Paper Company and T. W. Sullivan, representing the Portland Railway, Light & Power Company were present to hear the report of the committee on the Canemah wall which the railway company is to erect. Mr. Sullivan told the members of the Council that his company were ready to proceed with the work and was waiting for the Council to approve the plans and specifications that his company had prepared. The work will be under the direct supervision of the street committee and the City Engineer. Upon a favorable report from the committee on this matter, composed of Councilmen Holman, Horton, Beard, Toose and the City Engineer, the Mayor and City Recorder will approve the plans and specifications for the city.

A communication from the Portland Railway, Light & Power Company asking the council's approval of a heavy rail, which is to be placed on Main street from Moss street to the Abernethy bridge, was referred to the committee on streets and public property.

John Bittner, George Randall and W. A. White were appointed a committee to appraise property on Jackson and John Quincy Adams streets and the extension of the Sewer District No. 2. The property owners on these streets have requested the Council to have their property appraised before the improvements are made on them and the committee will begin work as soon as possible after the grade has been completed.

The report of the City Recorder was read and showed that \$95.50 had been turned over to the general fund from fines during the month of August. Seventeen dog licenses had been taken out, amounting to \$23.00. The total amount turned over to the general fund was \$783.12 during August.

The Chief of Police's report was read and total number of hobos taken and kept for the night were 49. The total number of meals served was 58 at twenty cents a meal, amounting to \$11.60.

CATHOLIC KNIGHTS PLAN BIG PICNIC

The Catholic Knights' picnic, which was postponed on account of the rain August 18, will be held at Schnoerr's Park Sunday, September 8, and is an enjoyable time is anticipated for those attending. There will be good music, sports of all kinds, and prizes given.

The following are the committees that have charge of the affair:

General—J. C. Finnucane, Frank Busch, Sr., Mat Michaels, Jacob Miller, Michael E. Clancey.

Refreshments—Mrs. Mat Raber, Mrs. Mat Michaels, Mrs. Nick Michaels, Miss Emma Webber, Mrs. Jacob Miller.

Grounds—Adam Herman, Stan Tanager, Anton Naterlin, M. Flanagan, John Rineus.

Music—Miss Ida Myers, Miss Tillie Myers, Henry Endres, L. Smith, B. Kuppender, Joe Haas, Everett Downey, Alphonse Roter.

Prizes—H. Hanifin, M. Munch, S. Endre, Harry Jordan, J. Michaels.

The orator of the day will be Rev. A. Hillebrand.

(Continued on page 2)

HELLO!

We're Here!

HERALD & GUY

The Baritone Singer, also with us

Have you heard Joe Evans

Today

And when you see THE FRENCH SPY

in three parts Friday, Sept. 6th Only

You will open your eyes and mouth

THE GRAND

Remember we don't close down on account of rain.

Benefit Moose Home
L. O. O. M., Oregon City, No. 961
Shiveley's Opera House
SEPT. 6, 8 P. M.
Admission 35c and 25c
COL. KING STANLEY
(Soldier of fortune in 14 armies) presents Clark's Wonder Show
A NIGHT IN INDIA
Two solid hours of fun, amusement and mystery by one of America's best Magicians.
Reserved seats now on sale at Jones Drug Store.